

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 1 OF 2021

It is hereby notified for general information that, with effect from 1 March 2021, the State Courts Practice Directions will be amended —

- (a) by inserting, immediately after the existing Practice Direction 2 (*Practice Directions to apply to civil proceedings only unless otherwise stated*) the following practice direction:

[New Practice Direction 2A](#)

- (b) by deleting the existing Practice Direction 9 (*Identification numbers to be stated in cause papers*) and replacing it with the following practice direction:

[New Practice Direction 9](#)

- (c) by deleting the existing Practice Direction 11 (*Personal service of processes and documents*) and replacing it with the following practice direction:

[New Practice Direction 11](#)

- (d) by deleting the existing Practice Direction 17 (*Access to case file, inspection and taking copies of documents and conducting searches*) and replacing it with the following practice direction:

[New Practice Direction 17](#)

- (e) by deleting the existing Practice Direction 20 (*Case Management Conference [CMC]*) and replacing it with the following practice direction:

[New Practice Direction 20](#)

- (f) by deleting the existing Practice Direction 24 (*Summonses*) and replacing it with the following practice direction:

[New Practice Direction 24](#)

- (g) by deleting the existing Practice Direction 24A (*Filing of Distinct Applications in Separate Summonses*) and replacing it with the following practice direction:

[New Practice Direction 24A](#)

- (h) by deleting the existing Practice Direction 25 (*Consolidated, transferred or converted cases in civil proceedings*) and replacing it with the following practice direction:

[*New Practice Direction 25*](#)

- (i) by deleting the existing Practice Direction 26 (*Summons for Directions*) and replacing it with the following practice direction:

[*New Practice Direction 26*](#)

- (j) by deleting the existing Practice Direction 35 (*Overview of the Court Dispute Resolution (CDR) process for civil cases*) and replacing it with the following practice direction:

[*New Practice Direction 35*](#)

- (k) by deleting the existing Practice Direction 39A (*Claims in Negligence (Excluding Medical Negligence, Personal Injury and Non-Injury Motor Accident (NIMA) Claims)*) and replacing it with the following practice direction:

[*New Practice Direction 39A*](#)

- (l) by deleting the existing Practice Direction 41 (*Mediation*) and replacing it with the following practice direction:

[*New Practice Direction 41*](#)

- (m) by deleting the existing Practice Direction 41A (*Conciliation*) and replacing it with the following practice direction:

[*New Practice Direction 41A*](#)

- (n) by deleting the existing Practice Direction 42 (*Neutral Evaluation*) and replacing it with the following practice direction:

[*New Practice Direction 42*](#)

- (o) by deleting the existing Practice Direction 71 (*Documents for use in trials in open Court*) and replacing it with the following practice direction:

[*New Practice Direction 71*](#)

- (p) by deleting the existing Practice Direction 87 (*Documents which cannot be converted into an electronic format*) and replacing it with the following practice direction:

[*New Practice Direction 87*](#)

- (q) by deleting the existing Practice Direction 109 (*Hours for the sittings of the State Courts*) and replacing it with the following practice direction:

[*New Practice Direction 109*](#)

- (r) by deleting the existing Practice Direction 110 (*Hearing of urgent applications during weekends and public holidays*) and replacing it with the following practice direction:

[*New Practice Direction 110*](#)

- (s) by deleting the existing Practice Direction 111 (*Duty Registrar and Duty Magistrate*) and replacing it with the following practice direction:

[*New Practice Direction 111*](#)

- (t) by deleting the existing Practice Direction 120 (*Authorisation for collection of mail and Court documents*) and replacing it with the following practice direction:

[*New Practice Direction 120*](#)

- (u) by deleting the existing Practice Direction 124 (*Noting of appearances of advocates/prosecutors*) and replacing it with the following practice direction:

[*New Practice Direction 124*](#)

- (v) by deleting the existing Practice Direction 126 (*Magistrate's complaints (Private summonses)*) and replacing it with the following practice direction:

[*New Practice Direction 126*](#)

- (w) by deleting the existing Practice Direction 127 (*Application for Court Records for criminal matters*) and replacing it with the following practice direction:

[*New Practice Direction 127*](#)

- (x) by deleting the existing Practice Direction 128 (*Appearance at the State Courts via video link of defendants remanded at Changi Prison Complex*) and replacing it with the following practice direction:

[*New Practice Direction 128*](#)

- (y) by deleting the existing Practice Direction 129 (*Witnesses giving evidence through live video link*) and replacing it with the following practice direction:

[*New Practice Direction 129*](#)

- (z) by deleting the existing Practice Direction 130 (*Application*) and replacing it with the following practice direction:

[*New Practice Direction 130*](#)

- (aa) by deleting the existing Practice Direction 138 (*Amendment of charges and documents*) and replacing it with the following practice direction:

[*New Practice Direction 138*](#)

- (bb) by deleting the existing Practice Direction 139 (*Limits on size and number of documents submitted using the Electronic Filing Service*) and replacing it with the following practice direction:

[*New Practice Direction 139*](#)

- (cc) by deleting the existing Practice Direction 141A (*The Community Justice and Tribunals Division Friend Scheme*) and replacing it with the following practice direction:

[*New Practice Direction 141A*](#)

- (dd) by deleting the existing Form 7 from Appendix A and replacing it with the following Form 7:

[*New Form 7*](#)

- (ee) by deleting the existing Form 9C from Appendix A and replacing it with the following Form 9C:

[*New Form 9C*](#)

- (ff) by deleting the existing Form 9C(A) from Appendix A and replacing it with the following Form 9C(A):

[New Form 9C\(A\)](#)

- (gg) by deleting the existing Form 9I from Appendix A and replacing it with the following Form 9I:

[New Form 9I](#)

- (hh) by deleting the existing Form 9J from Appendix A and replacing it with the following Form 9J:

[New Form 9J](#)

- (ii) by deleting the existing Form 9K from Appendix A and replacing it with the following Form 9K:

[New Form 9K](#)

- (jj) by deleting the existing Form 26 from Appendix A and replacing it with the following Form 26:

[New Form 26](#)

- (kk) by deleting the existing Form 51 from Appendix A and replacing it with the following Form 51:

[New Form 51](#)

- (ll) by deleting the existing Form 52 from Appendix A and replacing it with the following Form 52:

[New Form 52](#)

- (mm) by deleting the existing Form 53 from Appendix A and replacing it with the following Form 53:

[New Form 53](#)

- (nn) by deleting the existing Form 54 from Appendix A and replacing it with the following Form 54:

[New Form 54](#)

- (oo) by deleting the existing Form 58 from Appendix A and replacing it with the following Form 58:

[New Form 58](#)

- (pp) by deleting the existing Form 99 from Appendix A and replacing it with the following Form 99:

[New Form 99](#)

- (qq) by deleting the existing Appendix B (*Guidelines for Court Dispute Resolution for Non-Injury Motor Accident Claims and Personal Injury Claims*) and replacing it with the following Appendix B:

[New Appendix B](#)

2 These amendments contain general updates relating to court operations, including updates to nomenclature, location, and operating hours, and updates consequential to the restructuring of the High Court into the General Division of the High Court and the Appellate Division of the High Court, as well as the reorganisation of the State Courts.

Dated this 26th day of February 2021.



CHRISTOPHER TAN
REGISTRAR
STATE COURTS

2A. References to “High Court” to refer to the General Division of the High Court where applicable

In respect of cases, claims, actions and/or appeals which are contemplated or commenced on or after 2 January 2021 to which these Practice Directions apply, all references to the High Court shall, where appropriate, refer to the General Division of the High Court.

9. Identification numbers to be stated in cause papers

Parties named in the title of the documents

- (1) Where a party to any proceedings in the State Courts first files a document in such proceedings, he shall state his identification number, in parentheses, in the title of the document immediately below or after his name. Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number in the title of the documents in parentheses below or after the name of the party to which it applies.

Parties not named in the title of the documents

- (2) Where a party to any proceedings in the State Courts first files a document in such proceedings, and the name of the party does not appear in the title of the document but does appear in the body of the document, then the identification number of the party should be stated, in parentheses, below or after the first appearance of his name in the document. Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number in parentheses immediately below or after the first appearance of the name of the party to which it applies in the subsequent document.

Documents filed by two or more parties

- (3) Paragraphs (1) and (2) shall apply, with the necessary modifications, to documents which are filed by more than one party.

Identification numbers for non-parties

- (4) If any person (living or dead), any entity or any property is in part or in whole the subject matter of any proceedings, or is affected by any proceedings, but is not a party thereto, and the name of such person, entity or property is to appear in the title of the documents filed in the proceedings, the party filing the first document in the proceedings must state the identification number of such person, entity or property in parentheses immediately below or after the name of the same. Thereafter, all documents subsequently filed in the proceedings by any party shall include this identification number in parentheses immediately below or after the name of the person, entity or property to which it applies. If the party filing the first document in the proceedings is unable, after reasonable enquiry, to discover the identification number of the person, entity or property, he may state immediately below or after the name of the same "(ID No. not known)". All documents subsequently filed by any party shall then contain these words in parentheses below or after the name of this person, entity or property.

Special cases

- (5) The following Directions shall apply in addition to the Directions contained in paragraphs (1) to (4):
- (a) where a party is represented by a litigation representative, paragraphs (1) to (3) shall apply to the litigation representative as if he were parties to the proceedings and the identification numbers of the party and the litigation representative must be stated below or after the name of each, as appropriate;
 - (b) where parties are involved in any proceedings as the personal representatives of the estate of a deceased person, paragraphs (1) to (3) shall apply to the deceased person as if he were a party; and
 - (c) where more than one identification number applies to any party, person, entity or property, all the identification numbers shall be stated in any convenient order.

Identification numbers

- (6) When entering the identification number in the Electronic Filing Service, the full identification number should be entered, including any letters or characters that appear in, at the beginning of, or at the end of the number. Descriptive text which is required to be entered into the actual document, such as “Japanese Identification Card No.”, should not be entered into the electronic form.

Guidelines for the selection of identification numbers

- (7) The following guidelines should be followed in deciding on the appropriate identification number.

(a) **Natural person with Singapore identity card**

For a natural person who is a Singapore citizen or permanent resident, the identification number shall be the number of the identity card issued under the National Registration Act (Cap. 201). The 7 digit number as well as the letters at the front and end should be stated. For example: “(NRIC No. S1234567A)”.

(b) **Natural person with FIN number**

For a natural person, whether a Singapore citizen or permanent resident or not, who has not been issued with an identity card under the National Registration Act, but has been assigned a FIN number under the Immigration Regulations (Cap. 133, Rg 1), the identification number shall be the FIN number. The number should be preceded by the prefix “FIN No.”

(c) **Natural person: birth certificate or passport number**

For a natural person, whether a Singapore citizen or permanent resident or not, who has not been issued with an identity card under the National Registration Act or assigned a FIN number, the identification number shall be the birth certificate or passport number. The number should be preceded by either of the following, as appropriate, “(Issuing country) BC No.” or “(Issuing country) PP No.”

(d) **Natural person: other numbers**

For a natural person who is not a Singapore citizen or permanent resident and has not been assigned a FIN number and does not have a birth certificate or passport number, the identification number shall be the number of any identification document he may possess. Both the number as well as some descriptive words which will enable the nature of the number given and the authority issuing the identification document to be ascertained, should be stated. For example: “Japanese Identification Card No.”

(e) **Deceased person**

For a deceased natural person, the identification number shall be as set out in sub-paragraphs (a) to (d) above. However, if such numbers are not available, the identification number shall be the death registration number under the Registration of Births and Deaths Rules (Cap. 267, R 1) or the equivalent foreign provisions, where the death is registered abroad. The number as well as the following words should be stated: “(Country or place of registration of death) Death Reg. No.”

(f) **Company registered under the Companies Act**

For a company registered under the Companies Act (Cap. 50), the identification number shall be the Unique Entity Number (UEN).

(g) **Company registered outside Singapore**

For a company registered outside Singapore which is not registered under the Companies Act, the identification number shall be the registration number of the company in the country of registration.

(h) **Business registered under the Business Registration Act**

For a body registered under the Business Registration Act (Cap. 32), the identification number shall be the UEN.

(i) **Limited Liability Partnership registered under the Limited Liability Partnerships Act**

For a limited liability partnership registered under the Limited Liability Partnerships Act (Cap. 163A), the identification number shall be the UEN.

(j) **Other bodies and associations**

For any other body or association, whether incorporated or otherwise, which does not fall within any of the descriptions in sub-paragraphs (f) to (i) above, the identification number shall be any unique number assigned to the body or association by any authority. Both the number as well as some descriptive words which will enable the nature of the number given and the authority assigning the number to be ascertained, should be stated. For example: “Singapore Trade Union Reg. No. 123 A”.

(k) **No identification numbers exist**

Where the appropriate identification numbers referred to in sub-paragraphs (a) to (j) above do not exist in respect of any party, person, entity or property, the following words should be stated immediately below or after the name of that party, person, entity or property concerned: “(No ID No. exists)”.

Inability to furnish identification number at the time of filing a document

- (8) If a party who wishes to file a document is unable at the time of filing to furnish the necessary identification numbers required by this Practice Direction, the party may indicate “(ID Not Known)” at the time of filing. However, when the necessary identification numbers have been obtained, the party must furnish the necessary identification numbers to the Registry through the Electronic Filing Service.

Meaning of document

- (9) For avoidance of doubt, the words “document” and “documents” when used in this Practice Direction include all originating processes filed in the State Courts regardless of whether they are governed by the Rules of Court or not.

Non-compliance

- (10) Any document which does not comply with this Practice Direction may be rejected for filing by the Registry.

11. Personal service of processes and documents

- (1) The attention of solicitors is drawn to Order 62, Rule 2(1) of the Rules of Court (Cap. 322, R 5) which provides:

“Personal service must be effected by a process server of the Court or by a solicitor or a solicitor's clerk whose name and particulars have been notified to the Registrar for this purpose:

Provided that the Registrar may, in a particular cause or matter, allow personal service to be effected by any other named person and shall, in that case, cause to be marked on the document required to be served personally, a memorandum to that effect.”

- (2) Solicitors must notify the Registry of the particulars of those clerks who have been authorised by them to serve processes and documents (hereafter referred to as “authorised process servers”) by submitting a request to authorise user through the Electronic Filing Service.
- (3) Where such authorised process servers are no longer so authorised, solicitors must revoke or delete the authorisation immediately by submitting a request through the Electronic Filing Service. Solicitors’ clerks do not require the authorisation of the Registrar to effect personal service of processes and documents.
- (4) In view of the alternative modes providing for personal service to be effected by a solicitor or a solicitor's clerk, Court process servers will not be assigned to effect personal service of processes and documents unless there are special reasons.
- (5) If it is felt that there are special reasons requiring personal service by a Court process server, a Request for such service must be filed through the Electronic Filing Service, setting out the special reasons. The approval of the Duty Registrar must be obtained for such service. Once approval has been obtained, the documents for service must be presented at the counter designated for this purpose. A process server will then be assigned to effect service and an appointment for service convenient to both the litigant and the assigned process server will be given.
- (6) On the appointed date, the person accompanying the process server must call at the Registry. The amount required for the transport charges of the process server (a record of which will be kept) must be tendered, or, alternatively, the process server in question must be informed that transport for him will be provided. The Registry will then instruct the process server to effect service.
- (7) Under no circumstances should any payment be made directly to the process server.

17. Access to case file, inspection and taking copies of documents and conducting searches

Access by parties to a case file

- (1) All parties to a case who are registered users of the Electronic Filing Service may, subject to the provisions of this Practice Direction and any directions of the Court, access the online case file made available through the Electronic Filing Service and may inspect, download soft copies or print hard copies of documents accessible to the parties in the online case file.
- (2) Where a party to a case is not a registered user and is unable to access the electronic case file through the Electronic Filing Service, the procedure governing file inspection by non-parties to a case in paragraph (5) below shall be followed.
- (3) All parties to a case shall have the liberty to make amendments at will to administrative details contained in the electronic case file through the Electronic Filing Service, and for this purpose —
 - (a) administrative details include the contact details of solicitors, the identities of the solicitors, and the nature of the claim; and
 - (b) where a party to a case is not a registered user of the Electronic Filing Service, he may attend at the service bureau to seek assistance to amend the administrative details contained in the electronic case file.
- (4) The Registry may require parties to a case to provide supporting documents to substantiate proposed amendments to other details of the electronic case file before the amendment is approved (e.g. amendments to add or remove a party to the case have to be supported by an order of court, and amendments to change the name, gender, identification number, or marital status of a party to the case have to be substantiated by documentary proof).

File inspection by non-parties

- (5) In order to inspect a case file containing documents that were filed through the Electronic Filing Service, the following procedure should be followed:
 - (a) A Request should be made to obtain leave to inspect the file, which request should —
 - (i) be filed using the Electronic Filing Service;

- (ii) state the name of the person who is to carry out the search or inspection (and if this person is not a solicitor, his identity card number should also be included in the request, after his name);
 - (iii) state the interest the applicant has in the matter, and the reason for the search or inspection; and
 - (iv) if the search or inspection is requested for the purpose of ascertaining information for use in a separate suit or matter, clearly state the nature of the information sought and the relevance of such information to the separate suit or matter.
 - (b) Once approval for inspection has been received from the Court:
 - (i) Registered users can inspect the case file online through the Electronic Filing Service;
 - (ii) Parties who are not registered users can inspect the case file by presenting a copy of the approval at the service bureau. After verifying the approval that has been presented, the service bureau will assign a personal computer to the inspecting party for the inspection to be carried out. An inspecting party will usually be allowed only 60 minutes to carry out the inspection. If a longer period is required, the service bureau may impose a charge for use of the computer. The service bureau may impose additional charges for downloading soft copies or printing hard copies of documents from the case file being inspected.
- (6) Requests in hard copy may be submitted to inspect case files containing documents which were not filed using the Electronic Filing Service. The Registry will only accept requests which are printed or typewritten on paper of good quality and signed by the solicitors concerned. Requests which have any erasure marks on them will be rejected. Requests which are double stamped, that is, if the requests were originally short stamped and later stamped to add up to the correct fee, may be rejected.
- (7) Solicitors must communicate to the Registrar in writing the names of their clerks who have their authority to make searches and inspections. Such authority may be in respect of a specific search or inspection or for a specified period.
- (8) For the avoidance of doubt, a non-party who has obtained approval to inspect a case file may take and retain a soft copy of any document that is available for inspection. All copies of documents taken in the course of inspection should not be used for purposes other than those stated in the Request to inspect. Solicitors shall be responsible for informing their clients of this.

