

# JOHORE BAR COMMITTEE

## JAWATANKUASA PEGUAM NEGERI JOHOR

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FOR MEMBERS ONLY

Internal Circulation

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PRIVATE & CONFIDENTIAL

TO ALL MEMBERS OF THE JOHORE BAR

BY COURT BOX/EMAIL/FAX/JBC WEBSITE

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### AGM OF THE JOHORE BAR FOR 2012/13

I am pleased to inform you that the Annual General Meeting (AGM) of the Johore Bar proceeded smoothly on Friday 24<sup>th</sup> February 2011 at the Jotic Auditorium in Johor Bahru with an attendance of 104 members.

#### ELECTION OF THE JOHORE BAR COMMITTEE FOR 2012/13

The following persons were elected to the Johore Bar Committee for the year 2012/13 :

Chairman	:	Mr S. Gunasegaran
Committee Members	:	Mr Andrew Wong Fook Hin Mr Tho Kam Chew Puan Shahareen Begum Binti Abdul Subhan Puan Norhayati Binti Mohamed Ms. Mary Jesmal Pereira Ms. Sujata L a/p M P Lakshmanan Mr Kuna Nadasen Mr R. Jayabalan Ms. Yvonne Young Ai Peng Puan Mazni Binti Mohamad Ikhwan
Johore Bar Representative	:	Mr K. Mohan

#### ANNUAL SUBSCRIPTION TO THE JOHORE BAR

The members resolved that the Annual Subscription to the Johore Bar should remain at RM 200.00

## **MOTIONS ADOPTED AT THE MEETING**

The Meeting passed 3 Motions, particulars whereof are as follows :

### **Motion No. 1 (Proposed by the Johore Bar Committee)**

- (1) That the Johore Bar Committee be and is hereby empowered to levy a one-time additional subscription of RM250.00 from its members for the year 2012/13 to meet the cost and expense of renovating the property to be acquired for the use of the Johore Bar and the Johore Legal Aid Centre; and
- (2) That such additional subscription shall be payable by each advocate and solicitor by 30<sup>th</sup> June 2012.

### **Motion No. 2 (Proposed by Mr. R. Jayabalan)**

- (1) That the courts should cease from directing or expecting the lawyers, in the absence of clear legislative provisions, to type, prepare and supply the Notes of Evidence;
- (2) the Notes of Evidence should be prepared by the courts and supplied to the parties based on the audio visual recording when there is an appeal or application from the parties;
- (3) the Judiciary should consider studying the practice in other jurisdictions such as in Singapore where the task of preparing the notes of evidence is fully technologised and outsourced with direct supervision by the courts and without burdening the judge and the lawyers and also in Sabah and Sarawak where the transcript of court proceedings under the CRT is done by the court stenographers;
- (4) the Judiciary should engage a sufficient number of typists or stenographers to facilitate the process of transcribing the Notes of Evidence;
- (5) the Bar Council to seriously pursue this issue with the Judiciary including bringing to the Judiciary's attention of the difficulties faced by lawyers and to forward proposals including the systems used in other jurisdictions on transcribing court proceedings.

### **Motion No. 3 (Proposed by Mr. Mathews George)**

- (1) That the mediation process is only resorted to with the express consent of the litigants.
- (2) That mediation should be conducted only at the initial stage of the proceedings, unless agreed to otherwise by the litigants.
- (3) That Judicial Officers conducting mediation refrain from passing judgment on the strength or weakness of the case.
- (4) That mediation should not be pursued at the expense of litigants' rights and interest and lawyer's professionalism.
- (5) That the Courts adhere to the Chief Registrar's Practice Direction No. 5 of 2010 in dealing with Mediation.
- (6) That the above resolutions be sent by the Johor Bar Committee to the Chief Justice of Malaysia, President of the Court Of Appeal, Senior Judge High Court Johor Bahru and to the Bar Council.

Please be guided accordingly.

**S. GUNASEGARAN**  
**CHAIRMAN**

(This is a computer generated letter. No signature is required)