



COURT OF APPEAL OF NEWFOUNDLAND AND LABRADOR

NOTICE TO THE PROFESSION AND GENERAL PUBLIC COURT OF APPEAL HEARINGS – FALL 2020

Issued: September 16, 2020

This Notice replaces all previous COVID-19 Notices posted on the Court of Appeal website.

In response to the public health emergency caused by the COVID-19 pandemic, the Court of Appeal of Newfoundland and Labrador remains committed to ensuring access to justice is maintained by continuing to provide its services in a manner that protects the health and safety of the public, staff, litigants, judges and other stakeholders.

Court Operations

The Registry is operational and open to the public during the following hours: 9:00am – 1:00pm and 2:00pm – 4:30 pm. Filing requirements in the *Court of Appeal Rules* or the *Criminal Appeal Rules*, whichever is applicable, remain in effect. This includes Practice Notes CAPN No. 2018-18 and CAPN No. 2018-19, which require electronic filing of documents in addition to the filing of physical copies. Anyone seeking a variation of these rules should file a Form 20 Request.

The Court is open for parties to attend the Courtroom on a scheduled basis through the public entrance. The Sheriff's Office will conduct screening and ensure physical distancing in the Courtroom and at the Registry.

Hearing Appeals and Applications

The Court will hear appeals and applications in-person or by videoconference. Where the recommendations of the Chief Medical Officer cannot be accommodated for in-person hearings, the Court will default to a videoconference hearing.

The docket is posted on the Court's website, which may be viewed at:

https://jer-remote.justice.gov.nl.ca/index.php?wdocket.w_external_docket&p_court_id=589.

A member of the media may attend court hearings in person, when space permits or by audio conference upon request by emailing 48 hours in advance to: coaregistry@appeal.court.nl.ca.

A member of the public who wishes to attend the hearing of a matter listed on the docket, must email a request to the coaregistry@appeal.court.nl.ca at least 48 hours prior to the hearing in question.

Requests should indicate the **file number, case name** and **date** of the hearing. If the matter is one that the public would ordinarily be able to attend, the requestor will be advised whether space is available to attend in person. If space is not available, the requestor will be provided with a conference number to call in to listen to the hearing.

The Court will attempt to accommodate requests to attend made 48 hours prior to a hearing. Where these requests cannot be accommodated, the Court will provide a copy of the sound recording of the hearing at no cost to the requestor.

Members of the public and the media who did not make a request to attend a hearing may obtain a copy of the sound recording after the matter has been heard (assuming there is no restriction on public access to the hearing), subject to the payment of the \$20 fee. Requests for copies of the sound recording should be made by email to IMDivision@supreme.court.nl.ca.

In-Person Attendance

Anyone attending Court must wear a mask, sanitize hands, and follow directions of a Sheriff's Officer before entering the Courtroom or Registry. When attending a hearing, the Sheriff's officer will direct the parties, upon entering the Courtroom, to be seated in an assigned area. Physical distancing of six-feet is required to be maintained at all times. Once in the Courtroom, the parties will follow the directions of the Justice(s) during the hearing, including any directions with the respect to the use of masks.

Parties will be contacted prior to their scheduled hearing to determine who will be attending the Court to ensure proper physical distancing in the Courtroom. Contact information will also be obtained from the parties to permit contact tracing, should that become necessary.

Ongoing Review of Public Health Recommendations

The Court's internal pandemic plan takes into account and is responsive to public health measures pertaining to the maintenance of physical distancing, hand-washing/sanitizing, disinfecting high-touch surfaces, and increased cleaning of public spaces.

The Court will continue to advise stakeholders of updates to the plan and changes to procedures. Communications will be made to its media contact list (please contact the Court if you wish to be added to this list), the Law Society, Twitter, and the Court's website at:

<https://www.court.nl.ca/appeal/> .

DEBORAH E. FRY
Chief Justice of Newfoundland and Labrador