

IN THE STATE COURTS OF THE REPUBLIC OF SINGAPORE

REGISTRAR'S CIRCULAR NO. 13 OF 2020

ASYNCHRONOUS HEARING AND PROCESSING OF PRE-ASSESSMENT OF DAMAGES
ALTERNATIVE DISPUTE RESOLUTION CONFERENCES

1. Pursuant to Registrar's Circular No. 11 of 2020 ("RC 11 of 2020"), the Dispensation of Attendance and Asynchronous Hearings of Specified Categories of Civil Hearings was introduced on a pilot basis from 8 June 2020 to 8 December 2020.
2. To complement RC 11 of 2020, the Civil Justice Division will be implementing a pilot programme from 13 July 2020 to 13 January 2021 (both dates included) to streamline proceedings and reduce physical court hearings through the asynchronous processing and hearing of all pre-Assessment of Damages Alternative Dispute Resolution Conferences ("Pre-Assessment of Damages ADR Conferences") conducted pursuant to Order 34A or Order 108 of the Rules of Court (Cap 322, R 5) and State Courts Practice Direction 40.
3. This will involve the asynchronous issuance of orders, issuance of directions, reception of submissions and/or fixing of matters for an Assessment of Damages hearing, without requiring the attendance of counsel and/or parties.
4. The following table outlines the steps which will need to be taken by parties.

S/No.	Categories of SFDs	Steps to be taken by Parties
1)	Pre-Assessment of Damages ADR Conferences with a hearing date fixed <u>before 13 July 2020</u>	Parties will continue to appear before the Court in person.
2)	Pre-Assessment of Damages ADR Conferences with a hearing date fixed <u>on or after 13 July 2020</u>	<p>Save for the exception stated in paragraph 5 of this Registrar's Circular, parties are to file written statements supporting the orders or directions they wish to obtain and/or addressing issues previously raised by the Court at least 5 working days before their hearing date by way of a "Other Hearing Related Request" filed under the specific Assessment of Damages Sub-Case No. as found in the accepted copy of the Notice of Appointment for Assessment of Damages.</p> <p>The Court will proceed on the hearing date to consider all written statements and any other supporting documents filed by the parties by the specified deadline without the attendance of parties or their solicitor(s) (hereafter referred to as a "paper" hearing). The Court will then proceed to issue orders or</p>

		<p>directions, fix the matter for a further “paper” hearing or fix the matter for an Assessment of Damages hearing.</p> <p>Where a further “paper” hearing is fixed, the same process stated above applies.</p> <p>In the event that no written statement is filed by any party by the specified deadline before any “paper” hearing date, the Pre-Assessment of Damages ADR Conference <u>may be vacated</u>.</p> <p>In the event that one party or some parties do not file their written statements by the specified deadline before any “paper” hearing date, the Court will consider all written statements and any other supporting documents filed by the specified deadline and may: (a) issue directions and fix the matter for a further “paper” hearing; or (b) vacate the Pre-Assessment of Damages ADR Conference and fix the matter for an Assessment of Damages.</p> <p>Any statements and other supporting documents filed by one party should be served on all other parties.</p>
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5. With respect to the submission of Quantum Indication Forms in Form 9B of Appendix A to the State Courts Practice Directions (“Quantum Indication Form(s)”):
 - a. Prior to the first Pre-Assessment of Damages ADR Conference:
 - i. The Plaintiff is to send the Quantum Indication Form with the Plaintiff’s claim clearly detailed therein to the Defendant(s), Intervener(s) and/or Third Party(ies) along with the necessary authorities and/or documents at least 14 working days before the stipulated “paper” hearing date;
 - ii. The Defendant(s), Intervener(s) and/or Third Party(ies) are to send to the Plaintiff the duly completed Quantum Indication Form along with the necessary authorities and/or documents at least 7 working days before the stipulated “paper” hearing date; and
 - iii. The Plaintiff is to submit the duly completed Quantum Indication Form by way of electronic mail to the following electronic mail address **at least 5 working days** before the “paper” hearing date: statecourts_eADCDR@statecourts.gov.sg
 - b. The subject title of the email should be in the following format: “[Date of “paper” hearing in the format YYYY/MM/DD] [DC/S/DC/MC X of 20XX] Quantum Indication Form”.
 - c. Where documents need to be referred to for the purposes of submissions within the Quantum Indication Form, parties may insert references within the Quantum Indication Form

to documents exhibited within court papers filed within eLitigation or attach copies of the relevant documents to their electronic mail.

- d. The Court will proceed on the “paper” hearing date to:
- i. consider the Quantum Indication Form submitted by the specified deadline and/or the documents referred to therein without the attendance of parties or their solicitor(s) and provide an indication by way of a reply to the electronic mail addresses provided by parties; and/or
 - ii. issue directions, fix the matter for a further “paper” hearing and/or fix the matter for an Assessment of Damages by way of a Registrar’s Notice.
- e. In the event that no Quantum Indication Form is filed by the specified deadline before any “paper” hearing date, the Pre-Assessment of Damages ADR Conference may be vacated.
- f. In the event that one party’s position is not stated within the Quantum Indication Form filed by the specified deadline before any “paper” hearing date, the Court may: (a) issue directions and fix the matter for a further “paper” hearing; or (b) vacate the Pre-Assessment of Damages ADR Conference and fix the matter for an Assessment of Damages hearing.
- g. Where a further “paper” hearing is fixed by the Court after an indication has been provided, the process stated in paragraph 4 above applies.
- h. Any electronic mails sent by one party to statecourts_eADCDR@statecourts.gov.sg should be copied to all other parties in the relevant Suit.
6. For the avoidance of doubt, the Court will at all times (during the pilot programme or otherwise) retain the full discretion to issue directions for parties to attend a physical hearing or remote hearing via video or telephone conferencing where it deems fit.
7. Please also note that, for the purpose of Order 55B r 1(4) of the Rules of Court (as may be applicable to the above-mentioned category of hearings), any notice of appeal must be issued within 14 days after the date on which the Registry notifies parties via eLitigation of the judgment, order or decision appealed against. In all cases, when parties extract the Order of Court, the date of that Order of Court should remain as the date on which the Court had heard the matter as reflected in eLitigation.

Dated this 29th day of June 2020.



CHRISTOPHER TAN
REGISTRAR
STATE COURTS