

SUBJECT RESOURCE GUIDE

From Claim to Judgment – Tracking a Case Through Its Lifecycle

Abstract: While every law librarian should be able to find a case, tracking one from claim form to judgment is another thing entirely. Here **Anneli Sarkanen** outlines why and when this might need to be done, the various sources that are available and the methods that are used

Keywords: information resources; legal research; legal sources; case law

INTRODUCTION

Law librarianship 101 probably begins with being able to find a case, regardless of what type of organisation you work for, but what might occur less frequently is tracking a case from claim form to judgment (and appeal). Those in law firms with a large litigation department will be quite familiar with this process, so this article will be of most interest to those new to the profession, those not familiar with tracking judgments in England, or those who do not encounter litigation-based queries all that often. Of course, it will hopefully also serve as confirmation to those supporting a litigation department that they are not doing anything wildly different from others.

This article will outline the various sources, methods, and tips on tracking a case from the filing of a claim form (and whether to expect that document to be available), through to the publication of a final judgment, predominantly in English civil (and some criminal) courts. The various levels of courts and tribunals will be considered in turn and it will be from the viewpoint of a non-party to an action. It will often refer to subscription databases but discusses free resources where available.

WHY TRACK A CASE?

Before looking at the various ways to track a case, or find details of it at very early stages, it is worthwhile considering the reasons why one might need to do this.

Firstly, high court claim forms and particulars of claim can be extremely useful documents for a lawyer or law student to study, either because they are related to a case they are working on, they capture an area of law they are following, or to see how such a form is laid out. For those in law firms, claims may be tracked because they involve a client, or prospective client, or even a competitor to a client.

Cases may be tracked and analysed to consider any trends in litigation (although there are companies such as Solomonic and Portland Communications who publish

updates on litigation trends), or to comment on for articles or thought-leadership pieces. Lawyers may be keen to be the first to discuss a landmark judgment, getting a comment into a newspaper article, so being prepared for a judgment through tracking a case is vital, so as to alert someone quickly.

MAGISTRATES' COURTS

The magistrates' courts are some of the busiest courts in the country. In 2021, magistrates' courts in England and Wales received 1.14 million (criminal) cases and disposed of 1.17 million. Virtually all criminal court cases start in the magistrates' court (and around 95% will be completed there) and around five million civil cases are heard each year.¹ Generally, when looking to find out about cases heard in the magistrates' courts, if the case is a high profile one, press articles are an excellent source for basic information about the case and how it develops, including if it has been referred to the Crown Court, but otherwise tracking them can be incredibly difficult.

CourtServe² reproduces the cause lists (the lists of the cases to be heard), giving the names of the parties on a daily basis, but the information is limited to this alone. There is no online historical record to search through and no alerting capability to easily keep track of names appearing in the cause lists. That said, it is well worth registering for a free basic account in order to access the cause lists, as CourtServe comes in handy for other courts and tribunals. Press articles are the better source to rely on for tracking, and BAILII³ or the Judiciary website⁴ are the best sources for any decisions handed down – albeit very rare.

The odd magistrates' decision can be found in the BAILII's Miscellaneous section but this would only likely be those of particular importance or those with wide public interest. For any more information it is best to contact the court in question, and hope they are able to assist in your query, but this will very much depend on how old the case is and the information needed. The

courts have Record Retention Disposition Schedules that dictate how they comply with the Public Records Acts and this can mean, for example, case evidence is only retained for three years and case data held for six years (from final disposal of the case).⁵

COUNTY COURTS

County courts deal with civil matters, and the vast majority of civil cases take place here, for issues such as civil money claims, debt, personal injury, medical negligence, housing, and antisocial behaviour.⁶ In 2021, county courts received 1.58 million claims, although only a minority were defended, with most being settled in the absence of both parties and without the need for a court hearing.⁷

Like magistrates' courts, tracking a case in a county court can be difficult, but once again press articles are a good source, if the case is interesting enough to be reported on (a big if!).

The cause lists are on CourtServe, published daily, so can be manually checked, but the information this gives someone following a case is limited. If the case is in the Central London County Court (CLCC), the cause lists are included in a daily email that can be signed up to, and subscribers of Westlaw UK are in a slightly better position, as historic cause lists are now searchable for the CLCC.

