

SUPREME COURT OF NEWFOUNDLAND AND LABRADOR Rules of the Supreme Court, 1986 Criminal Proceedings Rules of the Supreme Court of Newfoundland and Labrador

PRACTICE NOTE P.N. No. 2024-02

DATE ISSUED: November 14, 2024

RULES AFFECTED: N/A

EFFECTIVE DATE: Upon Publication

PREVIOUS PRACTICE NOTES REVISED:

Practice Note No. 2014-01, on Requesting Installation of Special Equipment for Criminal, Civil and Family Trials, issued June 13, 2014

The following Practice Note is published pursuant to Rule 4.04 of the *Rules of the Supreme Court, 1986* and Rule 1.04 of the *Criminal Proceedings Rules of the Supreme Court*

REQUESTING INSTALLATION OF SPECIAL EQUIPMENT OR COMPUTER APPLICATIONS FOR CRIMINAL, CIVIL AND FAMILY MATTERS

Background and Purpose

- 1. From time to time, parties make requests to the Registry indicating they wish to install special equipment in the courtroom for use in presenting evidence or another purpose during a proceeding. Examples include things like special monitors, playback equipment, or other equipment to display electronic or digital evidence.
- 2. Parties may also make requests to the Registry indicating they wish to use specific computer applications to display electronic or digital evidence.
- 3. The following practice note is issued to:

- (a) provide guidance to such parties on how to make their request; and
- (b) reduce the risk of delays that can result from malfunctioning of equipment installed in the courtroom or the inability to display electronic or digital evidence on computers in the courtroom.
- 4. This Practice Note modernizes and expands on the previously issued practice note on this process, and it applies to all Supreme Court centres.

Practice Note

- 5. Parties are reminded of the requirement to complete and file the following forms identifying whether certain types of evidence will be entered or special courtroom equipment will be required:
 - (a) Pre-Trial Report, CR Form 9.04 (section 32) in criminal proceedings;
 - (b) Certificate of Readiness, Form 40.04A (section 3(c)) in respect of trials in civil proceedings; and
 - (c) Form 29.02A (Part E) Request for a Trial (Family Law) in respect of trials in family proceedings.
- 6. Further, in addition to the above filing requirements, where a party needs to install specialized equipment or use a specific computer application on a computer in the courtroom prior to the commencement of a trial, they must contact the Registry in the relevant Court centre in writing **at least two weeks prior** to the commencement of the matter.
- 7. The request may be made by email directed to the following addresses:

Court Centre	Email
St. John's General Division	inquiries@supreme.court.nl.ca
St. John's Family Division	familyinquiries@supreme.court.nl.ca
Corner Brook General Division	inquiryCB@supreme.court.nl.ca
Corner Brook Family Division	FamilyinquiryCB@supreme.court.nl.ca
Gander General Division	inquiryGander@supreme.court.nl.ca
Grand Bank General Division	inquiryGB@supreme.court.nl.ca

Grand Falls-Windsor General Division	inquiryGFW@supreme.court.nl.ca
Happy Valley-Goose Bay General Division	inquiryHVGB@supreme.court.nl.ca

- 8. The email must set out:
 - (a) The name and contact information of the requesting party;
 - (b) the style of cause of the matter and file number;
 - (c) the date the matter is scheduled to commence;
 - (d) the nature of the equipment or computer application required; and,
 - (e) whether the equipment or computer application will be provided by the party or whether they are requesting that the Court provide it.
- 9. The Registry will determine whether the requested equipment or computer application is available and, if so, will contact the requesting party to arrange for the installation. If the requested equipment or computer application is unavailable, the Registry will inform the requesting party and the requesting party will be responsible for providing it. Use of any computer application on Court computers is subject to review and approval of the Office of the Chief Information Officer.
- 10. Once the equipment is installed in the Court or the computer application is installed on a Court computer, the requesting party must test that the equipment or computer application is functioning with the intended media (for example, if the equipment or computer application is required to play an audio or video file, the actual file must be tested on the equipment) **no later than two days before** the start of trial to minimize any delays that might result from malfunctioning equipment or computer application.

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