Obtaining certified true copies of documents

- (9) Applications to obtain certified true paper copies of documents should be made by way of filing a Request through the Electronic Filing Service, unless the documents concerned have not been filed through the Electronic Filing Service.
- (10) The intended use of the certified true copies should be clearly stated in the Request. The relevance and necessity of the certified true copies in relation to their intended use should also be clearly described.
- (11) Once approval is received from the Court, the applicant should present a printed copy of the approved Request at the Records Section. After verifying that the Request presented has been approved, the staff of the Records Section will inform the applicant of any additional fees payable. Any additional fees payable should then be stamped on the Request at the State Courts Cashier's Office. Upon presentation of this stamped Request, the documents will be furnished to the applicant.
- (12) The fees prescribed by Appendix B to the Rules of Court will be payable for the above services without prejudice to additional printing charges which may be chargeable by the Court or the service bureau for reproducing the copies in paper form.

Electronic cause books and registers maintained by the Registry

- (13) Order 60 Rule 2 of the Rules of Court provides that the Registry shall maintain information prescribed or required to be kept by the Rules of Court and Practice Directions issued by the Registrar. In addition to any provisions in the Rules of Court, the Registrar hereby directs that the following information shall be maintained by the Registry:
 - (a) details of all originating processes, including:
 - (i) details of interlocutory applications;
 - (ii) details of appeals filed therein; and
 - (iii) details of probate proceedings, including wills and caveats filed therein;
 - (b) details of writs of execution, writs of distress and warrants of arrest; and
 - (c) any other information as may from time to time be deemed necessary.
- (14) Searches of this information under Order 60 Rule 3 of the Rules of Court may be conducted through the Electronic Filing Service at a service bureau or at the Records

Section. The fees prescribed by Appendix B to the Rules of Court will be payable for the searches.

- (15) An application may be made by any person for a licence to use any information contained in any electronic cause book or register subject to such terms and conditions as the Registrar may determine. Successful applicants will be required to enter into separate technical services agreements with the Electronic Filing Service provider. Applications under this Practice Direction must be made in writing, identifying the data fields sought and providing details of how the information will be used.'

20. Case management conference (CMC)

- (1) The provisions of this Practice Direction apply to all cases begun on or after 1 November 2014 by writ in a Magistrate’s Court, except the following:
 - (a) any non-injury motor accident (NIMA) claims; and
 - (b) any personal injury (PI) claims (including any action where the pleadings contain an allegation of a negligent act or omission in the course of medical or dental treatment).
- (2) In accordance with Order 108 Rule 3(8) of the Rules of Court (Cap. 322, R 5), the cases referred to in paragraph (1)(a) and (b) will be dealt with following the pre-action protocols and practice directions issued by Registrar. Please refer to Practice Directions 35, 37, 38 and 39 for more information.
- (3) To facilitate the management of cases at an early stage and to encourage parties to consider how a case may be resolved without trial (including through the use of negotiation, the Court Dispute Resolution (CDR) process or any appropriate Alternative Dispute Resolution (ADR) process), a case management conference (CMC) as provided for by Order 108, Rule 3(1) shall be convened within 50 days after the Defence has been filed.
- (4) Parties shall be notified in writing of the CMC within 8 days of the filing of the Defence.
- (5) Where all parties in a case begun on or after 1 November 2014 by writ in a District Court file their consent in Form 233 of Appendix A of the Rules of Court for the simplified process in Order 108 to apply to their case, the parties shall file a Request via the Electronic Filing Service for a Case Management Conference to be convened.

Before the CMC

- (6) The parties should negotiate with a view to resolving the matter at the earliest opportunity once they are notified of the CMC date.
- (7) Seven (7) days prior to the first CMC, the parties shall
 - (a) exchange proposals in writing using Form 2 of Appendix A to these Practice Directions, on a “without prejudice save as to costs” basis for the amicable resolution of the matter; and
 - (b) file through the Electronic Filing Service —

- (i) Form 3 of Appendix A to these Practice Directions stating the list of issues in the dispute and the list of witnesses they intend to call in support of their case; and
 - (ii) the CDR/ADR Form (Form 7 of Appendix A to these Practice Directions) in order to facilitate a considered decision on the appropriate CDR/ADR options. The CDR/ADR Form must be read and completed by each party. If there is a solicitor acting for the party, the solicitor must also complete the Form.
- (8) In order for the CMC to be effective and fruitful, the solicitor having conduct of the matter should take all necessary instructions from their clients to achieve an amicable resolution of the matter (including exploring the use of any appropriate CDR or ADR process), and comply with all directions (including those at paragraph (7) above), prior to attending the first CMC session.
- (9) The CDR/ADR processes available include:
 - (a) Mediation by the State Courts' Court Dispute Resolution Cluster (CDRC);
 - (b) Conciliation by the CDRC;
 - (c) Neutral Evaluation by the CDRC;
 - (d) Court Dispute Resolution process by the CDRC under Practice Direction 39A for all claims in negligence;
 - (e) Arbitration under the Law Society's Arbitration Scheme; or
 - (f) Mediation by private mediation service providers.
- (10) A party may file a Request via the Electronic Filing Service for an early CMC date prior to receiving the CMC notification mentioned in paragraph (4). All parties shall comply with paragraphs (6) and (7) before the CMC.

At the CMC

- (11) At the CMC, the Court may manage the case by, *inter alia*, —
 - (a) encouraging the parties to co-operate in the conduct of the proceedings;
 - (b) assisting parties to identify and narrow the issues at an early stage;

- (c) dealing with any interlocutory applications and issues, including giving such directions for discovery as may be necessary;
 - (d) considering with the parties whether the likely benefits of any step proposed to be taken by a party would justify the costs that will be incurred;
 - (e) encouraging the parties to negotiate to resolve the issues and/or case, and/or to undergo the appropriate CDR or ADR process, as well as facilitating the use of such CDR or ADR process having regard to Order 108, Rule 3(3) of the Rules of Court;
 - (f) helping the parties to settle the whole or part of the case;
 - (g) giving such directions as the Court thinks fit in order to ensure that the case progresses expeditiously (including directions for the list of witnesses to be called for trial, the appointment of a single joint expert where appropriate, the exchange and filing of Affidavits of Evidence in Chief and setting the matter down for trial);
 - (h) fixing timelines to manage and control the progress of the case; and
 - (i) taking such other action or making such other direction as the Court thinks appropriate in the circumstances including costs sanctions or unless orders.
- (12) The purpose of the CMC is for the court to consider all available options in the case jointly with the parties. It is therefore necessary that the solicitor in charge of the case for that party (i.e. the solicitor who has been handling the case for that party and who is familiar with it) attend the CMC. Solicitors for both parties shall attend the CMC.
- (13) The Court may require a party who is represented by solicitors to attend the CMC.
- (14) Where a party has filed a Summons for Direction (SFD), the Court may also deal with the SFD at the CMC.
- (15) In order that parties benefit fully from the process of the CMC, adjournment(s) of any CMC will not be granted without good reason. Consent of both parties to the adjournment, without more, is not considered sufficient reason for an adjournment.
- (16) Where interlocutory judgment has been entered on the issue of liability only, leaving the damages to be assessed, the Court shall convene a case management conference after the filing of the Notice of Appointment for Assessment of Damages (NAAD). Such a case management conference shall be known as the Assessment of Damages Case Management Conference (AD-CMC). Paragraphs (10) to (15) above shall apply as far as possible with the necessary modifications to ensure that the matter progresses

expeditiously. Where an amicable resolution on quantum is not possible, the assessment of damages hearing will proceed expeditiously. The provisions of Practice Direction 40 (Assessment of damages) on assessment of damages shall continue to apply. The CDR/ADR Form (Form 7 of Appendix A to these Practice Directions) is not required to be filed prior to the AD-CMC.

24. Summonses

- (1) All interlocutory applications must be made by way of summons.
- (2) Ordinary summonses shall be endorsed “*ex parte*” or “by consent” and when endorsed “by consent” must bear a certificate to that effect signed by all the solicitors concerned.
- (3) After the filing of any “*ex parte*” or “by consent” summons, the application will be examined by the Judge or Registrar as the case may be. If he is satisfied that the application is in order and all other requirements have been complied with, he may make the order(s) applied for on the day fixed for the hearing of the application without the attendance of the applicant or his solicitor.
- (4) Summonses that are filed using the Electronic Filing Service will be routed to the inbox of the applicant solicitor’s Electronic Filing Service account. Where the summons is filed through the service bureau, it may be collected at the service bureau.
- (5) Enquiries by telephone will not be entertained.
- (6) Where a summons is filed in a matter for which a trial date has been fixed, the summons must be filed using the Electronic Filing Service with a special request informing the Registry of the trial date(s).

24A. Filing of Distinct Applications in Separate Summonses

- (1) A party who intends to make more than one distinct substantive application in a cause or matter must file each application in a separate summons.
- (2) Distinct applications should not be combined in a single summons, unless they are inextricably or closely linked, or involve overlapping or substantially similar issues (for example, where applications for the extension or abridgment of time, the amendment of pleadings and costs are closely linked to some other more substantive application).
- (3) In addition, applications should not contain alternative prayers when the alternative prayers sought in effect amount to distinct applications. For example, a party should not make an application for further and better particulars on particular issues, and in the alternative, interrogatories on different issues. In such a case, separate summonses should be filed. In contrast, the following is an example of an alternative prayer which may be permitted:

In the defendant's summons setting out a prayer for the striking out of certain paragraphs of the Statement of Claim, the defendant also includes an alternative prayer for the plaintiff to be ordered to amend those paragraphs of the Statement of Claim.

- (4) Any summons that is not in compliance with this Practice Direction may be rejected by the Registry of the State Courts.
- (5) The Court may also direct the party to file separate summonses before proceeding with the hearing or proceed with the hearing on the solicitor's undertaking to file further summonses for the distinct applications.

25. Consolidated, transferred or converted cases in civil proceedings

Where leave of Court has been obtained to –

- (a) consolidate cases;
- (b) transfer a case from the Supreme Court to the State Courts;
- (c) transfer a case from the District Court to the Magistrate's Court;
- (d) transfer a case from the Magistrate's Court to the District Court; or
- (e) an order is made in a matter commenced by originating summons to continue as if commenced by writ;

the applicant or his solicitor must inform the Registry of the order for consolidation or transfer or conversion by way of an appropriate Request through the Electronic Filing Service.

26. Summonses for Directions

Cases that are subject to the simplified process under Order 108 of the Rules of Court (Magistrate's Court cases filed on or after 1st November 2014 and by consent, District Court cases filed on or after 1st November 2014)

- (1) Under Order 108 of the Rules of Court (Cap. 322, R 5) and Practice Direction 20 (Case management conference [CMC]), a case commenced by writ on or after 1st November 2014 in a Magistrate's Court, and by consent, a case commenced by writ on or after 1st November 2014 in a District Court, will be called for a case management conference within 50 days after the Defence has been filed. The case management conference is convened to facilitate the management of the case from an early stage and to encourage parties to consider how the case may be resolved without trial, through negotiation or any Alternative Dispute Resolution (ADR) process including mediation, neutral evaluation or arbitration. A summons for directions need not be filed in such cases, as the necessary directions will be given at the case management conference.

Cases that are not subject to the simplified process under Order 108 of the Rules of Court: Application of presumption of ADR

- (2) Order 25, Rule 1(1)(b), of the Rules of Court provides that directions may be given at the Summons For Direction (SFD) hearing for the just, expeditious and economical disposal of the case. At the SFD hearing, solicitors should be ready to consider all available ADR options, including mediation and arbitration, for the most effective resolution of the case. *The Court will refer cases for ADR during the SFD hearing, and/or make any other directions for the purpose of case management.*
- (3) The Deputy Registrar may recommend the appropriate mode of dispute resolution at the SFD hearing. To facilitate a considered decision on the ADR options, the Court Dispute Resolution (CDR) / Alternative Dispute Resolution (ADR) Form (Form 7 of Appendix A to these Practice Directions) must be read and completed by the solicitors for all parties and their clients when taking out or responding to an SFD application. A party who is not represented shall also complete the relevant sections of the CDR/ADR Form.
- (4) When filing the SFD, the plaintiff must file the CDR/ADR Form through the Electronic Filing Service (EFS) under the document name "Incoming Correspondence – CDR/ADR Form (Plaintiff)". The defendant must file the CDR/ADR Form *not less than 7 days before the hearing date for the SFD*. This Form shall be filed under the document name "Incoming Correspondence – CDR/ADR Form (Defendant)" through the EFS. No court fees will be charged for the filing of the CDR/ADR Form.

- (5) This requirement does not apply to —
- (a) motor accident claims;
 - (b) personal injury claims other than claims in medical negligence; or
 - (c) any case which has gone through Court Dispute Resolution before the SFD is filed.
- (6) The solicitors for *all the parties* shall be present at the SFD hearing.
- (7) All cases shall be automatically referred by the Court for the most appropriate mode of ADR during the SFD hearing, unless any or all of the parties opt out of ADR. A party who wishes to opt out of ADR should indicate his/her decision in the CDR/ADR Form. Where the Judge is of the view that ADR is suitable, and the party/parties have opted out of ADR for unsatisfactory reasons, this conduct may be taken into account by the Court when making subsequent costs orders pursuant to Order 59 Rule 5(1)(c) of the Rules of Court, which states:
- “The Court in exercising its discretion as to costs shall, to such extent, if any, as may be appropriate in the circumstances, take into account the parties' conduct in relation to any attempt at resolving the cause or matter by mediation or any other means of dispute resolution.”
- (8) The Deputy Registrar hearing the SFD may make recommendations to the parties for the matter to proceed for —
- (a) Mediation by the State Courts' Court Dispute Resolution Cluster (CDRC);
 - (b) Conciliation by the CDRC;
 - (c) Neutral Evaluation by the CDRC;
 - (d) Arbitration under the Law Society's Arbitration Scheme; or
 - (e) Mediation by private mediation service providers.

PART VI: ALTERNATIVE DISPUTE RESOLUTION

35. Overview of the Court Dispute Resolution (CDR) process for civil cases

- (1) This Part of the Practice Directions focuses on the CDR process for civil disputes only.
- (2) The CDR process and other appropriate Alternative Dispute Resolution (ADR) processes should be considered at the earliest possible stage. The judge-driven CDR process gives the parties the opportunity to resolve their disputes faster and more economically compared to determination at trial. Mediation, conciliation and neutral evaluation are undertaken as part of the CDR process and, subject to the exception stated in paragraph (7), are provided by the Court without additional charges imposed. CDR sessions are —
 - (a) a type of pre-trial conferences convened under Order 34A of the Rules of Court (Cap. 322 R 5), which empowers the Court to convene pre-trial conferences for the purpose of the “just, expeditious and economical disposal of the cause or matter”; or
 - (b) conducted pursuant to a referral under Order 108 Rule 3 of the Rules of Court.
- (3) Aside from the CDR process undertaken by the Courts, the Courts also encourage parties to consider using other ADR processes, including the following:
 - (a) Mediation at the Singapore Mediation Centre or Singapore International Mediation Centre;
 - (b) Mediation under the Law Society Mediation Scheme and/or Arbitration under the Law Society Arbitration Scheme; and
 - (c) Mediation and/or Arbitration by private service providers.

The Court Dispute Resolution process

- (4) The CDR process pursuant to Order 34A of the Rules of Court is overseen by the State Courts' Court Dispute Resolution Cluster (CDRC). During the CDR process, the following dispute resolution mechanisms can be used, namely —
 - (a) Mediation;
 - (b) Conciliation; and

- (c) Neutral Evaluation.

(Solicitors may refer to the State Courts' website at <http://www.statecourts.gov.sg> for more information on these mechanisms.)

Confidentiality

- (5) Pursuant to Order 34A Rule 7 of the Rules of Court, no communication made in the course of a CDR session shall be disclosed to the Court conducting the trial of the action or proceedings if such communication has been stated by any of the parties to be confidential or without prejudice, or has been marked by the Judge at the CDR session as being confidential or without prejudice. For the avoidance of doubt, all communications made in the course of a CDR session shall be marked by the Judge as being confidential or without prejudice, save for the following:
- (a) directions given by the Judge for the purpose of case management (including directions for the filing of pleadings, discovery, exchange of affidavits of evidence in chief, setting down for trial and filing of notice of discontinuance);
 - (b) terms of settlement (unless expressly agreed by all the parties to the settlement as being confidential), consent judgments and consent orders of court.
- (6) If the parties are unable to resolve their dispute during the CDR process, the Judge will give the necessary directions for the action to proceed to trial at the CDR session. The action will be tried by another Judge other than the Judge conducting the CDR session.

Fees

- (7) Hearing fees are not imposed for the CDR process carried out by the CDRC, with the following exception set out in Order 90A Rule 5A of the Rules of Court (Cap. 322 R 5):
- “(1) Subject to this Rule, a fee of \$250 is payable by each party in a case in a District Court (regardless of whether the case is commenced before, on or after 1 May 2015) for all Court ADR services that are provided in the case.*
 - (2) The Court ADR fee is payable when the first Court ADR service to be provided in the case, pursuant to either of the following, is fixed*

(a) *a request made on or after 1 May 2015 for the Court ADR service by any party in the case;*

(b) *a referral on or after 1 May 2015 by the Court or the Registrar.*

(3) *No Court ADR fee is payable in any of the following actions:*

(a) *any non-injury motor accident action (as defined in Order 59 Appendix 2 Part V);*

(b) *any action for damages for death or personal injuries;*

(c) *any action under the Protection from Harassment Act 2014 (Act 17 of 2014).*

(4) *The Registrar may, in any case, waive or defer the payment of the whole or any part of the Court ADR fee on such terms and conditions as the Registrar deems fit.”*

(8) Each party who has requested the CDR process or has been referred for the CDR process pursuant to Order 90A Rule 5A of the Rules of Court shall pay the fee of \$250 before proceeding for the scheduled CDR session. Details concerning the payment of these fees are provided in the relevant correspondence by the State Courts to the parties.

