1. (a) The procedures from arraignment to imposition of sentence in criminal cases in the high court follows the following order:

 Arraignment – At the arraignment, the defendant is to enter either a plea of guilty, not guilty, or no contest (nolo contendere). If the defendant enters a plea of not guilty, the judge will set a trial date. If the defendant enters a guilty plea or declares no contest to the charges, the judge will set a date to impose the sentence on the defendant for the crime.

 Trial
   The trial Opening Statements – The defendant has the right to a trial in which either a jury or the judge determines whether he/she is guilt. When the court trial is about to begin, each side can make an opening statement. Since it is a criminal case, the prosecuting attorney speaks first.

 To begin, the prosecuting attorney gives an overview of the facts that will be presented. The defense attorney may either choose to present the same type of opening comment or may save the opening statement until later in the trial when that side of the case begins. Both attorneys may decide not to give an opening statement.

Witnesses – The prosecuting attorney begins the case by calling witnesses and questioning them. This is referred to as direct examination. Witnesses in all trials take an oath or an affirmation that what they say in court is true. All trial evidence, including testimony and physical evidence, such as documents, weapons, or articles of clothing, must be acceptable in reference to the Evidence Act before it can be admitted into evidence and shown to the jury. The judge decides what evidence and testimony are admissible in the court.

 In a criminal trial, the prosecuting attorney presents evidence and witness testimony to try to prove beyond a reasonable doubt that the defendant is guilty and has committed the crime. The defendant’s attorney may present evidence and witnesses to show that the defendant did not commit the crime or to create a reasonable doubt as to the defendant’s guilt. The defendant is considered innocent of the crime charged until proven guilty.

 When the prosecution finishes questioning a witness, the defense is allowed to cross-examine the witness on any relevant matter. After cross-examination, the attorney who first called the witness may ask the witness more questions to clarify something touched on in the cross-examination. This is redirect examination. The judge may allow an opportunity for the opposing attorney to re-cross examine.

 When the prosecution has called all the witnesses for its side of the case and presented all of its evidence, it rests its case. At this point, the defendant’s attorney may ask for a judgment of acquittal. This means that the attorney is asking the court to decide the case in the defendant’s favor because the prosecuting attorney did not present enough evidence to prove the case against the defendant. If the judge agrees that there is not enough evidence to rule against the defendant, the judge rules in favor of the defendant, and the case ends.

 In cases where a judgment of acquittal is not requested or if the request is denied, the defense may present evidence for its side of the case. The defense attorney often waits until this point in the trial to make an opening statement. The defense may choose not to present evidence, as it is not required to do so. The defendant in a criminal case is not required to prove innocence. The burden is on the prosecution to prove the defendant’s guilt beyond a reasonable doubt and failure to do so would prove the innocence of the defendant. If the defense does present a case and call witnesses, the same rules and procedures that governed presentation of evidence by the prosecution now apply to evidence presented by the defense including the opportunity for the prosecutor to cross-examine defense witnesses.  At the end of the defendant’s case, the prosecutor may present additional information to respond to evidence offered by the defense. Following this, the defense is given another opportunity to present more evidence on the defendant’s behalf.

Closing Arguments – After the prosecution and the defense have presented all of their evidence, each side may make closing arguments. Closing arguments which is similar to opening statements provides an opportunity for the attorneys to address the judge or the jury a final time. The prosecutor speaks first, usually summarizing the evidence that has been presented and highlighting items most beneficial to the prosecution. The defendant’s attorney speaks next. The defense attorney usually summarizes the strongest points of the defendant’s case and points out flaws in the prosecutor’s case. The prosecutor then has one last opportunity to speak.

 After closing arguments in a jury trial, the judge reads instructions to the jurors, explaining how the law applies to the case. Jury members must follow these instructions in reaching a verdict. The jury goes to a special jury room and elects a foreman to lead the discussion. Jurors must consider all of the evidence presented, review the facts of the case, and reach a verdict. When the jury makes its decision, the court is called back into session.

 The foreman then presents a written verdict to the judge, and either the judge or the court clerk reads the jury’s verdict to the court. The court then enters a judgment based on the verdict, and the jury is released from service. If found not guilty, the defendant is released immediately. If the defendant is found guilty, a date is set for sentencing.  The defendant may either be held in custody or remain on release status until sentencing.

Sentencing – A sentencing hearing is scheduled to determine the punishment a convicted defendant will receive. The judge hears testimony from the prosecution and the defense regarding the punishment that each side feels the convicted defendant should receive. After hearing this, the judge impose the sentence as outlined by the constitution.  The options may include probation, fines, imprisonment, or a combination of these punishments. In some cases, the death penalty can be imposed.  A jury rather than the judge is required to decide whether the defendant will receive the death penalty. A convicted defendant may appeal. If the death penalty has been imposed, an automatic appeal is filed with the Supreme Court.

(b) After the imposition of sentence, the accused is allowed to appeal for a more lenient sentence for instance in the case of a death penalty, the accused may appeal for something of lesser sentence in a higher court.

2. Methods by which civil proceedings may be commenced in the high court include:
     1.The plaintiff files a document (a complaint or a petition) with the clerk of the court stating the reasons for suing the defendant and what action the plaintiff feels the court is to take.
     2. The plaintiff must state whether the case is eligible for arbitration according to court rule.
     3. A copy of the complaint and a summons are delivered to (served on) the defendant.
     4. The defendant has a limited time (usually 20 days) to file a written answer admitting or denying the statements in the complaint.
     5. The plaintiff and the defendant exchange information about the case. This is called discovery.
     6. The case is tried before a jury or a judge. Civil trial procedure is similar to criminal procedure, with each side having the opportunity for opening and closing statements, direct examination and cross examination of witnesses, and introduction of other evidence.
     7. The judge makes a decision or the jury gives its verdict, based on the testimony and other evidence presented during trial.
     8. The losing party may appeal the decision to the next higher level of the court.