



*The Supreme Court
Belize City, Belize C.A.*

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E-mail: registrar@belizejudiciary.org

PRACTICE DIRECTIONS
SUPREME COURT OF JUDICATURE OF BELIZE
COVID-19 DIRECTIONS (2020)

The Practice Directions hereunder are issued pursuant to Act No. 11 of 2020 Supreme Court of Judicature (Amendment) Act, Chapter 91 of the Substantive Laws of Belize Revised Edition 2011 and pursuant to S.I. 126 of 2020 and are applicable to the Supreme Court and the Inferior Courts. These Practice Directions shall be cited as “**The COVID-19 Directions 2020**”.

These Practice Directions supersede all Practice Directions previously issued with regards to COVID-19 DIRECTIONS.

OVERARCHING MEASURES AND STRATEGIES

The measures set out in these Practice Directions are aimed at:

- a) The protection of the safety and health of Judicial Officers, Officers of the Court, Court and Office Staff, Support Staff including security personnel, court users, and members of the public.
- b) Ensuring the maintenance of access to justice; and
- c) Keeping the judicial system functioning

The overarching strategies to be employed are:

- a. To minimize the attendance of court users and members of the public at courthouses and court offices;
- b. To maximize the safety of and eliminating any health risk to judicial officers, members of staff and any other persons attending court and court offices for legitimate business or in the line of duty; and

- c. To employ as far as possible the use of technology to minimize in-person contact.

GENERAL RESPONSES

1. Staff information and sensitization sessions shall continue as deemed necessary by the Registrar, the Chief Magistrate and the Director of the Family Court, and in line with the official notices from the Ministry of Health and the Government Press Office.
2. Hand sanitizer dispensers are installed in areas frequented by staff and members of the public. Persons will be required to sanitize their hands before gaining entry to these areas.
3. Liquid soap and paper towels shall be provided in all staff and public bathrooms.
4. Frequently trafficked areas shall be periodically cleaned using sanitizing agents.
5. Information posters and signage shall be circulated and installed at strategic locations in court offices and in common areas proximate to courtrooms.
6. Strict monitoring of persons entering court offices and courtrooms to detect signs of illness and to minimize the number of persons in attendance. With the use of non-contact thermometers, temperatures of all persons will be taken prior to entry into the Court buildings. Hand sanitizer will be dispensed by Security Guards stated at point of entry of each location.
7. All Persons entering the court offices and courtrooms will be required to wear a face mask or face covering at all times.
8. Implementation of 'social distancing' measure of six (6) feet in court offices and courtrooms.
9. The conduct of hearings as far as possible may be held by telephone, Skype, Microsoft Teams, or Zoom, and the disposition of applications by written submissions instead of in-person hearings. To satisfy the constitutional requirement, the media may opt to be present in court or view live stream videos, where available.

10. Where in-person hearings are deemed necessary the length of time for the hearing is to be strictly limited, the number of persons in attendance is to be monitored and restricted to essential personnel (judicial officers, Attorneys, parties if required and the media), and persons present are to maintain social distancing of six feet between themselves.
11. Persons displaying flu-like symptoms are urged not to attend court offices and courtrooms. An authorized person may use his/her discretion to restrict entry of persons who display these symptoms. An authorized person includes the Judge or the Marshal of the court, or the Security Officer at the entrance of the court offices.
12. All court personnel at all levels of the court system, who suspect that they may have been exposed to Coronavirus, must adhere to the Staff Guidelines implemented for this purpose.
13. Staff is to keep themselves informed with official releases from the Government Press Office and the Office of the Director of Health Services

SUPREME COURT

A. CRIMINAL DIVISION

1. All Trials by Jury continue to be suspended until further notice.
2. All pending matters are to be held at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case.
3. All trials by judge alone may proceed at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case. Trials may be conducted remotely.
4. Jury panels are to be excused for the remainder of the present court term without risk of penalty. A notice will be issued for jurors for the September Session of the Supreme Court, should jury trials resume at that time.
5. Bail hearings are to be facilitated by way of video link conferencing every Friday. All applications are to be duly filed by Thursdays at 1:00 P.M, unless otherwise notified.

