

COURT OF APPEAL
Practice Direction No 3/2020
Emergency Directions – COVID 19

1. Introduction

- 1.1 This practice direction supplements Practice Directions Nos 1 and 2/2020 and is made with the concurrence of the President and Judges of the Court of Appeal in response to the COVID 19 virus and the Prime Minister's declaration of Jamaica as a disaster zone.
- 1.2 In response to the nation's move towards the resumption of normal activities while recognizing the need to maintain limited physical contact, as much as is possible, this practice direction is intended to provide guidelines as to how this court will resume operations while seeking to protect the health of all judges, staff members, close protection officers and security guards at the Court of Appeal, as well as all attorneys-at-law and members of the public.
- 1.3 This practice direction takes effect on 1 June 2020 and may be altered in response to any further developments in relation to the COVID 19 virus.

2. Hearings

- 2.1 Unless otherwise directed by the court, all in-person hearings in chambers and in court will remain suspended until 31 July 2020.
- 2.2 Hearings of applications and case management conferences that are listed before a single judge of appeal will be conducted by way of telephone conferences or other electronic means.
- 2.3 In general, and in so far as the court deems appropriate, applications, motions and appeals that are scheduled for hearing in court will be conducted by video or telephone conferences, or other electronic means.
- 2.4 During the period 1 June 2020 to 31 July 2020, all judgments of the court and/or single judges of appeal will be delivered in open court/chambers by whatever means the court/single judge of appeal deems appropriate, including teleconferences, video conferences or other electronic means.
- 2.5 Persons on bail, whose matters are scheduled for hearing during the period 1 June 2020 to 31 July 2020, are expected to attend court in person on the scheduled hearing date. While attorneys for persons on bail are expected to appear by video conference or other electronic means, attorneys who wish to

appear in person along with their clients should inform the registry at least two working days before the hearing date so that the necessary arrangements can be made. This information should be sent to registry@courtofappeal.gov.jm .

- 2.6 Parties with matters previously listed for hearing in chambers or before open court during the period 1 June 2020 to 31 July 2020 are to forward to the Registry their email and telephone contact information, making reference to the name of the matter, the application and/or appeal number, the name of counsel with conduct of the matter, and the date on which the matter is scheduled. This information is to be sent to registry@courtofappeal.gov.jm .
- 2.7 The Registrar of the Court of Appeal shall make contact with the respective parties to advise them how the court intends to deal with particular matters.

3. Protocol for video hearings

- 3.1 Hearings by video conference or other electronic means are still court hearings. Therefore, persons participating in these hearings are expected to conduct themselves as they would if they were present in the court room.
- 3.2 Judges, attorneys and court assistants are to be robed while all other persons participating must be appropriately attired for hearings in open court.
- 3.3 All persons are expected to stand upon the entry of and for the exiting of the judges. However, all should remain seated during the hearing by video conference.
- 3.4 Microphones are to be muted when not addressing the court.
- 3.5 Cellular phones are to be turned off or placed on silent and should not be used during the hearing.
- 3.6 Persons are asked to be aware of their surroundings, ensuring that backgrounds that are visible to the court are appropriate. Additionally, persons are to ensure that there are no distractions during the hearing, including by persons not involved in the hearing, pets, and background sounds.
- 3.7 There must be no video recording, audio recording, photographing, taking of screen shots or livestreaming of court hearings.

4. Access to the court building

- 4.1 All persons accessing the court building will be required to wear masks and to have their temperature checked and their hands sanitised by the security

guards stationed at the entrance points. The security guards will be authorised to decline entry to persons who refuse to comply with this requirement.

- 4.2 Persons exhibiting signs of the COVID 19 virus will not be granted entry to the court building.
- 4.3 Persons exhibiting signs of the COVID 19 virus after entry to the court building will be asked to leave the building immediately.
- 4.4 Public entrance to the court building, in particular the registry, will be limited to a maximum of ten (10) persons, in keeping with the guidelines prescribed by the Government of Jamaica.

5. The registry

- 5.1 ~~The registry of the court will remain open to the public during its usual opening hours – Mondays to Thursdays 9:am -4:00 pm and Fridays 9:00 am – 3:00 pm.~~
- 5.2 However, as the need to maintain physical distance remains in effect, all users of the court are therefore asked to attend the registry only where absolutely necessary.
- 5.3 For general queries and information please contact the registry by telephone at (876) 633-7201 or by email at registry@courtofappeal.gov.jm .



C. Dennis Morrison, OJ, CD
President of the Court of Appeal
26 May 2020