Once a judgment has been given in the county courts, it becomes a little easier to uncover details about it. The Registry Trust Online⁸ allows for searches to be ordered (for a price), and results are available instantly, although even then the information on the county court judgment (CCJ) is limited: you'll find out the amount (of money owed), who the debtor is, the court, and date of judgment, but *not* the claimant—a key piece of information for those who have had a CCJ entered against them (or their client). Claimant information is only available from the court. Subscribers of BvD's FAME⁹ database may find out brief information about CCJs against companies, but again lacking the key claimant details. BAILII and the Judiciary website are potential sources for a written judgment from the county court, and occasionally Westlaw UK and Lexis+ UK for important cases, but it is a rare find indeed.

CROWN COURT

The Crown Court deals with the most serious criminal offences. There are over 70 court centres in England and Wales and in 2021 the Crown Courts received 98,000 cases.¹⁰

Because of the more serious nature of the offences dealt with in the Crown Courts, the ways of tracking these cases can be easier. CourtServe publishes the cause lists daily, and The Law Pages¹¹ (also free, registration required for archives) allows some searching of historical cause lists. Newspapers and specialist publications may also track cases in the Crown Courts, with diligent court

reporters, for example from MLex and Global Investigations Review, updating subscribers on the events of anti-corruption, bribery, and fraud cases.

Written outcomes of cases in Crown Court are not published as a matter of course. Sentencing Remarks may be found on the Judiciary website, and sometimes BAILII, but it is not often that these can be found. The Law Pages has some sentencing information but not the sentencing remarks.

TRIBUNALS

Before moving on to the High Court, a note about tracking a case in the various tribunals, and this will depend very much on the tribunal itself. Tribunals are too numerous to consider them all in this article; but a couple of areas are considered that are likely to be encountered more often due to the interest they have for the wider public, and these are employment and tax.

Because they can be more of greater interest to the general public, **Employment Tribunal (ET)** claims may be discussed by the press, and so may be tracked in this way. Cause lists for ET claims are also published, with advance press lists on CourtServe available a couple of weeks ahead of time. From experience, it can be a tedious process to check these, especially as the advance lists are subject to change, and it is in many ways easier to rely on news articles if the claim in question might be reported on.

When it comes to judgments, happily ET judgments are now published and available on GOV.UK.¹² They can be delayed by a week or more before appearing on the GOV.UK site after a case's conclusion, but it is a much better arrangement than writing to Bury St Edmunds to request a copy with an accompanying cheque (as used to be the case). It has been known for the odd ET decision to appear on the Judiciary website and *not* the GOV.UK one, so if the judgment is an important one, then both sources are worth checking. With the **Employment Appeals Tribunal**, cause lists are published weekly¹³ (and there is an archive to click through), these will also include a date for when a judgment may be given. Judgments are readily accessible on the GOV.UK website¹⁴ with an RSS feed and email alerts available.

In the **First-tier Tribunal (Tax)**, which is a tribunal responsible for handling appeals against some decisions made by HMRC, upcoming hearings are listed on a weekly basis¹⁵ and judgments¹⁶ are available via the National Archives Case Law site¹⁷ (as well as BAILII). Appeals from the First Tier are handled by the **Upper Tribunal (Tax and Chancery Chamber)**, which provides a register (in Excel format) of cases, a hearings list (updated daily), and judgments via the GOV.UK website.¹⁸ RSS feeds and email alerts are available. If a judgment isn't appearing in an expected place, a search of law firm websites, barristers chambers websites, or social media may uncover the judgment (as was found recently by the author).

HIGH COURT

The majority of case monitoring that may be required will be for cases heard in the High Court. The High Court consists of the Business and Property Courts (e.g. Commercial Court, Financial List, Business List, Insolvency & Companies List, Intellectual Property List, etc), King's Bench Division and Administrative Courts, as well as Family Division and Planning Court.¹⁹ In London, these courts can be found within the Rolls Building and Royal Courts of Justice, but there are also regional Business and Property Courts in Birmingham, Bristol, Cardiff, Leeds, Liverpool, Manchester and Newcastle.

