



IN THE SUPREME COURT OF BERMUDA  
CIRCULAR NOTICE

ISSUED BY THE REGISTRAR

Ref. A/50

Wednesday 15 December 2016

CIRCULAR No. 27 of 2016

**LISTING CIVIL AND COMMERCIAL HEARINGS**

Resolution of Listing Delays

1. The Registrar is keenly aware of hearing listing delays in the Civil and Commercial Court. These delays have been mostly attributable to the various challenges of transition after relocation and staff restructuring on account of personnel shortages.
2. However, it has been determined that such delays will be met with resolution effective 3 January 2017.

Request to List Hearing Form: Form 27-A/2016 (ANNEX D)

3. Form 27-A/2016 is introduced as the new system of requesting the fixture of any hearing, whether it is for listing before the Registrar or a Supreme Court Judge.
4. It is intended that the use of Form 27-A/2016 will assist Registry personnel in streamlining hearing requests so that they are placed directly before the Registrar for issuance on the same day or so soon thereafter of filing.
5. Counsel who properly file a Form 27-A/2016 may expect to receive email notices of their hearing fixtures within 3 -5 days of the date when it was filed. Where the

application for hearing is by summons, motion or petition, the issued documents will be made available for collection by post or hand.

6. Form 27-A/2016 is a convenient single-page document intended to provide both Counsel and Registry personnel with standardized ease in requesting and listing hearings in the Civil and Commercial Court. Again, Form 27-A/2016 is applicable to all civil and commercial hearings, including hearings in the Registrar's Chambers.
7. A blank 2017 calendar is printed on the back page of Form 27-A/2016 for Counsel to mark their agreed proposed hearing dates. Where proposed dates for fixture are suggested, they must be mutually agreed between the parties unless all reasonable efforts to secure agreed dates have been met with a non-response or an unreasonable one by the other side. (Registry personnel will be directed to presume that all dates requested on Form 27-A/2016 have been suggested in compliance with this rule of practice. Delays in having to police this rule of practice should not continue.)
8. Where proposed dates are made accordingly, an 'X' should be marked on the calendar back-sheet to show the dates to avoid and a 'Y' should be marked to show the requested date(s)/time frame.

#### New Supreme Court Email Address

9. Correspondence should continue to be filed in compliance with the rules set out in Circular 25 of 2016.
10. Effective 3 January 2017, where email correspondence is permitted under Circular 25 of 2016, all email correspondence for Supreme Court and Court of Appeal matters must be sent to [supremecourt@gov.bm](mailto:supremecourt@gov.bm). In the initial transition, all such emails should be copied to the Registrar until further notice. (It should be noted that where an urgent email request is made for an expedited hearing, Counsel should attached a completed Form 27-A/2016 to the email.)
11. The new email address will platform the email correspondence to the Registrar, the Assistant Registrar and selected members of each Registry Branch (including the Probates Branch). This will allow the Registrar and management to more closely monitor and resolve the plethora of issues arising / continuing.

12. Counsel should refrain from emailing Registry personnel individually. Equally, Counsel should take all steps to avoid directing email correspondence to the Chief Justice or other Judges for Court matters.

*Email Correspondence Subject-Line Format Requested:*

13. All emails should include the following type reference in the subject line for ease of reference and speed of reply:
  - (i) Crim - Laury v Candy No.1 of 2017 urgent listing query
  - (ii) Civ - Jeffers v Jallin No 2 of 2017 notice of pending filing
  - (iii) Comm - Alexis v Haraghan No. 3 of 2017 request for urgent hearing
  - (iv) Fam Matrim - George v Kareline No. 4 of 2017 agreed delist request
  - (v) Probate - Estate of Karl Weston No. 5 of 2017 urgent query
  - (vi) CICB - Nicolas Perroque application withdrawal
14. Emails which do not use this format of subject heading may be inadvertently over-looked.
15. The Registrar has directed Registry staff to refrain from accepting or engaging in individual email exchanges with Counsel regarding Court filings or listings.
16. The new email address is also intended to assist with statistical purposes and ease of access to any background emails.

## **REGISTRAR'S CHAMBERS HEARINGS**

General Fixture Locations and Listing Patterns

17. This Circular is also intended to broadly outline the scope of chambers hearings which may be listed before the Registrar in the Supreme Court in its civil, commercial and family jurisdiction.
18. The purpose of this Circular is to also inform Counsel on the new routine locations of hearings before the Registrar, effective 3 January 2017.

