



CAYMAN ISLANDS GOVERNMENT

JUDICIARY

JOB DESCRIPTION

Title:	Grand Court Judge	Reports to:	Honourable Chief Justice
Cost Centre:	0201	Remuneration:	As provided under the Judges Allowances and Emoluments Law
Post holder:			

1. Job Purpose

In compliance with the Constitutional Oaths of Judicial office, the holder of this post presides as a judge in cases in the Grand Court of the Cayman Islands, including appeals from the Summary Court, and is accountable for the proper and efficient administration of justice in his/her court. The post-holder is one of a team of eight established Grand Court Judges (including the Chief Justice).

2. Dimensions

- Sitting as judge in financial services, criminal, family, administrative and civil cases.
- Sitting as a Member of a statutory board or tribunal
- Other duties as may be assigned by the Chief Justice such as serving on Rules Committees of the Court.

3. Principal Accountabilities

a. Sitting in all Divisions of the Court

The post-holder will preside as judge in the financial services, criminal and general civil divisions of the Grand Court of the Cayman Islands (including matrimonial and family proceedings), and perform the functions and exercise the jurisdiction conferred upon that Court by the Constitution, by the common law and by relevant legislation.

In criminal cases, the post-holder may be required to sit with or without a jury, as permitted by the relevant legislation. In all cases the reasons for the decisions which are made by the judge and for the sentence shall be given by the judge.

Civil cases often involve the resolution of interlocutory disputes, which will usually be heard in chambers. Cases coming before the Financial Services Division are often large and complex and international in dimension and are typically of very high value.

In matrimonial and family proceedings, the post-holder will adjudicate upon the dissolution of marriage and ancillary matters, financial arrangements for the support of the parties and any children and arrangements relating to the custody, welfare and access to children.

Other matters falling within the jurisdiction exercised by the post-holder and of particular relevance in the Cayman Islands context will include:

- Applications for international judicial requests for the production of evidence which may be subject to local Confidential Relationships (Preservation) Law or similar regulatory law; and
- Constitutional Bill of Rights petitions;
- Proceeds of Crime applications requesting approval to seize the property of convicted persons or to inspect records;
- In cases where applications are made under the Mental Health Law (1997 Revision), in respect to individuals deemed incapable of handling their own affairs and to the appointment of legal guardians;
- Judicial Review of administrative action relating to immigration and other administrative quasi-judicial actions.

The post-holder will also hear appeals from the Summary Court.

While official stenographic records are maintained by law for Grand Court Criminal proceedings, the presiding judge will approve the records and will be generally responsible to ensure that appropriate records are maintained of other proceedings. Digital recording devices are available for proceedings in chambers but, where applicable, the post-holder will ensure that notes of the cases are accurate and, where required, made available to the Court of Appeal.

