

**PRACTICE DIRECTION 1 of 2019**  
**CASE MANAGEMENT CONFERENCE (CMC)**  
**INTERMEDIATE COURT**

The following directions are to be followed in relation to the conduct of Case Management Conferences as a means for the Court to actively manage cases and as a requirement for parties to assist the Court further effectively manage cases.

This Practice Direction is to take effect from 30<sup>th</sup> January 2019.

**A) Preparation for the first Case Management Conference:**

(1) Prior to the first Case Management Conference (CMC), counsel for all parties should take instructions from their clients on their intention and willingness to proceed with mediation or any other form of ADR.

(2) Mediation may be offered early on in the proceedings. Where appropriate, parties will be invited to consider mediation upon the filing of the defence. When invited, parties are to provide a written answer to the Court as to the willingness to proceed with mediation within 2 weeks from the receipt of the Court's letter.

(3) Counsel for all parties should also confer, and where possible, come to a consensus on the conduct of the case including but not limited to:

- a) the timelines which parties have discussed and agreed upon
- b) the timelines for the production of documents
- c) whether experts are necessary in view of the issues involved
- d) the number of witnesses of fact and expert witnesses for each party
- e) whether parties are able to agree on a single court expert; and if this is not possible, whether the parties have any objections to the opposing sides' individual expert and if so, the grounds on which they are objecting to the other sides' expert/s
- f) the timelines as to the exchange of evidence
- g) the expected length of the trial

**B) Conduct of Case Management Conferences**

(1) The Case Management Conference will be heard before an Intermediate Court Judge and unless otherwise directed by the Judge:

- a) a Case Management Conference will be conducted as an oral inter-parte hearing
- b) the attendance of lead counsel at a Case Management Conference is required

c) parties (clients) are not required to attend a Case Management Conference unless acting in person

(2) The Judge will play an active role in the management of the proceedings and may, upon hearing counsel, make such order or give such direction as the Judge thinks fit.

**C) Case Management Form and Timeline**

(1) The purpose of the Case Management Form is to facilitate the conduct of the proceedings by providing a structure to guide parties in the the discussion of various matters that may have to be dealt with prior to trial.

(2) The Judge may, after discussion with counsel, make such order or give such direction as the Judge thinks fit including the timeline leading up to trial.

(2) If parties have any specific or particular directions which they wish to seek from the Judge at a Case Management Conference, the parties shall indicate the orders sought.

[ORIGINAL SIGNED]

Dato Paduka Steven Chong  
Chief Justice  
30<sup>th</sup> January 2019