

All Civil Court Users

Friday 17th February 2017

Dear Sir / Madam,

Subject: Civil Hearing (trial) Fees – Refunds

I am writing to inform you of changes which will come into effect from **6 March 2017**. Apologies if you have already received this from another source, but I trust you will find this letter and information helpful.

The new provision will remove the right to a refund of a hearing fee if the fee is paid and settles before the trial hearing.

This change does not affect any case in which the court gives notice of the trial date or the start of the trial period before 6th March 2017. A refund will be due in line with the current process and rules for all such cases.

In addition, there are the following associated process changes to Money Claims which are also being brought in on the 6th March.

Payment of the hearing fee (2.1 of the current Civil Fees Order) for the trial of hearing of a case allocated to the Small, Fast or Multi Track either in the County, Queens bench or High Court, is now required no later than 28 days before the trial takes place.

Alternatively, a properly completed “Help With Fees” application should be filed with the court no later than 28 days before the trial takes place.

In the event the hearing fee is not paid or a properly completed “Help With Fees” application is not filed at least 28 days before the trial date, the court will issue an automatic strike out order of the claim/counterclaim.

If your claim is struck out, it will no longer exist. The hearing will be vacated, unless a counterclaim survives the claim being struck out. If you wish to start fresh proceedings, a new claim must be filed. An application to reinstate the claim can also be made together with the appropriate fee or application for help with fees.

In the event the hearing fee has been paid and an agreement/settlement is then reached the hearing fee is non refundable. If a consent order settling the matter is requested after the trial fee has been paid, then the consent order fee is still payable.

Further information and leaflets explaining more about how to pay a court fee or how to apply for help with fees are available from the court office or online at:

<https://www.gov.uk/court-fees-what-they-are>

Yours faithfully,

Johnny Walker

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