



TRINIDAD AND TOBAGO GAZETTE (EXTRAORDINARY)

VOL. 59

Caroni, Trinidad, Sunday 18th October, 2020—Price \$1.00

No. 179

1324

REPUBLIC OF TRINIDAD AND TOBAGO

PRACTICE DIRECTION

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS WITH EFFECT FROM OCTOBER 19 2020 NO. 7

This Practice Direction is issued pursuant to Part 4 of the Civil Proceedings Rules 1998 (as amended), Part 20 of the Criminal Procedure Rules, Part 4 of the Family Proceedings Rules and Part 22 of the Children Court Rules and is applicable to the entire Judiciary of Trinidad and Tobago which includes the Supreme Court and all Summary Courts.

The objective of this Practice Direction is to provide for adequate and appropriate measures with effect from October 19, 2020 at the Judiciary of Trinidad and Tobago to, *inter alia* –

- (a) Ensure continued access to justice;
- (b) Promote efficiency in case flow management and court operations generally;
- (c) Safeguard the health and safety of all stakeholders of the Court, including but not limited to Judges, District Judges, judicial officers, court staff, attorneys-at-law and members of the public;
- (d) Facilitate the use of electronic alternatives to in-person activities at the Court by external stakeholders;
- (e) Ensure that appropriate administrative arrangements are made for all hearings; and
- (f) The payment of fines and the scheduling of hearings arising out of Fixed Penalty Notices issued under the Public Health [2019 Novel Coronavirus (2019-nCoV)] prior to November 30, 2020.

having regard to:

- (g) the recent increase in the number of positive COVID-19 cases in the Republic of Trinidad and Tobago and the advent of community spread within the population;
- (h) the inherent risk to court personnel and members of the public arising from requiring persons to access court buildings physically at this time; and
- (i) recent developments which have required court buildings to be closed and staff to be quarantined.

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

Accordingly, the following measures shall take effect:

EFFECTIVE DATES

This Practice Direction supersedes the Practice Direction published in Trinidad and Tobago Gazette Vol. 59 No. 163 dated September 16, 2020 titled “Court Operations Covid-19 Pandemic Directions with effect from September 16, 2020 No. 6” and shall take effect on October 19, 2020 and continue until further notice or otherwise superseded (this period).

HEARINGS TO BE CONDUCTED BY ELECTRONIC MEANS

1. During this period no in-person hearings shall be conducted except as otherwise provided for by these directions and all Judges, Masters, and District Judges shall conduct hearings and/or sittings of the Supreme Court and Summary Courts by electronic means only.
2. Where it is impossible to conduct a particular hearing by electronic means, or where in the opinion of the Court a hearing by electronic means is not in the interests of justice, the Court shall adjourn any such hearing and give such directions as may be necessary in the circumstances.
3. All jury trials are suspended during this period.
4. Prisoners shall not be required to attend a court building physically during this period.
5. Children shall not be required to attend a court building physically during this period

IN-PERSON HEARINGS

6. Domestic violence matters may be conducted in person in the interests of justice and in keeping with the need to maintain appropriate health and safety requirements if:
 - a. It is deemed absolutely necessary by the Court to physically have the party present; and
 - b. There is no possible means available to the applicant or respondent to appear electronically.

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

7. An in-person hearing in relation to a domestic violence matter will be heard at a pre-scheduled appointed time save and except for urgent matters that may arise and all parties need not be required to appear in person or in the same room or at the same location.
8. The court shall schedule appointments for in-person domestic violence hearings in such manner as to ensure that there is no congregating of persons and will provide persons with the appointments for their appearance.
9. Where a domestic violence in-person hearing is required, the Judge, Master or District Judge must consult with the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court as the case may be and the Court Manager of the relevant location, before scheduling to ensure that there is adequate and appropriate space available to allow for appropriate social distancing in keeping with the room capacity standards set by the Judiciary and to maintain national health and safety requirements. Judges, District Judges, judicial officers, attorneys at law and the public are reminded that access to and administrative control over:
 - a. All High Court buildings is exercised by the Registrars and the Court Managers on behalf of the Chief Justice; and
 - b. All District Court buildings is exercised by the Magistracy Registrars and the Court Managers on behalf of the Chief Justice,

and entry may be refused in the interest of safety of all Court users.

10. All Judges, Masters and District Judges through their support staff, must provide the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court as the case may be, with the names of all persons required to be in attendance at an in-person hearing, including, attorneys-at-law, parties, witnesses and any other person, within the time frame established by the Registrar of the Supreme Court for Supreme Court hearings and the Magistracy Registrar and Clerk of the Court for that location for hearings at any District Court location .
11. The need for the presence of any member of staff in the court building for an in-person domestic violence hearing will be determined by the Registrar of the Supreme Court jointly with the Family Court Administrator, the Children Court Administrator or Criminal Court Administrator and in the case of a Summary Court by the Magistracy Registrar and Clerk of the Court jointly with the Family Court Administrator or the District Criminal and Traffic Court Administrator.

