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JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

Court Liaison 12/25

18 Jul 2025

To Members of the Penang Bar,

Courtesy Calls on Penang High Court Judges and the Director of the Penang State Courts: Updates, Feedback and Reminders

The Penang Bar Committee paid a courtesy call on all Penang High Court Judges on 14 May 2025 and on the Director of the Penang State Courts, Puan Norsalha Binti Dato' Hamzah on 26 June 2025, respectively. During the meetings, several key issues were raised and discussed. Members are kindly reminded to take note of the following feedback and directions from the Courts.

Penang High Court

Case Management

1. Raising Substantial Issues
Members are requested to raise any substantial or contentious issues during the Case Management stage and not on the trial day. This will assist in the efficient running of trials and avoid unnecessary delays.
2. Delays, Emergencies & Medical Leave
While it is understood that emergencies and medical issues may arise, the Court strongly encourages counsel to plan ahead and do their utmost to attend scheduled trial dates to prevent unnecessary adjournments.
Members are reminded to ensure the progress of the case is not hindered.

Referencing of Documents, Evidence & Authorities

1. To assist the Court in navigating cause papers and submissions efficiently, references should be made as follows:
 - For Documents (e.g. Affidavits, Exhibits): Enclosure Number of the relevant cause paper
 - PDF Page Number and PDF Page Number where the extract can be found
 - For Case Laws: Case Name and Hierarchy of Court (e.g. COA / FC / HC)
 - Citation
 - Enclosure Number of the Bundle of Authorities
 - Where important, reproduce the relevant extract in the Written Submission or Executive Summary

Written Submissions

1. Structure is Key
2. The Court emphasised that all Written Submissions must be well-organised.

Use of Headings

1. Headings should be clearly included to improve readability.

Consistency with Oral Submissions

1. Submissions should refer to and reflect the key issues raised during oral argument.

Post-Trial Written Submissions

1. Structure remains essential.

2. Members are reminded to follow and respond to the specific “Issues to be Tried” as set out during trial.

Appeals

1. Parties are advised to ensure that the Memorandum of Appeal is confined strictly to the findings and decisions made by the lower court. New grounds should not be introduced unless leave is granted.

Photocopy Machine

1. The Committee is pleased to inform that the photocopy machine for the Bar Room has been approved

Penang Subordinate Courts

Filing of Draft Judgments in Default (JID)

1. It was brought to Puan Norsalha’s attention that:
 - For the past few years, draft orders have not been accepted for Judgments in Default (JID).
 - Only fair orders have been permitted and the Court has not required Plaintiffs to produce proof of costs incurred.
2. The Penang Bar Committee enquired as to:
 - Why this practice has changed when the High Court continues to accept draft JID orders; and
 - Whether the system could revert to filing draft JIDs to avoid having to serve judgments with interlineation.
3. Puan Norsalha informed that she will refer the matter to Puan Aziana, Deputy Registrar of the Penang High Court, and revert accordingly.

Delay in E-Review Replies by Balik Pulau Magistrates

1. The Committee raised concerns regarding delays in e-Review responses from the Balik Pulau Magistrates Court.
2. Puan Norsalha has assured that the Officers have looked into the issue and instructions have been given that replies from Balik Pulau Magistrates are to be given by afternoon on the same day.

Availability of Tamil and Mandarin Interpreters

1. The Committee highlighted that, on several occasions, Members were asked to bring their own Tamil or Mandarin interpreter due to lack of availability
2. Puan Norsalha has taken note of this concern and will look into appropriate steps to address and resolve this issue.

Remand Room at the Georgetown Court

1. The Committee raised the suggestion for a one-stop remand centre at the Georgetown Court, to better streamline remand matters and improve convenience for all parties.
2. Puan Norsalha agreed with the suggestion and has stated that she will look into its feasibility.

Punctuality

1. The Committee was informed that there were Members of the Bar who are not present when Court is in session at 9.00 a.m. including for online hearings, and there have been instances where the Magistrate/Sessions Court Judge walked into an empty courtroom.
2. Members are reminded to make every effort to be at Courts on time and make arrangements for their matters to be stood down in the event they have to appear in more than one Court.
3. Punctuality applies not only for physical attendance but also virtual.

Mention Dates (Chemist Report)

1. On the accused being charged, the first mention date will be set two months from the date of charge to enable the Chemist Report to be prepared by the Chemistry Department. The subsequent mention dates will be a month after each mention date until the Chemist Report is ready and made available.

Thank you.

Gowri Subbaiyah and Tinoshiny a/p Arumugam
Co-Chairpersons
Civil Practice and Court Liaison Subcommittee