

PROTOCOL FOR THE HEARING OF CIVIL BILLS DURING THE COVID 19  
EMERGENCY PERIOD

1. As part of a pilot, Belfast County Court proposes to list civil bills for hearing from 3<sup>rd</sup> August 2020.
2. The judge will determine on the basis of his or her review of the case papers whether the case can be listed. It is proposed that hearings will be conducted at Laganside Courthouse. Parties, legal representatives and witnesses may be facilitated by permitting their participation by livelink. Such hearings shall be convened under the Coronavirus Act 2020.
3. If any party wishes to make any submission to the judge relevant to the listing of the case, including the participation of a party, legal representative or witness by livelink, they should do so by email to Belfast Civil Court Office – [belfastcountycourt@courtsni.gov.uk](mailto:belfastcountycourt@courtsni.gov.uk) , and the judge shall take into account such submissions when determining how the case can proceed.
4. All parties, on receipt of the notification that the case is to be listed must, within 3 days of receipt, respond by completing Form [CIV1](#) and emailing it to the court office confirming the following –
  - a) That as far as the party is concerned the case is ready to proceed. If not ready, state the reasons why not;
  - b) How many people will be participating (to include the party, any additional witnesses, legal representatives, and others and whether they shall be participating in person or by livelink). Every effort should be made to agree evidence avoiding the necessity to call witnesses. (It should be noted that the success of a livelink depends on a number of factors including broadband width at all ends and experience has revealed difficulties.)
5. The judge may give additional directions in light of the responses received.
6. If a hearing proceeds with anyone's physical presence in the courtroom, social distancing based on the then current advice from the Northern Ireland Executive shall apply to the hearing in the courtroom, and in accordance with the courtroom layout and policy as directed by NICTS. It is advisable that witnesses should be timetabled by the parties who

intend to call them to reduce the number of people congregating in the courthouse and courtroom.

7. The party calling a witness must ensure that if the witness wishes to swear a religious oath that the witness should bring their own holy book to the courthouse or have one available if they use livelink.
8. Trial bundles should be filed at least 4 days before the hearing. Unless directed by the judge electronic bundles should be filed. Electronic bundles should include links to relevant case law and legislation. Do not include actual legislation or case law within the bundle. If it is likely that a witness will be cross examined out of a document it shall be the duty of the party cross-examining the witness to provide an electronic copy of that document if it is not in an electronic bundle. Parties must ensure that the document can be displayed on the equipment in the courtroom. They can do this by checking with the court staff. Parties will not be permitted to produce a physical document for handling by another person in court.
9. All people attending the courthouse should bring their own refreshment and drinking vessels. Anyone wishing to do so, can wear gloves and a mask, although when giving evidence, the judge may require a witness to remove their mask.

Dated 9<sup>th</sup> July 2020

His Honour Judge McFarland

Recorder of Belfast