

CAYMAN ISLANDS



Supplement No. 12 published with Gazette No. 16 dated  
9<sup>th</sup> August 2004

**THE SUMMARY COURT RULES 2004**

## SUMMARY COURT RULES 2004

In exercise of the powers conferred upon the Rules Committee by Sections 32 and 53 of The Summary Jurisdiction Law (1995 Revision), as amended, the following rules are hereby made with the prior approval of the Governor in Cabinet in so far as these rules impose a liability to pay fees.

### 1. Citation, Application, Commencement, Interpretation and Forms

(1) These Rules may be cited as the Summary Court Rules 2004 and any individual rule may be cited using the abbreviation "SCR".

(2) These Rules shall apply to all civil proceedings in the Summary Court.

(3) Rule 13 shall also apply in respect of any order made in any criminal proceeding for money to be paid into Court.

(4) These Rules shall come into operation on the 1st day of September, 2004 (referred to as "the commencement date") and shall apply to -

(a) every proceeding commenced on or after the commencement date; and

(b) every step taken or required to be taken after the commencement date in any proceeding pending on that date.

(5) No step taken or required to be taken before the commencement date shall be treated as a non-compliance with these Rules provided that it complied with the rules then in force.

(6) The Interpretation Law (1995 Revision) shall apply to the interpretation of the Summary Court Rules as it applies to the interpretation of a Law.

- (7) The Chief Justice may issue practice directions for the purpose of -
- (a) supplementing these Rules, provided that no practice direction shall revoke or vary any rule;
  - (b) establishing forms to be known as "practice forms" in respect of any matter for which no prescribed form is contained in the Appendix; and
  - (c) providing for the practice and procedure of the Summary Court in respect of any matter not governed by these Rules or any other rules.

(8) The forms contained in the Appendix shall be used where applicable with such variations as the circumstances of the particular case requires.

(9) If no form is prescribed in the Appendix, the equivalent form contained in Appendix I of the Grand Court Rules 1995 (Revised Edition) shall be used with such modifications as may be necessary.

## **2. Definitions**

In these Rules, unless the context otherwise requires, the following words and expressions shall have the following meanings -

"affiliation order" means an order for maintenance made pursuant to the Affiliation Law (1995 Revision);

"the Court" or "the Summary Court" means any court of summary jurisdiction established under Section 3(1) of the Summary Jurisdiction Law (1995 Revision);

"the Chief Clerk" means the person appointed as such under Section 10 of the Summary Jurisdiction Law (1995 Revision);

"Court Funds Office" means the office of the Court's Administrator established pursuant to the First Schedule of the Judicature Law (2002 Revision);

"maintenance order" means an order for maintenance made pursuant to the Maintenance Law (1996 Revision);

"domestic order" has the meaning ascribed to it in the Summary Jurisdiction (Domestic Violence) Law (1998 Revision) and includes an interim domestic order within the meaning of that Law;

"interpleader relief" means relief of a kind described in GCR Order 17;

"Summary Jurisdiction Law" means the Summary Jurisdiction Law, (1995 Revision), as amended;

### **3. Mode of Beginning Civil Proceedings**

(1) Every claim for payment of a debt and every claim for damages shall be commenced by plaint in Form No. 1 of the Appendix.

(2) Every plaint must be indorsed with particulars of the claim and other information prescribed by GCR Order 6, rules 2, 3, 4 and 5.

- (3) Every application for -
- (a) an affiliation order;
  - (b) a maintenance order;
  - (c) a domestic order;
  - (d) interpleader relief; or
  - (e) any other relief which the Summary Court has jurisdiction to grant by virtue of any Law,

shall be commenced by summons in Form Nos. 7, 7A or 7B of the Appendix, as may be appropriate.

(4) Every summons must state the date and time at which the respondent is required to attend before the Court and state the nature of the relief sought and the grounds upon which the applicant claims to be entitled to such relief, unless the grounds are contained in an affidavit served with it.

