

Courts Charter - The Civil Courts

This leaflet sets out the standard of service you can expect from any County Court in England and Wales in relation to Civil work. We have set these standards after talking to people who have used the court. We aim to provide an excellent, courteous service and when you come to court you can expect fair and equal treatment, no matter what your age, ethnic origin, sexual orientation, disability, gender or religious beliefs.

This Charter is about the administration of the court and not the decisions made by judges. You may be able to appeal to a higher court if you are unhappy about the outcome of your case. If you want to do so you should get legal advice. A leaflet "I want to Appeal" is also available from the court.

Please note that court staff are unable to give legal advice to customers.

If you are coming to court

When you are asked to come to court we will send you, or your solicitor:

- a map of how to get to court;
- details of public transport and any car parks near the court;
- details of the times the court is open;
- information on the availability of refreshments, telephones, separate waiting areas etc;
- the phone number of the Customer Service Officer or Court Manager.

Before the date of your hearing you can ask to see the type of room or court where your case will be heard.

If you have a disability and need help at your court hearing, please let us know in advance by speaking to the Customer Service Officer or Court Manager who will tell you how we can help you.

We can provide foreign language interpreters for some types of case but for others you will need to arrange and pay for this yourself. The court staff will provide further information on request.

The court building is normally open from 9am on days when there are hearings. The public counter or enquiry point is open from 10am to 4pm although locally some may be open for longer than this national minimum standard.

Please note that smoking is strictly prohibited in any part of our buildings.

When you come to court you will find:

- courteous, polite, helpful staff wearing identity badges;
- clear signs to help you find your way around;
- information leaflets on display;
- a notice giving details of the Customer Service Officer or Court Manager who will be pleased to help you with any special needs, suggestions or complaints.

When you go to the public counter or enquiry point we will:

- respect your privacy;
- talk to you out of the hearing of other members of the public, if you prefer;
- use simple clear language and ensure all technical terms are explained;
- attend to your enquiry within 10 minutes or explain the delay if you have to wait longer.

You can contact us by phone Monday to Friday between 9am and 5pm and we will:

- answer the phone promptly and helpfully;
- give the name of the person you are speaking to;
- give you a clear and helpful answer.

When you write to the court, and we need to reply, we will:

- write to you or phone you within 10 working days of receiving your letter;
- tell you who is writing and provide a phone number to contact them if you wish.

If you want to start a case we will:

- send out the documents relating to your case within 10 working days from receipt of your request;
- tell you the reference number of your case within 10 working days of your case being commenced;
- tell you the date you must come to court if this is appropriate.

We can give you forms and offer guidance on how to complete them but we cannot give you legal advice or tell you what to say. We won't be able to say if your case is likely to succeed, or tell you what the court will decide. Leaflets on various aspects of court cases are available from any county court. We will send you the leaflet you ask for within 10 working days. Information is also available on our website www.hmcourts-service.gov.uk

We can also tell you how to get advice from a solicitor, the Citizens Advice Bureau or other relevant or useful agencies.

Community Legal Service

CLS Direct, a free government funded service, will provide information on where you can obtain the type of legal advice you need.

Telephone: 0845 345 4345

website: www.clsdirect.org.uk

National Mediation Service

Mediation provides a simple, low cost method of resolving a wide range of disputes. It can save you time and money and may assist parties in reaching a mutually beneficial resolution. For further information about the mediation process contact the National Mediation helpline.

Telephone: 0845 603 0809

website: www.nationalmediationhelpline.com

Citizens Advice Bureau

The CAB gives free, confidential, impartial and independent advice on a wide range of subjects, including debt, benefits, housing, legal matters, employment, immigration and consumer issues. The phone number and address of the local office will be displayed in the court.

website: www.citizensadvice.org.uk

Money Claim Online

You can start some cases via the Internet. Claims for a fixed amount of money up to £100,000 can be started using our Money Claim Online service at www.moneyclaim.gov.uk. Court fees are payable online using a credit or debit card and lots of help and guidance on both the online service and the small claims procedure more generally is available at:

www.hmcourts-service.gov.uk/onlineservices/mcol/index.htm

Your court hearing

When you arrive at court we will:

- show on a notice board where your case will be heard;
- arrange for you to wait apart from the other side's witnesses if there is no separate area. Please ask the court staff if you would prefer this;
- deal with your case as soon as possible. However, delays can happen, for example if the case before yours takes longer than planned.

