



The Court of Appeal for Bermuda

Ref. A/50

Friday, 12th September 2008

CIRCULAR NO: 12 of 2008

TO ALL COUNSEL

COURT OF APPEAL CALENDAR: 3rd November 2008 -28th November 2008 SESSION

I enclose herewith a Draft Cause List for the forthcoming session. Dates and times are subject to change during the session. Subject to available space and the President's directions, Counsel arguing matters on the Reserve List may need to be ready to proceed in either **Week 1** or **Week 2** of the session.

- The session will commence on Monday, 3rd November 2008 and end on Friday, 28th November 2008, if not sooner. The Honourable President of the Court of Appeal has directed me to say that if there are changes to the list, they will be made for the convenience of the Court. If Counsel require an adjournment from this session, they are reminded to file the requisite Notice of Motion with Affidavit in support.
- Any documents to be viewed by the Judges are required to be filed in the Registry for the Court of Appeal at least four (4) days before the hearing date.
- Counsel, or anyone acting in person, is reminded that they are to observe the Rules of the Court of Appeal when submitting any further applications or documentation.
- Counsel is further reminded about providing their Authorities and Submissions for Civil Appeals in accordance with the dates settled before the Registrar. As the Court of Appeal Judges are travelling from overseas, it is necessary to have all Submissions received in a timely manner. This allows all appeals to proceed expeditiously. Counsel is reminded of Circular No.1 of 2007 wherein only Core Bundles are to be submitted for 'big' Civil Appeals.
- With respect to **Criminal Appeals**, the **Appellants' Skeleton Arguments and Authorities** must be submitted to the Registry on or before **Tuesday, 21st October 2008**; the **Respondents' Skeleton Arguments and Authorities** are to be submitted by close of business on **Tuesday, 28th October 2008**. This supersedes any and all prior Circulars. The fact that there are negotiations ongoing between the parties is not a good reason for refraining from submitting the Skeleton Argument.
- As has been done in the past, Counsel is reminded to keep their November calendar flexible for this Appeal Session. The President requires that Counsel be amenable to listing changes at short notice, including those cases listed on the Reserve List. The President has therefore directed me to inform Counsel that they should be prepared to proceed with their cases on very short notice at any time during the appeal period, and not only on the listed date.
- Finally, because of the full schedule and the pressure of work that will be on the Court of Appeal Judges, Counsel are asked to notify the Registrar of the Court as soon as possible if they intend to abandon an appeal. The Notice of Abandonment should be filed shortly thereafter.



cc:

- * Attorney-General's Chambers
- * Corrections
- * Director of Public Prosecutions
- * Legal Aid