



PRACTICE GUIDANCE IN RESPECT OF TRANSITION OF MATTERS FROM THE NATIONAL DOL LIST TO THE COURT OF PROTECTION

INTRODUCTION

The aim of this Practice Guidance is to ensure that the process around the transition of cases from the National DOL List (“NDL”) to the Court of Protection (either at its central registry or one of its seven regional hubs) is understood and managed effectively by judiciary and court staff. The Practice Guidance is based on the internal guidance used by judiciary and court staff with respect to such cases.

This Practice Guidance covers cases where the child is 16 or 17 years old and a decision is taken that further consideration should be undertaken by the Court of Protection.

In such a situation, directions should be made that:

- a. the applicant makes, within a specified timeframe, a COP1 application to the appropriate regional hub court (First Avenue House for London, Reading for the South East, Bristol for the South West, Cardiff for Wales, Birmingham for the Midlands, Manchester for the North West, Leeds or Newcastle for the North East), for consideration by a judge of Tier 2;
- b. the papers from the NDL proceedings are released into the COP proceedings.

The National DOL List email address is rcj.nationaldolslist@justice.gov.uk

Procedures to be followed

1. The Team Leader in the office of the NDL at the Royal Courts of Justice or the nominated team member is to be responsible for arranging the delivery of the papers to the COP once the order has been approved by the Judge.
2. Any order in respect of further consideration by the Court of Protection should be marked urgent and brought to the attention of the Team Leader or nominated team member.
3. The list of all the COP regional hubs addresses and points of contact to be kept up to date and the NDL team to have access to it.

4. The point of contact at the COP hub court must be established before the papers are sent.
5. The order requiring the application to the Court of Protection must be finalised immediately once the Judge has approved it.
6. A copy of the finalised order must be emailed to the point of contact at the COP hub court before the physical file is sent.
7. When the file is received, administrative staff at the COP hub court will acknowledge receipt. If no such confirmation is received within 2 working days, there should be a follow up email sent from the NDL team to find out whether the file has arrived at its destination.
8. There should be a record kept by the NDL of files that have been referred out to the Court of Protection, specifying to which hub the file(s) have been sent.
9. The Court of Protection needs the file to be received within 2 weeks of the order requiring an application be made to the CoP, so that administrative preparations can be made and consideration given to further directions needed. A copy of the approved order is to be emailed first before sending the physical file.

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