



Notice to the TFM Practitioners

The Court is concerned that some practitioners are failing to comply with paragraph 7.2 of Practice Note SC CL 7 'Testators Family Maintenance List'.

This paragraph requires that, prior to the first directions hearing, the plaintiff file and serve affidavits or position paper (depending on the size of the estate) and an affidavit by the plaintiff's solicitor estimating costs to the end of mediation.

From 1 March 2018, unless special circumstances are shown, practitioners will be expected to comply with the requirements of this paragraph by 2.00 pm on the Friday prior to the date listed on any summons for directions in the TFM List. Practitioners are reminded that affidavits are filed with the Registry, not by email to the TFM associate.

If the plaintiff has not complied with paragraph 7.2 of the Practice Note by that time, the Court may adjourn the directions hearing of its own motion to the next available date, dispensing with any appearances on the originally listed date.

If, at any such adjourned directions hearing, there is a continuing failure to comply with the Practice Note necessitating a further adjournment, practitioners should be ready to address the Court on the question of the costs of this hearing.

11 December 2017