

CAYMAN ISLANDS



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THE PRACTICE DIRECTION NO 1/2012

PRACTICE DIRECTION
NO. 1 OF 2012

DELIVERY OF RESERVED JUDGMENTS

It is now the established practice that reserved judgments arising from cases in the Financial Services, Civil and Family Divisions of the Grand Court will be delivered within two to three (2-3) months. In the Criminal Division of the Grand Court, the established practice is that reserved judgments are delivered as soon as practicably possible and in any event within one (1) month.

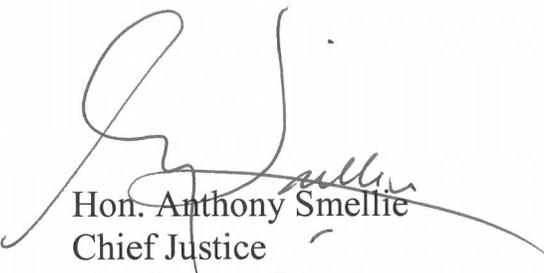
Reserved judgments arising from criminal cases in the Summary Court are expected to be delivered within three (3) weeks and those arising from civil cases, within two to three (2-3) months.

In the Court of Appeal, the established practice is that judgments not delivered by the end of the session in which they are reserved, will usually be delivered by the end of the next session.

While it is the policy of the judiciary that these established practices shall be maintained, it must also be recognised that counter-vailing circumstances will sometimes arise.

With the foregoing considerations in mind, the following practice directions are issued:

- (i) A judge or magistrate should strive to deliver reserved judgments as soon as possible and in any event within such periods as are respectively mentioned above or as may from time to time be prescribed by the Chief Justice or the President of the Court of Appeal, as the case may be. If the judge or magistrate becomes aware that judicial commitments (or other circumstances) may prevent delivery of judgments within that time, the Chief Justice (or the President) should be alerted to that possibility. Arrangements will then be put in place to secure that the objectives of this Practice Direction are met.
- (ii) In keeping with these objectives, the Listing policy of the Grand and Summary Courts must also be adapted. To that end, it is also now directed that time for the preparation of judgments, commensurate with the complexity and length of time taken for a hearing or trial, shall be reserved immediately following the conclusion of the hearing or trial.



Hon. Anthony Smellie
Chief Justice
The Cayman Islands

7th March 2012