

MAGISTRATES COURT OF THE AUSTRALIAN CAPITAL TERRITORY

NOTICE TO PRACTITIONERS

Staged Return to Magistrates Court Operations

Practitioners are advised that the court will move to stage 2 of its pathway to resuming court operations on 1 November 2021. Detail of the pathway is attached.

From 1 November 2021 the following registry services will resume:

- **Court Registry Counter**

The court registry counter will reopen at 9am for filing and payment of fees for documents which are not able to be filed by the courts e-lodgement portal.

- **Court Collection Boxes**

Solicitor's Court Collection Boxes will reopen for collection of all documents filed in the court registry and other court notices.

- **Library**

The Russell Fox Library on level 2 of the Supreme Court Building will reopen from 8:30am.

From 9am on 1 November 2021 the following registry services will cease:

- **Filing by email**

Filing will no longer be available by email other than by leave granted by the Registrar (see Rule 6121 of the Court Procedures Rules 2006 (CPR)).

In the absence of leave being granted documents filed by email after 9am on 1 November 2021 **will not** be accepted for filing and will be rejected under rule 6140 of the CPR.

Solicitor firms who are interstate will be expected to either:

- a) use the e-lodgement facility where available;
- b) file documents by post in accordance with rule 6123; or
- c) engage a local agent to file documents on their behalf.

The fact of being located interstate alone will not be accepted as sufficient reason for the granting of leave to file by email.

- **Filing by post box in the court foyer**

Filing via the post box in the court foyer will no longer be available. The Magistrate Court 'post box' in the court foyer will be removed as of close of business on 29 October 2021.

- **Return of sealed documents**

With the reopening of the court registry counter and solicitor collection boxes the return of sealed documents by email will cease other than in exceptional circumstances and where leave has already been granted for the documents to be filed by email.

Restrictions that will continue:

Attendance at Court

- **Criminal matters**

- Defendants in person for all sentences or hearings. Practitioners may continue to appear remotely
- Remote appearances for all other matters
- If legally represented, appear on the papers by agreeing the next steps, dates and directions or enter a plea

- **Civil matters**

- In person for all hearings unless leave granted to appear remotely
- Remote appearances for:
 - Registrar's directions lists and listing hearings
 - Applications in proceedings
 - Enforcement list
 - Children's Court conferencing
 - Return of subpoena list
 - Fair work conferencing and mediations
 - Taxation
 - Dispute resolution conferences

- **Protection unit**

- In person for all hearings unless leave granted to appear remotely
- Remote appearances for:
 - Interim family violence/personal/workplace protection applications
 - Applications in proceedings
 - Protection unit pre-hearing mentions
 - Family violence and protection order conferences

- **Access to the Courthouse**

Access to the premises occupied by the Magistrates Court will continue to be subject to any orders made by the Chief Justice and Chief Magistrate under section 50 of the *Court Procedures Act 2004 (CPA)*. Practitioners should take careful note of any requirements contained in those orders and abide by them at all times when entering and within the ACT Law Courts Building. Relevant staff have been instructed to enforce these orders and failure to comply with them may result in you being required to leave the building.

From time to time orders made under section 50 of the CPA may impose additional requirements to those mandated by the Chief Health Officer of the ACT.



Helen Banks
Registrar, ACT Magistrates Court
29 October 2021

