

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE

REGISTRAR'S CIRCULAR NO. 1 OF 2020

**INFORMATION ON MEASURES AND OTHER MATTERS RELATING TO
COVID-19 (CORONAVIRUS DISEASE 2019) FOR COURT USERS AND VISITORS
TO THE FAMILY JUSTICE COURTS**

To reduce the local transmission of COVID-19 (Coronavirus Disease 2019), comprehensive measures, such as safe distancing measures, have been put in place in the Family Justice Courts. Information on these measures and other applicable restrictions is available on the Family Justice Courts website at <http://www.familyjusticecourts.gov.sg>. The information will be updated from time to time. All court users and visitors to the Family Justice Courts are advised to refer to the Family Justice Courts website for the latest information.

2 The Honourable the Chief Justice has directed that the use of electronic means of communication to conduct hearings be enhanced. This is to ensure that court services and hearings remain available and uninterrupted as far as possible while reducing the level of person-to-person contact.

3 With immediate effect until further notice, selected hearings in the Family Justice Courts will be conducted by video conferencing or where appropriate, telephone conferencing. Litigants-in-person are strongly encouraged to use video conferencing or telephone conferencing, where available. Details on the use of video conferencing and telephone conferencing for the different types of hearings in the Family Justice Courts are set out in **Schedule 1**.

4 A guide on the use of video conferencing and telephone conferencing to attend hearings can be found on the Family Justice Courts website. Unauthorised audio or visual recording of hearings is strictly prohibited and in appropriate cases, the Court may require an undertaking that no such recording will be made. Attention is drawn to section 5 of the Administration of Justice (Protection) Act 2016 (Act No. 19 of 2016) regarding contempt of court by unauthorised recordings. Where hearings are conducted by video conferencing, all court rules and practices on dress and etiquette will continue to apply. However, it will not be necessary to stand and/or

bow to the Court at the start or end of the hearing or to stand when addressing the Court, when otherwise required to do so for physical attendance.

5 With effect from 1 April 2020 until further notice, where the Court determines that physical attendance before the Court is appropriate, no more than two lawyers/litigants per party may appear at the hearing. Practice trainees, interns, legal executives and other assistants should not be in attendance. If a party requires additional attendees, it should write in to the Court on its request for an exemption for the named additional attendees, no later than one working day before the hearing date. The Court may, in its discretion, grant an exemption to allow the named additional attendees to attend physically and/or by video conferencing.

6 The cooperation of all court users and visitors to the Family Justice Courts is essential for the successful implementation of these measures to safeguard the well-being of all court users and visitors.

Dated this 27th day of March 2020.



KENNETH YAP YEW CHOH
REGISTRAR
FAMILY JUSTICE COURTS

Schedule 1

This Schedule sets out details regarding the use of video conferencing and telephone conferencing for hearings in the Family Justice Courts (“FJC”). As a general principle:

- (a) All matters heard in chambers will be conducted by video conferencing or telephone conferencing where parties are represented.
- (b) Matters involving litigants-in-person (“LIPs”) will be heard over video conferencing when LIPs are trained in its use. FJC has implemented training sessions on the use of video conferencing technology at its premises at 3 Havelock Square (“Havelock”) and at the Ministry of National Development Complex (“MND”). Counsel are also encouraged to attend these sessions, which are held at regular intervals daily, at both premises until further notice.
- (c) Mentions and trials may be heard over video conferencing where appropriate.
- (d) Parties are reminded that section 10(1) of the Family Justice Act (Act No. 27 of 2014), which provides that all matters and proceedings in the FJC shall be heard in camera, applies to all video and telephone conferences.

Preliminary matters

2 Training sessions on the use of video conferencing will be held at regular intervals from 10 am at Havelock and 10.15 am at MND. All LIPs will be directed by the judges and mediators to attend these training sessions immediately after any attendance in court. Counsel are welcome to attend the sessions if they wish to do so, although priority will be given to LIPs.

3 Half-day and full-day hearings commencing in the morning will start at 10 am instead of 9.30 am. This is to enable law firms to stagger their work hours in accordance with the recommendations of the Ministry of Health and Ministry of Manpower.

4 Court users with queries are strongly encouraged to call or e-mail for clarification instead of attending physically at the registries. Further details can be found at <http://www.familyjusticecourts.gov.sg>.

5 Any party who requires a certified true copy of a court document can make an application via eLitigation, with supporting documents sent by post, without the need for personal attendance. Where the matter is not on the electronic case file, the application can be made via letter. For further details, please refer to <http://www.familyjusticecourts.gov.sg>.