6. Case Management Conferences may be conducted at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case. This may be done remotely.
7. Guilty pleas shall be entertained by way of video conferencing or by any other appropriate forum with only essential personnel being present in court, including the media.
8. Sentencing may be proceeded with by way of video conferencing in the case of persons on remand, and with only the essential personnel being present in court, including the media, in the case of persons on bail.
9. The Director of Public Prosecutions shall not be precluded from entering a Nolle Prosequi.
10. Adjournments and further remand of prisoners are to be done by way of video link conferencing.
11. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing.

B. CIVIL DIVISION

1. All hearings and trials, both pending and in progress, are to be held at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case. All persons are to bear in mind the stipulations for social distancing and other precautions relating to COVID-19. Video conferencing and written submissions may also be utilized.
2. Urgent Applications and any other civil matters may be heard by telephone, video conferencing, or by written submissions where possible.
3. Case Management Conferences may be conducted at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case, and may be held by video conferencing, where possible.
4. Lodging and Filing of documents may be done by:
 - I. Depositing copies of all documents in the drop box provided at the General Registry Office. Persons filing such documents should send an email to the Registrar, copied to parties involved in the matter, informing that the paper copies have been so filed. Follow-up to be done by email or telephone.

- II. Utilizing the email-filing system as provided in the Email-Filing Guidelines at Appendix 1 and the Practice Direction – Email Filing gazetted the 22nd day of August, 2020.
 - III. Documents will be deemed as duly filed upon payment of the relevant fees.
 - IV. Payments may be made in person at General Registry Cashier or at banking institution in accordance with Appendix 1.
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- 5. Service of documents by email shall be deemed to be good service with effect from August 19, 2020. This shall not apply to service of the Statement of Case and Applications for the sale of land.
 - 6. A copy of the emailed document shall be printed by the Case Management Unit and shall be treated as the filed copy, an administrative fee of \$1.00 BZD per page shall be charged to the party whose document is filed.
 - 7. The delivery of judgments shall be transmitted electronically or by any other suitable arrangement.
 - 8. Draft orders shall be scanned and sent by email. The approved and settled draft orders shall be scanned and returned by email, with the faired copies for entry.
 - 9. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing.

C. DIVORCE

- 1. The hearing of contested divorce petitions may proceed at the discretion of the judge, with notices to be issued to the relevant parties involved in any particular case. All persons are to bear in mind the stipulations for social distancing and other precautions relating to COVID-19. Hearings may be conducted remotely.
- 2. The hearing of uncontested divorce petitions may proceed at the discretion of the Registrar, with notices to be issued to the relevant parties involved in any particular case.

All persons are to bear in mind the stipulations for social distancing and other precautions relating to COVID-19. Hearings may be conducted remotely.

3. All uncontested divorce petitions are to be heard on Affidavit evidence in accordance with rule 36 of the Matrimonial Causes Rules, CAP 91s of the Supreme Court Judicature Act, Laws of Belize, Revised Edition 2003.
4. Upon filing of a Petition for the dissolution of marriage, the Affidavit evidence of the Petitioner is to be attached to the Petition along with all requisite exhibited evidence.
5. Applications for adoption may be heard at the discretion of the Registrar, with notices to be issued to the relevant parties involved in any particular case. All persons are to bear in mind the stipulations for social distancing and other precautions relating to COVID-19. Hearings may be conducted remotely.
6. Urgent applications and applications that can be granted on paper will be addressed on a case by case basis.

D. PROBATE AND ADMINISTRATION OF ESTATES

1. New applications may be deposited into the Drop Box provided at the General Registry or sent electronically to the email address provided in these Practice Directions. A written undertaking must accompany the emailed documents stating therein that the original documents will be delivered at a specified later date. Delivery of original documents should be placed in envelopes that are properly addressed, labelled, sealed, and to include contact information.
2. Fees due may be paid by using the payment method as provided in Appendix 1, or by scheduled appointments with the cashier.

E. MEDIATION

1. Mediation Hearings may be conducted remotely.
2. The Supreme Court Mediation Video Link fee is applicable as provided in Section F. of this Practice Direction.
 - a. The fee are to be borne by one party, where it is specifically requested by that party.
 - b. The fee is to be shared amongst all parties where it is requested by all parties of the Mediation.

