**In the Family Court No: [*Case number*]**



**sitting at [*Court name*]**

**[The Matrimonial Causes Act 1973] /**

**[The Civil Partnership Act 2004] /**

**[Schedule 1 to the Children Act 1989] /**

**[The Inheritance (Provision for Family and Dependants) Act 1975] /**

**[The Matrimonial and Family Proceedings Act 1984 and Schedule 7 to the Civil Partnership Act 2004]**

**(Delete as appropriate)**

**The** **[Marriage] /** **[Relationship] /** **[Family] of [*applicant name*] and [*respondent name*]**

**(Adapt as necessary)**

After hearing [*name the advocate(s) who appeared*]

After consideration of the documents lodged by the parties

**(In the case of an order made without notice)** After reading the statements and hearing the witnesses specified in para [*para number*] of the Recitals below

**FINAL THIRD PARTY DEBT ORDER MADE BY [*NAME OF JUDGE*] ON [*DATE*] SITTING IN [OPEN COURT] / [PRIVATE]**

**(Delete as appropriate)**

**The parties**

1. The applicant is [*applicant name*]

The respondent is [*respondent name*]

Further respondent(s): [*further respondents names*]

**(Specify if any party acts by a litigation friend)**

**Definitions**

1. The “third party” refers to [*name*] of [*full address*]

**Recitals**

1. **(In the case of an order made without notice)**
   1. This order was made at a hearing without notice to the respondent. The reason why the order was made without notice to the respondent was [*insert*];
   2. The Judge read the following [affidavits] / [witness statements] / [*insert*] and heard oral testimony from [*name*].
2. **(In the case of an order made following the giving of short informal notice)**

This order was made at a hearing without full notice having been given to the respondent. The reason why the order was made without full notice having been given to the respondent was [*insert*].

**Findings of the court**

1. On [*date and time*], [*name of judge*] considered the application of the applicant for a final third party order.
2. On [*date*], [*name of judge*] made an order under case number [*case number*] requiring the respondent to pay money to the applicant.
3. The amount now owing under that order is £[*amount*] including interest and costs as follows:

|  |  |
| --- | --- |
| Sums remaining due for payment under the order | £[*amount*] |
| Interest to the date of the order | £[*amount*] |
| Costs to the date of the order | £[*amount*] |

1. There is a debt due or accruing due by the third party to the respondent.

**IT IS ORDERED THAT:**

1. The third party pay to the applicant the sum of £[*amount*] by 4pm on [*date*].
2. The applicant’s costs of this application, [summarily assessed at £[*amount*]] / [to be subject to detailed assessment in accordance with the Civil Procedure Rules 1998 Part 47 [if not agreed by [*date and time*]], are to be retained out of the money recovered by the applicant under this order in priority to the sums remaining due under the order of [*name of judge*] under case number [*case number*].
3. The amount owed by the third party to the respondent will be reduced by:
   1. what the third party pays under this order; and
   2. any costs and expenses to which the third party is entitled.
4. The amount owed by the respondent to the applicant will be reduced by what the third party pays under this order less the applicant’s costs of the application.

Dated [*date*]