Around 10 years ago, a significant development took place that made the job of tracking cases and obtaining documents from court a lot easier: electronic filing was introduced in the Chancery Division as a case management system.²⁰ Other divisions gradually followed suit and now all jurisdictions of the Rolls Building use eFiling, as well as other parts of the High Court, with the notable exception of the Administrative Court. The Administrative Court does not use eFiling so obtaining documents is subject to a direct request to the court.

The electronic file for a case can be accessed directly on the CE-File service²¹ (free to register), and those with subscription services like Westlaw UK, Lexis+ UK, Solomonic, and vLex-Justis can use their respective Docket content sets.

Those with access to the subscription services are at an advantage for daily tracking purposes, as alerts for new documents and claims can easily be set up and results presented in a familiar environment, but those

accessing CE-File directly are able to see filings or new claims more quickly as generally the subscription services update overnight.

From the databases and CE-File, you can see the parties to an action, list of publicly available documents (see box out), details of legal representatives for the parties, and the type of case (based on a drop down list chosen when submitted; it is very brief). From CE-File directly you can order and pay for copy documents (also known as Office Copies), whereas the major databases provide a link into CE-File to complete this action, if needed. Solomonic²² offers a slightly different service, as you're able to order and pay for a document within the platform itself, and once it is acquired it becomes available for other subscribers to see.

Whilst it is very useful to be able to see a list of publicly available documents on a court file, often a user might be none the wiser as to what the document is about prior to ordering it. As shown in [Figure 1](#), descriptions are brief for Orders, at best referring to the judge and date, and at worst listing them as 'Order by Judge'.

Pending Actions on Westlaw is an excellent companion service to CE-File and Dockets, if your organisation subscribes. For claims that are tracked by the service (which is not all High Court claims), Pending Actions aims to make the claim form and particulars available to subscribers, and provide a narrative description of Orders filed, e.g. *Order given extending time to file and serve evidence*, as well as listing hearings.

When requesting documents from CE-File, there is a charge of £11 per document but the documents are not instantly available. Researchers from the US will be

Case View - CL-2022-000284

Case Information				
Case Title	ANRON BUNKERING DMCC V. GLENCORE ENERGY UK LIMITED		Case Status	Open
Case Type	Commercial Court - Part 7 Claim - General commercial contracts and arrangements		Filed Date	06-06-2022 06:48 PM
Alt Case Number			Last Updated Date	23-02-2023 11:06 AM

Parties / Participants			
#	Role	Name	Representative
1	Claimant	ANRON BUNKERING DMCC	Watson Farley & Williams LLP
1	Defendant	GLENCORE ENERGY UK LIMITED	Clyde & Co

1 to 2 of 2 records

Case Event Log					
Event Id	Submitted Date	Filed Date	Type	Description	Fee
8	23-02-2023	23-02-2023	Order by Judge - Order	Order by Simon Colton KC	£11.00 <input type="checkbox"/>
7	14-02-2023	14-02-2023	Filing - Judgment - Approved	Judgment - Approved#	£11.00 <input type="checkbox"/>
6	10-02-2023	10-02-2023	Order by Judge - Order	Order by Judge#	£11.00 <input type="checkbox"/>
5	27-01-2023	27-01-2023	Order by Judge - Order	Order approved by Mr Justice Jacobs dated 27/01/23#	£11.00 <input type="checkbox"/>
4	23-09-2022	23-09-2022	Order by Judge - Order	Consent Order by Mr Justice Calver(#)	£11.00 <input type="checkbox"/>
3	11-07-2022	11-07-2022	Filing - Response to Request for Further Information	Response to Request for Further Information	£22.00 <input type="checkbox"/>
2	06-06-2022	07-06-2022	Filing - Particulars of Claim	Particulars of Claim(#)	£11.00 <input type="checkbox"/>
1	06-06-2022	07-06-2022	Filing - Claim Form (Part 7)	Claim Form (Part 7)(#)	£11.00 <input type="checkbox"/>

1 to 8 of 8 records

Back to Search Results Add To Basket

C-Track®, developed by Thomson Reuters Court Management Solutions

Figure 1: Screenshot of a CE-File record

familiar with PACER and whilst CE-File can be similar to this in many aspects, immediate access to documents is where the services diverge. All document requests from CE-File are manually checked by court staff before they are released, so at busy times it can take a week or more for a document to be emailed to the requester, whereas at other times it can just be a few hours, and it can differ by court. It is worthwhile noting at this point that parties to the case may make a request to court staff asking if anyone has requested a document on the file. Whilst it is understood that individual names are not given, the name of the firm the individual works for may be disclosed to parties.

