

Working with a solicitor



When children's services become involved with a child there may be times when parents need help from a solicitor. This guide is aimed at parents and at other carers who have [parental responsibility](#) for a child. But much of the information will be helpful to other family members and for [kinship carers](#) without parental responsibility who may need help from a solicitor.

A solicitor is a type of legal professional. They can give you information about what the law says. They can help explain what your options are and give advice. In some situations, a solicitor can come to meetings with you and represent you at a court hearing.

This guide looks at:

- [The role of a solicitor and when they might be needed](#)
- [How to find a solicitor](#)
- [Three top tips for working with a solicitor](#)

The role of a solicitor and when they might be needed

1 When might a parent or carer need help from a solicitor?

The boxes below describe four key situations when help from a solicitor may be needed.

Situation one

Children's services have applied (or are about to apply) to the Family Court for an order about your child

If children's services have applied (or are about to apply) to the Family Court for any of the following orders:

- Emergency protection order
- Child assessment order
- Care order or supervision order ([care proceedings](#)).

If you need information about these different types of order, you will find this on our [Care \(and related\) proceedings](#) page.

You will not have to pay for your solicitor when children's services are applying for any of these orders. This is because free [legal aid](#) is available. Legal aid is the use of government money to pay for people to receive legal advice and representation.

Situation two

Children's services have asked you to attend a pre-proceedings (PLO) meeting

Pre-proceedings is a period of time and a formal process. It is where children's services think through whether they need to apply to the Family Court to start care proceedings. A pre-proceedings meeting is part of this process. It is sometimes called a PLO meeting. This stands for the Public Law Outline which is the government's legal framework for care proceedings.

The pre-proceedings process begins when children's services send a letter before proceedings to a parent. This letter should also be sent to anyone else who has parental responsibility for the child. The letter should include:

- Information about the things children's services are concerned and worried about
- The changes children's services would like the parent or carer to make and
- Invite the parent or carer to a pre-proceedings meeting to discuss those concerns.

The aim of the meeting is to agree a plan to address the concerns and avoid the need to start care proceedings. If you need information about the pre-proceedings process, you will find this on our [Pre-proceedings](#) page.

It is very important for to attend a pre-proceedings meeting and find a solicitor specialising in children law to go with you.

You will not have to pay for your solicitor when children's services are applying for any of these orders. This is because free [legal aid](#) is available. If you give the solicitor with a copy of the letter before proceedings they will be able to provide you with free legal advice.

Situation three

Children's services ask you to agree to your child being looked after in the care system

A social worker might be suggesting your child lives with a foster carer or with a family member. Or in a residential placement of some kind. You might be asked to agree this verbally. Or you might be asked to sign a written agreement. You may hear the social worker (or others from children's services) describe this in any of the following ways:

- A voluntary arrangement
- A section 20 agreement
- Voluntary accommodation.

See our [Children in the care system under voluntary arrangements \(section 20\)](#) page for important information and advice.

Whichever term is used and whatever the precise situation, it is a good idea to let the social worker know you want to get some legal advice before deciding whether to agree to your child moving to live somewhere else for any period of time. It is then important to seek urgent legal advice from a solicitor who is a specialist in children law. Or who has 'Children Law Accreditation'. This means the solicitor has specialist knowledge in children law.

Situation four

Children's services ask you to agree to your child being looked after in the care system by foster for adoption foster carers

Foster for adoption involves babies and younger children living with foster carers who may go on to adopt them. It is allowed even though adoption is not yet the formal plan for the child. It can happen even though the Family Court has not been involved.

If this type of foster care has been mentioned let the social worker involved know you want to get some legal advice before deciding whether to agree to their plan. And then seek urgent legal advice:

- From a solicitor who is a specialist in children law. Or who has Children Law Accreditation.
- Contact Family Rights Group's specialist legal and practice advice line on 0808 801 0366. The advice line is open Monday to Friday, from 9.30 am to 3 pm (excluding bank holidays)
- Read our [Foster for adoption: information for parents](#) advice sheet which looks at:
 - What foster for adoption is and what it means for parents and their child
 - What needs to happen before a child is placed in a foster for adoption placement
 - What parents should do if a social worker tells them they want to place their child in a foster for adoption placement.

How to find a solicitor

2 What type of law will a solicitor need to specialise in to help a parent or carer where children's services are involved with their child?

Most solicitors specialise in a certain area of the law. It is a good idea to choose a solicitor who is a specialist in children law. Or who has 'Children Law Accreditation'. This is a quality mark from the Law Society. It means the solicitor has special expertise in children law. This includes situations involving children's services.

3 How can I find a solicitor?

The Law Society

This is the independent professional body for solicitors:

- Search using the free 'how to find a solicitor' function on the [Law Society website](#)
- The Law Society of England & Wales, 113 Chancery Lane, London WC2A 1PL
- Tel: 0207 242 1222
- Minicom: 0870 600 1560
- Email: info.services@lawsociety.org.uk.