b. Sitting as a Member of a Statutory Board or Tribunal

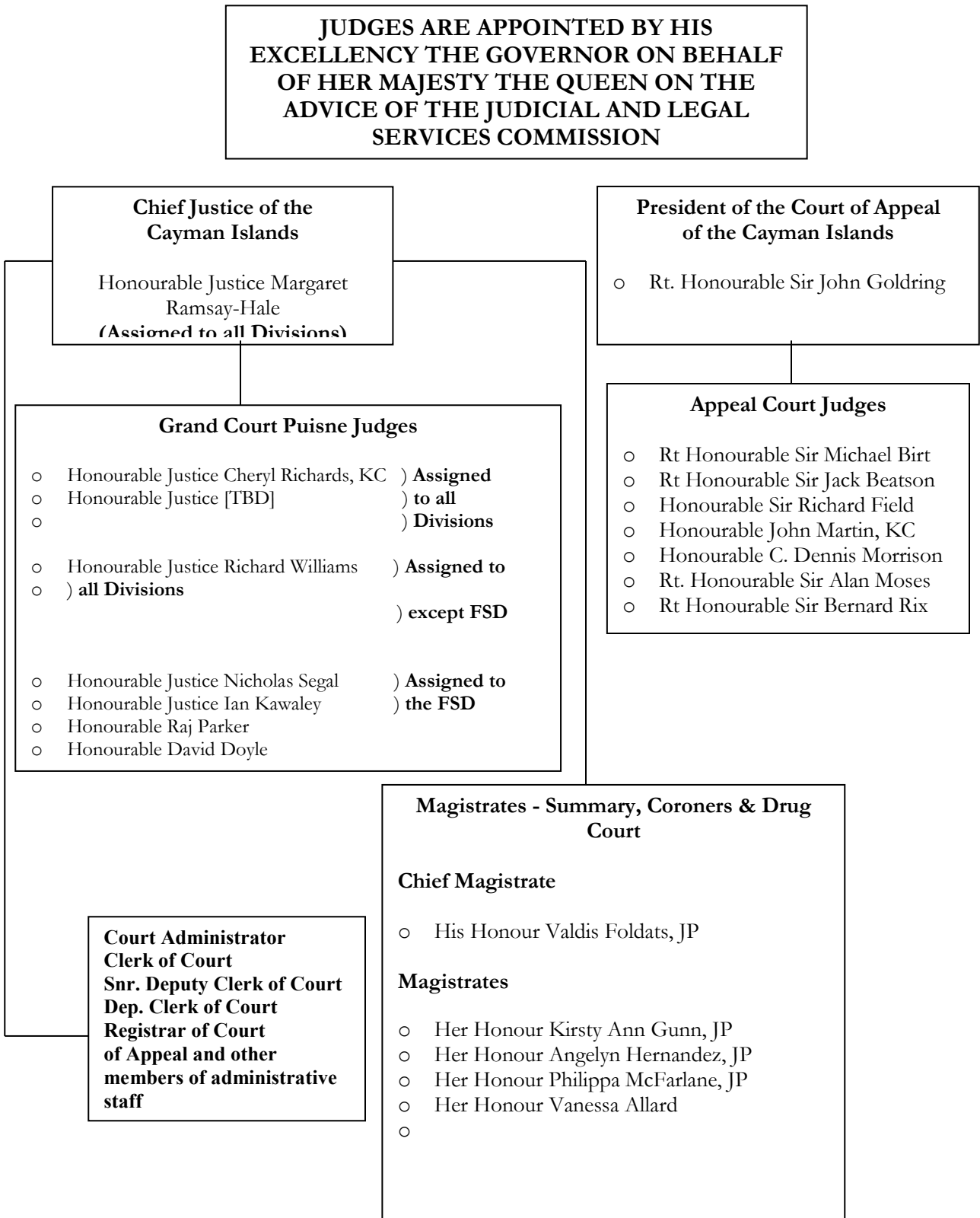
- Sitting as the chair or a member of statutory boards and tribunals which require a judge.
- Carrying out duties as a member or the chair of the board in a manner appropriate for a judge.

c. Other Duties

Undertaking such other duties and responsibilities in any designated division as may be assigned by the Chief Justice.

With the consent of the post holder, the post holder may be asked to participate in the training of staff, teaching (e.g.: the Justices of the Peace), lecturing or speaking at conferences.

4. Organisation Chart



5. Background Information

The Cayman Islands has a Court of Appeal (comprising the President and eight other non-resident Justices of Appeal), a Grand Court (comprising five resident Grand Court Judges, including the Chief Justice, and three non-resident Grand Court Judges, and a Summary Court (comprising a Chief Magistrate and four Magistrates). In addition there is a Panel of Temporary Judges for the Grand Court and Temporary Magistrates for the Summary Court who sit as the need requires as decided by the Chief Justice.

In keeping with the Constitution, the Governor appoints the Chief Justice, the President and Justices of Appeal, the Grand Court Judges and the Magistrates on the advice of the Judicial and Legal Services Commission, a body formed by the 2009 Constitution.

Justice in the Cayman Islands is administered at three levels - in the Summary Court (including the Youth Justice, Family and Drug Rehabilitation Courts), the Grand Court and the Court of Appeal.

The Summary Court has civil and criminal jurisdictions. A Magistrate normally exercises jurisdiction sitting alone. Coroners' inquests are held in the Summary Court, where a Magistrate sits with a jury as Coroner. Appeals from the Summary Court lie to the Grand Court.

