

---

STATUTORY INSTRUMENTS

---

**2017 No. 1035**

**The Court of Protection Rules 2017**

**PART 3**

**MANAGING THE CASE**

**The court's general powers of case management**

**3.1.**—(1) The list of powers in this rule is in addition to any powers given to the court by any other rule or practice direction or by any other enactment or any powers it may otherwise have.

(2) The court may—

- (a) extend or shorten the time for compliance with any rule, practice direction, or court order or direction (even if an application for extension is made after the time for compliance has expired);
- (b) adjourn or bring forward a hearing;
- (c) require P, a party, a party's legal representative or litigation friend, or P's rule 1.2 representative, to attend court;
- (d) hold a hearing and receive evidence by telephone or any other method of direct oral communication;
- (e) stay the whole or part of any proceedings or judgment either generally or until a specified date or event;
- (f) consolidate proceedings;
- (g) hear two or more applications on the same occasion;
- (h) direct a separate hearing of any issue;
- (i) decide the order in which issues are to be heard;
- (j) exclude an issue from consideration;
- (k) dismiss or give judgment on an application after a decision is made on a preliminary basis;
- (l) direct any party to file and serve an estimate of costs;
- (m) direct or limit the means of communication to be used by the parties; and
- (n) take any step or give any direction for the purpose of managing the case and furthering the overriding objective.

(3) A judge to whom a matter is allocated may, if the judge considers that the matter is one which ought properly to be dealt with by another judge, transfer the matter to such a judge.

(4) Where the court gives directions it may take into account whether or not a party has complied with any rule or practice direction.

(5) The court may make any order it considers appropriate even if a party has not sought that order.

(6) A power of the court under these Rules to make an order includes a power to vary or revoke the order.

---

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

---

(Rules 1.3 to 1.6 concern the duty of the court to further the overriding objective by actively managing cases, and the duty of parties, legal representatives and unrepresented litigants to assist the court in furthering the overriding objective.)