



CAYMAN ISLANDS GOVERNMENT

JUDICIARY

JOB DESCRIPTION

Title:	Grand Court Judge Financial Services Division	Reports to:	Honourable Chief Justice
Cost Centre:	0201	Remuneration:	Daily Rate
Post holder:		Type of Employment	Part-Time

1. Job Purpose

Pursuant to his/her constitutional oaths of judicial office, the holder of this post presides as a part-time judge in cases in the Financial Services Division of the Grand Court of the Cayman Islands and is accountable for the proper and efficient administration of justice in his/her court. The post-holder is one of a team of seven Grand Court Judges (including the Chief Justice).

2. Dimensions

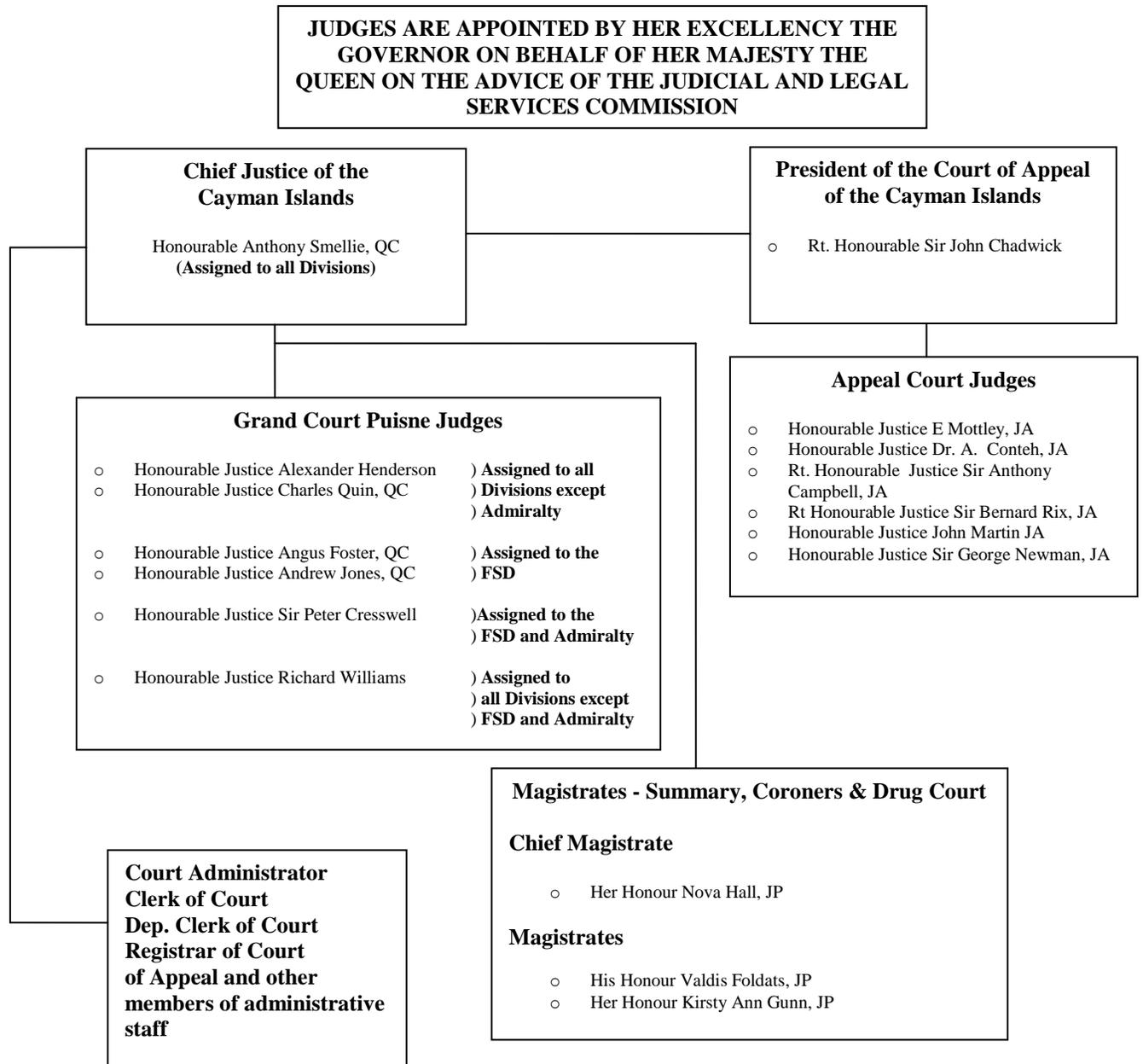
- a. Sitting as a part-time judge in cases assigned to the Financial Services Division; and
- b. Other duties, related to the work of the Financial Services Division, as may be assigned by the Chief Justice.

