



# **SUPREME COURT OF NEWFOUNDLAND AND LABRADOR**



**COVID-19 GUIDELINES**

**Updated February 2021**

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## **1. INTRODUCTION**

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 analyzing ways of providing its services, taking into account the recommendations of public health authorities.

Further to this, on April 28, 2020, the Court expanded the types of documents that could be filed, began to deal with non-urgent proceedings that could be dealt with without an appearance, and began to hear specified family matters. The Court again expanded its operations on May 19, 2020, and began hearing a number of additional matters by teleconference and videoconference. The Court began hearing certain in-person appearances on July 2, 2020. The Registries outside of St. John's re-opened to the public on August 4, 2020, and the Registries in the St. John's General Division and Family Division re-opened to the public by appointment only on September 16, 2020. In person trials (judge alone/jury) resumed on September 14, 2020.

The Court remains committed to ensuring access to justice is maintained by continuing to offer its services in a manner that protects the health and safety of the public, staff members, judges and other stakeholders. To this end, the Court lays out the following plan for operating in the COVID-19 environment.

This plan was developed based upon the "COVID-19: Recommended Preventive Measures RESUMING COURT OPERATIONS IN WORK SITES" document produced by the Courts Administrative Services (CAS), dated May 28, 2020; the Government of Newfoundland and Labrador's "Pandemic Recovery Readiness Guide"; and materials prepared by the Supreme Court of Nova Scotia. The Court wishes to acknowledge these sources which have been reproduced in part and adapted in this document.

### **1.1 Guiding Principles**

The first guiding principle for the Court is that access to the courts must always be maintained. As noted by Chief Justice Dickson, in *B.C.G.E.U. v. British Columbia (Attorney General)*, [1988] 2 S.C.R. 214, "access to the courts is under the rule of law one of the foundational pillars protecting the rights and freedoms of our citizens".

The second guiding principle is that the Court must remain "open" to the public and the media so that they can get access to information about ongoing court proceedings. The open court principle is one of the cornerstones of the Canadian justice system and it includes access to all aspects of the court process. This principle is enshrined in section 2(b) of the *Canadian Charter of Rights and Freedoms*.

The third guiding principle is that persons charged with an offence have a constitutional right to trial within a reasonable time. The Court must therefore strive to resume criminal trials, including jury trials, as soon as it is possible to do so in a safe manner.

The fourth guiding principle is that the health and safety of the public, parties, counsel, Court staff members and the judges is a top priority. This means giving due regard to the Chief Medical Officer's *Special Measures Order* and the recommendations of public health authorities in order to minimize the risk of infection. This also means that, for the near future, it will not be business as usual.

## **2. GENERAL MEASURES**

Public health authorities have indicated that physical distancing, hand-washing/sanitizing, disinfecting high-touch surfaces and, where distancing cannot be maintained, the use of personal protective equipment (PPE) are important in minimizing the spread of COVID-19. Given this, the following measures will be required and implemented in all courthouses.

### **2.1 Distancing Measures**

- All persons inside of courthouses are asked to respect two-metre physical distancing while in the courthouse.
- Layouts for common areas, courtrooms, conference rooms and registries have been arranged to support the required physical distancing where possible.
- Chairs in courtrooms, waiting areas and any other rooms are appropriately distanced.
- Signage is displayed:
  - o Stating that individuals who know they are infected, have come into contact with someone who is infected, or are experiencing symptoms (even mild symptoms) must not enter the courthouse;
  - o Directing traffic flow and creating safe wait distances between individuals; and
  - o Stating the maximum capacity for courtrooms, conference rooms, waiting areas, elevators, washrooms, and any other rooms/areas.
- The number of employees allowed in the workspace is being managed to ensure physical distancing.
- Items that are commonly handled or shared (staplers, pens, etc.) have been removed from common areas.
- Photocopiers and fax machines should be used in a manner that respects physical distancing.

- Where feasible, employees should eat at their workstations or outside the courthouse.
- Water coolers have been removed from public areas and shared water jugs are no longer provided. Bottled water will be provided to courtroom participants in judicial centres that have point-of-entry security screening.
- Sheriff's Officers are monitoring public spaces and courtrooms to ensure that persons are maintaining adequate physical distance.
- Where physical distancing is not possible, other measures will apply as described elsewhere in this document.

