

## PRACTICE GUIDANCE: COURT OF APPEAL (CIVIL DIVISION) HEAR-BY DATES (2015)

1. Hear-by dates for different classes of appeal were revised more than 12 years ago, see *Practice Note (Court of Appeal, Civil Division Listing Windows and Hear-by Dates)* [2003] 1 W.L.R. 838, dated 28<sup>th</sup> February 2003. Since that time, the number of permission applications filed in the Court of Appeal has increased by 67%. There has also been a small increase of 3% in appeals since 2003.
2. Over the same period, the number of Lord and Lady Justices of Appeal has increased by one, from 37 to 38, in 2008. Because of the increasing volume of work of the Court, the hear-by dates set in 2003 are no longer realistic. In order to provide litigants and practitioners with a reliable timescale within which different classes of appeal are likely to be heard, revised hear-by dates have been set, to apply to all cases filed after 31<sup>st</sup> July 2015. The new hear-by dates are set out in the Hear-by Date Table, set out in **Annex 1** to this Practice Guidance. They vary depending upon whether permission to appeal was granted in the lower court or, if by the Court of Appeal, whether on paper or at an oral renewal hearing.
3. The hear-by dates are measured from the date an Appellant's Notice is issued in the Court of Appeal to the date the appeal is likely to be heard. In the exercise of its case management powers, the Court will strive to ensure that appeals are generally heard before the relevant hear-by date.
4. Applications for an expedited hearing will continue to be determined by a single Lord or Lady Justice or a Master or Deputy Master, in accordance with the principles set out in *Unilever plc v Chefaro Proprietaries Ltd (Practice Note)* [1995] 1 WLR 243.
5. This Practice Guidance replaces the Practice Note, dated 28<sup>th</sup> February 2003, for all cases filed after 31<sup>st</sup> July 2015.

Lord Dyson, Master of the Rolls and Head of Civil Justice

17th June 2015

**Annex 1: Hear-by Dates**

	All times run from date of issue to date of appeal hearing		
TYPE OF APPEAL	If PTA granted in lower court	If PTA granted in CA on paper	If PTA granted in CA at oral hearing
<ul style="list-style-type: none"> <li>• Child cases</li> <li>• Planning appeals</li> </ul>	2 months	4 months	5 months
<ul style="list-style-type: none"> <li>• Interlocutory appeals (Administrative Court, High Court, County Court)</li> <li>• Preliminary issues (High Court, County Court)</li> <li>• Financial remedies (child)</li> <li>• Immigration/asylum statutory appeals and judicial review appeals</li> <li>• National security related appeals</li> <li>• Possession (High Court, County Court)</li> <li>• Bankruptcy (High Court)</li> </ul>	6 months	9 months	12 months
<ul style="list-style-type: none"> <li>• Final orders (Administrative Court, High Court, County Court)</li> <li>• Other Tribunals (e.g. UTLC, UTCC, UTAAC, EAT, CAT)</li> <li>• Financial remedies (divorce)</li> </ul>	11 months	15 months	19 months