

**IN THE EASTERN CARIBBEAN SUPREME COURT
(2008)**

PRACTICE DIRECTION 62 B

No. 3 of 2008

**APPEALS
INTERLOCUTORY APPLICATIONS
STANDARD DIRECTIONS**

This Practice Direction is made pursuant to Part 4.2 (2) of the Eastern Caribbean Supreme Court Civil Procedure Rules 2000 and supplements Part 62 of the Rules.

1. INTRODUCTION

This Practice Direction establishes standard directions to govern the conduct of interlocutory applications in appeals.

2. WHEN STANDARD DIRECTIONS APPLY

- (a) The standard directions contained in paragraph 3 shall apply to interlocutory applications in appeals unless;
 - (i) the court orders otherwise, whether on its own initiative or on the application of a party; or
 - (ii) the parties agree otherwise, subject to the approval of the court or a Judge.

- (b) If a party desires the court to make an order for directions other than

or in addition to the standard directions that party shall, at the time of the filing of the notice of application, in the case of the applicant, or the filing of a statement that the application is opposed, in the case of a respondent, file a draft of the directions that such party proposes.

3. STANDARD DIRECTIONS

- (a) An applicant shall file and serve along with his notice of application the evidence in support on which he intends to rely, if any, and his skeleton arguments.
- (b) To increase preparation time the applicant shall forthwith upon filing and before serving the documents mentioned in paragraph (a) send copies of the documents to the respondent. Where the evidence in support is voluminous, the applicant need not send copies of such material, at this stage.
- (c) If, after having been served with the filed and stamped documents mentioned in paragraph (a), the respondent files and serves a statement that the application will be opposed the respondent shall, within 14 days from the date when he was served, file and serve any evidence on which he intends to rely and his skeleton arguments.

4. MANAGEMENT OF INTERLOCUTORY APPLICATIONS

- (a) It shall not be necessary for the management of an application for a case management conference to be held.

- (b) In the event the court makes directions other than the standard directions the court office shall notify the parties in sufficient time to enable those directions to be followed in time for the hearing of the application.

5. COMMUNICATION

- (a) The parties shall, in addition to filing their documents at the office of the High Court in the state or territory where the appeal originates, send filed copies by fax (or where that is impracticable, by courier) to the Court.
- (b) The parties should send electronic copies of their documents, whenever possible, to each other and to the court using such word processing system as they may agree or as they may be advised.

6. EFFECTIVE DATE

This Practice Direction will come into effect on the 1st day of June 2008.

Dated this day of April, 2008.

**Sir Brian Alleyne SC, KCN
Chief Justice [Ag.]**