The Solicitors Regulation Authority (SRA)

The SRA sets the principles and code of conduct that solicitors in England and Wales should follow. You can contact the SRA to check whether somebody is a solicitor and find where they work.

- Search the solicitors register on the [SRA website](#)
- The Solicitors Regulation Authority, The Cube, 199 Wharfside Street, Birmingham, B1 1RN
- Tel: 0370 606 2555

4 Will children's services help me to find a solicitor?

Some children's services departments will provide parents with a list of solicitors in the local area. You can ask your child's social worker about this. They cannot recommend a solicitor though.

Three top tips for working with a solicitor

We have three top tips to help you make sure that you can work well with your solicitor. These are:

- [Tip one: Get organised](#)
- [Tip two: Know what you can expect from your solicitor](#)
- [Tip three: Know what to do if you are unhappy with how your solicitor is handling your case](#)

Tip one: Get organised

- Try and keep all written documents together. It is a good idea to have a file to keep these in, or
- If documents are coming to you by email, keep these saved together on your computer or tablet. It is a good idea to save the documents with the date on which you received them
- Try to keep all appointments with your solicitor (and with other practitioners). Keep a note of any appointments in your phone or in a diary so that you know when these will take place
- If there is a time or day when you know you usually will not be able to meet, or speak, with your solicitor let them know this. They can see if appointments with them can take place around these times. Information about your working hours, college times, times you are doing the school run might all be useful to share
- If there is an emergency and you can't get to an appointment make sure you let the people who you are supposed to be meeting know as soon as possible
- Keep a written note of conversations with the social worker or other practitioners involved with your child and family. This can help you to remember what you have talked about and agreed. Or you could use your phone to make a voice note or a text note instead if this is easier. Read over, or listen back to, these notes. You can share them with your solicitor if it is helpful
- As things happen in your case, make a note of any questions you might want to ask next time you speak or meet with your solicitor
- If you have to go to court with your solicitor, it is also a good idea to wear smart, comfortable clothes. And it is a good idea to get there early so that you have time to talk to your solicitor before the hearing
- Sometimes meetings with children's services, your solicitor or a court hearing may happen by phone or as a video conference. If you are feeling worried about this, or think you may need some extra help, make a note or voice note about this. You can then share this with your solicitor. It might be that you are worried you do not have the right equipment. Or that you don't feel clear and confident about how exactly to join the meeting or hearing. It could be that you are worried there is no quiet space to take part in the meeting or hearing. Mentioning this to your solicitor early on it is a good idea so that they can work through what help you may need
- If it is a final hearing in care proceedings that you are getting ready for you may find our [What helps parents to participate in care proceedings and to prepare for a final hearing?](#) page helpful.

Tip two: Know what you can expect from your solicitor

- Your solicitor will act on your behalf in dealing with children's services and can represent you in the Family Court
- If you have questions which are urgent and these are not things your child's social worker can help you with, then call your solicitor
- If your urgent question is about a legal issue, for example about what your rights or options are, then always contact your solicitor
- Your solicitor should be used to explaining information. If you have not understood something you should tell your solicitor. You can ask for the information to be put in a different way
- Your solicitor should pass onto you copies of all documents that children's services, the Family Court or other lawyers involved in your child's case have shared. This includes assessment reports, statements, court orders, court decisions (known as reasons or as court judgment) and minutes (notes) of meetings). This is important information that you need to have time to read and get help from your solicitor to understand
- Your solicitor should take your instructions about what your views are, and what you would like to happen. Your solicitor should also give you advice about legal issues
- If your solicitor is not able to come to a court hearing with you, they should let you know who will be coming in their place. This could be another solicitor that they work with, or a barrister. A barrister is a lawyer who specialises in representing people at court
- If you have not met the person who is representing you at court, your solicitor should make sure that person comes to court a little earlier. This is so you have time to speak with them without feeling rushed
- If the court hearing is going to be by phone or by video conference your solicitor should explain how you and the person with you at court will be able to talk privately about your case whilst on the call. And how you will be able to let that person know if you need to tell them something or have a question during the hearing.

Tip three: Know what to do if you are unhappy with how your solicitor is handling your case

- Talk to your solicitor about your concerns. This gives them a chance to put things right for you
- Think about what positive steps they could take that might help, for example:
 - Meeting with you in person, by phone or video call to answer questions about your case
 - Updating you more regularly
 - Putting their advice in writing to you, with a summary of the case and the action they are taking for you
 - Explaining whether you will get the chance to give evidence if you want to and if not, why not.
- If you are still unhappy about how your solicitor is handling your case, then you may want to put your concern in writing. You can ask for it to be treated as a complaint. All firms of solicitors must have a complaints procedure. They must give you information about it in their first meeting with you
- If you are still not happy with the way your solicitor is dealing with your case, you can also try to find a different solicitor, but be aware that this can take some time when you are receiving legal aid. You can also complain about your solicitor to the [Solicitors Regulation Authority](#).