

AMENDED LISTING PRIORITIES IN COUNTY COURT – COVID-19

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Introduction

1. Listing is a judicial function.
2. All applications/hearings/trials should be considered in advance by a judge in order for the judge to decide whether it should be listed for hearing and to give all necessary directions.
3. The decision as to whether or not the application/hearing/trial should take place at all, and if so, whether it should be partly or fully remote (in view of the continuing Covid-19 crisis), or whether there should be a physical hearing in court, are all matters for the judge.
4. When making such decisions, judges will consider carefully whether suitable practical arrangements can be made to ensure the application/hearing/trial can take place safely. This will involve consideration of a variety of factors including the type of case, the venue (i.e. whether there are suitable court buildings and court rooms available where proper social distancing can take place), the length of any trial, and (if relevant) the number of witness, the available witness handling facilities and available technology.
5. It will therefore often be appropriate specifically to list cases for triage to consider:
 - (a) whether in principle the application/hearing/trial should be listed; and
 - (b) whether in practice all arrangements can be made to enable it to take place safely.

Priority Work Which Must Be Done

1. Committals
2. Freezing Orders
3. Injunctions (and return days for ex parte injunctions).
4. The emphasis must be on those with a real time element (such as post-termination employment restrictions), noise or interference with property.

5. Anti-Social Behaviour/Harassment injunctions (not ancillary to possession)
6. Production of persons in custody following Power of Arrest detentions
7. Applications to displace under s 29 of MHA
8. Homelessness Applications
9. Enforcement work that does not involve bailiffs, such as third-party debt orders (particularly hardship payments).
10. Any applications in cases listed for trial in the next three months
11. Any applications where there is a substantial hearing listed in the next month.
12. All Multi Track hearings (including trials) which the judge considers to be i) urgent and ii) suitable for hearing (either remotely or in a physical hearing).
13. Appeals in all these cases

Other Work Which Should Be Done

All other applications/hearings/trials which (subject to staff support and listing capacity) the judge considers i) should be heard and ii) suitable for hearing (either remotely or in a physical hearing).