19. Annexed to this Circular are the following:
- (i) Weekly Listing Schedule (ANNEX II) which states the location of categories of hearings for listing on Tuesdays, Wednesdays, Thursdays and Fridays;
  - (ii) Civil Chambers Applications List (ANNEX III) which broadly lists, as a general guide, various types of chambers applications which may be listed before the Registrar on Thursdays and Fridays; and
  - (iii) Examination of Means Hearing Template of Record of Proceedings (ANNEX IV).
20. Effective 3 January 2017, all family and matrimonial chambers hearings will be held on Tuesdays in the Dame Lois Browne-Evans Building (DLBE). All appeals directions hearings and civil chambers hearings will be heard in Government Administration Building (GAB) between Wednesdays and Fridays, inclusive.

Examination of Means Hearing Record Template

21. The Examination of Means Hearing Record Template is intended to bring a practical and efficient level of standardization to the procedure for these hearings.
22. Counsel representing a Judgment Creditor will be expected to follow the general format of the template during the hearing in aid of the Registrar's compilation of the written record of the proceedings. The Examination of Means Hearing Record Template will be the format used by the Registrar in producing a written and signed record of the proceedings. Notwithstanding, the template form stands as a guide and is intended to allow for Counsel examining the Debtor to bypass, substitute or insert questions as would ordinarily be permitted the Registrar under RSC Order 48.
23. While the Examination of Means Hearing Template contains a section wherein the terms of the Registrar's order are recorded, a draft order in the same terms (affixed with the applicable stamp duty) should always be filed for signature by the Registrar.

Matrimonial and Family Chambers Hearings

24. The Registrar will continue to list matrimonial and chambers hearings in the DLBE on Tuesdays.
25. Where the parties are represented by Counsel in a matter where directions from the Registrar are sought for an Ancillary Relief application on first return, it is expected that standard directions will be agreed between the parties by Consent Order.
26. Further, Counsel are expected to take all reasonable steps to ascertain agreed issues before requesting audience in respect of interim applications.
27. It is intended that all chambers hearings involving Counsel will be reserved for disputed matters and all other orders will be disposed of by way of Consent Order.

Continued Efforts to Restore and Modernize Registry Operations

28. Counsel are to be extended much gratitude for the ongoing patience with the many struggles of the Registry while all practical steps are being taken to effectively restore and modernize the Registry in gradual phases.

Dated this 15 day of December 2016



**Shade Subair Williams**  
**REGISTRAR**

To: The Director of Public Prosecutions  
The Solicitor-General  
Legal Aid Counsel  
All Barristers and Attorneys

<b>SUPREME COURT OF BERMUDA</b>		
<b>CIVIL/COMMERCIAL JURISDICTION</b>		
<b>FORM 27A-2016 REQUEST TO LIST HEARING</b>		
CASE NAME: _____ <div style="text-align: right;">No. _____ of 20 _____</div> <p style="text-align: center;">PLEASE ENTER EMAIL ADDRESS TO REQUEST EXPEDITED NOTICE OF DATE FIXED FOR HEARING :</p> <div style="text-align: right;">@ _____ .com/bm</div>		
COUNSEL/FIRM REQUESTING LISTING:		
OTHER COUNSEL/FIRM(S) ON RECORD <sup>1</sup> :		
<b>URGENCY LEVEL FOR LISTING</b>		
NEXT 24 HOURS	NEXT 3 DAYS	NEXT 7 DAYS
NEXT 14 DAYS	NEXT AVAILABLE HEARING	ADMINISTRATIVE CONSIDERATION
<b>HEARING TYPE</b>		
THURSDAY CHAMBERS LIST	FRIDAY WINDING UP / BANKRUPTCY LIST	
CHAMBERS HEARING APPLICATION (RSC ORDER _____ RULE _____)	TRIAL / OPEN COURT HEARING	
TAXATION BILL OF COSTS	EXAMINATION OF MEANS Number of Judgment Debtor(s): _____	
<b>ESTIMATED LENGTH OF HEARING</b>		
15-30 MINUTES	30-60 MINUTES	1-2 HOURS
½ DAY	1 DAY	2 DAYS
3 DAYS	1 WEEK	2 WEEKS+

<sup>1</sup> All hearing date proposals on this Form will be considered on the presumption that all reasonable steps were taken to secure an agreed position from all other Counsel of Record.

2017	Monday	Tuesday	Wednesday	Thursday	Friday
Jan	2	3	4	5	6
	9	10	11	12	13
	16	17	18	19	20
	23	24	25	26	27
	30	31	1	2	3
Feb	6	7	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27	28	1	2	3
Mar	6	7	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27	28	29	30	31
Apr	3	4	5	6	7
	10	11	12	13	14
	17	18	19	20	21
	24	25	26	27	28
	1	2	3	4	5
May	8	9	10	11	12
	15	16	17	18	19
	22	23	24	25	26
	29	30	31	1	2
Jun	5	6	7	8	9
	12	13	14	15	16
	19	20	21	22	23
	26	27	28	29	30
Jul	3	4	5	6	7
	10	11	12	13	14
	17	18	19	20	21
	24	25	26	27	28
	31	1	2	3	4
Aug	7	8	9	10	11
	14	15	16	17	18
	21	22	23	24	25
	28	29	30	31	1
Sep	4	5	6	7	8
	11	12	13	14	15
	18	19	20	21	22
	25	26	27	28	29
Oct	2	3	4	5	6
	9	10	11	12	13
	16	17	18	19	20
	23	24	25	26	27
	30	31	1	2	3
Nov	6	7	8	9	10
	13	14	15	16	17
	20	21	22	23	24
	27	28	29	30	1
Dec	4	5	6	7	8
	11	12	13	14	15
	18	19	20	21	22
	25	26	27	28	29
	1 New Year	2	3	4	5

