

ROYAL COURT OF JERSEY

RC 24/04

Affidavits for use in Proceedings before the Royal Court and the Master or other applications made to the Bailiff, the Master or the Judicial Greffier

1. Practice Direction 05/30 provides that *“All affidavits filed by parties in support of hearings before the Royal Court and the Master or other applications made to the Bailiff, the Master or the Judicial Greffier will be returned...within a period of three months from the date on which the decision was made based on the contents of that affidavit”*.
2. This Practice Direction reflects an obligation to file original affidavits with the Judicial Greffier where those affidavits are to be used *“before the Royal Court and the Master or other applications made to the Bailiff, the Master or the Judicial Greffier”*.
3. In practice, compliance with that obligation is far from uniform. Further, given the volume of material filed and the extremely limited occasions when recourse is had to that material, compliance with the obligation does not necessarily assist with the efficient dispatch of justice, particularly as most affidavits are filed by Jersey lawyers, who are officers of the Court and have obligations to preserve documents.
4. Accordingly, from the date of this Practice Direction:
 - a. Litigants represented by Jersey law firms or the Law Officers’ Department shall not file affidavits (or their exhibits) with the Judicial Greffe unless the Court otherwise orders or the Royal Court Rules so provide;
 - b. All other litigants are reminded that they must file with the Judicial Greffe a copy of any affidavits and exhibits to be relied upon in any matter before the Royal Court;
 - c. Where an affidavit is required to be filed with the Judicial Greffe, unless otherwise ordered:

- i. a copy of the affidavit and any exhibits shall be filed electronically by sending the documents to JGRcourtdocuments@courts.je and including in the subject line the word "Affidavit", the case title and the case reference;
 - ii. should it be impractical for a litigant to file a copy of any affidavit electronically, they should contact the Judicial Greffier who will arrange for the affidavit to be filed electronically and the original to be returned to the litigant;
 - iii. the Judicial Greffe shall retain an electronic copy of the affidavit and exhibits for a period of three months from the conclusion of the matter.
 - d. The Judicial Greffe will return to the respective Jersey law firms and/or the Law Officers' Department any original affidavits (and exhibits if relevant) filed before the date of this Practice Direction.
5. Nothing in this Practice Direction impacts on:
- a. the power of the Court to impound an affidavit under Article 2(2) of the Affidavits (Advocates and Solicitors) (Jersey) Law 1992; or
 - b. affidavits uploaded to the Court's Case Centre bundling platform for use as part of a Court bundle.
6. Practice Direction 05/30 is hereby revoked.