



COVID-19: MEDIA ACCESS TO THE COURTS DURING THE PANDEMIC

Wednesday, April 8, 2020 (Halifax, NS) – The Nova Scotia Courts have introduced temporary processes to ensure members of the media continue to have access to court documents and court proceedings during the COVID-19 pandemic, while protecting the health and safety of everyone involved.

This is an unprecedented situation. To help reduce the spread of the virus, courts across the country have restricted public access. That means it is more important than ever to uphold the open courts principle by ensuring journalists can safely cover the urgent and essential matters that are being heard during the pandemic.

The Chief Justices and Chief Judge of the Nova Scotia Courts have consulted public health officials, including Nova Scotia's Chief Medical Officer of Health. The preventative measures already announced, as well as the processes for media access outlined below, are based on that expert advice.

These temporary processes will remain in place until further notice. The goal is for the Courts to return to normal operations as soon as possible. However, that will depend on the advice of public health officials on when it may be safe to do so.

Access to Court Proceedings

Members of the media are permitted to attend urgent and essential matters in person. However, most of those matters are being heard by video or teleconference, with only the judge and court staff appearing in the courtroom.

To help reduce in-person contact and respect social distancing, members of the media are permitted to participate in these proceedings remotely by telephone, on the following conditions:

- They must have their cellphone on mute during the proceedings; if using a landline, they must be in a quiet room, so as not to disrupt the proceedings;
- As per the Courts' policies on the use of electronic devices in courtrooms, they may record the proceeding for note-taking purposes only, not for broadcast; and
- If they do not call in at the set time or if the call is lost, the Court will not disrupt the proceedings to connect them.

Members of the media who wish to participate in a court proceeding by telephone should contact the Judiciary's Communications Director, who will work with court staff to provide the call-in information.

Media will not be permitted access to matters previously restricted in the [Media Access Guidelines](#) (i.e. proceedings in the provincial Family Court, *in camera* proceedings, etc.).

New Criminal Matters in the Provincial Court

Until further notice, the Justice of the Peace Centre in Dartmouth will deal with all new criminal matters by telephone. Accused individuals will either be released on conditions or remanded to a correctional facility with the next appearance by video in Provincial Court.

Members of the media looking to cover these new matters may do so by telephone at the next appearance in Provincial Court. Please contact the Judiciary's Communications Director with the name of the accused individual and the criminal charges to confirm the details of the next court appearance.

Access to Court Documents

Public access to court files is suspended until further notice, except in urgent situations. Court Administration staff may still accept file requests from media, if they relate to urgent or essential matters proceeding before the Court. Media requests for court files should be directed to the Judiciary's Communications Director to facilitate access electronically.

Access to Audio of Court Proceedings

Until further notice, media access to court audio will be limited to audio of urgent and essential matters only. Any requests for court audio should be made by filling out the [online form](#) and emailing a signed copy to the Judiciary's Communications Director. Due to the reduced staff levels at courthouses, there may be some delay in fulfilling these requests.

Online Court Dockets

Until further notice, the Supreme Court, including the Family Division, and the Bankruptcy Court will not be posting their dockets online. Most matters that were scheduled through to the end of May are being adjourned and rescheduled in June or later, unless they are deemed urgent or essential, as determined by a Judge or the Registrar in Bankruptcy.

These Courts will begin sharing dockets by email as soon as the processes for prioritizing and rescheduling matters are finalized. In the meantime, to confirm whether a previously scheduled matter is proceeding, or to confirm details of a newly scheduled urgent or essential matter, members of the media should contact the Judiciary's Communications Director.

Electronic versions of the dockets for the Provincial Courts will be emailed to media who subscribe through the Judiciary's Communications Director.

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