



**JUDICIAL SERVICE COMMISSION
GUYANA**

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**APPLICATION FOR APPOINTMENT TO JUDICIAL OFFICE
in the
SUPREME COURT OF JUDICATURE**

**GUIDE FOR APPLICANTS
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PART 1

INTRODUCTION

1.1 The purpose of this Guide is to assist applicants for Judicial Office in the Supreme Court of Judicature, Guyana. It is arranged in four parts.

Part 1

This gives a brief outline of the contents of the Guide.

Part 2

This outlines the eligibility requirements, and the criteria applicants must satisfy before the Judicial Service Commission will consider them for appointment. It also explains the appointment procedure and outlines how the Judicial Service Commission will obtain the information from referees.

Part 3

This provides important information on making an application.

Part 4

This contains Annex A: An Outline of the Terms and Conditions of Judicial Officers.

1.2 Applicants are advised to ensure that they read and fully understand the contents of this Guide before they complete and submit their application form.

PART 2

ELIGIBILITY REQUIREMENTS

2.1 To be eligible for appointment as a **Justice of Appeal**, an applicant must have:

- i. be or have been a judge of a court of unlimited jurisdiction in civil and criminal matters in Guyana or any other part of the Commonwealth or a court having jurisdiction in appeals from such court; or
- ii. a. qualified for admission to practise as an attorney-at-law in the courts of Guyana or as an attorney-at-law in a court in any other part of the Commonwealth having unlimited jurisdiction either in civil or criminal causes or matters; **and**
b. be qualified for not less than fifteen (15) years to practise in such court.
- iii. A high level of understanding of relevant principles of law and jurisprudence.
- iv. Comprehensive knowledge of relevant rules of evidence and of court practices and procedure

2.2 To be eligible for appointment as a **Puisne Judge**, an applicant must have either:

- i. been a Judge of a court of unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court; **or**

- ii. qualified to practice as an advocate in such a court, and has so practiced, for a period of or periods amounting in the aggregate to not less than **7 years**.

2.2 To be eligible for appointment as **Commissioner of Title**, an applicant must be qualified to practice as an advocate in a court of unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court, and has so practiced, for a period of or periods amounting in the aggregate to not less than **7 years**.

2.3 To be eligible for appointment as **Chief Magistrate**, an applicant for the position must:

- i. have a Bachelor's Degree in Law and a Legal Education Certificate;
- ii. be qualified to practise law in the Co-operative Republic of Guyana and have general knowledge of the Laws of Guyana; and
- iii. have at least 12 years practice as an Attorney-at-law in Guyana or any Commonwealth jurisdiction; or
- iv. have experience as a Principal Magistrate.

2.4 To be eligible for appointment as **Deputy Chief Magistrate** an applicant must:

- i. have a Bachelor's Degree in Law and a Legal Education Certificate;
- ii. be qualified to practise law in the Co-operative Republic of Guyana and have general knowledge of the Laws of Guyana; and
- iii. have at least 10 years practice as an Attorney-at-law in Guyana or any Commonwealth jurisdiction or
- iv. have experience as a Senior or Principal Magistrate

2.5 To be eligible for appointment as **Magistrate**, an applicant must be qualified to practice as an advocate in a court of unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court, and has so practiced, for a period of or periods amounting in the aggregate to not less than **5 years**.

2.6 To be eligible for appointment as **Deputy Registrar of the High Court**, an applicant

- i. must be qualified to practice as an advocate in a court of unlimited jurisdiction in civil and criminal matters in some part of the Commonwealth or a court having jurisdiction in appeals from such a court, and has so practiced, for a period of or periods amounting in the aggregate to not less than **3 years**; **or**

- ii. must possess a first degree in Law from a recognised University **plus 7 years'** experience in the Supreme Court.

2.7 To be eligible for appointment as a Judicial Officer, an applicant must

- a. be in good health. In particular, he/she should have satisfactory sight and hearing [with technological assistance if required] and should also be able to sit and to concentrate for long periods of time.

- b. be a person who always conducts himself/herself, both in his/her professional and personal lives, in a manner that will maintain public confidence in the standards of the judiciary.

CRITERIA FOR APPOINTMENT

- 3.1 The Judicial Service Commission will only appoint individuals who best satisfy the eligibility criteria and display the following attributes to the highest degree.

Legal Knowledge and Experience

Successful candidates will have attained

- a. a high level of understanding of the principles of law and jurisprudence.
- b. a comprehensive knowledge of the rules of evidence and of court practice and procedure.

Skills and Abilities

- a. Sound judgment, being able to:
 - exercise discretion effectively.
 - apply knowledge and experience to make decisions which are compliant with the law and appropriate to the circumstances of the matter in hand; and
 - consider competing arguments and reason logically to a balanced conclusion.
- b. Intellectual and analytical ability, being able to:
 - listen and concentrate for long periods of time, understand and assimilate facts and arguments, and recall such evidence and information speedily and accurately.
 - apply legal principles to particular facts and to determine from a large body of information those issues and facts which are relevant and important and those which are not.
 - weigh relevant issues and matters of law in order to be able to formulate them for reasoned and coherent presentation; and
 - apply the law creatively.
- c. Decisiveness:

Having the ability to reach firm conclusions, to think, decide and act independently of others, and to rely on their own judgment.
- d. Communication and listening skills:

Being able to communicate effectively with all types of court users including lay people [whether defendants, witnesses, members of a jury, litigants in person or children], giving instructions, explaining complex issues and giving decisions in judgments clearly and concisely, both orally and, where necessary, in writing.
- e. Authority and case management skills, being able to:
 - command the respect of court users and maintain fair-minded discipline in the court and chambers without appearing pompous, arrogant or overbearing; and
 - promote the expeditious dispatch of litigation, preventing unnecessary prolixity, repetition and irrelevance whilst ensuring that all parties [whether represented or not, and including children] are able to present their case or their evidence as fully and as fairly as possible.
- f. Keeping abreast of legal developments and court technology.

