

**GUIDANCE  
MASTERS' COURTS  
KING'S BENCH DIVISION**

**11 October 2023**

This guidance replaces the guidance for the King's Bench and Appeals Masters' Courts that was published on **28 October 2022**.

**KEY CHANGES TO PREVIOUS GUIDANCE**

**Interlocutory Summonses and Contests**

- The Friday "Summons Court" will return to **in-person hearings** with effect from **Friday 10<sup>th</sup> November 2023**. This applies to all cases which may have already received a listing date.
- The court will commence at **11.30am each Friday** and take place in the **Masters' Courtroom, Ground Floor, Royal Courts of Justice**.
- For contested summonses requiring a hearing date, the Masters' secretary will contact the moving party to provide a provisional date suitable to the Court.

**Summons Court**

Commencing on **Friday 10<sup>th</sup> November 2023**, all interlocutory summonses will be issued and allocated first return dates to a Friday "Summons Court". The court will deal with new summonses in-person and the parties must attend court on the date which appears on the summons. This applies to all cases which may have already received a listing date.

**Form KBC12 is no longer required.**

If unable to attend in person a Solicitor, Counsel or Personal Litigant are at liberty to make an application to the Master for consideration to join remotely. The application should be emailed to the Masters' Office at [KBmastersoffice@courtsni.gov.uk](mailto:KBmastersoffice@courtsni.gov.uk) in advance of the Hearing. Please note requests made on the day immediately preceding, or the morning of, may not reach the Master prior to the Summons Court. If a respondent party is not legally represented, the party issuing the summons will be responsible for providing a copy of this guidance with the summons.

## **Venue/Time**

The court will commence at 11.30am each Friday and take place in the Masters' Courtroom, Ground Floor, Royal Courts of Justice.

## **Attending Summons Court**

Practitioners attending Summons Court are expected to address the Master on the status of the summons and indicate whether an agreed order is sought on consent between the parties, the matter is to be struck out and the position in relation to costs, or whether a contested hearing is required. Where time permits, some straightforward summonses may be dealt with by the Master in the Summons Court.

## **Contests**

For summons requiring a hearing date, the Masters' secretary will contact the moving party on the next business day following the Summons Court providing a provisional hearing date suitable to the court. Practitioners are expected to respond by close of business the following day if the provided date is not suitable to all parties. In default of the court receiving such confirmation, the date will be fixed.

At the Summons Court, the parties are expected to inform the Master as to the likely duration of the hearing and number of parties attending. The Master will issue directions, where required, setting a timetable for any replying affidavit, rejoinder, skeleton arguments and electronic hearing bundles, in appropriate cases. Practitioners are reminded of the process for submission and format of e-bundles since the issue of [Practice Direction 2/22](#) which took effect from 1 June 2022: [Submission and Format of ebundles PD 02/2022](#). In the event of non-compliance with the Master's directions, necessitating an adjournment of the hearing, costs sanctions may follow against the defaulting party.

## **Adjournments**

Requests for adjournments of summonses, if agreed, will normally be dealt with administratively by the court office and adjourned for a minimum of four weeks to a future Summons Court, unless a hearing date has been fixed. Requests for adjournments of a shorter period will ordinarily not be granted.

## **Urgent Business**

The Masters will continue to expedite the listing of urgent business where genuine urgency is demonstrated.

## General

Correspondence for the King's Bench Masters' Courts must be sent to the following email address [KBmastersoffice@courtsni.gov.uk](mailto:KBmastersoffice@courtsni.gov.uk) Parties must not send or cc emails to the Central Office or the Masters' Secretary.

## REVIEW LISTS: PERSONAL INJURIES AND CLINICAL NEGLIGENCE CASES

The Thursday Masters' Review lists returned to **in-person** hearings from **Thursday 10 November 2022**.

The parties should, however, only attend court at the time specified to ensure that numbers in the courtroom remain within appropriate limits and to manage footfall in the building.

If a Solicitor, Counsel, or personal litigant is unable to attend in person, remote attendance may be available via **Webex or Sightlink**. Parties should email the Masters' Office ([KBmastersoffice@courtsni.gov.uk](mailto:KBmastersoffice@courtsni.gov.uk)) in advance of the hearing date to request a link and the office will send an email containing the invite.

**Form KBCI3 is no longer required** for Thursday Reviews, however each party must complete the relevant **Master's Review Questionnaire**. Updated questionnaires have been developed for Clinical Negligence Cases and Personal Injury Cases, both versions can be accessed [here](#).

The completed questionnaire should be handed into Court at the commencement of the review hearing or, if you are attending remotely, emailed to the Masters' office in advance. The subject line of your email should state "**Master's Review Questionnaire Clinical Negligence Case/Personal Injury Case** (delete as appropriate)– **KBD Master's Review List on** (insert date)."

## EX –PARTE APPLICATIONS

Urgent ex parte applications will be given priority. Such applications must be clearly marked urgent and the papers may be filed by email to the RCJ Front of House: [Frontofhousercj@courtsni.gov.uk](mailto:Frontofhousercj@courtsni.gov.uk)

## AFFIDAVITS

KBD Masters will no longer accept unsworn affidavits in ex-parte and inter-partes applications unless specifically directed by the King's Bench Masters.