PUBLICLY AVAILABLE DOCUMENTS

A short note on documents you'd expect to be found listed in a subscription database or CE-File for an action. Only documents that are publicly available are listed, and documents may only become publicly available after the acknowledgement of service has been filed. This can often be a source of frustration for the researcher, when they find a claim but see no documents, especially if a certain period of time has passed or the claim has been reported frequently in the press. Respondents have 28 days to acknowledge a claim, but there may be other developments in a case that means documents may never become available. Claims in the Companies List will more often than not have no documents listed and claims marked private will also be restricted from view.

The Civil Procedure Rules dictates what documents non-parties may access generally (whereas the Insolvency Rules need to be consulted in relation to insolvency proceedings), and it is important to be aware of this to manage expectations for the requester. Rule 5.4C²³ says the general rule is that non-parties may obtain, without permission, copies of: a statement of case (but not any documents filed or attached to it), a judgment or order given in public. These documents include the claim form, particulars of claim, defence, reply, reply to defence, or counterclaim. With the court's permission, non-parties may also request copies of skeleton arguments, witness statements, and expert reports.

At the time of writing, there is a consultation awaiting response on expanding the type of documents non-parties may access without permission. The Civil Procedure Rules Committee proposed in February 2024 that non-parties may also obtain skeleton arguments, witness statements, and expert reports without permission. The consultation closed in April 2024 and a response is awaited.²⁴

Cause lists for the Business and Property Courts (in the Rolls Building) and the courts in the Royal Courts of Justice are both freely available on the GOV.UK website,²⁵ as well as captured by Westlaw UK. For

tracking purposes, checking the cause lists after 4.30pm for the following day is the best way to keep an eye on upcoming hearings or judgment hand-downs in real-time, and The Law Pages and Westlaw UK offer historical cause list searches. Email alerts are available for both cause lists, although they are often not received until later in the day (around 6.30pm).

Once a trial has concluded, the wait for a judgment to be 'handed down' (i.e. published) can begin. From experience, there is no set time from closing arguments to hand-down, across the High Court, Court of Appeal and Supreme Court, and reasons for the length of time it takes vary greatly. In the extreme, in 2019 it was reported that one judgment took 18 months to be delivered,²⁶ in 2021 another judgment took 19 months to be handed down²⁷, with another taking 34 months.²⁸

For trials where judgment is not given immediately, a notice in the cause lists will indicate when a judgment is to be handed down. For on-the-day immediate access to a judgment on hand-down day, the National Archives Case Law website²⁹ is (usually) the quickest way to see a judgment on the day (in 2022, National Archives took on the responsibility for the external publication of court judgments from the Upper Tribunals, High Court, Court of Appeal and Supreme Court).

However, from experience it's been found that National Archives may not be the sole place to check, and a number of other websites are useful to refresh on (or after) hand-down day: BAILII New Cases of Interest, the Judiciary website, websites of law firms or barristers who acted, or even LinkedIn or X (formerly Twitter). For those with less experience of judgment hand-downs, do not take the time given in the cause lists, for example 10.30am, as the time the judgment will be available online – it may take some hours or longer. The F5 (page refresh) key may often get over-worked on a judgment hand-down day.

Not all judgments are handed down, and in these more straightforward cases a court may give judgment as soon as argument concludes. These *extempore* (pronounced ek-STEM-puh-ree) judgments read aloud at the time are electronically recorded or noted in shorthand, so a written judgment is not immediately available. Requests can be made for a judgment to be transcribed and subscribers of the major databases may have additional options available to them to either order them or see a summary.

COURT OF APPEAL (CIVIL DIVISION)

The Court of Appeal was a bit slower than the high courts to use electronic filing. eFiling only became mandatory for professional users from February 2022, but unfortunately that does not extend to a public search of the system that might allow easy case tracking.