PLEASE MARK AN 'X' ON DATES WHICH ARE TO BE AVOIDED

PLEASE HIGHLIGHT ANY PROPOSED DATES FOR FIXTURE

**COURT OF APPEAL OF BERMUDA  
SUPREME COURT OF BERMUDA**

**REGISTRAR'S CHAMBERS  
WEEKLY LISTING SCHEDULE**

**TUESDAYS (DLBE)**

**FAMILY & MATRIMONIAL COURT DISPUTES**

COURT OF APPEAL JURISDICTION	SUPREME COURT JURISDICTION
<p>FAMILY &amp; MATRIMONIAL APPEALS DIRECTIONS HEARINGS (SETTLING RECORD)</p>	<p>MAINTENANCE PENDING SUIT  ANCILLARY RELIEF DIRECTIONS HEARINGS  RULE 77 APPLICATIONS</p>
<p>TAXATION HEARINGS FOR BILLS OF COSTS EXAMINATION OF MEANS HEARINGS OF COSTS ORDERS (FOR FAMILY &amp; MATRIMONIAL CASES)</p>	

**WEDNESDAYS (GAB)**

**CIVIL/COMMERCIAL TAXATIONS/  
CIVIL COMMERCIAL EXAMINATION MEANS HEARINGS/  
CIVIL APPEALS DIRECTIONS HEARING**

COURT OF APPEAL JURISDICTION	SUPREME COURT JURISDICTION
<p>TAXATIONS ON BILLS OF COSTS  EXAMINATION OF MEANS HEARINGS  CIVIL APPEALS DIRECTIONS HEARINGS (SETTLING RECORD)</p>	<p>TAXATIONS ON BILLS OF COSTS  EXAMINATION OF MEANS HEARINGS  CIVIL APPEALS DIRECTIONS HEARINGS (APPEALS FROM MAGISTRATES' COURT)</p>

**THURSDAYS + FRIDAYS (GAB)**

**CIVIL CHAMBERS HEARING APPLICATIONS**

**SUPREME COURT JURISDICTION**

**(SEE ANNEX III OF CIRCULAR 27 OF 2016 FOR EXAMPLES OF  
APPLICATIONS WHICH MAY BE HEARD BEFORE THE REGISTRAR)**



**SUPREME COURT OF BERMUDA****CIVIL HEARINGS  
REGISTRAR'S CHAMBERS****LEAVE APPLICATIONS  
FOR WRITS/ORIGINATING SUMMONS**

RSC ORDER 6 + ORDER 7 + ORDER 10 + ORDER 11 + ORDER 12

0.6/6 SUMMONS FOR LEAVE TO ISSUE CONCURRENT WRIT	0.6/7 + 0.11 SUMMONS FOR LEAVE TO SERVE WRIT OUT OF THE JURISDICTION	0.6/8 SUMMONS FOR LEAVE TO RENEW WRIT	
0.7/4 SUMMONS FOR LEAVE TO ISSUE CONCURRENT ORIGINATING SUMMONS	0.10/2 SUMMONS FOR LEAVE TO SERVE WRIT ON AGENT OF OVERSEAS PRINCIPAL	0.10/4 EX PARTE SUMMONS TO SERVE WRIT FOR POSSESSION OF LAND	0.12/8 EX PARTE SUMMONS TO SET ASIDE WRIT OR SERVICE OF WRIT

**LEAVE APPLICATIONS  
TO ENTER APPEARANCE / JUDGMENT DEFAULT**

RSC ORDER 12 + ORDER 13 + ORDER 77/9

0.12/6 SUMMONS FOR LEAVE TO ENTER AN APPEARANCE AFTER JUDGMENT ENTERED	0.12/7 SUMMONS FOR LEAVE TO ENTER A CONDITIONAL APPEARANCE	0.13/4 (2)-(3) SUMMONS FOR LEAVE TO ENTER JUDGMENT DEFAULT OF APPEARANCE (POSSESSION LAND)	0.13/9 SUMMONS FOR LEAVE SET ASIDE JUDGMENT IN DEFAULT MADE UNDER ORDER 13
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0.77/9(1)-(2)  
SUMMONS/MOTION APPLICATION  
FOR LEAVE TO ENTER JUDGMENT AGAINST THE CROWN IN DEFAULT OF APPEARANCE

