

ROYAL COURT OF JERSEY

RC 20/10

Guide for interlocutory hearings before the Master of the Royal Court or the Judicial Greffier

Until further notice because of the ongoing corona virus pandemic and social distancing requirements, where a hearing is required before the Master of the Royal Court (which shall include the Judicial Greffier) the following approach will be taken.

1. For all existing and new summonses, a date fix appointment should be sought in the usual way. By the time set for a date fix hearing, the Master will indicate whether an oral hearing is required or whether a summons may be determined on the papers. He will also decide whether a hearing will take place in person or using Starleaf.
2. For hearings likely to last less than 1 hour, they will be conducted on line using Starleaf unless the Master determines otherwise. Hearings likely to last more than 1 hour will usually take place in person.
3. For a Directions Hearing, the Master will set a date by which the parties are to file their suggested directions, together with any necessary explanation and supporting documentation to justify the directions sought where these are not self-explanatory. Any explanation or supporting documentation should be as concise as possible.
4. In advance of the specified filing date, the parties and their advisors should endeavour to reach agreement on the proposed directions. The Master will then issue a decision on any remaining areas of disagreement with brief reasons where an explanation is required. If any oral submissions are required the parties will be notified and a short hearing fixed.
5. For all other hearings, a date for a hearing will be fixed in the usual way. If there are multiple summonses in the same matter the Master will determine prior to the date fix whether the summonses can be heard together, having regard to this guidance, and, if a single hearing is not possible, the order in which they are to be heard. This may include different issues raised by a summons being dealt with at different hearings.
6. The Master will also fix a timetable for the filing of any evidence or submissions required to determine the summons. To assist the Master, when issuing a summons the application should be accompanied by a suggested timetable for the filing of evidence. The other party(ies) should file any comments in response by the time of the date fix hearing. Please note that any skeletons should be exchanged one week before any hearing rather than 2 working days. The Master may revisit the timetable set at any stage on receipt of any evidence or skeleton arguments.
7. In relation to bundles for Starleaf hearings, these should be filed electronically with the Master's secretary and should be as concise as possible with only necessary authorities and affidavits. For lengthy decisions, relevant extracts in their context will be adequate. For exhibits only, a bundle should only contain a document (or a relevant part for lengthy documents) a party wishes to refer to. Each tab of the bundle should describe its contents.

8. For all other hearings bundles should be filed in strict compliance with Practice Direction RC18/02 Production and Content of bundles for the use in the Royal Court.
9. Once all evidence and submissions are filed for any hearing, the Master may give an indication of what questions he wishes the parties to focus on, whether any further evidence is needed and whether he has reached any preliminary view on any of the issues in dispute. This is to assist the parties and should not be taken to be a final determination.
10. Those taking part in a hearing by Starleaf will have to provide an email address to the Master's secretary. If this is a personal email it will only be used for the call and will not be retained after the call. The call will be recorded and a copy retained in the usual way.
11. When logging in an attendee must insert their full name and use the email address previously provided to the Master's secretary
12. During the hearing the Master will determine the order in which he is to be addressed and any necessary rules to conduct the hearing. The Master will have a camera and microphone on at all times. A party or legal representative intending to address the Master should have a video on and should be clearly visible. A party's microphone should be muted unless addressing the Master. If a party wishes to intervene they should turn their microphone on and the Master will invite the participant to speak at an appropriate moment. All other attendees should have cameras and mikes off i.e. they may listen only.
13. No recordings or other images of the hearing may be taken or downloaded. Any breach of this rule will be a contempt of court.
14. Attire appropriate to the dignity of a court hearing is required as far as possible.
15. The court will either announce its decision at the end of the hearing or may reserve its decision in the usual way. Any decision will be recorded in an Act of Court. The court may provide oral reasons, written reasons or a written judgment.

This Practice Direction will come into force with immediate effect and will replace Practice Direction RC20/04 which is repealed.