



## PRACTICE DIRECTION ALERT:

# DRAWING UP ENTRY OF JUDGEMENT

### KEN KWAME ASAMOAH VS. STATE INSURANCE COMPANY

[2022]DLSC11430

The Supreme Court presided over by His Lordship the Chief Justice, Anin Yeboah CJ, has given Practice Direction with regards to the drawing up of Entry of Judgment in a civil suit.

The court speaking through Amegatcher JSC observed that leaving judgment creditors or their lawyers to interpret judgment and draw it up in a notice of an entry of judgment without recourse to the Court Registrar or the Court itself poses a problem for the administration of justice. In the words of the learned Justice:

*"Many parties to litigation before our courts suffer injustices when compelled to satisfy judgment debts they have not incurred. They are, then thrown out of their businesses. Others suffer the brunt of wrongful demolishing of their properties arising from such false representations drawn up in the entry of judgment."*

In this regard the Supreme Court, per Amegatcher JSC, has given the following Practice Directions to guide parties, lawyers, judges and Registrars in the drawing up of the Entry of Judgment so as *"to avert similar injustices in the future which invariably taint the reputation of the judiciary.."*

1. Trial judges are to summarize and specifically state all enforceable orders made in their judgments at the end or at the conclusion of the judgments. This summary is to be recorded in the Record Book as well. This will provide guidelines to the parties, counsel and the registrars regarding the drawing up and the filing of notices of judgment after trial and the specific orders to be enforced by way of execution...

2. Registrars of all courts are to carefully review such notices of entry of judgment filed and satisfy themselves that the contents represent the orders made by the court in the suit. When in doubt, registrars should seek clarification from the judge who pronounced the judgment before executing any documents for the enforcement of the judgment....
3. Counsel representing judgment debtors must carefully scrutinize notices of entry of judgment filed by their colleagues and confirm that the contents are in line with the agreement of the parties and/or the final orders made by the court. If the notice has been misrepresented, it is the professional responsibility of the counsel to object timeously to the terms filed and to apply to the court immediately to set aside or rectify the notices. This is a duty owed their clients, the court and the profession to expose wrongdoing and protect the sanctity of the justice delivery system.
4. Counsel preparing and signing notices of judgment after trial should be weary of the rules of professional conduct which regulate their actions in court. We refer especially to Rule 63 (2) (e)& (f) of the Legal Profession (Professional Conduct and Etiquette) Rules, 2020, L.I. 2423....

Read the full case on: [www.dennislawgh.com](http://www.dennislawgh.com)

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