2. Bookings must be done within 48 hours of date to be heard.

F. SUPREME COURT VIDEO CONFERENCING FEES

1. Video conferencing is funded by a user-pays system. The fees are as listed for the period of the Covid-19 Coronavirus Pandemic, or until otherwise specified by the Chief Justice (Ag.):
 - Booking fee: \$100 BZD (non-refundable) *for video conferencing with witnesses outside of the Belize Jurisdiction or for mediation purposes.*
 - Within Normal working hours: \$100 BZD per hour or part of an hour plus booking fee *for video-conferencing with witnesses outside of the Belize Jurisdiction.*
 - Outside normal working hours: \$200 BZD per hour or part of an hour plus booking fee.
 - Weekends: \$250.00 BZD per hour or part of an hour plus booking fee.
 - Mediation Video Link Fee is \$300 for the first three hours plus booking fee.
2. There are no fees for video links in criminal proceedings except in special circumstances. Bookings are to be made through the Court Information Technology Officer by telephone or at email address: Sbabb@belizejudiciary.org. Bookings are to be made with at least 48 hour notice of the date to be heard.

MAGISTRATES' COURT

1. In the case of a district or country wide lockdown, Magistrates in Belize City may operate remotely or on a roster/rotation basis. Magistrates in the Districts may be on call, but are to be available when needed, and may operate remotely.
2. Arraignments shall proceed in criminal cases during the morning sessions only, and where possible by way of video conferencing or any other virtual forum as arranged by the Chief Magistrate.
3. With immediate effect, trials may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing.
4. All preliminary inquiries, including preliminary inquiries by paper committal, may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing.

5. In the case of traffic offences, defendants wishing to plead guilty will be advised of the procedure to do so by post prescribed in Section 41 of the Summary Jurisdiction Procedure Act, Chapter 99, except for guilty pleas that may carry a disqualification of driver's license.
6. With immediate effect, trials and Arraignments for traffic offences may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing.
7. With immediate effect, civil Trials may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing. Persons wishing to accept a claim may do so by way of signing a consent before the Clerk of Court pursuant to Section 17(1) of the District Courts (Procedure) Act, Chapter 97.
8. With immediate effect, bail applications, Adjournments and further remand for prisoners may be dealt with by way of video link conferencing or in person.
9. Queries or concerns may be sent by email to magistratecourtbz@gmail.com, or by calling 227-7164/227-7392

FAMILY COURT

1. With immediate effect, all juvenile cases may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing. Matters may be heard remotely.
2. With immediate effect, all part heard and pending trials may be conducted at the discretion of the Magistrate. As far as possible, arrangements must be put in place to avoid the congregation of persons to allow for social distancing. Priority will be given to the matters listed in paragraph 4 below. Trials may be conducted remotely.
3. Priority will be given to urgent cases of the following nature:
 - i. Matters involving Domestic violence
 - ii. Applications for maintenance,
 - iii. Urgent applications for custody.
 - iv. Urgent applications for care orders.
 - v. Applications for protection orders and occupation orders.
4. The Family Court shall continue to receive and process payments for maintenance.

5. With immediate effect, adjournments and further remand of prisoners may to be dealt with by way of video link conferencing, after making arrangements at the Magistrate Court.
6. These Directions also apply to the Family Courts in the Judicial Districts.
7. Queries or concerns may be sent by email to famcourt@btl.net or by calling 227-4114/227-4107.

COURT OF APPEAL

1. Lodging and Filing of documents may be submitted to email address mrowley@belizejudiciary.org.
2. Any queries or concern may addressed to email mrowley@belizejudiciary.org .

GENERAL REGISTRY/COURT OFFICE

To minimize person to person contact, the following measures are implemented:

1. A Drop Box shall be provided at the General Registry Office to allow persons to drop off documents daily during the normal working hours. The Drop Box will be cleared periodically throughout the day and documents distributed to the relevant personnel. All documents must be placed in envelopes that are properly addressed, labelled, sealed, and to include contact information. Documents may include Trusts and Administration of Estate petitions, Applications for Marriage certificates, and Apostilles.
2. The Email-Filing system is available and encouraged. Please refer to the Guidelines in Appendix 1 and Practice Direction – Email Filing gazetted the 22nd August, 2020.
3. All communication to the Registrar should be sent by email to pjoseph@belizejudiciary.org.
4. The pricing of documents will continue in the usual manner with an entry in the Court Case Management System. Persons who have updated their user account at the General Registry will be able to automatically receive a generated invoice. Alternatively, persons who are familiar with the pricing schedule, may proceed to make payment as scheduled. Scheduled payments have become necessary to avoid overcrowding at the cashier's booth, to maintain social distancing, and to avoid the gathering of persons. After payments are made, persons will be notified of pick up dates and times where applicable.

