

**THE OFFICE OF THE CHIEF JUSTICE
JUDICIARY OF THE BAHAMAS**

PRESS RELEASE

20 March, 2020

On 17 March, 2020 the Court released phase 1 of the Court Coronavirus Mitigation Protocols. At that time I stated that we would continue to monitor developments on the ground and respond accordingly.

On 19 March, 2020 the Prime Minister made the Emergency Powers (Covid 19) (No. 1) Order 2020 (“Order No. 1”). In view of that development it is now necessary to modify the existing phase 1 Protocols to reflect the current state of the country under Order No. 1. Therefore, for as long as Order No. 1 is effective, Court operations will be restricted to essential services required for the proper functioning of the Judiciary under the Constitution and laws of The Bahamas. The Judiciary remains committed to ensuring continued access to justice while protecting the health and well-being of our judicial officers, staff and members of the public who use the Courts.

Accordingly, the following measures pertaining to court hearings and trials comprising phase 2 of the Court Coronavirus

Mitigation Protocols are to be implemented with immediate effect from Monday, 23 March, 2020:

Supreme Court – Criminal Side:

New criminal jury trials are suspended until 14 April, 2020 when the position will be reviewed on the basis of prevailing circumstances at that time. The members of the jury pool for each criminal court will be contacted by the Bailiff of that court to inform them when to return to court.

Arraignments fixed for 27 March, 2020 are adjourned to 8 May, 2020 at 10:00 a.m.

Bail – until 31 March, 2020 only **Urgent Bail applications** will be heard. The Urgent Bail Judge Roster is posted on the Judiciary’s website – bahamasjudiciary.com. Where possible, the hearing will proceed with the lawyer alone in court or by video conference. If required, the accused person will be in court. In either instance, the in-person hearings will be conducted in accordance with social distancing requirements.

Case Management Conferences and Pre Trial Reviews are suspended until the week of 14 April, 2020. New dates for hearings vacated hereunder will be fixed by the Judge.

Supreme Court – Civil Side (all cases which are not Criminal):

Part heard Trials are suspended until the week of 14 April, 2020. New dates for all trials vacated hereunder will be assigned by the Judge.

New trials are suspended until the week of 14 April, 2020.

Interlocutory applications – until 14 April, 2020 only **Urgent interlocutory applications** will be heard. Unless in a pending case already assigned to a judge, the Duty Civil Judge will hear urgent interlocutory applications. The Duty Civil Judge Roster is posted on the Judiciary’s website. If the case is already assigned to a Judge, the urgent application in that case will be heard by the assigned Judge.

Urgent interlocutory applications are applications for (i) injunctions; (ii) domestic violence protection orders; (iii) child protection orders; (iv) orders under the Mental Health Act; (v) orders under international Treaties; (vi) writs of habeas corpus; and (vii) any other orders deemed by the Judge to be fit for hearing on an urgent basis.

The Duty Civil Judge or in a pending case, the assigned Judge, will determine if the application is to be heard on an urgent basis.

Applications for a hearing date for an urgent interlocutory application should be made by using the Hearing Application

Form posted under 'Courts' on the Judiciary's website. When the Form is submitted electronically through the website, the Listing Officer will deal with it and inform the applicant of the date of the hearing before the Judge or that the application is not certified for an urgent hearing date.

In the event that the applicant cannot access the website, the application for a hearing date must be made to the Registrar in Annex 1 between 1:00 p.m. – 4:00 p.m.

New dates for interlocutory applications vacated hereunder will be assigned by the judge.

Hearing by Registrar/ Deputy Registrars / Assistant Registrars:

All court hearings before Registrars are suspended until after 14 April, 2020. New hearing dates for applications vacated hereunder will be assigned by the Registrar/ Deputy Registrar / Assistant Registrar.

REGISTRIES

The Family Registry, the Probate Registry and the Appeals Registry are closed until 31 March, 2020.

The offices of **the Civil Registry** located in the BAF Financial Building on George Street will be closed until 31 March, 2020 and will operate out of a satellite office in Annex 1 during the hours of 1:00 p.m. – 4:00 p.m. During that period, Cause List Searches will be suspended. Court documents can be filed in the usual way during the aforementioned hours.

The offices of **the Criminal Registry** located on Bank Lane will be closed until 31 March, 2020 and will operate out of a satellite office in Annex 1 during the hours of 1:00 p.m. – 4:00 p.m.

Magistrate Courts – Criminal Side:

Arraignments / first time pleas will proceed subject to social distancing requirements between the hours of 10:30 a.m. – 2:30 p.m. Only persons who must be in the court room will be allowed to enter and in any event no more than 15 persons at any time. Hearings to be sequenced under the oversight of the Police to avoid overcrowding.

Bail / Variation of bail applications – will proceed under the guidelines applicable to arraignments between 10:30 a.m. – 2:30 p.m.

New trials – will be suspended in criminal cases, juvenile cases and Coroner Inquests until the week of 14 April, 2020 when the

position will be reviewed. A determination will be made at that time with regard to the future course of these trials.

Traffic cases – first pleas in traffic cases are suspended until after 31 March, 2020. Dates of first pleas scheduled for 23 March, 2020 – 31 March, 2020 are adjourned from the date on which it was to be heard to the same date in the following month. If the adjourned date falls on a weekend or public holiday, it is adjourned to the next court business day.

All fines, including fines under Fixed Penalty Notices, in traffic cases can be paid under current procedures between 10:30 a.m. – 2:30 p.m.

All trials in traffic cases are suspended until 31 March, 2020 when the position will be reviewed.

Remands will continue by video link with the Remand Court at the Bahamas Department of Correctional Services facility.

Part heard criminal trials, juvenile trials and Coroner Inquests are suspended until 31 March, 2020. New dates vacated under these Protocols will be assigned by the Magistrate / Coroner.

During the period 23 March, 2020 – 31 March, 2020 the Office of The Coroner will be open during weekdays from 10:00 a.m. – 2:00 p.m. for signing of releases.

Voluntary Bills of Indictment – will be suspended until 31 March, 2020.

Magistrate Courts – Civil Side (any cases not criminal, traffic or juvenile):

New trial dates are suspended until 31 March, 2020.

Part heard matters – hearings are suspended until 31 March, 2020. New dates will be assigned by the Magistrate.

Family Court - during the period 23 March, 2020 – 31 March 2020 payments can be made and funds received at the Cashier counter in the Magistrates Court from 10:30 a.m. – 2:30 p.m.

All travel by Magistrates for Circuits is suspended until 14 April, 2020 when the position will be reviewed.

Urgent applications – in all cases can be made to the Chief Magistrate for a hearing date.

See the Judiciary's website for the Listing Office's Hearing Application Forms, the Urgent Duty Judge Roster, the Urgent Bail Application Roster and the List of the emails for the Judges and Registrars.