COURT BUNDLES & PD27A

“QUICK LOOK” GUIDE

This is a concise guide to the essential requirements for court bundles in Family Court proceedings. It does not contain all of the rules as prescribed by Family Procedure Rules Practice Direction 27A; all practitioners should be sure that they read the Practice Direction in full and familiarise themselves with its contents. A failure to comply with the Practice Direction can result in the case being adjourned and a wasted costs order being made against the legal representative.

WHEN ARE COURT BUNDLES REQUIRED?

* For all hearings in the Family Court and High Court Family Division
* Directions hearings and final hearings
* Hearings with notice and without notice
* Bundles are not required for urgent hearings only when it is impossible to comply

FORMAT

* Limited to one A4 ring binder/lever arch file
* Limited to 350 pages (unless the court has specifically directed that the bundle can exceed this limit. Permission to exceed the page limit should be sought at the PHR or IRH and will only be allowed if it is necessary and proportionate)
* Pages to be printed single-sided
* Font no smaller than 12 point
* 1.5 or double spaced text
* All pages should be numbered (paginated)
* Documents should be in chronological order, earliest first
* Documents should be divided into separated sections and the sections should be separately paginated
* The front and spine should be marked with: the title and number of the case; the place where the hearing is listed; the hearing date and time; the Judge (where known)

WHO IS RESPONSIBLE?

* The Applicant
* If the Applicant is a Litigant in Person, the first Respondent who is legally represented
* If all parties are Litigants in Person, a bundle is not required unless the court directs one to be prepared by one party; alternatively, the court may direct that HMCTS prepare a bundle
* The contents of the bundle and the preliminary documents should be agreed by all parties prior to the hearing

HOW MANY COPIES ARE REQUIRED?

* Hearings before a Judge: one copy
* Hearings before Magistrates: four copies
* If oral evidence is likely to be given at the hearing, a separate copy of the bundle should be brought to the court for the witness to use

WHEN?

* The bundle shall be lodged no less than 2 working days before the hearing, unless the court directs otherwise (usually earlier)
* The preliminary documents shall be lodged no later than 11am on the day before the hearing

WHERE?

* At the Court Office

HOW?

* If the bundle is delivered in person, a receipt should be obtained
* If the bundle is delivered by post or DX, it should be marked with the date and place of the hearing on the outside of the package. Proof of posting should be obtained

CONTENTS OF THE BUNDLE

* Only documents which are relevant to the hearing, which it is necessary for the court to read or which will actually be referred to during the hearing
* The documents should be in the following sections:

A: Preliminary documents and case management documents

B: Applications and orders

C: Statements and affidavits

D: Care plans

E: Expert reports

F and onwards: Other documents

* The following documents (“excluded documents”) should not form part of the court bundle, unless the court has specifically directed otherwise:

Correspondence (including letters of instruction to experts, not including open offers of settlement in financial remedy proceedings)

Medical records

Bank and credit card statements and other financial records

Contact notes

Foster carer logs

Social services files

Police records

* All documents must be copies of the originals which have been signed and dated
* The bundle should include an index of all the documents contained and their page numbers. It may be sensible to include the total number of pages

PRELIMINARY DOCUMENTS

* Preliminary documents should be agreed by all parties
* To be provided not later than 11am on the day before the hearing
* Preliminary documents which have been superseded should be removed from the court bundle: the court only requires the preliminary documents relevant for the hearing
* Should be as short and succinct as possible
* State below heading the date prepared and the date of the hearing
* Should be cross-referenced with the other parts of the bundle

Case summary

* Concise summary of the background
* Confined to matters relevant to that hearing and the management of the case
* Limited to four A4 pages where practicable
* Where proceedings relate to a child and the case is before Magistrates, should anonymise the child and parties, and set out the number of pages in the bundle

Statement of issues

* Includes issues to be determined at that hearing and at the final hearing

Agreed schedule of assets

* In financial remedy proceedings

Position statements

* From each party
* To include a summary of the order sought by that party at that hearing and at the final hearing

Chronology

* For final hearings, or where the case summary is insufficient
* Must be up-to-date
* A social work chronology must be succinct and concise, and must comply with the local [Practice Guidance for Social Workers](http://www.llfjb.com/wp-content/uploads/2014/10/Practice-guidance-for-social-workers.pdf)

Skeleton arguments

* To be included where appropriate
* Any authorities relied on should not be included in the court bundle; copies should be provided in a separate composite agreed bundle

A list of essential reading for the hearing

* To include only the documents which the Judge/Magistrates must read in advance of the hearing

A time estimate

* To specify: time for judicial pre-reading; the time for hearing all evidence and submissions; likely time required for preparing and delivering judgment

WITNESS STATEMENTS

* Must be signed, dated and accompanied by a statement of truth
* Must contain the date in the top right corner of the front page
* Must not exhibit or duplicate any “excluded documents”
* Social work statements should follow the [National Guidance](http://www.llfjb.com/wp-content/uploads/2014/08/Guidance_for_completing_the_national_local_authority_social_work_.pdf) and comply with the local [Practice Guidance for Social Workers](http://www.llfjb.com/wp-content/uploads/2014/10/Practice-guidance-for-social-workers.pdf)

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| DOCUMENT TYPE | SECTION | LEAVE REQUIRED? | LATEST TO LODGE |
| Case summary | A |  | 11am day before |
| Statement of issues | A |  | 11am day before |
| Schedule of assets | A |  | 11am day before |
| Position statements | A |  | 11am day before |
| Chronology | A |  | 11am day before |
| Skeleton arguments | A |  | 11am day before |
| Reading list | A |  | 11am day before |
| Time estimate | A |  | 11am day before |
| Applications | B |  | 2 days before/as ordered |
| Orders | B |  | 2 days before/as ordered |
| Statements | C |  | 2 days before/as ordered |
| Care Plans | D |  | 2 days before/as ordered |
| Experts’ reports | E |  | 2 days before/as ordered |
| Correspondence | F+ | Yes | 2 days before/as ordered |
| Medical records | F+ | Yes | 2 days before/as ordered |
| Bank statements etc | F+ | Yes | 2 days before/as ordered |
| Contact notes | F+ | Yes | 2 days before/as ordered |
| Foster carer logs | F+ | Yes | 2 days before/as ordered |
| Social services files | F+ | Yes | 2 days before/as ordered |
| Police disclosure | F+ | Yes | 2 days before/as ordered |