



For family or friends who
step up to raise a child.



Checklist: questions to ask your solicitor

Kinship carers' experiences of working with solicitors form the basis of these questions. All questions might not be relevant to you. Its intention is to help guide conversations and support you to obtain helpful legal advice, helping you to understand your rights and responsibilities.

Questions that might help you choose the right solicitor

Look for local solicitors by asking at your local kinship peer support group, or go to the Law Society's 'Find a solicitor' online tool.

These questions are for those that are finding the right solicitor to represent you and your family. You might find it helpful to speak to several solicitors before choosing the right organisation for you.

- Do you specialise in public law or private law?
- What are your hourly costs?
- What would you estimate the total likely cost of my case to be?
- Do you offer any payment plans?
- Do you offer legal aid?
- What do you expect the timescale to be for my case?
- What experience do you have of working on kinship cases?
- Do you have a 'Children Law Accreditation'?
- How will you keep me updated through the case?
- Can you advise me on long-term support planning for the child's future, beyond getting the order, including how to get access to therapy, financial support and difficulties over contact?

Initial questions

These questions are for when you might be first considering whether kinship care is the right decision for you:

- Can you explain the different type of kinship care and how that might impact my rights, responsibilities and financial support available?
- What support can I ask for and what am I likely to get based on your experience? This might include financial, therapeutic and housing support
- How much parental responsibility will I have for the child? What parental responsibility will the parents have? Can you advise what I will and won't be able to do depending on the legal arrangement. For example: can I take the child on holiday? Who can make medical decisions?
- How long will the legal process take?
- How will my voice and the voice of the child be heard?
- I'm considering a special guardianship order. Will you be able to review my support plan and advise what else should be included?

Finances

These questions are related to financial support you might want to seek in any arrangement:

- Can you ensure non-means tested financial support is written into any agreement? And that the financial support will be in place until the child turns 18?
- Can you ensure additional financial support is provided for birthdays and holidays?
- Are there any additional legal costs that I may need to account for, both now and in the future?

Contact

- Who makes decisions about parental contact (for example, how often, when and where)?
- Do I have the right to change or refuse access based on the best interests of the child?
- What rights do the parents have? Are they able to take us back to court in the future? If they do, what happens then?

Court proceedings

- How will you keep us up to date with how things are progressing?
- What are the steps in this process?
- Will I need to attend a MIAM? (Mediation Information and Assessment Meeting)
- Who will be my main point of contact?
- Will I be involved directly in any court proceedings? What should I expect?
- Will the child/ren be involved in any court proceedings? What should we expect?
- What happens if I disagree with the outcome of the court proceedings?

kinship.org.uk