



TRINIDAD AND TOBAGO GAZETTE

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REPUBLIC OF TRINIDAD AND TOBAGO

PRACTICE DIRECTION

COURT OPERATIONS COVID-19 PANDEMIC DIRECTIONS WITH EFFECT FROM APRIL 30, 2021 NO. 13

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, Part 22 of the Children Court Rules and Rule 69 of the Petty Civil 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 continue to provide for adequate and appropriate measures with effect from April 30, 2021 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, Masters, 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 internal and external persons;
- (e) Ensure that appropriate administrative arrangements are made for all hearings; and
- (f) Regulate 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)] on or before May 31, 2021.

having regard to:

- (a) the Public Health regulations in place from time to time;
- (b) the Public Health policies in place;
- (c) the persistence of community spread of COVID-19 within the population;
- (d) the inherent risk to court personnel and members of the public intrinsic in in person activity at court buildings at this time; and
- (e) recent developments which have required court buildings to be closed and staff to be quarantined.

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

The following measures shall take effect:

HEARINGS TO BE CONDUCTED BY ELECTRONIC MEANS

1. The general rule is that during this period no in-person hearings shall be conducted except as otherwise provided for by these directions and all Judges and judicial officers shall conduct hearings and/or sittings of the Supreme Court and Summary Courts by electronic means only.
2. All jury trials are suspended during this period.
3. Prisoners shall not attend a court building physically during this period.
4. Children shall not attend a court building physically during this period unless directed by the Court.
5. A child, a parent, guardian, or person with responsibility for a child, may contact the appropriate court office and may be required to attend one of the Judiciary's Virtual Access Customer Centres physically by appointment.
6. Judges and judicial officers may direct that a witness may give evidence from a specific location including the Judiciary's Virtual Access Customer Centres. Details of the Judiciary's Virtual Access Customer Centres are set out in Appendix 1.
7. In the event that a Judge or judicial officer directs that a witness give evidence from a specific location or from a Judiciary Virtual Access Customer Centre, the court shall provide the address of and directions to the Virtual Access Customer Centre.

DOMESTIC VIOLENCE HEARINGS

8. Judges and judicial officers may direct that a witness may give evidence from a specific location including the Judiciary's Virtual Access Customer Centres. Details of the Judiciary's Virtual Access Customer Centres are set out in Appendix 1.
9. In the event that a Judge or judicial officer directs that a witness give evidence from a specific location or from a Judiciary Virtual Access Customer Centre, the court shall provide the address of and directions to the Virtual Access Customer Centre.

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

10. Domestic violence matters may only be conducted in person if the interests of justice require and in keeping with the need to maintain appropriate health and safety requirements:
 - a. It is deemed absolutely necessary by the Court to physically have the party present; or
 - b. There is no possible means available to the applicant or respondent to appear electronically and they are unable to be accommodated at one of the Judiciary's Virtual Access Customer Centres.
11. 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.
12. 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.
13. 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.
14. 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 Court Manager for that location for hearings at any District Court location.

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

15. 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 Criminal Court Administrator.
16. 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.
17. 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)

18. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
19. A person who wishes to file an audio and or video exhibit electronically may contact the Registrar of the Supreme Court.
20. Attorneys-at-Law, members of the Trinidad and Tobago Police Service, self-represented persons and any other interested party, department or agency must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.ttlawcourts.org/filing>.
21. 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);

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

- 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.

22. Manual filing at any court office is limited to exceptional circumstances as determined and approved by the Registrar of the Supreme Court.
23. 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@ttlwcourts.org
San Fernando Supreme Court Sub-Registry – Office Copies	offcopysfo@ttlwcourts.org
Tobago Supreme Court Sub-registry – office copies	offcopytgo@ttlwcourts.org
Family Court North court office	fcn.response@ttlwcourts.org .
Family Court Tobago court office	fct.response@ttlwcourts.org .
Children Court North court office	ccn.co@ttlwcourts.org .
Children Court South court office	ccs.co@ttlwcourts.org .
Children Court Tobago court office	cct.co@ttlwcourts.org .

24. 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@ttlwcourts.org .
Supreme Court Hall of Justice Civil court office	HOJCV.Response@ttlwcourts.org .
Supreme Court Hall of Justice Criminal court office	HOJCR.Response@ttlwcourts.org .

