

## Requests to appear remotely at a court listing

**The below information is of a general nature only and does not constitute legal advice. Please seek legal assistance if you require further information.**

The general position of the Court is that all proceedings are held in-person, with requests to attend remotely (via Audio Visual Link (AVL)) only considered in certain circumstances. Leave to appear via telephone will only be considered in exceptional circumstances.

The court will not generally grant leave to attend a court listing remotely for reasons such as:

- work commitments;
- lack of childcare;
- requirement to travel;
- holidays booked after the date the court listing was known; or
- appointments that can be rescheduled or had been booked after the date the court listing was known.

### Applications to attend court via AVL (video link) or telephone

If you seek to appear remotely at a court listing you must make a request in writing to the court and provide evidence of your inability to attend a court listing. Any requests to appear remotely must be made in accordance with [Practice Direction 3 of 2024 – Remote appearances and the use of technology in the courtroom](#).

The practice direction sets out all the requirements for making a request (seeking leave) to attend a listing remotely, including that requests must:

- be made at least **48 hours** prior to the court listing. Requests received less than 48 hours of the listing time will only be considered if there are unforeseen circumstances that have caused delay in the request being made;
- include supporting documentary evidence, such as a medical certificate or travel booking confirmation (including details of when the travel was booked)
- state:
  - why you are unable to attend in person;
  - what technology you will use to facilitate your appearance and why (video link or telephone);
  - the exact location and environment that you will appear from;
  - what facilities are available to access documents which may be relied on in the proceedings;
  - your direct email address or contact number.

For family and personal violence matters, applications to appear remotely must be made using the application form available here: [Application for Leave to Appear Remotely in Protection Order Matters](#). Once you have completed the application form, you must attach any supporting evidence, and send the application form and evidence to [protection@courts.act.gov.au](mailto:protection@courts.act.gov.au)

Applications must be sent to the following email addresses:

- [MCCriminal@courts.act.gov.au](mailto:MCCriminal@courts.act.gov.au) for criminal matters;
- [protection@courts.act.gov.au](mailto:protection@courts.act.gov.au) for family and personal violence matters;
- [MCRegistrar@courts.act.gov.au](mailto:MCRegistrar@courts.act.gov.au) for civil matters;
- [childrens@courts.act.gov.au](mailto:childrens@courts.act.gov.au) for care and protection matters.

The request will be considered by the registrar or magistrate hearing your matter. The outcome of your application to attend court remotely will be provided to you in writing as soon as practicable after receiving the request.

Until you receive **written confirmation** that you can attend remotely, you must attend court in-person. If you do not attend court, the matter may proceed in your absence.

If you are granted leave to appear remotely you must be immediately available when the matter is called in court. This includes being available throughout the entire period of the court listing. This means that you may not be called at the exact time that the matter is listed. If you are not available when your matter is called (either by video link or telephone) it will be treated as a failure to appear at the listing.

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## Help and Support

If you need help or advice, you can contact:

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<b>Legal Aid ACT</b>	For legal advice, contact Legal Aid on 1300 654 314. The Legal Aid Domestic Violence Unit can be contacted on (02) 6207 1874 and has an office located within the ACT Magistrates Court. The main Legal Aid ACT office is located at 2 Allsop Street, Canberra ACT 2601
<b>Women's Legal Centre ACT</b>	Women seeking legal advice can contact the Women's Legal Centre ACT on (02) 6257 4377.
<b>ACT Magistrates Court</b>	The ACT Magistrates Court is located at 4-6 Knowles Place, Canberra ACT 2601 Visit the court website for more information: <a href="https://www.courts.act.gov.au/magistrates/home">https://www.courts.act.gov.au/magistrates/home</a> Contact details of the court registry can be found here: <a href="https://www.courts.act.gov.au/contact/administration">https://www.courts.act.gov.au/contact/administration</a> . For general enquiries contact (02) 6205 0000.

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