



ADMINISTRATIVE GUIDELINES ON USING THE SUPREME COURT REGISTRY

2024



COMPENDIUM OF PRACTICE DIRECTIONS &
ADMINISTRATIVE GUIDELINES IN GHANA
2024

ACKNOWLEDGEMENT

This Document forms part of a Compendium of Practice Directions and Administrative Guidelines in Ghana 2024 volume (1). This Compendium could not have been developed for implementation without the dedication and generosity of various individuals committed to assisting in proving systems and protocols for justice administration in Ghana.

In a special way, the Honourable Lady Chief Justice wants to extend recognition to the following individuals for their significant contributions:

Practice Directions on Award of Cost:

- H/L Justice Dorothy Kingsley Nyinah
- H/H Ellen Ofei Ayeh
- Mr. Charles Idun

Practice Directions on Adjournments and Adoption of Proceedings in Part Heard Trials in Courts:

- H/L Justice Richard Adjei-Frimpong (JSC)
- H/L Justice Yaw Darko Asare (JSC)
- H/L Justice Bright Mensah (JA)
- H/L Justice Dorothy Kingsley-Nyinah
- H/H Jojo Hagan
- H/H Arit Nsemoh
- H/H Afia Owusuaa Appiah

Practice Directions on Commercial Pre-Trial Settlement under High Court Civil Procedure Amendment Rules 2020, C. I. 133:

- H/L Justice Angelina Mensah-Homiah (JA)
- H/L Justice Jerome Noble Nkrumah (JA)
- Mr. Alex Nartey

Practice Directions on Court Connected ADR under High Court Civil Procedure Amendment Rules 2020, C. I. 133:

- H/L Justice Koomson (JSC)
- H/L Justice Angelina Mensah-Homiah (JA)
- H/L Justice Jerome Noble Nkrumah (JA)
- Mr. Alex Nartey

Practice Directions in respect of Prerogative Writs involving Chiefs/Chieftaincy Issues

- H/L Justice Samuel Alan Brobbey (JSC) (Rtd)
- H/L Justice Philip Bright Mensah (JSC)
- H/H Angela Attachie

Practice Directions on Plea Bargaining 2024

- H/L Justice Afia Serwaa Asare-Botwe (JA)
- H/L Justice Marie-Louise Simmons (J)
- Ms. Evelyn Keelson

Practice Directions for Determination of Applications for Interlocutory Injunctions to Restrain Burial of a Deceased Person

- H/L Justice Francis Obiri (J)

Administrative Guidelines on Procedures for Online Publication of Judgments and Rulings:

- H/L Justice Jennifer Abena Dadzie (JA)
- H/L Justice Barbara Tetteh-Charway (J)

Administrative Directions on Courtroom Proceedings:

- H/L Justice Jennifer Abena Dadzie (JA)
- H/L Justice Emmanuel Lodoh (J)
- H/L Justice Tandoh Aboagye (J)
- Mrs. Patricia Naa Afarley Dadson
- Mr. Dennis Adjei Dwomoh

Administrative Directions to aid Expeditious Disposal of Trials by Jury

- H/L Justice Afia Serwaa Asare-Botwe (JA)
- H/L Justice Frederick Tetteh (J)
- H/L Justice Lydia Osei Marfo (J)

Administrative Guidelines on using the Supreme Court Registry

- H/H Ellen Ofei Ayeh

Administrative Guidelines on the Generation of Suit Numbers:

- Mr. John K. Bannerman
- Mr. Papa Kwasi Maisie

Practice Administrative Directions Editorial Committee:

- H/L Justice Dr. Ernest Owusu-Dapaa (JA)
- H/L Justice Ama Sefenya Ayittey(J)
- Mrs. Patricia Naa Afarley Dadson(ESQ)
- Mr. Dennis Adjei Dwomoh (ESQ)
- Mr. Selali Woanyo (ESQ)
- Miss Judith Lois Abena Addo

OBJECTIVE

THIS MANUAL set out basic procedures for filing a case at the Registry of the Supreme Court. It is designed to facilitate the easy and effective running of the registry to ensure that the work of the Supreme Court can be easily and expeditiously executed.