## **2.2 Handwashing/Sanitizing**

- Court facilities are equipped with sanitizing products and sanitizing stations at the:
  - o entrance and exit of the courthouse;
  - o entrance of the security screening area;
  - o entrance and exit of each courtroom and conference room areas; and
  - o entrance of the elevators within courthouses.
- Clear signage has been posted about the courthouse stating that everyone entering the courthouse must use hand sanitizer when entering and exiting all courtrooms, conference rooms and registries.
- All persons are required to sanitize their hands before entering/exiting the courthouse, courtrooms, conference rooms and registries. Sheriff's Officers will monitor compliance.
- All washrooms and kitchens have signage posted regarding proper handwashing technique. Only disposable materials such as paper towels, etc. are available for hand drying.

## **2.3 Cleaning and Disinfection**

- Arrangements have been made to ensure:
  - o Courtrooms and conference rooms are disinfected before each new use, including:
    - the judge's dais;
    - furniture and equipment used by Judicial staff;
    - furniture and equipment used by litigants and legal counsel including microphones;
    - furniture used by the public;

- door handles, light switches, and any electrical door openers.
- Disinfection of high-touch surfaces in common areas occurs a minimum of two times per day, including:
  - door handles;
  - handrails; and
  - elevator buttons.
- Where more than one person will be using a particular work area in the same day, disinfection is conducted after the first person departs, and before the next person is scheduled to arrive.
- Washrooms and kitchens are being disinfected at least two times per day.
- Court staff members and court users are provided access to sanitary wipes or disinfectant sprays where possible, so they can wipe down surfaces before and after use, including chairs, desks, tables, keyboards, kitchen surfaces (fridges, microwaves, taps, countertops), and washroom surfaces (toilet seat, taps, countertops).
- Equipment such as photocopiers and fax machines must be wiped after each use.
- Where a suspected or confirmed case of COVID-19 is reported in a courthouse, operations on the floor in question, or a section of the floor will be suspended. Appropriate and thorough disinfection will be undertaken prior to re-occupancy.

#### **2.4 Personal Protective Equipment**

- Court attendees and court staff members are required to wear masks in all public areas of the courthouse. Court attendees are expected to bring their own masks.
- Where court staff members are serving individuals at a Registry counter or manipulating documents from external sources, they must take extra precautions, which may include the use of masks, hand sanitizing and/or gloves.
- Sheriff's Officers are required to wear masks and gloves while in public areas and courtrooms.
- Employees must be provided instructions on the proper use of PPE prior to their use.
- Suitable containers have been placed at the exits from the courthouse to allow for the discard of disposable masks and gloves.

## **2.5 First Aid**

- The Court must ensure the safety of employees who are required to interact with others during emergencies. These situations often require that first aid responders come into close contact (less than two metres) with others.
- In this case, before starting a first aid intervention, employees who possess their first aid certification should wear:
  - o A surgical/procedure mask;
  - o Protective eyewear;
  - o Gloves; and,
  - o Shirt or gown that covers the arms (e.g. not short-sleeved).
- Note that these first aid interventions include CPR and the use of an automated external defibrillator (AED).
- Likewise, it is recommended that employees who provide first aid assistance self-monitor for symptoms and, if necessary, contact their supervisor if they are experiencing symptoms.

## **2.6 Occupational Health & Safety (OH&S)**

- OH&S Committee is engaging in weekly inspections of the courthouses to ensure compliance with these guidelines.

## **3. ENTERING THE COURTHOUSE**

The following measures apply where persons are entering the courthouse to attend at the registry or to participate in or attend a court proceeding.

