

SUPREME COURT OF JUDICATURE

PRACTICE DIRECTION No. 1 of 2012

Judgments of the Courts: Form and Citation

This Practice Direction is made with the concurrence of the Judges of the Supreme Court and represents the first stage in the process of modernizing the arrangements for the preparation and citation of judgments handed down in all divisions of the Supreme Court and in the Revenue Court.

In acknowledgment of the establishment of electronic databases for the storage and retrieval of the increasing number of judgments handed down by the Courts each year it has become necessary to adopt international practice by establishing a uniform system of identification for such judgments.

1. Form of judgments

1.1 With immediate effect, all judgments of each division of the Supreme Court as well as the Revenue Court which have been approved by the judge for delivery will be prepared using the Arial Font (12-point), with 1.5 line spacing, paragraph numbering, double spacing between numbered paragraphs and shall exclude page numbers. Each paragraph of a judgment will be numbered sequentially in square brackets. In a court which is presided over by more than one judge, paragraph numbers will be continuous from the beginning of the first judgment to the end of the last judgment. Indented paragraphs will not be numbered. Margins of judgments are to be justified and should be one inch from each side of the page. A unique number will be given, by the Registrar, to all judgments which have been approved for delivery.

1.2. A copy of each approved judgment should be placed on the court's file. An electronic copy should be e-mailed to the Librarian of the Supreme Court and a hard copy thereof handed to the Librarian by the Clerk who is in attendance when judgment is handed down. Each copy will include at the top of its first page, the Jamaican Coat of Arms.

1.3. For matters which commence with the words "In the matter of..." the names of the parties must also be included on the first page of the judgment for proper identification and in order to facilitate retrieval of the judgment.

1.4. Immediately below the date of delivery stated on the judgment and before the commencement of the text of the judgment, there shall be placed brief catchwords indicating the subject of the judgment. Such catchwords should be restricted to as few words as necessary.

2. Neutral citation of judgments

2.1. A form of neutral citation will be introduced in all divisions of the Supreme Court. The judgments will be cited and numbered in the following way:

Supreme Court (Civil Division)	[2012] JMSC Civ 1, 2, 3, etc.
Supreme Court (Criminal Division)	[2012] JMSC Crim 1, 2, 3, etc
Supreme Court (Full Court)	[2012] JMFC Full 1, 2, 3. etc.
Supreme Court (Commercial Court)	[2012] JMCC Comm 1, 2, 3. etc.
Revenue Court	[2012] JMRC 1, 2, 3 etc.
Gun Court (High Court Division)	[2012] GCHCD 1, 2, 3
Gun Court (Circuit Court Division)	[2012] GCCCD 1, 2, 3

The full neutral citation will appear in the top right hand corner of the first page of each judgment.

2.2. Under this new direction judgments shall be cited as set out below, so that, for example, a reference to paragraph 10 of the eighth judgment of the Civil Division of the Supreme Court will be cited:

Grey v. Black [2012] JMSC Civ 8 [10]

The abbreviation "JM" in the citation signifies "Jamaica".

The numbers 1, 2 and 3 at the end of the citation denote the first, second and third judgments issued from the specific division for the year 2012.

2.3. The neutral citation will be the official number attributed to the judgment by the Registrar of the Supreme Court and must always be used on the first occasion on which the judgment is cited in a later judgment. Once the judgment is reported the neutral citation will appear in front of the citation of the particular law reports series, for example:

Grey v. Black [2012] JMSC Civ 8; (2012) 47 JLR 246; (2012) 85 WIR 135

2.4. When a judgment is being cited for the first time, the full name and citation should be stated as stipulated above. If that judgment is cited on more than one occasion in later judgments or written submissions, the name of the judgment may be abbreviated in the second and subsequent references, but that abbreviation should be used throughout the document. Therefore *Grey v. Black* [2012] JMSC Civ 8 may be abbreviated later on in the judgment to *Grey v. Black* or *Grey's case*, but not both abbreviations in the same judgment.

2.5. If it is desired to cite more than one paragraph of a judgment, each numbered paragraph should be enclosed in a square bracket, for example:

Grey v. Black [2012] JMSC Civ 8 at [19]-[22] or *Grey v. Black* [2012] JMSC Civ 8 at [18], [22] and [31]-[34]

3. Citation of judgments in court

3.1. Citation of a judgment reported in a series of reports will be permissible by means of a copy of a reproduction of the judgment in electronic form that has been authorized by the publisher of the relevant series, provided that:

- (a) the report is presented to the court in an easily legible form; and
- (b) counsel presenting the report is satisfied that it has not been reproduced in a garbled form from the data source.

In case of doubt the court will rely on the printed text of the report, unless the editor of the report has certified that an electronic version is more accurate because it corrects an error contained in an earlier printed text of the report.

Conclusion

These changes are intended to expedite research and conserve time and costs. Any comments and suggestions for improvement may be addressed to the Hon. Chief Justice, Chief Justice's Chambers, Public Buildings East, King St., Kingston.

Zaila McCalla O.J.
Chief Justice
January 6, 2012