

Civil FAQ'S (will be updated regularly)

Can we accept new civil claims for issuing by email from parties who are unable to send them by post during the outbreak?

The usual process should continue to be followed unless there are exceptional circumstance what a claim should be issued imminently (such as approaching limitation or terminally ill party) and usual processes cannot be followed due to COVID-19. In this situation, a decision can be taken locally but this should be done on a case by case basis.

Can users submit applications to adjourn hearings, or other applications, in bulk?

Applications must be made to the court or hearing centre where the case is currently held, however users can use one application form to apply for adjournments in multiple cases as long as that requirement is met. If doing so, the applying party must provide the case number, party names, date of hearing and adjournment reason for each case they wish to be considered. Please see the enclosed adjourned hearings guidance for information on how to record hearings that have been adjourned due to reasons related to the current Coronavirus outbreak. If in doubt judicial advice should be sought.

Will automatic extensions be given by the courts for complying with orders, preparation for hearings and attendance at hearings?

Currently the court is unable to provide blanket extensions therefore requests will need to be made on individual cases where required. The courts have been advised to be sympathetic to such requests in line with the guidance issued by the Lord Chief Justice.

Will formal applications be needed to delay directions, and will you adjourn hearings without the need for applications?

Yes, formal applications will be required to seek extensions of time or to adjourn hearings. However, it has been agreed that the fee for such applications will be waived in these circumstances. In certain circumstances the court may decide to adjourn hearings where these cannot be accommodated within current safety guidance and are not suitable for video or audio hearing.

Will wet signatures still be required on forms and documents?

No, digital signatures are acceptable as set out in 5.3 of the CPR: "where any of these Rules or any practice direction requires a document to be signed, that requirement shall be satisfied if the signature is printed by computer or other mechanical means."

Can all clinical negligence or other claims which require NHS staff be adjourned and the time for complying with directions be extended?

No, such applications should be made and considered on a case by case basis. Mass adjournments would be a denial of justice for the other side. However, it is likely that courts would be sympathetic to the application given the present circumstances.

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