



In the Supreme Court of Bermuda

A/50

30 June 2020

CIRCULAR NO. 15 OF 2020

TO ALL ATTORNEYS

RE: UPDATED TRANSITIONAL RE-OPENING OF THE COURTS DUE TO COVID-19

This Practice Direction is issued further to Circular 13 of 2020.

As Bermuda continues to battle the effects of the COVID-19 pandemic, the Court will continue transitioning its re-opening to providing full services.

As the health, safety and welfare of the Members of the Public, as well as Court Administrative Staff continues to be our paramount concern, services will continue to be limited and be revisited further in two weeks.

The following provisions are effective for the period 1 July 2020 through 31 July 2020, but may be subject to change:

GENERAL:

- (1) Outside of the dates and times provided in this Practice Direction for the attendance of Members of the Public at the Supreme Court or the Magistrates' Court of Bermuda, all Court buildings remain closed to the general public.
- (2) Members of the Public must email or call the Court in respect of any queries rather than attending Court offices. Queries in relation to the Supreme Court should be emailed to supremecourt@gov.bm or made by telephone on 292-1350. Queries in relation to the Magistrates' Court should be made by telephone on 295-5151.
- (3) Any persons attending a Court building in accordance with the dates / times listed in this Practice Direction must have his or her face covered by a mask or other appropriate covering such as a scarf at all times upon entering any Court building. Entry will be denied if this is not complied with.
- (4) Any persons attending a Court building must sanitize his or her hands prior to entering any Court building.
- (5) If a person is showing any signs of illness, such as coughing, he or she will not be allowed to enter any Court building.
- (6) The following Court services will continue to be suspended until further notice:
 - (a) Swearing of affidavits; and
 - (b) Certifying Copies.

SUPREME COURT

- (7) The Supreme Court will continue to prioritize the listing and hearing of all urgent matters. If an application is **urgent**, 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.
- (8) Matters which have been adjourned administratively due to COVID-19 since March 2020 will be prioritized for relisting. Parties will be contacted in due course to be advised as to when delisted matters will be heard. We appreciate your patience with this process due to the backlog of applications and the extended period of time that the Courts were operating with a skeleton complement of staff.
- (9) Parties are **strongly encouraged** to agree directions in relation to matters which were/are listed for first appearances and or further directions in Thursdays' Chambers.
- (10) Where a matter is listed for either directions **or** a hearing, 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](#) and [Circular No. 14 of 2020](#)). Administrative directions/orders may also be given by the presiding Judge or Registrar. The presiding Judge or Registrar will determine if these requests for alternative "attendance" are approved and the parties and/or attorneys will be advised accordingly.
- (11) The Supreme Court Registries located on the 3rd Floor of the Dame Lois Browne Evans Building ("DLBE") as well as on the 2nd Floor of the Government Administration Building ("GAB") will be open to general filings **Mondays to Fridays from 8:30 a.m. to 12:45 p.m. only**. Therefore, filings in relation to Civil and Commercial matters of the Supreme Court will recommence being submitted at the Supreme Court Registry in the GAB.
- (12) Searches of the Cause Books will be by **appointment only**. Searches will be permitted for a period of one hour per search request. Requests shall be made by email to supremecourt@gov.bm.
- (13) The Court will continue processing Search Praecipos. **New** requests must be made by email to supremecourt@gov.bm with a copy of the Search Praecipe with \$10 in Revenue Stamps affixed must be attached to the e-mail. Once processed, attendance to inspect the files, or to collect copies of requested documents from the Supreme Court Registry at GAB will be by **appointment only**. The hard copy of the Search Praecipe will be required to be filed at the time of your appointment.
- (14) The following protocols **must** be adhered to in order to conduct a search of the Cause Books or to inspect a file:
 - (a) Entry will only be permitted to those who have a scheduled appointment to attend.
 - (b) Only one person will be permitted to enter the Premises to conduct a search at any given time.
 - (c) All persons must sanitize their hands upon entry, and utilize gloves whilst searching the Cause Books or files.
 - (d) Your face must be covered by a mask or other appropriate covering such as a scarf at **all** times.

- (15) The Courts' delivery service will resume.

MAGISTRATES COURT

- (16) Matters which have been adjourned administratively due to COVID-19 since March 2020 will be prioritized for relisting. Parties will be contacted in due course to be advised as to when delisted matters will be heard. We appreciate your patience with this process due to the backlog of applications and the extended period of time that the Courts were operating with a skeleton complement of staff.
- (17) If an application is listed, 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). The presiding Magistrate will determine if these requests for alternative attendance are approved and the parties and/or attorneys will be advised accordingly.
- (18) Attorneys and parties should note that there will be an unavoidable lag in the listing of new matters for hearing. This is due to following the guidelines issued by the Department of Health ("DOH") concerning social distancing as well as guidelines issued in respect of the public entering Government Buildings. In order to comply in particular with the DOH's guidelines with social distancing which require persons remain at least six (6) feet from one another, the Court will not be in a position to list the usual number of matters for hearing at any one time as the number of persons permitted to enter any court room must be limited.
- (19) The Magistrates' Court will extend the days for the filing of new applications (including enforcement applications) in the Civil and Family divisions of the Magistrates' Court on **Mondays to Fridays from 9:00 a.m. to 12:45 p.m. only**. Applications for Criminal Record Checks will resume and can be submitted during these hours.
- (20) The Cashiers Desk will resume being open at the regular hours on **Mondays to Fridays from 9:00 a.m. to 4:30 p.m.** Persons are still continued to be encouraged to make payments via online banking or by credit or debit card via telephone where possible. If your case is in relation to a civil matter or a criminal matter (only if there is no warrant attached), you may call 295-5151 extension 1215 to make your payment via debit or credit card. Please note at this time, this is only a temporary measure which will be utilized and may not continue after the Courts are fully operational.
- (21) The following protocols **must** be adhered to when entering the Dame Lois Browne Evans Building ("DLBE") otherwise you may be denied entry:
- (a) Your face must be covered by a mask or other appropriate covering such as a scarf at all times upon entering DLBE.
 - (b) You must sanitize your hands prior to entering DLBE.
 - (c) If you are showing any signs of illness, such as coughing, you will not be allowed to enter DLBE.
 - (d) Only fifteen (15) persons who are making payments to the Cashiers will be allowed to enter DLBE at any given time.
 - (e) Persons shall practice social distancing by keeping six (6) feet from others at all times after entering DLBE.

- (f) You must bring your own pen to use to sign any documents/receipts necessary as one will not be provided.
- (g) Please ensure that you have your case number readily available so as to minimize the processing time of your payment.
- (22) If an application is **urgent**, 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

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 30th day of June 2020.



ACTING REGISTRAR

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