**DIRECTIONS HEARINGS  
FOR INTERLOCUTORY APPLICATIONS BEFORE CLOSE OF PLEADINGS**

0.14 SUMMARY JUDGMENT	0.15 JOINDER APPLICATIONS	0.16 THIRD PARTY PROCEEDINGS
0.18 + 0.19 PLEADINGS / JUDGMENT DEFAULT	0.20 + 0.32/2 + 0.18/19 APPLICATION FOR LEAVE TO AMEND	0.21/1 SUMMONS FOR SECURITY OF DEFENDANT'S COSTS

**APPLICATIONS FOR SUMMARY JUDGMENT**

RSC ORDER 14 + RSC ORDER 77/7

0.14/1 SUMMONS FOR SUMMARY JUDGMENT ON WHOLE/PART OF CLAIM	0.14/5 SUMMONS FOR SUMMARY JUDGMENT ON COUNTERCLAIM	0.14/6 SUMMONS FOR DIRECTIONS FOR FURTHER CONDUCT OF ACTION
0.14/6 PARTIES CONSENT TO TRIAL BY REGISTRAR	0.14/9 APPLICATION FOR JUDGMENT FOR DELIVERY CHATTEL	0.14/11 APPLICATION TO SET ASIDE/VARY JUDGMENT

0.77/7  
APPLICATION BY THE CROWN UNDER 0.14/1 OR 0.14/5 FOR SUMMARY JUDGMENT

**JOINDER / THIRD PARTY PROCEEDINGS**

RSC ORDER 15 + ORDER 16

0.15/1 EX PARTE APPLICATION FOR LEAVE FOR PLAINTIFF TO JOIN CAUSES OF ACTION	0.15/4 APPLICATION FOR LEAVE TO JOIN PERSONS AS PLAINTIFFS OR DEFENDANTS	0.15/5 APPLICATION FOR ORDER OF SEPARATE TRIALS
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O.15/6 APPLICATION TO REMEDY MISJOINDER AND/OR NON-JOINDER OF PARTIES	O.15/6A; O.15/15 APPLICATION FOR ORDER APPOINTING ESTATE REPRESENTATIVE TO BE JOINED AS PARTY	O.15/7 ORDER FOR CHANGE OF PARTY BY REASON OF DEATH
O.15/9 APPLICATION FOR AN UNLESS ORDER WHERE CLAIM HAS NOT PROCEEDED AFTER DEATH OF A PARTY	O.15/10 JOINER OF PERSON IN POSSESSION OF LAND IN AN ACTION FOR POSSESSION OF LAND	O.15/12 APPLICATION FOR ORDER TO JOIN REPRESENTATIVE TO PROCEEDINGS
O.16/1(2)/2 APPLICATION FOR LEAVE FOR DEF TO ISSUE A THIRD PARTY NOTICE	O.16/4 APPLICATION FOR ORDER FOR THIRD PARTY DIRECTIONS	O.16/5 JUDGMENT IN DEFAULT OF THIRD PARTY APPEARANCE OR DEFENCE
O.16/6 APPLICATION TO SET ASIDE/VARY JUDGMENT	O.16/9 APPLICATION FOR LEAVE FOR THIRD PARTY TO ISSUE A CLAIM	
<b>PLEADINGS/ JUDGMENT DEFAULT</b> RSC ORDER 18 AND ORDER 19		
O.18/19 SUMMONS FOR ORDER TO STRIKE OUT PLEADINGS / INDORSEMENTS	O. 18/21 SUMMONS FOR ORDER THAT ACTION BE TRIED WITHOUT PLEADINGS OR WITH FURTHER PLEADINGS	O. 19/1 SUMMONS FOR DISMISSAL OF ACTION WHERE PLAINTIFF FAILS TO SERVE S.O.C. ON DEFENDANT
O.19/5 SUMMONS FOR LEAVE TO ENTER JUDGMENT (DEFAULT OF DEFENCE POSSESSION OF LAND)	O.19/7 SUMMONS FOR JUDGMENT (DEFAULT OF DEFENCE) (CLAIMS OTHER THAN LIQUIDATED DAMAND/ UNLIQUIDATED DAMAGES/ CLAIM IN DETINUE/ POSSESSION OF LAND)	O.19/8 SUMMONS FOR JUDGMENT ON COUNTERCLAIM OF DESCRIPTION UNDER O. 19/2-7
O.77/9(1)-(2) SUMMONS/MOTION APPLICATION FOR LEAVE TO ENTER JUDGMENT AGAINST THE CROWN IN DEFAULT OF PLEADINGS		O.19/9 APPLICATION TO SET ASIDE/VARY JUDGMENT
<b>APPLICATION FOR LEAVE TO AMEND</b> RSC ORDER 18/19 + 20 +32		
O.18/19 SUMMONS FOR ORDER TO AMEND PLEADINGS / INDORSEMENTS	O.20/2 SUMMONS TO AMEND MEMORANDUM OF APPEARANCE	O.20/4 SUMMONS FOR DISALLOWANCE OF AMENDMENT W/O LEAVE
O.20/5 SUMMONS FOR LEAVE TO AMEND WRIT OR PLEADING	O.20/7 SUMMONS FOR LEAVE TO AMEND OTHER ORGINATING PROCESS	O.20/8 SUMMONS FOR COURT TO ORDER AMENDMENT OF OTHER DOCUMENT IN COURT PROCEEDINGS
O.32/2 APPLICATION FOR LEAVE TO AMEND SUMMONS AFTER ISSUE		
<b>WITHDRAWAL AND DISCONTINUANCE</b> RSC ORDER 21		
O.21/1 SUMMONS FOR LEAVE TO WITHDRAW MEMORANDUM OF APPEARANCE	O.21/5 STAY OF SUBSEQUENT ACTION UNTIL COSTS PAID	O.21/6 SUMMONS FOR LEAVE TO WITHDRAW SUMMONS
<b>SECURITY FOR COSTS</b> RSC ORDER 23		
O.21/1 SUMMONS FOR ORDER THAT PLAINTIFF GIVE SECURITY FOR THE DEFENDANT'S COSTS		