1324—Continued

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

12. Attendance in the courtroom for an in-person domestic violence hearing must be limited to each party and their attorney(s)-at-law and any witness under examination where applicable. Persons not directly involved in the proceedings may not enter or sit in the courtroom without the prior joint approval of the Judge, Master or District Judge and the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court as the case may be.
13. Witnesses waiting to give evidence in an in-person domestic violence hearing must remain seated in the designated area until they are required in the courtroom. Once a witness is relieved by the Court, the witness must leave the court building immediately.

FILING OF DOCUMENTS (SUPREME COURT)

14. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
15. A person who wishes to file an audio and or video exhibit electronically may contact the Registrar of the Supreme Court.
16. Attorneys-at-Law, members of the Trinidad and Tobago Police Service and self-represented persons must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.ttlawcourts.org/filing>.
17. Electronic filing kiosks are available at the following locations for self-represented persons only who have no other means to file electronically:
 - a. The Hall of Justice;
 - b. Supreme Court, San Fernando;
 - c. Supreme Court, Tobago;
 - d. Children Court (North Building);
 - e. Children Court (South Building);
 - f. Family Court (North); and
 - g. Family Court (Tobago).

Access to these kiosks are for the sole use of self-represented members of the public who are not attorneys-at-law.

18. Manual filing at any court office is limited to exceptional circumstances only as determined and approved by the Registrar of the Supreme Court.

1324—Continued

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

19. An attorney-at-law or member of the public who wishes to obtain an **Office Copy** may make the request and schedule an appointment by emailing the request to:

COURT OFFICE	EMAIL ADDRESS
Supreme Court Hall of Justice – Office Copies	offcopypos@ttlawcourts.org
San Fernando Supreme Court Sub-Registry – Office Copies	offcopysfo@ttlawcourts.org
Tobago Supreme Court Sub-registry – office copies	offcopytgo@ttlawcourts.org
Family Court North court office	fcn.response@ttlawcourts.org .
Family Court Tobago court office	fct.response@ttlawcourts.org .
Children Court North court office	ccn.co@ttlawcourts.org .
Children Court South court office	ccs.co@ttlawcourts.org .
Children Court Tobago court office	cct.co@ttlawcourts.org .

20. An attorney-at-law or member of the public who wishes to conduct any other business in person may make an enquiry or request an appointment by telephone or by emailing the request to the relevant court location. Details of the relevant email addresses and telephone numbers are set out in the Judiciary's E-services Court Directory. Email address are as follows:

COURT OFFICE	EMAIL ADDRESS
Supreme Court Hall of Justice Court of Appeal court office	HOJCOA.Response@ttlawcourts.org .
Supreme Court Hall of Justice Civil court office	HOJCV.Response@ttlawcourts.org .
Supreme Court Hall of Justice Criminal court office	HOJCR.Response@ttlawcourts.org .
San Fernando Supreme Court Sub-Registry	SCSFDO.Response@ttlawcourts.org .
Tobago Supreme Court Sub-registry	HOJTGO.Response@ttlawcourts.org .
Family Court North court office	fcn.response@ttlawcourts.org .
Family Court Tobago court office	fct.response@ttlawcourts.org .

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

Children Court North court office	ccn.co@ttlawcourts.org .
Children Court South court office	ccs.co@ttlawcourts.org .
Children Court Tobago court office	cct.co@ttlawcourts.org .

FILING OF DOCUMENTS (SUMMARY COURT DOCUMENTS)

21. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
22. A person who wishes to file an audio and or video exhibit electronically may contact the Magistracy Registrar and Clerk of the Court.
23. Attorneys-at-Law, members of the Trinidad and Tobago Police Service, and members of the public must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.ttlawcourts.org/filing>.
24. An attorney-at-law, member of the Trinidad and Tobago Police Service or member of the public who wishes to conduct any other business in person at any **District Criminal and Traffic Court court office** may make an enquiry or request an appointment by telephone or by emailing the request to the relevant court location. Details of the relevant email addresses and telephone numbers are set out in the Judiciary's E-services Court Directory. Email address are as follows:
 - a. mrcc.portofspain@ttlawcourts.org;
 - b. mrcc.tunapuna@ttlawcourts.org;
 - c. mrcc.arima@ttlawcourts.org;
 - d. mrcc.sangregrande@ttlawcourts.org;
 - e. mrcc.chaguanas@ttlawcourts.org;
 - f. mrcc.couva@ttlawcourts.org;
 - g. mrcc.sanfernando@ttlawcourts.org;
 - h. mrcc.siparia@ttlawcourts.org;
 - i. mrcc.pointfortin@ttlawcourts.org;
 - j. mrcc.rioclaro@ttlawcourts.org;
 - k. mrcc.princestown@ttlawcourts.org;
 - l. mrcc.mayaro@ttlawcourts.org; and
 - m. mrcc.tobago@ttlawcourts.org.