### **3.1 Entering the Premises and Moving Through Common Areas**

Sheriff's Officers are located in all seven Supreme Court Judicial Centres throughout the Province. Sheriff's Officers monitor and facilitate the movement of persons through the common areas (hallways, robing rooms, etc.) and waiting areas to ensure that they maintain appropriate physical distance. Regardless of whether there is a formal Point of Entry (POE) screening process in place, Sheriff's Officers are responsible for the following:

- Ensuring those presenting at the Judicial Centre are required to attend Court at that time;
- Observing and enquiring of persons presenting at Judicial Centres regarding out-of-Province travel, symptoms, and so on, prior to allowing entry;

- Where applicable, maintaining secure entrance/exit and allow entry upon approval/request by Court staff;
- Directing persons attending Court regarding where they must wait for service, point out directional signage, indicate when Registry staff are ready to serve the next client (where possible);
- Monitoring the number of people in courtrooms and ensure that physical distancing is maintained at all times;
- Maintaining a count of the total number of persons in building and spaces at all times;
- Cleaning high-touch areas in and around POE;
- Monitoring interactions – when they are completed – to ensure clients exit courthouse immediately and through the proper exit; and
- Working with Court staff to identify and resolve gaps in process to ensure a safe environment for all those present.

### **3.2 Screening of Court Attendees and their Belongings**

Sheriff's Officers will be present at all courthouse entrances and will screen all court attendees with a COVID-19-related questionnaire where applicable. Court attendees are reminded to:

- maintain the two-metre physical distancing during the screening process as well as wear a mask.
- only bring to the courthouse those belongings that are necessary.

## **4. REGISTRIES**

Staff members who work at a registry counter have close contact with members of the public on a day-to-day basis. As a result, the following additional measures and practices are in place in the Court's registries.

### **4.1 Registry Services**

- Because of the high volume of people that come to the registry counters in the St. John's General Division and Family Division, access to the registries in these Centres is by appointment only.

You can book appointments online on the Supreme Court's [website](#).

Appointments are available for:

General Registry – St. John’s **General Division** courthouse (Duckworth St)

Probate Registry – St. John’s **General Division** courthouse (Duckworth St)

Information Management Division – St. John’s **General Division** courthouse (Duckworth St)

Registry – St. John’s **Family Division** (Portugal Cove Rd)

- Plexiglas barriers have been installed between the public and Court staff members at registry counters in all courthouses.
- Registry staff members will be provided with hand sanitizer and gloves for use when handling documents from external sources.
  - Hands must be washed or disinfected once manipulation of the documents received from external sources is completed and before returning to their work stations.
  - If gloves are used, they are to be properly discarded.
- The exchange of paper should be kept to a minimum. When paper documents are required:
  - The documents should be placed on a clean surface for purposes of receipt and transfer while respecting the two-metre distance between individuals.
  - Individuals will be urged to use their own pen; however, pens will be provided as necessary, for purposes of signing documents.
  - After being handled, pens must be discarded or sanitized.
  - Received documents should be placed and carried in an envelope or boxes.
- In situations involving payments at registry counters, employees should always:
  - Avoid all physical contact with individuals.
  - Avoid hand-to-hand exchange of cash, bank cards or credit cards.
  - Wear gloves when handling cash or use hand sanitizer once the transaction is complete.
  - Avoid touching bank or credit cards used by individuals, where possible.

- Encourage card payments, ideally using fixed payment terminals that do not need to be handled.
- Disinfect all surfaces touched by the individuals (counter, payment terminal), and do so between every transaction.

Due to staffing levels and the extra-precautions required in dealing with documents, there may be delays in ordinary processing times.

#### **4.2 Paper/Electronic filing**

Effective June 8, 2020, the Supreme Court returned to its normal process for filing court documents. That means the Court will no longer accept emailed documents for filing; counsel and parties will be expected to file paper copies of documents with the Court by mail or in person (whether that be by dropping the documents in one of the drop-boxes located at all Judicial Centres or at a registry counter). E-filing will still be permitted through the estates e-filing portal or pursuant to [Practice Note P.N. No. 2020-03](#).

While the Court recognizes the obvious benefits of permitting broader e-filing (particularly during a situation such as this), the Court does not currently have an electronic document management system that can accommodate the storage of such filings. The Court will, however, continue to pursue solutions to provide for electronic filing in the future.

### **5. HEARINGS, TRIALS, AND CONFERENCES**

This section details which matters are proceeding in-person and which are proceeding virtually. It also highlights the precautionary measures in place for in-person proceedings.