**ADMISSIONS**

RSC ORDER 27

O.27/3

SUMMONS OR MOTION FOR JUDGMENT / ORDER ON ADMISSIONS MADE BY PARTY

**ASSESSMENT OF DAMAGES**

RSC ORDER 37

O.37/1

ASSESSMENT OF  
DAMAGES

O.37/5

ASSESSMENT OF  
VALUE OF GOODS**ACCOUNTS AND INQUIRIES**

RSC ORDER 43

O.43/1

SUMMONS FOR  
SUMMARY ORDER FOR ACCOUNT

O.43/2

SUMMONS FOR  
DIRECTION FOR TAKING OF ACCOUNTS**WRITS OF EXECUTION**

RSC ORDER 46

O.46/4

APPLICATION FOR LEAVE TO ISSUE  
WRIT OF EXECUTION  
(SAVE WRIT OF SEQUESTRATION)

O.46/8

APPLICATION FOR RENEWAL OF  
WRIT OF EXECUTION**STAY OF WRITS OF FIERI FACIAS**

RSC ORDER 47

O.47/8

APPLICATION FOR STAY OF  
EXECUTION OF WRIT OF FIERI FACIAS**EXAMINATION OF JUDGMENT DEBTOR**

RSC ORDER 48

O.48/1

APPLICATION FOR ORDER THAT  
JUDGMENT DEBTOR BE ORALLY EXAMINED

O.47/8

REQUEST FOR LISTING OF EXAMINATION OF  
JUDGMENT DEBTOR**GARNISHEE PROCEEDINGS**

RSC ORDER 49

O.49/1(2)-2

EX PARTE APPLICATION FOR  
ORDER TO SHOW CAUSE FOR  
ATTACHMENT OF DEBT DUE  
TO JUDGMENT DEBTOR

O.49/4

APPLICATION FOR ORDER  
ABSOLUTE FOR ATTACHMENT  
OF DEBT DUE TO  
JUDGMENT DEBTOR

O.49/5-6

TRIAL BEFORE REGISTRAR  
ON DISPUTE OF LIABILITY  
BY GARNISHEE**APPLICATIONS FOR COSTS ORDER**

RSC ORDER 62

O.62/12(1)

APPLICATION FOR COSTS ORDER  
ON STANDARD BASIS  
(ARISING OUT OF  
HEARING BEFORE REGISTRAR)

O.62/12(2)

APPLICATION FOR COSTS ORDER  
ON INDEMNITY BASIS  
(ARISING OUT OF  
HEARING BEFORE REGISTRAR)

O.62. PART III

APPLICATION FOR FIXED COSTS RELATED  
TO RECOVERY OF LIQUIDATED SUMS  
WITHOUT TRIAL; JUDGMENT IN DEFAULT  
OF APPEARANCE; OR DEFENCE OF  
DEBT/LIQUIDATED DEMAND/  
POSSESSION OF LAND

O.62. PART II DIVISION I ITEM 2(2)

APPLICATION FOR CERTIFICATION OF  
ATTENDANCE OF MORE THAN ONE  
COUNSEL TO COURT  
(ARISING OUT OF  
HEARING BEFORE REGISTRAR)APPLICATION TO BE HEARD ON COSTS WITHIN SPECIFIED TIMEFRAME  
STATED IN RULING BY REGISTRAR