Personal Qualities

a. Integrity:

- Having a history of honesty, discretion and plain dealing with professional colleagues, clients and the courts.
- Possessing independence of mind and moral courage, being prepared to take and maintain unpopular decisions when necessary.
- Having the trust, confidence and respect of others.

b. Fairness:

- Being open-minded and objective, with the ability to recognize any personal prejudices and to set them aside; and
- Being able to deal impartially with all matters which come before them and ensure that all those who appear before them have an opportunity for their cases to be clearly presented and considered as fully and dispassionately as possible.

c. Understanding of people and society:

Having a knowledge and understanding of, and respect for people from all social backgrounds, being sensitive to the influence of different ethnic and cultural backgrounds on the attitudes and behaviour of people whom they encounter in the course of their work.

d. Maturity and sound temperament:

- Displaying a maturity of attitude and approach; and
- Being firm and decisive while remaining humble, patient, tolerant, good-humoured and even tempered.

e. Courtesy and humanity:

- Being courteous and considerate to all court users and court staff; and
- Having and conveying understanding of the needs and concerns of court users and being sensitive and humane.

f. Commitment:

A commitment to public service and to the proper and efficient administration of justice, which should be pursued conscientiously, with energy and diligence.

THE APPOINTMENT PROCEDURE

General

4.1 Applications are welcome from all those who satisfy the published eligibility requirements.

Confidentiality

- 4.2 The Judicial Service Commission will treat all applications and supporting information as confidential. The consultation process with the referees listed on the Application Form will however, require contact to be made for information on the relevant applicant so that they may provide feedback if they so desire.

Interviews

- 4.3 Shortlisted applicants will be invited to an interview.

Allegations of misconduct

- 4.4 The Judicial Service Commission will attach no weight to un-particularized allegations of misconduct. It will consider any specific allegations of misconduct in their full context, including the views of the applicant concerned. If a specific allegation of misconduct is made, the Judicial Service Commission will seek the referee's consent to send details of the allegation to the applicant, to enable him or her to comment on the allegation.
- 4.5 This applies only to specific allegations of misconduct; it does not apply to more general reservations expressed about an individual's professional abilities and qualities. For practical purposes, 'misconduct' refers to conduct which, if the allegations were substantiated, would be regarded by a professional Association as an infringement of the relevant principles of professional conduct; and/or might, prima facie, cause the Judicial Service Commission to consider whether to initiate disciplinary proceedings, where the person concerned is a holder of a relevant judicial or legal office.

Assumption of Duty

- 4.6 In the event of an appointment the applicant would be expected to take up the appointment as soon as possible, subject to a reasonable period being allowed for disengagement from existing obligations.

PART 3

MAKING AN APPLICATION

Obtaining the Application Form

- a. Copies of the Application Form for appointment to the Judicial Office and other relevant documents can be obtained from the Secretary (ag) to the Judicial Service Commission or from the Supreme Court’s website – <https://supremecourt.gy/vacancies>
- b. Your signed application form may be
 - i. hand delivered or sent by post, courier to the Office of the Judicial Service Commission c/o Court of Appeal, 60 High Street, Kingston, Georgetown; or scanned and emailed judicialservicecommission@outlook.com provided that it gets to the Secretary to the Commission on or before the closing date and time for applications.
 - ii. The envelope or the subject of the email must be titled “Application for the position of ...”

Completing the Form

- a. Your application should be typed or completed clearly in black ink, with any additional information attached to the back of the completed form. Please ensure that you sign and date the form.
- b. An unsigned Application Form will not be accepted.
- c. A certified copy of the biodata page of your Passport or a certified copy of your National Identification Card along with a certified copy of your Birth Certificate as well as certified copies of all relevant academic certificates or official transcripts must be submitted along with the Application Form.

Your Address

- d. Please indicate clearly whether you prefer correspondence about your application to be sent to preferred email, home or business address. Please notify the Secretary of the Judicial Service Commission of any changes to the information supplied under this heading.

Names for Consultation/ Referees

- a. The Judicial Service Commission invites you to provide the names and professional addresses of three members of the judiciary and/or legal profession whom you consider will be able to comment upon your qualities and experience. Referees are to be advised that the Referees Assessment Forms must be submitted to the Secretary of the Judicial Service Commission on or before the closing date for applications.

Only Referee Assessment Forms received directly from the referee will be considered.

Canvassing for Support

- b. It is unnecessary and inappropriate for applicants to approach those whom they name to canvass support as to what is sought is not a reference but information to enable an assessment to be made of their suitability for appointment. Likewise, it is unnecessary and inappropriate for referees to canvass support for applicants.

Withdrawal

- c. You may withdraw your application for appointment to Judicial Office at any time by writing to the Secretary of the Judicial Service Commission.

Health Issues and Medical Examination

- d. If you are aware of any health matter which might adversely affect your performance in judicial office, it would be helpful if this could be mentioned at the outset.
- e. Please note that the selected applicant may be required to undergo a complete medical assessment to determine suitability for employment, the cost of which shall be borne by the Applicant.

Contact Information

- f. All communication and enquiries in relation to your application should be forwarded under confidential cover to the Secretary of the Judicial Service Commission at the following address:

The Secretary (ag)
Judicial Service Commission
Court of Appeal Building
60 High Street
Kingston
Georgetown
Telephone : 227-2086 or 227-2980
Email: judicialservicecommissiongy@outlook.com