



IN THE SUPREME COURT OF BERMUDA
CIRCULAR NOTICE

ISSUED BY THE REGISTRAR

Ref. A/50

Thursday 17 November 2016

CIRCULAR No. 25 of 2016

REGISTRY OPERATIONS UPDATE
AND NEW FILING LOCATIONS AND PROCEDURES

1. This Circular follows Circulars 21, 22, 23 and 24 of 2016.
2. While the decontamination of Court records continues, and Registry staff still does not have access to all Court records, progress has been made in relation to the relocation of branches of the Supreme Court Registry.

CORRESPONDENCE WITH THE REGISTRY

3. When corresponding with the Registry, Counsel must adhere to the following practice:
 - (i) Subject only to (v) below, all correspondence sent to the Registry should be directed to the Registrar and/or the Assistant Registrar. Correspondence from Counsel should not be directed to other members of the Registry. This reinforces in principle *Practice Direction No. 21 of 2015 paragraph 4*: "It has been noted that correspondence is being addressed to Administrative Assistants and not to the Registrar. Then a query is posed for which the

Registrar has no knowledge. Please refrain from addressing correspondence in this manner and address all correspondence to the attention of the Registrar.”;

- (ii) Counsel should never copy the Registrar, the Assistant Registrar or members of the Registry to party correspondence. This reinforces *Practice Direction No. 6 of 2011*: ‘Normal party and party correspondence should not be copied to the Registry. The only correspondence which should be directed to the Registry is that which covers a filing, seeks a date or seeks some other form of action from the Registrar.’;
 - (iii) All communications to the Registry should be made in the form of a letter properly filed at the Registry subject only to the exceptions listed below at (iv)-(vi);
 - (iv) Emails may be sent to the Registrar or Assistant Registrar Directly where the course of action requested is in respect of an urgent fixture for hearing within the next 7 days;
 - (v) Counsel may use email correspondence when it is *in reply* to any email correspondence from the Registrar, Assistant Registrar or member of the Registry on behalf of the Registrar;
 - (vi) Email correspondence is also acceptable where it is merely intended to stand as a notice or ‘heads up’ on pending correspondence soon to be filed at the Registry; and
 - (vii) When seeking a hearing date, Counsel should send one letter to the Registrar advising on proposed hearing dates as agreed by both sides. (Separate letters from Counsel stating their individual calendar availabilities will not be considered in the absence of good reason for so doing).
4. Save for applications which are properly made on an ex-parte basis without notice or filings which commence fresh proceedings, no communications with the Registry should take place without notice to all parties affected. As such, all correspondence including filing letters in on-going proceedings should be copied to the other parties.

5. Correspondence which does not conform to these rules of practice may not receive action or a reply by the Registry.

CREATION OF NEW SUPREME COURT REGISTRY BRANCH LOCATIONS

A. GOVERNMENT ADMINISTRATION BUILDING ("GAB")

Civil and Commercial Court Registry

1. Effective as of tomorrow, **18 November 2016**, all commercial and civil filings (save for civil proceedings under the Minors Act 1950 or Children's Act) will be received on the second floor reception area of GAB.
2. Correspondence in respect of civil and commercial matters, including delisting hearings or mentions by consent, should be sent by hand or by facsimile (292-1762) to the GAB Registry. All *telephone* inquiries in respect of listed civil and commercial matters may be directed to Ms Rosemary Wickham or Ms Ameenah Abdullah.

Court of Appeal Registry

3. All filings related to Court of Appeal proceedings, including leave to appeal proceedings, should continue to be filed at the second floor reception of GAB.
4. Correspondence in respect of Court of Appeal matters should be sent by hand or by facsimile (292-1762) to the GAB Registry. All telephone inquiries in respect of Court of Appeal matters should be directed to Ms Joyce Waddell (until 2 December 2016) and/ or Ms Joy Robinson.

Filings in relation to Appeals from the Magistrates' Court

5. Effective as of tomorrow, **18 November 2016**, all filings related to appeals from the Magistrates' Court should take place on the second floor reception of GAB.
6. Correspondence in respect of Magistrate Court of Appeals should be sent by hand or by facsimile (292-1762) to the GAB Registry. All *telephone* inquiries in

respect of listed appeal hearings may be directed to Ms Rosemary Wickham or Ms Ameenah Abdullah.

Call to the Bar Applications, Notary Applications & Registered Associates Applications

7. Effective the 18 November 2016, all filings related to the above applications should take place on the second floor reception of GAB. Correspondence in respect of these matters should be sent by hand to the GAB Registry. All *telephone* inquiries in respect of these matters may be directed to Ms Rosemary Wickham or Ms Ameenah Abdullah.

Search Praecipes

8. All Search Praecipes should be filed at the GAB Registry location following the procedures set out in Circular 24 of 2016.

B. DAME LOIS BROWNE EVANS BUILDING (“DLBE BUILDING”)

Criminal Registry

9. Effective as of tomorrow, **18 November 2016**, all filings related to the criminal proceedings should take place on the third floor reception of DLBE Building.
10. Correspondence in respect of criminal matters should be sent by hand or by facsimile (292-2268) to the DBLE Registry. All *telephone* inquiries in respect of listed criminal matters may be directed to Ms Joann Lynch or Ms Erica Simmons.

Matrimonial and Family Registry

11. Effective as of tomorrow, **18 November 2016**, all filings related to the Supreme Court matrimonial or family proceedings should take place on the third floor reception of DLBE Building. This will include civil filings under the Minors Act 1950 and the Children’s Act.
12. Correspondence in respect of matrimonial and family matters should be sent by hand or by facsimile (292-2268) to the DBLE Registry. All urgent inquiries in

respect of family and matrimonial may be directed to the Assistant Registrar at rsbarritt@gov.bm in keeping with paragraphs 3 – 5 above.

Probate & Estate Applications

13. Effective as of tomorrow, **18 November 2016**, all filings related to probate and estate should take place on the third floor reception of DLBE Building.
14. Correspondence in respect of probate and estate matters should be sent by hand or by facsimile (292-2268) to the DLBE Registry. All inquiries in respect of probate matters may be directed to Mrs. Nelson-Stovell at djnstovell@gov.bm
15. Counsel are advised that the Registrar is cognizant of continued delay in processing probate applications. This is attributable to significant staff shortages. It is anticipated that administrative staff restorations will be achieved before the end of the year.

Dated this 17 day of November 2016



Shade Subair Williams
REGISTRAR

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

