



**CHIEF JUSTICE'S CHAMBERS
FAMILY COURT OF AUSTRALIA**
Owen Dixon Commonwealth Law Courts
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5 August 2020

Victorian Bar
Family Law Bar Association
Law Institute of Victoria
Victoria Legal Aid
Australian Bar Association
Law Council of Australia

Dear all

Statement to the Profession – Victorian Stage 4 Restrictions

I write to confirm that the Family Court of Australia and Federal Circuit Court of Australia (the Courts) will continue to remain open during the new stage 4 restrictions in Metropolitan Melbourne. The Courts' operations will continue via Microsoft Teams, and also by telephone in certain circumstances. Unless otherwise notified, all trials and applications will go ahead, and the National COVID-19 Lists will continue to operate. Hearings will be conducted by Judges, Registrars and staff from their homes if possible but otherwise they will be in the Court buildings if a case is required to proceed and working from home is not reasonably practicable.

Face-to-face hearings are currently not possible in the Melbourne and Dandenong Registries but as soon as the restrictions lift, priority will be given to urgent cases involving high risks of family violence that cannot be heard by Microsoft Teams.

The Courts respect and support the purpose of the restrictions in place in Victoria and will do all they can to accommodate hearings being conducted with members of the profession, parties and witnesses appearing from their homes whenever it is reasonably practicable and safe to do so.

However, I confirm that the work performed by the Courts and members of the profession in the Melbourne and Dandenong Registries is often urgent or priority work and as far as possible the profession should be given every courtesy to attend their chambers or offices when it is not reasonably practicable to work from home. I have written some time ago expressing this opinion to the Victorian Attorney General.

For the preparation of trials and urgent applications the files are often large and, like the Courts, the profession will experience that most files will be in paper form. If members of the profession are unable to attend their places of work shortly before and during hearings when it is otherwise necessary to do so there is a risk that access to justice for litigants may be impacted, especially those exposed to high risks of family violence.

I have provided the Presidents of the Victorian Bar and the LIV with a confidential list of cases listed for final hearing in the next 8 weeks for their information. This will also be provided to the Attorney General of Victoria.

I understand that it is an extremely difficult time for the profession and we will do all we can to accommodate the challenges which may arise, especially where parties and practitioners are appearing from home. It is imperative that the Courts, including their Judges and staff, together with



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the profession, do all they can to continue to provide essential services for Victorian families, and to do so safely. Those families and litigants should expect nothing less from us.

Please note, as members of the profession, you are not alone, and we will help you as much as we can. If there is anything further we can do to assist during this time, please refer to your professional leaders or contact me.

I want to thank the members of the profession for providing an exemplary service to their clients and for their efforts in transitioning effectively to virtual hearings and electronic conference events. The profession's cooperation with the Courts have been outstanding, and we thank you for your ongoing support and patience. Stay safe.

All my very best wishes,

The Honourable Justice Alstergren
Chief Justice
Family Court of Australia
Chief Judge
Federal Circuit Court of Australia