



SUB-COMMITTEE REPORT

CIVIL PRACTICE & COURT LIAISON



Ambiga Rajendran

Chairperson: Ambiga Rajendran
Yu Ai Ting

Sub-Committee Members: Agalya J M (Deputy)
Soong Ru Yi
Lee Ee San
Jeyanthi Kalidas
Muhammad Aizudin
Bin Radthuan

Ex-Officio: M K Thas
Yu Ai Ting



Yu Ai Ting

The Civil Practice & Court Liaison Sub-Committee (the “Committee”) wears many hats to carry out different functions.

Firstly, as the official point of contact between the Selangor Courts and Members of the Selangor Bar, the Civil Practice & Court Liaison Sub-Committee (the “Committee”), handled various complaints and issues raised by Members this term. The Committee also initiated and attended meetings held with the Managing Judge of Selangor Courts, Director of the Selangor Courts as well as the Selangor State Legal Advisor.

Further, the Committee had also successfully organised the Selangor Bar Law Conference 2024 which saw a collaboration with the Criminal Practice & Court Liaison Sub-Committee.

The Committee is also proud to report that the Bar Council Advocacy Training Course was offered for the first time in Selangor due to the efforts of the Committee and for the benefit of our members.

We are happy to share the details of the efforts carried out during this term below.

A. Complaints & Resolution

1. This Sub-Committee received the following complaints from the Members of the Bar in relation to the Courts in Selangor.



2. The details of the complaints that were raised and addressed are as follows.

NO.	COMPLAINTS	STATUS & FEEDBACK
1.	Hearing of joint petitions in divorce proceedings, which are currently held (in open court) in the Shah Alam Sessions Court. Can you clarify whether advocates need to be robed?	Status: Resolved The attire follows the Court where the matter is heard. As the Joint Petitions are being heard in Open court at the Sessions Court it would follow open court attire for Sessions Court which is chambers attire.
2.	a) The Courts take more than two (2) weeks to approve the draft Orders especially Prohibitory Order at Shah Alam High Court (Bahagian Pelaksanaan). b) Delay in approving cause papers at Petaling Jaya and Selayang Courts.	Status: Resolved Feedback: The Court SOP for approving draft Orders is normally around four (4) working days. For urgent matters, kindly contact the Court to expedite the approval of documents.
3.	Request by Members to pay via online transfer for grounds of judgement instead of having to physically head to Court to make the payment.	Status: Resolved Feedback: The payments for Grounds of Judgments can be via online transfer into the account of the respective Secretary/Interpreter of the particular judge.
4.	Hearing conducted via Zoom has disrupted the lawyers' lunch hour.	Status: Resolved Feedback: We have addressed the issue during the meeting with the Managing Judges. It has been concluded that judges have the discretion to decide the timing of each case. If the time is not suitable, Members/lawyers are advised to inform the Court accordingly.
5.	An issue was raised a in Facebook group regarding extensive delays in replying during the e-review by Petaling Jaya Session Court 3.	Status: Resolved Feedback: Brought the matter to Court's attention and the Court has resolved the issue through their internal circular. The



		Court have also been advised that reasonable timelines should be followed.
6.	Member proposed that matters filed using the wrong code (for whatever reason) be amended by the Court instead of asking lawyer to withdraw the case and refile.	Status: Resolved Feedback: To assist Members, the Court has given us “Codex Mahkamah Tinggi, Mahkamah Sesyen dan Mahkamah Majistret Tahun 2018 for both civil and criminal case” for Members’ easy reference and to avoid filing using the wrong code.
7.	The time frame for court trials in Klang High Court which have been fixed in the year 2027 is a big concern for lawyers.	Status: In Progress Feedback: Klang Court currently only has one (1) High Court judge and the court is in the midst of clearing pending cases prior to 2023. The Court has informed us that they will try to expedite each case. It is mentioned that it is difficult for a judge to handle both civil and criminal cases at the same time because criminal cases will be given priority. Pending appointment of another High Court Judge.
8.	The prices of the food at the Shah Alam Court Cafeteria are too high.	Status: In Progress Feedback: We have raised the issue during the meeting with the then Pengarah Mahkamah Negeri Selangor, Dato’ Anita Harun. On 8 November 2024, we have officially written to the court and the letter was personally handed to the current Pengarah Dato Hj Mohd Nasir bin Hj Nordin. The Court will further discuss with the café management with regards to this issue.
9.	Regarding calls to the Shah Alam Court phone number 03-55103543 going unanswered by the operator and the calls also	Status: In Progress Feedback: Members are advised to communicate with the Court by email to



	not being forwarded to the recording/ system which allows the caller to dial the extension number.	the respective Officer. A copy of the list is attached to this report.
10.	Members encountered issues with different Registrars at the Shah Alam High Court where matters would take days or even weeks to conclude as the Registrar would either: i) not respond at all on the day the matter was fixed for case management as he or she was on leave (without prior notice to parties); or ii) they would be unresponsive; or iii) the responses are delayed; or iv) Responses would be intermittent.	Status: In Progress Feedback: When we raised this matter, we received similar feedback from the Court regarding certain lawyers. As such, the State Bar and the Court will work together to find a way to resolve this matter for the benefit of all parties.
13.	Parking at Petaling Jaya Court	Status: Resolved Feedback: The Court has informed us that the parking lots allocated for lawyers currently on Level 2 and 2A and marking/signage written as "Pegum/TPR".

3. Meeting with Managing Judge on 27 June 2024

It is a courtesy meeting between Managing Judge Dato' Zabariah binti Mohd Yussof, the High Court Judges in Selangor, Pengarah Negeri Selangor Dato' Anita Harun, and Deputy Registrars as most of the issues were resolved prior to the meeting.





