

# Review Court Act

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**Senate of SimDemocracy**

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## Preamble

An Act to make provisions for the creation of the Review Court.

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## Part 1: Review Court

### Article 1: Jurisdiction

§1. The Review Court shall hear –

- (a) Interlocutory Appeals;
- (b) Criminal Appeals; and,
- (c) Appeals for cases within the Small Claims Court.

§1.1. Appeals may only lie to the Review Court on questions of law.

### Article 2: Composition of Court

§1. The Review Court is presided over by –

- (a) A single Supreme Court Justice; or,
- (b) A single Judge.

§1.1. The Chief Justice may from time to time publish a list of Judges whom they may assign to cases on the Review Court, and the Judges on this list shall be considered Judges of Review.

§2. The Chief Justice shall assign cases with regard to the requirements in the above section.

§3. In this Act, a qualified person under §1. is referred to as a Judge of Review.

§4. The Review Court is established as an Inferior Court under the Constitution, but its rulings shall be binding on other inferior courts except itself.

### Article 3: Hearing

§1. Unless otherwise specified, no hearing on appeals shall be required, unless the assigned Judge of Review chooses to have a hearing.

§2. A response may be submitted to an appeal by the opposing party, if the opposing party so desires.

§3. The procedure and form of a hearing may be decided on by the respective Judge of Review.

## Article 4: Speedy Hearing of Cases

§1. Unless otherwise stated, an Appeal must be heard within four days of its filing, unless the Judge of Review decides not to hold a hearing.

§1.1. A filing made without permission, if the filing requires permission, shall not require a response under this section.

§2. An Appeal must be completed, and an order listed in Article 5 must be issued within ten days of its filing.

## Article 5: Types of Orders

§1. In deciding an appeal a Judge of Review may make the following orders –

- (a) An order to affirm, modify or set aside any ruling or part thereof;
- (b) An order to remand the case or part thereof back to the original court for rehearing;
- (c) An order for new trial;
- (d) An order for a Judge to recuse;
- (e) An order staying the execution of an order;
- (f) An Order for Review of Detention (Habeas Corpus);
- (g) An order for release; and,
- (h) Such ancillary orders which may be necessary to give effect to the orders listed.

§2. A new trial may not be ordered on account of any error, defect or irregularity that does not affect the merits of the decision appealed against or the jurisdiction of the court whose decision is appealed against.

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# Part 2: Interlocutory Appeals

## Article 6: Interlocutory Appeals

§1. An interlocutory appeal is an appeal against an order or decision by a Judge in any court except for the Supreme Court.

§2. No Interlocutory Appeal may be filed against any ruling without permission being granted for the filing of such an appeal by a Judge of Review, unless the type of appeal is listed in the First Schedule.

§3.1. No permission shall be granted for orders listed in the Second Schedule.

§4. The filing of an Interlocutory Appeal shall serve as a stay on the execution of the thing the appeal is filed against.

## Article 7: Order for Review of Detention

§1. Any person may, with permission, apply to the Review Court for an Order for Review of Detention on behalf of themselves or someone else. If such an application is filed, the Review Court shall require the relevant parties (the party causing the detention, the party being detained, and the party filing the application) to appear at a hearing within 24 hours to review the detention of the detained party.

§2. If the detention is not done in accordance with law, the Review Court may issue an order for release.

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## Part 3: Criminal Appeals

### Article 8: Special provisions

§1. A verdict on a criminal case which has a total sentence of less than two (2) months may not be filed without permission. All other criminal verdicts may be appealed without permission being granted for the filing of such an appeal by a Judge of Review.

§2. Cases where the sentence extends beyond two (2) years shall automatically be assigned to a Judge of Review, and the Judge of Review must satisfy themselves that the verdict and sentence on the case is valid and legally sound.

§3. The filing of an appeal shall serve as a stay on the execution of a sentence, but does not require a defendant to be released if they are arrested.

§4. The sentence, if appealed, should also be set in accordance with the Sentencing Act.

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## Part 3: Small Claims Court (Civil Cases) Appeals

### Article 9: Additional provisions

§1. A Review Court may grant an order to send a case to the State Court for re-hearing on the entire case or part thereof, despite any legislation to the contrary, if an order for a ruling to be set aside is granted on the case.

§2. No appeal is to be filed against any Small Claims Court ruling without permission being granted for the filing of such an appeal by a Judge of Review.

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## First Schedule

1. An appeal against a decision of a Judge not to recuse.
2. An appeal against a decision relating to the revealing of classified evidence.
3. An appeal against an order of Contempt of Court.

## Second Schedule

1. Any order summarily dismissing an appeal in the Review Court on the basis of a frivolous complaint.
  2. A denial to grant permission to appeal to the Review Court.
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*Authored and Signed,*

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