Presumption of ADR for all cases

(9) A “presumption of Alternative Dispute Resolution” applies to all civil cases. For this purpose, the Court —

(a) encourages parties to consider the appropriate CDR or ADR processes as a “first stop” for resolving the dispute, at the earliest possible stage; and

(b) will, as a matter of course, refer appropriate matters to the appropriate CDR or ADR process.

Presumption of CDR for non-injury motor accident (NIMA) claims, personal injury claims, medical negligence claims and claims in negligence

(10) The CDR process will be used for the following cases:

- (a) all non-injury motor accident (NIMA), personal injury cases and actions arising out of an alleged negligent act or omission in the course of medical or dental treatment (“medical negligence claims”) that are filed in the Magistrate's Court and the District Court;
 - (b) all motor accident cases (whether or not involving any claim for personal injuries) and actions for personal injuries arising out of an industrial accident that are commenced in the High Court on or after 1 December 2016 and transferred to the District Court (references to NIMA and personal injury cases would hereinafter include these cases); and
 - (c) all claims in negligence, including professional negligence claims that are filed in the District Court.
- (11) The Court will send a notice to the solicitors fixing the date of the first CDR session within 8 weeks of the filing of the memorandum of appearance.
- (12) The procedure and protocols set out in Practice Directions 37 (*Non-injury Motor Accident (NIMA) Claims*) and 38 (*Personal Injury Claims*) shall apply, as appropriate, to NIMA and personal injury claims, respectively.
- (13) The procedure and protocols set out in Practice Direction 39 (*Medical Negligence Claims*) shall apply, as appropriate, to medical negligence claims.
- (14) The procedure set out in Practice Direction 39A (*Claims in Negligence (Excluding Medical Negligence, Personal Injury and Non-Injury Motor Accident (NIMA) Claims*)) shall apply, as appropriate, to claims in negligence, including professional negligence claims.

Presumption of CDR/ADR for other cases (excluding NIMA, personal injury, medical negligence cases and claims in negligence):

A. Cases that are subject to the simplified process under Order 108 of the Rules of Court (i.e. Magistrate’s Court cases filed on or after 1 November 2014 and, by consent, District Court cases filed on or after 1 November 2014)

- (15) All cases commenced by writ on or after 1 November 2014 in a Magistrate’s Court and any case commenced by writ on or after 1 November 2014 in a District Court (where parties have filed their consent in Form 233 of Appendix A of the Rules of Court for Order 108 to apply) will be subject to the simplified process under Order 108 of the Rules of Court.

- (16) The Court will convene a case management conference within 50 days of the filing of the Defence pursuant to Order 108 Rule 3 of the Rules of Court. At the case management conference, the Court may refer cases to undergo the appropriate CDR or ADR process, where —
- (a) the parties consent to the case being referred for resolution by the CDR or ADR process; or
 - (b) the Court is of the view that doing so would facilitate the resolution of the dispute between the parties.
- (17) Practice Direction 20 (*Case management conference (CMC)*) sets out details of the case management conference.

B. Cases that are not subject to the simplified process

- (18) In all other cases commenced in a Magistrate’s Court before 1 November 2014, and all cases commenced in a District Court on or after 1 April 2014, the Court will fix a Pre-Trial Conference (PTC) within 4 months after the filing of the writ if —
- (a) the Defence has been filed;
 - (b) no summons for directions or application for summary judgment, striking out, stay, transfer or consolidation of proceedings has been taken out for the case; and
 - (c) no CDR session has been fixed.
- (19) Such cases shall be automatically referred by the Court to undergo the appropriate CDR or ADR process during the PTC, unless the parties opt out of the CDR or ADR process.
- (20) The procedure for referral to the appropriate CDR or ADR process is set out in Practice Direction 36 (*Mode of referral to CDR/ADR etc.*).
- (21) Parties who wish to undergo the CDR process at an earlier stage must file a “Request for CDR” via the Electronic Filing Service. The “Request for CDR” is set out in Form 7A in Appendix A to these Practice Directions.
- (22) Parties are not required to file a “Request for CDR” in the following cases:
- (a) all NIMA, personal injury, medical negligence claims and claims in negligence, including professional negligence claims, as the parties are automatically notified by the Court to attend CDR sessions;

- (b) all cases commenced by writ before 1 November 2014 in a Magistrate’s Court, and all cases commenced in a District Court, as the Court will refer the appropriate cases to undergo the CDR process during PTCs or summonses for directions; and
- (c) all cases commenced by writ on or after 1 November 2014 in a Magistrate’s Court which are subject to the simplified process in Order 108 (excluding NIMA, personal injury and medical negligence claims), as the Court will deal with matters concerning CDR/ADR at the case management conference. (Further details are set out in Part III of these Practice Directions and in Practice Direction 39A in relation to claims in negligence, including professional negligence claims.)

Request for adjournment of CDR session

- (23) A dedicated time slot is set aside for each CDR session. In order to minimise wastage of time and resources, any request for adjournment of a CDR session shall be made early. A request to adjourn a CDR session —
 - (a) for NIMA, personal injury claims and claims in negligence shall be made *not less than 2 working days* before the date of the CDR session; and
 - (b) for all other cases shall be made *not less than 7 working days* before the date of the CDR session.
- (24) A request for an adjournment of a CDR session shall be made only by filing a “Request for Refixing/Vacation of Hearing Dates” *via* the Electronic Filing Service. The applicant shall obtain the consent of the other parties to the adjournment, and list the dates that are unsuitable for all parties.

Sanctions for failure to make early request for adjournment, lateness or absence

- (25) Where any party is absent without a valid reason for the CDR session, the Court may exercise its powers under Order 34A Rule 6 of the Rules of Court to “*dismiss such action or proceedings or strike out the defence or counterclaim or enter judgment or make such order as it thinks fit*”.
- (26) Where any party is late for the CDR session, this conduct may be taken into account by the Court when making subsequent costs orders pursuant to Order 59 Rule 5(1)(c) of the Rules of Court, which states —

“The Court in exercising its discretion as to costs shall, to such extent, if any, as may be appropriate in the circumstances, take into account the parties’

conduct in relation to any attempt at resolving the cause or matter by mediation or any other means of dispute resolution.”

39A. Claims in Negligence (Excluding Medical Negligence, Personal Injury and Non-Injury Motor Accident (NIMA) Claims)

- (1) This Practice Direction applies to all claims in negligence filed on or after 1 July 2019, including professional negligence claims (but excluding medical negligence, personal injury and NIMA claims) (“claims in negligence”).

Using the Court Dispute Resolution process for all claims in negligence

A. Cases that are subject to the simplified process under Order 108 of the Rules of Court

- (2) For all negligence claims that are —
 - (a) filed in a Magistrate’s Court on or after 1 November 2014; or
 - (b) filed in a District Court on or after 1 November 2014 and in respect of which the parties thereto have consented to the application of the simplified process under Order 108 of the Rules of Court,

the Court will, pursuant to Order 108 Rule 3 of the Rules of Court and within 50 days of the filing of the Defence, convene the first case management conference (CMC) under Order 34A of the Rules of Court.

- (3) At the first CMC, the Court may make an order to direct that a case be referred for resolution through the Court Dispute Resolution (CDR) process if the Court is of the view that doing so would facilitate the resolution of the dispute between the parties.

B. Cases that are not subject to the simplified process

- (4) For all claims in negligence, the Court will convene the first Court Dispute Resolution (CDR) session under Order 34A of the Rules of Court within 8 weeks of the filing of the Memorandum of Appearance.

Notification from the Court

- (5) Solicitors in all claims in negligence will receive a notice from the Court fixing the date of the first CMC or CDR session, as the case may be. Only solicitors are required to attend the first CMC or CDR session unless the party in question is acting in person. The Judge may, however, direct the attendance of the parties at subsequent sessions.

Case Management Process

A. Court Dispute Resolution process to achieve amicable resolution of the case

- (6) The CMC and CDR sessions will be conducted by the State Courts' Court Dispute Resolution Cluster (CDRC). Where the CDR process is to be used in a case to which the simplified process under Order 108 of the Rules of Court applies, the session(s) will be referred to as “CDR session(s)” in this Practice Direction.
- (7) The Judge hearing the CMC or CDR session will manage the case to achieve an early, cost effective and amicable resolution of the case. This may include giving the necessary directions for upfront discovery or further discovery and/or upfront exchange of affidavits of evidence-in-chief, as required by the circumstances of the case. For instance, the Judge may direct an exchange of the parties’ affidavits of evidence-in-chief early in the proceedings for the purpose of a closer examination on the issue of liability, or to facilitate in negotiating a settlement.
- (8) At the first or subsequent CMC or CDR session, the Judge may recommend the use of neutral evaluation, mediation or conciliation, as appropriate, to facilitate the amicable resolution of the case, having regard to factors such as the nature of the case, the factual matrix and the preference of the parties.
- (9) Where the appropriate dispute resolution mechanisms to be utilised in the particular case has been determined, the Judge shall give directions to convene a special CDR session to conduct the neutral evaluation, mediation or conciliation, as the case may be. Parties shall comply with the requirements set out in these Practice Directions for the relevant process. Practice Directions 41, 41A and 42 shall apply to cases proceeding for mediation, conciliation and neutral evaluation, respectively.
- (10) All parties should use their best endeavours to reach an amicable resolution of the case. Where parties are unable to resolve the case through a settlement agreement or a consent judgment, they should endeavour to set out their areas of agreement, and identify and narrow the issues with a view to saving time and costs at the trial.

B. Directions for the expeditious disposal of the case

- (11) In addition to managing the case through the CDR process, the Judge may, at a CMC or CDR session, give such directions as he thinks fit in order to ensure that the case progresses expeditiously, including directions for —
 - (a) the filing and service of lists of documents and affidavits verifying such lists;
 - (b) the inspection of documents;

- (c) the exchange and filing of affidavits of evidence-in-chief;
 - (d) the appointment of a single joint expert in cases to which Order 108 of the Rules of Court applies; and
 - (e) the setting down of the case for trial.
- (12) The Judge may also fix timelines to manage and control the progress of the case and take such other action or making such other directions as he thinks appropriate in the circumstances, including costs sanctions or unless orders.

C. *Appointment of single joint expert*

- (13) For cases to which Order 108 of the Rules of Court applies, where any question requiring the evidence of an expert witness arises and parties are unable to agree on the expert to be appointed, the Judge may, having regard to the provisions in Order 108 Rule 5(3) of the Rules of Court, appoint the expert for the parties as part of the case management process. Each party is expected to furnish the following for the determination of the single joint expert for the case:
- (a) names and curriculum vitae of two experts the party considers suitable to appoint (for which purpose a party may nominate the expert who has conducted an inspection or survey for him);
 - (b) a quotation from each nominated expert of the fees he expects to charge for preparing the report and for giving evidence in Court; and
 - (c) the estimated time needed to prepare the report.
- (14) The Judge will appoint the single joint expert after hearing submissions on the suitability or unsuitability of the nominated experts to be appointed

41. Mediation

Opening statements

- (1) Each party must submit to the State Courts' Court Dispute Resolution Cluster (CDRC), and serve on all other parties, a written opening statement *not less than 2 working days before the date of the first mediation session*. The opening statement shall be submitted by email to statecourts_cdr@statecourts.gov.sg and not filed via the Electronic Filing Service.
- (2) The opening statement shall be in the format prescribed in Form 9J in Appendix A to these Practice Directions. A soft copy of this Form may be downloaded at <http://www.statecourts.gov.sg>.
- (3) The opening statement shall be concise and not exceed 10 pages.

Attendance at mediation

- (4) All parties shall attend the mediation in person.
- (5) The solicitor who has primary conduct over the case shall be present throughout the mediation.
- (6) In the case of corporations and other entities, the representative who has the authority to settle shall attend the mediation. In the event that only a board or body has authority to settle on behalf of the entity, the entity shall send the person who is the most knowledgeable about the case and who is able to recommend a settlement to the representative's board or body.

Mediators

- (7) Mediation will be conducted by either a Judge or an Associate Mediator of the CDRC. Associate Mediators are volunteer mediators who have been accredited by both the State Courts and the Singapore Mediation Centre. The parties will be notified by letter if their case is to be mediated by an Associate Mediator.

Procedure at Mediation

- (8) Information on the mediation process is set out at the State Courts' website. at <http://www.statecourts.gov.sg>. Unlike a trial, the primary aim of mediation is not to determine who is at fault in the dispute. The mediator's role is to assist the parties in negotiating and agreeing on a possible settlement to their dispute. The parties will attend

the mediation with their solicitors, and have the opportunity to communicate with each other as well as the mediator.

- (9) The procedure for mediation is more informal than a trial. The mediator will exercise his or her discretion in structuring the mediation, with a view to guiding the parties in arriving at a joint solution.

41A. Conciliation

Opening statements

- (1) Each party must submit to the State Courts' Court Dispute Resolution Cluster (CDRC), and serve on all other parties, a written opening statement *not less than 2 working days before the date of the first conciliation session*. The opening statement shall be submitted by email to statecourts_cdr@statecourts.gov.sg and not filed via the Electronic Filing Service.
- (2) The opening statement shall be in the format prescribed in Form 9J (A) in Appendix A to these Practice Directions. A soft copy of this Form may be downloaded at <http://www.statecourts.gov.sg>.
- (3) The opening statement shall be concise and not exceed 10 pages. It shall contain the suggested solution(s) of the dispute by the party submitting the opening statement.

Attendance at conciliation

- (4) All parties shall attend the conciliation in person.
- (5) The solicitor who has primary conduct over the case shall be present throughout the conciliation.
- (6) In the case of corporations and other entities, the representative who has the authority to settle shall attend the conciliation. In the event that only a board or body has authority to settle on behalf of the entity, the entity shall send the person who is the most knowledgeable about the case and who is able to recommend a settlement to the representative's board or body.
- (7) Conciliation will be conducted by a Judge of the CDRC.

Procedure at Conciliation

- (8) Information on the conciliation process is set out at the State Courts' website at <http://www.statecourts.gov.sg>. Unlike a trial, the primary aim of conciliation is not to determine who is at fault in the dispute. The role of the judge during conciliation is to assist the parties in negotiating and agreeing on a possible settlement to their dispute, with the judge playing an active role in suggesting optimal solution for the parties. Parties who are legally represented will attend the conciliation with their solicitors, and have the opportunity to communicate with each other as well as the judge.

- (9) The procedure for conciliation is more informal than a trial. The judge will exercise his/her discretion in structuring the conciliation, with a view to guiding the parties in arriving at a joint solution.

42. Neutral Evaluation

- (1) A brief form of Neutral Evaluation is used as a matter of practice in all motor accident and personal injury claims. The procedure for such CDR sessions is set out above in Practice Directions 37 (Non-injury Motor Accident (NIMA) Claims) and 38 (Personal Injury Claims), and Appendix B to these Practice Directions.
- (2) The procedure in this Practice Direction applies only to civil cases other than motor accident cases or personal injury cases where parties have requested for Neutral Evaluation.

Procedure in Neutral Evaluation

- (3) Information on the Neutral Evaluation process is set out at the State Courts' website at <http://www.statecourts.gov.sg>. Neutral Evaluation involves the parties and their solicitors making presentations of their claims and defences, including the available evidence, followed by the Judge of the State Courts' Court Dispute Resolution Cluster (CDRC) giving an assessment of the merits of the case. This process is also useful for helping parties to arrive at areas of agreement and to discuss methods of case management to save costs and time. The details of the structure and ambit of this process may be agreed between the parties at the preliminary conference referred to in paragraph (4).

Preliminary conference with solicitors

- (4) When parties request a Neutral Evaluation, the Court will convene a preliminary conference with the solicitors alone to discuss and agree on several options regarding the process before the date for Neutral Evaluation is fixed, i.e. —
 - (a) whether the Neutral Evaluation is to be binding or non-binding;
 - (b) whether the witnesses are to attend and be assessed by the court; and
 - (c) whether affidavits of evidence-in-chief of witnesses are to be filed and used for the neutral evaluation, without witnesses' attendance.
- (5) If the option referred to in paragraph (4)(b) above is chosen, the Judge may use the “witness conferencing” approach to adduce expert evidence. Witness Conferencing involves the concurrent hearing of all expert witnesses in the presence of one another. Each party's expert witness would be afforded the opportunity to question, clarify or probe any contending views proffered by the other expert.

Opening Statements

- (6) Each party must submit to the CDRC, and serve on all other parties, a written opening statement not less than 2 working days before the date of the Neutral Evaluation. The opening statement shall be submitted by email to statecourts_cdr@statecourts.gov.sg and not filed via the Electronic Filing Service.
- (7) The opening statement shall be in the format prescribed in Form 9K in Appendix A to these Practice Directions. A soft copy of this Form may be downloaded at <http://www.statecourts.gov.sg>.
- (8) The opening statement shall be concise and not exceed 10 pages.

Attendance at Neutral Evaluation

- (9) All parties shall attend the Neutral Evaluation session in person unless the Court dispenses with their attendance.
- (10) The solicitor who has primary conduct over the case shall be present throughout the Neutral Evaluation session.
- (11) In the case of corporations and other entities, the representative who has authority to settle shall attend the Neutral Evaluation session. In the event that only a board or body has authority to settle on behalf of the entity, the entity should send the person who is the most knowledgeable about the case and who is able to recommend a settlement to the representative's board or body.

71. Documents for use in trials in open Court

- (1) This Practice Direction shall apply to trials in open Court of —
 - (a) writ actions; and
 - (b) originating summonses ordered to be continued as if the cause of action had been begun by writ.
- (2) Order 34, Rule 3A of the Rules of Court requires the originals of the affidavits of the evidence-in-chief of all witnesses and a bundle of documents to be filed not less than 5 working days before the trial of an action. This Practice Direction prescribes the contents and the format of the bundle of documents. In addition, to improve the conduct of civil proceedings and to reduce the time taken in the presentation of cases in Court, the following documents shall also be prepared by the respective solicitors of the parties:
 - (a) a bundle of authorities; and
 - (b) an opening statement.

