



SUPREME COURT OF NEWFOUNDLAND AND LABRADOR

NOTICE TO THE PROFESSION AND GENERAL PUBLIC: EXPANSION OF PERMITTED FILINGS AND REMOTE APPEARANCES

Issued: May 13, 2020

In response to the public health emergency caused by the COVID-19 pandemic, the Supreme Court of Newfoundland and Labrador suspended its normal operations on March 18, 2020, permitting only urgent and emergency matters to proceed. Since that time, the Court has been evaluating ways of expanding its services in a manner consistent with the Chief Medical Officer's *Special Measures Order*. The Court remains committed to ensuring access to justice while protecting the health and safety of the public, staff members, judges and other stakeholders.

Consistent with this, the Court will be expanding the types of appearances that will proceed and the documents it will accept for filing/processing, as further described below. This builds upon the Notice issued on April 28, 2020.

Appearances by Teleconference and Videoconference

Beginning on **May 19, 2020**, the Court will resume holding the following:

Criminal Proceedings

Pre-Trial Conferences

Case Management Conferences

Applications (that a judge determines can proceed – see below)

Please note that these matters will be heard **via audio and/or video-link** and not in person. The Court will be contacting counsel and parties who have criminal pre-trial conferences, criminal case management conferences and criminal applications scheduled **on or after May 19** to confirm that the matters will be proceeding as scheduled. In consultation with counsel and the parties, the case management judge will determine how the proceedings can be advanced. The Court intends to proceed with applications that can be completed in a day or less via audio and/or video link. The judge and the parties may agree to schedule any application for longer than a day in certain circumstances. The Court will also contact counsel and parties who had criminal trial dates scheduled between March 19, 2020 and June 30, 2020 to set a date for a case management conference.

Details regarding how to participate **via audio and/or video-link** will be provided by the Court.

Counsel and parties are reminded of the deadlines for preparing and filing a Pre-Trial Report set out in **Rules 10.05(2)** and **9.04** of the *Criminal Proceedings Rules of the Supreme Court of Newfoundland and Labrador*.

Civil Proceedings

Settlement Conferences (that a judge determines can proceed – see below)

Applications (that a judge determines can proceed – see below)

Please note that these matters will be heard **via audio and/or video-link** and not in person. The Court will be contacting counsel and parties who have settlement conferences and applications scheduled **on or after May 19**. In consultation with counsel and the parties, the Court will determine if any settlement conferences or applications can proceed. The Court intends to proceed with matters that can be completed in a day or less via audio and/or video link. The judge and the parties may agree to schedule any settlement conference or application for longer than a day in certain circumstances. The Court will also contact counsel and parties who had settlement conferences and applications scheduled between March 19, 2020 and May 18, 2020 to reschedule these matters as soon as practicable.

Details regarding how to participate **via audio and/or video-link** will be provided by the Court.

Counsel and parties are reminded of **Rule 39B.03(1)** of the *Rules of the Supreme Court, 1986*, which requires that **Settlement Conference Briefs be filed at least ten (10) days prior** to the date set for the Settlement Conference.

Family Proceedings

Interim Applications

Settlement Conferences

Case Management Hearings

Please note that these matters will be heard **via audio and/or video-link** and not in person. The Court will be contacting counsel and parties who have such matters scheduled **on or after May 19** to confirm that the matters will be proceeding as scheduled. The Court will also contact counsel and parties on matters that did not proceed between March 19, 2020 and May 18, 2020 to reschedule these matters as soon as practicable.

Details regarding how to participate **via audio and/or video-link** will be provided by the Court.

Counsel and parties are reminded that they must comply with all filing requirements and deadlines related to the matters noted above and specific attention is drawn to **Rule F25.04(04)** of the *Supreme Court Family Rules*, which requires that **Settlement Conference Briefs to be filed at least seven (7) days prior** to the date set for the Settlement Conference.

Please note that while your court appearance will proceed on the date originally scheduled, delays in scheduled times may occur.

While the Court will endeavor to hold as many of these appearances as possible, the Court may not be able to proceed with all such matters given limitations on the availability of audio/video-conferencing equipment at this time. Further to this, the Court may, in consultation with the parties, determine that it is not appropriate to proceed with a particular appearance by audio or video-link.

Permitted Filings

Beginning on **May 19, 2020**, the Court will accept all filings for processing. Please note that **processing times will be considerably longer than normal** due to the limited number of staff members permitted within the Registries at any given time.

If the document filed requires the setting of an appearance, such as a return date, **please be advised that the Court may not be able to provide such a date at this time.**

The Court will not be accepting filing of a notice of examination that requires an in person appearance.

Further note that if the document you are filing requires your signature to be witnessed by a commissioner for oaths, you must arrange for this prior to filing the document. The Court will not be able to witness signatures at the Registry counter at this time.

For more information about how to file documents, consult the Court's Notice issued on April 28, 2020 as amended on May 4, 2020.

Access Requests

Beginning on **May 19, 2020**, the Court will accept requests for access to copies of sound recordings of proceedings and requisitions for searches and copies of documents in a Court file. These requests should be sent to the respective emails below:

Requisition for Search/Copy

St. John's (Gen. Div.)	searchandcopyrequest@supreme.court.nl.ca
St. John's (Fam. Div.)	familyinquiries@supreme.court.nl.ca
Corner Brook	inquiryCB@supreme.court.nl.ca
Gander	inquiryGander@supreme.court.nl.ca
Grand Bank	inquiryGB@supreme.court.nl.ca

Grand Falls-Windsor
Happy Valley-GB

inquiryGFW@supreme.court.nl.ca
inquiryHVGB@supreme.court.nl.ca

Request for Access to Copy of Sound Recording

All Centres

IMDivision@supreme.court.nl.ca

The Court will continue to post further updates and details regarding its operations.
Please continue to check the Supreme Court website at www.court.nl.ca/supreme.

RAYMOND P. WHALEN
Chief Justice