

CAYMAN ISLANDS



PRACTICE DIRECTION NO. 4 OF 2022

(GCR 0.1, .12)

**LISTING OF CIVIL PROCEEDINGS IN THE CIVIL
DIVISION, SHORT SUMMONSES AND ASSIGNED
JUDGES**

(PD 4 of 2022)

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(GCR 0.1, r.12)
LISTING OF CIVIL PROCEEDINGS IN THE CIVIL DIVISION, SHORT SUMMONSES AND
ASSIGNED JUDGES

1. Application and Commencement

This Practice Direction applies to civil proceedings other than proceedings in the Family Division which are covered by Practice Direction No. 6/12 and proceedings in the Financial Services Division which are covered by Practice Direction No. 1 of 2021 (“Civil Proceedings”).

2. Short Summonses

2.1 This Practice Direction will take effect from 1st October 2022 and will apply to every interlocutory summons issued pursuant to GCR O.32 having endorsed upon it a time estimate of ½ hour or less (hereafter called a “Short Summons”).

2.2 The presiding judge in the Civil Division (currently Madame Justice Ramsay-Hale) (the “Presiding Judge”) will sit on Thursday of each week (commencing 6th October 2022) for the purpose of hearing Short Summonses and the listing officer shall list Short Summonses to be heard on such days of the week.

2.3 Parties are reminded of GCR O.32, r.(2) (4) which imposes a duty to notify the Listing officer if, for whatever reason, the time estimate is no longer considered to be accurate.

2.4 Applications for consent orders should only be made by Short Summons if the order involves the exercise of a judicial discretion. If the parties are entitled to the order as of right, it should be processed administratively in accordance with GCR O.42, r.(5) and (5)A.

2.5 Summonses with a time estimate of more than ½ hour shall continue to be listed by the Listing Officer in the usual way.

3. Assignment of cases to judges

3.1 In order to maximize the efficiency and cost effectiveness with which Civil Cases are dealt with in the Grand Court consideration will be given by the Presiding Judge on a continuing basis, in conjunction with the Chief Justice as appropriate, as to whether cases that are more time consuming or complex (“Complex Cases”) will benefit from being assigned to a particular judge (the “Assigned Judge”).

3.2 This decision may be taken early in the life of a case e.g. at the inter-partes hearing of an injunction, on an application for leave for judicial review pursuant to GCR O. r. 53, r.3, at the hearing of a summons for directions issued pursuant to GCR O. 25, r.1 (1) or, as the matter progresses towards or is set down for trial.

3.3 If a party considers that it would be inappropriate for a matter to be assigned to a particular judge, for whatever reason, this fact should be drawn to the attention of the Presiding Judge at the time.

- 3.4 If a Complex Case is allocated to an Assigned Judge then the Listing Officer will be so informed and, thereafter, unless a matter is urgent and the Assigned Judge is unavailable, after consultation with the Assigned Judge the Listing Officer will ensure that interlocutory summonses and, the trial itself, will be listed before the Assigned Judge.
- 3.5 In accordance with the Overriding Objective as set out in the preamble to the Grand Court Rules (1995) (Revised Edition), the Assigned Judge will be expected to consider, at all times, how best to manage the Complex Cases which are assigned to them and to exercise appropriate and proportionate case management powers as they shall think fit including, in consultation with the parties via the Listing Officer, convening case management conferences and giving directions pursuant to e.g. GCR O.25, r.3 and GCR O.28, r.4.
- 3.6 The allocation of a particular Complex Case to an Assigned Judge shall remain a matter for the Presiding Civil Judge in consultation with the Chief Justice and shall remain within their discretion to change if that becomes necessary, for whatever reason.
- 3.7 Matters that are not designated as Complex Cases shall remain to be heard by any available judge.



Sir Anthony Smellie
Hon Chief Justice

15 August 2022