

ROYAL COURT OF JERSEY

RC 21/01

Production and Content of Electronic Bundles for hearings in The Royal Court

- 1) This Practice Direction is produced to set out how parties should load documents onto the electronic bundle platform, CaseLines, which the Royal Court is now licensed to use.
- 2) This Practice Direction applies in respect of any matter where the Royal Court has decided that a hearing will be conducted using CaseLines. As the system is rolled out across different courts, CaseLines will become the default system for the supply of bundles for court hearings.
- 3) This guidance covers all matters before the Royal Court other than proceedings covered by the Criminal Procedure (Jersey) Law 2018 (subject to paragraph 4 of this guidance). This includes interlocutory proceedings before the Royal Court, the Judicial Greffier, or the Master of the Royal Court. It also applies to any proceedings before one of the Family Judges subject to the guidance contained in Practice Direction FD20/01.
- 4) Until any guidance is issued under the Criminal Procedure (Jersey) Law, this practice direction will also apply to all sentencing hearings where CaseLines is to be used.
- 5) When a party applies for a hearing date, or the Court fixes a date of its own motion, and CaseLines is to be used, the parties will be informed accordingly.
- 6) For each new hearing in civil matters a separate bundle will be created. For other matters, unless the Court directs otherwise, the same bundle will be used for all hearings.
- 7) Permissions will be set up on the CaseLines' system for the parties and their legal representatives to access the relevant case. Any person given access must register on CaseLines as a user. CaseLines provides guidance on how to upload documents and use the system.

- 8) To facilitate the uploading of relevant material, the Greffe will have predetermined the sections required for the hearing bundle for the applicant to populate. These sections will be standard templates. If the parties consider that different or additional templates are required, the applicant/plaintiff shall apply to the Court official fixing the hearing to vary the standard templates used.
- 9) Material uploaded into each section of the hearing bundle will be sorted into date order automatically by the CaseLines system. The date of each document must therefore be inserted when uploading a document. Each document must also be described succinctly.
- 10) Any document created by any party shall use an appropriate font size so that the document is clearly legible on CaseLines. Wherever possible, any other document or authority that is uploaded shall also be in a format that is clearly legible.
- 11) Using the specified templates, the applicant/plaintiff shall upload all relevant summonses for the application, pleadings, acts of court, and any affidavits or other evidence already filed with the Court. This shall be done within 2 working days of the date fix hearing.
- 12) The applicant shall also upload any other relevant documents, correspondence and authorities to be cited on which it wishes to rely. Any other material shall be filed as soon as reasonably practicable so that it can be referenced in any skeleton argument which is to be filed.
- 13) However, in advance of uploading of material to the hearing bundle, all parties to the action are required to consult with each other about what is to be uploaded in order to avoid duplication. The applicant is to take the lead in this consultation by setting out what documents it considers should be uploaded
- 14) Finally, the applicant shall upload a skeleton argument, any draft order proposed and a list of essential reading. For interlocutory hearings this will be no later than 2 working days before the hearing. For Royal Court hearings or any trial, this will be no later than 1 week before the hearing unless you are told otherwise. For lengthy hearings the parties should allow a longer period of time

between the completion of lodging all relevant material and the start of the hearing to allow the court adequate pre-reading time.

- 15) The other party(ies) shall only upload any other relevant documents, correspondence or authorities to be cited on which it wishes to rely that have not already been uploaded by the applicant/plaintiff. This shall also be done as soon as reasonably practicable after a hearing date is fixed.
- 16) The other party(ies) shall also upload a skeleton argument, any draft order proposed and a list of essential reading. The deadline for uploading these documents is the same time limit that applies to an applicant.
- 17) Once the process of uploading documents is completed, the final version of the hearing bundle will appear on CaseLines. Any sections created where no documents have been uploaded will not appear in the final version of the hearing bundle.
- 18) For certain types of hearings, the authorities' section should be pre-populated with the authorities regularly used by the Court. Ordinarily this will be done by the applicant. In such cases only additional authorities that add to or explain the approach to be taken by the Royal Court should be uploaded.
- 19) For a trial or final hearing, a new trial bundle must be created. Again, a standard template will be set up on CaseLines by the Greffe. If different templates are required, the parties shall agree these and liaise with the Greffe.
- 20) The uploading of material for trial bundles is the primary responsibility of the plaintiff, who shall consult with other parties before finalising the content of trial bundles. The uploading shall be completed by the date set out in any directions issued for the conduct of the trial. Each party shall be responsible for uploading its own skeleton argument and list of essential reading.
- 21) The uploading of documents for any hearing including a trial must be completed by the dates specified by the Court. Any uploading beyond any date specified by the Court will not be permitted and will require an application to the Court to upload any extra material.

- 22) It is the intention of the Court to enforce the requirements of this Practice Direction. In appropriate cases, it may award costs against a defaulting party, or against the lawyer representing that party personally if that party fails to adhere to this Practice Direction without reasonable excuse. Any non-compliance may also lead to restrictions on how long a party may address the Court or to adjournments.

- 23) Any material uploaded to CaseLines may only be used for the hearing for which it is uploaded and may only be viewed by those persons granted the permission to use CaseLines for that hearing. No material may be shared with any other person. Users should also take care not to allow inadvertent disclosure of any material to anyone not authorised to view it. Any unauthorised release or reading of information may result in serious consequences for the party permitting the release as well as the person who is given access to or sees the same.

This Practice Direction will come into force with immediate effect