

PRACTICE DIRECTION – PILOT SCHEME FOR TELEPHONE HEARINGS

THIS PRACTICE DIRECTION SUPPLEMENTS CPR PART 23

GENERAL

- 1.1 This practice direction is made under rule 51.2. It provides for a pilot scheme ('the Telephone Hearings Pilot Scheme') to operate at Newcastle Combined Court Centre from 1st September 2003 to 27th February 2004. The purpose of the Telephone Hearings Pilot Scheme is to extend the scope of hearings which may be conducted by telephone.
- 1.2 During the operation of the Telephone Hearings Pilot Scheme –
 - (1) paragraphs 6.1 to 6.3 of the practice direction supplementing Part 23 do not apply to hearings conducted under the Telephone Hearings Pilot Scheme; but
 - (2) paragraphs 6.4 and 6.5 do apply and where –
 - (a) the hearing is an allocation hearing, a listing hearing, a case management conference or a pre-trial review; or
 - (b) the court of its own initiative orders a telephone hearing, references in paragraph 6.5 to the applicant are to be read as references to the claimant or such other party as the court directs to arrange the telephone hearing; and
 - (3) paragraph 6.4 is modified so that it also applies to unrepresented parties.

HEARINGS TO BE CONDUCTED BY TELEPHONE

- 2.1 Subject to paragraph 2.2, the following hearings will be conducted by telephone unless the court otherwise orders –
 - (1) allocation hearings;
 - (2) listing hearings;
 - (3) interim applications, case management conferences or pre-trial reviews with a time estimate of no more than one hour; and
 - (4) any other application with the consent of the parties and the court's agreement.
- 2.2 Paragraph 2.1 does not apply where –
 - (1) all the parties are unrepresented;
 - (2) more than four parties may wish to make representations at the hearing (for this purpose where two or more parties are represented by the same person, they are to be treated as one party);

- (3) the hearing could result in the final determination of the whole or part of the proceedings.

2.3 An application for an order that a hearing under paragraph 2.1(1), (2) or (3) should not be conducted by telephone –

- (1) must be made at least 7 days before the hearing; and
- (2) may be made by letter,

and the court shall determine such application without requiring the attendance of the parties.

2.4 The claimant's legal representative (if any), or the legal representative of such other party as the court directs, shall be responsible for arranging the telephone hearing.

DOCUMENTS

3.1 The legal representative responsible for arranging the telephone hearing must file and serve a case summary and draft order no later than 4 pm on the last working day before the hearing –

- (1) if the claim has been allocated to the multi-track; and
- (2) in any other case, if the court so directs.

3.2 Where a party seeks to rely on any other document at the hearing, he must file and serve the document no later than 4 pm on the last working day before the hearing.