

Note to practitioners.

Earlier this week I was contacted separately by two practitioners asking for clarification on the documents which were expected at First Appointments in the light of the Efficiency Statement.

It was a timely enquiry given the Presidents March View distributed yesterday and his separate case management guidance which asks us to work more efficiently with fewer, shorter hearings per case and focusing on only what is necessary to decide the issues. In short working smarter. I would add in the FRC, only because it is a particular problem here, to also work more proportionately from the perspective of costs.

Strict compliance with r9.14(5) and the efficiency statement would require the ES1, ES2, a statement of issues and chronology. This involves obvious duplication and is no longer necessary in my view. All that the is needed is

In Accelerated Procedure cases (this is the gold standard) the ES1, ES2, Questionnaires limited to 4 pages, Form H and agreed draft order.

Attended First Appointments (in person or remote) the ES1, ES2, Questionnaires limited to 4 pages, Form H, Form G and if a yes on the later, the home valuation / mortgage capacity information and rehousing examples.

Information usually in the chronology is now in the ES1. Information usually in the statement of issues can be included in the 'other material information' box of the ES1. There is room for both have their say, and don't worry about the word count although please be concise.

r9.14(5) is expressed in mandatory terms although in case management terms yields to r4.1(3) which is the procedural answer. This solution reduces paperwork, cost, engages the efficiency statement and furthers the overriding objective. 3 documents become 1.

I have communicated these views to all FR ticketed judges in the Greater Manchester hub. There is a 12-16-week time delay from issue to FA. Orders made then listing FA's soon will not reflect this but feel free to follow it all the same.

A final word on bundles. Please think whether these are really needed at FA's, even some FDRA's. They are prepared at significant cost. If you agree it is disproportionate you will get no resistance from me or I hope my colleagues. A well prepared ES1 (and skeleton at the FDRA) together with the ES2 is of much more use.

Thanks, and best wishes.

HHJ Haigh. Lead Judge Greater Manchester Financial Remedies Court. 11th March 2022.