5/06/2021

HIGH COURT OF RIVERS STATE OF NIGERIA EXEMPTION OF PAYMENT OF DEFAULT FEES PRACTICE DIRECTION, NO. 3 OF 2021.

This Practice Direction is issued pursuant to the powers conferred on the Chief Judge of Rivers State by Section 274 of the Constitution of Federal Republic of Nigeria, 1999 (as amended) and all other enabling Laws in that behalf and shall come into force on the 15th day of June, 2021.

PREAMBLE:

- i. The strike action embarked upon by the Judiciary Staff Union of Nigeria, (hereinafter referred to as JUSUN) from the 6th of April, 2021 to the 14th of June, 2021 presented a situation not envisaged and provided for in the High Court of Rivers State (Civil Procedure) Rules, 2010 and all the Practice Directions so far issued.
- ii. The strike action stalled the filing of Court processes and Court proceedings within the aforesaid period.
- iii. Order 44 Rule 4 of the High Court of Rivers State (Civil Procedure) Rules, 2010 provides for computation of time for the filing of Court processes or the doing of an act as provided for in the Rules and payment of default fees (penalty) for processes filed out of time.

OBJECTIVES:

- i. Notwithstanding, the provisions of Order 44 rule 4 of the High Court of Rivers State (Civil Procedure Rules) 2010 this Practice Direction is to exempt the payment of default fees (penalty) for processes that were due for filing, but were not filed within the specified time provided for in the Rules due to the JUSUN strike referred to above, provided that the affidavit in support of the motion for extension of time filed by parties shall clearly indicate the period required for filing the processes and service of same in line with the Rules.
- ii. This Practice Direction is also to exempt the payment of default fees for processes due for filing but were not filed within any period that the business of the Court is stalled due to other circumstances or

events not envisaged and not provided for by the Law, Rules of Court or Practice Direction.

APPLICABILITY:

This Practice Direction shall, unless otherwise ordered or directed in writing by the Chief Judge, apply to both Criminal and Civil matters in the High Court and Magistrates' Courts.

CITATION:

This Practice Direction shall be cited as Exemption of Payment of Default Fees, No. 3 of 2021.

Dated this 15th day of June, 2021.

Hon. Justice Simeon Chibuzor Amadi

Chief Judge of Rivers State.