

PRACTICE DIRECTION – COUNTY COURT CLOSURES

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1. Scope and Interpretation

1.1 This Practice Direction prescribes the procedure for the transfer of work from a county court prior to its closure.

1.2 In this Practice Direction—

“closing court” means a court which is subject to closure; and

“recipient court” means a court or courts to which work from the closing court is to be transferred in accordance with paragraphs 2.1 – 2.5.

2. Transfer of Work

2.1 If a court is to be closed, work shall be transferred to the recipient court which has been identified in directions made by the Lord Chancellor, under section 2 of the County Courts Act 1984, having consulted the Lord Chief Justice and, where necessary, following consultation between the Lord Chief Justice and the Master of the Rolls, Chancellor of the High Court or the President of the Family Division.

2.2 The transfer of work shall, so far as possible and subject to any direction of a judge in any particular case, be in accordance with the annexed schedules, namely: “Schedule 1 – Civil Proceedings (generally)”, “Schedule 2 – Family Proceedings” and “Schedule 3 – Insolvency Proceedings” (“the schedules”).

2.3 Any case falling outside the categories of work listed in the schedules will be referred to a judge in the closing court for determination of the appropriate recipient court.

2.4 If a case is transferred from the closing court to a recipient court by an order made under rule 3.3(4) of the Civil Procedure Rules or rule 4.3(4) of the Family Procedure Rules, the closing court shall notify all parties that they may apply to the recipient court, on notice and within 7 days of the date of service of the transfer order, to vary the court to which the case should be transferred.

- 2.5 On the date that a court closes, all work which has not previously been transferred from that court shall be transferred to the recipient court or courts in accordance with paragraph 2.1.

The Lord Chief Justice

Signed by authority of the Lord Chancellor

Parliamentary Under Secretary of State
Ministry of Justice

Schedule 1 – Civil Proceedings (generally)

Key	
Court A	Closing Court
Court B	Recipient Court. There may be more than one recipient court.

Ref	Timing (period prior to closure)	Procedure	Action (subject to any direction of a judge in accordance with paragraph 2.2 of the Practice Direction)
1.1	3 months	Request to issue a Part 7 claim at Court A	Transfer to and issue in the name of Court B
1.2	3 months	Cases transferred to Court A on receipt of a defence from a defendant	Case to remain at Court A for directions under CPR Part 26
1.3	3 months	Requirement to list a case/application for date post-closure	Transfer proceedings to Court B for that court to list for hearing
2	2 months	Request to issue Part 8 claim at Court A (including claim for possession under Part 55)	Issue the case at Court A but transfer proceedings to Court B for that court to list for hearing
3.1	6 weeks	Request to issue or re-issue warrant of execution (including possession warrants not issued through PCOL) where Court A is the home court	Transfer warrant to Court B for execution
3.2	6 weeks	Receipt of a foreign warrant (electronic)	Before printing – update executing field to ‘Court B’ (where it will then be executed as a foreign warrant)
3.3	6 weeks	Receipt of foreign warrant (paper)	Forward to Court B for manual input and execution
3.4	6 weeks	Receipt of possession warrants from PCOL	Update executing field to ‘Court B’. This will create a final return – warrants should then be entered as a foreign warrant at Court B
4	2 months (or when lists become full, whichever is the sooner)	Receipt of enforcement process that requires a hearing, including applications for an order to obtain information from judgment debtors	Transfer proceedings to Court B for that court to list for hearing
5	2 months	Consolidated orders	Transfer to Court B following payment of dividend

Schedule 2 – Family Proceedings

Key	
Court A	Closing Court
Court B	Recipient Court. There may be more than one recipient court.

Ref	Timing (months prior to closure)	Procedure	Action (subject to any direction of a judge in accordance with paragraph 2.2 of the Practice Direction)
1.1	3 months	Request to issue new family proceedings	To be forwarded to and issued in the name of Court B
1.2	3 months	Request to issue applications within existing family proceedings	Transfer proceedings to Court B for that court to list for hearing

Schedule 3 – Insolvency Proceedings

Key	
Court A	Closing Court
Court B	Recipient Court. There may be more than one recipient court.

Ref	Timing (months prior to closure)	Procedure	Action (subject to any direction of a judge in accordance with paragraph 2.2 of the Practice Direction)
1.1	2 months (or when lists become full which ever is the sooner)	Insolvency – creditors petitions	Transfer proceedings to Court B for that court to list for hearing
1.2	2 months (or when lists become full, whichever is the sooner)	Insolvency – winding up petitions (High Court)	Transfer proceedings to Court B for that court to list for hearing
1.3	2 months (or when lists become full which ever is the sooner)	Insolvency – statutory demands	Transfer proceedings to Court B for that court to list for hearing (should judicial practice be to list for hearing)
1.4	2 months (or when lists become full which ever is the sooner)	Insolvency – company voluntary arrangements	Transfer proceedings to Court B for that court to list for hearing (should judicial practice be to list for hearing)
1.5	2 months (or when lists become full which ever is the sooner)	Insolvency – transfers in from other county courts	Transfer to Court B
1.6	2 months (or when lists become full which ever is the sooner)	Insolvency - applications	Transfer proceedings to Court B for that court to list for hearing (should a hearing be necessary)