Details relating to Hearings at the Family Justice Courts

6 Parties or counsel who wish to seek an audience before the **Duty Judicial Officer** shall file a request via eLitigation instead of attending physically in Court. Hearings before the Duty Judicial Officer will be conducted by video conferencing if all parties are represented. Duty matters involving LIPs will be heard by video conferencing once LIPs have been trained, unless special circumstances exist.

7 **Case conferences for probate and adoption matters and matters under the Mental Capacity Act (Cap 177A, 2010 Rev Ed)** will be conducted by video conferencing.

8 **Case conferences for originating summonses (for matters other than those mentioned in paragraph 7), divorces and ancillary matters** will be conducted by telephone conferencing, including for matters where LIPs are involved. The FJC will explore the possibility of conducting such conferences by video conferencing once LIPs have been trained.

9 **Chamber hearings** will be conducted by video conferencing if all parties are represented. Matters involving LIPs will be heard by video conferencing once LIPs have been trained, unless the LIP applies to have the matter heard in court with the physical attendance of parties and counsel.

10 **For Part VII proceedings under the Women's Charter (Cap 353, 2009 Rev Ed):**

- (a) Applicants are strongly encouraged to reserve an appointment slot before attending physically at the Family Violence Specialist Centres or FJC for the filing of their complaint.
- (b) Applicants will affirm their complaints over video link from the Family Protection Centre at FJC or the Family Violence Specialist Centres.

- (c) Mentions will continue to be conducted in court. The court will endeavour to minimise the number of mentions which parties are required to attend. Applicants are strongly encouraged to submit evidence in support of their complaint at the first mention.
- (d) Counselling will be conducted through video or telephone conferencing.
- (e) Documents will be submitted via a physical drop box at FJC's premises at Havelock after the first mention.

11 **For Part VIII proceedings under the Women's Charter (Cap 353, 2009 Rev Ed):**

- (a) Applicants are strongly encouraged to reserve an appointment slot before attending physically at the Family Service Centres or FJC for the filing of their complaint.
- (b) The first mention will be conducted in court. Applicants are strongly encouraged to submit evidence in support of their complaint at the first mention.
- (c) Subsequent mentions will be conducted by video conferencing if feasible unless a LIP applies to have the mention conducted in court.
- (d) Mediation sessions will be conducted in a single sitting without adjournment, save in exceptional cases. Such sessions will be progressively conducted by video conferencing unless a LIP applies to have the sessions conducted in person.
- (e) Trials, where all parties are represented and consent, may in appropriate cases take place by video conferencing, and/or with the assistance of written submissions or correspondence between the court and the parties.

12 **For mediation and counselling conducted pursuant to section 50 of the Women's Charter (Cap 353, 2009 Rev Ed):**

- (a) Family Dispute Resolution Conferences will be conducted by telephone conferencing where all parties are represented. The FJC will explore the possibility of conducting such conferences by video conferencing in cases involving a LIP.
- (b) Mediations will be conducted by video conferencing where all parties are represented. In cases involving a LIP, the FJC will explore the possibility of conducting such mediations by video conferencing.
- (c) Counselling will be conducted by telephone or video conferencing.

13 For criminal matters under the **Children and Young Persons Act (Cap 38, 2001 Rev Ed)**, apart from the first time that the youth offender is produced before a Magistrate, other mentions, pre-trial conferences and the taking of pleas of guilt and sentencing will be conducted by video conferencing if the youth is remanded in the Singapore Boys' Home or the Singapore Girls' Home. Parents or guardians will need to attend court at present, and may be directed to attend by video conferencing at a later date when they have been trained in the use of video conferencing. All other matters continue to be conducted in court.

14 For matters in the **High Court (Family Division)**:

- (a) **Case conferences and pre-trial conferences** will be conducted in accordance with paragraphs 7 and 8 above.
- (b) **Trials**, where all parties are represented and consent, may in appropriate cases take place by video conferencing and/or with the assistance of written submissions or correspondence between the court and the parties.
- (c) For **appeals and hearings in chambers**, where all parties are represented and the court so directs, hearings will take place by video conferencing with the assistance of written submissions or correspondence between the court and the parties.
- (d) **Matters involving LIPs** will be heard by video conferencing once LIPs have been trained, unless the LIP applies to have the matter heard in court with the physical attendance of parties and counsel.