



PRACTICE DIRECTION No. 3 OF 2020

FAMILY DIVISION

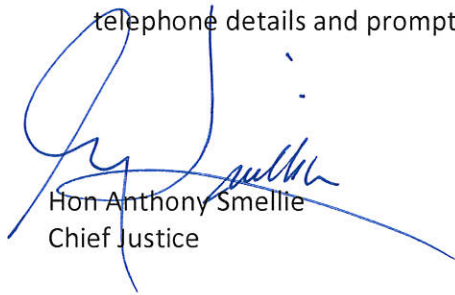
REMOTE HEARINGS

1. This Guidance, which is approved by the Chief Justice, is intended to be followed with immediate effect in the Grand Court Family Division. It should be read in conjunction with (i) the Protocol “COVID19: Guidance for the Family Division” issued by the Chief Justice on 29 March 2020.
2. All family cases which have already been listed for a hearing will be listed promptly for a directions hearing, which should be conducted remotely. The parties will be contacted and provided with the time and date of the hearing. If a party is unable to attend the due date then they must promptly notify Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) and obtain a new date convenient to all the parties.
3. Any new hearing in a family case which is not listed on a Family Mention Day will be listed promptly for a directions hearing. The parties will be contacted and provided with the time and date of the hearing. If a party is unable to attend the due date then they must promptly notify Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) and obtain a new date convenient to all the parties.
4. The primary aim of the directions hearing will be to identify whether the substantive hearing can be heard remotely. If it is unclear whether it can then, at the direction hearing, the Court will consider the optimal method of conducting the Court process in order to achieve a fair and just hearing of the issues but, at the same time, minimising as much as possible the degree of inter-personal contact between each participant.

5. If it decided at the direction hearing that it is possible to make arrangements for the already fixed hearing to be conducted remotely, then the hearing should go ahead remotely without any personal attendance at Court. **A draft directions order is at Appendix A below.**
6. The direction hearings and any hearings to be heard remotely will now be dealt with remotely by Zoom. If you are unfamiliar with Zoom here is the help page from Zoom <https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials> and further guidance and video <https://learninginbloom.com/use-zoom/>.
7. The attorneys and any litigants in person will, well in advance of the hearing, be provided with details of the hearing and a link that they will need to use to enable them to access the Zoom hearing. If they have not received these details then they should contact Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883).
8. It is important that the parties are available to enter the Zoom hearing at the set time and that they be prepared to wait as there may be a delay caused by a previous matter in the list overrunning. A Zoom connection test should be arranged with Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) well in advance of the hearing.
9. Each litigant and their attorney can attend the Zoom hearing from different locations. The screen will enable each person attending the meeting to be seen and each attendee can be heard. The Court may use the 'speaker view' in which the person speaking will appear as the main image on the screen and the other attendees will appear in small individual boxes at the top of the screen. The Judge will lead the meeting and will initially appear as the main image on screen. The Judge will then invite the other attendees to speak in turn and when that person is speaking he/she will appear as the main image on the screen. It is important that only one person speak at a time and only when invited by the Judge to do so. The Court may also use the 'gallery view' in which each person will appear in an equal size box on the screen throughout the hearing. At the start of the hearing, the Judge will recommend, depending on the number of attendees, which view should be used.
10. If a party is unable to attend by Zoom because they do not have adequate internet access,

the Court will arrange for that party to attend the hearing by telephone. That attendee will be able to hear the other attendees speak and be able to speak during the hearing. At the time set for the hearing, the party will need to dial 1-30171-58592 followed by the meeting ID and the # sign. The attendee must contact Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) well in advance of the hearing if telephone attendance is sought in order for them to be provided with the required meeting ID. A Zoom /telephone connection test should be arranged with Mrs. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) well in advance of the hearing.

11. It is important that all litigants and attorneys ensure that Ms. Suzanne Miller (Suzanne.Miller@Judicial.ky tel: (345) 244 3883) is provided with their up-to-date email and telephone details and promptly notified of any changes made to them.



Hon Anthony Smellie
Chief Justice

29 March 2020