

Ancillary relief Trial Bundles in cases to be heard before the Registrar Note for Litigants in Person (people acting in a case without a Lawyer)

Who is responsible for preparing the bundle?

Normally an order will state who is to prepare the bundle at the final hearing, example:-

*“that not less than **X days** before the final hearing, the petitioner/
respondent shall lodge at court **an agreed paginated bundle of
those documents to be referred to in the course of the
hearing** and in default of agreement as to the content of the bundle,
each party shall within the same period lodge their own bundle.”*

If the order does not say who should prepare the bundle, the person in the position of applicant at the hearing (i.e. if you have filed a Form 16 application with the Court, you are the applicant) or, if there are cross-applications, by the party whose application was first in time, shall prepare the bundle.

If you are an applicant litigant in person and the other party has a lawyer, the lawyer would normally prepare the bundle even if you are the applicant. It is anticipated that the lawyer will then seek the cost of preparing the bundle from you.

The applicant prepares a bundle for the other party to the application and a Court bundle – three bundles in total. If there is a witness, a further bundle is also prepared.

Please ensure that each bundle is clearly labelled for the Family Division, date of hearing and Court reference.

Timing of the bundle

Normally an order will state by when the bundle is to be delivered. If no time is stated, this has to be at least **2 clear days** before the hearing. In any case, deliver the bundle to the Court in good time so the judge has time to read it.

Failure to comply with time limits as to the filing of bundles may result in the case being removed from the list i.e adjourned, and may also result in costs being awarded against you for your failure to comply.

Contents of the bundle

If possible, try to agree the contents of the bundle. Including a document in the bundle is not an acceptance of its contents, merely an acknowledgement that it is a document to which reference will be made.

Do not clutter it with unnecessary documents. **Only put in the bundle relevant written material to which reference will be made at the trial/hearing, by you or which you think the other party may make reference to.**

Index

See the **example attached**.

Separate Sections

Use page dividers for each section and paginate each section separately e.g. Section A, page 1-10, Section B, page 1-10

Make sure the numbering is legible, that there is the same numbering in each bundle, a lever arch file works and it is possible to turn the pages.

Section A –at the front of the bundle

A draft updated Schedule of Assets Liabilities and Income is at www.gov.je/familycourt and is also attached to this document.

Open position are the orders each party wants the Court to make.

Section B

Applications and orders

Section C

Affidavits or Statements (which must be dated in the top right corner of each front page)

Section D

Expert/s report/s and other reports, if applicable

Section E

Disclosure of the petitioner - this will normally include:-

last 3 month's wage slips;

at least 12 months bank statements;

last 12 months credit and store card statements;

latest tax return and assessment;

last 2 years business accounts and copy of managements accounts since the last business accounts;

recent mortgage statements showing sum(s) owed;

copy of loan agreement(s) and amount(s) outstanding;
any other relevant documents.

Section F

Disclosure of the respondent- this will normally include:-

last 3 month's wage slips;

at least 12 months bank statements;

last 12 months credit and store card statements;

latest tax return and assessment;

last 2 years business accounts and copy of managements accounts since the last business accounts;

recent mortgage statements showing sum(s) owed;

copy of loan agreement(s) and amount(s) outstanding;

any other relevant documents.

Section G

Relevant correspondence regarding finances

Section H

You may wish to include a separate section for relevant legal Authorities on which you and the other party intends to rely, but if so, seek legal advice.

Some of the information in sections E and F should have been provided when the original affidavit of means was filed and then up-dated information should have been provided by way of ongoing disclosure. If there are difficulties about getting disclosure of documents from the other party you consider are relevant to your case, you may need to file a Form 15 summons (fee £150 unless you are fees exempt) about the lack of disclosure and ask for you costs.

In the Royal Court of Jersey

Family Division

File No:

BETWEEN	AND	PETITIONER
	AND	RESPONDENT
		CO-RESPONDENT

**BUNDLE
FOR THE [FINAL] HEARING ON THE [Date in full]**

Page No.
(see attached guide)

DIVIDER

A.	Up-dated schedule of assets and liabilities (to include legal costs to date and income) <i>(to be agreed if possible)</i> Open position/order(s) sought - by the Petitioner - by the Respondent Chronology <i>(if ordered)</i> Statement of issues <i>(if ordered)</i> Skeleton arguments <i>(if ordered)</i>		
B.	Decree nisi Decree Absolute <i>(if made)</i> Summonses including Form16 Orders of the Court in financial matters <i>(only)</i>		
C.	Affidavit (s) of the Petitioner Affidavit (s) of the Respondent Affidavits of other witnesses <i>(if applicable)</i> Questionnaires Responses to the Questionnaire <i>(with exhibits)</i>		
D.	Expert/s report/s and other reports <i>(if ordered)</i> e.g. medical, property valuations and company valuations.		
E.	Petitioner's disclosure		

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F.	Respondent's disclosure		
G.	Relevant Correspondence (<i>only financial</i>)		
H.	You may wish a separate section for legal authorities – if in doubt seek legal advice.		