(5) A summons by which a person seeks an affiliation order or maintenance order shall be issued by the Chief Clerk (in his capacity as an ex officio Justice of the Peace) only if the applicant has sworn an affidavit containing his complaint.

(6) Every plaint or summons shall be issued in the manner prescribed by GCR Order 5, rules 1(3) to (6), except that the requirements of paragraph (4)(d) shall not apply.

(7) The Chief Clerk shall create a file containing, in chronological order, an office copy of every plaint or summons issued by the Summary Court which shall be referred to as "The Register of Plaints and Summonses" and shall be open to public inspection upon payment of the fee prescribed by Rule 10(3).

(8) The Chief Clerk shall place an office copy of every plaint or summons on the Register of Plaints and Summonses.

(9) Nothing in this rule shall prevent an applicant from issuing an *ex parte* summons for an interim domestic order.

#### **4. Service of Originating Process**

(1) GCR Order 65 shall apply to proceedings pending in the Summary Court as it applies to proceedings pending in the Grand Court.

(2) Every plaint or summons must be served personally on each defendant or respondent, unless the Court has made an order for substituted service pursuant to GCR Order 65, rule 4.

(3) Where a defendant or respondent's attorney indorses on the plaint or summons a statement that he accepts service on behalf of the defendant or respondent, the plaint or summons shall be deemed to have been duly served on that defendant or respondent on the date on which the indorsement was made.

(4) A plaint issued after the commencement date shall be deemed not to have been duly served unless it was accompanied by an acknowledgment of service form in Form No. 2.

(5) Due service of a plaint may be proved in any of the following ways -

- (a) by filing a copy of the plaint upon which has been indorsed a signed statement of the date, time and place of service;
- (b) by filing an affidavit of service; or
- (c) if the defendant has filed an acknowledgment of service, upon the date specified or, if no date is specified, upon the date upon which it was filed.

- (6) Due service of a summons may be proved in any of the following ways -
- (a) in the manner specified in paragraph (5)(a) or (b) of this rule;
  - (b) by oral evidence given by or on behalf of the applicant on the return day; or
  - (c) in the event that the respondent appears on the return day, it shall be deemed to have been duly served.

(7) A copy of any affidavit sworn pursuant to Rule 3(5) must be served with the summons.

## **5. Service of Process out of the Jurisdiction**

(1) No plaint or summons shall be served out of the jurisdiction without the leave of the Court.

(2) Leave to serve a plaint out of the jurisdiction may be given if the Court is satisfied that -



- (a) the claim falls within the scope of GCR Order 11, rule 1(1)(a), (d), (e) or (f);
- (b) the plaintiff has a good arguable case on the merits; and
- (c) the plaintiff has a reasonable prospect of enforcing any judgment either within or without the jurisdiction.

(3) Leave to serve a summons out of the jurisdiction may be given if the Court is satisfied that -

- (a) the applicant has a prima facie right to the relief sought against the respondent; and
- (b) the applicant will be entitled to enforce the Court's order in the country in which it is sought to serve the respondent pursuant to the law of that country.

(4) GCR Order 11, rules 5 and 6, shall apply to the service abroad of plaints and summonses as they apply to the service abroad of writs.

## **6. Acknowledgment of Service of Plaint**

(1) Every defendant to an action commenced by plaint must complete and file an acknowledgment of service form in Form No. 2 of the Appendix within 14 days from the date upon which the plaint was served on him.

(2) An acknowledgment of service form must be signed by -

- (a) the defendant in person;
- (b) the defendant's attorney; or
- (c) if the defendant is a company, one of its directors or other duly authorised officers.

