



## Summons to appear at court for directions to be given

(Issued under Rule 37.6(1) and (3) of the Family Procedure Rules 2010)

**This is an important legal document requiring you to attend court. You should read it carefully and you are advised to obtain independent legal advice.**

**If upon determination of the matters raised in this summons you are held to be in contempt of court you may be imprisoned or fined, or your assets may be seized.**

Case no./Serial no.

Claimant's name (including ref.)

Defendant's name (including ref.)

### To the defendant

Name

Building and street

Second line of address

Town or city

County (optional)

Postcode

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**Note** – Give the address of defendant at which summons to be served

**You are summoned to appear at the court listed below for directions to be given.**

Name of court

Building and street

Second line of address

Town or city

County (optional)

Postcode

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**Time of hearing**

**Date of hearing**

Day

Month

Year

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**If you do not attend the court on the date and at the time stated above a warrant may be issued for your arrest and production at the court.**

This summons has been issued under rule 37.6(1) and (3) of the Family Procedure Rules 2010

## **To the defendant**

### **Your rights**

You have the right to be legally represented in the contempt proceedings.

You are entitled to a reasonable opportunity to obtain legal representation and to apply for legal aid which may be available without any means test.

HMCTS will provide you with an interpreter to support you in the courtroom if you cannot speak or understand the language used in court. Please notify court staff if this is necessary.

You are entitled to a reasonable time to prepare for the hearing of the contempt application against you.

You are entitled but not obliged to give written and oral evidence in your defence.

You have the right to remain silent and may not be compelled to answer any question the answer to which may incriminate you.

If you do not attend the hearing, the court may proceed in your absence. Whether or not you attend, the court will only find you in contempt if satisfied beyond reasonable doubt of the facts constituting contempt and that they do constitute contempt.

If the court is satisfied that you have committed a contempt, the court may punish you by a fine, imprisonment, confiscation of assets or other punishment permitted under the law.

If you admit the contempt and wish to apologise to the court, that is likely to reduce the seriousness of any punishment by the court.

The court's findings will be provided in writing as soon as practicable after the hearing.

The court will sit in public, unless and to the extent that the court orders otherwise. Its findings will be made public.

The following information is required to be included in the summons pursuant to Rule 37.6(3) of the Family Procedure Rules 2010.

- 4.** Nature of the contempt (for example, breach of an order or undertaking or contempt in the face of the court)

- 5.** Is the summons based on the breach of an order?

Yes – **go to question 6**

No – **go to question 9**

- 6.** Date and terms of the order allegedly breached or disobeyed ('the order'). (If there is more than one such order, set out the date and terms of each order.)

**7.** Date of personal service of the order

Day

Month

Year

If the order was not personally served state the date and terms of any order dispensing with personal service of the order

**8.** Did the order include a penal notice warning of the potential consequences of failure to comply?

Yes

No

9. Date and the terms of any undertaking allegedly breached ('the undertaking'). (If there is more than one such undertaking, set out the date and terms of each undertaking)

**10.** Did the person who gave the undertaking understand its terms and the consequences of failure to comply with it?

Yes. Explain why in the box below

No. Explain why in the box below

**11.** Summary of facts alleged to constitute the contempt (set these out very briefly, in chronological order, in numbered points)

When you appear at court, directions will be given by the judge for determining the allegation(s) of contempt of court against you or a substantive order may be made on this summons if appropriate.

**Dated**

Day

Month

Year