3. Principal Accountabilities

The post-holder will preside as a part-time judge in the Financial Services Division of the Grand Court of the Cayman Islands and perform the functions and exercise the jurisdiction conferred upon that Court by the Constitution, common law and relevant legislation. He/she will be the dedicated judge for cases which are specifically assigned and will therefore be expected to dedicate the time and priority of treatment that the cases require.

A presiding judge will generally be responsible for ensuring that appropriate records are maintained of proceedings. Digital recording devices are available for some proceedings but, however recorded, the post-holder must ensure that notes of the cases are accurate and, where required, made available to the Court of Appeal.

4. Organisation Chart



5. Background Information

The Cayman Islands has a Court of Appeal that sits in the Island for at least three sessions each year, six resident Grand Court Judges, one non-resident Grand Court Judge and three Magistrates. In addition, there is a Panel of 14 Acting Judges for the Grand Court and 5 Acting Magistrates who sit as the need requires.

The Governor appoints magistrates, judges, the Chief Justice and the President and Justices of Appeal 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.

The Cayman Islands Court of Appeal was established in 1984 and is a creature of statute and of the Constitution. It usually sits for three sessions of three weeks each year in the Cayman Islands. There is provision for additional special sessions where the circumstances so require.

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, the United Kingdom or the Commonwealth.

Previous judicial and/or practical experience in the fields of insolvency, fiduciary relationships (including trusts) and commercial law are essential.

He/she must possess a sound and thorough knowledge of the general common law which is applicable in the Cayman Islands; and, in addition, the ability to interpret local legislation and case law in 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; must conduct him/herself at all times in a way that is consistent with the dignity of high judicial office; and must be able to demonstrate procedural fairness and the ability to deal courteously with professional representatives, litigants in person and members of the public. The post-holder will be a person of maturity and sound judgment.

Excellent research, analytical, oral and written skills, together with a basic proficiency in the use of the computer, are essential; as are the abilities to maintain confidentiality, exercise good judgment and commitment, to be conscientious, work diligently and comply with the Code of Conduct for the Cayman Islands Judiciary at all times.

The post-holder must understand that the procedures of the court reflect the need for urgent action to be taken in some cases; for there to be special processes for balancing the need for justice to be administered in public with the potential harm to businesses if sensitive information is publicly available at too early a stage; and for the need to be able to adjust judicial resources to the changes in patterns of workload in this highly specialised area of work.

7. Assignment and Planning of work

While the Division is supported by a Registrar and case listings are made by the Registrar and the 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

The post-holder will have no supervisory responsibility apart from as might arise in respect of any judicial personal assistant assigned to him/her.

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

The post-holder can expect to work on average between five and fifteen days per month; noting the potential for ebbs and flows within the workload. Once a case is allocated, it will generally stay with that judge until it is completed thus the intensity will fluctuate.

Video conferencing is widely used in response to the global spread of the financial sector doing business in the Cayman Islands and thus not all working days must necessarily be physically conducted in the Cayman Islands.

The post-holder must be prepared to meet deadlines and respond to urgent matters which arise from time to time. There are no legal holidays in the Cayman Islands.

AGREED BY:

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

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

Her Excellency the Governor: _____ **Date:** _____