

COVID 19 : National guidance for the Family Court 19 March 2020

IMPLEMENTATION SUSSEX DFJ AREA

20 March 2020

1. The default position shall be that, for the time being, all Family Court hearings will be undertaken remotely either via email, telephone, video or Skype et cetera (“remote hearing”), except where the requirements of fairness and justice require a court based hearing, in which case one should take place if it is safe to conduct one.
2. All Family Court hearings which are currently listed for more than half a day before 9 April 2020 are reduced in duration with immediate effect to one hour. The hearing must take place by way of a remote hearing unless a judge orders to the contrary. HMCTS shall forthwith send out revised notices of hearing along with an Order in the form (or similar form) of that at Appendix A of the President’s guidance. The hearing will take place on what would have been the first day of the hearing as originally listed. The hearing will look at how the case can be managed going forward and whether the case could be heard via Skype or similar. Greater clarity as to the options available should emerge in the coming days The despatch of these notices will take time.
3. All Family Court hearings which are currently listed with a time estimate of half a day or less will retain their current time estimate and listing but will take place by way of a remote hearing.
4. As the judges’ lists become lighter during the coming weeks as a result of longer hearings being vacated, it is hoped that it will be possible to bring forward some of the shortened hearings in respect of later cases in order that the management of those cases can be addressed sooner rather than later.
5. Parties should liaise with HMCTS as to the precise format of the remote hearing as per paragraphs 14,15 and 16 of the President’s guidance.
6. Urgent applications (whether new proceedings or within existing proceedings) will be dealt with remotely. Parties should continue to follow current procedures in relation to issuing such applications.
7. Direct correspondence with a judge in relation to existing proceedings is acceptable so long it is appropriate and necessary, and all parties are copied in. This does not apply in cases with Litigants in Person – in such cases correspondence should be through HMCTS unless the judge states otherwise.

8. This guidance does not apply to Court of Protection cases nor to Appeals. Those cases will continue to be managed by the case management judge without guidance from the DFJ.
9. Further guidance will follow as appropriate.

HIS HONOUR JUDGE BEDFORD

DESIGNATED FAMILY JUDGE FOR SUSSEX