## Finance settlement procedure

Form A filed and served – this is the application to start the court process

Court sets the date for the first directions appointment (FDA). It also sets dates for the filing and exchange of Form E (5 weeks before the hearing) and the exchange of the other first directions appointment documents (2 weeks before the hearing).

File and exchange Form E.

## FDA documents filed and served:

- Concise statement of issues
- Chronology of key facts and dates;
- Questionnaire; and
- Form G it is possible to combine the FDA and the FDR hearing?

Form H – estimate of costs – filed before the hearing.

FDA at court. Can be combined with FDR appointment if parties agree. Court directs:

- Which questions should be answered:
- What valuations should be taken; and
- What other expert evidence should be taken

## Prepare for FDR hearing:

- Answer questionnaires;
- Obtain valuation/expert evidence;
- File proposals for settlement; and
- File costs estimates again (Form H).

FDR hearing: this is a without prejudice hearing at which the judge will try to assist a settlement of financial issues. Most cases settle here or just after. If not...

Preparation for final hearing. If there is no settlement at the FDR, the judge will give directions and set the case down for a final hearing.

## In advance of the hearing:

- Bundles of papers for the court will have to be prepared and filed
- Barristers will be briefed and may discuss matters in conference (ie at meetings with you)
- Open proposals for settlement will be filed and served (see service); and
- Detailed costs estimates will have to be filed (Form H1).



Final hearing – the court will listen to evidence, grant orders and give reasons.