

APPENDIX D: Practice Direction (Family Proceedings: Court Bundles)

Family Division: **[2000] 1 WLR 737, [2000] 2 All ER 287, [2000] 1 FCR 521, [2000] 1 FLR 536**
 Issued on: **10 March 2000**
 Issued by: **Dame Elizabeth Butler-Sloss P.**

1 The following practice direction applies to all hearings in family proceedings in the High Court, to all hearings of family proceedings in the Royal Courts of Justice and to hearings with a time estimate of a half day or more in all care centres, family hearing centres and divorce county courts (including the Principal Registry of the Family Division when so treated), except as specified in para 2.3 below, and subject to specific directions given in any particular case.

‘Hearing’ extends to all hearings before judges and district judges and includes the hearing of any application.

2.1 A bundle for the use of the Court at the hearing shall be provided by the party in the position of applicant at the hearing or by any other party who agrees to do so. It shall contain copies of all documents relevant to the hearing in chronological order, paginated and indexed and divided into separate sections, as follows:

- a) applications and orders;
- b) statements and affidavits;
- c) experts’ reports and other reports including those of a guardian ad litem, and other documents, divided into further sections as may be appropriate.

2.2 Where the nature of the hearing is such that a complete bundle of all documents is unnecessary, the bundle may comprise only those documents necessary for the hearing but the summary (para 3.1(a) below) must commence with a statement that the bundle is limited or incomplete. The summary should be limited to those matters which the Court needs to know for the purpose of the hearing and for management of the case.

2.3 The requirement to provide a bundle shall not apply to the hearing of any urgent application where the circumstances are such that it is not reasonably practicable for a bundle to be provided.

3.1 At the commencement of the bundle there shall be:

- a) a summary of the background to the hearing limited, if practicable, to one A4 page;
- b) a statement of the issue or issues to be determined;
- c) a summary of the order or directions sought by each party;
- d) a chronology if it is a final hearing or if the summary under (a) is insufficient;
- e) skeleton arguments as may be appropriate, with copies of all authorities relied on.

3.2 If possible the bundle shall be agreed. In all cases, the party preparing the bundle shall paginate it and provide an index to all other parties prior to the hearing.

3.3 The bundle should normally be contained in a ring binder or lever arch file (limited to 350 pages in each file). Where there is more than one bundle, each should be clearly distinguishable. Bundles shall be lodged, if practicable, two clear days prior to the hearing. For hearings in the Royal Courts of Justice bundles shall be lodged with the Clerk of the Rules. All bundles shall have clearly marked on the outside, the title and number of the case, the hearing date and time and, if known, the name of the judge hearing the case.

4 After each hearing which is not a final hearing, the party responsible for the bundle shall retrieve it from the Court. The bundle with any additional documents shall be re-lodged for further hearings in accordance with the above provisions.

5 This direction replaces paras 5 and 8 of the direction ‘Case Management’ dated 31 January 1995 and shall have effect from 2 May 2000 (see Practice Direction (family proceedings: case management) [1995] 2 FCR 340, [1995] 1 WLR 262).

6 Issued with the approval and concurrence of the Lord Chancellor.