Every member of the Registry of the Supreme Court has to be fully equipped with the requisite skills, competencies, and knowledge to ensure good administrative practices that uphold the integrity of the judiciary. Adherence to the directions of the Registry's Manual shall assist to provide control of records, continuity of proceedings and efficiency in the adjudication process.

JURISDICTION OF THE SUPREME COURT

The general processes to be filed to make the Jurisdictions of the Supreme Court are:

- a. Writs invoking the original jurisdiction.¹
- b. Appeals including chieftaincy appeals.²
- c. Reference to the Supreme Court.³
- d. Supervisory jurisdiction ⁴
- e. Review Jurisdiction⁵
- f. Petitions⁶

SECTION A

I. PROCEDURE IN FILING A PROCESS-

The Filing Office

Step 1- Assessment of Fees

The Filing Office is the first point of call by court users. Court users have to file their processes or documents at the filing office. The cashier assesses the document(s) to determine the statutory fees to be paid for the process filed.

¹ Article 130(1) - Original Jurisdiction of the Supreme Court, The Constitution, 1992

² Article 131 , 273 of the Constitution, 1992,

³ Article 130(2) of the Constitution, 1992

⁴ Article 132 of the Constitution, 1992

⁵ Article 133 and 134 of the Constitution 1992

⁶ Article 64(1) of the Constitution , 1992

Step 2- Payment

A pay-in slip is prepared for the court user to effect payment at the bank. The court user then comes back to the filing office with the bank slip for a receipt to be issued for the payment made. A suit number is generated for the process filed if it is a motion or writ. This will not apply to appeals.

STEP 3- The Role of the Processing Clerk

The Processing Clerk picks up the documents filed from the Filing Office. The processing clerk then records the process filed in the specific record book which is categorized as:

J1 – Writs (Original Jurisdiction)

J2- Chieftaincy Appeals (Appellate Jurisdiction)

J3 – Criminal Appeals

J4 – Civil Appeals

J5 – Prerogative Writs (Supervisory Jurisdiction)

J6 - Reference

J7 – Review

J8 – Motions

The processing clerk records the process in the service book for the Bailiffs to effect service. After recording the process it is then transmitted to the Docket office.

Step 4- Obtaining a date

In respect of all motions, the court user then returns to the Registrar's office for a standard letter indicating that s/he is to return for a date after the process has been duly served on the receiving party. **Template of current Standard letters, annexed as "A", "B", and "C"**

Step 5- Service

The assigned Bailiff picks up the process filed from the Processing office and effects service on the receiving party (ies). Depending on the outcome of the service, an affidavit of service or non-service is then brought to the

registry by the bailiffs, and placed on the office docket and on the presiding Justice's **docket**. The processing clerk records the affidavit of service or non-service submitted by the Bailiffs.

Step 6

After STEP 5 has been complied with, the party is given a date for the hearing and hearing notices are dispatched to all the parties.

PART B

II. The Docket Office-

A. When there is Non-Compliance with Conditions of Appeal ⁷

i. From Court of Appeal (Non-Settlement of Records)

- The Respondent must apply to the Registrar of the Court of Appeal to issue a notice of non-compliance to the Supreme Court.
- The process is prepared and forwarded to the Supreme Court.
- A docket is opened by the docket clerk for the Justices. After Justices have been empaneled, hearing notices are issued and served on parties personally.

⁷ Rule 19 of Supreme Court Rules, C.I 16

- The dockets are sent to the empaneled Justices.
- A copy of the affidavit of service or non-service shall be placed on the docket of the presiding Justice of the panel.

ii. Non-compliance⁸ at the Supreme Court where the Appellant has failed to file a statement of case within 21 days of being notified that the record is ready)

- A docket is opened and Form 8 (eight) is issued.
- A date is fixed and a hearing notice is issued and served on the parties personally and on their lawyers.
- Affidavit of service of the hearing notice is placed on the office docket
- A docket is sent to each of the empaneled Justices.

iii. Appeals Generally

⁸ Rule 15 of the Supreme Court Rules, C.I 16

- i. The Record of Appeal is transmitted to the Supreme Court with form 6, form 7 and form 8⁹, and the affidavit of service.
- ii. The Appellant has up to twenty-one (21) days to file the statement of case upon service of Form 6. They may do so earlier.
- iii. The Respondent has up to twenty-one (21) days to respond to the Appellant's statement of case after receipt of the Appellant's statement of case. They may do so earlier.
- iv. The Appellant has up to fourteen (14) days to file a reply to the Respondent's statement of case. They may do so earlier.
- v. The affidavits of service on the parties are put on the office docket. A copy of each affidavit of service is placed on the presiding Justice's docket.