That said, there is a free website for the Court of Appeal (Civil Division) to track cases as they proceed

through the court. The Case Tracker for Civil Appeals³⁰ gives information on the parties, where the appeal is from, the status of the appeal, and the hearing status (whether fixed or floating, with dates). There are no alerts available from this website so periodic checking is required, as well as cross-checking the cause lists when hearings are confirmed.

Selected hearings have been live streamed on the court's YouTube channel since 2019 and an archive is available.³¹

When it comes to judgment hand down, the cause lists will give advance notice of this (usually by at least a few days), and the websites used for High Court judgment hand downs are the best sources on the day for accessing the judgment (National Archives, BAILII, etc).

Subscribers to the major databases are not necessarily at an advantage when tracking a case in the Court of Appeal, as they don't offer any additional resources other than alerts on cause list searches and obtaining some (but not all) Permissions to Appeal.

SUPREME COURT

For the final appeal court in the UK, the Supreme Court website is the best source of information for tracking cases. Permission to Appeal (PTA) lists³² are published on a monthly or bi-monthly basis, giving details of cases that have been granted or refused permission to appeal. The Court Registry can be contacted for information on a PTA or if an appeal has been lodged, this is sometimes needed if a PTA list is taking some time to be published. Not all cases might be listed in the PTA lists (this was once the case when there had been multiple cross appeals involving the same parties and only one of the appeals appeared in the PTA list), so contacting the court directly is useful for when it is important to be sure, or it is time critical.

Details of when the main hearing of an appeal will take place are published in the Supreme Court sittings,³³ which are published at the start of each 'term'. For those not familiar with the terminology for the terms, a little explainer based on the 2023 year: 'Hilary' is January to April; 'Easter' is April to May; 'Trinity' is June to July; and 'Michaelmas' is October to December.

Supreme Court judgments are handed down in person, in court, on Wednesdays at 9.45am (from experience, judgments seem to average between four and nine months from hearing to hand-down but can be longer or shorter than this). Details of forthcoming judgments are usually announced just under a week in advance³⁴ and an RSS feed of future judgment announcements is available. Judgment summaries are read out in court and are live streamed on the UKSC website. Sometimes a number of judgments are handed down on the same day, or it may be just one. In both instances, the judgment itself will only become available once the judgment summary or all summaries have been read out, so this can mean a judgment may be published closer to 10am. The Supreme Court website is the best source of judgments on hand down day, but they are also available on National Archives and BAILII.

OTHER TOOLS

Additional tools can be employed to perhaps save the daily checking of a website or pushing the F5 refresh button. Website monitoring tools such as VisualPing.io or Wachete.com can allow for keyword alerts and monitoring of password protected sites, and the frequency of those alerts can be set from as often as every two minutes to weekly. Free plans are available, and while they don't offer the full functionality they might be considered as a relatively cheap investment to automate those daily tasks.

CONCLUSION

The tracking and monitoring of a case can be a rewarding experience, especially if a practitioner was able to be one of the first to publish a comment on a judgment, or perhaps get a comment in a press article, as a result. Effusive thanks may ensue! It can also be a fairly simple task and (at times) a quick win, with the appropriate websites open and reminders set. For the law librarian, this offers the benefits of regular contact with fee earners, and is a reminder of the work the Information Team does.

Endnotes

¹ Courts and Tribunals Judiciary > About the judiciary <www.judiciary.uk/courts-and-tribunals/magistrates-courts/magistrates-court/> and House of Commons Library Research Briefing: *Court statistics for England and Wales*, published 31 January 2023 <<https://commonslibrary.parliament.uk/research-briefings/cbp-8372/>>

² CourtServe <www.courtserve.net/>

³ British and Irish Legal Information Institute > England & Wales Miscellaneous <www.bailii.org/ew/cases/Misc/>

⁴ Judiciary website > Judgments and Sentencing Remarks <www.judiciary.uk/judgments/>

⁵ Ministry of Justice Record Retention and disposition schedules <www.gov.uk/government/publications/record-retention-and-disposition-schedules>