It should be noted that the Court's capacity to hold hearings, trials and conferences in-person will, for the foreseeable future, be limited for a number of reasons. First, scheduling of matters will have to be coordinated so that physical distancing can be maintained in common areas and so that required disinfection can occur in between matters. Second, not all courtrooms and conference rooms will be able to be used, as they will not be able to accommodate the required physical distancing. Given this, the Court is continuing to encourage counsel to proactively identify:

- matters that might benefit from a settlement conference or resolution conference to assist in bringing the matter to a conclusion;
- matters that might be dealt with virtually.

## **5.1 Matters being held In-Person**

### ***5.1.1 General Division***

In the ***General Division***, the following matters are being heard in-person, unless the Court has ordered/directed that the matter will be proceeding virtually or that a party may appear remotely:

- Civil, family and criminal trials, including jury trials;
- Hearings in civil and family matters that are expected to take longer than 5 minutes; and
- Hearings in criminal matters.

In the **St. John's General Division**, short-cause civil applications (between 5-30 minutes) will be set between 11AM and 12:30PM on days designated for short-cause civil applications. Short-cause criminal applications that are expected to take an hour or less will be set beginning at 10AM on days designated for short-cause criminal applications.

### ***5.1.2 Family Division***

**All matters** scheduled to be heard in the Family Division in **St. John's** will be held in-person, unless the Court has ordered/directed that the matter will be proceeding virtually or that a party may appear remotely.

In the Family Division in **Corner Brook**, the following matters are being held in-person, unless the Court has ordered/directed that the matter will be proceeding virtually or that a party may appear remotely:

- Trials; and
- Hearings that are expected to take longer than 5 minutes.

## **5.2 Matters being held Virtually**

Except as noted above, remote appearances will be preferred for the following matters:

- Any appearance relating to scheduling;
- Case management appearances;
- Pre-trial conferences; and
- Settlement conferences.

All short-cause civil applications set in the **St. John's General Division** that are expected to take 5 minutes or less will be held by teleconference. Counsel will be expected to use CourtCall for this purpose. Self-represented litigants may also arrange to use CourtCall but, where this is not possible, they must provide the Court with a contact number a minimum of 48 hours in advance of the appearance date. These matters will be set between 10AM and 11AM on days designated for short-cause civil applications.

### **5.3 Precautionary Measures for In-Person Matters**

The following measures and considerations will apply to in-person court appearances. The Court asks for flexibility and understanding on the part of parties, counsel, and other court attendees as we continue with such proceedings in our current setting.

#### ***5.3.1 Entering and Exiting the Courtroom***

- Parties attending at the Court in-person should **arrive at the Court ten minutes prior to their appearance** for Covid-19 and point of entry screening.
- Court attendees are required to wear masks when entering/exiting the courthouse/courtroom. Everyone is expected to bring their own mask.
- All persons are required to sanitize their hands upon entering/exiting the courtroom.
- No bags other than briefcases and documents that lawyers or litigants require, and valuables that cannot be left outside the courtroom, are allowed in the courtroom.
- Sheriff's Officers will enforce distancing practices in the flow and seating of Court attendees entering the courtroom.
- The layout of each courtroom has been assessed and modified to ensure proper physical distancing can be achieved between all necessary parties, Court staff, the judge and the public. Where it is not possible to maintain a distance of two-metres, Plexiglas dividers have been installed in the least intrusive manner possible while ensuring adequate protection.
  - o The Court has undertaken a detailed assessment of every courtroom in the Province to determine what modifications were necessary for each space, from a physical distancing perspective.
- Wipes, hand sanitizer, gloves and masks are provided at appropriate locations in and outside of the courtroom to ensure they are available for use as required.
- Access for the media and members of the public is described in Part 8 ("Public and Media Access to Courtrooms and Proceedings").

- At the close of the hearing and during recesses, the Court Officer or the Sheriff's Officer will invite court attendees to exit the courtroom in a manner that respects physical distancing.
- Suitable containers are in place at the exits from courtrooms to allow for the discard of disposable masks and gloves.