⁹ Rule 14 of C.I 16

- vi. The various statements of case filed by both parties are put together with the record of appeal.
- vii. The Appellant can apply for the case to (be) fixed for hearing if the Respondent fails to file the statement of case within the time required by the rules.

TO NOTE:

- viii. The registrar shall ascertain and certify on the docket of the presiding Justice, that the suit is ripe to be heard, after the time required for filing has elapsed for the non-filing party. **(See attached Standard Template D)**
- ix. The records are sent to the empaneled Justices.

iv. Motions

Supervisory Jurisdiction ¹⁰

The Applicant files the motion to invoke the supervisory jurisdiction of the court at the filing office and goes through the standard process set out in

¹⁰ Rule 61 of C.I 16

Section A, regarding the filing, processing etc. A standard letter under step 4 is given by the Registrar and a copy of the process is given to the party whereas the remaining processes are given to the bailiff to effect service.

- The process is served on the Respondent by a bailiff of the court and on the Interested Party (ies).
- The Interested Party has up to fourteen (14) days to file an affidavit in opposition
- The Applicant may decide to reply to the affidavit in opposition filed.
- The affidavit of service is put on the office docket, and a copy is placed on the presiding Justice's docket with the processes filed.
- The registrar shall ascertain and certify on the presiding Justice's docket that the application is ripe to be heard, after the time required for filing has elapsed, for the non-filing party.
- The dockets are sent to the empaneled Justices.

v. Motions for Review¹¹

The Applicant has one (1) month to file a motion for a review after the decision against which the review is sought. The Applicant(s) files the motion for review and it goes through the standard process set out in Section A, regarding the filing and processing of court processes. A standard letter under step 4 is given by the Registrar and a copy of the process is given to the party whereas the remaining processes are given to the bailiff to effect service.

- a. The process is served on the Respondent(s).
- b. The Respondent(s) has up to fourteen (14) days after the receipt of the applicant's motion to file an affidavit in opposition.
- c. The Affidavit of Service is placed on the office copy of the docket, with the processes filed.
- d. The registrar shall ascertain and certify on the docket that the application is ripe to be heard, after the time required for filing has elapsed, for the non-filing party.

¹¹ Rule 54 of C.I 16

e. The dockets are sent to the empaneled Justices.

vi. Other Motions are applications for Leave, Stay of execution, Interlocutory Injunction, Extension of Time, Rectification, etc.

a. The Applicant files the motion and it goes through the standard process set out under Section A, regarding the filing and processing of a process.

b. The Applicant may file a supplementary document if s/he intends to, at least three days before the hearing of the motion.

c. The registrar shall ascertain and certify on the docket that the motion on notice is ripe to be heard, after the time required for filing has elapsed, for the non-filing party.

d. The dockets are sent to the empaneled Justices.

vii. Writs to Invoke the Original Jurisdiction of the Supreme Court¹²

a. The Plaintiff(s) files the process with reliefs sought.

b. A docket is opened with the processes filed

¹² Rule 45 of C.I 16

- c. The process is served on the Defendant(s)
- d. The Defendant(s) has fourteen(14) days to file statement of case
- e. Memorandum of Agreed issues are to be filed by both parties.

Joint Memorandum of Issues are filed after plaintiff receives defendants statement of case.

- f. The parties may decide to file individual Memorandum of issues if they disagree on the joint issues to be filed.
- g. A date is fixed for hearing, and hearing notices issued to the parties.

viii. Reference to the Supreme Court¹³

A reference is made to the Supreme Court by a lower court for the determination of a Question, Cause, or Matter pursuant to a provision of the Constitution by way of a case stated by the court below or by the person or authority making the reference.

- a. The Reference is transmitted from the Court below by the registrar of that court below.