The Grand Court is a superior court of record exercising unlimited jurisdiction established by the Constitution and the Grand Court Law. It administers the common law and the law of equity, as well as locally enacted laws and applied laws all in keeping with the 2009 Constitution of the Cayman Islands including the Bill of Rights, Freedoms and Responsibilities contained in Part I. Dedicated Divisions of the Grand Court for Financial Services, Family, Criminal, Civil and Admiralty cases were established in November 2009.

Appeals from the Grand Court lie to the Cayman Islands Court of Appeal, comprising the President and not fewer than two Justices of Appeal. A final appeal lies, in certain circumstances, to the Judicial Committee of the Privy Council in London.

Residents of the Cayman Islands also have a right of petition to the European Court of Justice on matters covered by the European Convention on Human Rights which has been extended to the Cayman Islands and incorporated into domestic law to the extent of the Bill of Rights, Freedoms and Responsibilities.

Further information can be found at www.judicial.ky.

6. Knowledge, Experience and Skills

The post-holder must have a minimum of 10 years post-qualification experience in the practice of law and be qualified to practice as an advocate in the courts of the Cayman Islands or of Jamaica, England, Scotland, Northern Ireland, other parts of Her Majesty's dominions or the Commonwealth of Nations.

Specialist judicial experience of at least five years in working in the criminal division or civil division of a superior court of record would be highly desirable. Experience in the trial of complex financial matters will be an asset.

While he/she must possess a sound and thorough knowledge of the particular areas of law for which this post is applicable, he/she must have the ability to interpret local legislation and case law in various circumstances and making decisions in accordance with the laws of the Cayman Islands.

The post-holder must be able to command the respect of the legal profession and the community, and possess absolute personal integrity. He/she must be impartial and independent of all outside influences and must conduct him/herself at all times in a way that is consistent with the dignity of high judicial office.

The post-holder must be able to demonstrate procedural fairness in all Court cases and deal tactfully and courteously with all participants in such cases as well as with the public. Propriety and the appearance of propriety are essential to the performance of all of the activities of a judge.

The post-holder will be a person of maturity and sound judgment possessing strong skills in the areas of communication and listening; conflict/ crisis management; time management; organisational, case management and interpersonal skills.

Excellent research, analytical, oral and written skills are essential, together with a basic proficiency in the use of the computer.

The abilities to maintain confidentiality, exercise good judgment and commitment, to be conscientious, work diligently and comply with the Judicial Code of Conduct at all times, are all essential.

7. Assignment and Planning of work

While case listings are made by the Registry (listing officer) under the supervision of the Chief Justice, the post-holder will be responsible for scheduling his/her work load and for creating the most efficient management of assigned cases. The Judiciary strives to deliver accurate and comprehensive reasoned judgments where necessary either immediately or within a maximum period of two months save in exceptional circumstances.

8. Supervision of others

At present the post-holder has no supervisory responsibility apart from as might arise in respect of his/her judicial/personal assistant.

9. Other work relationships

In addition to working closely with the Chief Justice and other Grand Court judges, the post-holder will interact frequently with various other members of the judiciary and Judicial Administration staff. *Esprit de corps* among a small team of judicial colleagues is essential.

10. Decision-making authority and controls

In all judicial matters, the post-holder's decision-making authority is final and exercised by reference to no other person or authority. It is constitutionally protected and only subject to review by the Court of Appeal on a properly constituted appeal.

The post-holder reports to the Chief Justice as the head of the Judiciary and Judicial Administration on administrative and such other matters, but is constitutionally independent when exercising his/her judicial function.

11. Problem Features

The need to prioritise the post-holder's own work is a key feature of the position. An ability to periodically work under pressure to produce results is required.

Professional integrity, confidentiality regarding information being handled, political neutrality and sensitivity to the public are requirements of the position.

12. Working Conditions

Normal office hours apply but a judge must be prepared periodically to work outside office hours to meet deadlines and respond to urgent matters which arise from time to time. There is no legal holiday in the Cayman Islands. Judges take their leave at times convenient to themselves and the Administration, with the approval of the Chief Justice. Absence from the Island requires notification to the Governor's office through the Chief Justice.

AGREED BY:

Post-holder: _____ **Date:** _____

Honourable Chief Justice: _____ **Date:** _____

His Excellency the Governor: _____ **Date:** _____