
STATUTORY INSTRUMENTS

2017 No. 1035

The Court of Protection Rules 2017

PART 3

MANAGING THE CASE

Allocation of proceedings

Court's jurisdiction in certain kinds of cases to be exercised by certain judges

3.8.—(1) A practice direction made under this rule may specify certain categories of case to be dealt with by a specific judge or a specific class of judges.

(2) Applications in any matter other than those specified in the practice direction referred to in paragraph (1) may be dealt with by any judge.

Allocation of cases to case pathways

3.9.—(1) This rule provides for the allocation of cases to case pathways.

(2) There are three case pathways—

- (a) the Personal Welfare Pathway;
- (b) the Property and Affairs Pathway;
- (c) the Mixed Welfare and Property Pathway.

(3) Each case shall on issue be allocated to one of the three case pathways unless (subject to paragraph (5)) it is in an excepted class of case.

(4) Excepted classes of case may be specified in a practice direction.

(5) The court may direct that a case shall be allocated to a case pathway notwithstanding that it is in an excepted class of cases.

(6) A practice direction may make provision for—

- (a) the scope of each case pathway; and
- (b) how cases in each case pathway are to be managed.

(Practice Direction 3B makes provision in relation to the case pathways and excepted classes of case.)