⁶ Justice Committee, *The work of the County Court, Oral Evidence*, 7 May 2024 <<https://committees.parliament.uk/oralevidence/14805/html/>>

- ⁷ House of Commons Library Research Briefing (n 1)
- ⁸ Registry Trust Online <www.trustonline.org.uk/>
- ⁹ Bureau van Dijk, a Moody's Analytics company, FAME database <www.moody.com/web/en/us/capabilities/company-reference-data/data-applications.html>
- ¹⁰ House of Commons Library Research Briefing (n 1)
- ¹¹ The Law Pages <www.thelawpages.com/>
- ¹² Employment Tribunals on GOV.UK <www.gov.uk/employment-tribunal-decisions>
- ¹³ Employment Appeal Tribunal Cause Lists <<https://employmentappeals.decisions.tribunals.gov.uk/public/causelist.aspx>>
- ¹⁴ Employment Appeal Tribunal judgments on GOV.UK <www.gov.uk/employment-appeal-tribunal-decisions>
- ¹⁵ First-tier Tribunal (Tax) hearing list <www.gov.uk/government/publications/first-tier-tribunal-tax-hearing-list>
- ¹⁶ Tax Tribunal Decisions <www.gov.uk/tax-tribunal-decisions>
- ¹⁷ National Archives Find Case Law <<https://caselaw.nationalarchives.gov.uk/>>
- ¹⁸ Tax and Chancery tribunal > Register of Cases <www.gov.uk/government/publications/upper-tribunal-tax-and-chancery-register-of-cases>, Hearings list <www.gov.uk/government/publications/upper-tribunal-tax-and-chancery-chamber-hearing-list>, and Judgments <www.gov.uk/tax-and-chancery-tribunal-decisions>
- ¹⁹ Structure of the Courts and Tribunals System <www.judiciary.uk/structure-of-courts-and-tribunals-system/>
- ²⁰ Judiciary > E Filing <www.judiciary.uk/e-filing-2/>
- ²¹ Guidance > HMCTS E-Filing service <www.gov.uk/guidance/hmcts-e-filing-service-for-citizens-and-professionals>
- ²² Solomonic > Product <www.solomonic.co.uk/product>
- ²³ Civil Procedure Rules, Part 5, Rule 5.4C <www.justice.gov.uk/courts/procedure-rules/civil/rules/part05#5.4C>
- ²⁴ Civil Procedure Rules Committee <www.gov.uk/government/organisations/civil-procedure-rules-committee/about#court-documents-consultation>
- ²⁵ Rolls Building Cause List <www.gov.uk/government/publications/business-and-property-courts-rolls-building-cause-list> and Royal Court of Justice Cause List <www.gov.uk/government/publications/royal-courts-of-justice-cause-list>
- ²⁶ *Court rejects appeal against judgment delivered after 18 months*, Law Society Gazette, 26 July 2019. <www.lawgazette.co.uk/law/court-rejects-appeal-against-judgment-delivered-after-18-months/5071150.article>
- ²⁷ *Court orders retrial after 'inexcusable' judgment delay*, Law Society Gazette, 12 May 2021 <www.lawgazette.co.uk/news/court-orders-retrial-after-inexcusable-judgment-delay-5108457.article>
- ²⁸ *Appeal dismissed despite 'inexcusable' 34-month wait for ruling*, Law Society Gazette, 21 May 2021. <www.lawgazette.co.uk/news/appeal-dismissed-despite-inexcusable-34-month-wait-for-ruling/5108594.article>
- ²⁹ National Archives Find Case Law <<https://caselaw.nationalarchives.gov.uk/>>
- ³⁰ Court of Appeal Case Tracker for Civil Appeals <<https://casetracker.justice.gov.uk/>>
- ³¹ Court of Appeal Civil Division live hearings archive <www.judiciary.uk/live-hearings/>
- ³² Supreme Court Permission to Appeal <www.supremecourt.uk/permission-to-appeal.html>
- ³³ Supreme Court > Court Sittings <www.supremecourt.uk/visiting/court-sittings.html>
- ³⁴ Supreme Court Future Judgments <www.supremecourt.uk/news/future-judgments.html>

Biography

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