



In the Supreme Court of Bermuda

A/50

20 April 2020

CIRCULAR NO. 09 OF 2020

TO ALL ATTORNEYS

RE: UPDATED COVID-19 MEASURES

This Practice Direction is issued further to Circular 07 of 2020.

Given the most recent update provided by the Bermuda Government on Tuesday, 14 April 2020 that there will be a 24-hour 'Shelter in Place' continuing for a further two (2) weeks until Saturday, 2 May 2020, the Court is required to implement the following measures with **immediate effect**.

It should be noted that the health, safety and welfare of the Members of the Public, as well as Court Administrative Staff continues to be our paramount concern.

SUPREME COURT

- (1) All hearings listed before the Supreme Court during the period 20 April – 1 May 2020 shall be adjourned administratively to a date to be fixed. The parties **are not** required to attend the Supreme Court, and will be contacted in due course concerning a date for the hearing to be listed.
- (2) The Supreme Court Registries located at the Government Administration Building, 2nd Floor and the Dame Lois Browne Evans Building, 3rd Floor, will remain closed until **Monday, 4 May 2020**.
- (3) If an application is of **extreme urgency**, the parties **MUST** contact the Court by email at supremecourt@gov.bm **immediately** and explain the urgency of the matter so that this may be taken into consideration. The Court will make every effort to list any application that is considered urgent, with such urgency to be determined by the presiding Judge.
- (4) If an application is listed for hearing as it has been determined to be of extreme urgency, the parties **may** be required to attend Court. Attendance by the parties and/or attorneys can be requested to be via telephone or an alternative form of audio visual technology (see Circular No. 8 of 2020) with at least 24 hours' notice (or at the earliest possible opportunity if time constraints do not allow for this notice period). The presiding Judge will determine if these requests for alternative attendance are approved and the parties and/or attorneys will be advised accordingly.
- (5) Until 4 May 2020, counsel are **discouraged** from overloading the email with general correspondence and/or pleadings which do not relate to matters of extreme urgency. If general filings are attempted to be made via email it is likely they will not be addressed. If a party or attorney is unsure whether something should be submitted via email to the Court, kindly send an email seeking direction rather than emailing documents which are not related to an application which has been deemed to be extremely urgent.

- (6) Searches of all Cause Books are suspended until **Monday, 4 May 2020**.
- (7) Estate applications which require the applicant(s) to sign and/or swear supporting documents will not be processed.

MAGISTRATES COURT

- (8) All hearings listed before the Magistrates' Court during the period 20 April – 1 May 2020 shall be adjourned administratively to a date to be fixed. The parties **are not** required to attend the Magistrates' Court, and will be contacted in due course concerning the date they are required to attend for the matter to be heard. However, where parties have appeared before the Courts during the period 6 April to 15 April 2020 and have been given dates to reappear before the Court, those parties **must** appear as directed by the Magistrate. Should any other dates be set by way of Summons or by a Magistrate during the period 6 April to 1 May 2020, parties **must** appear.
- (9) The Magistrates' Court will remain closed to all filings until **Monday, 4 May 2020**. The public access windows will also remain closed.
- (10) The Cashiers Desk will remain closed until **Monday, 4 May 2020**. Provisions are currently being considered in relation to persons and employers making payments in relation to child maintenance and civil judgments debts only. Further directives will follow in the event of these provisions being approved.
- (11) If an application is of **extreme urgency**, the parties **MUST** contact the Court by email **immediately** using the table below and explain the urgency of the matter so that this may be taken into consideration. The Court will make every effort to list any application that is considered urgent, with such urgency to be determined by the presiding Magistrate.

MAGISTRATES COURT EMERGENCY CONTACT	
DIVISION	EMAIL
CIVIL	civil@gov.bm
CRIMINAL	records@gov.bm
FAMILY AND JUVENILE COURT MATTERS	childsupport@gov.bm
BAILIFF	ctterry@gov.bm

- (12) If an application is listed for hearing as it has been determined to be of extreme urgency, the parties **may** be required to attend Court. Attendance by the parties and/or attorneys can be requested to be via telephone or an alternative form of audio-visual technology (see Circular No. 8 of 2020) with at least 24 hours' notice (or at the earliest possible opportunity if time constraints do not allow for this notice period). The presiding Magistrate will determine if these requests for alternative attendance are approved and the parties and/or attorneys will be advised accordingly.

We will continue to review and monitor the above and whether they should be extended and/or expanded, and the public will be advised concerning any changes.

We thank you for your continued patience and understanding as we navigate through these unprecedented times, and apologise for any inconvenience the above may cause.

Dated the 20th day of April 2020.



CC: The Attorney-General's Chambers
Department of Public Prosecutions
Hamilton Police Station
Commissioner of Police
Commissioner of Corrections
Magistrates Court
Bermuda Bar Association
Legal Aid Office

ANW/ct