



Australian Capital Territory

## Magistrates Court

# COVID-19 Measures – revised arrangements

This Practice Direction takes effect from 2 June 2020. Interim Practice Direction: COVID Measures (No 5) is revoked from that date.

### Ongoing special measures

1. Physical distancing requirements and increased hygiene standards will continue to apply to all matters heard in the Magistrates and Childrens Court.
2. Practitioners should take particular note of the order made under s. 50 of the *Court Procedures Act 2004* which remains in force. Practitioners should make their clients aware of the content of that order. If necessary the measures contained in it will be enforced. A copy of the section 50 notice can be found at: [https://courts.act.gov.au/\\_data/assets/pdf\\_file/0011/1507970/200331-ORDER-s-50-Court-Procedures-Act-2004.pdf](https://courts.act.gov.au/_data/assets/pdf_file/0011/1507970/200331-ORDER-s-50-Court-Procedures-Act-2004.pdf)
3. Unless a contrary direction is given, only those with a direct interest in the proceeding currently being heard will be allowed in the designated court room.
4. Parties for any matter must not enter the room until invited to do so after the preceding matter is completed and any hygiene requirements have been attended to.
5. The court registry counter will remain closed for over the counter filing of documents. Documents can be filed only by
  - i. eLodgement (where available for civil matters only);
  - ii. post;
  - iii. email, sent to [mclistings@courts.act.gov.au](mailto:mclistings@courts.act.gov.au); or
  - iv. By leaving hardcopy documents in a sealed envelope in the relevant post box in the foyer of the ACT Law Courts building.
6. All fees applicable under the Court Procedures (Fee Determination) 2020 (No 1) remain payable. The process for payment of those fees can be found on the court website at <https://www.courts.act.gov.au/magistrates/fees,-fines-and-costs>
7. Any party may apply for special arrangements in light of the current COVID-19 emergency, such as a health vulnerability or travel limitation. Such applications should be addressed to the Registrar at least two clear business days in advance of the proceeding taking place. Applications may be made by email to [mclistings@courts.act.gov.au](mailto:mclistings@courts.act.gov.au). All other parties to the proceeding must be included in the email communication.
8. All enforcement matters remain stayed until 1 July 2020.
9. Inspection of subpoenaed material will resume. Special arrangements are in place to ensure physical distancing and hygiene standards are maintained.

## **Resumption of usual business**

10. From 2 June 2020 the court will resume its usual business with all hearings in person subject to the following exceptions:
- a. Where a matter has been adjourned with the parties having been notified that their next appearance will be by telephone or audio-visual link, the matter will proceed in that way unless the parties contact the court and request personal appearances. Thereafter appearances will ordinarily be in person.
  - b. Applications for bail and mentions of matters for people in custody will be considered with legal representatives in person and defendants appearing by audio visual link or telephone link from the AMC or by audio visual link from within the court precinct.
  - c. Matters which have been administratively adjourned or stayed without a date will proceed when the court advises parties of a new date.
  - d. Unless otherwise ordered the following civil lists will continue (or resume, in the case of the return of subpoenas list) with all appearances via Webex or telephone:
    - i. Return of subpoenas list (including subpoenas issued for Family Violence and Protection Orders as well as care proceedings);
    - ii. Family Violence and Protection Order interim applications; and
    - iii. Court ordered mediations
  - e. The time for the following lists will change with all appearances in person unless otherwise ordered:
    - i. Civil directions before the Registrar – 2:15pm on Tuesdays
    - ii. Civil listing hearings before the Registrar – 2:45pm on Tuesdays
    - iii. Civil Settlements list before the Registrar – 2:15pm on Tuesdays

## **Caveat**

11. In all cases, this practice direction is subject to judicial directions specific to a proceeding.

By direction of the Chief Magistrate and Magistrates.



**Jayne Reece**  
Registrar  
ACT Magistrates Court

20 May 2020