Documents which need not be filed electronically

- (3) The provisions of Practice Directions 69 (Electronic filing of documents and authorities for use in court) and 70(2) to (6) (Bundles of documents filed on setting down) do not apply to the documents that are filed in Court pursuant to the provisions of Order 34, Rule 3A(1) of the Rules of the Court. Such documents may be tendered to the Registry in hardcopy together with an electronic copy stored on a CD-ROM in Portable Document Format (PDF) and complying with the provisions of this Practice Direction.
- (4) Any court fees payable, pursuant to Appendix B of the Rules of Court, on filing the documents in this Practice Direction, shall be payable at the stamp office. Parties should, when making payment at the stamp office, indicate to the cashier the precise number of pages which comprise the documents and comply with the provisions of Practice Direction 122 (Stamping of documents).
- (5) It is emphasised that payment of the court fees on such documents should be made before the documents are tendered to Court in compliance with Order 34, Rule 3A of the Rules of Court. The hardcopy of documents tendered to Court should show, on the front page, the amount of court fees paid on the document.
- (6) The electronic copy must tally in all respects with the hardcopy, as it will be uploaded into the case file by the Registry staff and will form part of the electronic case file. The

importance of not submitting unnecessarily large electronic files is emphasised. To this end, parties are to adhere as far as possible to the guidelines set out on the Electronic Filing Service website (currently at www.elitigation.sg), or its equivalent as may be set up from time to time, on the resolution to be used when scanning documents into Portable Document Format (PDF).

- (7) In the event that parties elect to electronically file such documents, they must nevertheless tender a bundle of these documents to the Registry in hard copy. It shall not be necessary to pay any additional court fees in respect of the hard copy in such circumstances.

Bundle of documents

- (8) The bundle of documents required to be filed by Order 34, Rule 3A of the Rules of Court should be paginated consecutively throughout at the top right hand corner and may be printed on one side or both sides of each page.
- (a) An index of contents of each bundle in the manner and form set out in Form 13 in Appendix A to these Practice Directions must also be furnished. No bundle of documents is necessary in cases where parties are not relying on any document at the trial.
- (b) Under Order 34, Rule 3A (3) of the Rules of Court it is the responsibility of solicitors for all parties to agree and prepare an agreed bundle as soon as possible. The scope to which the agreement extends must be stated in the index sheet of the agreed bundle.
- (c) The documents in the bundles should —
- (i) be firmly secured together with plastic ring binding or plastic spine thermal binding, and such rings or spines should be red for plaintiffs and blue for defendants with a transparent plastic cover in front and at the back;
- (ii) have flags to mark out documents to which repeated references will be made in the course of hearing, and such flags shall —
- (A) bear the appropriate indicium by which the document is indicated in the index of contents; and
- (B) be spaced out evenly along the right side of the bundle so that as far as possible they do not overlap one another; and

- (iii) be legible (for which purpose clear legible photo-copies of original documents may be exhibited instead of the originals provided the originals are made available for inspection by the other parties before the hearing and by the Judge at the hearing).
- (d) Where originals and copies of documents are included in one bundle, it should be stated in the index which documents are originals and which are copies.
- (e) Only documents which are relevant or necessary for the trial shall be included in the bundles. In cases where the Court is of the opinion that costs have been wasted by the inclusion of unnecessary documents, the Court will have no hesitation in making a special order for costs against the relevant person.
- (f) A core bundle should (unless clearly unnecessary) also be provided containing the most important documents upon which the case will turn or to which repeated reference will have to be made. The documents in this bundle should normally be paginated but should also be cross-referenced to copies of the documents included in the main bundles. The bundle supplied to the Court should be contained in a loose-leaf file which can easily have further documents added to it if required.

Bundle of authorities

- (9) The bundle of authorities to be prepared by each party should:
 - (a) contain all the authorities, cases, statutes, subsidiary legislation and any other materials relied on;
 - (b) be properly bound with plastic ring binding or plastic spine thermal binding in accordance with the requirements set out in paragraph (8)(c) above;
 - (c) be paginated consecutively at the top right hand corner of each page (for which purpose the pagination should commence on the first page of the first bundle and run sequentially to the last page of the last bundle); and
 - (d) contain an index of the authorities in that bundle and be appropriately flagged for easy reference.
- (10) Only authorities which are relevant or necessary for the trial shall be included in the bundles. No bundle of authorities is necessary in cases where parties are not relying on any authority at the trial. In cases where the Court is of the opinion that costs have been wasted by the inclusion of unnecessary authorities, the Court will have no hesitation in making a special order for costs against the relevant person.

- (11) The bundle of authorities shall be filed and served on all relevant parties at least 3 working days before trial.

Opening statements

- (12) A proper opening statement is of great assistance to the Court as it sets out the case in a nutshell, both as to facts and law. It enables the Judge to appreciate what the case is about, and what he is to look out for when reading and listening to the evidence that will follow. Opening statements also help to clarify issues between the parties, so that unnecessary time is not spent on trying to prove what is not disputed or irrelevant.
- (a) In the light of these objectives, opening statements will be required in all cases from all parties, except where dispensation has been granted by the trial Judge and in running down actions. Statements submitted may be taken as read by the trial Judge.
- (b) The plaintiff's statement as provided for in sub-paragraph (d) below, should, unless exempted or dispensation has been granted by the trial Judge, be filed and served on all other relevant parties not less than 3 working days before the commencement of the trial for which they are to be used.
- (c) The other counsel should each similarly not later than 2 working days before the start of the trial provide to the Court (with copies at the same time to their opponents) a statement which should concisely state the nature of their case on each of the issues to be tried and summarise the propositions of law to be advanced with references to the main authorities to be relied on. The character and length of this document will depend on the circumstances and whether there is any counterclaim or third party proceedings.
- (d) In the case of the plaintiff, the statement must include the following:
- (i) a summary of essential facts indicating which, if any, are agreed;
 - (ii) an indication of how these facts are to be proved, identifying relevant witnesses and documents;
 - (iii) a summary of the issues involved with cross-references as appropriate to the pleadings;
 - (iv) a summary of the plaintiff's case in relation to each of the issues with references to the key documents relied upon, and a summary of the propositions of law to be advanced with references to the main authorities to be relied on; and

- (v) an explanation of the reliefs claimed (if these are unusual or complicated).
- (e) Counsel will be at liberty to amend their statements at the trial but in such event will be expected to explain the reasons for the amendments.

Timeline for tendering documents

- (13) At the trial of the cause or matter, an adjournment may be ordered if:
 - (a) the above documents or any of them, save for the opening statement in cases where it is not required or dispensation was granted, were not filed and served within the prescribed time or at all; or
 - (b) one party seeks to tender any of the above documents or supplements thereto except for supplements to the opening statement at the trial of the cause or matter.
- (14) If an adjournment is ordered for any of the reasons set out in paragraph (13) above, the party who has failed to file or serve his documents within the prescribed time or at all or who seeks to tender a document or supplement thereto except for supplements to the opening statement may be ordered by the Court to bear the costs of the adjournment.

87. Documents which cannot be converted into an electronic format

- (1) If a document cannot be converted in whole or in part into an electronic format for any reason, the hardcopy of the document must be filed at the Registry of the State Courts.
- (2) If the Court receives a document which the filing party says cannot be converted in whole or part into an electronic format, and it can discern no good reason why the document cannot be wholly converted into an electronic format, the document may be rejected.

109. Hours for the sittings of the State Courts

(1) The hours for the sittings of the State Courts shall be as follows, subject to the presiding Judge's/Magistrate's/ Registrar's discretion in any case to conclude a sitting at such earlier or later time as he may direct:

(a) **Mentions Courts** (except Court 4A)

Mondays to Fridays - 9.00 a.m. to 1.00 p.m. and
2.30 p.m. to 5.30 p.m.;

(b) **Court 4A**

Mondays to Fridays - 8.45 a.m. to 1.00 p.m. and
2.30 p.m. to 5.30 p.m.;

Saturdays - 9.00 a.m. to 1.00 p.m.

(c) **Hearing Courts and Chambers**

Mondays to Fridays - 9.30 a.m. to 1.00 p.m. and
2.30 p.m. to 5.30 p.m.

(d) **Night Courts**

Mondays to Thursdays - 5.30 p.m. onwards.

(2) This Practice Direction shall apply to both civil and criminal proceedings.

110. Hearing of urgent applications during weekends and public holidays

- (1) There may be occasions when urgent applications for interim injunctions or interim preservation of subject matter of proceedings, evidence and assets to satisfy judgments need to be heard on weekends and public holidays. To request the urgent hearing of such applications, the applicant should contact the Duty Judicial Officer at 9654 0072 during the operating hours of 8.30 a.m. to 6:00 p.m. on weekends and Public Holidays. The Duty Judicial Officer will only arrange for the hearing of applications which are so urgent that they cannot be heard the next working day.
- (2) All the necessary papers required for the application must be prepared together with the appropriate draft orders of Court.
- (3) An undertaking from counsel shall be given to have all the documents (including the originating process) filed in Court the next available working day must be furnished to the Judicial Officer processing the application.
- (4) The hearing may take place in the Registry of the State Courts or at any place as directed by the Judicial Officer hearing the matter.
- (5) For the avoidance of doubt, the above applies only to civil proceedings in the Magistrates' Courts or District Courts.

111. Duty Registrar and Duty Magistrate

- (1) The duties of the Duty Registrar are —
 - (a) to hear applications made *ex parte* or by consent (except probate matters) provided that the summons has been entered in the summonses book;
 - (b) to grant approval for any matter pertaining to the administration of the Registry, including giving early or urgent dates and allowing inspection of files; and
 - (c) to sign and certify documents.
- (2) The duties of the Duty Magistrate shall include the examination of complainants when they file a Magistrate's Complaint.
- (3) The duty hours shall be as follows:
 - (a) Mondays to Fridays - 9.30 a.m. to 1.00 p.m., and
2.30 p.m. to 5.30 p.m.;
 - (b) Saturdays - 9.30 a.m. to 1.00 p.m.
- (4) Only advocates and solicitors (or, where a party is not represented, a litigant in person) shall appear before the Duty Registrar.
- (5) Except where the attendance of the advocate and solicitor is required under paragraph (8), the filing of the relevant documents will be sufficient for the Duty Registrar's disposal of any application or matter. Documents which are filed using the Electronic Filing Service will be returned to the advocate and solicitor through the Electronic Filing Service to the inbox of the law firm's computer system or through the service bureau. Documents which are not electronically filed shall be collected from the Registry not earlier than one clear day after the documents have been filed.
- (6) All documents which are not required to be filed using the Electronic Filing Service should be duly stamped before presentation to the Duty Registrar for his signature and/or decision.
- (7) A solicitor who wishes to attend before a Duty Registrar and to refer him to documents filed using the Electronic Filing Service must either —
 - (a) file the document sufficiently far in advance before attending before the Duty Registrar such that the documents are already included in the electronic case file

for the Duty Registrar's reference (and in this regard, solicitors should only attend before the Duty Registrar after they have received notification from the Court that the document has been accepted); or

- (b) attend before the Duty Registrar with the paper documents, if these exist (and in this regard, the Duty Registrar will require the solicitor to give an undertaking to file all the documents by the next working day after the attendance before dealing with the matter).

(8) The advocate and solicitor's attendance is compulsory only:

- (a) when he is requesting an early or urgent date for hearing before the Registrar or Judge;
- (b) when an application or document is returned with the direction "solicitor to attend" ; or
- (c) when so required by any provision of law.

(9) A solicitor may, if he wishes to expedite matters, attend before the Duty Registrar even if his attendance is not ordinarily required.

(10) This Practice Direction shall apply to both civil and criminal proceedings.

120. Authorisation for collection of mail and Court documents

- (1) Without prejudice to paragraphs (3) and (4) below, all law firms must notify the Registry of the State Courts of the particulars of those person(s) authorised to collect Court documents or mail from the State Courts on their behalf by submitting a request to authorise user through the Electronic Filing Service.
- (2) Where such authorised persons are no longer so authorised, the law firm must revoke or delete the authorisation immediately by submitting a request through the Electronic Filing Service. Until receipt of such notification of revocation or deletion, Court documents and mail shall continue to be released to such authorised persons upon production of evidence of identification.
- (3) Any solicitor may collect Court documents and mail on behalf of his firm and any litigant in person may collect Court documents and mail intended for him in any matter in which he is a party.
- (4) A law firm may authorise a courier service-provider to collect Court documents or mail from the State Courts on its behalf. At the time of collection, the courier service-provider must produce a letter of authorisation on the law firm's letterhead that is addressed to the courier service-provider. The said letter of authorisation must clearly state —
 - (a) the case number;
 - (b) the name of the courier service-provider appointed to do the collection; and
 - (c) the Court documents or mail to be collected.
- (5) An employee or representative of the courier service-provider collecting the Court documents or mail may be requested to provide evidence that will allow the State Courts to verify that he is an employee or representative from the courier service provider and must acknowledge receipt of the Court documents or mail collected.

124. Noting of appearances of advocates/prosecutors

- (1) To facilitate the linking of advocates and prosecutors to criminal cases registered via the Integrated Case Management System (“ICMS”) and the contacting of advocates and prosecutors having conduct of matters in the State Courts, advocates and prosecutors appearing in cases must each fill in a Form 25 of Appendix A to these Practice Directions and hand the duly completed form to the court officer before their cases are mentioned.
- (2) This practice applies to all criminal trials, mentions courts (Court 4A and 4B), special (i.e. traffic and coroner’s) and night (Court 4AN and 4BN) courts.
- (3) The forms will be placed on all bar tables.
- (4) This Practice Direction shall apply to criminal proceedings.

126. Magistrate's complaints (Private summonses)

(1) Framing of criminal charges

Solicitors representing the complainants are to frame and submit the charges when the complaints are filed. This will facilitate the immediate issuance of the summons if it is so ordered by the Duty Magistrate. This paragraph does not apply to Magistrate's Complaints filed at the Community Courts and Tribunals Cluster Complaints Counter.

(2) Infringement of copyright/trademarks

Magistrate's complaints involving infringement of copyright/trademarks must be sworn by authorised representatives. A letter of authorization to that effect must be attached to the complaint.

127. Application for Court Records for criminal matters

- (1) This Practice Direction shall apply only in respect of criminal proceedings.
- (2) An application for a copy of any part of the record of any criminal proceedings for a case registered via the Integrated Case Management System (“ICMS”) must be made via the ICMS portal under “Request for Court Records”.
- (3) Applications for all other cases must be made in Form 26 in Appendix A to these Practice Directions.
- (4) On approval of an application that has been e-filed via the ICMS, the record of proceedings will be available for online downloading via the ICMS portal or collection depending on the delivery mode chosen.
- (5) Upon approval of an application for all other cases, and for ICMS cases where the mode of collection chosen is at the counter, the requisite number of copies of the record of proceedings applied for shall be made available for collection by the applicant for a period of 21 calendar days from the date specified in the notification given to the applicant by the Registry.
- (6) Where the copy of any record of proceedings applied for is not collected by the applicant within the time given by paragraph (5), the copy of the record of proceedings shall be disposed of and the applicant must make a fresh application if he still requires a copy of the relevant record of proceedings.
- (7) The relevant fee prescribed by the Criminal Procedure Code (Prescribed Fees) Regulations 2013, Fees (State Courts – Criminal Jurisdiction) Order 2014 (as the case may be) must be paid by the applicant at the time he makes the application.
- (8) The applicant shall be allowed to download or collect the copy of the record of proceedings applied for only if the fees payable therefor, including any balance fee payable, have been fully paid by him.
- (9) Any application for the waiver or remission of any fee payable for a copy of any record of proceedings may be made to the Registrar of the State Courts and the grant of such an application shall be in the absolute discretion of the Registrar.

128. Appearance at the State Courts via video link of defendants remanded at Changi Prison Complex

Application

- (1) The cases of defendants remanded at the Changi Prison Complex ('Changi Prison') may be mentioned via video link.

Taking of instructions by counsel via VidLink

- (2) Counsel who need to take instructions from a client remanded at Changi Prison may arrange to do so via video link at the VidLink Centre.
- (3) The VidLink Centre is managed by the Singapore Prisons Service, and is located on Level 16 of the State Courts Towers.

Mentioning of cases in Court

- (4) At each mention in Court, counsel are required to complete and submit to the court a mention slip setting out the case details and counsel's application, if any. The format of the mention slip is set out in Form 27 of Appendix A to these Practice Directions.
- (5) The order of mention of cases is managed by the court officers in Court. Video link cases are generally mentioned ahead of non-video link cases, and cases involving counsel are generally given priority. Counsel who need to have their cases mentioned urgently (for example, to enable them to attend to other court commitments) should inform the court accordingly, and accommodation will be made where possible.

Situations where remandees are physically brought to Court

- (6) The court may order that a defendant who is to appear, or who has previously appeared, via video link in Court be physically brought to court. These include the following situations:
 - (a) where the defendant has indicated an intention to plead guilty;
 - (b) where one or more charges against the defendant is withdrawn;
 - (c) where the defendant has to be brought to court for bail processing; or
 - (d) where the court considers it expedient in any other circumstances.

129. Witnesses giving evidence through live video link

- (1) A person in Singapore (other than the accused person) may, with leave of the Court, give evidence through a live video or live television link in any trial, inquiry, appeal or other proceedings as specified in sections 281(1) and (2) of the Criminal Procedure Code.
- (2) Attention is also drawn to sections 28(1) and (2) of the COVID-19 (Temporary Measures) Act 2020 (“CTMA”), pursuant to which a Court may require a witness (whether in Singapore or elsewhere) or an accused person to give evidence by means of a live video or live television link, subject to the satisfaction of the conditions specified therein. This Practice Direction shall apply with the necessary modification to the giving of evidence through a live video or live television link by a witness or an accused person pursuant to section 28 of the CTMA, for such time as the CTMA remains in force.
- (3) Leave of the Court is required for evidence to be adduced via a video link. The application for leave should be made as early as practicable. This must not be later than the pre-trial conference. If no pre-trial conference is scheduled, this application must be made not later than the time the trial dates are allocated, either to the Court at the mentions stage or the Registrar of the State Courts. This application is necessary so that the case may be fixed for hearing in a court where the requisite equipment have been installed.
- (4) The court may, in a proper case, permit appropriate person(s) to be present with the witness at the place where the witness is giving evidence from. Such person(s) may include a parent, a guardian, an officer of the Court, a counsellor, a social worker or any such other person(s) as the Court deems fit.
- (5) Where a witness giving evidence through a live video link requires an interpreter, the interpreter will interpret the proceedings from open court. All other aspects of the proceedings in court will remain unchanged.
- (6) If an accused person is not represented by counsel, the presiding Judge will explain to him the process of a witness giving evidence through a video link.
- (7) Microphones have been installed for the Judge, prosecutor, counsel, witness, interpreter and the accused. The oral proceedings, including the testimony of the witness, will be relayed and broadcast through the courtroom speaker system. When a video link session is in progress, prosecutors and counsel are reminded to speak clearly and slowly into the microphones which are placed on the tables. In order to ensure clarity in the audio transmissions, no two persons should speak simultaneously into the microphones.