- b. The process is then filed at the registry and Part A is complied with.
- c. The parties may, by the consent of the court state a case individually or jointly state a case and file their respective processes.

III. STEPS TO BE TAKEN BEFORE REQUEST FOR A PANEL-

- a. The Registrar prepares the Cause list for every sitting
- b. A Memo is attached for empanelling of Justices. A summary of each case on the Cause list, is attached to the Memo.
- c. The registrar includes as an attachment, a chart of the past sittings of each Justice for the previous two months.
- d. Justices are empaneled to sit on the cases listed.
- e. A check-list is prepared one month before the hearing date

➤ SUMMARY SHEETS

- a. Brief background of the case.

- b. Relief(s) sought at the Supreme Court.
- c. Original relief(s) at the originating court.
- d. All Judges/Justices who have previously dealt with the case at any court or stage.

(Template of summary sheet attached as "E")

➤ **Check list for Appeals**

- a. Title of case
- b. Has form 6 been served(Yes/No)
- c. Has Appellant filed a statement of case (Yes/No)
- d. Has Respondent filed a statement of case (Yes/No)
- e. Has Appellant filed a Reply (Yes/No)
- f. Has there been Non-compliance in any form (Yes/No)
- g. What is the form of the non-compliance?
-From the Court of Appeal **or** the Supreme Court (A/S)
- h. Proof of service on docket(Yes/No)

(Template of checklist attached as "F")

➤ **Checklist for Motions**

- a. Title of case
- b. Has Applicant filed a Statement of case (Yes/No)
- c. Has there been proof of service of Applicant's processes filed(Yes/No)
- d. Has Respondent filed an affidavit in opposition(Yes/No)
- e. Has the Interested Party filed an affidavit in opposition(Yes/No)
- f. Is there proof of service on the Respondent /Interested Party process filed(Yes/No)

(Template of Checklist attached as "G")

➤ **Checklist for Applications for Review (TEMPLATE "H")**

➤ **Check list for Writs (Template I)**

- a. Title of case
- b. Has Plaintiff(s) filed a supporting Statement of Case (Yes/No)

- c. Is there Proof of service of Plaintiff(s) process filed(Yes/No)
- d. Has Defendant filed the statement of case(Yes/No)
- e. Is there Proof of service of Defendant process filed(Yes/No)
- f. Has Joint Memorandum of Issues been filed (Yes/No)
- g. Is there an individual memorandum of Issue(Yes/No)

(Template of Checklist attached as "J")

IV. PROCEDURE AFTER EMPANELLING

- i. The list of cases for which the Chief Justice has set up a panel is sent to the Justices individually, together with a 'Notice to recuse' form by email immediately after the panel is set.
- ii. The dockets for each Justice are put together by the docket clerk and sent to the Judges before the cases are heard
- iii. The Justices have 7days to fill the notice to recuse form and send to the Chief Justice if there is a reason to do so. **(See templates "J" and "K")**

- iv. The Justices who fill the recusal form return the dockets in which they have decided to recuse themselves, to the Registry.
- v. The Chief Justice directs that a different Justice to sit on that case.

V. CAUSE LISTS GENERALLY¹⁴

- Long Lists are published at least 14 days before the beginning of each term, which will list cases in which preliminary matters have been completed.
 - Short lists are published at least 14 days before the hearing
- vi. The Cause List is sent by email to the Justices 7 days to the hearing date.
- vii. The final Cause list for the week is sent to all their Lordships in hard copy on Friday before the week commencing the fixed dates. The names of the Justices are placed on the Judges' Cause List.

¹⁴ Rule 2 of C.I 16

NOTE:

- The long list for which preliminary matters have been completed are published at least 14 days of the beginning of each term.

-The short list of cases which are to be heard are published without the names of the Justices is posted on the notice board for the public.

viii. An electronic copy of the public cause list is served on the Office of the Attorney General, Office of the Special Prosecutor, Economic and Organised Crime Office and Ghana Bar Association.

VI. BEFORE HEARING DAY-

a. There should be an affidavit of Service on every process placed on the Office Docket, except in Ex parte applications.

- b. Copies of each affidavit of service are placed on the docket of the presiding Justices of each panel.

