
STATUTORY INSTRUMENTS

1998 No. 3132

The Civil Procedure Rules 1998

PART 42

CHANGE OF SOLICITOR

Removal of solicitor who has ceased to act on application of another party

42.4.—(1) Where—

(a) a solicitor who has acted for a party—

- (i) has died;
- (ii) has become bankrupt;
- (iii) has ceased to practice; or
- (iv) cannot be found; and

(b) the party has not given notice of a change of solicitor or notice of intention to act in person as required by rule 42.2(2),

any other party may apply for an order declaring that the solicitor has ceased to be the solicitor acting for the other party in the case.

(2) Where an application is made under this rule, notice of the application must be given to the party to whose solicitor the application relates unless the court directs otherwise.

(3) Where the court makes an order made under this rule—

- (a) a copy of the order must be served on every other party to the proceedings; and
- (b) where it is served by a party, that party must file a certificate of service.

Commencement Information

II [Rule 42.4](#) in force at 26.4.1999, see [Signature](#)

Status:

Point in time view as at 05/04/2010.

Changes to legislation:

There are currently no known outstanding effects for the The Civil Procedure Rules 1998, Section 42.4.