



CILEX Level 6 Single Subject Certificate/CILEX Level 6 Professional Higher Diploma in Law and Practice/CILEX Level 6 Graduate Fast-Track Diploma

THE CHARTERED INSTITUTE OF LEGAL EXECUTIVES

Unit 20 – The Practice of Family Law

Question paper

June 2023

Time allowed: 3 hours and 15 minutes (includes 15 minutes reading time)

Instructions and information

- It is recommended that you take **fifteen** minutes to read through this question paper before you start answering the questions. However, if you wish to, you may start answering the questions immediately.
- You must answer **all** questions.
- This question paper is out of 100 marks.
- The marks for each question are shown — use this as a guide as to how much time to spend on each question.
- Write in full sentences — a yes or no answer will earn no marks.
- Full reasoning must be shown in your answers.
- Statutory authorities, decided cases and examples should be used where appropriate.
- You are allowed to use your own printed copy of the pre-release case study materials, as long as the materials are not annotated in any way. Alternatively, you can access the electronic version of the pre-release case study materials available in the examination.
- You are allowed to make notes on your scrap paper during the examination.
- **Candidates may use in the examination their own unmarked copy of the designated statute book: Blackstone’s Statutes on Family Law 2021 -2022, 30th edition, Rob George, Oxford University Press, 2021.**
- You must comply with the CILEX Exam Regulations – Online Exams at Accredited Centres/CILEX Exam Regulations – Online Exams with Remote Invigilation.

Turn over

Answer ALL questions

Question 1

Reference: Question relates to **Documents 1 and 2** of the case study materials.

Explain to your client, Ben Trent:

- (a) the importance of jurisdiction and whether he can petition for divorce in England;
(7 marks)
 - (b) the ground for divorce that he would have to satisfy if he starts proceedings in England and how the ground would be satisfied;
(5 marks)
 - (c) the divorce process and the time frame.
(9 marks)
- (Total: 21 marks)*

Question 2

Reference: Question relates to **Documents 1 and 3** of the case study materials.

Explain to your client, Milly Jackson, with reference to the factors that the court will consider, how she can ensure that:

- (a) she and the children can continue to live in the family home while the divorce application is pending and after the divorce is finalised;
(11 marks)
 - (b) her husband continues to support her financially while the divorce application is pending and when the divorce is finalised.
(14 marks)
- (Total: 25 marks)*

Question 3

Reference: Question relates to **Documents 1 and 4** of the case study materials.

Advise your client, Leroy Williams, as follows:

(a) how he can secure his right to be involved in the decision making about Devon and Rohan;
(5 marks)

(b) (i) which s8 orders he should apply for to resolve the issues of ensuring regular ongoing contact and of taking Devon and Rohan to visit their grandparents;
(5 marks)

(b) (ii) the likely outcome of an application with reference to the principles and factors that the court will consider in this case.
(18 marks)

(Total: 28 marks)

Question 4

Reference: Question relates to **Documents 1 and 5** of the case study materials.

Advise your client, Freya Norton, as follows:

(a) which orders she should apply for to protect herself from further domestic abuse and whether she is eligible to apply for these orders;
(6 marks)

(b) the likely outcome of an application in this case, with reference to the factors that the court will consider when deciding whether or not to grant the orders.

(20 marks)

(Total: 26 marks)

End of the examination