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

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 .
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)

25. There shall be no manual filings at any court office and all filings shall be conducted by electronic means only.
26. A person who wishes to file an audio and or video exhibit electronically may contact the Magistracy Registrar and Clerk of the Court.
27. Attorneys-at-Law, members of the Trinidad and Tobago Police Service, members of the public and any other interested party, department or agency, must file documents electronically. Electronic filing is by way of the Judiciary's e-filing platform <https://eservices.ttlawcourts.org/filing>.
28. 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;

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

- g. mrec.sanfernando@ttlawcourts.org;
- h. mrec.siparia@ttlawcourts.org;
- i. mrec.pointfortin@ttlawcourts.org;
- j. mrec.rioclaro@ttlawcourts.org;
- k. mrec.princestown@ttlawcourts.org;
- l. mrec.mayaro@ttlawcourts.org; and
- m. mrec.tobago@ttlawcourts.org.

PROBATE AND ADMINISTRATION OF ESTATES

- 29. Attorneys may lodge **new applications only** at the Probate Registry using the Judiciary's E-Probate Portal.
- 30. Subject to paragraph 29, 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.
- 31. 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, 2241 or 2242.
- 32. 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.
- 33. 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

- 34. 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.
- 35. 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 sanitizers, the taking of temperatures and social distancing.

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

36. Specific protocols may be instituted at designated areas, locations, departments or offices within a court building to safeguard the health of persons.
37. 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.

APPROVAL OF SURETY FOR BAIL BY APPOINTMENT

38. In the exceptional event that the court considers it necessary that a surety for bail must be approved by the Registrar of the Supreme Court or by a Magistracy Registrar and Clerk of the Court, prior to that surety appearing before the Justice of the Peace who is being asked to admit an accused person to bail which is secured by the said surety, the proposed surety is required to submit by email all necessary documents in accordance with the Checklist for approval of surety for Bail.
39. All documents, individually identified and saved in PDF format, are to be submitted to the following email addresses for the Supreme Court and the email addresses identified at paragraph 28 above for the Summary Courts, clearly indicating in the subject line **“Bail Documents for Approval”**.

EMAIL ADDRESS	COURT LOCATION
HOJCOA.Response@ttlwcourts.org	Court of Appeal
HOJCR.Response@ttlwcourts.org	HOJ Port-of-Spain Criminal Registry
SCSFDO.Response@ttlwcourts.org	Supreme Court, San Fernando
HOJTGO.Response@ttlwcourts.org	Supreme Court, Tobago

40. Documents are to be submitted to the relevant email address depending on the jurisdiction out of which the bail order was issued.
41. On review of the documents, the proposed surety will receive an email indicating whether changes are to be made and the revised documents are to be submitted in the same manner as previously mentioned.
42. Where no changes are necessary, or where all changes have been made and resubmitted, the proposed surety, upon the relevant checks being made, will be informed by email whether they have been approved and will be given an appointment to submit the original documents for vetting against the emailed documents.

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

43. Persons who have received appointments are required to print the email or have it readily available on a device, to gain access to the Criminal Registry.

MAINTENANCE PAYMENTS

44. 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.
45. 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.
46. 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 or by sending an email to convert2CourtPay@ttlawcourts.org.

EXTENSION OF WAIVER OF FEES (FILING BY ELECTRONIC MEANS)

47. Further to Rule 67.15(5) of the Civil Proceedings Rules 1998 (as amended), Legal Notice No. 67 of 2020, the period for which the fees specified in Appendix D to Part 67 of the said Rules shall not be charged in respect of filings by electronic means shall be **April 2, 2020 to June 15, 2021** inclusive.
48. Further to Rule 36.12 (3) of the Family Proceedings Rules 1998 (as amended), Legal Notice No. 72 of 2020, the period for which the fees specified in Appendix B of the said Rules shall not be charged in respect of filings by electronic means shall be **April 2, 2020 to June 15, 2021** inclusive.

FINES AND COURT ORDERED COMPENSATION PAYMENTS

49. The payment of **all fines and court ordered compensation payments NOT INCLUDING MAINTENANCE** due during this period is suspended until May 31, 2021.
50. Any Public Health Fixed Penalty Notices issued on or before May 31, 2021, may be **paid from June 1 to August 10, 2021**.
51. The hearings for Public Health Fixed Penalty Notices issued on or before May 31, 2021 in situations in which the fines are not paid, are hereby adjourned as follows:

