

Local Guidance for the conduct of remote hearings

Court resources are increasingly stretched and are likely to become more so. In the light of the current exceptional situation. Therefore, it is important for all parties to family proceedings to comply with the President's Guidance issued last week.

Most significantly, paragraph 16 makes it clear that, in public law proceedings, it is the responsibility of the local authority to make the arrangements with the other parties, and then in consultation with the court, for how the remote hearing will take place. To be clear, the court is increasingly being met with requests for 'how' the court wishes the hearing to proceed. That is the wrong way around. The parties should agree the platform for the remote hearing and put the arrangements in place, before communicating those arrangements to the court.

If a skype for business hearing is requested, and the parties wish for the judge to arrange the hearing, the email addresses of all advocates are to be provided by 4pm the day before the hearing. A skype hearing is unlikely to be suitable in cases where there are litigants in person unless arranged by the local authority, when it will be recorded in court.

Only PDF bundles that comply with paragraph 18 of the guidance will be accepted

Parties to a remote hearing are required to file a position statement not exceeding 2 sides of A4 by 4pm the day before the hearing. That document should specifically address those matters that are likely to require immediate determination by the court.