



FAMILY COURT OF WESTERN AUSTRALIA

**FAMILY COURT OF WESTERN AUSTRALIA
UPDATED PUBLIC NOTICE (6) – COVID-19
AS AT 30 JUNE 2020**

This Public Notice replaces all previous notices issued in relation to COVID-19.

The following directions in relation to the business of the Family Court of Western Australia are effective immediately.

Attendance at the Court Building

Any person proposing to attend the Court who has flu-like symptoms or who has travelled overseas in the last 14 days must not enter the Court precincts including courtrooms, conference rooms, the Registry and all waiting areas. This direction applies to legal practitioners, parties, their support person (if applicable), witnesses, and members of the public. While the Court remains open to the public, the Court recommends that only legal practitioners, parties, their support person (if applicable) and witnesses should attend court hearings. Other members of the public are requested not to attend.

Hearings

All hearings and conferences will continue to be listed as normal. However, these arrangements are under regular review, as circumstances continue to develop.

~~Save in exceptional circumstances, documents (other than exhibits) should not be handed up in open court. Additional documents to be provided by counsel or parties should be provided electronically, in advance of the hearing.~~

Subject to any directions / orders made by the Court, wherever practicable directions hearings will be conducted by telephone. Parties can seek to attend directions hearings by telephone (on the basis that the consent of the other party(s) is not required) by emailing the Court no later than 7 days prior to the hearing at: family.court@justice.wa.gov.au and by providing the following information:

- Their full name and Court file number;
- The date and time of the hearing or conference;
- Their contact telephone number.

Parties and lawyers otherwise seeking to attend other court events by telephone should file a Request to Attend by Electronic Means in the usual way.

Registry services

The Registry will continue to offer its usual services, including the lodgement of court documents, inspection of subpoenaed documents and providing procedural advice. All front counter services remain temporarily suspended until further notice as a precautionary response to the COVID-19 pandemic. The action has been taken to limit the close social contact between persons at the front counter and in the waiting area.

Lodging documents for filing

Affidavits will no longer be accepted for filing unless they are sworn/affirmed before an authorised witness. In exceptional circumstances, leave may be sought for the filing of an affidavit that has not been sworn/affirmed. Such exceptional circumstances may include a party being in quarantine or self-isolation at the direction of the relevant health authorities.

Where ever possible, parties should lodge those documents that are able to be lodged electronically via the Commonwealth Courts Portal (“CCP”).

Documents that are currently not able to be lodged electronically should not be e-lodged by incorrectly “labelling” them as another document which can be lodged (for example: “correspondence”).

Further information regarding how to set up an account to use the CCP and a list of documents that can be accepted for lodgement via the CCP is available on the Court’s website at: https://www.familycourt.wa.gov.au/C/comcourts_portal.aspx.

If a party cannot access the CCP to lodge documents or the documents are unable to be e-lodged via the CCP, then the documents can be lodged (in order of preference) by:

- Post to: GPO Box 9991, PERTH, WA 6848
- Placing the documents in the secure Drop Box located near the Registry front counter on Level 1

All payments required for the filing of documents must be made by credit or debit card by using the credit card authority form which is available on the Court’s website.

Subject to any directions / orders made by a judicial officer, the only documents that should be lodged by **email** are Minutes of Consent Orders.

Parties and solicitors are also reminded that they are required to comply with Rule 24.05(3). A document to be relied on in a court event must be filed at least 1 clear day before the date fixed for the court event. The document will otherwise not be accepted for filing and/or will not be provided to the judicial officer. Further, notwithstanding the Rule, all other timeframes for the filing of the documents must be complied with.

Bookings to inspect subpoenaed documents

Legal practitioners and parties are still able to make a booking to inspect subpoenaed documents by contacting the Court’s Subpoena Office on **(08) 9224 8304**.

Procedural advice

Legal practitioners and parties are still able to obtain procedural advice by contacting the Court's Call Centre on **(08) 9224 8222** any business day between 9am and 4pm (**Country Free call 1800 199 228**).

Physical distancing within the Court precincts

The Court is adopting a number of measures to facilitate physical distancing within the Court's precincts.

- The Court recommends that only legal practitioners, parties, their support person (if applicable) and witnesses should attend at court hearings. Other members of the public are requested not to attend.
- The Court is currently implementing a number of steps to stagger the start times of matters in multiple lists, including CRP Lists and General Lists.

Circuits

As from 1 June 2020, judicial officers, family consultants and court staff will resume travel to regional areas to conduct circuits (subject to appropriate travel arrangements being available).

Subject to any directions / orders made by the Court, where ever practicable, directions hearings will be conducted by telephone. Parties can seek to attend circuit directions hearings by telephone (on the basis that the consent of the other party(s) is not required) by emailing the Court no later than 7 days prior to the hearing at: family.court@justice.wa.gov.au and by providing the following information:

- Their full name and Court file number;
- The date and time of the hearing or conference;
- Their contact telephone number.

Parties and lawyers otherwise seeking to attend other circuit court events by telephone should file a Request to Attend by Electronic Means in the usual way.

30 June 2020



Gail Sutherland

Chief Judge

Family Court of Western Australia