- (3) An acknowledgment of service must specify -
  - (a) in the case of a defendant acknowledging in person, the address of his place of residence and, if his place of residence is not within the jurisdiction or if he has no place of residence, the address of a place within the jurisdiction at or to which documents for him may be delivered or sent;

- (b) in the case of a defendant acknowledging service by an attorney, a business address of his attorney within the jurisdiction; or
  - (c) in the case of a defendant which is a company, the address of its registered office or its place of business within the jurisdiction to which documents for it may be delivered or sent.
- (4) On receiving an acknowledgment of service the Chief Clerk must -
- (a) affix to the acknowledgment an official stamp showing the date on which he received it;
  - (b) place the acknowledgment on the Court file; and
  - (c) make a copy of the acknowledgment and send it to the plaintiff or his attorney at his address for service.
- (5) An acknowledgment of service must state -
- (a) whether or not the defendant disputes the plaintiff's claim;
  - (b) if the defendant does not dispute the claim, whether or not he needs time to pay and, if so, how long;
  - (c) if the defendant intends to defend the claim in whole or part, full particulars of his defence.
- (6) A defendant in any action commenced by plaintiff who alleges that he has a claim against a plaintiff in the action in respect of the same or some related matter may, instead of bringing a separate action, make a counterclaim in respect of that matter, in which case full particulars of his counterclaim must be included in his acknowledgment of service.

(7) Nothing in this rule shall prevent a defendant from giving particulars of his defence or counterclaim in the form of a separate pleading, provided that such pleading is filed at the same time as his acknowledgment of service.

## **7. Default Judgment**

(1) If the defendant fails to file an acknowledgment of service which states his intention to defend the claim and contains full particulars of his defence within the time prescribed by Rule 6(1), the plaintiff may make application to the Chief Clerk in Form No. 3 of the Appendix for a default judgment.

(2) In the case of a plaint indorsed with a claim for a liquidated demand only, the plaintiff may apply for a final judgment in Form No. 4 for -

- (a) the principal sum claimed in the plaint;
- (b) interest, provided that the plaint has been indorsed with a claim for interest pursuant to GCR Order 6, rule 2(e) or (f), as the case may be; and
- (c) fixed costs.

(3) In the case of a plaint indorsed with a claim for unliquidated damages, the plaintiff may apply for an interlocutory judgment in Form No. 5 for damages to be assessed and fixed costs.

(4) If, by his acknowledgment of service, the defendant admits or does not dispute part of the claim, the plaintiff may apply for a default judgment in respect of that part and either -

- (a) apply to fix a date for the trial of the remaining part of the claim; or
- (b) discontinue the action as regards the remaining part of the claim.

(5) If the action is commenced against more than one defendant, the plaintiff may apply for a default judgment against those who fail to serve acknowledgments of service and proceed with the action against the others.

(6) The Court may, on such terms as it thinks just, set aside or vary any judgment entered pursuant to this Rule.

## **8. Trial of Actions Commenced by Plaintiff**

(1) If one or more of the defendants has served an acknowledgment of

service stating his intention to defend and containing full particulars of his defence, the plaintiff may apply in Form 6 to the Chief Clerk to fix a trial date.

(2) Notice of the trial in Form No. 6 shall be served on every defendant who has filed an acknowledgment of service containing notice of intention to defend and particulars of his defence.

(3) If, when the trial is called on, the plaintiff fails to appear, the plaint may be struck out, without prejudice to its restoration on the direction of a Magistrate, and the Court may proceed with the trial of any counterclaim in the plaintiff's absence.

(4) If, when the trial is called on, the defendant fails to appear, the Magistrate may proceed with the trial of the action in his absence.

(5) Any judgment obtained where one party does not appear at the trial may be set aside by the Court, on the application of that party on such terms (including a requirement that the amount of the judgment be paid into Court) as the Magistrate thinks fit.

(6) Any party wishing to adduce in evidence any document must have available copies for the use of the Magistrate and every other party.

(7) The Magistrate may, if he thinks it expedient in the interest of justice, adjourn a trial for such time and upon such terms, if any, as he thinks fit.

(8) The trial of every action shall take place in open court.

## **9. Hearing of Applications Commenced by Summons**

(1) Where any party to a summons fails to attend on the first or any resumed hearing thereof, the Court may proceed in his absence if, having regard to the nature of the application, it thinks it expedient so to do.

(2) Before proceeding in the absence of any party the Court may require to be satisfied that the summons or, as the case may be, notice of the time appointed for

the resumed hearing was duly served on that party.