4. Selangor Bar Law Conference 2024 – Theme: “Sui Generis”

The Selangor Bar hosted the inaugural Selangor Bar Civil Law Conference 2024 (“the Conference”) on 6th and 7th September 2024. It was a physical conference which took place in the newly renovated Glenmarie Hotel & Golf Resort, Shah Alam. This was the first time that the Selangor Bar decided to host a single conference covering both Civil & Criminal Law areas.

Safe to say, the Conference was an extremely successful event. It was a full house and was officiated by the Chief Justice of Malaysia, the Right Honourable Tun Tengku Maimun Binti Tuan Mat who delivered the Opening Keynote Address. Her address was very meaningful and contained pearls of wisdom which would be beneficial to members. A copy of YAA’s speech is published in the upcoming AdRem publication for Members’ benefit.





SELANGOR BAR LAW CONFERENCE 2024

KEYNOTE SPEAKER



"SUI GENERIS"

**CHIEF JUSTICE
YAA TUN TENGKU MAIMUN
BINTI TUAN MAT**

SPEAKERS REVEAL

 YA Datuk Harmindar Singh Dhaliwal <i>Federal Court Judge</i>	 YA Datuk Vazeer Alam bin Mydin Meera <i>Federal Court Judge</i>	 YA Datuk Nantha Balan A/L E.S Moorthy <i>Court of Appeal Judge</i>	 YA Datuk Wong Kian Kheong <i>Court of Appeal Judge</i>
 YA Dato' Azizul Azmi bin Adnan <i>Court of Appeal Judge</i>	 YA Datuk Noorin binti Badaruddin <i>High Court Judge</i>	 YA Dr Shahnaz Binti Sulaiman <i>High Court Judge</i>	 YA Puan Evrol Mariette Peters <i>High Court Judge</i>
 YA Tuan Atan Mustaffa Yusof Ahmad <i>High Court Judge</i>	 YA Tuan Ahmad Murad Bin Abdul Aziz <i>High Court Judge</i>	 YA Puan Roz Mawar Rozain <i>Judicial Commissioner</i>	 Puan Dayang Ellyn Narisa Binti Abang Ahmad <i>Registrar, Sabah & Sarawak</i>

The Conference showcased a variety of distinguished speakers who presented on various current topics of civil law and criminal law whereby Day 1 consisted of Civil Law topics and Day 2 covered Criminal Law sessions. The topics of Day 1 are listed below.

Day 1 – Civil Law

1. Session 1: Judicial Management

Speaker: YA Ahmad Murad Bin Abdul Aziz, HCJ



Moderator: Ms Alison Wong

2. **Session 2: Medical Negligence - A Relook at Tortfeasors' Liability**
Speaker: YA Datuk Vazeer Alam Bin Mydin Meera, FCJ
Moderator: Mr Jayabalan Raman Kutty
3. **Session 3: Remedies - Assessment of Damages**
Speaker: YA Datuk Wong Kian Kheong, JCA
4. **Session 4: "Thou shall NOT commit adultery - When and How to Make a Claim Against a Third Party for Damages in Adultery"**
Speaker: YA Evrol Mariette Peters, HCJ
5. **Session 5: Aviation Law - Current Issues and Updates that Affects Rights of Passengers & Arbitration for Aviation Disputes**
Panelists:
YA Dr. Shahnaz Binti Sulaiman, HCJ
Dato' Mary Lim Thiam Suan, (Director of Asian International Arbitration Centre (AIAC), Chairman of the Protem Committee for AIAC, Federal Court Judge (Retired))
6. **Session 6: Partnership Conundrums**
Speaker: YA Dato' Azizul Azmi Bin Adnan, JCA
Moderator: Mr Desmond Ho
7. **Session 7: The Narrow Gate: Public Policy Exceptions in Malaysian Arbitral Enforcement**
Speaker: YA Atan Mustaffa Yussof Ahmad, HCJ
Moderator: Mr Indran Kumaraguru
8. **Session 8: Effective Appellate Advocacy**
Speaker: YA Datuk Nantha Balan A/L E.S. Moorthy, JCA
Moderator: Mr Dinesh Nandrajog
9. **Session 9: How to Retain Fundamental or Core Principles of Ethics and Integrity in Practice**
Panelists:
YA Dato' Anand Ponnudurai, HCJ
YA Tuan Kenneth St James, Judicial Commissioner

The conference saw 176 delegates, comprising law students, pupils-in-chambers, practicing lawyers, judges, and non-members, attend the two-day conference. All participants were awarded 13 CPD Points and received a complimentary unique laptop bag specifically designed for this Conference.



Besides the Conference sessions, participants were also invited to a Networking Session in the evening of Day 1 which was jointly sponsored by Messrs RDS Partnership & Messrs Kuek, Ong & Associates. The feedback was extremely positive and has encouraged the Committee to attempt similar events in the future.









5. The Committee extends our appreciation to the Court for their kind co-operation in resolving the issues or concerns raised by Selangor Bar Committee promptly.
6. The Committee also would like to thank all the Right Honourable Chief Justice, esteemed Judges, Speakers, Moderators, generous sponsors and delegates who made the Conference a roaring success. It would not have been possible without everyone's contribution.
7. We wish to express our appreciation and gratitude to the Chairman of the Selangor Bar Committee, Mr. M K Thas for his unwavering support and guidance.
7. We would like to express our gratitude to all the members of the Committee for their contribution, commitment, assistance in making sure the aims of the Committee were achieved.
8. We would like to thank the members of the Selangor Bar Committee and our Members for their continuous support and assistance throughout this term.

Thank you.

Report submitted by:-

Ambiga Rajendran & Yu Ai Ting
Co-Chairpersons
Civil Practice and Court Liaison Sub-Committee