

## Reform of Jersey's litigation rules takes effect from today

News - 01/06/2017

Reform of Jersey's litigation rules to improve the speed and reduce the cost of disputes and to encourage resolution of cases without court proceedings takes effect from today.

A set of amendments to the Royal Court Rules and 11 new and amended Practice Directions have come into force, and Advocate Oliver Passmore from Ogier's top-ranked Jersey Dispute Resolution team says that they will provide more certainty in terms of timescales and costs, and will result in a swifter and more proportionate system of dispute resolution.

Oliver – who practiced as a Barrister in New Zealand and England and Wales before joining Ogier in 2008 – said that the key developments in the new Rules and Practice Directions were:

- An explicit overriding objective in proceedings: to deal with cases justly and at proportionate cost.
- New rules on the content and timing of pre-action communications.
- Where the value of a claim is estimated to be less than £500,000, costs budgets must be filed within seven days of a first summons for a directions hearing.
- New rules regarding the nature and content of offers to settle if they are to be taken into account when the Royal Court deals with costs of proceedings.
- A new power for the Royal Court to dispense with discovery or to limit it to what is reasonable and proportionate.
- Parties to a tabled dispute will be able to agree a four-week adjournment without leave of the court.
- A change to the test to be applied by the Court on applications for summary judgement.

Oliver said: "The reforms that have come into force today will provide more robust case management, which will benefit all court users."

"The new Rules and Practice Directions will mean a more streamlined civil justice process, and will improve the effectiveness of the court process for litigants.

"The Royal Court has made it clear that it will be enforcing compliance with the rules, practice directions and orders going forward and that there may be sanctions for those who fail to comply without a reasonable excuse."

## About Ogier

Ogier is a professional services firm with the knowledge and expertise to handle the most demanding and complex transactions and provide expert, efficient and cost-effective services to all our clients. We regularly win awards for the quality of our client service, our work and our people.

## Disclaimer

This client briefing has been prepared for clients and professional associates of Ogier. The information and expressions of opinion which it contains are not intended to be a comprehensive study or to provide legal advice and should not be treated as a substitute for specific advice concerning individual situations.

Regulatory information can be found under [Legal Notice](#)

## Meet the Author



Oliver Passmore

Partner

Jersey

E: [oliver.passmore@ogier.com](mailto:oliver.passmore@ogier.com)

T: [+44 1534 514247](tel:+441534514247)

## Related Services

[Dispute Resolution](#)

