

BUSINESS AND PROPERTY COURTS IN NEWCASTLE PRACTICE COURT SCHEME

Starting on 9th April 2021, and subject to judicial availability, a Judge will be available for one hour on most Fridays from 10 to 11am to assist with resolving practice issues arising in relation to cases in the Business and Property Courts (i.e. the Business and Property Work in the High Court and County Court; the Circuit Commercial Court; and the Technology and Construction Court). The scheme will run as a pilot until 30 July 2021 to see whether it proves worthwhile. A list of the dates upon which the scheme will operate is in the appendix to this notice.

The identity of the Judge and the time and venue will be publicised in the cause list in the usual way under the heading "Practice Issues".

There is no fixed list of matters that might be suitable to be dealt with by the Judge. However, such matters should not be contentious and should be capable of being dealt with in a maximum of 15 minutes without detailed pre-reading. The types of matter which would be suitable for such hearings would be practical issues requiring urgent resolution and which would benefit from judicial input, for example, which applications or issues are to be dealt with at a forthcoming hearing, the alteration of a time estimate or trial timetable which has a significant impact on the trial, the drafting of orders which may result in the disposal of a case or applications and the application of the CPR. In general, the object of such hearings should be to obtain the court's guidance rather than the making of a court order, albeit that an order may be made if necessary. The court will not hear applications for contentious costs orders at such hearings. The costs are to be treated as part of the costs of the case.

It will not be necessary to issue a formal application to have a matter considered by the Judge under this scheme, but the Practice Court facility should not be used as a means of by-passing the need to do so where appropriate, and the Judge may require the issue of a formal application and payment of a fee as a condition of assisting in an appropriate case. Nor should the facility be used in order to obtain guidance on a contentious issue under the Disclosure Pilot.

Initially the facility will only be available to legally represented parties.

The hearings will take place at the Moot Hall, Newcastle. Any parties wishing to take part should be in court by 10.00am and, if possible, make their presence known to the clerk prior thereto. The court will adopt an applications day approach to dealing with business. If possible, parties should notify the court by email of their intention to attend by 12 noon on the day before the hearing to NewcastleBPC@justice.gov.uk. The subject bar should include the words "Practice Court" and the name and case number of the case. The body of the email should indicate who is attending and set out brief background and the issue which the judge will be asked to consider. Unless the case is on CE file, those attending cannot expect that the judge will access to the case file.

HH Judge Kramer 22.03.21

APPENDIX

A Practice Court is expected to be available on the following dates:

April 9, 16,23.

May 7,14,28

June 4,11,18

July 2,30.