5. Attorneys, law firms, and members of the public may also make payments by deposit in accordance with the Guidelines stated in Appendix 1.
6. The Supreme Court Law Library shall be closed to the General Public until further notice. Special arrangements may be made for urgent access to the library, with prior notice to the Law Librarian via email to erlyngrinage@yahoo.com .
7. Searches at the General Registry may be accommodated, provided that prior arrangements are made by way of a formal request in writing. Requests may be sent to info@belizejudiciary.org. This measure is to avoid overcrowding in the search area. Walk-ins are highly discouraged.
8. The public is asked to adhere to these Practice Directions and have patience with the measures being taken, which may affect the delivery of service.
9. Entry into any court office or courtroom is restricted to accommodate the COVID-19 Guidelines as they relate to the gathering of persons in any one place and social distancing.

CONTACT INFORMATION

EMAILS:	info@belizejudiciary.org	<u>PHONE NUMBER:</u>	227-7377
	E-filing@registry.gov.bz		227-2053

These Practice Directions come into effect as of September 14th, 2020, and may be altered depending on the developments of the COVID-19 pandemic. The Practice Directions shall remain in place until otherwise directed by Madame Chief Justice (Ag.) Michelle Arana.

MICHELLE ARANA (MS.)
CHIEF JUSTICE OF BELIZE (Ag.)

APPENDIX 1

EMAIL-FILING AND PAYMENT GUIDELINES

As a necessary solution to combat the spread of the Global Pandemic COVID-19, the Supreme Court of Belize introduces the Guidelines to Email Filing and Payment

FILING

1. Each User is required to create and update an account at the General Registry using the prescribed form, which will be made available online at our website <https://belizejudiciary.org> . The completed form is to be submitted by email.
2. Documents may be lodged and filed by sending to email e-filing@registry.gov.bz. The email should clearly state the parties involved and nature of the document.
3. Court Office personnel are designated to receive the emails by instant notification.
4. The Data Entry Clerk will then upload the documents and price them as provided in the Case Management software system. Where applicable, the customer will be notified of the fees due, either by email or by an invoice which will be generated.
5. The generated invoice, where applicable, will be emailed back to the User, via the email recorded in the Case Management System. The user will be required to verify the invoice and make the payment, either by a bank deposit, or as scheduled at the cashier. Where necessary the user will be required to update their Account information with the Case Management Unit.
6. Where payments are made by bank deposits, proof of payment is to be scanned and emailed back to the General Registry at the email address provided. Upon receiving proof of payment and confirmation of receipt, the cashier will process the payment and issue a receipt. The receipt will be attached and emailed to the user, or the vault folder may be checked.
7. The first page of the duly filed document will be printed, reviewed, and stamped as filed.

8. The approved page will be rescanned and sent to case management to be attached and copied to the User. The User is to check for their copy of the document in their vault folder located at the Registry.

PAYMENT

1. Payments that must be made in person, may be made to the Cashier during the normal working hours, and as scheduled by the Assistant Registrar.
2. Payments can be deposited to the accounts listed below. Users are asked to place details of the transaction, as indicated on the invoice, on the deposit slips, and thereafter to notify the Court Office of the payments/deposits made.

GOVERNMENT OF BELIZE BANK ACCOUNTS

Bank	Account Number	SmartStream Code
Belize Bank - Main	1-299-070101-20001	76003/750122
Atlantic Bank - Main	10012-6445	76003/750142
Scotia Bank - Main	913-0974	76003/750132
Heritage Bank - Main	913-1018	76003/750133
Central Bank of Belize	311318	76003/750151

3. After every payment, a receipt will be generated for each transaction, scanned, and emailed to the User as verification/confirmation of payment, or the vault folder may be checked.