

Cases in the Family Court in Cumbria

Note to Legal Representatives

1. As from **Monday 23rd March 2020** no party or legal representative or witness is to attend any Court in Cumbria unless specifically ordered to do so by a judge
2. Unless otherwise ordered in a specific case all hearings will be conducted remotely by way of:
 - a. An exchange of email between the court and the parties
 - b. Telephone using conference call facilities
 - c. Court video system if available
 - d. The use of Skype for Business App installed on Judicial laptops
 - e. Any other appropriate means of remote communication, for example BT MeetMe or FaceTime
3. The responsibility for making technical and other arrangements for a remote hearing and for confirming the details of the arrangements for the hearing to the other parties no later than 24 hours prior to the remote hearing taking place is to be undertaken by the following party liaising with the court:
 - a. The Local Authority in a public law case
 - b. The applicant, if legally represented, in a private law case
 - c. The respondent, if legally represented and where the applicant is not, in a private law case (or the second respondent if neither the applicant nor first respondent is legally represented and the second respondent is)
 - d. The court where no party is legally represented

It is not envisaged that the Local Authority will have to provide and finance the provision of remote services - just that they set up the hearing. Skype is free and conference calls can be organised through the HMCTS bulk contract with liaison with the court to set up the number and access code.
4. Full time judges have access to the digital files in public law cases. They do not have access to digital copies of private law cases or court email boxes. Part time judges and HMCTS staff working from home do not have access to any digital documentation or court email boxes but plans are in place to issue them with laptops as soon as possible.
5. For public law cases bundles should not to be filed with the court - the case summary which is to be delivered by email at least 24 hours before the hearing must contain a list document the judge should read for the hearing. Please remember it can take 24 hour for a document emailed tot eh court to reach the court file and this may be extended in time =of shortage os court staff
6. Judges will be able to retrospectively grant permission for an advocates meeting before a hearing in the hope that direction can be agreed and emailed to the court. There are some concerns that if there is no hearing (that

is if the hearing is dealt with administratively) then it will mean that the payment received under Legal Aid rates will not reflect the work carries out. In that situation a short telephone hearing can take place.

7. In respect of all remote hearings it is understood that if the time of the hearing is recorded in the order then it is not necessary for a FAS form to be signed by the judge and stamped by the court.
8. We are all facing this difficult time together and I am certain that because of the strong working relationships we have we will be able to continue to provide a service for the families and particularly the children in Cumbria. It will require give and take and innovative solutions but together and with tolerance and understanding we will get through it

Barbara A Forrester

DFJ Cumbria

20th March 2020