### ***5.3.2 During the Hearing/Trial***

- All court attendees, participants and court staff members are required to wear a mask during the hearing or trial unless the judge directs otherwise. All persons are expected to bring their own masks.
- Water pitchers and glasses will not be provided to attendees. Bottled water will be provided as required.
- Those involved in the transmission of documents in the courtroom are required to wear gloves or to immediately use hand sanitizer once the transaction is complete.
- To maintain social distancing during the transmission of exhibits or documents, a bin/or trolley will be used. Parties remitting such items will be invited to place them in the bin or trolley and return to their seat. The Court Officer will then retrieve the court documents or other exhibits.

### ***5.3.3 Special Precautions for Jury Trials***

In St. John's, jury trials will be held at the former School for the Deaf (also referred to as "Courtroom #3"), located at 425 Topsail Road (note that access to this building is through the roundabout off Topsail Road in front of the Waterford Valley Highschool). The building has been reconfigured to ensure that adequate spacing will be possible between all persons attending for the jury selection day and the trial.

In accordance with the recommendations of the Action Committee on Court Operations in Response to COVID-19, the Court is also using alternative measures to reduce the number of persons that must be physically present at the courthouse on the day of the jury selection. This includes possibly holding pre-screening days, to deal with requests for exemptions from jury duty that could not be granted by the Office of the High Sheriff; and separating prospective jurors into different courtrooms, linked by CCTV, for certain portions of the selection process. The specific processes implemented will vary according to number of jurors summoned and the directions of the presiding judge.

## **6. ADDRESSING THE BACKLOG OF CASES**

The Court has now rescheduled all matters that were placed on the recovery docket as a result of postponement through the spring and summer.

## 7. PUBLIC AND MEDIA ACCESS TO COURTROOMS AND PROCEEDINGS

While the Court is now conducting many of its proceedings in-person, it will still be necessary to limit the number of persons in the courtroom and courthouse at one time. **Given this, only participants to a proceeding, their representatives and a maximum of one support person per participant will be permitted access until further notice.** Members of the media will also be permitted access.

### 7.1 Attending Hearings and Trials Virtually

Given the limitations on the number of attendees, the Court will, in some cases, facilitate virtual attendance for members of the media and the public. To find out what matters are proceeding and when, please consult the Court's docket posted on the Court's website:

[https://court.nl.ca/supreme/general/court\\_docket.html](https://court.nl.ca/supreme/general/court_docket.html)

If you wish to attend one of the matters listed on the docket, you should contact the Court's inquiries email address at least **48 hours** prior to the hearing of the matter in question:

St. John's	<a href="mailto:inquiries@supreme.court.nl.ca">inquiries@supreme.court.nl.ca</a>
Corner Brook	<a href="mailto:inquiryCB@supreme.court.nl.ca">inquiryCB@supreme.court.nl.ca</a>
Gander	<a href="mailto:inquiryGander@supreme.court.nl.ca">inquiryGander@supreme.court.nl.ca</a>
Grand Bank	<a href="mailto:inquiryGB@supreme.court.nl.ca">inquiryGB@supreme.court.nl.ca</a>
Grand Falls-Windsor	<a href="mailto:inquiryGFW@supreme.court.nl.ca">inquiryGFW@supreme.court.nl.ca</a>
Happy Valley-GB	<a href="mailto:inquiryHVGB@supreme.court.nl.ca">inquiryHVGB@supreme.court.nl.ca</a>

Requests should indicate the **file number**, **case name**, and **date** of the hearing you wish to attend. If the matter is one that the public would ordinarily be able to attend, you will be given a teleconference number so that you may call in to listen to the proceedings.

The Court will attempt to accommodate requests to attend made within the 48 hours prior to the hearing of the matter. Where these 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 can still make a request for a copy of the sound recording of a hearing after it has been held (assuming there was no restriction on public access to the hearing), subject to payment of the \$20 fee. Requests for copies of the sound recording should be made to [IMDivision@supreme.court.nl.ca](mailto:IMDivision@supreme.court.nl.ca).

