

REGISTER  
**IN THE SUPREME COURT OF TONGA**

**Practice Direction 2 of 2002**

**Service of documents on parties or recipients in person**

**General**

This applies to any court documents listed in the Schedule to this Direction.

Where any document listed in the Schedule is to be served on the recipient in person it shall have the following notice in both Tongan and English attached:

**FANONGONONGO 'O E FAKAHINOHINO**

**MATU'AKI MAHU'INGA**

KAPAU 'OKU 'IKAI MAHINO KIATE KOE 'a e tohi ngaue ni PE 'OKU 'IKAI KE KE FAKAPAPAU'I 'A E ME'A KO IA 'OKU FIEMA'U KE KE FAKAHOKO 'I AI, 'oku totonu ke ke fetu'utaki ki ha loea pe ko ha'o fetu'utaki ki he kau ngaue 'o e Fai'anga Lesisita 'o e Fakamaau'anga Lahi 'i he vave taha pea KIMU'A KE KE FAKAHOKO HA FA'AHINGA NGAUE.

Ko e tokotaha 'oku ne tufa atu 'a e tohi ni kiate koe 'e 'ikai ngofua ke ne 'oatu 'e ia ha fale'i fakalao kiate koe.

**DIRECTIONS NOTICE**

**IMPORTANT**

IF YOU DO NOT UNDERSTAND this document OR IF YOU ARE UNCERTAIN WHAT IT REQUIRES YOU TO DO, you should consult a lawyer or speak to the staff at the Supreme Court Registry as soon as possible and BEFORE YOU TAKE ANY FURTHER ACTION.

The person serving this document on you cannot give you any legal advice.

The notice is to be stapled to the front of the document so it is clearly seen.

Service of the Directions Notice must be confirmed specifically on the certificate of service whenever it is attached to the documents served.

### **Divorce Petitions**

It is becoming increasingly common for lawyers serving divorce petitions on the respondent or co-respondent to profer, at the same time, a draft letter purporting to have been written by the person being served in which he acknowledges the truth of the petition and/or declares that it will not be opposed. The person is invited to sign and it is then tendered to the Court.

This practice is tantamount to offering legal advice to the other party and is therefore improper professional conduct. It also encourages the person served to commit himself before he has had time to reflect on the petition or to take independent legal advice.

It is to stop immediately.

*A Ward*

**Dated: 10<sup>th</sup> June, 2002.**

**Chief Justice**

### **Schedule**

Writ of Summons in Supreme Court or Land Court  
Garnishee Order Nisi  
Charging Order: Notice to show cause.  
Contempt of Court: Notice to show cause.  
Interim Injunction.  
Application for inter parties injunctions.  
Judgment in default of pleading.  
Divorce petition.  
Decree nisi.  
Any Court Order served on an unrepresented person.