(3) Where the Court hearing a summons proceeds in the absence of a party, then, provided that any order made on the hearing has not been perfected, the Court, if satisfied that it is just to do so, may re-hear the summons.

(4) Where an application made by summons has been dismissed without a hearing by reason of the failure of the party who took out the summons to attend the hearing, the Court, if satisfied that it is just to do so, may allow the summons to be restored to the list.

(5) Unless on the first hearing of a summons the Court disposes of the summons altogether, the Court shall give such directions as to the further conduct of the proceedings as it thinks best adapted to secure the just, expeditious and economical disposal thereof.

(6) The hearing of a summons by the Court may, if necessary, be adjourned from time to time, either generally or to a particular date, as may be appropriate, and the powers of the Court under paragraphs (1) to (5) of this rule may be exercised at any resumed hearing.

(7) Any summons may be heard in Chambers.

(8) Any summons being heard in Chambers may be adjourned into open court and any summons being heard in open court may be adjourned into Chambers.

## 10. Court Fees

(1) A fee of twenty five dollars (\$25) shall be payable upon issuing every plaint or summons.

(2) Bailiff fees shall be payable in respect of the service of documents, sale of levies, sale by the Bailiff in cases other than levies and the receipt by the Bailiff of money instead of levy upon the same scale as that contained in Schedule 3 of the Grand Court Fees Rules 1999.

(3) A fee of twenty five dollars (\$25) shall be payable upon making any search of the Register of Plaints and Summonses, the Register of Attachment of Earnings Orders or the Register of Summary Court Judgments.

(4) No fees shall be payable in respect of filing any other document or in respect of any step in any action or proceeding in the Summary Court.

## 11. Costs

(1) A plaint may be endorsed with a claim for fixed costs in the sum of \$150 (one hundred and fifty dollars) plus the filing fee and the bailiff's fee for service and an order for this amount may be included in the default judgment given under Rule 7.

(2) Whenever the Court makes an order for costs (other than for fixed costs) the amount of such costs shall be assessed by the Magistrate at the time when the order is made.

(3) The Magistrate shall make his own assessment of the amount of legal fees and disbursements which he considers that a reasonable litigant is likely to have incurred and award that amount, provided that the total amount of costs awarded to any party in an action or proceeding shall not exceed -

- (a) CI\$500 in the case of a judgment or order for a sum not exceeding CI\$2,000;



- (b) CI\$1,000 in the case of a judgment or order for a sum not exceeding CI\$10,000; or
  - (c) CI\$2,000 in any other case.
- (4) No orders for costs shall be subject to taxation.

## **12. Enforcement of Judgments and Orders**

(1) The Summary Court's power under Section 35 of the Summary Jurisdiction Law, to enforce its judgments or orders shall be exercised in accordance with GCR Orders 46, 47, 48, 49, 50, 50A and 52 as if all references in those orders to the "Court" referred to the Summary Court and all references to the "Clerk of the Court" referred to the Chief Clerk and the relevant forms contained in Appendix I of the Grand Court Rules 1995 (Revised Edition) shall be adapted as necessary.

(2) No step may be taken to enforce any judgment or order whether given or made before or after the commencement date unless it has been drawn up in accordance with GCR Order 42 and served on the judgment debtor.

## **13. Payment of Money into Court**

(1) Any money ordered by a Magistrate to be paid into Court, whether in civil proceedings or criminal proceedings, shall be paid to the Court Funds Office in accordance with GCR Order 92.

(2) The forms contained in Appendix II of the Grand Court Rules shall be used in connection with funds paid into or out of Court, with such modifications as may be necessary.

## **14. Miscellaneous Provisions**

(1) GCR Orders 3 (Time), 4 (Assignment and Consolidation), 21 (Withdrawal and Discontinuance), 22 (Payment into Court), 38 Part II (Writs of

Subpoena), 41 (Affidavits), 42 (Judgments and Orders), 66 (Paper, Printing, Binding and Copies) and 67 (Change of Attorney) shall apply to proceedings pending in the Summary Court as they apply to proceedings pending in the Grand Court.

