



N181

## Directions questionnaire

Fast track, Intermediate track and  
Multi-track

To be completed by, or on behalf of

Who is the

Legal representative for the

|        |           |
|--------|-----------|
| First  | Claimant  |
| Second | Defendant |
| Third  | Party     |

in this claim.

You should note the date by which this questionnaire must be returned and the name of the court it should be returned to since this may be different from the court where the proceedings were issued.

If you have settled this claim (or if you settle it on a future date) and do not need to have it heard or tried, you must let the court know immediately.

If the claim is not settled, a judge will allocate it to an appropriate case management track. To help the judge choose the most just and cost-effective track, you must now complete the directions questionnaire.

You should write the claim number on any other documents you send with your directions questionnaire. Please ensure they are firmly attached to it.

## A. Settlement

Under the Civil Procedure Rules parties should make every effort to settle their case before the hearing. This could be by discussion or negotiation (such as a roundtable meeting or settlement conference) or by a more formal process such as mediation. The court will want to know what steps have been taken. Settling the case early can save costs, including court hearing fees.

### For legal representatives only

I confirm that I have explained to my client the need to try to settle; the options available; and the possibility of costs sanctions if they refuse to try to settle.

I confirm

### For all

Your answers to these questions may be considered by the court when it deals with the questions of costs: see Civil Procedure Rules Part 44.

- 1 Given that the rules require you to try to settle the claim before the hearing, do you want to attempt to settle at this stage?

Yes. Do you want a one month stay?

Yes

No

No. The reasons why I consider it inappropriate to try to settle the claim at this stage are

**Note 1:** The court may order a stay, whether or not all the other parties to the claim agree. Even if you are requesting a stay, you must still complete the rest of the questionnaire.

More information about mediation, the fees charged and a directory of mediation providers is available online from [www.civilmediation.justice.gov.uk](http://www.civilmediation.justice.gov.uk) This service provides members of the public and businesses with contact details for national civil and commercial mediation providers, all of whom are accredited by the Civil Mediation Council.

## B. Court

### High Court only

- 1 The claim has been issued in the High Court.  
Do you consider it should remain there?

Yes. It should remain in the Division or List shown below

No. I prefer the case to be heard in the following County court  
hearing centre:

**Note 1:** High Court cases are usually heard at the Royal Courts of Justice or certain Civil Trial Centres. Fast or multi-track trials may be dealt with at a Civil Trial Centre or at the court where the claim is proceeding.

### Trial - all cases

- 2 Is there any reason why your claim needs to be heard at a particular court or hearing centre?

Yes. I believe it should be heard at the court/hearing centre  
listed below because:

Name of court or hearing centre

Reason why it should be heard here

No

## C. Pre-action protocols

1. You are expected to comply fully with the relevant pre-action protocol.  
Have you done so?

Yes

No. I have not complied, or have only partially complied  
because:

**Note 1:** Before any claim is started, the court expects you to have complied with the relevant pre-action protocol, and to have exchanged information and documents relevant to the claim to assist in settling it. To find out which protocol is relevant to your claim see: [https://www.justice.gov.uk/courts/procedure-rules/civil/rules/pd\\_pre-action\\_conduct](https://www.justice.gov.uk/courts/procedure-rules/civil/rules/pd_pre-action_conduct)

## D. Case management information

### Applications

1. Have you made any application(s) in this claim?

Yes. I have made the following application(s):

For hearing on

Day

Month

Year

|  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|
|  |  |  |  |  |  |  |
|--|--|--|--|--|--|--|

No

**Note 1:** It is important for the court to know if you have already made any applications in the claim (or are about to issue one), what they are for and when they will be heard. The outcome of the applications may affect the case management directions the court gives.

### Allocation to track

2. This case should be **allocated to:**

Fast Track

Intermediate Track

Multi-track

3. Is this agreed with the other party?

Yes

No. Give brief reasons for the proposed track.

**Note 2:** The basic guide by which claims are normally allocated to a track is the amount in dispute, although other factors such as the complexity of the case will also be considered. The scope of each track is specified here <https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part26>

4. **Fast and Intermediate Track (only)** –

Assignment to complexity band

This case should be assigned to complexity band:

Band 1

Band 2

Band 3

Band 4

Not applicable. Please explain why.

**Note 4:** When a claim is allocated to the fast track or the intermediate track, unless it is a NIHL case, the court must also assign the claim to a complexity band. The complexity bands numbered 1 to 4 provide an ascending scale of allowable costs proportionate with the complexity of the claim.

For rules on Assignment within the fast track and the intermediate track, please refer to <https://www.justice.gov.uk/courts/procedure-rules/civil/rules/part26>

5. Is this band agreed?

Yes

No

6. Brief reasons for the proposed band:

### **Disclosure of electronic documents (multi-track cases only)**

If you are proposing that the claim be allocated to the multi-track:

7. Have you reached agreement, either using the Electronic Documents Questionnaire in Practice Direction 31B or otherwise, about the scope and extent of disclosure of electronic documents on each side?