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

PUBLIC HEALTH FIXED PENALTY NOTICES ISSUED DURING PERIOD	ADJOURNED DATE OF HEARING
September 5, 2020 to September 11, 2020	Tuesday 7 September 2021
September 12, 2020 to September 18, 2020	Tuesday 14 September 2021
September 19, 2020 to September 25, 2020	Tuesday 21 September 2021
September 26, 2020 to October 2, 2020	Tuesday 28 September 2021
October 3, 2020 to October 9, 2020	Tuesday 5 October 2021
October 10, 2020 to October 16, 2020	Tuesday 12 October 2021
October 17, 2020 to October 23, 2020	Tuesday 19 October 2021
October 24, 2020 to October 30, 2020	Tuesday 26 October 2021
October 31, 2020 to November 6, 2020	Tuesday 2 November 2021
November 7, 2020 to November 13, 2020	Tuesday 9 November 2021
November 14, 2020 to November 20, 2020	Tuesday 16 November 2021
November 21, 2020 to November 27, 2020	Tuesday 23 November 2021
November 28, 2020 to December 4, 2020	Tuesday 30 November 2021
December 5, 2020 to December 11, 2020	Tuesday 7 December 2021
December 12, 2020 to December 18, 2020	Tuesday 14 December 2021
December 19, 2020 to December 25, 2020	Tuesday 21 December 2021
December 26, 2020 to January 1, 2021	Tuesday 28 December 2021
January 2, 2021 to January 8, 2021	Tuesday 4 January 2022
January 9, 2021 to January 15, 2021	Tuesday 11 January 2022
January 16, 2021 to January 22, 2021	Tuesday 18 January 2022
January 23, 2021 to January 29, 2021	Tuesday 25 January 2022
January 30, 2021 to February 5, 2021	Tuesday 1 February 2022
February 6, 2021 to February 12, 2021	Tuesday 8 February 2022
February 13, 2021 to February 19, 2021	Tuesday 15 February 2022
February 20, 2021 to February 26, 2021	Tuesday 22 February 2022
February 27, 2021 to March 5, 2021	Tuesday 8 March 2022
March 6, 2021 to March 12, 2021	Tuesday 15 March 2022
March 13, 2021 to March 19, 2021	Tuesday 22 March 2022
March 20, 2021 to March 26, 2021	Tuesday 29 March 2022
March 27, 2021 to April 2, 2021	Tuesday 5 April 2022
April 3, 2021 to April 9, 2021	Tuesday 12 April 2022
April 10, 2021 to April 16, 2021	Tuesday 19 April 2022
April 17, 2021 to April 23, 2021	Tuesday 26 April 2022
April 24, 2021 to April 30, 2021	Tuesday 10 May 2022
May 1, 2021 to May 7, 2021	Tuesday 17 May 2022
May 8, 2021 to May 14, 2021	Tuesday 24 May 2022
May 15, 2021 to May 21, 2021	Tuesday 31 May 2022

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

May 22, 2021 to May 28, 2021	Tuesday 7 June 2022
May 29, 2021 to May 31, 2021	Tuesday 14 June 2022

SERVICE AND COMMISSIONER FEES

52. All service and commissioner of affidavit fees will be noted during this period and payment will be suspended until June 15, 2021.
53. Marshals and Bailiffs service services are limited to matters of urgency so determined by the Registrar of the Supreme Court or the Magistracy Registrar and Clerk of the Court as the case may be.

TRAFFIC TICKETS RECEIVED PRIOR TO MAY 26, 2020

54. 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, which said payment had been extended for a period of four (4) months from November 26, 2020 by Legal Notice No. 366 of 2020 and which said payment has been further extended from March 26, 2021 to May 31, 2021 by Legal Notice No. 89 of 2021, the collection of these payments by the Judiciary is hereby suspended until further notice.

EFFECTIVE DATES

55. This Practice Direction supersedes the Practice Directions published in Trinidad and Tobago Gazette Vol. 59 No. 201 dated November 30, 2020 titled “Court Operations Covid-19 Pandemic Directions with effect from December 1, 2020 No. 9” and Gazette Vol. 60 No. 59 dated April 23, 2021 titled “Court Operations Covid-19 Pandemic Directions with effect from April 24, 2021 No. 12” and shall take effect on April 30, 2021 and continue until further notice or otherwise superseded.

Dated this 29th day of April, 2021

/s/ Ivor Archie
Chief Justice

PRACTICE DIRECTION No. 13—COURT OPERATIONS—Continued

APPENDIX 1

Judiciary Virtual Access Customer Centres (VACC)
For Facilitation of Virtual Hearings

Locations		Addresses	No of Rooms
North	Arima	UTT Building 83-121 Industrial Estate O'Meara Industrial Park	2
	Port of Spain	Judiciary Administration Building Kings Court, 110-112 Frederick Street	7
		Judiciary Administration Building 48 St. Vincent Street (Corner St. Vincent and Duke Streets)	2
		Children Court North Building 6 Elizabeth Street, St. Clair	1
South	Point Fortin	Point Fortin Magistrates' Court Building Cap de Ville Road	2
	Princes Town	New Family Court Building 271 Edwards Street, Naparima/Mayaro Road	3
Tobago	Scarborough	Supreme Court Building Bacolet St	1
		Scarborough Magistrates' Court Building Bacolet St	2
		Family Court Building #54 Calder Hall Main Road	2

/s/ Ivor Archie
Chief Justice