

A guide to litigation and enforcement in the Cayman Islands (PLC Chapter)

Briefing Summary: Lawyers from our dispute resolution and litigation practice have drafted this Q&A, which gives a structured overview of key practical issues concerning litigation and enforcement in this jurisdiction, including:

Service Area: Dispute Resolution and Litigation, Corporate Disputes, Commercial Litigation, Fraud and Asset Tracing

Location: Cayman Islands

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Summary

Main dispute resolution methods

Court litigation

- Limitation periods
- Court structure
- Rights of audience
- Rights of audience/requirements
- Foreign lawyers

Fees and funding

- Funding
- Insurance

Court proceedings

- Confidentiality
- Pre-action conduct
- Main stages
- Starting proceedings
- Notice to the defendant and defence
- Subsequent stages

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Interim remedies

- Strike out
- Summary judgment
- Other circumstances
- Availability and grounds
- Prior notice/same-day
- Mandatory injunctions
- Right to vary or discharge order and appeals
- Main proceedings
- Preferential right or lien
- Damages as a result
- Security

Final remedies

Evidence

- Disclosure
- Privileged documents
- Other non-disclosure situations
- Examination of witnesses
- Oral evidence
- Right to cross-examine
- Third party experts
- Appointment procedure
- Role of experts
- Right of reply
- Fees

Appeals

- Which courts
- Grounds for appeal
- Time limit

Class actions

Costs

Enforcement of a local judgment

Cross-border litigation

- No choice of law and non-contractual claims
- Enforcement of a foreign judgment

Alternative dispute resolution

Proposals for reform

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