(2) No proceeding may be commenced in the Summary Court by or against any minor.

(3) A company may be represented before the Summary Court by any director or duly authorised officer.

## **15. Appeal to the Grand Court**

(1) An appeal to the Grand Court shall be made by notice of appeal in Form 8 which must be filed within 14 days from the date upon which the judgment or order appealed from is filed in accordance with GCR O.42, r.5.

(2) The Court may grant a stay of execution pending appeal either unconditionally or upon condition that the appellant pay the whole or part of a money judgment in to Court.

(3) An appeal shall constitute a re-hearing.

(4) Subject to paragraph (5), a fee shall be payable upon filing a notice of appeal in accordance with the following scale -

- (a) CI\$150 where the amount of the judgment appealed against is less than CI\$5,000;
- (b) CI\$300 where the amount of the judgment appealed against is more than CI\$5,000 but less than CI\$10,000; or
- (c) CI\$450 where the amount of the judgment appealed against is more than CI\$10,000.

(5) No filing fees shall be payable in respect of an appeal against an order of the kind referred to in Rule 3(3).

## **16. Appeals from the Employment Tribunal**

(1) An appeal to the Summary Court against a decision of the Employment Tribunal shall be commenced by notice of appeal in Form 9.

(2) Every notice of appeal shall be filed in accordance with Rule 3(6), (7) and (8) and shall be served on the respondent in accordance with Rule 4.

(3) The Chief Clerk shall deliver a copy of every notice of appeal to the Secretary to the Employment Tribunal who shall prepare the record of the proceeding comprising -

- (a) the applicant's complaint;
- (b) the respondent's response;
- (c) all documents filed in support of the complaint and the response;
- (d) a transcript or note of the oral evidence;

(e) the decision; and

(f) the statement of reasons for the decision,

and forward three copies to the Chief Clerk within 14 days.

(4) A fee shall be payable upon filing a notice of appeal in accordance with the scale contained in Rule 15(4).

**17. Revocations and Amendments**

- (1) The Summary Court Rules 1995 are hereby revoked.
- (2) The Summary Court (Taxation) Rules 1995 are hereby revoked.
- (3) The Summary Court (Appeals) Rules 1977 are hereby revoked.

MADE by the Rules Committee on the 9<sup>th</sup> day of August, 2004.

The Honourable Anthony Smellie, QC, Chief Justice  
The Honourable Sam Bulgin, Attorney General  
Andrew J. Jones, Esq., QC, Legal Practitioner  
Alden M. McLaughlin, Esq., MLA, Legal Practitioner

No. 1

Plaint

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

BETWEEN:

Plaintiff

AND:

Defendant

To the Defendant

THIS PLAINT has been issued against you by the above-named Plaintiff in respect of the claim set out on the next page.

**Within 14 days** after service of this Plaint on you, counting the day of service, you must either satisfy the claim or return to the Court Office, PO Box 495GT, George Town, Grand Cayman, the accompanying Acknowledgment of Service form stating therein whether you intend to contest this action. If you intend to defend the action, in whole or in part, you must set out **full particulars of your defence** in the space provided in the Acknowledgement of Service form.

**If you fail** to satisfy the claim or fail to return the Acknowledgement of Service form containing full particulars of your defence, the Plaintiff may apply for a **default judgment** without any further notice to you.

Issued this \_\_\_ day of \_\_\_\_\_, 20\_\_.

See overleaf for particulars of the Plaintiff's claim.

PARTICULARS OF CLAIM

(Here set out in numbered paragraphs the grounds upon which the Plaintiff claims that the Defendant is indebted to him or is liable to pay damages to him)

AND the Plaintiff claims :

1. The sum of \_\_\_\_\_.
2. Interest in the sum of \$\_\_\_\_\_ calculated at the prescribed rate from to date.
3. Fixed costs of \$\_\_\_\_\_, alternatively costs to be assessed.

