



CROSS RIVER STATE JUDICIARY

HONOURABLE JUDGE'S CHAMBERS

JUDICIARY HEADQUARTERS

HIGH COURT NO. 4

CHAIRMAN JUDICIARY COMMITTEE ON
CROSS RIVER STATE SMALL CLAIMS COURTS
MARY SLESSOR AVENUE
CALABAR

3rd of September 2023

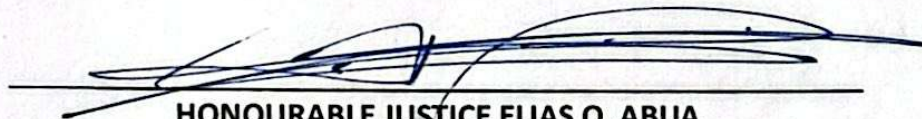
GENERAL PROVISIONS: CROSS RIVER STATE SMALL CLAIMS COURTS PRACTICE DIRECTION

In Exercise of the powers conferred on me and by virtue of all other powers enabling me that behalf, I, the **Honourable Justice Elias O. Abua**, Chairman, Judiciary Committee on Cross River State Small Claims Courts, do hereby include underlisted General Provisions.

GENERAL PROVISIONS

1. Where no provision is made in the Practice Directions, the provisions of the Magistrates' Court (Civil Procedure) Rules, shall apply to the proceedings at the Small Claims Court while the High Court (Civil Procedure) Rules, or any other written Laws for the time being in force shall so far as they can be conveniently applied, be in force at the Small Claims Appellate Court.
2. Every Magistrate of the Small Claims Court shall take charge of all cases allocated to him.
3. The Magistrate shall note in the Small Claims record book the duration of each sitting. The record book shall provide detailed information on the progress of each case from filing to issuance of Judgment.
4. The Magistrate shall note on the record of proceedings in respect of each case:

- I. The date and time when proceedings commenced.
 - II. The date and time when proceedings were adjourned to.
 - III. iii. The date and time the proceedings were concluded.
5. In line with Article 12 (2), all Magistrates shall strive to finalize cases within 60 days of the filing by the Claimant. The Magistrates shall report monthly to the Chief Registrar on all part-heard cases that have not been finalized within two (2) months from the date of commencement of trial provided that Magistrates who have more than five part heard cases should not start new cases without a written approval from the Chief Registrar. Magistrates that have more than five part heard cases shall submit along with their monthly reports an action plan on how they will dispose of the part heard matters and provide monthly reports on progress made.
6. Upon the direction of the Chief Registrar, the Administrative Chief Magistrate shall submit any information and any assessment material including statistics, records, showing compliance with time frames for Court events, and any other reports required by the Chief Registrar to assess the functioning and efficiency of the Small Claims Court.
7. The Chief Registrar shall be responsible for providing Court performance related data to the Cross River State Judicial Service Commission on a monthly basis. The Secretary to the Cross River State Judicial Service Commission shall ensure that Court performance reports are generated and published on a general basis which shall show (i) the time it takes each Small Claims Court within a particular Magisterial District to dispose of matters (ie from filing to Judgment and (ii) the age of matters pending before a Small Claims Court within a particular Magisterial District.



HONOURABLE JUSTICE ELIAS O. ABUA

CHAIRMAN

JUDICIARY COMMITTEE ON CROSS RIVER STATE SMALL CLAIMS COURTS

