
STATUTORY RULES OF NORTHERN IRELAND

1981 No. 225

County Court Rules (Northern Ireland) 1981

ORDER 44

**Settlement of claims by and money recovered
on behalf of minor or person of unsound mind**

Compromise or payment of claim

1.—(1) In any proceedings in which money or damages is or are claimed by or on behalf of or for the benefit of a minor or person of unsound mind suing either alone or in conjunction with other parties—

- (a) no settlement or compromise or acceptance of money paid into court, whether before, at or after the hearing, shall be valid without the approval of the judge;
- (b) no money or damages recovered or awarded in any such proceeding whether by settlement, compromise, payment into court or otherwise before, at or after the hearing shall be paid to any party or to the next friend, guardian ad litem or committee of any party or to any party's solicitor unless the judge so directs.

(2) All money so recovered or adjudged or ordered or awarded or agreed to be paid shall be dealt with as the judge shall direct and the said money or any part thereof may be so directed—

- (a) to be paid into court and to be invested or otherwise dealt with there; or
- (b) to be otherwise dealt with.

(3) The directions referred to in paragraph (2) may include any general or special directions that the judge may think fit to give, including (without prejudice to the generality of the foregoing provision) directions as to how the money is to be applied or dealt with and as to any payment to be made either directly or out of the amount paid into court to the plaintiff, to the next friend or to the solicitor for the plaintiff in respect of moneys paid or expenses incurred or for maintenance or otherwise for or on behalf of or for the benefit of the minor or person of unsound mind or otherwise, or to the solicitor for the plaintiff in respect of costs.

(4) Where, under, paragraph (2), money is directed to be paid into court on behalf of a minor, the next friend or solicitor of the minor shall lodge in the Office a copy of the minor's certificate of birth.

Payment out and transfer of funds and securities in court

2. Save as is otherwise provided in Court Funds Rules, money paid into court under Rule 1(2) or securities purchased under Rule 1(3) and the dividends or interest thereon shall not be sold, transferred or paid out to the party entitled thereto, except pursuant to the order of the judge.

Lien for costs

3. Nothing in this Order shall prejudice the lien of a solicitor for costs.