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Plaintiff's Signature

Plaintiff's address for service

**No. 2  
Acknowledgment of Service**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

BETWEEN:  Plaintiff

AND:  Defendant

ACKNOWLEDGMENT OF SERVICE

1. State Defendant's name and address -

2. State whether the Defendant intends to contest the action.

Yes  No

3. If you do not intend to contest the action, do you want time in which to pay the claim?

Yes  No

4. If you do intend to contest the action, in whole or in part, you must set out full particulars of your defence overleaf.

**Service of the Plaintiff is acknowledged accordingly.**

\_\_\_\_\_  
Defendant's Signature

Dated this \_\_\_ day of \_\_\_\_\_, 20\_\_

**See Overleaf**



PARTICULARS OF DEFENCE

(Here set out in numbered paragraphs the grounds upon which the Defendant says that he is not liable to the Plaintiff, or is not liable for the full amount claimed)

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Defendant's Signature

**REMINDER -** This form must be taken or send to the Court Office, PO Box 495GT, George Town, Grand Cayman within 14 days of receipt otherwise a default judgment may be entered against you.

No. 3

Application for Default Judgment

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC\_\_\_ of 20\_\_

BETWEEN:  Plaintiff

AND:  Defendant

APPLICATION FOR DEFAULT JUDGMENT

The Plaintiff hereby applies to the Chief Clerk pursuant to SCR rule 7(1) for final judgment/interlocutory judgment with damages to be assessed (~~delete as applicable~~) against the Defendant in the form and for the amounts specified in the draft annexed hereto.

The Plaintiff certifies that :

1. The Plaintiff was served on the Defendant as evidenced by the Acknowledgment of Service/indorsement on the copy plaint/affidavit of service filed herewith (~~delete as applicable~~).
2. The Defendant has not filed an Acknowledgment of Service or has filed one which does not indicate any intention to defend or does not contain full particulars of his defence.

AND the Plaintiff hereby applies for the Court file to be closed pending the determination of this application.

DATED this \_\_\_\_ day of \_\_\_\_\_ 20\_\_

\_\_\_\_\_  
Plaintiff's Signature

No. 4

Default Judgment - Final

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

BETWEEN:

Plaintiff

AND:

Defendant

DEFAULT JUDGMENT

UPON the Plaintiff's application for default judgment dated the \_\_\_ day of \_\_\_\_\_, 20\_\_.

AND UPON being satisfied that the Plaintiff was duly served.

AND no notice of intention to defend and/or no particulars of defence having been filed prior to the date of the Plaintiff's application, it is this day adjudged that the Defendant do pay to the Plaintiff the principal sum of \$\_\_\_\_\_, interest thereon of \$\_\_\_\_\_ and fixed costs of \$\_\_\_\_\_.

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

FILED this \_\_\_ day of \_\_\_\_\_, 20\_\_

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Magistrate

No. 5

Default Judgment - Interlocutory

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

BETWEEN:  Plaintiff

AND:  Defendant

DEFAULT JUDGMENT

UPON the Plaintiff's application for default judgment with damages to be assessed dated the \_\_\_ day of \_\_\_\_\_, 20\_\_

AND UPON being satisfied that the Plaintiff was duly served.

AND no notice of intention to defend (except as to the quantum of damages) and/or no particulars of defence having been filed (except as to the quantum of damages) prior to the date of the Plaintiff's application, it is this day adjudged that the Plaintiff do have judgment against the Defendant for damages to be assessed together with fixed costs of \$\_\_\_\_\_.

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

FILED this \_\_\_ day of \_\_\_\_\_, 20\_\_

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Magistrate

**No. 6**  
**Application to Fix Trial Date**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_\_ of 20\_\_

BETWEEN:  Plaintiff

AND:  Defendant

APPLICATION

The Plaintiff hereby applies to the Chief Clerk to fix a date for the trial of the action and to serve notice of the trial date upon the parties.

