

LexisNexis Practical Research - Family Law

Mary has recently separated from her husband Nigel after 10 years of marriage. Mary has two children with Nigel, Sophie (6 years old) and Emma (2 years old) and a 14-year old son Ben from a prior relationship. Nigel and Mary entered into a parental responsibility agreement giving him parental responsibility for Ben when they were first married.

Mary left the family home taking Ben with her. She initially stated she would return for the girls when she had found a large enough property but now refuses to see them saying she is finding it hard to cope with them.

Nigel has continued to spend time with Ben every weekend since the separation (6 months) and says he considers Ben to be his son. Mary has tried to prevent contact between Ben and Nigel and Nigel is growing concerned as to the impact Mary's emotional state is having on Ben. Nigel would like Ben to return to the family home until Mary is settled and Ben has stated he would prefer to live with Nigel.

Using Lexis®PSL and Lexis®Library research the answers to the following questions

- Q1: Can Nigel apply for contact with his stepson Ben?
- Q2: Can he apply for a child arrangements order for Ben to live with him?
- Q3: Does Ben's opinion count and if so to what extent?

Notes

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