## 8. COMMUNICATION OF UPDATES

The Court will continue to update stakeholders regarding updates to the plan and any changes to proposed timelines. Communications will be made to its media contact list (please contact the Court if you wish to be added to this list), Twitter, the Court's website, and through the Law Society.

## **9. RAISING HEALTH AND SAFETY CONCERNS WITH THE COURT**

The Court will strive to ensure that it is complying with these Guidelines and that it is minimizing health and safety risks for all Court attendees. It is possible, however, that lapses in compliance may occur or that situations will arise that create risks to the health and safety of attendees.

Where this occurs, the Court asks that you bring this to the attention of the appropriate person, as set out below.

### **9.1 During a Hearing**

Where a situation arises in the course of a hearing, the clerk, counsel, party, witness or Sheriff's Officer who becomes aware of a potential risk to their health and safety should raise their concern with the presiding judge as soon as possible.

Persons present in the Court's gallery should leave the courtroom and report the issue in accordance with the direction provided in 10.2, below.

### **9.2 In the Courthouse**

Where a person becomes aware of a potential risk to health and safety elsewhere in the courthouse, the Court asks that you please report this to the Sheriff's Officers on duty.

## **10. ADDITIONAL INFORMATION FOR COURT ATTENDEES**

### **10.1 Parties, Counsel, and Witnesses**

#### ***10.1.1 When Should you NOT Come to Court?***

To help control the spread of COVID-19, court participants should not come to the courthouse if they:

- Are exhibiting symptoms of COVID-19;
- Have come in close contact with a person who has COVID-19 within the last 14 days;
- Have a confirmed case of COVID-19; or
- Have traveled outside of the Province in the last 14 days.

For ease of reference, symptoms of COVID-19 are defined as having **ONE** of the following symptoms:

- Fever (including chills/sweats)
- Cough (new or worsening)
- OR small red or purple spots on hands and/or feet

**OR TWO or more** of the following symptoms:

- Shortness of breath or difficulty breathing
- Runny, stuffy or congested nose (not related to seasonal allergies or other known causes/conditions)
- Sore throat or difficulty swallowing
- Headache
- Acute loss of sense of smell or taste
- Unusual fatigue, lack of energy
- New onset of muscle aches
- Loss of appetite
- Vomiting or diarrhea for more than 24 hours

If you have an upcoming, in-person court matter that you will not be able to attend for one of the reasons note above, you should immediately contact the court:

Judicial Centre	Email Address	Phone
St. John's (Gen. Div.)	inquiries@supreme.court.nl.ca	709-729-1137
St. John's (Fam. Div.)	familyinquiries@supreme.court.nl.ca	709-729-2573
Corner Brook	inquiryCB@supreme.court.nl.ca	709-637-2633
Gander	inquiryGander@supreme.court.nl.ca	709-256-1115
Grand Bank	inquiryGB@supreme.court.nl.ca	709-832-1720
Grand Falls-Windsor	inquiryGFW@supreme.court.nl.ca	709-292-4260
Happy Valley-Goose Bay	inquiryHVGB@supreme.court.nl.ca	709-896-7892

Court staff members will relay this information to the presiding judge so that appropriate arrangements may be made. This may include adjourning the matter or arranging for the matter to be heard by audio or videoconference, if appropriate.

#### ***10.1.2 Will I be turned away? What happens then?***

Court participants attending the courthouse will be subject to screening by the Sheriff's Officers. Persons who are required to self-isolate because of travel outside of the Province, who are experiencing COVID-19 symptoms, who have come into contact with a person with a confirmed case of COVID-19 or who have a confirmed case of COVID-19 will not be permitted entry into the courthouse.

Where a court participant is refused entry by a Sheriff's Officer, the Sheriff's Officer will immediately inform their supervisor who, in turn, must notify the Deputy Registrar or Assistant Deputy Registrar on site. The Deputy Registrar or Assistant Deputy Registrar will ensure that the presiding judge is informed of the situation so that they may make required procedural orders upon calling the matter in Court.