- (8) Video cameras installed in the courtroom will enable images of the proceedings in the courtroom to be relayed to the witness giving evidence by means of a video link. Images of the witness giving evidence will be relayed and may be viewed by all persons present from television monitors which are placed strategically within the courtroom. To ensure that there is eye contact with the witness, prosecutors and counsel should face the television monitor squarely as the cameras are mounted on top of the television monitor.

130. Application

- (1) The Practice Directions in this Part apply to any criminal proceeding or any criminal matter before a District Court or a Magistrate's Court which relates to any —
 - (a) pre-trial or plead guilty procedure;
 - (b) procedure in respect of bails and bonds under Division 5 of Part VI of the Criminal Procedure Code (Cap. 68);
 - (c) procedure under section 370 of the Criminal Procedure Code;
 - (d) procedure for the search of premises or persons and the seizure of property (including any procedure under section 35(7) of the Criminal Procedure Code for the release of any property seized, or prohibited from being disposed of or dealt with under section 35(1) of the Criminal Procedure Code);
 - (e) procedure for an inquiry to determine the order or orders to be made in respect of any property produced before the Court for which there are competing claims;
 - (f) procedure for the surrender and return of travel documents under sections 112 and 113 of the Criminal Procedure Code;
 - (g) procedure for issuing summonses to persons to appear before the Court under section 115 of the Criminal Procedure Code;
 - (h) procedure for appeal under Division 1 of Part XX of the Criminal Procedure Code;
 - (i) procedure for the taking of evidence under section 21 of the Mutual Assistance in Criminal Matters Act (Cap. 190A);
 - (j) application for the issue of a warrant under section 10(1) or 24(1) of the Extradition Act (Cap. 103); and
 - (k) any trial of any offence.
- (2) The directions in this Part must be read in conjunction with the Criminal Procedure Code (Electronic Filing and Service for State Courts and Youth Courts) Regulations 2013.

138. Amendment of charges and documents

- (1) Where a charge or document is required to be amended, a fresh copy of the charge or document must be produced and e-filed, regardless of the number and length of the amendments sought to be made.

Procedure where a gag order has been granted

- (2) In a case where the prosecution is initiated via the Integrated Case Management System (ICMS), and the prosecution applies for a gag order which is granted by the court, the following procedures must be carried out by the prosecution, after the gag order has been granted:
 - (a) all necessary amendments must be made to the charge that is to be tendered to the court, so as to remove references to all information (e.g. details of a witness) as are necessary to comply with the terms of the gag order that was granted;
 - (b) where an amendment is made to the original charge in line with subparagraph (a) above, a copy of the charge so amended (hereafter referred to as the “redacted charge”) must be uploaded into the ICMS in the Redacted Document tab in accordance with the steps as set out in Illustration I in Appendix J to these Practice Directions;
 - (c) in addition to the redacted charge(s), the original (i.e. non-redacted) copy of the charge(s) will continue to be used for the court proceedings, and must be uploaded into the ICMS in the usual way.

139. Limits on size and number of documents submitted using the Integrated Case Management System

- (1) The following limits shall apply to the filing of documents:
 - (a) the total number of pages in a single document must not exceed 999;
 - (b) the size of a single transmission must not exceed 50 mega-bytes.
- (2) The resolution for scanning, unless otherwise directed by the court, must be no more than 300 DPI.
- (3) In the event that any party wishes to file documents which exceed the limits specified in paragraph (1), he may make multiple submissions.

141A. The Community Courts and Tribunals Friend Scheme

- (1) A tribunal or registrar (including a Deputy Registrar or an Assistant Registrar) of any tribunal in the Community Courts & Tribunals Cluster (“CCTC”) of the State Courts may, on the application of an unrepresented litigant-in-person (“LIP”) who is not engaged in any business undertaking involved in the dispute before a CCTC tribunal, allow the LIP to be assisted in any proceedings before a tribunal or registrar by a family member, friend, or any other volunteer from the Community Justice Centre or any other pro bono agency or entity. Such a volunteer, when approved by the tribunal or registrar, shall be allowed to render the aforesaid assistance to the LIP and be referred to as a “CCT Friend”.
- (2) A CCT Friend, when approved by a tribunal or registrar, may provide administrative and emotional support to the LIP in the conduct of his case in proceedings before the tribunal or registrar, such as —
 - (a) subject to sub paragraph (8) below, assisting the LIP in the preparation and filing of documents relevant to the proceedings;
 - (b) providing emotional and moral support and offering practical guidance to the LIP on non-legal issues in the course of the proceedings;
 - (c) assisting the LIP in proceedings before a tribunal or registrar e.g. by taking relevant notes of the proceedings and directions given by tribunal or registrar or by organising documents and helping to locate the correct document for use in the proceedings;
 - (d) reviewing the notes taken with the LIP after the hearing and explaining the directions made by a tribunal or registrar; and
 - (e) interpreting spoken communications in the proceedings before a tribunal or registrar or any document (or part thereof) filed for use and referred to in the aforesaid proceedings.
- (3) An LIP may submit an application for the appointment of a CCT Friend in Form 99 in Appendix A to these Practice Directions or in the appropriate Form in the Community Justice and Tribunals System (“CJTS”).
- (4) Any application submitted under paragraph (3) shall be considered and decided upon by the tribunal or registrar at the first pre-trial conference, case management conference, or hearing day scheduled for the LIP’s tribunal matter. Once the application is approved by a registrar, the CCT Friend must sign the prescribed undertaking & declaration

before rendering any assistance to the LIP at any stage of the proceedings (whether at the pre-trial conference, case management conference or hearing of the matter before a tribunal). If the application is rejected by a registrar, the LIP will have to carry on his own case without the assistance of a CCT Friend at the hearing before the registrar.

- (5) If an application for the appointment of a CCT Friend made before a registrar during a pre-trial or case management conference is not approved, the LIP may make another application before the tribunal on the first day of hearing of the LIP's matter. Once the application is approved by the tribunal, the CCT Friend must sign the prescribed undertaking & declaration before rendering any assistance to the LIP at the hearing of the matter before the tribunal. If the application is rejected by the tribunal, the LIP will have to carry on his own case without the assistance of a CCT Friend at the hearing before the tribunal. A decision by a tribunal to approve or reject the aforesaid application shall be final.
- (6) A tribunal or registrar may refuse to approve any application for the appointment of a CCT Friend if the tribunal or registrar is satisfied that it is not in the interests of justice and fairness for the LIP to receive assistance from a CCT Friend.
- (7) An opposing party may object to the presence of or assistance to be given by a CCT Friend to the LIP, in which case the objecting party shall provide valid and sufficient reasons as to why the LIP should not receive assistance from a CCT friend. The tribunal or registrar shall consider such reasons as part of its determination under paragraph (6) above.
- (8) In providing assistance and support to an LIP, a CCT Friend shall not —
 - (a) provide legal advice on the merits of the case and/or legal representation to the LIP;
 - (b) advise the LIP on how to present his case or how to respond to his opponent's case;
 - (c) manage the LIP's cases outside court or act as the LIP's agent when dealing with other parties;
 - (d) exercise any of the privileges extended to advocates and solicitors under the Legal Profession Act (Cap 161, 2009 Rev Ed), such as to address the tribunal or registrar, make oral submissions, conduct litigation, examine witnesses, sign tribunal documents on the LIP's behalf, act as the LIP's agent or manage the LIP's case outside the proceedings;
 - (e) communicate with the LIP during the proceedings in a manner that would disrupt the proceedings;

- (f) divulge any information (communicated to him by the LIP for the purpose of obtaining assistance from him or acquired by him in the course of the tribunal proceedings) to any third party in relation to the tribunal proceedings in breach of his duty of confidentiality; and/or
 - (g) receive any remuneration or reward for his services.
- (9) In any case, a CCT Friend assisting an LIP may not provide any assistance and support if he —
 - (a) is or may be named as a witness in the proceedings by a party to a dispute;
 - (b) has a direct or indirect interest in the outcome of a claim in the dispute;
 - (c) is an advocate or solicitor or a legally qualified person from any jurisdiction; or
 - (d) is a housing agent of the LIP and the dispute involves a tenancy or any other housing matter in which the housing agent is acting for the LIP.
- (10) An LIP may only have one CCT Friend providing assistance and support at all times during the proceedings before a tribunal or registrar. Any change of the CCT friend at any stage of the proceedings for whatever reason will require a fresh application to be made by the LIP to the registrar or tribunal, as the case may be.
- (11) At any time during the proceedings, a tribunal or registrar may regulate the manner in which assistance is provided to the LIP, and may stop or restrict the participation of a CCT Friend, if a tribunal or registrar is of the opinion that the administration of justice is being impeded by the CCT Friend such as (but not limited to) where —
 - (a) the assistance provided by the CCT Friend is improper;
 - (b) the assistance provided by the CCT Friend is unreasonable in nature or degree;
 - (c) it is apparent to the tribunal or registrar or the opposing party that the CCT friend is not well versed or competent enough to interpret spoken communications in the proceedings for the LIP or any document (or part thereof) filed for use and referred to in the aforesaid proceedings;
 - (d) the CCT Friend becomes disruptive through his words or behaviour (such as by rolling his eyes, huffing, snickering, etc.);

- (e) the CCT Friend distracts the LIP or takes over the proceedings on behalf of the LIP, or seeks or attempts to act as a lawyer for the LIP such as by speaking directly to the opposing party;
 - (f) allowing the CCT Friend to remain would not be in the interests of justice and fairness or where it would obstruct the efficient administration of justice; and/or
 - (g) the CCT Friend is shown to be in breach of any one or more of the prohibitions set out in paragraphs (8) and (9) above.
- (12) Before stopping or restricting the participation of a CCT Friend, a caution may be given by the tribunal or the registrar to the CCT Friend to cease from any offending behaviour, failing which the CCT Friend may be asked to leave the hearing room or chambers.

Form 7

COURT DISPUTE RESOLUTION (CDR)/ALTERNATIVE DISPUTE RESOLUTION (ADR) FORM

*The State Courts regard Court Dispute Resolution (CDR) and Alternative Dispute Resolution (ADR) as the **first stop of a court process**. CDR/ADR is crucial in the cost-effective and amicable resolution of disputes. Early identification of cases is essential to help the parties save costs and improve settlement prospects. To assist in this regard, this Form should be completed by you and your client before the following hearings:*

- (a) *Case Management Conference, for MC writs filed on or after 1st November 2014 and by consent, DC writs (pursuant to Order 108 of the Rules of Court and Practice Direction 20);*
- (b) *Pre-Trial Conference called pursuant to Practice Direction 36 (which PTC will be called in respect of MC writs filed before 1st November 2014 and all DC writs filed on or after 1st April 2014); or*
- (c) *any Summons for Directions that is filed (pursuant to Practice Direction 26).*

Information concerning CDR/ADR is provided on the second page of this Form.

This section is to be completed by solicitors

Case details	MC/DC* _____ / _____ (year)	SUM _____ / _____ (year)		
Number of witnesses	Plaintiff		Defendant	
Nature of claim	Tort	Defamation / Medical Negligence*		
	Contract	Construction / Renovation / Supply of Goods & Services*		
	Others (Specify)			

Signature of solicitor

Name of solicitor for Plaintiff/Defendant*:

Law Firm:

Date:

**delete where inapplicable*

This section is to be read by your client

What are my CDR and ADR options?

The State Courts' Court Dispute Resolution Cluster (CDRC) provides CDR services such as **mediation, conciliation** and **neutral evaluation**. Mediation services are also provided by the Singapore Mediation Centre (<http://www.mediation.com.sg>) and the Singapore International Mediation Centre (<http://www.simc.com.sg>). The Law Society of Singapore also provides **arbitration** and **mediation** as an ADR service.

Mediation is a process in which a mediator (i.e. a neutral third party) helps you and the other party negotiate for a settlement of your dispute. The mediator does not focus on who is at fault for the dispute. Instead, the mediator will help you and the other side discuss and reach a solution that will meet the concerns of both parties. Apart from mediation by the CDRC, the Law Society also provides mediation services under the Law Society Mediation Scheme (LSMS) as a quick, cost-effective and user-friendly way to resolve civil disputes without having to commence or continue with litigation or arbitration. More details of this scheme may be found at <http://www.lawsociety.org.sg/For-Public/Dispute-Resolution-Schemes/Mediation-Scheme>.

Conciliation is a process in which a conciliator (i.e. a neutral third party) possessing expertise in the subject matter assists you and the other party to negotiate for a settlement of the dispute. A judge of the CDRC will play a more direct role in the resolution of the dispute and assist parties arrive at an optimal solution by developing and suggesting proposals for the settlement. Ultimately, the decision whether or not to accept the settlement proposal still remains with the parties.

Neutral Evaluation (NE) involves an early assessment of the merits of the case by a judge of the CDRC. Parties' lawyers will present the case to the judge, who will review the evidence and provide an evaluation based on the merits of the case. The evaluation can be binding or non-binding, depending on what the parties choose.

More information on mediation, conciliation and neutral evaluation may be found at <http://www.statecourts.gov.sg> under "Interested in Mediation/Conciliation/CDR".

In **arbitration**, there will be a determination of who is at fault. However, the decision is made by a private individual, the arbitrator, instead of a judge. The Law Society Arbitration Scheme (LSAS) is provided by the Law Society of Singapore for parties to resolve their dispute through arbitration in a speedy and cost-effective way. More information concerning fees and details of the scheme can be found at <http://www.lawsociety.org.sg/For-Public/Dispute-Resolution-Schemes/Arbitration-Scheme>.

Which CDR or ADR option should I choose?

You should choose the CDR or ADR option that best addresses your needs. Most litigants are concerned about issues such as legal costs, the duration of the litigation process, confidentiality and whether they have control over the outcome of the case. Some other concerns may include the desire to preserve the relationship with the other party, discomfort over the formal proceedings and a need to be vindicated. Generally, mediation is an option that addresses most of these concerns.

However, you may consider other CDR/ADR options if you have unique considerations. To help you decide the best option for you, we have provided a diagram on page (iii) highlighting

the features of each option. Your solicitor will also be able to advise you on the pros and cons of each CDR/ADR option.

Which option should I use to resolve my dispute?

I want to control how the dispute should be resolved

I want someone else to decide on the outcome of the dispute

Mediation

Low cost
Fast
Confidential and without prejudice
Can achieve win-win solutions
Preserves relationships
But ...

Conciliation

Low cost
Fast
Confidential and without prejudice
Can achieve win-win solutions
Preserves relationships
Judge possesses expert knowledge on the subject matter, proposes solutions and guides proceedings

Neutral Evaluation

Low cost (but may involve more costs compared to mediation)
Fast (but may involve more time compared to mediation)
Confidential
Benefit of an opinion by a Judge on your likely chances of

Arbitration

Allows for privacy and confidentiality
A binding decision by an arbitrator
Simplified procedure
But ...
More expensive than mediation
(Arbitration can be suitable for tenancy / construction disputes but not economical for complicated matters involving modest claims)

Trial

Public vindication
Adjudication of the case by a Judge
Avenues of appeal
But ...
Costly
Time-consuming
Win-lose outcomes
Likely destructive

Settled?

Yes

No

Proceed for trial / arbitration

Dispute resolved

This section is to be completed by your client

FOR MAGISTRATE'S COURT CASES ONLY

1. This is to certify that my solicitor has explained to me the available Court Dispute Resolution (CDR) and Alternative Dispute Resolution (ADR) services, and I am aware of the benefits of settling my case by CDR/ADR.
2. I have been advised and understand that the Judge may take the view that CDR/ADR is suitable for my case, and that any unreasonable refusal on my part to resolve this matter via mediation or other means of CDR/ADR may then expose me to adverse costs orders pursuant to Order 59 Rule 5(1) (c) of the Rules of Court as set out below:

Order 59 Rule 5(1) (c)

“The Court in exercising its discretion as to costs shall, to such extent, if any, as may be appropriate in the circumstances, take into account the parties' conduct in relation to any attempt at resolving the cause or matter by mediation or any other means of dispute resolution.”

3. For a case commenced by writ on or after 1st November 2014 before a Magistrate's Court:
I have been advised and understand that my case may be referred for CDR/ADR under Order 108 Rule 3(3) of the Rules of Court as set out below:

Order 108 Rule 3(3)

“The Court may make an order directing that a case be referred for resolution by an ADR process if —

- (a) the parties consent to the case being referred for resolution by the ADR process; or*
- (b) the Court is of the view that doing so would facilitate the resolution of the dispute between the parties.”*

4. My decision concerning CDR/ADR is as follows:-

(Tick the relevant boxes)

I wish to opt out from CDR/ADR for the following reasons:-

- I have already attempted CDR/ADR i.e. _____
- The dispute involves a question of law / To establish legal precedence.
- Other good reasons i.e. _____

(Note: Your view that the other party has a weak case is not considered a good reason)

I would like to be referred for the following CDR/ADR service(s)-

(Note: you may tick more than one type of CDR/ADR service.)

- Mediation by the State Courts' Court Dispute Resolution Cluster (CDRC)
- Conciliation by the CDRC-
- Neutral Evaluation by the CDRC
- Mediation at Singapore Mediation Centre (SMC) / Singapore International Mediation Centre (SIMC)
- Mediation under Law Society Mediation Scheme (LSMS)
- Arbitration under Law Society Arbitration Scheme (LSAS)
- Others: (Please specify) _____

Signature of Plaintiff/Defendant*

Name:

Date:

**Delete where inapplicable*

This section is to be completed by your client

FOR DISTRICT COURT CASES ONLY

1. This is to certify that my solicitor has explained to me the available Court Dispute Resolution (CDR) and Alternative Dispute Resolution (ADR) services, and I am aware of the benefits of settling my case by CDR/ADR.
2. I have been advised and understand that my case will be referred for CDR/ADR unless any of the parties opt out of CDR/ADR.
3. I have been advised and understand that the Judge may take the view that CDR/ADR is suitable for my case, and that any unreasonable refusal on my part to resolve this matter via mediation or other means of CDR/ADR may then expose me to adverse costs orders pursuant to Order 59 Rule 5(1) (c) of the Rules of Court as set out below:

Order 59 Rule 5(1) (c)

“The Court in exercising its discretion as to costs shall, to such extent, if any, as may be appropriate in the circumstances, take into account the parties’ conduct in relation to any attempt at resolving the cause or matter by mediation or any other means of dispute resolution.”

