

# Management of a child's fund

(Pre-Investment hearing)

## FORM 320

The Litigation Friend should complete only Parts A to E, where applicable, before the hearing and should bring the child's original birth certificate or registrar's copy with the form to the hearing. Please complete one form per child.

### Part A

Name of the court where the hearing is to be held?

#### Full case title

Claimant

Defendant

Claim number

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What is the date of the Investment Hearing?

			/			/				
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Have you read the fact sheet that accompanies this form?

☐ Yes ☐ No

Does the child have a regular income?

☐ Yes ☐ No

If Yes, state the amount per year

£

Does the child have an income tax liability?

☐ Yes ☐ No

Does a Legal Aid charge apply?

☐ Yes ☐ No

Please enter your Legal Aid reference below

#### Litigation Friend Solicitors' details

Name

Address

Town/City

Postcode

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Solicitors Reference

### Part B

You should ensure that the information requested in Part B is completed accurately. The Court Funds Office (CFO) will use the details provided to set up the child's account.

The Court Funds Office will administer the fund until the child reaches 18 or the court directs otherwise. You can obtain details of the current rate of interest by visiting the Court Funds Office website: [www.courtfunds.gov.uk](http://www.courtfunds.gov.uk) or by calling their Customer Services Team on: 0845 223 8500

The Court Funds Office will not share your details with any external organisations without your permission.

Full name of child

Child's date of birth

			/			/				
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Full name of Litigation Friend

Address

Town/City

Postcode

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Contact telephone number

E-mail address

Address of child if different to that of Litigation Friend

Town/City

Postcode

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## Part C

Only complete **Part C** if a 'one off' immediate payment or the setting up of a regular payment is required from the fund. You must state how much you require and why you need it. It is for the Judge to approve or reject any such requests at the Investment Hearing.

Subsequent payments or 'regular payments' can only be made through an **application to the court** (not the Court Funds Office). If you do not require an immediate or regular payment, please go to **Part D**.

### ☐ One off payment

I apply for a payment out of the fund of

£

This payment is required for

*evidence of costs must be supplied*

### ☐ Regular payment

I apply for a payment out of the fund of

£

This payment is required for

*evidence of costs must be supplied*

To be paid

☐ Monthly ☐ Every 6 months

☐ Quarterly ☐ Annually

Please state the **day of the month** that money should reach your account (ie. 21<sup>st</sup>).

day of the month

**Bank details** - only complete when a payment is requested

Name of Bank/Building Society

Address

Sort code

Account no.

## Part E

Name of Litigation Friend (PLEASE PRINT)

## Part D

Only complete **Part D** if the child that you are representing is under **13 years of age** and the award is **£10,000 or more**, or you have specific reasons for wanting the fund invested other than in the Special Account eg: you do not wish the fund to receive interest. Please read the accompanying fact sheet before completing this section.

The percentage of the fund invested in the Equity Index Tracker Fund will depend on the number of years until the child reaches 18 and the investment policy decided, unless you have specifically requested that a higher or lower percentage of the award is invested.

Is the child under 13 years of age with an award of £10,000 or more?

☐ Yes ☐ No

If you answer 'No' to the above question **and do not wish the fund invested for other reasons**, please go to **Part E** at the bottom of this form to sign and date.

When managing the investment, I want the fund to achieve: (tick only **one** box)

- |  |       |
|--|-------|
| <input type="checkbox"/> I would like up to 70% of the fund invested into the Equity Index Tracker Fund. The remainder should be held on the Special Account earning interest only.          | ONE   |
| <input type="checkbox"/> I would like some of the fund invested in the Equity Index Tracker Fund. I may require access to the fund whilst it is held in court.                               | TWO   |
| <input type="checkbox"/> I would like the fund to be invested to achieve maximum income as there will be a regular requirement to access the fund as detailed in <b>Part C</b> of this form. | THREE |
| <input type="checkbox"/> I would like all the money to be placed in the Special Account.   | FOUR  |

**Statement:** I understand that as a result of the judicial decision, some of the fund may be invested in the Equity Index Tracker Fund and I am content for this to happen?

☐ Yes ☐ No

If No, please give reasons

**Note:** Ticking the 'No' box does not guarantee the money will not be invested – the information provided is to help the Judge make a decision. The final decision rests with the Judge.

Signature

Date

/ /

# To be completed by the judge

# FORM 320

## Section 1 — May be completed by court staff

Full case title

Claimant

Defendant

Claim number

In attendance at the hearing

Current funds in court

£

Total to be invested

£

## Section 2 — Only to be complete by the judge

Full name of child

Child's date of birth

/

/

Birth cert. witnessed? Full name and date of birth confirmed?

☐ Yes ☐ No

Majority Direction given?

☐ Yes ☐ No

Has the Litigation Friend read the fact sheet that accompanies this form?

☐ Yes ☐ No

Name of judge

## Section 3 — Only to be complete by the judge

One off/regular payments of - please refer to Part C

☐ One off payment of

£

☐ Regular payment of

£

To be paid

☐ Monthly ☐ Every 6 months

☐ Quarterly ☐ Annually

Please state the **day of the month** that money should reach the account.

day of the month

## Section 4 — Only to be complete by the judge

Investment instructions - please refer to Part D

Has the Litigation Friend stated their investment wish?

☐ Yes ☐ No

Investment policy

☐ Capital growth ONE

☐ Capital growth and income TWO

☐ Maximum income THREE

☐ Place all funds on Special FOUR

Income directions - to manage any interest or dividend payments gained from the investment

☐ Re-Invest in Special Account ☐ Pay Litigation Friend

☐ Special instruction (specify in box below)

Please see Handbook for Judges and use this box to detail your instructions

Signature

Date  /  /