



**SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
NOTICE TO THE PROFESSION AND GENERAL PUBLIC**

**SUPREME COURT OPERATIONS FOR ST. JOHN'S FAMILY DIVISION
MARCH 2021**

On February 18, 2021, the Supreme Court of Newfoundland and Labrador issued a Notice to the Profession and General Public outlining Province-wide changes to its operations for the months of February and March 2021. The changes were implemented as a result of the Special Measures Order (General – Alert Level 5), issued by the Chief Medical Officer of Health on February 12, 2021, which moved the Province to Alert Level 5.

On February 26, 2021, the Chief Medical Officer of Health issued a further Special Measures Order (Alert Level 4 – Newfoundland and Labrador except Avalon Peninsula), which moved all areas of the Province other than the Avalon Peninsula to Alert Level 4. As a result of this new guidance, the Supreme Court of Newfoundland and Labrador has issued three separate Notices to the Profession and General Public for the St. John's General Division, the St. John's Family Division, and all judicial centres located outside of the Avalon Peninsula, respectively.

This Notice to the Profession and General Public, **applicable only to the Family Division in St. John's**, replaces the Province-wide Notice issued by the Court on February 18, 2021, for that judicial centre. This Notice does not introduce any changes to the planned operations in that judicial centre from those set out in that prior Notice.

ST. JOHN'S FAMILY DIVISION OPERATIONS FOR MARCH 2021

For the month of March 2021, the Supreme Court's **Family Division in St. John's** will remain in a virtual services model, similar to the one that was in place in May-June 2020. During this period, the St. John's Family Division will hear matters virtually, as further discussed below. This Court location will also continue to hear any urgent or emergency matter that arises. Those matters will also be held virtually, unless a judge determines that the urgent or emergency matter must be held in-person. Additional details of the Supreme Court's operations in the Family Division in St. John's for the month of March 2021 are provided below.

Trials

- All family trials set to begin in March 2021 will be postponed, unless the judge, in accordance with the applicable legislation and court rules, directs that the trial will proceed by videoconference. This is also contingent on the availability of videoconferencing equipment.

- All postponed trials will be rescheduled as soon as possible. Court staff members will be in contact with parties to provide a rescheduled date.

Hearings and Conferences

- The following family proceedings will be considered urgent and will be proceeding by videoconference or audioconference, or, where necessary, in-person: requests for urgent relief relating to the safety of a child or parent; applications relating to medical decisions or wrongful removal of a child; applications to preserve property or assets; warrants under the *Children, Youth and Families Act*; and new applications under the *Adult Protection Act*.
 - If you are seeking an urgent hearing, please contact the Registry using the contact information below:

St. John's Family Division
familyinquiries@supreme.court.nl.ca
709-729-2573
 - All urgent requests and filings will be assessed by a judge to determine if they may proceed.
 - The Court will provide directions to the parties regarding how and when an urgent hearing will be conducted.
 - If a judge directs that a matter will proceed in-person, the matter will be held in accordance with the [COVID-19 Guidelines](#) issued by the Court. Note that everyone permitted to enter a courthouse is required to wear a mask, keep appropriate distance from others, and sanitize their hands frequently.
- Any hearing or conference that was already scheduled to be held by teleconference and videoconference in March 2021 will be proceeding.
- The Court will also, subject to the availability of teleconferencing or videoconferencing equipment, resume hearing the following types of appearances by teleconference or videoconference. **Parties will be contacted as soon as possible with arrangements for attending virtually.**
 - **Family Proceedings:** case management hearings; interim application hearings; default summons; objection to recalculation hearings; trial readiness conferences; and settlement conferences.

- To facilitate scheduling, the Family Division in St. John's asks that all parties ensure their contact information is up-to-date by emailing the address below:

St. John's Family Division
familyscheduling@supreme.court.nj.ca

- All other appearances will be postponed or adjourned. These matters will be rescheduled as soon as possible. Court staff members will be in contact with parties to provide a rescheduled date.

Filing and Processing Documents

- The Supreme Court Family Division in St. John's has resumed accepting all filings for processing. The registry will remain closed, but the drop boxes at the front of courthouse have reopened to permit contactless drop-off and pick-up of documents. The drop boxes are only accessible (for drop-off and pick-up) Monday-Friday from 9:00AM-12:00PM and 2:00PM-4:00PM.
- **Note that all filings for this location must now be made at the drop boxes – email filings will no longer be accepted (with the exception of email filings permitted in accordance with [Practice Note P.N. 2020-03](#)).**
- Filing fees must be paid in one of the following ways: (1) the filing party may include a cheque enclosed with the document being filed; or (2) the filing party may provide a contact name and number with the document so that the Court can process a credit card payment by phone.
- Forms may be downloaded from the [Court's website](#).
- 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.**
- Further note that if the document that you are filing requires that your signature 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.**
- Processing times may be delayed owing to reduced staffing levels.

UPDATES

The Supreme Court will continue to monitor the COVID-19 situation across the province to determine whether any further changes to operations are required. Please continue to consult the [Court's website](#) and Twitter account ([@NLSupremeCourt](#)) for the most up-to-date information.

RAYMOND P. WHALEN
Chief Justice