



## **SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**

### **NOTICE TO THE PROFESSION AND GENERAL PUBLIC**

#### **COVID-19: PREVENTATIVE MEASURES**

**Issued: March 18, 2020**

Canada is experiencing an increase in cases of the novel coronavirus (COVID-19) and it is anticipated that the virus will continue to spread. The Court is monitoring the COVID-19 situation closely.

As a result of recent Federal and Provincial Government's public health advice and directives involving social distancing, public gatherings and that people should stay home where possible, the Supreme Court of Newfoundland and Labrador is taking the following measures to help reduce the transmission of COVID-19 in the community.

To protect the health and safety of the Court's staff, all court users and our community while ensuring respect for the legal rights of parties appearing before the court, the Supreme Court of Newfoundland and Labrador is limiting all regular operations, effective Thursday March 18, 2020 until further notice. Essential public service is being maintained.

The Court will post further information as it becomes available, so please continue to check the Supreme Court website at [www.court.nl.ca/supreme](http://www.court.nl.ca/supreme) for updates.

#### **Suspension of Court Operations**

1. All criminal, family and civil matters scheduled to be heard after March 18, 2020 are adjourned, without the parties having to attend Court. This includes all previously scheduled appearances (including telephone and videoconference appearances), unless the presiding judge directs otherwise. The general public, including Counsel and parties with matters scheduled after March 18, 2020, are advised not to attend any court centres.
2. Until further notice, only the following IN-CUSTODY CRIMINAL MATTERS will be heard by the Supreme Court of Newfoundland and Labrador:
  - (2.1) Bail hearings and reviews
  - (2.2) Sentencing hearings

- (2.3) Any other matter that the Court deems necessary and appropriate to hear on an urgent basis. The Bar and the public are advised that these matters will be strictly limited.
3. Until further notice, only the following urgent and emergency civil matters will be heard by the Supreme Court of Newfoundland and Labrador:
  - (3.1) The following matters related to PUBLIC HEALTH AND SAFETY and COVID-19:
    - (a) applications by the Chief Medical Officer of Health for orders in relation to COVID-19;
    - (b) applications to restrain the contravention or continued contravention of an order made under the *Public Health Protection and Promotion Act*;
    - (c) applications to enforce relevant provisions of any order made under the *Public Health Protection and Promotion Act*;
    - (d) any other urgent requests or applications made under the *Public Health Protection and Promotion Act*.
  - (3.2) Any other matter that the Court deems necessary and appropriate to hear on an urgent basis. The Bar and the public are advised that these matters will be strictly limited.
4. Until further notice, only the following urgent and emergency family matters will be heard by the Supreme Court of Newfoundland and Labrador:
  - (4.1) The following FAMILY, CHILD PROTECTION and ADULT PROTECTION matters:
    - (a) requests for urgent relief relating to the safety of a child or parent (e.g., applications for prohibited contact or exclusive possession of the home to ensure the protection of a child);
    - (b) applications relating to medical decisions or wrongful removal of a child;
    - (c) preservation orders;
    - (d) warrants under the *Children, Youth and Families Act* and statutorily mandated appearances; and
    - (e) new applications under the *Adult Protection Act*.
  - (4.2) Any other matter that the Court deems necessary and appropriate to hear on an urgent basis. The Bar and the public are advised that these matters will be strictly limited.

### **Filing of documents with the Court**

5. For all non-urgent matters, the Court will grant extensions of time for filing when normal operations resume.
6. Court registries will not accept any non-urgent filings until further notice.
7. Urgent filings will only be accepted by the Court through:
  - a) email to the applicable addresses or fax to the applicable numbers set out below.

All Supreme Court General Division matters and  
Corner Brook Family Division matters  
inquiries@supreme.court.nl.ca  
Fax: 709-729-6623

St. John's Family Division Matters  
familyinquiries@supreme.court.nl.ca  
Fax: 709-729-0784

8. The Court may require original documents to be filed before granting any order.
9. The payment of any applicable filing fee is postponed and will be addressed by the presiding judge.
10. Where a document must be issued, the Court will fax or email an electronic copy of the issued document to the appropriate party/parties.
11. Parties/Counsel are advised that there may be delays in processing filings.

### **Court Appearances**

12. Where an Applicant seeks an urgent hearing, the Court will provide directions.
13. Court appearances and hearings will be conducted in writing, by teleconference or videoconference, unless the Court determines that an in-person hearing/appearance is necessary.
14. If an In-Person Hearing/Appearance is necessary, the Court will advise the parties/counsel of the date, time and method of the hearing. There will be strict limits for the duration of the hearing.
15. Any person attending an In-Person Hearing/Appearance must ensure that they do not attend Court if they have travelled outside Canada in the preceding 14 days or are experiencing symptoms of COVID-19 or have had exposure to someone that has symptoms. If there are any concerns, the individual should contact the Court.

**Jury Selections and Jury Trials**

16. All jury trials in the Supreme Court of Newfoundland and Labrador will be suspended until further notice.

**Self-Represented Litigants**

17. Self-represented litigants are expected to comply with the process set out in this Notice.

**Further Notices/Announcements from the Court**

18. In the weeks ahead, the Court will develop further interim plans and will work to finalize an orderly resumption of regular operations.
19. The procedures described in this notice are subject to change as the situation regarding COVID-19 develops.
20. For further information, please visit the website or contacts as listed below:

[www.court.nl.ca/supreme](http://www.court.nl.ca/supreme)

St. John's General Division Registry  
[inquiries@supreme.court.nl.ca](mailto:inquiries@supreme.court.nl.ca)  
Phone: 709-729-1099 or 709-729-1324

St. John's Family Division Registry  
[familyinquiries@supreme.court.nl.ca](mailto:familyinquiries@supreme.court.nl.ca)  
Phone: 709-729-2573

**RAYMOND P. WHALEN**  
**Chief Justice**