Where a court participant has traveled outside of the Province in the last 14 days but claims an exemption from the self-isolation requirement, this should be brought to the attention of

the Sheriff's Officer conducting the screening at the courthouse entrance. The Sheriff's Officer will immediately inform their supervisor who, in turn, must notify the Deputy Registrar or Assistant Deputy Registrar on site. The Deputy Registrar or Assistant Deputy Registrar will ensure that the presiding judge is informed of the situation as soon as possible so that they may provide appropriate directions. Such directions may include:

- Denying entry
- Permitting entry but requiring the person to enter the court room through another entrance (if possible)
- Requiring that the person continue to wear their mask and a face shield throughout their time in the courthouse
- Requiring that the person maintain more than the minimum 2 metres of spacing from other individuals
- Only permitting the person in the courtroom for a limited period of time.

### ***10.1.3 What should I do if I develop symptoms at the Courthouse?***

If a court participant develops symptoms while they are at the courthouse they should inform the presiding judge or, if the matter is not in session, the Court Officer or a Sheriff's Officer, immediately.

The court participant should put on a mask, if they are not wearing one, and leave the courthouse as soon as possible, while taking care to keep their distance from others.

If for any reason the court participant (such as an accused) is unable to leave immediately:

- The person must separate themselves into an area away from others.
- The person must maintain a distance of two metres from others.
- The person must use a non-medical mask to cover their nose and mouth while they remain in the courthouse.
- Staff responsible for facility cleaning must clean and disinfect the space where the staff member was separated and any areas used by them (e.g. courtroom, bathroom, common areas).

The Court Administration will, in consultation with public health officials determine whether any further measures are required.

## **10.2 Members of the Media and the Public**

### ***10.2.1 When Should you NOT Come to Court?***

To help control the spread of COVID-19, court participants should not come to the courthouse if they:

- Are exhibiting symptoms of COVID-19;
- Have come in close contact with a person who has COVID-19;
- Have a confirmed case of COVID-19; or
- Have traveled outside of the Province in the last 14 days.

For ease of reference, symptoms of COVID-19 are defined as having **ONE** of the following symptoms:

- Fever (including chills/sweats)
- Cough (new or worsening)
- OR small red or purple spots on hands and/or feet

**OR TWO or more** of the following symptoms:

- Shortness of breath or difficulty breathing
- Runny, stuffy or congested nose (not related to seasonal allergies or other known causes/conditions)
- Sore throat or difficulty swallowing
- Headache
- Acute loss of sense of smell or taste
- Unusual fatigue, lack of energy
- New onset of muscle aches
- Loss of appetite
- Vomiting or diarrhea for more than 24 hours

### ***10.2.2 Will I be turned away? What happens then?***

Members of the public attending the courthouse (to view proceedings or attend at the registry) will be subject to screening by Sheriff's Officers. Persons who are required to self-isolate because of travel outside of the Province, who are experiencing COVID-19 symptoms, who have come into contact with a person with a confirmed case of COVID-19 or who have a confirmed case of COVID-19 will not be permitted entry into the courthouse.

Where a court attendee has traveled outside of the Province in the last 14 days but claims an exemption from the self-isolation requirement, this should be brought to the attention of the Sheriff's Officer conducting the screening at the courthouse entrance. The Sheriff's Officer will immediately inform their supervisor who, in turn, must notify the Deputy Registrar or Assistant Deputy Registrar on site. The Deputy Registrar or Assistant Deputy Registrar will ensure that the presiding judge is informed of the situation as soon as possible so that they may provide appropriate directions. Such directions may include:

- Denying entry
- Permitting entry but requiring the person to enter the court room through another entrance (if possible)

- Requiring that the person continue to wear their mask and a face shield throughout their time in the courthouse
- Requiring that the person maintain more than the minimum 2 metres of spacing from other individuals
- Only permitting the person in the courtroom for a limited period of time.

***10.2.3 What should I do if I develop symptoms at the Courthouse?***

If a person begins to experience COVID-19 symptoms while they are at the courthouse, they must immediately put on a mask or face-shield, if they are not wearing one, and leave the courthouse immediately, while taking care to keep their distance from others.

Staff responsible for facility cleaning will clean and disinfect any areas used by the person (e.g. courtroom, bathroom, common areas).

Court Administration will, in consultation with public health officials determine whether any further measures are required.