

## VIRTUAL HEARINGS

### **PRACTICAL POINTS FOR** those attending remote hearings

1. Plan to log into Pexip at least 10 mins in advance and if it is your first time using Pexip have a practice run with your client/counsel/solicitor. Share the following with your client [and follow it yourself]:
2. If possible have a back-up device in case of difficulty. Test run your devices if this is the first time using Pexip. Make sure that your device has a working camera and audio.
3. If your client is giving evidence remotely and they do not wish to affirm make sure they have a bible or appropriate religious volume to swear on.
4. Email a booklet of pleadings and any other documents to be used to the Court office, ensure they are all agreed with other side in advance.
5. Send a courtesy copy of all emails/correspondence and attachments to the Court Office to the other side.
6. Virtual Courts are still Courts of law. All attending virtual courts must behave appropriately. Brief client in advance as to code of conduct and dress code. No teas/coffees/food/pets/phones/radios.
7. Exceptions to usual Court etiquette: it is not necessary to stand up when Judge enters/leaves the virtual Court room or when addressing the Court.
8. Formal dress and courtesy required at all times by solicitors, counsel and client.
9. If possible send all emails to the Court office securely to protect identity of the parties.
10. Send a copy of all documents that have been submitted to Court to client.
11. Collegiality very important.
12. Plan ahead, allow enough time, explain to client. If nervous talk to a colleague.
13. Make sure to log out at the end.
14. If your client is nervous and if possible they could attend your office but log in separately.
15. Make sure to debrief afterwards with client and counsel by zoom/telephone.

The Dublin Circuit Family Courts have since 8<sup>th</sup> May 2020 commenced a trial of virtual hearings to rule judicial separation and divorce applications on consent. Court applications in person are also being dealt with by the Dublin Circuit Courts by appointment or by listing via the office. Pension adjustment orders are being granted without the necessity for attending court by sending the necessary paperwork in hard copy to the Dublin Circuit Court office. Different rules are in place for each court jurisdiction and guidance can be found on the Courts Service website.

The designated email for all email correspondence with Dublin Circuit Family Court office is [dublincircuitfamilylaw@courts.ie](mailto:dublincircuitfamilylaw@courts.ie). The Circuit Family Court office is accepting court documents by email, hard copy by post or by placing in the drop box outside the Court office. For virtual hearings, email is preferable.

The following 2 guides were issued by the Dublin Circuit Family Court office on 18<sup>th</sup> May 2020:

#### GUIDE NO. 1

##### “STEPS FOR VMR (Virtual hearing) SCHEDULING FOR NEW MOTIONS for J.S. & DIVORCE ON CONSENT

The VMR App is Pexip. This can be downloaded for PC's, tablets or mobiles and requires a wi-fi” [note: it can also be accessed via a browser]

- “1. Solicitor for the Applicant should file the Notice of Motion as standard in triplicate. It should include a cover letter with the following information:
  - The case reference and both parties e-mail address’.
  - A requesting that the matter be heard via VMR
  - An email or letter from the other side confirming they are happy to proceed via VMR.
  - Confirmation from both parties of who will be joining the remote meeting.
  - Scanned copies of photo ID for both parties.
2. Both parties will be emailed with a date and time for the VMR and a document containing the guidelines and the access link/code to the hearing.
3. On the date approved parties are advised to log into the VMR approximately 10 mins before their stated time.
4. It is envisaged that individuals will be asked to affirm when giving their evidence.”

#### GUIDE NO. 2

##### “STEPS FOR VMR (Virtual hearing) SCHEDULING FOR ADJOURNED MATTERS OR DATES IN THE FUTURE for J.S. & DIVORCE ON CONSENT

The VMR App is Pexip. This can be downloaded for PC's, tablets or mobiles and requires a wi-fi” [note: it can also be accessed via a browser]

- “1. One of Legal representatives involved in the case should E-mail [dublincircuitfamilylaw@courts.ie](mailto:dublincircuitfamilylaw@courts.ie) and include ‘VMR REQUEST’ in the subject box and confirm:
  - The case reference and the date which it was due before the Court.
  - That both parties are consenting to the matter proceeding via VMR

- There is no change in the consent terms and they are ready to rule.
- Scanned photo ID for both parties.
- Confirm who will be attending the remote hearing for 'both parties'.

\*\*The email must cc the other party or provide their e-mail address in the correspondence\*\*"

2. Both parties will be emailed with a date and time for the VMR (usually within a couple of days) and a document containing the guidelines and the access link/code to the hearing.
3. On the date approved parties are advised to log into the VMR approximately 10 mins before their stated time.

It is envisaged that individuals will be asked to affirm when giving their evidence."