4. My decision concerning CDR/ADR is as follows: *(Tick the relevant boxes)*

I wish to opt out from CDR/ADR.

Reason(s): _____

I would like to be referred for the following CDR/ADR service(s):

(Note: You may tick more than one type of CDR/ADR service)

- Mediation by the State Courts’ Court Dispute Resolution Cluster (CDRC)
I am aware that each party in this case is required to pay Court ADR fees of \$250 in accordance with Order 90A rule 5A of the Rules of Court (except for non-injury motor accident actions, any action for damages for death or personal injury and any action under the Protection from Harassment Act 2014).
- Conciliation by the CDRC
I am aware that each party in this case is required to pay Court ADR fees of \$250 in accordance with Order 90A rule 5A of the Rules of Court (except for non-injury motor accident actions, any action for damages for death or personal injury and any action under the Protection from Harassment Act 2014).
- Neutral Evaluation by the CDRC
I am aware that each party in this case is required to pay Court ADR fees of \$250 in accordance with Order 90A rule 5A of the Rules of Court (except for non-injury motor accident actions, any action for damages for death or personal injury and any action under the Protection from Harassment Act 2014).
- Mediation at Singapore Mediation Centre (SMC) / Singapore International Mediation Centre (SIMC)

Mediation under Law Society Mediation Scheme (LSMS)

Arbitration under Law Society Arbitration Scheme (LSAS)

Others: (Please specify)_____

Signature of Plaintiff / Defendant*

Name:

Date:

**Delete where inapplicable.*

Form 9C

Form may be downloaded from <http://www.statecourts.gov.sg>

APPLICATION FOR DIRECTIONS UNDER O 37					
FOR PERSONAL INJURY / NON-INJURY MOTOR ACCIDENT CLAIMS					
Note: Additional prayers (if any) may be listed in a separate sheet of paper to be attached to this Form.					
Case number: DC / MC _____ of _____ Nature of Claim: PIMA / IA / _____ Date (dd/mm/yy) : ___ / ___ / ___	In Chambers before me:- Deputy Registrar				
Directions Sought By The Plaintiff:- (To be completed by the Plaintiff's Counsel)	Defendant Counsel's proposal (to be completed by Defendant Counsel)		Court Orders:- OIT as per		
	Consent (√)	Proposed Alternative timelines	PC's proposal	DC's proposal	Dates below
<input type="checkbox"/> List of documents and affidavit verifying list of documents to be filed and served within 2 weeks _____ week i.e. by ___ / ___ / _____.		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> By consent, parties agree to dispense with affidavit verifying list of documents.					
<input type="checkbox"/> Inspection to be done within 3 weeks / _____ weeks i.e. by ___ / ___ / _____.		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> Plaintiff's witnesses limited to _____ witness(es) of fact and _____ expert witnesses.					
<input type="checkbox"/> Defendant's witnesses limited to _____ witness(es) of fact and _____ expert witnesses.					
<input type="checkbox"/> _____witnesses limited to _____witness(es) of fact and _____ expert witnesses.					
<input type="checkbox"/> Parties to exchange AEICs of all witnesses within 8 weeks / _____ weeks i.e. by ___ / ___ / _____. (Note: AEICs should be <u>filed and served</u> for cases involving litigants-in-person)		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> By consent, AEICs of experts shall be dispensed with. The evidence of the experts shall be given in the form of their respective reports to be exchanged within 8 weeks / _____ weeks i.e. by ___ / ___ / _____.		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> Parties to file and serve Notice of Objections to AEICs within 9 weeks / _____ weeks i.e. by ___ / ___ / _____.		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> Plaintiff to file and serve Notice of Appointment for Assessment of Damages for _____ days of hearing within 10 weeks / _____ weeks i.e. by ___ / ___ / _____.		___ weeks i.e. by ___ / ___ / _____.			
<input type="checkbox"/> Costs reserved to the Registrar.					
<input type="checkbox"/> Order of Court with the names of the witnesses to be extracted within 3 weeks from the date of the Order i.e. by ___ / ___ / _____.					

Form 9C(A)

Form may be downloaded from <http://www.statecourts.gov.sg>

APPLICATION FOR DIRECTIONS UNDER ORDER 37 OF THE RULES OF COURT FOR MAGISTRATE'S COURT CASES FIXED FOR SIMPLIFIED AD PURSUANT TO ORDER 108					
<i>Note: Additional prayers (if any) may be listed in a separate sheet of paper to be attached to this Form.</i>					
Case number: DC / MC _____ of _____ Nature of Claim: PIMA / IA / _____ Date (dd/mm/yy) : ____ / ____ / ____	In Chambers before me:- Deputy Registrar				
Directions Sought By The Plaintiff:- (To be completed by the Plaintiff's Counsel (PC))	Defendant Counsel's proposal (to be completed by Defendant Counsel)	Court Orders:- OIT as per			
	Consent (√)	Proposed Alternative timelines	PC's proposal	DC's proposal	Dates below
<input type="checkbox"/> Supplementary List of documents, if any, to be filed and served within 3 / _____ week(s) i.e. by _____.		____ weeks i.e. by _____			
<input type="checkbox"/> Inspection to be done within 4 / _____ week(s) i.e. by _____.		____ weeks i.e. by _____			
<input type="checkbox"/> (For Personal Injury and NIMA cases) AEICs of single joint expert shall be dispensed with. The expert report(s) shall be disclosed within 4/ _____ weeks i.e. by _____.		____ weeks i.e. by _____			
<input type="checkbox"/> Parties to exchange AEICs of all witnesses within 8 / _____ weeks i.e. by _____. <i>(Note: AEICs should be <u>filed and served</u> for cases involving litigants-in-person)</i>		____ weeks i.e. by _____			
<input type="checkbox"/> Parties to file and serve Notice of Objections to AEICs within 9 / _____ weeks i.e. by _____.		____ weeks i.e. by _____			
<input type="checkbox"/> Plaintiff to file and serve Notice of Appointment for Assessment of Damages for _____ days of hearing within 12 / _____ weeks i.e. by _____.		____ weeks i.e. by _____			
<input type="checkbox"/> Order of Court with the names of the witnesses to be extracted within 4/ _____ weeks from the date of the Order i.e. by _____.		____ weeks i.e. by _____			
Directions Sought By The Parties:-	Court Orders:			Consent (√)	
<input type="checkbox"/> Plaintiff's witnesses of fact limited to witness(es).					
<input type="checkbox"/> Defendant's witnesses of fact limited to witness(es).					
<input type="checkbox"/> _____ Single Joint Expert (SJE) appointed by parties pursuant to O. 108 r. 5(3)(a) as follows: (a) _____ (Area of expertise : _____) (state name) (b) _____ (Area of expertise : _____) (state name)					
<input type="checkbox"/> Where parties are unable to agree on expert to be appointed, the Court shall pursuant to O. 108 r. 5(3)(b) appoint the SJE and fix the amount of remuneration payable to the SJE.					
<input type="checkbox"/> SJE report is to be released by _____					
<input type="checkbox"/> Costs reserved to the Registrar.					

RECORDING SETTLEMENT / ENTERING JUDGMENT BY CONSENT (NIMA/PI/PIMA)

Case Number: DC/MC _____ of _____ Date : _____

Plaintiff's Law Firm / Solicitor: _____

Defendant's Law Firm / Solicitor : _____

Other party's Law Firm(s) / Solicitor(s): _____

(I) Settlement
(a)NIMA / PI
AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury does not
exceed \$5,000

Terms of Settlement:
 By consent, and in full & final settlement of the Plaintiff's claim, the _____ shall pay the following to the Plaintiff / _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as costs.* / Costs to be taxed if not agreed*.

\$ _____ as disbursements.* / Disbursements to be taxed if not agreed*.

\$ _____ as interest from _____

Payment is to be made within _____ weeks from the date this settlement is recorded.

In default of payment, the Plaintiff is at liberty to extract the Order of Court for enforcement.

The Plaintiff / _____ shall file the Notice of Discontinuance within _____ days of receiving final payment from the _____.

This is a tentative settlement and the parties will write in to Court within _____ weeks, i.e. by _____, if they are unable to proceed with the settlement. If not, this tentative settlement recorded shall be deemed to be a final settlement.

Person Under Disability

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court (Cap. 322, R 5), this settlement agreed upon by parties is hereby approved by the Court.

As the Plaintiff/dependant is a person under disability pursuant to Order 76 of the Rules of Court, payment is to be made to the litigation representative on trust for the Plaintiff for his/her maintenance or otherwise for his/her benefit.

(Insert any other terms not provided for above) _____

(II) Interlocutory Judgment

Consent Interlocutory Judgment:

By consent, interlocutory judgment is entered for the Plaintiff against the _____ for [____% of the]* damages to be assessed and costs reserved to the Registrar assessing the damages.

By consent, the Third Party is to indemnify the Defendant for [____% of the]* damages, costs, reasonable disbursements and interests payable to the Plaintiff.

By consent, interlocutory judgment is entered for the Plaintiff against the _____ on the following terms: _____

(III) Final Judgment
(a)NIMA /
PI AND
(b)PIMA
matters where
the "relevant
amount"
relating to
damages for
death / bodily
injury exceeds
\$5,000

Consent Final Judgment:
 By consent, final judgment is entered for the Plaintiff against the _____ whereby the _____ shall pay the following to the _____:

\$ _____ as damages inclusive of costs, disbursements, interest*.

\$ _____ as general damages, \$ _____ as injury related special damages and \$ _____ as non-injury related special damages (inclusive of interest)*.

The claim being a fatal accident claim, general damages comprises \$ _____ for bereavement for the benefit of [_____], \$ _____ for loss of dependency for the benefit of [_____] \$ _____ for loss of dependency for the benefit of [_____] and \$ _____ for loss of dependency for the benefit of [_____].

\$ _____ in special damages (excluding the sum for funeral expenses) to [_____] and \$ _____ for funeral expenses to [_____].

\$ _____ as interest from _____.

\$ _____ as costs* / Costs to be taxed if not agreed*.

		<input type="checkbox"/> \$ _____ as disbursements* / Disbursements to be taxed if not agreed*. <input type="checkbox"/> (Insert any other terms not provided for above) _____ _____
Usual Consequential Orders ONLY For PIMA cases where the "relevant amount" relating to damages for death / bodily injury exceeds \$5,000	<input type="checkbox"/>	Usual Consequential Orders when entering Final Judgment for PIMA Cases <input type="checkbox"/> <u>Usual Consequential Orders (Where Plaintiff is NOT a Specified Person)</u> "...And it is ordered that — <ol style="list-style-type: none"> 1. the Plaintiff's costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff's solicitor; and 2. the balance of the judgment sums due to the Plaintiff shall be paid by the Defendant to the Plaintiff. <input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff / dependant is a Specified Person AND a Person Under Disability</u> "...And it is ordered that — <ol style="list-style-type: none"> 1. the Plaintiff's costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act (Cap. 189) and be deducted from the judgment sums and paid by the Defendant to the Plaintiff's solicitor; and 2. as the Plaintiff / dependant is a person under disability pursuant to Order 76 of the Rules of Court, the balance of the judgment sums shall be paid by the Defendant to: <input type="checkbox"/> the litigation representative of the Plaintiff / dependant; OR <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff / dependant for his/her maintenance or otherwise for his/her benefit." <input type="checkbox"/> <u>Usual Consequential Orders where Plaintiff is a Specified Person BUT NOT a Person Under Disability</u> "...And it is ordered that — <ol style="list-style-type: none"> 1. the Plaintiff's costs and disbursements of this action payable to his/her solicitor shall be as determined in accordance with section 18(3) of the Motor Vehicles (Third-Party Risks and Compensation) Act and be deducted from the judgment sums and paid by the Defendant to the Plaintiff's solicitor; and 2. as the Plaintiff is <i>not represented by a public officer or an advocate and solicitor / isolated in a hospital or other place under section 15(1) or (2) of the Infectious Diseases Act (Cap. 137) / a person under legal custody or in a place of detention</i>, the balance of the judgment sums shall be paid by the Defendant to: <input type="checkbox"/> the Public Trustee as trustee on trust for the Plaintiff OR; <input type="checkbox"/> the Plaintiff in the following manner: _____ <input type="checkbox"/> (Insert any other terms of payment not provided for above) _____
Public Trustee's Fee		<input type="checkbox"/> The Plaintiff's disbursements shall include \$ _____ as the Public Trustee's fee* / (where payment is to be made to Public Trustee on trust) the Public Trustee's fee to be determined by the Public Trustee in accordance with the rules for the time being in force*.
Costs	<input type="checkbox"/>	Indication on costs: Plaintiff's Counsel: \$ _____; Defendant's Counsel: \$ _____; _____ Counsel: \$ _____
Judge's Orders / Directions	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	Settlement is recorded / Judgment is entered as per terms stated in Section I, II or III. Costs indicated at \$ _____ / plus reasonable disbursements* / plus GST*. Other directions _____
		Judge's Signature & Stamp

This Form may be downloaded from: <http://www.statecourts.gov.sg>

*delete where appropriate

Form 9J*

Confidential and Without Prejudice

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[CASE NUMBER]

OPENING STATEMENT FOR PLAINTIFF/DEFENDANT (MEDIATION)

1. Parties attending the mediation session

- (a) Plaintiff/Defendant/other party to suit
- (b) [Name of any other party attending; reason for attending]
- (c)

Where party is a corporate entity,

- (a) [Name and position of authorised representative of Plaintiff/Defendant]

2. Brief summary of facts

[Summarise your version of facts that gave rise to your claim/defence.]

3. Claim/Defence/Counterclaim/Defence to Counterclaim

[Summarise your legal claim or Defence.]

4. Evidence supporting claim

A. Essential documents

The following *essential* documents are currently being relied on to support our claim/defence (without prejudice to modification after discovery):

(a) [Provide very brief details on how document supports your case. Append a copy of document to opening statement.]

(b)

...

B. Essential witnesses

We currently intend to rely on the following *essential* witnesses if the case goes to court (without prejudice to modification after extracting order of court containing court's directions for exchange of affidavits of evidence-in-chief):

(a) [Provide very brief outline of what you believe each essential witness will say.]

(b)

...

5. Negotiation history

The parties have not engaged in any negotiations to settle the dispute OR

The parties have been engaging in discussions to attempt to settle the dispute privately. The parties have made the following offers on a "without prejudice" basis:

(a) [Provide details on the offer, and why it was not accepted.]

(b)

6. Other relevant information for settlement

[Provide any other information that may be beneficial in reaching a settlement.]

Dated this [-] day of [-] 20__

SOLICITORS FOR THE [PLAINTIFF/DEFENDANT]

SAMPLE OPENING STATEMENT FOR MEDIATION

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[CASE NUMBER]

OPENING STATEMENT FOR PLAINTIFF (MEDIATION)

1. Parties attending the mediation session on 7 May 2012

- (a) The Plaintiff, Ms Sharon Lee
- (b) Ms Chloe See, a key witness

2. Brief summary of facts

The Plaintiff enrolled for a business course in the Defendant school on 10 December 2011. The course brochure stated that the course would be taught by a highly qualified lecturer from a renowned business school and would include lectures by prominent guest speakers from the business field. After attending 6 weeks of the course since 3 January 2012, the Plaintiff found the lecturer unimpressive and did not have the requisite qualifications. In addition, she saw in the course schedule that there were to be no guest lecturers. Her request for a refund from the Defendant on 14 February was declined. The Plaintiff commenced this present suit seeking a refund of her course fees of \$8,000. The Defendant lodged a counterclaim in defamation for the Plaintiff's postings on her blog referring to the Defendant as a "scam operation".

3. Claim and Defence to Counterclaim

The Plaintiff's claim lies in misrepresentation. She was induced by statements in the course brochure and statements made by the Defendant's Principal on 10 December to enrol for the course. Both statements concerning the credentials of the lecturer and the inclusion of guest lecturers in the course were untrue. The Plaintiff seeks rescission of the contract and refund of the entire course fees. In the alternative, the Plaintiff claims that there were breaches of contract entitling her to damages.

With regard to the Defendant's counterclaim, the Plaintiff has pleaded the defence of justification. The Plaintiff has sufficient evidence to show that there have been many instances of the Defendant's dishonest dealings with other students.

4. Evidence supporting claim

A. Essential documents

The following *essential* documents are currently being relied on to support our claim (without prejudice to modification after discovery):

- (a) Course brochure

This brochure was given to the Plaintiff by the Defendant's Principal. It contained the alleged statements inducing the Plaintiff to enrol for the course. A copy of the brochure is appended to this statement as "Annex A".

B. Essential witnesses

We currently intend to rely on the following *essential* witnesses if the case goes to court (without prejudice to modification after extracting order of court containing court's directions for exchange of affidavits of evidence-in-chief):

- (a) Ms Chloe See

Ms See was with the Plaintiff when she enrolled for the course at the Defendant school. She heard the statements made by the principal concerning the promises made in the course brochure.

- (b) Ms Denise Bo

Ms Bo enrolled for a similar course with the Defendant school and was similarly disappointed by the Defendant's misrepresentation.

5. Negotiation history

The parties have been engaging in discussions to attempt to settle the dispute privately. The parties have made the following offers on a "without prejudice" basis:

- (a) The Defendant suggested on 2 April 2012 that the parties settle on a "drop hands" basis. The Plaintiff declined as she thinks that the Counterclaim has no merit.
- (b) The Plaintiff made a counter-proposal on 4 April 2012 that the Defendant gave a \$5,000 refund. This was declined by the Defendant without any reasons.

6. Other relevant information for settlement

The Plaintiff and the Defendant's Principal were involved in a previous suit (MC00/2011). This was a claim by the Defendant's Principal against the Plaintiff for defamation concerning a separate incident. The matter was settled in 2011.

