

# **CHAPTER 9 -ACTION PROCEDURE**

## **Introduction**

### **PHASES OF THE ACTION PROCEDURE:**

- Pre-pleadings phase
- Pleadings phase
- Preparation for trial phase
- Trial phase
- Judgment phase
- After trial phase
  
- 3 Main stages:
  - Pleadings stage
  - Preparation for trial stage
  - Trial stage

### **OVERVIEW OF PHASES:**

- Pre-pleadings phases:
  - Consists of the consultation with the client
  - Parties engage in negotiations (letters of demand etc)
  - Drafting of pleadings
  
- Pleadings stage:
  - Commences with the issuing of summons and consists of the change of pleadings between parties
  - Pleadings are served on the opposing party and then filed at court
  
- Preparation for trial stage:
  - Commences upon *litis contestation*
  - There has been a joinder of issue - ie: the issues in the dispute have been crystallised
  - Parties are ready to collect evidence to prove their claims or defences

# Outlines Procedure Action Kings Division

**L Darling-Hammond**



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**Chitty's Collection of Statutes, with Notes Thereon ... Second Edition, Containing All the Statutes of Practical Utility in the ... Administration of Justice in the Present Time. By W. N. Welsby ... and E. Beaven** England,1851

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*Weekly Notes of Cases Decided by the High Court, N.-w. P* North-western Provinces, India. High Court of Judicature,North-Western Provinces (India). High Court of Judicature,1883 1893 94 include selected decisions of the Board of Revenue N w p and Oudh      Ruling Cases Robert Campbell,1896      **The Law Students' Journal** John Indermaur,Charles Thwaites,1900      **A Short Outline of English Legal History** Harold Potter,Owen Hood Phillips,1933      *The Cumulative Book Index* ,1937      **Odgers' Principles of Pleading and Practice in Civil Actions in the High Court of Justice** William Blake Odgers,Lewis Frederick Sturge,1952      **Bullen and Leake's Precedents of Pleadings in Actions in the King's Bench Division of the High Court of Justice** Edward Bullen,Stephen Martin Leake,Cyril Dodd,Thomas Willes Chitty,1905      *Municipal Reference Library Notes* New York Public Library. Municipal Reference Library,1964      *An Outline of Local Government and Local Taxation in England and Wales (excluding London)* Robert Samuel Wright,Henry Hobhouse,1929      **Cumulated Index to the Books** ,1938

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