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

SUMMARY COURT MATTERS

25. Bail for all persons currently on bail is hereby extended to the next scheduled hearing date on the same conditions.

PROBATE AND ADMINISTRATION OF ESTATES

26. Attorneys may lodge **new applications only** at the Probate Registry using the Judiciary's E-Probate Portal.
27. Subject to paragraph 26, an attorney who has received an approval for filing may file the approved new application on the appointment date set by the Registrar of the Supreme Court.
28. The public may request an appointment to make an application for a small estate by emailing the request to HOJPB.Response@ttlawcourts.org or by contacting the Probate Registry at 223-1060 ext. 2264.
29. Attorneys and the public may lodge bonds, caveats, warnings and citations in new or existing applications electronically by emailing them to Probate.online@ttlawcourts.org.
30. Attorneys and the public may request an appointment to file supplemental affidavits in existing applications or conduct any other business including enquiring as to the status of applications by emailing the request to HOJPB.Response@ttlawcourts.org.

ACCESS TO COURT LOCATIONS BY APPOINTMENT

31. An attorney-at-law or any member of the public seeking access to a court building to conduct business must receive an appointment in advance by contacting the relevant court office via the telephone number and/or email address published on the website of the Judiciary.
32. Any person who has been granted access to a court building must wear an appropriate mask covering their nose and mouth and is required to comply with all other health and safety protocols in place, including the screening of persons, use of hand sanitisers, the taking of temperatures and social distancing.

1324—Continued

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

33. Specific protocols may be instituted at designated areas, locations, departments or offices within a court building to safeguard the health of persons.
34. Any person who displays flu-like symptoms, or who otherwise fails to meet the screening standard required for entry, or who fails to comply with any measures or protocols instituted, may be denied entry to a court building.

FINES

35. The payment of **all fines** due during this period is suspended until November 30, 2020.
36. Any Public Health Fixed Penalty Notices issued on or before November 30, 2020, may be **paid from December 1, 2020 to February 1, 2021.**
37. The hearings for Public Health Fixed Penalty Notices issued on or before November 30, 2020 in situations in which the fines are not paid, are hereby adjourned as follows:

PUBLIC HEALTH FIXED PENALTY NOTICES ISSUED DURING PERIOD	ADJOURNED DATE OF HEARING
September 5, 2020 to September 11, 2020	Tuesday 5 January, 2021
September 12, 2020 to September 18, 2020	Tuesday 12 January, 2021
September 19, 2020 to September 25, 2020	Tuesday 19 January, 2021
September 26, 2020 to October 2, 2020	Tuesday 26 January, 2021
October 3, 2020 to October 9, 2020	Tuesday 2 February, 2021
October 10, 2020 to October 16, 2020	Tuesday 9 February, 2021
October 17, 2020 to October 23, 2020	Tuesday 16 February, 2021
October 24, 2020 to October 30, 2020	Tuesday 23 February, 2021
October 31, 2020 to November 6, 2020	Tuesday 2 March, 2021
November 7, 2020 to November 13, 2020	Tuesday 9 March, 2021
November 14, 2020 to November 20, 2020	Tuesday 16 March, 2021
November 21, 2020 to November 27, 2020	Tuesday 23 March, 2021
November 28, 2020 to November 30, 2020	Tuesday 6 April, 2021

MAINTENANCE PAYMENTS

38. All persons who have been ordered to pay maintenance must contact the court before the next payment is due to make arrangements to pay and to address conversion to CourtPay for maintenance payments.

1324—Continued

PRACTICE DIRECTION No. 7—COURT OPERATIONS—Continued

All persons who are ordered to be the recipients of maintenance money must contact the court before the next payment is due to make arrangements to receive the money and to address conversion to CourtPay for maintenance payments.

39. The Court can be contacted for this purpose by emailing or calling the relevant court office via the email address or telephone number stated in the Judiciary's E-services Court Directory.

SERVICE AND COMMISSIONER FEES

40. All service and commissioner of affidavit fees will be noted during this period and payment will be suspended until December 31, 2020.

TRAFFIC TICKETS RECEIVED PRIOR TO MAY 26, 2020

41. While provision has been made in the Miscellaneous Amendments Act, Act No. 10 of 2020, for all tickets issued before May 26, 2020 to be settled within six (6) months from May 26, 2020, by payment of 50% of the penalty, the collection of these payments by the Judiciary is hereby suspended until November 25, 2020 or in accordance with any extension by law.

Dated this 18th day of October, 2020

/s/ Ivor Archie
Chief Justice