Yes. Is an agreement likely?

Yes

No

No

8. If there is no agreement and no agreement is likely, what are the issues about disclosure of electronic documents which the court needs to address, and should they be dealt with at the Case Management Conference or at a separate hearing?

### **Disclosure of non-electronic documents (all cases)**

9. What directions are proposed for disclosure?

**Notes 9:** In Fast and Intermediate track cases, the provision that rule 28.2 applies and in relation to multi-track cases rule 31.5 applies.

**For all multi-track cases, except personal injury**

- 10.** Have you filed and served a disclosure report (form N263) (see Civil Procedure Rules Part 31)?

Yes

No

- 11.** Have you agreed a proposal in relation to disclosure that meets the overriding objective?

Yes. You must ensure this is contained within the proposed directions attached and give the draft order number below.

No

**Note 11:** This applies to all non-PI cases both multi-track and FRC.

**E. Experts**

- 1.** Do you wish to use expert evidence at the trial or final hearing?

Yes

No

- 2.** Have you already copied any experts' report(s) to the other party(ies)?

None yet obtained

Yes

No

- 3.** Do you consider the case suitable for a single joint expert in any field?

Yes

No

**Note E:** There is no presumption that expert evidence is necessary, or that each party will be entitled to their own expert(s). Therefore, the court requires a short explanation of your proposals with regard to expert evidence.

4. Please list any single joint experts you propose to use and any other experts you wish to rely on. Identify single joint experts with the initials 'SJ' after their name(s). Please provide justification of your proposal and an estimate of costs.

| Expert's name | Field of expertise<br>(e.g. orthopaedic surgeon,<br>surveyor, engineer) | Justification for expert and<br>estimate of costs |
|---------------|---|---|
|               |   |   |

## F. Witnesses

1. Which witnesses of fact do you intend to call at the trial or final hearing including, if appropriate, yourself?

| Witness name | Witness to which facts |
|--------------|------------------------|
|              |                        |

## Use of the Welsh language

If any party is legally represented then when filing any witness evidence, the legal representatives must notify the court in writing that:

- a) they have advised their client of the entitlement of any party or witness to give evidence in the Welsh Language in accordance with the Welsh Language Act 1993 (which is not dependant on whether they are fluent in English)
- b) instructions have been taken as to whether any party or witness will exercise that entitlement, in which case the legal representatives must so inform the court so that arrangements can be made by the court for instantaneous translation facilities to be made available without charge

Any **unrepresented party** or witness for such a party being entitled to give evidence in the Welsh Language in accordance with the principle of the Welsh Language Act 1993 must notify the court when sending to the court their witness evidence whether any party or witness will exercise that entitlement whereupon the court will make arrangements for instantaneous translation facilities to be made available without charge.

## G. Trial or Final hearing

1. How long do you estimate the trial or final hearing will take?

day(s)

hour(s)

or

more than three days

2. Are there any days within the next 12 months when you, an expert or an essential witness will not be able to attend court for trial or final hearing?

Yes. Give details in the table below

No

| Name | Dates not available |
|------|---------------------|
|      |                     |

**If any of these dates change, you should tell the court immediately.**

**Note 1:** Give the best estimate you can of the time that the court will need to decide this case. If, later you have any reason to shorten or lengthen this estimate you should let the court know immediately.

You should only enter those dates when you, your expert(s) or essential witnesses will not be available to attend court because of holiday or other commitments.



## H. Costs

**Do not complete this section if:**

- 1) you do not have a legal representative acting for you
- 2) the case is subject to fixed costs

If your claim is likely to be allocated to the multi-track, form Precedent H must be filed in accordance with CPR 3.13.

I confirm Precedent H is attached.

## I. Other information

1. Do you intend to make any applications in the future?

Yes. I intend to make an application for

No

2. In the space below, set out any other information you consider will help the judge to manage the claim.

## **Vulnerability**

- 3.** Do you believe you, or a witness who will give evidence on your behalf, are vulnerable in any way which the court needs to consider?

Yes. Please explain in what way you or the witness are vulnerable and what steps, support or adjustments you wish the court and the judge to consider.

No

## J. Directions

You must attempt to agree proposed directions with all other parties.

**Whether agreed or not a draft of the order for directions which you seek must accompany this form.**

All proposed directions for multi-track cases must be based on the directions at [www.justice.gov.uk/courts/procedure-rules/civil](http://www.justice.gov.uk/courts/procedure-rules/civil)

All proposed directions for fast and intermediate track cases must be based on CPR Part 28.

### Signature

Legal representative for the

|        |           |
|--------|-----------|
| First  | Claimant  |
| Second | Defendant |
| Third  | Party     |

### Date

Day          Month          Year

Your name

### Postal address

First line of address

Second line of address

Town or city

County (optional)

Postcode

If applicable

Phone number

DX number

Your reference

Email