
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

[^{F1}PART 21

CHILDREN AND PROTECTED PARTIES

[^{F1}Stage of proceedings at which a litigation friend becomes necessary

21.3.—(1) This rule does not apply where the court has made an order under rule 21.2(3).

(2) A person may not, without the permission of the court—

(a) make an application against a child or protected party before proceedings have started; or

(b) take any step in proceedings except—

(i) issuing and serving a claim form; or

(ii) applying for the appointment of a litigation friend under rule 21.6,

until the child or protected party has a litigation friend.

(3) If during proceedings a party lacks capacity to continue to conduct proceedings, no party may take any further step in the proceedings without the permission of the court until the protected party has a litigation friend.

(4) Any step taken before a child or protected party has a litigation friend has no effect unless the court orders otherwise.]

Textual Amendments

F1 Pt. 21 substituted (1.10.2007) by [The Civil Procedure \(Amendment\) Rules 2007 \(S.I. 2007/2204\)](#), rule 1, [Sch. 2](#)

Status:

Point in time view as at 31/01/2019. This version of this provision has been superseded.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 21.3.