

**APPOINTMENT TO THE OFFICE OF JUDGE
OF THE CARIBBEAN COURT OF JUSTICE**

GUIDE FOR APPLICANTS

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PART I

1. INTRODUCTION

The purpose of this Guide is to assist applicants for the office of Judge of the Caribbean Court of Justice. 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 Regional Judicial and Legal Services Commission will consider them for appointment. It also explains the **appointment procedure** and outlines how the Regional Judicial and Legal Services Commission will obtain the comments of referees.

Part 3

This gives important advice on **making an application**.

Part 4

This contains **Annex A**: An outline of the terms and conditions of the office of Judge of the Caribbean Court of Justice.

PART 2

2. ELIGIBILITY REQUIREMENTS

Article 1V.10 of the Treaty establishing the Caribbean Court of Justice provides:

"A person shall not be qualified to be appointed to hold or to act in the office of Judge of the Court, unless that person satisfies the criteria mentioned in paragraph 11 and –

- (a) is or has been for a period or periods amounting in the aggregate to not less than five years, a Judge of a court of unlimited jurisdiction in civil and criminal matters in the territory of a Contracting Party or in some part of the Commonwealth, or in a State exercising civil law jurisprudence common to Contracting Parties, or a court having jurisdiction in appeals from any such court and who, in the opinion of the Commission, has distinguished himself or herself in that office; or*
- (b) is or has been engaged in the practice or teaching of law for a period or periods amounting in the aggregate to not less than fifteen years in a Member State of the Caribbean Community or in a Contracting Party or in some part of the Commonwealth, or in a State exercising civil law jurisprudence common to Contracting Parties, and has distinguished himself or herself in the legal profession."*

3. CRITERIA GOVERNING APPOINTMENT

3.1. Article IV.11 provides:

"In making appointments to the office of Judge, regard shall be had to the following criteria: high moral character, intellectual and analytical ability, sound judgment, integrity, and understanding of people and society."

4. THE APPOINTMENT PROCEDURE

General

- 4.1.** In respect of the Office of Judge of the Caribbean Court of Justice, the Regional Judicial and Legal Services Commission will interview candidates and the successful candidate will be appointed by a majority vote of all of the members of the Commission.

Confidentiality

- 4.2.** The Regional Judicial and Legal Services Commission will treat all applications and supporting information as confidential.

Interviews

- 4.3.** The Commission may require an applicant to attend an interview in Port of Spain.

Consultation

- 4.4.** The Commission may, prior to appointing a Judge of the Court, consult with associations representative of the legal profession and with other bodies and individuals that it considers appropriate in selecting a Judge of the Court.

PART 3

5. MAKING AN APPLICATION

Obtaining the Application Form

- 5.1.** Copies of the Application Form for appointment as Judge of the Caribbean Court of Justice can be obtained from the Secretary to the Regional Judicial and Legal Services Commission and from the Court's website: www.caribbeancourtjustice.org.

Delivery of the Application Form

- 5.2.** It shall be the responsibility of the applicant to ensure that the application is delivered to the office of the Regional Judicial and Legal Services Commission at 134 Henry Street, Port of Spain, Trinidad and Tobago, West Indies before the deadline fixed for the making of applications.
- 5.3.** The applicant may choose to complete and submit the Application Form online. To do so, the applicant must follow the directions given on the website.

Acknowledgement of an Application

- 5.4.** In the case of an application that is not submitted online, the application must be in a sealed envelope, marked "Confidential", and should reach the Commission not later than 4.00 p.m. on Monday the 30th day of November, 2009. You should receive an acknowledgement within 14 days of the receipt of your application by the Secretary of the Regional Judicial and Legal Services Commission. If you have not received an acknowledgement within this period you should contact the Secretary of the Regional Judicial and Legal Services Commission.
- 5.5.** Applications which are submitted electronically will be acknowledged in the same manner.

Completing the Form

- 5.6.** Your application should be typed or completed clearly in black ink, with any additional information attached. Please ensure that you sign and date the form.

- 5.7.** An unsigned Application Form will not be considered. In the case of applications submitted online no signature is required.

Your Address

- 5.8.** Please indicate clearly the address to which you wish correspondence to be sent. Please notify the Secretary of the Regional Judicial and Legal Services Commission of any changes to the information supplied under this heading at least 14 days before the close of applications.

Names of Referees

- 5.9.** The Regional Judicial and Legal Services Commission invites you to provide the names and professional addresses of not less than 3 persons of whom 2 shall be members of the judiciary and/or the legal profession, whom you consider will be able to comment upon your qualities and experience. The Regional Judicial and Legal Services Commission may write to the persons named on your application form. The members of the judiciary or legal profession whom you name should be persons who are familiar with your work and therefore able to comment having regard to the criteria mentioned in paragraph 3.

Medical Examination

- 5.10.** Applicants should be aware that any offer of appointment will be made subject to a medical report acceptable to the Commission. If you are aware of any health issue which might adversely affect your performance in judicial office, it would be appreciated if this could be mentioned at the outset.

Contact Information

- 5.11.** All communication and enquiries in relation to your application should be directed to the Secretary of the Regional Judicial and Legal Services Commission at the following address:

134 Henry Street
Port-of-Spain
Trinidad and Tobago
West Indies