Dated this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Plaintiff's Signature

NOTICE OF TRIAL DATE

**TAKE NOTICE** that the trial of this action will take place before the Magistrate at the Law Courts, George Town, Grand Cayman on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at am/pm.

**AND FURTHER TAKE NOTICE** that if the Plaintiff fails to attend the plaint may be struck out. If the Defendant fails to attend the Magistrate may proceed with the trial and judgment may be given in the Defendant's absence.

**AND FURTHER TAKE NOTICE** that both parties are required to bring with them at least three copies of all the documents which they wish to give in evidence.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

No. 7

Summons - General Form

IN THE SUMMARY AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

In The Matter of \_\_\_\_\_

BETWEEN:

Applicant

AND:

Respondent

SUMMONS

To the Respondent

**YOU ARE HEREBY SUMMONED** to appear before the Magistrate at The Law Courts, George Town, Grand Cayman on the \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_\_ am/pm upon the hearing of an application by:

(Applicant's name and address)

for the following orders and relief set out overleaf.

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Applicant's Signature

See Overleaf

ORDERS AND RELIEF CLAIMED

(Here set out in numbered paragraphs the orders and relief claimed against the Respondent)

APPLICANT'S GROUNDS

(Unless the applicant has sworn an affidavit, here set out in numbered paragraphs the grounds upon which the Applicant claims to be entitled to such orders against the Respondent)

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Applicant's signature

**No. 7A  
Summons - Affiliation Order**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

**In The Matter of** the Affiliation Law (1995 Revision)

BETWEEN:

Applicant

AND:

Respondent

SUMMONS

To the Respondent

YOU ARE HEREBY SUMMONED to appear before the Magistrate at The Law Courts, George Town, Grand Cayman on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_\_ am/pm upon the application of :

(Applicant's name and address)

for an affiliation order in respect of the child born to the Applicant on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ /due to be born to the Applicant on or about the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (~~delete as applicable~~) on the grounds that you are the putative father of the said child.

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

**NOTE:** This summons was issued in response to the Applicant's complaint contained in the affidavit served herewith.



**No. 7B**  
**Summons - Maintenance Order**

IN THE SUMMARY COURT AT GEORGE TOWN

Cause No. SC \_\_\_ of 20\_\_

**In The Matter of** the Maintenance Law (1996 Revision)

BETWEEN:

Applicant

AND:

Respondent

To the Respondent

YOU ARE HEREBY SUMMONED to appear before the Magistrate at The Law Courts, George Town, Grand Cayman on the \_\_\_ day of \_\_\_\_\_, 20\_\_ at \_\_\_ am/pm upon the application of:

(Applicant's name and address)

for an order that you maintain the Applicant [or identify the person to be maintained] on the grounds that you have a statutory duty to maintain him because [state the Respondent's relationship with the person to be maintained].

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Chief Clerk

**NOTE:** This summons was issued in response to the Applicant's complaint contained in the affidavit served herewith.

No. 8

Notice of Appeal

IN THE GRAND COURT OF THE CAYMAN ISLANDS  
ON APPEAL FROM THE SUMMARY COURT

Grand Court Cause No. \_\_\_ of 20\_\_  
(Cause No. SC \_\_\_ of 20\_\_)

BETWEEN:

Appellant

AND:

Respondent

NOTICE OF APPEAL

TAKE NOTICE that I, \_\_\_\_\_, intend to appeal against the order of the Summary Court made on \_\_\_\_\_ 20\_\_.

The grounds of my appeal are as follows -

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Appellant's Signature

No. 9

Notice of Appeal

IN THE SUMMARY COURT AT GEORGE TOWN  
ON APPEAL FROM THE EMPLOYMENT TRIBUNAL

Cause No. SC \_\_\_ of 20\_\_

BETWEEN:  Appellant

AND:  Respondent

NOTICE OF APPEAL

TAKE NOTICE that I, \_\_\_\_\_, intend to appeal against the  
decision of the Employment Tribunal made on \_\_\_\_\_ 20\_\_.

The grounds of my appeal are as follows -

DATED this \_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Appellant's Signature