## APPLICATIONS PRE-TAXATION OF COSTS

RSC ORDER 62

O.62/21/29 APPLICATION FOR EXTENSION OF TIME TO FILE BILL OF COSTS	O.62/29(3)-(4) APPLICATION FOR LEAVE FOR OTHER PARTY TO BEGIN TAXATION PROCEEDINGS
O.62/20(a) APPLICATION FOR ORDER FOR TAKING AN ACCOUNT OF DEALINGS IN MONEY MADE IN CONNECTION TO COSTS TO BE TAXED	O.62/20(b) APPLICATION FOR ORDER FOR JOINT PARTIES TO BE SEPARATELY REPRESENTED AT TAXATION HEARING
O.62/20(c) APPLICATION FOR ORDER DIRECTING PARTICULAR WITNESSES TO BE EXAMINED	O.62/20(c) APPLICATION FOR ORDER DIRECTING PARTICULAR DOCUMENTS TO BE PRODUCED
O.62/30(5) APPLICATION FOR ORDER TO SET ASIDE WHOLLY OR IN PART THE TAXATION PROCEEDINGS WHERE ENTITLED PARTY FAILED TO COMPLY WITH ORDER 62	O.62/32 APPLICATION FOR ORDER TO LIST TAXATION HEARING ON BASIS OF BEING SHORT AND URGENT

## APPLICATION FOR ORDER DECLARING ATTORNEY CEASED TO ACT FOR PARTY


RSC ORDER 67

O.67/5 APPLICATION BY OTHER PARTY FOR ORDER DECLARING ATTORNEY CEASED TO ACT	O.67/6 APPLICATION FOR ORDER DECLARING APPLICANT ATTORNEY CEASED TO ACT
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## TAKING OF EVIDENCE FOR PROCEEDINGS IN OTHER JURISDICTIONS

RSC ORDER 70 + PART IIC OF THE EVIDENCE ACT 1905

EVIDENCE ACT 1905 S. 27P-27Q+ RSC 70/2 APPLICATION FOR ORDER TO MAKE PROVISION FOR OBTAINING EVIDENCE IN BERMUDA TO GIVE EFFECT TO REQUEST FROM OVERSEAS COURT OR TRIBUNAL	EVIDENCE ACT 1905 S. 27P-27Q+ RSC 70/3 APPLICATION BY ATTORNEY-GENERAL FOR ORDER TO MAKE PROVISION FOR OBTAINING EVIDENCE IN BERMUDA TO GIVE EFFECT TO REQUEST FROM OVERSEAS COURT OR TRIBUNAL
HEARING IN WHICH EVIDENCE IS TO BE TAKEN TO GIVE EFFECT TO REQUEST FROM OVERSEAS COURT OR TRIBUNAL	

<b>SUPREME COURT OF FICHIJIBI</b> <b>CIVIL/COMMERCIAL JURISDICTION</b> <b>REGISTRAR'S RECORD OF PROCEEDINGS</b> <b>RSC ORDER 48 EXAMINATION OF MEANS HEARING</b>		
JUDGMENT DEBTOR FOR EXAMINATION:	DATE OF HEARING: No. _____ of 20_____	
COUNSEL FOR JUDGMENT CREDITOR:	TIME HEARING STARTED: TIME HEARING COMPLETED:	
<b>REGISTRAR'S ORDER</b> (A draft Order for signature by the Registrar should be filed in the following terms) See Practice Direction No.27 of 2016		
<p>WHEREAS on (Date) the (Hon. Chief Justice/Puisne Judge) ordered, <i>inter alia</i>, that the Judgment Debtor attend before the Registrar on (Date) at (Time) to be orally examined as to whether any and what debts are owing to the said Judgment Debtor and whether the Judgment Debtor has any and what other property or means of satisfying the costs award allowed in the Supreme Court on (Date);</p> <p>UPON HEARING Counsel for the Judgment Creditor (Name) and Judgment Debtor appearing in person</p> <p><b>IT IS HEREBY ORDERED:</b></p> <ol style="list-style-type: none"> <li>Examination of Means hearing before the Registrar adjourned to a date in (<i>time range</i>) to be fixed by letter to the Registrar; / Examination of Means hearing before the Registrar adjourned sine die with liberty to restore by letter to Registrar;</li> <li>The Judgment Debtor shall produce the following documents for delivery to Counsel for the Judgment Creditor:           <ol style="list-style-type: none"> <li>All Bank statements for accounts held solely or jointly by the Judgment Debtor for transactions relating to the previous (# <i>months</i>);</li> <li>All loan agreements wherein the Judgment Debtor is party to the loan and statements which evidence the outstanding balance of the loan(s);</li> <li>Proof of employment remuneration evidencing particulars of net and gross salary during the past (# <i>months</i>);</li> <li>Mortgage statements detailing the current balance owed /equity accrued on property to which the Judgment Debtor is a mortgagor;</li> <li>Most recent valuation of the Judgment Debtor's real property, namely (<i>detail</i>);</li> <li>Documentation detailing all insurance coverages currently held by the Judgment Debtor including life insurance, vehicle insurance, content insurance;</li> </ol> </li> <li>The Judgment Debtor shall pay the monthly sum of \$000.00 on an interim basis to the Judgment Creditor through the office of (<i>name of law firm</i>). The first payment shall be made on or before (<i>Date</i>);</li> <li>Leave to be given to the Judgment Creditor to issue a Judgment Summons to appear before a Supreme Court Judge on (<i>Date</i>); and</li> <li>Costs for attendance of hearing to the Judgment Creditor / Costs reserved / No order as to Costs.</li> </ol>		
<b>SHADE SUBAIR WILLIAMS</b> <b>REGISTRAR OF THE SUPREME COURT</b>		