Dated this 2nd day of May 2012

[SIGNED]

SOLICITORS FOR THE PLAINTIFF

Form 9K*

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[CASE NUMBER]

OPENING STATEMENT FOR PLAINTIFF/DEFENDANT (NEUTRAL EVALUATION)

1. Parties attending the Neutral Evaluation

- (a) Plaintiff/Defendant/other party to suit
- (b) [Name of any other party attending; reason for attending]
- (c)

Where party is a corporate entity,

- (a) [Name and position of authorised representative of Plaintiff/Defendant]

2. Brief summary of facts

[Summarise your version of facts that gave rise to your claim/defence.]

3. Claim/Defence/Counterclaim/Defence to Counterclaim

[Summarise your legal claim or Defence.]

4. Issues for Neutral Evaluation Evidence supporting claim

A. Legal issues in dispute

- (a) [Summarise legal issue and refer to relevant legal authorities supporting your submission.]
- (b)
- (c)

B. Disputes of Fact and supporting evidence

- (a) [Summarise dispute of fact.]

Refer to *essential* documents you are currently relying on to support your position. This is without prejudice to modification after discovery. Append a copy of the relevant documents to the Opening Statement.

Refer to *essential* witnesses you are relying on, and provide brief outline of what you believe the witnesses will say. This is without prejudice to modification after extracting order of court containing directions for exchange of affidavits of evidence-in-chief.]

- (b)
- (c)

Dated this [-] day of [-] 20__

SOLICITORS FOR THE [PLAINTIFF/DEFENDANT]

SAMPLE OPENING STATEMENT FOR NEUTRAL EVALUATION

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

[CASE NUMBER]

OPENING STATEMENT FOR PLAINTIFF (NEUTRAL EVALUATION)

1. Parties attending the Neutral Evaluation on 7 May 2012

Where party is a corporate entity,

(a) Mr See Chin Chong, director of Plaintiff company Z Renovation Pte Ltd

Ms See is authorised by the Defendant to settle the dispute.

(b) Mr Ho Xin Xin, designer of Plaintiff company Z Renovation Pte Ltd

Mr Ho was directly involved in the renovation of the Defendant's premises.

2. Brief summary of facts

The Defendant Mr Koh Xin Bok engaged the Plaintiff company to carry out renovation works of their property at 20 XX Street, Singapore on 3 January 2012. In a written agreement signed by the parties, the required works were specified in detail and it was stated that \$70,000 to be paid to the Plaintiff in 4 payments. By 2 March 2012, the Defendant had paid a total sum of \$40,000. The last payment of \$30,000 was due on 3 April 2012.

On 15 March, the Plaintiff contacted Mr Ho, alleging that there were defects that had to be repaired before he would make payment. Mr Ho arranged to rectify the alleged defects on 16 March. However, by 21 March, the Defendant told Mr Ho that the rectification was not done satisfactorily. On 22 March, Mr Ho and the Plaintiff's workers were unable to enter the premises as the Defendant had changed the lock. In a heated conversation, the Defendant told Mr Ho that he was terminating the renovation works and would not pay the balance due. The Plaintiff commenced this suit on 2 April 2012 to claim for the sum of \$30,000 due under the contract. The Defendant has counterclaimed for the estimated cost of \$35,000 that is required to rectify the alleged defects.

3. Claim/Defence to Counterclaim

The Plaintiff claims that the Defendant had wrongfully terminated the renovation contract by preventing the Defendant from entering the premises to rectify the defects when they were willing and ready to do so. The specified works in the written agreement were completed by the Plaintiff according to the Defendant's instructions. The Plaintiff now claims for the balance sum due under the written contract, as well as loss of profits caused by the Defendant's wrongful termination.

The Defendant has hired a surveyor to list the alleged defects that were not rectified satisfactorily by the Plaintiff, and to provide the estimated cost of rectification. The Plaintiff avers that many of these items were not defects, and that the cost of rectification in any case would be lower than the Plaintiff's estimated sum of \$35,000.

4. Issues for Neutral Evaluation Evidence supporting claim

A. Legal issues in dispute

Nil.

B. Disputes of Fact and supporting evidence

(a) Whether there were defects

Alleged Defects	Plaintiff's evidence	Defendant's evidence
Uneven floor tiles in kitchen	Plaintiff's photo 1 showing satisfactory quality (photos are appended to this statement) Plaintiff's surveyor report pg 3.	Defendant's surveyor report pg 2.
Damaged doors for kitchen cabinet	Plaintiff's photo 2 showing satisfactory quality (photos are appended to this statement) Plaintiff's surveyor report pg 4	Defendant's surveyor report pg 3.
Defective false wall in living room	Plaintiff's photo 3-5 showing satisfactory quality (photos are appended to this statement) Plaintiff's surveyor report pg 6	Defendant's surveyor report pg 5.
Defective design for study room cabinet	Plaintiff's photo 6-9 showing satisfactory quality (photos are appended to this statement) Plaintiff's surveyor report pg 8	Defendant's surveyor report pg 7.

(b) If there were defects, cost of rectification

Alleged item of defect	Plaintiff's evidence for cost of rectification	Defendant's evidence for cost of rectification
Uneven floor tiles in kitchen	\$3,000 Plaintiff's surveyor report pg 3.	\$10,000 Defendant's surveyor report pg 2.
Damaged doors for kitchen cabinet	\$2,000 Plaintiff's surveyor report pg 4.	\$8,000 Defendant's surveyor report pg 3.
Defective false wall in living room	\$2,000 Plaintiff's surveyor report pg 6	\$5,000 Defendant's surveyor report pg 5.
Defective design for study room cabinet	\$5,000 Plaintiff's surveyor report pg 8	\$12,000 Defendant's surveyor report pg 7.

Dated this 2nd day of May 2012

[SIGNED]

SOLICITORS FOR THE PLAINTIFF

Form 26

APPLICATION FOR RECORDS OF CRIMINAL PROCEEDINGS FOR NON-ICMS CASES

Name of Applicant / Solicitor's Firm : NRIC No. : Address : File Reference No: Email: Telephone No: Facsimile No:	Date of Application Solicitor Acting For :- (✓ where applicable) <input type="checkbox"/> Complainant <input type="checkbox"/> Respondent <input type="checkbox"/> Others: (please specify)
---	--

DOCUMENTS APPLIED FOR
CRIMINAL COURTS CLUSTER

NRIC/ Name of Accused / Complainant / Respondent / Deceased:

Case No:
 (Please specify Case Reference No.)

DAC/MAC No(s):

Coroner's Inquiry No:

Others:

Type of Document (✓ where applicable)

Charges

Complaint Form

Notes of Evidence:
 (please specify hearing dates)

Registrar's Certificate

Statement of Facts

Others:
 (please specify)

Reasons For Application (✓ where applicable)

Misplaced Original Copy of the Order/Charge/Others

To seek legal advice/ representation

For reference

Others :

 (please specify)

(1) I understand that I am to pay the required fees for the above in accordance with regulation 2(1)(a) (ii), (1)(b) and (2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013 or paragraph 3 of the Fees (State Courts – Criminal Jurisdiction) Order 2014, as applicable, upon submission of the application Form. I also understand that the document(s) applied for can only be collected after the stipulated payment has been made.

(2) I also understand that the Court, upon approval of the application, will only release the document(s) applied for to parties named in the action or their solicitors.

(3) I also understand that my application will be deemed as lapsed if the document(s) applied for is/are not collected within 21 days from the date I am informed on the availability thereof. I also understand that I am required to provide a **Letter of Authorisation** for another person to collect the requested document(s) on my behalf if I am unable to collect them personally.

_____ Signature of Applicant _____ Date

FOR OFFICIAL USE ONLY

The application is: Approved Not approved
 (✓ where applicable) Reasons for rejection (where applicable):

Name and Signature of District Judge/Magistrate/Deputy Registrar

- Total Fees payable : - Minimum Fees payable (\$15 x no. of document types applied): - Paid on: _____ Receipt No: _____ - Balance Fees payable (\$0.50 per page, where applicable): - Paid on: _____ Receipt No: _____	No. of documents collected: No. of Pages:	Document(s) collected by: Name & Signature of Collector NRIC/Passport/ FIN No: Date:
---	--	---

1. All requests for copies of the records of any criminal proceedings are subject to the approval of the court.
2. Once the request has been approved and the applicant has been informed on the availability of the requested document(s) and the cost (where applicable), the said documents will be available for collection for a period of 21 days. Any document(s) not collected within the stipulated period will be destroyed and a fresh request must be submitted thereafter if the applicant still requires the document(s).
3. An application for copies of the records of any criminal proceedings will only be processed after the stipulated payment has been made.

Prescribed Fees

4. The fees payable are as follows:

Document Type	Fee Amount	Remarks
Registrar's Certificate ¹	\$20	Payable upon Application
All other documents (including a copy of any Judgment, Sentence, Order, Deposition or other part of the record of any criminal proceedings ²	\$5 for each type of document requested in the application and \$0.50 per page thereof, subject to a minimum of \$15 per document.	Minimum of \$15 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>
Application for an additional copy of the record of any criminal proceedings or the Grounds of Decision ³	\$0.50 for each page thereof, subject to a minimum of \$10 for each copy of the record of proceedings and grounds of decision	Minimum of \$10 (per document) payable upon Application <i>*Any additional amount (based on number of pages) may be payable before collection of the document(s).</i>

5. There is a \$5 non-refundable application fee for each type of document applied for. A fee of \$0.50 for each page of the document, subject to a minimum fee of \$15 for each type of document requested is also payable. The total sum of \$15 is payable when the application for the records is submitted.
6. The additional amount of fee (based on the actual number of pages provided) is payable before the document(s) can be collected.

Refund of Fees Paid

7. The \$5 application fee is non-refundable.
8. A refund of the minimum fee already collected will only be made through directly crediting the applicant's bank account. The applicant must furnish the photocopies of the following:
 - a. applicant's NRIC or Passport; and
 - b. applicant's bank statement or savings passbook (reflecting his name and the account number)

Payment Modes

9. Local Applicants: Cash, NETS or local Solicitor's cheque
[For cheque payment, please make the cheque payable to "Registrar, State Courts" and indicate the Case Number at the back of the cheque]
10. Overseas Applicants: Bank Draft in Singapore Currency (payable to Registrar, State Courts)
Payment should also include all bank charges

Contact Us

For enquiries pertaining to court records, please email us at contact@statecourts.gov.sg or call us at (65) 6587 8423 for assistance.

¹ Pursuant to section 45A(4) of the Evidence Act (Cap. 97).

² Pursuant to paragraph 3 of the Fees (State Courts – Criminal Jurisdiction) Order 2014, and regulation 2(2) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 426(1) of the Criminal Procedure Code (Cap. 68).

³ Pursuant to regulation 2(1)(b) of the Criminal Procedure Code (Prescribed Fees) Regulations 2013, read with section 377(6) of the Criminal Procedure Code (Cap. 68).

Form 51

**APPLICATION FOR REPRESENTATION UNDER SECTION 29(2)(a) OF THE
COMMUNITY DISPUTES RESOLUTION ACT**

IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Date: _____

Application No: _____ **(for official use only)**

1. _____, bearing Identification Number
_____ (Date of Birth: _____), the
*Plaintiff / Respondent in Case No. _____ is below 21 years old as at
_____.

2. I, _____, bearing Identification Number
_____, am related to _____ in the following way:

(Please tick the appropriate box)

- Parent
- Guardian
- State relationship: _____

My address is _____ and my contact number is
_____.

3. I am applying to present the case on *his/ her behalf as *he/ she is unable to present
*his/ her own case.

4. I enclose the following document(s) in support of this application:

5. I confirm that the *Plaintiff / Respondent has no objections to my application.

6. I declare that the information that I have provided in this application and the supporting
documents is true and correct. I am aware that I am liable to prosecution if I have provided in
this application and the supporting documents any information which I know or have reason to
believe is false.

Signature of *Plaintiff / Respondent

Signature of Representative

** Delete where inapplicable*

EXPLANATORY NOTE TO THE APPLICANT

[a] Please attach the following documents to the original application form:

- (i) Photocopy of the identification document (e.g. NRIC, passport) of the Plaintiff / Respondent and the intended representative; and
- (ii) Photocopy of the supporting document(s).

The original application form and the above documents must be submitted to the Registry located at Level 2 of the State Courts before the next scheduled Hearing.

[b] The Plaintiff / Respondent and the intended representative must attend the next scheduled Hearing, where the Tribunal will decide on the application.

[c] If the Plaintiff / Respondent is unable to attend the next scheduled Hearing, please provide full reasons on why he / she is unable to do so and enclose a photocopy of the supporting document(s).

[d] This application should be made only if the Plaintiff / Respondent is UNABLE to present his or her own case for the reason(s) stated.

[e] The intended representative must not be an agent, whether paid or otherwise.

[f] The intended representative must have sufficient knowledge of the case and must have sufficient authority to bind the party whom he represents.

IMPORTANT: THIS FORM MUST BE TYPE-WRITTEN.

Form 52

**APPLICATION FOR REPRESENTATION UNDER SECTION 29(2)(b) OF THE
COMMUNITY DISPUTES RESOLUTION ACT**

IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Date: _____

Application No: _____ **(for official use only)**

1. I _____, bearing Identification Number _____, the *Plaintiff / Respondent in Case No. _____ am not a resident in Singapore and am unable to remain in Singapore until the hearing of the case.

2. I duly authorise _____, bearing Identification Number _____, to present the case on my behalf. *His / Her address is _____ and *his / her contact number is _____.

3. I enclose the following document(s) in support of this application:

4. I confirm that the Representative has no objections to my application.

5. I declare that the information that I have provided in this application and the supporting documents is true and correct. I am aware that I am liable to prosecution if I have provided in this application and the supporting documents any information which I know or have reason to believe is false.

Signature of *Plaintiff / Respondent

Signature of Representative

** Delete where inapplicable*

EXPLANATORY NOTE TO THE APPLICANT

[a] Please attach the following documents to the original application form:

- (i) Photocopy of the identification document (e.g. NRIC, passport) of the Plaintiff / Respondent and the intended representative; and
- (ii) Photocopy of the supporting document(s).

The original application form and the above documents must be submitted to the Registry located at Level 2 of the State Courts before the next scheduled Hearing.

[b] The Plaintiff / Respondent and the intended representative must attend the next scheduled Hearing, where the Tribunal will decide on the application.

[c] If the Plaintiff / Respondent is unable to attend the next scheduled Hearing, please provide full reasons on why he / she is unable to do so and enclose a photocopy of the supporting document(s).

[d] This application should be made only if the Plaintiff / Respondent is UNABLE to present his or her own case for the reason(s) stated.

[e] The intended representative must not be an agent, whether paid or otherwise.

[f] The intended representative must have sufficient knowledge of the case and must have sufficient authority to bind the party whom he represents.

IMPORTANT: THIS FORM MUST BE TYPE-WRITTEN.

Form 53

**APPLICATION FOR REPRESENTATION UNDER SECTION 29(2)(c) OF THE
COMMUNITY DISPUTES RESOLUTION ACT – SELF-INITIATED
IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS**

Date: _____

Application No: _____ **(for official use only)**

1. I _____, bearing Identification Number _____, the *Plaintiff / Respondent in Case No. _____, am unable to present my own case by reason of:

(Please tick the appropriate box)

- Old age
- Illiteracy
- Infirmity of mind
- Infirmity of body

2. I duly authorise _____, bearing Identification Number _____, to present the case on my behalf. *His / Her address is _____ and *his / her contact number is _____.

3. I enclose the following document(s) in support of this application:

4. I confirm that the Representative has no objections to my application.

5. I declare that the information that I have provided in this application and the supporting documents is true and correct. I am aware that I am liable to prosecution if I have provided in this application and the supporting documents any information which I know or have reason to believe is false.

Signature of *Plaintiff / Respondent

Signature of Representative

** Delete where inapplicable*

EXPLANATORY NOTE TO THE APPLICANT

[a] Please attach the following documents to the original application form:

- (i) Photocopy of the identification document (e.g. NRIC, passport) of the Plaintiff / Respondent and the intended representative; and
- (ii) Photocopy of the supporting document(s).

The original application form and the above documents must be submitted to the Registry located at Level 2 of the State Courts before the next scheduled Hearing.

[b] The Plaintiff / Respondent and the intended representative must attend the next scheduled Hearing, where the Tribunal will decide on the application.

[c] If the Plaintiff / Respondent is unable to attend the next scheduled Hearing, please provide full reasons on why he / she is unable to do so and enclose a photocopy of the supporting document(s).

[d] This application should be made only if the Plaintiff / Respondent is UNABLE to present his or her own case for the reason(s) stated.

[e] The intended representative must not be an agent, whether paid or otherwise.

[f] The intended representative must have sufficient knowledge of the case and must have sufficient authority to bind the party whom he represents.

IMPORTANT: THIS FORM MUST BE TYPE-WRITTEN.

Form 54

**APPLICATION FOR REPRESENTATION UNDER SECTION 29(2)(c) OF THE
COMMUNITY DISPUTES RESOLUTION ACT – INITIATED BY THIRD PARTY
IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS**

Date: _____

Application No: _____ **(for official use only)**

1. _____, bearing Identification Number _____, the *Plaintiff / Respondent in Case No. _____, is unable to present *his / her own case by reason of:

(Please tick the appropriate box)

- Old age
- Illiteracy
- Infirmity of mind
- Infirmity of body

2. I, _____, bearing Identification Number _____, am applying to present the case on *his / her behalf. My address is _____ and my contact number is _____.

3. I enclose the following document(s) in support of this application:

4. I confirm that the *Plaintiff / Respondent has no objections to my application.

5. I declare that the information that I have provided in this application and the supporting documents is true and correct. I am aware that I am liable to prosecution if I have provided in this application and the supporting documents any information which I know or have reason to believe is false.

Signature of *Plaintiff / Respondent

Signature of Representative

** Delete where inapplicable*

EXPLANATORY NOTE TO THE APPLICANT

[a] Please attach the following documents to the original application form:

- (i) Photocopy of the identification document (e.g. NRIC, passport) of the Plaintiff / Respondent and the intended representative; and
- (ii) Photocopy of the supporting document(s).

The original application form and the above documents must be submitted to the Registry located at Level 2 of the State Courts before the next scheduled Hearing.

