

COURT OF APPEAL

PRACTICE NOTE NO. 1/2015

(Electronic filing of Skeleton Arguments and Written Submissions)

1. Introduction

- 1.1 This Practice Note is made with the concurrence of the President and Judges of the Court of Appeal and represents an effort by the Court of Appeal to take advantage of the opportunities afforded by modern technology.
- 1.2 This Practice Note takes effect from 1 June 2015.
- 1.3 The purpose of this Practice Note is to:
 - 1.3.1 advise parties with matters before the Court of Appeal of the pilot electronic filing project being embarked upon in this court, which will see the introduction of electronic filing of skeleton arguments and written submissions; and
 - 1.3.2 outline the procedure for the electronic filing of skeleton arguments and written submissions under the pilot project.
- 1.4 Subject to specific directions, orders and applicable rules, this Practice Note applies to all appeals, applications or motions listed for hearing before the court and applications to be heard by a single judge in Chambers.
- 1.5 This Practice Note does not apply to self-represented parties.

2. Electronic Filing Process

- 2.1. The Court has established a specific email address for the purposes of receiving skeleton arguments and written submissions filed in accordance with this Practice Note. That email address is efile@courtofappeal.gov.jm.
- 2.2. Skeleton arguments and written submissions shall be submitted using the aforementioned email address. Documents should be submitted in Word format as an attachment to a covering letter addressed to the Registrar of the Court of Appeal.
- 2.3. Once submitted, a confirmation receipt will be sent to the sender. The document will be reviewed and recorded by a designated officer in the registry

of the court. The registry will notify the sender of any problems or issues with the documents submitted electronically.

- 2.4. In the event of an error in filing on the part of the sender, the registry should be promptly notified.
- 2.5. If skeleton arguments and written submissions transmitted electronically require urgent attention, the sender should contact the registry by telephone.

3. Hard Copies

- 3.1. Nothing in this Practice Note removes the requirement of filing the requisite number of hard copies of skeleton arguments and written submissions in the registry of the Court of Appeal, as required by rule 2.6 of the Court of Appeal Rules, or as directed by the court or a single judge at a case management conference.
- 3.2. Where skeleton arguments and written submissions are filed electronically the sender should print a copy of the confirmation receipt and present it along with the hard copies to the registry of this court. The hard copies must be identical copies of the skeleton arguments and written submissions submitted electronically.

4. Timelines

- 4.1. Nothing in this Practice Note affects the timelines prescribed by the Court of Appeal Rules or set by the court or a single judge for the filing of skeleton arguments and written submissions. Parties are to adhere to the timelines set by the Rules, the court or a single judge. A party sending an e-mail is responsible for ensuring that the transmission or any document attached to it is filed within any relevant time limits.
- 4.2. For matters in which case management conferences are conducted or case management directions are made, the single judge before whom the matter is laid may make directions for the electronic filing of skeleton arguments and written submissions.
- 4.3. Where the time for the filing of skeleton arguments and written submissions is not governed by a particular rule, direction or order, parties are to ensure that the skeleton arguments and written submissions are filed electronically at least five (5) working days in advance of the hearing and hard copies submitted at least four (4) working days in advance of the hearing.

5. Electronic Filing outside registry hours

5.1. If an electronic transmission is received outside of the registry's opening hours, or on a Saturday, Sunday or a Public Holiday:

5.1.1. the electronic transmission will be treated as received; and

5.1.2. the attached skeleton arguments or written submissions will be treated (if accepted) as filed,

on the next day on which the registry opens.

As the intention of the court is in due course to formalise the pilot project by such amendments to the Court of Appeal Rules as may be necessary, the comments of attorneys-at-law on how this system might be refined and improved are hereby invited. These comments are to be submitted to the Registrar.

Dated the 4th day of May 2015

A handwritten signature in black ink, reading "Seymour Panton", written over a horizontal line. The signature is cursive and extends to the right with a long, sweeping stroke.

**Seymour Panton, OJ, CD
President of the Court of Appeal**