EASTERN CARIBBEAN SUPREME COURT CIVIL PROCEDURE RULES

PRACTICE DIRECTION 12
No. 1 of 2024
(Second Reissue)

DEFAULT JUDGMENT

This Practice Direction is made pursuant to Rule 4.2(2) of the Eastern Caribbean Supreme Court Civil Procedure Rules [Revised Edition] 2023 and supplements Part 12 of the Rules.

Practice Direction 12, No. 1 of 2012 (Reissue) has been revoked and substituted by this reissue.

1. Introduction

1.1 This Practice Direction clarifies the application of Rule 12.4 and 12.5.

1.2 In the circumstances where the claimant does not make a request for entry of default judgment pursuant to Rule 12.4 or 12.5 and the time for filing an acknowledgment of service has expired or the last day for filing a defence has expired, and no acknowledgment of service has been filed or no defence has been filed, as the case may be, the court shall fix a status hearing and notify the parties of the date of that hearing.

1.3 Where there is uncertainty as to the application of any of the Rules relating to the grant of default judgments, the matter must be referred to a master or a judge immediately.

1.4 At the status hearing the court will give directions for the future conduct of the claim.

2. Effective Date

2.1 This Practice Direction will come into effect on the **29th** day of April 2024.

Dated this 16th day of April 2024

Sgd.

Dame Janice M. Pereira, DBE, LL.D
Chief Justice