

Practice Alert: Court availability and access during COVID-19 restrictions

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The COVID-19 pandemic, subsequent restrictions on movement and requirements for social distancing have led to significant changes to court practices.

It is generally understood that court buildings and related services are subject to the general restrictions and social distancing requirements which have been announced by the Commonwealth government.

Outlined below are a summary of the impacts on the various superior courts and also links to which should assist in keeping up to date.

Access to the Courts and hearing availability is important for the operation of various external administrations so it also necessary for insolvency practitioners and their advisers to remain up to date with the information concerning access to the various Court and the changes to their operation. The position is continually evolving, and it is recommended that specific enquiries are made to confirm the position and arrangements.

High Court

The High Court has suspended its sitting dates and will reassess the position in June. The Court will continue to deliver judgments and deal with special leave applications including hearings as necessary at individual registries and Urgent matters are being heard by video conferencing and there restrictions on registry opening hours and access.

Further information is available on the [High Court homepage](#).

Federal Court

The Federal Court has released the [Special Measures in Response to COVID-19 \(SMIN-1\)](#) practice note which outlines the practices adopted by the Court.

The key changes are:

- Courts and public counters closed to public for face to face contact. Registry services are being provided online and remotely.
- All documents should be lodged using e-filing (to the greatest extent possible).
- Allowances are being made for 'electronically signed' affidavit and Court documents.
- Inspection of subpoenaed documents is by appointment only.
- To the greatest extent possible the Court is moving away from face to face Court attendance and have been conducting video-based hearings.

Further information is available on the [Federal Court homepage](#).

ACT

The ACT courts have also issued specific practice directions to deal with COVID-19.

Practice Direction 1 of 2020, *Special Arrangements in response to COVID-19*, covers the amended practices adopted in this court. It include specific arrangements for filing, hearings and social distancing requirements.

Further information is available on the [Court's homepage](#).

New South Wales

The Supreme Court of New South Wales has largely moved to digital operations.

The Corporations List remains available for urgent hearings, however, special procures are in place from 24 March 2020.

[Read the revised arrangements](#).

Further information is available on the [Court's homepage](#).

Northern Territory

The Court has suspended new jury trials until 5 June 2020 and video arrangements are being adopted.

Further information is available on the [Court's homepage](#).

Queensland

The Supreme Court of Queensland has amended its practices to ensure social distancing and other responses. Steps are being taken to greatly reduce the hearings to be held at Court buildings and to utilise technology.

Further information is available on the Court's [homepage](#).

South Australia

The Supreme Court of South Australia released a detailed [practice note](#) on 24 March 2020 which sets out specific arrangements for accessing that court and changes made to ordinary practice and procedures.

Further information is available on the Court's [homepage](#).

Tasmania

On 18 March 2020, the Supreme Court of Tasmania indicated that it was ceasing jury trials. No additional specific information is presently available.

Further information is available on the [Court's homepage](#).

Victoria

The Supreme Court has adopted a number of measures to limit contact and ensure social distancing. Unless urgent or required by judge most hearings will be conducted using technology or 'on the papers'.

Further information is available on the [Court's homepage](#).

Western Australia

The Supreme Court of Western Australia issued a notice on 18 March 2020.

The Court is open to the public but social distancing is required. The Registry is closed and new jury trials are suspended. In person hearings before the Court of Appeal have ceased and are being replaced by telephone or video hearings.

Further information is available on the [Court's homepage](#).

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