



COVID-19 HEARING DIRECTIVES
SUPREME COURT OF PRINCE EDWARD ISLAND
JUNE 19, 2020

1. Protocols are in place regarding persons entering the court (including inquiries related to symptoms of Covid-19 and/or travel).
2. Persons exhibiting symptoms consistent with Covid-19 set out by the Chief Public Health Office of Prince Edward Island are not to attend court, unless the presiding judge directs otherwise. If an individual is required to attend court but is exhibiting symptoms of Covid-19, the clerk will be notified immediately and the presiding judge will give further direction.
3. Persons entering court facilities will be required to provide their name and contact information.
4. The sheriffs will be responsible for directing all movement within the court and seating all persons attending court so as to ensure appropriate physical distancing.
5. Consistent with the guidance from the Chief Public Health Office, each hearing shall proceed with the minimum number of persons required for the proceeding. The number of individuals permitted in a specific courtroom for a specific hearing will ultimately be determined by the presiding judge.
6. The hearing judge may schedule a pre-hearing case management telephone conference call with the parties/counsel in advance of the hearing to address Covid-19-related matters and directives.
7. Physical distancing is to be respected by all participants. Disposable masks (non-medical) will be available in the courtroom for use by participants (particularly when social distancing cannot be maintained). Participants will be permitted to use their own masks.
8. Witnesses will not be permitted to wear masks while testifying, without leave of the presiding judge. Plexiglass has been installed around the witness boxes.
9. Only lead counsel is to be at counsel table. Leave of the presiding judge is required for any additional individuals (including clients) to sit at counsel table. On occasions where the presiding judge grants leave, the wearing of masks is encouraged. The manner in which counsel may obtain instructions from clients during the course of the hearing will be determined by the presiding judge.

10. If documents are to be tendered during the course of the hearing, the parties/counsel are to ensure that sufficient numbers of copies are prepared in advance in order that all participants (presiding judge, lawyers, parties and relevant witnesses) may each have their own set of copies to work from. Counsel are strongly encouraged to exchange all documents before the hearing to minimize the need to physically share documents.
11. Parties who intend to use demonstrative items (i.e., maps, diagrams or photographs) are to ensure that they are sufficiently large so as to be visible by all participants in the courtroom, and to reduce the need for counsel and parties to congregate around the item.
12. Whenever a document is handled by more than one person, the participants touching the document should disinfect their hands both before handling the document and immediately after handling the document. The individuals receiving the document should likewise immediately disinfect their hands upon receiving the document. This process should be repeated each time a participant comes in contact with a new document.
13. Exhibits and other documents are to be placed in a designated area in the courtroom, as directed by the clerk or the presiding judge.
14. Hand sanitizers have been placed throughout the facilities including at counsel tables and the witness box.
15. The water jugs are to be handled by the clerk only.
16. The court will recess briefly after each witness to allow an opportunity for cleaning of the witness box area.
17. Persons are to adhere to the signage and other directives within the court facilities including instructions related to seating areas.
18. Matters will be staggered so as to allow a period of time for cleaning of the courtrooms between matters. The time limits set for a specific proceeding will be strictly adhered to.
19. Parties and counsel are requested to exit the courtrooms and the courthouse following their matter so as to minimize the number of individuals in the court facilities and to allow time for cleaning between proceedings.
20. Individuals preferring to attend a proceeding remotely (for example, due to underlying health concerns) are to make such requests to the clerk. All such requests will be determined by the presiding judge. Any such request must be made on a timely basis, including to ensure appropriate resources and logistical requirements.

These directives are subject to change, including on the advice of the Chief Public Health Office and in response to the evolution of the Covid-19 pandemic. All directives will be posted on the Supreme Court's website and also made available to the Law Society.

**Tracey Clements, Chief Justice
Supreme Court of Prince Edward Island**