[b] The Plaintiff / Respondent and the intended representative must attend the next scheduled Hearing, where the Tribunal will decide on the application.

[c] If the Plaintiff / Respondent is unable to attend the next scheduled Hearing, please provide full reasons on why he / she is unable to do so and enclose a photocopy of the supporting document(s).

[d] This application should be made only if the Plaintiff / Respondent is UNABLE to present his or her own case for the reason(s) stated.

[e] The intended representative must not be an agent, whether paid or otherwise.

[f] The intended representative must have sufficient knowledge of the case and must have sufficient authority to bind the party whom he represents.

IMPORTANT: THIS FORM MUST BE TYPE-WRITTEN.

Form 58

**ORDER TO A WITNESS UNDER RULE 13(2) OF THE COMMUNITY DISPUTES
RESOLUTION TRIBUNALS RULES 2015**

IN THE COMMUNITY DISPUTES RESOLUTION TRIBUNALS

Claim No./ Application No.)

Of 20 .)

Between

(Name of Plaintiff)

And

(Name of Respondent)

ORDER TO A WITNESS

To: (Name of person) of (Official Address)

You are required to attend at:

Hearing date / time:

Venue: State Courts, Level 3

Before: Tribunal Judge

Mode of attendance:

In person.

Purpose of attendance:

(1) To give evidence at the Hearing where you shall be examined and cross-examined.

(2) To produce the following specified documents at the Hearing:

(Specify the documents to be produced).

(3) To file the following written report at the Hearing.

(Specify the nature of report to be filed).

Dated this day of , 20 .

Registrar

Form 99

COMMUNITY COURTS & TRIBUNALS

APPLICATION FOR CCT FRIEND

A. Details of Claim/Counterclaim: _____

Name of Applicant: _____ ID Number/contact number : _____

B. Particulars of Proposed CCT Friend:

Name: _____

ID Number: _____ Contact Number: _____

Email Address: _____ Relationship to applicant: _____

Address: _____

C. Reasons for Application (with supporting documents to be enclosed with application):

- I am applying for the CCT Friend to assist me to provide administrative and emotional support in the conduct of my Case in proceedings before a tribunal and the Registrar, such as:
 - (a) assisting in the preparation and filing of documents relevant to the proceedings;
 - (b) providing emotional and moral support and offering practical guidance on non-legal issues throughout the proceedings;
 - (c) assisting me in proceedings before a tribunal or the Registrar (e.g. by taking relevant notes of the proceedings and directions given by tribunal or Registrar or by organising documents and helping to locate the correct document for use in proceedings); and
 - (d) reviewing the notes taken with me after the hearing and explaining the directions made by a tribunal or the Registrar.
- I am applying for the CCT Friend to assist me in interpreting spoken communications in the proceedings before a tribunal or registrar, including any document (or part thereof) filed for use and referred to in the aforesaid proceedings.

D. Declaration:

- I declare that the person named at Part B above has agreed to assisting me as my CCT Friend, is aware of his/her obligations under the applicable Practice Direction and prepared to give an undertaking and declaration in the prescribed form below.
- I declare that all the information provided above and supporting documents are true and correct.
- I am aware that I am liable to prosecution if I have provided in this application and the supporting documents any information which I know or have reason to believe is false.

Dated this _____ day of _____ 20__

Signature of Applicant

FOR OFFICIAL USE ONLY

Received On: _____

Approved

Not Approved

Signature : _____

Registrar/Tribunal of the *Employment Claims Tribunals/Small Claims Tribunals/ Community
Disputes Resolution Tribunals

UNDERTAKING & DECLARATION BY THE CCT FRIEND

I, _____ (NRIC No. _____) having been permitted by the *registrar/tribunal of the *Employment Claims Tribunals/Small Claims Tribunals/ Community Disputes Resolution Tribunals to assist the above person in the proceedings before the aforesaid tribunal hereby consent to assist the above person and declare and undertake as follows:

(I) In providing such assistance and support, I shall not:

- (a) provide legal advice on the merits of the case and/or legal representation to the above person;
- (b) advise the above person on how to present his case or how to respond to his opponent's case;
- (c) manage the above person's cases outside court or act as his agent when dealing with other parties;
- (d) exercise any of the privileges extended to advocates and solicitors under the Legal Profession Act (Cap 161, 2009 Rev Ed), such as to address the tribunal or registrar, make oral submissions, conduct litigation, examine witnesses, sign tribunal documents on the above person's behalf, act as his agent or manage his case outside the proceedings;
- (e) communicate with the above person during the proceedings in a manner that would disrupt the proceedings;
- (f) divulge any information (communicated to me by the above person for the purpose of obtaining assistance from me, or acquired by me in the course of the tribunal proceedings) to any third party in relation to the tribunal proceedings in breach of my duty of confidentiality; and/or
- (g) receive any remuneration or reward for my services.

(II) As a CCT Friend assisting the above person, I shall not provide any assistance and support if I:

- (a) am or may be named as a witness in the proceedings by a party to a dispute;
- (b) have a direct or indirect interest in the outcome of a claim in the dispute;
- (c) am an advocate or solicitor or a legally qualified person from any jurisdiction; and/or
- (d) am a housing agent of the above person and the dispute involves a tenancy or any other housing matter in which I am acting for him.

(III) At any time during the proceedings, I shall not act against the interests of justice and fairness, or impede or obstruct the administration of justice, such as (but not limited to) where:

- (a) the assistance provided by me is improper;
- (b) the assistance provided by me is unreasonable in nature or degree;
- (c) it is apparent to the tribunal or registrar or the opposing party that I am not well versed or competent enough to interpret spoken communications in the proceedings, including any document (or part thereof) filed for use and referred to in the proceedings, for the above person;

- (d) I become disruptive through my words or behaviour (such as by rolling my eyes, huffing, snickering etc.);
- (e) I distract the above person or take over the proceedings on his behalf, or seek or attempt to act as a lawyer for him, such as by speaking directly to the opposing party; and/or
- (f) I act in breach of any one or more of the above declarations and undertakings.

Dated this _____ day of _____ 20__

Signature of CCT Friend

APPENDIX B

GUIDELINES FOR COURT DISPUTE RESOLUTION FOR NON-INJURY MOTOR ACCIDENT CLAIMS AND PERSONAL INJURY CLAIMS

1. Introduction

- 1.1 The State Courts' Court Dispute Resolution Cluster (CDRC) provides Court Dispute Resolution (CDR) services for all civil matters. Two main processes – mediation and neutral evaluation – are used.
- 1.2 According to Practice Directions 37 and 38, all non-injury motor accident claims and personal injury claims are to proceed for CDR within 8 weeks after the Memorandum of Appearance has been filed.
- 1.3 Neutral evaluation will be used in the CDR sessions for these cases. This Appendix sets out the guidelines to be followed by solicitors.

2. Application

- 2.1 The guidelines in this Appendix shall apply to all writs for non-injury motor accident and personal injury claims that are filed in Court on or after 1st April 2016 and to all motor accident cases (whether or not involving any claim for personal injuries) and actions for personal injuries arising out of an industrial accident that are commenced in the High Court on or after 1st December 2016 and transferred to the District Court.

3. Date of CDR

- 3.1 As stated in Practice Directions 37(2) and 38(2), solicitors in these cases will receive a notice from the Court fixing the first CDR session.
- 3.2 A request for an adjournment of a CDR session shall be made **only** by filing a "Request for Refixing/Vacation of Hearing Dates" via the Electronic Filing Service.
- 3.3 The applicant must obtain the consent of the other parties to the adjournment, and list the dates that are unsuitable for all the parties.
- 3.4 The request must be made *not less than 2 working days before the date of the CDR*.
- 3.5 An adjournment of a CDR session will be granted only for good reason e.g. the solicitor is engaged in a trial or other hearing in the High Court or the State

Courts, is away on in-camp training, is overseas, or on medical leave; or the party or his witness, if asked to attend, is out of the country or otherwise unavailable for good reason.

3.6 A CDR session from which one or all parties are absent without good reason will be counted as one CDR session.

4. Attendance at CDR

4.1 Only solicitors are required to attend CDR sessions. Their clients need not be present unless the Judge directs their attendance.

4.2 In certain cases, the Judge may direct the parties to attend subsequent CDR sessions. For instance, the drivers of the vehicles involved in a motor accident and eyewitnesses may be asked to be present at a later CDR session for the purpose of a more accurate neutral evaluation or to facilitate in negotiating a settlement.

5. Preparation for CDR

5.1 In all non-injury motor accident and personal injury claims, solicitors should exchange before the first CDR session, a list of all the relevant documents relating to both liability and quantum.

5.2 In addition, solicitors should exchange the following documents before the first CDR session:

5.2.1 For CDRs for motor accident claims -

- (a) Full and complete Singapore Accident Statements and police reports including the names, identity card numbers and addresses of all persons involved in the accident, together with type-written transcripts of their factual accounts of the accident;
- (b) Police sketch plan and if unavailable, the parties' sketches of the accident;
- (c) Results of police investigations or outcome of prosecution for traffic offence(s);
- (d) Police vehicle damage reports;
- (e) Original, coloured copies or scanned photographs of damage to all vehicles;

- (f) Original, coloured copies or scanned photographs of the accident scene;
- (g) Video recording of the accident (if any);
- (h) Accident reconstruction report (if any);
- (i) Names and addresses of witnesses (if any);
- (j) Repairer's bill and evidence of payment;
- (k) Surveyor's report;
- (l) Excess bill or receipt;
- (m) Vehicle registration card;
- (n) COE/PARF certificates;
- (o) Rental agreement, invoice and receipt for rental of replacement vehicle (if any);
- (p) Correspondences with the defendant's insurer relating to pre-repair survey and/or post-repair inspection of the plaintiff's vehicle;
- (q) Any other supporting documents.

5.2.2 For CDRs for **personal injury claims** or where **personal injury forms part of the motor accident claim** -

- (a) Medical reports from the treating doctor, reviewing doctor and medical specialist;
- (b) Certificates for hospitalisation and medical leave;
- (c) Bills for medical treatment and evidence of payment;
- (d) Income tax notices of assessment and/or other evidence of income and loss thereof;
- (e) Supporting documents for all other expenses claimed (if any).

5.2.3 For CDRs for **industrial accidents** -

- (a) The parties' sketches of the accident;
- (b) Notice of accident lodged with the Ministry of Manpower;
- (c) Ministry of Manpower's investigation reports (if any);
- (d) Notice of Assessment from the Occupational Safety and Health Division, Ministry of Manpower (if any);
- (e) Outcome of prosecution (if any);
- (f) Original, coloured copies or scanned photographs of the accident scene;
- (g) Video recording of the accident (if any);
- (h) Names and addresses of witnesses (if any);
- (i) Any other supporting documents.

5.2.4 For CDRs for **any personal injury claim not involving motor accidents or industrial accidents** -

- (a) The parties' sketches of the accident;
- (b) Original, coloured copies or scanned photographs of the accident scene;
- (c) Video recording of the accident (if any);
- (d) Names and addresses of witnesses (if any);
- (e) Any other supporting documents.

5.3 ***Documents and instructions***

5.3.1 Solicitors shall endeavour to obtain from their clients all documents in good time for exchange between the parties before the first CDR session. They should also check that all documents needed for consideration of the claim are ready. If any *additional* documents apart from those referred to in paragraph 5.2 are required, this shall be made known to the other party well before the CDR date. If a re-inspection of the other

party's vehicle is required, it shall be conducted and the report exchanged before the first CDR session.

5.3.2 It is very important that solicitors take *full and complete* instructions from their respective clients before attending the CDR session. Before the CDR session, solicitors should evaluate with their clients the documents and reports and advise their clients on all the relevant aspects of their case.

5.3.3 Where a party is relying on the factual account of any witness in support of his case, a signed statement or Affidavit of Evidence-in-Chief should be procured from that witness and submitted to the Court at the first CDR session to enable the Court to be fully apprised of all the relevant evidence.

5.3.4 Insurers should notify their solicitors if, to their knowledge, other claims arising from the same accident have been filed in Court. Solicitors should assist the Court in identifying these related claims so that all the claims may be dealt with together at CDR sessions for a consistent outcome on liability. If an indication on liability has been given or interlocutory judgment has been entered in any related claim(s), solicitors should notify the Court accordingly and endeavour to resolve the remaining claims(s) on the same basis.

5.3.5 Third party proceedings, if any, should be commenced before the first CDR session.

5.4 To make the full use of CDR sessions, it is essential that solicitors be well prepared and familiar with their cases. This also applies to duty solicitors assigned by their firms to deal with the firm's cases on a particular day. Duty solicitors must receive their files in good time and with clear instructions from the solicitor in charge so that they can familiarise themselves with the cases, understand the basis of instructions (i.e. why a certain position is taken) and to act on them (e.g. to convey the clients' offer on quantum or liability to the opposing solicitor). Duty solicitors must, after the CDR session, ensure that they convey to the solicitor in charge, the rationale for the Judge's indication, the discussion at CDR sessions, and the follow-up action to be taken before the date of the next CDR session.

6. CDR Session

Claims subject to the simplified process under Order 108 of the Rules of Court

6.1 All cases commenced by writ on or after 1st November 2014 in a Magistrate's Court and any case commenced by writ on or after 1st November 2014 in a District Court (where parties have filed their consent in Form 233 of Appendix

A of the Rules of Court for Order 108 to apply) will be subject to the simplified process under Order 108 of the Rules of Court (Cap. 322, R 5).

- 6.2 The requirement for upfront discovery under Order 108 Rule 2(4) of the Rules of Court (Cap. 322, R 5) and Practice Direction 19 (Upfront discovery) apply to such cases.
- 6.3 These claims will continue to be called for CDR within 8 weeks after the filing of the memorandum of appearance. There will be no case management conference convened. The rest of the guidelines in Appendix B also apply to CDRs for these claims.
- 6.4 Where parties are unable to resolve the case through CDR, the Court will manage the case, having regard to the provisions in Order 108 Rule 5 of the Rules of Court, by, inter alia, —
 - (a) giving such directions as the Court thinks fit in order to ensure that the case progresses expeditiously (including directions for the list of witnesses to be called for trial, the appointment of a single joint expert where appropriate, the exchange and filing of Affidavits of Evidence-in-Chief and setting the matter down for trial);
 - (b) fixing timelines to manage and control the progress of the case; and
 - (c) taking such other action or making such other direction as the Court thinks appropriate in the circumstances including costs sanctions or unless orders.
- 6.5 Where any question requiring the evidence of an expert witness arises and parties are unable to agree on the expert to be appointed, the Court may, having regard to the provisions in Order 108, Rule 5(3) of the Rules of Court, appoint the expert for the parties at a CDR session. Each party is expected to furnish the following for the determination of the single joint expert:
 - (a) names and *curriculum vitae* of two experts the party considers suitable to appoint (for which purpose a party may nominate the expert who has conducted an inspection, survey or review for him or provided him with medical treatment);
 - (b) the fees charged by each nominated expert for preparing the report and attendance in Court;
 - (c) the estimated time needed to prepare the report; and
 - (d) whether the parties have complied with the pre-action protocol.

The Court will appoint the single joint expert after hearing submissions on the suitability or unsuitability of the nominated experts to be appointed.

Indications on liability and quantum

- 6.6 For NIMA and PIMA cases, the Court will provide an indication on liability if —
- (a) the factual matrix of the particular motor accident does not correspond substantially with any of the scenarios set out in the *Motor Accident Guide* (1st Edn., 2014 State Courts, Singapore) (“*Motor Accident Guide*”); or
 - (b) despite the parties’ reasonable efforts in resolving the question of liability through negotiation with reference to the *Motor Accident Guide* before the CDR session, no settlement has been reached.
- 6.7 Solicitors for all the parties seeking an indication on liability in NIMA and PIMA cases must submit a duly completed “Liability Indication Form (NIMA and PIMA Claims)” (see Form 9A) to the Court at the first CDR session. Except in cases where no corresponding scenario is provided for in the *Motor Accident Guide*, solicitors must specify in the Liability Indication Form the scenario(s) in the *Motor Accident Guide* that is/are relevant to the parties’ factual accounts of the accident and state their respective proposals on liability.
- 6.8 Solicitors for all parties seeking an indication on liability in industrial accident cases must submit a duly completed “Liability Indication Form (Industrial Accident Claims)” (see Form 9A(A)) to the Court at the first CDR session.
- 6.9 In CDR sessions for all personal injury claims, *except PIMA claims*, the Court will provide an indication on *both liability and quantum* of the claim. Solicitors for all the parties shall submit a duly completed “Quantum Indication Form” (see Form 9B) to the Court at the first CDR session.
- 6.10 In respect of PIMA cases, whether or not an indication on liability is given, the Court may, at its own discretion in appropriate cases or at solicitors’ request, provide an indication on quantum. Solicitors requesting for an indication on quantum must obtain each other’s consent before the CDR session, and submit the duly completed Quantum Indication Form (i.e. Form 9B) to the Court.

7. Help and Co-operation of Insurers in facilitating CDR

7.1 Insurers play a key role in the success of CDR. CDR sessions are intended for substantive discussion of the issues. A CDR is unproductive if:

7.1.1 parties have not —

(a) exchanged the relevant documents listed in paragraph 5; or

(b) identified the scenario(s) in the *Motor Accident Guide* that is/are relevant to their respective factual accounts of the accident

well before the CDR session to facilitate assessment and discussion of options;

7.1.2 one or more of the solicitors for the parties have not received or are still taking client's instructions; or

7.1.3 parties are still negotiating or are awaiting instructions upon a counter-offer.

8. Follow up action after CDR

8.1 Solicitors must inform their clients of the outcome of a CDR session and render their advice quickly on the liability and/or quantum indications given by the Court. To facilitate settlement, solicitors should obtain their clients' instructions and make the necessary proposals or offers of settlement early to enable the other party to consider their position or proposal and respond before the next CDR date. Reasons shall be given for the position taken on liability and/or quantum so that the solicitors can inform the Court of the basis for their clients' mandate at the next CDR session.

8.2 Rather than refraining from taking a position on liability or insisting that agreement on liability is *contingent* on quantum being settled at a particular sum (as is sometimes the case), parties who are able to agree on the issue of liability but not quantum shall consider allowing an *Interlocutory Judgment* to be recorded for liability and proceed for assessment of damages. A hearing to assess damages is far less costly than a full trial.