<b>EVIDENCE HEARD UNDER EXAMINATION OF MEANS</b>	
OATH SWORN ON BIBLE/KORAN/TORAH/ AFFIRMATION TAKEN	
<b>JUDGMENT DEBTOR'S CONTACT INFORMATION</b>	
1. JUDGMENT DEBTOR'S FULL NAME AND DOB:	
2. MARITAL STATUS:	3. CHILDREN AND DOBs:
4. CURRENT ADDRESS (PLACE OF ABODE):	
5. CO-HABITEES:	
6. TELEPHONE CONTACT:	7. EMAIL CONTACT:
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	
<b>JUDGMENT DEBT</b>	
OUTSTANDING SUM OWED:	LAST PAYMENT MADE:
<b>JUDGMENT DEBTOR'S ATTITUDE TOWARDS PAYMENT OF JUDGMENT DEBT:</b>	
<b>JUDGMENT DEBTOR'S COMPLINACE IN DELIVERING DOCUMENTS ORDERED FOR PRODUCTION:</b>	
<b>SCOPE FOR NON-LITIGIOUS RESOLVE:</b>	
<b>INCOME</b>	
<b>EMPLOYMENT SALARY</b>	
8. PLACE OF EMPLOYMENT: JOB TITLE: DURATION OF SERVICE: PART TIME /FULL TIME SERVICE:	9. EMPLOYER'S NAME EMPLOYER'S CONTACT: SELF-EMPLOYED/PAYROLL TAX
10. NET SALARY / PROFITS:	11. GROSS SALARY: PENSION DEDUCTIONS: HEALTH INSURANCE: SOCIAL INSURANCE:
<b>SUPPLEMENTAL INCOME</b>	
12. ADDITIONAL EMPLOYMENT: JOB TITLE: GROSS+NET SALARY:	13. MONIES OWED TO JUDGMENT DEBTOR:
14. RENTAL INCOME:	15. BUSINESSES/INVESTMENT RETURNS:
TOTAL MONTHLY INCOME:	
FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:	

<b>PERSONAL BANKING</b>	
<b>PERSONAL BANK ACCOUNTS</b>	
16. HSBC BERMUDA ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE:	17. BUTTERFIELD ACCOUNT ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE:
18. CLARIEN BANK ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE:	19. OVERSEAS ACCOUNT: ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE:
<b>PERSONAL CREDIT CARDS</b>	
20. HSBC BERMUDA CREDIT CARD LIMIT: TYPE OF CARD: CARD NUMBER #: CURRENT BALANCE:	21. BUTTERFIELD ACCOUNT CREDIT CARD LIMIT: TYPE OF CARD: CARD NUMBER #: CURRENT BALANCE:
22. CLARIEN BANK CREDIT CARD LIMIT: TYPE OF CARD: CARD NUMBER #: CURRENT BALANCE:	23. OVERSEAS ACCOUNT: CREDIT CARD LIMIT: TYPE OF CARD: CARD NUMBER #: CURRENT BALANCE:
<b>PERSONAL BANK LOANS</b>	
24. HSBC BERMUDA TOTAL SUM BORROWED: MONTHLY PAYMENTS: OUTSTANDING BALANCE:	25. BUTTERFIELD ACCOUNT TOTAL SUM BORROWED: MONTHLY PAYMENTS: OUTSTANDING BALANCE:
26. CLARIEN BANK TOTAL SUM BORROWED: MONTHLY PAYMENTS: OUTSTANDING BALANCE:	27. OVERSEAS ACCOUNT: TOTAL SUM BORROWED: MONTHLY PAYMENTS: OUTSTANDING BALANCE:
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	
<b>MONTHLY EXPENSES</b>	
28. MORTGAGE:	29. LOAN REPAYMENTS:
30. RENT:	31. DEPENDANTS: (EG. Unemployed Spouse / Children / Vulnerable Persons)
32. ELECTRIC BILL:	33. TELEPHONE AND MOBILE:
34. INTERNET	35. TV/CABLE:
36. OTHER	
<b>TOTAL MONTHLY EXPENDITURE:</b>	
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	