VII. AFTER HEARING DAY-

- a. Obtain soft copies of the Orders and judgments/Rulings where available
- b. Draw up a composite judgment when required.
- c. Submit to the Justices of the panel for perusal and signatures where (b) is followed
- d. Certify copies of the judgment.
- e. File a chart containing the outcome of Judgments and Rulings for the month. This chart should contain the court and name of the lower court judges/ justices, from which the case emanated for each case.

TEMPLATE A

Suit No.....

Title of case

.....
.....
.....

Motion Type

Dear Sir/Madam,

FIXING OF DATE FOR HEARING OF APPLICATIONS (GENERALLY)

Please, take notice that a date will be fixed for hearing of the above-stated application with hearing notice(s) for the Respondent(s) by the Registrar upon request, or 14 days after service of the application on the Respondent.

Counting on your usual cooperation.

Thank you.

REGISTRAR, SUPREME COURT

.....
.....
.....

TEMPLATE B

.....

Suit No.....

Title of case

.....
.....
.....

Dear Sir/Madam,

FIXING OF DATE FOR HEARING OF REVIEW APPLICATIONS

PURSUANT TO RULE 59 (1) OF C.I 16

Please, take notice that a date will be fixed for hearing of the above-stated application with hearing notice(s) to the parties by the Registrar upon request, or 20 days after service of the application on the Respondent(s) / Interested Party(ies).

Counting on your usual cooperation.

Thank you.

REGISTRAR, SUPREME COURT

TEMPLATE C

.....

.....

.....

Suit No.....

Title of case

.....

.....

.....

Dear Sir/Madam,

**FIXING OF DATE FOR HEARING OF SUPERVISORY APPLICATIONS
PURSUANT TO RULE 61(1) OF C.I 16**

Please, take notice that a date will be fixed for hearing of the above-stated application with hearing notice(s) issued to the parties by the Registrar upon request, or 25 days after service of the application on the Respondent(s) / Interested Party(ies).

Counting on your usual cooperation.

Thank you

REGISTRAR, SUPREME COURT

.....

.....

.....

.....

TEMPLATE D

MEMORANDUM

TO: THE PRESIDENT OF THE PANEL

FROM : THE REGISTRAR, SUPREME COURT

SUBJECT: CERTIFICATION

DATE:

Your Lordship/Ladyship,

Respectfully, I hereby certify that the cases listed on the Cause list, for hearing on.....theday of 20..... are ripe to be heard, and the parties have been duly notified of the hearing date.

Humbly submitted.

.....
HH Ellen Ofei-Ayeh (Mrs.)
Registrar

TEMPLATE E

SUMMARY OF CASES FOR XXXXXXXXX

TITLE: **SUIT**

NUMBER:

VRS

BRIEF BACKGROUND

JUDICIAL RELIEF(S) SOUGHT	SUBJECT MATTER	PREVIOUS JUDGES

TEMPLATE F

IN THE SUPERIOR COURT OF JUDICATURE

IN THE SUPREME COURT-ACCRA

TITLE:

VRS

SUIT NUMBER:

CASE TRACKING & CHECK LIST FOR APPEALS

FORM 6/ DATE SERVED (√/X)	(21 DAYS) APPELLANT FILED WITHIN TIME/DATE FILED (√/X)	LEAVE GRANTED TO FILE (EXT. OF TIME)/ DATE FILED (√/X)	(21 DAYS) RESPONDENT FILED WITHIN TIME /DATE FILED (√/X)	LEAVE GRANTED TO FILE (EXT. OF TIME) (√/X)	(14 DAYS) REPLY OF APPELLANT/DATE FILED (√/X)	NON COMPLIANCE (√/X)	COURT OF APPEAL OR SUPREME COURT (CA/SC)	ADJ TO
KEY: √ - YES CA - COURT APPEAL X - NO SC - SUPREME COURT								

TEMPLATE G

IN THE SUPERIOR COURT OF JUDICATURE
IN THE SUPREME COURT-ACCRA

TITLE:

VRS

SUIT NUMBER:

CASE TRACKING & CHECK LIST FOR SUPERVISORY JURISDICTION & MOTIONS