

REMOTE HEARINGS

NOTES ON RECITALS AND ORDERS

1. Template wording is set out below.
2. In respect of Legal Aid payments, the LAA has published guidance on the information that needs to be included within a court order. There is no evidence to suggest that the LAA needs (or has needed) anything more than this.
3. In respect of remote hearings, there is no need to repeat the page of standard directions in every order. Once a blanket direction has been given in a case confirming that it is suitable for a remote hearing, the only specific recitals that are needed relate to the mechanics of the remote hearing.
4. In respect of the costs of the remote hearing provider (eg BT, Skype), these are met by HMCTS and there is no need to say anything in the court order. The following wording can be used if necessary: "The charges of the remote hearing provider are to be met by HMCTS".
5. If the hearing is by telephone, there will not be any call costs because the court dials out. If the hearing is by internet, there might be a data charge, particularly for parties who might not have a data plan. It is unclear who is responsible for this, and this might need further clarification with the LAA (who would usually be required to pay travel expenses).

TEMPLATE RECITALS AND ORDERS

RECITALS

- (a) The hearing today was conducted remotely by telephone.
- (b) As this was a remote hearing, the court could not sign or seal the advocates' EX606 FAS advocates attendance forms. The court notes the LAA's "Remote Hearings: Ways of Working" guidance v2 dated 15 April 2020. In lieu of advocates' forms, the court confirms the following in respect of the advocates named at the start of this order:
 - a. Actual time spent on pre-hearing discussions
 - b. Actual time spent on the hearing
 - c. Lunch breaks, if any
 - d. Actual time spent afterwards finalising the order

- e. TOTAL TIME:
- f. Bolt-ons:

ORDERS – ONLY INCLUDE IF NOT ORDERED PREVIOUSLY

1. All hearings in this matter shall take place by way of remote hearing pursuant to FPR 2010 r4.1 (3)(e) unless the court directs otherwise. The parties and their representatives shall attend all remote hearings by way of [video link]/[Skype]/[telephone]/[other].

ORDERS – TO LIST A REMOTE HEARING

2. The matter shall be listed for a remote hearing on XX XXXXXX 2020 at00 hrs before HHJ/DJ..... with a time estimate of 1 hour.
3. The parties shall arrange and attend remotely an Advocates' Meeting no less than 48 hours before the hearing listed above.
4. The applicant shall be responsible for arranging with the court's listing team (via email: chelmsfordcentrali@justice.gov.uk) the necessary facilities to conduct a remote hearing. This will include provision to the court of the necessary contact details for the parties and their representatives where these are needed to facilitate the remote hearing.
5. The applicant must confirm the details of the arrangements for the hearing to the other parties by no later than 1000 hrs on the working day prior to the remote hearing taking place.
6. The applicant shall by 1600 hrs on the working day before the hearing electronically file a PDF bundle, which must include:
 - a. A case summary and chronology
 - b. The parties' position statements
 - c. The previous orders that are relevant to the remote hearing
 - d. All essential documents that the court requires to determine the issues that fall for determination at the remote hearing
 - e. A draft order