

FACE-TO-FACE IN COURT PROTOCOL

REGISTRAR WORK

This protocol is designed to reduce the risk of being in close contact¹ with a court user who may be infectious. This is the most appropriate way, at present, for the court to balance important health and safety considerations of judges, staff and the community with the need to continue this vital work for Australian families.

The salient features of the face-to-face in court protocol for Registrars are set out below for the information of the profession.

1) Listings

FCoA Interim Hearings

Priority should be given to urgent matters (e.g. matters involving risks of family violence) that the Senior Registrar considers cannot be dealt with over the telephone.

Listings will be staggered to reduce the number of people waiting in the foyer/registry building. A list will be collated each day by the Judicial Services Team Leader to ensure that hearing times are sufficiently staggered to allow for cleaning.

Matter(s) will not be listed for more than 1.5 hours, and with sufficient space in between to allow cleaning to occur.

To reduce the length of any face-to-face hearing, where possible, it should be complemented with written submissions or telephone hearings if necessary.

2) Courtrooms and courtroom procedure

No party is to enter the courtroom before their matter is called.

No more than 8 people (excluding the Registrar and Court Officer) should be in the courtroom at any one time.

Counsel, solicitors and parties are to adhere to social distancing by sitting in appropriately distanced seats as indicated in the courtroom diagram attached (i.e. at least 1.5 to 2 metres apart).

Parties are to leave the courtroom immediately after their hearing has concluded, and then make their way promptly to the Registry exit.

¹ A close contact is typically someone who has been face-to-face for at least 15 minutes, or been in the same closed space for at least 2 hours, with a person that was infectious (World Health Organisation definition).



3) Cleaning

Additional cleaning of courtrooms that are used for face-to-face hearings will occur as often as practicable when the court is adjourned during the day.

Hearings will be conducted for not more than 1.5 hours in the same matter. After that period, the courtroom will be closed and appropriate surface cleaning will take place.

To ensure the safety of staff, lawyers, litigants and witnesses, the same matter should not continue after the first 1.5 hour period.

4) Security

Security screening should be staggered appropriately. Security will be instructed to ensure social distancing is observed whilst court attendees are queuing for security.

The Court is currently investigating the availability of contactless thermometers to allow for non-invasive temperature measurements prior to parties/practitioners entering the Registry buildings.

5) Court attendees displaying symptoms

In the event that any court attendees ill or display any symptoms of COVID-19, they should immediately notify the Court and proceed to leave the Registry. The Court will be adjourned and appropriate steps taken, including any deep cleaning required.