

PRACTICE NOTE 1

PROCEDURE ON OPENING AND CLOSING SITTINGS AND CHAMBERS OF THE SUPREME COURT

At the appointed time the presiding Clerk of the Court will check the courtroom to ensure that counsel are in their places and everything is ready. The Clerk will then advise the presiding Judge and after having done so, will enter the courtroom immediately ahead of the Judge and say – “ORDER - ALL RISE”

The Judge and the Court Clerk will then take their respective places and while everyone is standing the Court Clerk will formally announce the opening of the court.

OPENING FOR CHAMBERS:

Her Majesty’s Supreme Court for the Province of Prince Edward Island for the hearing of motions and applications is now in session. All persons having anything to do thereat may attend and they shall be heard. GOD SAVE THE QUEEN.
His Lordship Mr. Justice (Her Ladyship Madam Justice) _____
_____presiding.

OPENING FOR TRIAL AND SUMMARY CONVICTION APPEALS:

Her Majesty’s Supreme Court for the Province of Prince Edward Island
(a) for the trial of civil cases with/without jury;
(b) for the trial of criminal cases with/without jury;
(c) for the hearing of summary conviction appeals;
(d) for the trial of small claims cases;
is now open and all persons having anything to do thereat may attend and they shall be heard. GOD SAVE THE QUEEN. His Lordship Mr. Justice (Her **Ladyship** Madam Justice)_____presiding.

OPENING FOR APPEAL DIVISION:

Her Majesty’s Supreme Court of Prince Edward Island Appeal Division for the hearing of APPEALS is now open and all persons having anything to do thereat may attend and they shall be heard. GOD SAVE THE QUEEN.
His Lordship Chief Justice_____presiding.

AFTER THE OPENING BY THE CLERK:

- The Judge (Judges) may bow to counsel and counsel should respond
- Everyone is then seated except the Clerk.
- The Clerk will call the matter to be heard, announce counsel and be seated.
- The presiding Judge will then commence the proceeding.

ADJOURNMENT:

At the conclusion of the matter and at the end of the day, the Clerk will announce ALL RISE.

If the matter has concluded, the Clerk will announce:

HER MAJESTY'S SUPREME COURT TRIAL DIVISION
- OR -
HER MAJESTY'S SUPREME COURT APPEAL DIVISION
NOW STANDS ADJOURNED.

If the matter is to be continued on another day, the Clerk will announce:

THIS CASE NOW STANDS ADJOURNED UNTIL (give the date and time).

The Judge will then bow and counsel respond and the Judge will retire, everyone else remaining in their place until the Judge has left the courtroom.