



In the Supreme Court of Bermuda

PRACTICE DIRECTION

ISSUED BY THE CHIEF JUSTICE

A/50

6th January 2025

CIRCULAR No. 1 OF 2025

TO ALL ATTORNEYS

PRACTICE FOR STANDARD DIRECTIONS IN CIVIL AND COMMERCIAL MATTERS

AIM AND PURPOSE

1. The purpose of this Practice Direction is to adopt Standard Directions in Civil and Commercial matters where an Order for Directions is sought. The aim is to improve efficiency and to reduce the need for parties and/or Counsel to attend hearings for directions thus reducing demand on Thursday morning Chambers and costs to the parties.
2. The Standard Directions are as follows:
 1. Parties to provide available dates within 7 calendar days with appropriate form, inclusive of an estimated hearing time – using Form 31D.
 2. Responding evidence to be filed and served within [14 – 21] days.
 3. Reply evidence to be filed and served within [14 – 21] days.
 4. [Applicant] prepares and files an agreed hearing bundle 7 calendar days before the hearing.
 5. [Applicant] files skeleton argument and authorities 7 calendar days before the hearing.
 6. [Respondent] files skeleton argument 3 calendar days before the hearing.
3. Unless there is a need to depart from the Standard Directions, the Summons for Directions shall set out the Standard Directions as the directions sought. In such circumstances, a Consent Order may be filed based on the Standard Directions.

4. In Standard Directions 2 and 3 above, the parties are at liberty to agree the number of days between 14 and 21 as appropriate.
5. In Standard Directions 4 - 6 above, in respect of the parties to be set out in the square brackets, the appropriate party such as "Plaintiff", "Defendant", "Respondent", etc may be used instead of the words "Applicant" and "Respondent".
6. Where Counsel seek an Order for Directions that departs from the Standard Directions, then the usual practice will be followed in which a hearing for directions will take place, subject to the parties filing a Consent Order setting out other agreed directions.
7. Counsel should make every effort to agree the Standard Directions or other Directions as necessary.
8. In all cases, where a hearing has taken place and an Order has been made, Counsel shall file the relevant Order and copies which should include the date of the order typed into the Order rather than leaving the date blank for the Judge to fill in.

CONCLUSION

9. This Practice Direction is made in the hope that it will improve the efficiency with which the Court deals with applications and directions.

Dated the 6th day of January 2025



Hon. Mr. Larry Mussenden
CHIEF JUSTICE

CC: The Attorney-General's Chambers
Department of Public Prosecutions
Hamilton Police Station
Commissioner of Police
Commissioner of Corrections
Magistrates Court
Bermuda Bar Association
Legal Aid Office

LM/tf