



INFORMATION FOR ATTORNEYS APPEARING BEFORE THE CARIBBEAN COURT OF JUSTICE

1. WHO MAY APPEAR BEFORE THE COURT

A. WHO MAY APPEAR- APPELLATE JURISDICTION

For the Purposes of the Appellate Jurisdiction of the Court, the Caribbean Court of Justice (Appellate Jurisdiction) Rules of Court provides

At rule 1.2:

“attorney-at-law” means an attorney-at-law, a legal practitioner or advocate duly admitted to practise law in the courts of a Contracting Party,

And at rule 4.1:

“Representation

- 4.1 (1) *In all proceedings before the Court a party shall have an attorney-at-law on the record.*
- (2) *A party may appear at any hearing in person or by an attorney-at-law.”*

B. WHO MAY APPEAR – ORIGINAL JURISDICTION

For the Purposes of the Original Jurisdiction of the Court, the Caribbean Court of Justice (Original Jurisdiction) Rules of Court provide,

At rule 1.2:

“attorney-at-law” means an attorney-at-law, a legal practitioner or advocate duly admitted to practise law in the courts of a Contracting Party;”

And at rules 4.1 and 4.2:

“Representation

- 4.1 *In all proceedings before the Court a party shall be represented on the record by an attorney-at-law or in the case of a Member State, an agent.*

Right of Audience

- 4.2 (1) *A party may appear at any hearing in person or by an attorney-at-law or in the case of a Member State, by an agent.*

- (2) *The Court may grant a right of audience to any legally qualified person for the purposes of a particular matter.”*

2. PRIVILEGES, RIGHTS AND IMMUNITIES

The Agreement Establishing The Seat Of The Caribbean Court Of Justice And The Offices Of The Regional Judicial And Legal Services Commission Between The Government Of Trinidad & Tobago And The Caribbean Court Of Justice And The Regional Judicial And Legal Services Commission (**The Headquarters Agreement**)

states at ARTICLE X under the rubric “COUNSEL APPEARING IN PROCEEDINGS BEFORE THE COURT”:

“1. Counsel appearing in proceedings before the Court while present in Trinidad and Tobago shall, in the performance of their functions connected with such proceedings, enjoy:

(a) inviolability of all papers, documents and materials relating to the proceedings before the Court;

(b) immunity from personal arrest or detention in relation to words spoken or written or acts performed by them in relation to proceedings before the Court;

(c) exemption from immigration restrictions, alien registration requirements and national service obligations;

(d) the same privileges and facilities in respect of currency and exchange restrictions in relation to their appearance in proceedings before the Court as are accorded to representatives of Government on temporary official missions.

2. Counsel mentioned in paragraph 1 of this Article shall enjoy, in respect of words written or spoken and all acts done by them in the conduct of proceedings before the Court, immunity from legal process. The immunity shall continue although the person entitled is no longer conducting proceedings before the Court.

3. The privileges, immunities and facilities mentioned in this Article are only intended to assist counsel in the efficient representation of clients in proceedings before the Court and shall not be employed to circumvent applicable laws and regulations of Trinidad and Tobago.”

The Headquarters Agreement further states at ARTICLE XII under the rubric “FACILITATION OF TRAVEL”

“1. Subject to the laws or regulations restricting entry or movement for reasons of national security, the Government shall extend all facilities for the uninterrupted passage within Trinidad and Tobago as well as for the entry and departure therefrom of the categories of persons indicated below.

...

(d) parties to and applicants in proceedings before the Court and counsel appearing representing them in such proceedings;

...

2. *The Court Executive Administrator shall communicate to the Government the names of the persons mentioned in paragraph 1 of this Article.*

3. *This Article shall not be applicable in case of a general interruption of transportation and shall not impede the effective application of laws in force nor waive reasonable application of quarantine and health regulations.”*

In order for me to communicate to the Government of the Country of the Seat of the Court the names of the persons mentioned in paragraph 1 of Article XII, please forward to me for each person in writing at the address, fax number or e-mail address below, the following:

Name:

Address:

Nationality:

Party Type: (attorney at law/applicant/respondent/defendant/appellant/----representative/etc...)

Case Number and Name:

Regional Bar Number: (for attorneys)

Expected arrival: (date, time, airline and flight number)

Expected departure: (date, time, airline and flight number)

3. ADDRESSING THE COURT

The Judges of the Court are addressed as “Your Honour”.

An attorney addressing the Court will be required to move from his seat at the bar table to the speaker’s lectern to do so.

4. MODE OF DRESS WHEN APPEARING BEFORE THE COURT

Attorneys appearing before the Court are expected to dress as they would to address the Supreme Court in their home state. Wigs however are not required. For a case management conference attorneys are required to dress as they would for chamber court or for a case management conference in their home state

5. REGIONAL BAR NUMBER

A regional bar number is being issued to each attorney at law in the Caribbean Community. When you receive this number, you will be required to quote it in correspondence with the Caribbean Court of Justice.

For further information, I may be contacted at :

Caribbean Court of Justice
134 Henry Street
Port of Spain
Trinidad and Tobago

Telephone: **Voice:** (868) 623-2CCJ Ext 2225
Fax: (868) 624-4710
E-mail: administration@caribbeancourtjustice.org

Master Christie-Anne Morris-Alleyne
Court Executive Administrator
Caribbean Court of Justice