If you have to wait we will:

- tell you regularly how much longer you may have to wait;
- tell you as quickly as possible if your case cannot be heard that day.

If we have to change the date of your hearing we will let you know as soon as possible.

Court decisions and orders

You may ask us to enter a judgment because a defendant hasn't replied to the claim. If we can do this, we will make the judgment, and, if necessary, tell you and the defendant within 10 working days from the date the judgment was made.

The judge may hear your case in court or make a decision based on the documents relating to your case. We will send you an order setting out the judge's decision within 10 working days from the date the decision was made.

You can ask us to cancel the registration of a judgment against you if you pay what you owe within one month from the date of the judgment. We will send out a certificate of cancellation within 10 working days from when we receive your request and proof from the claimant that you have paid. If you pay what you owe more than one month after the judgment, you can ask us to mark the judgment as satisfied.

Getting debts paid

Before you decide to enforce a court order (try to get the judgment paid), you should remember that we cannot guarantee you will get your money back. We will give you information on the different ways you can try to get your money back and the fees you will have to pay.

If you ask us to send a warrant of execution to a bailiff (which allows them to remove and sell goods to try to pay your claim or obtain an offer of payment) we will:

- send it out within 10 working days from when you pay us the fee;
- make sure the bailiff visits the defendant within 15 working days from when we send out the warrant if the defendant doesn't pay;
- send you a report within one month after we send out the warrant;
- report to you every month until the bailiff has made a final report;
- send you the report within 10 working days from when we receive it.

If you choose to try another way of enforcing the judgment, we will prepare and send the documents within 10 working days from when you pay us the fee.

For companies who use our computerised system at the County Court Bulk Centre, or who issue online through Money Claim Online, we will:

- send claim forms to defendants within 48 hours of receiving the information;
- send judgments to defendants within 48 hours from when they are made;
- send warrants of execution to the appropriate court within 48 hours.

Listening to you

We welcome your comments and suggestions on how we could improve our service to you. We do this by:

- inviting you to fill in comment cards;
- carrying out local surveys;
- paying attention to all comments, complaints and suggestions;
- displaying information about our performance;
- displaying details in court waiting areas of complaints and suggestions and what we have done to make improvements as a result of your feedback;
- displaying results of local surveys and the changes we have made because of them.

If you have a complaint, please tell us as soon as possible and we will do our best to sort out the problem there and then. If you are still not happy, you can speak to the Customer Service Officer or Court Manager. If you prefer, you can write to the Court Manager of the court in question.

We aim to resolve and respond to the complaint, giving you a full answer within 5 working days of receipt.

A leaflet called “I want to complain – what should I do” is available in every court. For more information please ask one of the court staff or visit our website at www.hmcourts-service.gov.uk. We welcome suggestions and compliments too.

Whilst we can investigate complaints about how a judge behaved in court we cannot investigate anything to do with their judgment, their assessment of a case or overturn any of their decisions. Information about how to make a complaint about the personal conduct of judges is available on the web: www.judicialcomplaints.gov.uk

Such complaints may be sent in writing to:

Office for Judicial Complaints (OJC),
4th Floor, Clive House,
70 Petty France,
London SW1H 9HD

Telephone: 020 7189 2937
Fax: 020 7189 2936

Your letter should include the name of the judge and court, your case number and hearing date together with the specific details of the conduct about which you are complaining.

Although we cannot look into complaints about solicitors, barristers or any other organisation, you may find the following addresses useful:

Solicitors

Consumer Complaints Service,
The Law Society,
Victoria Court, 8 Dormer Place,
Leamington Spa,
Warwickshire CV32 5AE

Helpline: 0845 608 6565
Textphone: 0845 601 1682
Fax: 01926 431435
email: enquiries@lawsociety.org.uk
website: www.oss.lawsociety.org.uk

Barristers

If you would like a complaint form please write to:

The Complaints Department,
The General Council of the Bar,
Northumberland House,
289-293 High Holborn,
London WC1V 7HZ

Telephone: 020 7242 0082
Fax: 020 7611 1342
email: complaints@barcouncil.org.uk
website: www.barcouncil.org.uk