<b>REAL PROPERTY</b>	
<b>PLACE OF ABODE</b>	
37. RENTAL RESPONSIBILITY: RENTAL ARREARS:	38. MORTGAGE RESPONSIBILITY: MORTGAGEE: OUTSTANDING: EQUITY: RENTAL INCOME:
<b>OTHER PROPERTIES</b>	
39. MORTGAGE RESPONSIBILITY: MORTGAGEE: OUTSTANDING: EQUITY:	40. MORTGAGE RESPONSIBILITY: MORTGAGEE: OUTSTANDING: EQUITY: RENTAL INCOME:
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	
<b>TANGIBLE ASSETS</b>	
<b>VEHICLES</b>	
41. CAR/BIKE REGISTRATION: CAR/BIKE MODEL: CAR/BIKE INSURER: INSURED VALUE:	42. MARINE VESSEL REGISTRATION #: VESSEL MODEL: INSURER: INSURED VALUE
<b>HOUSEHOLD CHATTELS</b>	
43. BEDROOM FURNITURE	44. KITCHEN APPLIANCES
45. LIVING/DINING ROOM FURNITURE	46. ELECTRICAL APPLIANCES
<b>IT/COMPUTER HARDWARE/HAND-HELD DEVICES</b>	
47. COMPUTERS / LAP TOPS MODEL: AGE: PURCHASED SUM:	48. HAND-HELD DEVICES MODEL: AGE: PURCHASED SUM:
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	
<b>BUSINESSES/COMPANIES/INVESTMENTS</b>	
<b>OWNERSHIP IN BUSINESSES/COMPANIES</b>	
49. NAME OF COMPANY/BUSINESS: LEVEL OF OWNERSHIP/SHARES: VALUE OF COMPANY/BUSINESS:	50. NAME OF COMPANY/BUSINESS: LEVEL OF OWNERSHIP/SHARES: VALUE OF COMPANY/BUSINESS:
<b>BUSINESS ACCOUNTS</b>	
51. NAME OF BANK ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE	52. NAME OF BANK ACCOUNT # TYPE OF ACCOUNT: OTHER JOINT ACCOUNT HOLDER(S) CURRENT BALANCE:



<b>BUSINESS LOANS</b>	
53. NAME OF LENDER: TOTAL SUM BORROWED: MONTHLY REPAYMENT: CURRENT OUTSTANDING BALANCE:	54. NAME OF LENDER: TOTAL SUM BORROWED: MONTHLY REPAYMENT: CURRENT OUTSTANDING BALANCE:
<b>INVESTMENTS</b>	
55. NAME OF BUSINESS INVESTMENT: NATURE OF INVESTMENT: SUM INVESTED:	56. NAME OF BUSINESS INVESTMENT: NATURE OF INVESTMENT: SUM INVESTED:
<b>FURTHER STATEMENTS MADE IN EVIDENCE BY JUDGMENT DEBTOR:</b>	
<b>TRUSTS</b>	
57. IS JUDGMENT DEBTOR A TRUSTEE OR BENEFICIARY OF A TRUST? 58. NAME OF TRUST: 59. NAME OF SETTLOR OF TRUST: 60. OTHER TRUSTEES AND BENEFICIARIES: 61. VALUED ASSETS OF TRUST: 62. ADMINISTRATORS OF TRUST:	
<b>WILLS</b>	
63. IS JUDGMENT DEBTOR AN EXECUTOR OR BENEFICIARY OF A WILL? 64. NAME OF TESTATOR: 65. OTHER EXECUTORS AND BENEFICIARIES: 66. VALUE OF ESTATE: 67. PROBATE:	
<b>PENSION/ LIFE INSURANCE</b>	
68. IS JUDGMENT DEBTOR A BENEFICIARY OF A PENSION SCHEME OR LIFE INSURANCE POLICY? 69. NAME OF PENSIONER OR OWNER OF INSURANCE POLICY: 70. VALUE OF SCHEME/POLICY:	
<b>JUDGMENT DEBTOR'S VERIFICATION OF RECORD</b>	
I AGREE THAT I HAVE REVIEWED THIS RECORD OF MY EXAMINATION OF MEANS HEARING AND THAT MY BELOW SIGNATURE CONFIRMS THAT THE INFORMATION RECORDED IN THIS STATEMENT IS A TRUE AND ACCURATE RECORD OF MY EVIDENCE:	
JUDGMENT DEBTOR'S NAME PRINTED:	JUDGMENT DEBTOR'S NAME SIGNED:
DATE:	
<b>SHADE SUBAIR WILLIAMS            REGISTRAR OF THE SUPREME COURT</b>	

