

LITIGATION, DISPUTE RESOLUTION AND INVESTIGATIONS

## COVID-19: The Courts Continue

3 April 2020

The judiciary and the Courts Service are actively working to put in place technology and other necessary arrangements to allow court hearing to be conducted remotely.

The Chief Justice indicated in a [statement](#) published on 31 March that it may well be possible for the courts to pilot remote hearings when the new legal term begins on 20 April. This is a hugely positive development in these very challenging times.

### Current position

As it stands, most matters are adjourned and the courts are not hearing any new matters. However, judges are available to hear urgent applications/hearings.

In the High Court, certain categories of cases are considered urgent: (1) injunctions and their enforcement; (2) urgent judicial review applications; (3) Habeas Corpus; (4) extradition; (5) bail applications; and (6) wardship. Where a case does not fit into one of these categories, but is considered urgent by one of the parties and a good case can be made to this end, the Court may hear it. The Court has encouraged parties to agree matters, where possible, and it is making consent orders without requiring the parties to attend court.

Similarly, appeals in the Court of Appeal and Supreme Court have been adjourned, but the Courts have to date facilitated hearings where a particular urgency could be demonstrated.

Judgments on cases already heard are being delivered by email. It appears from the number of judgment published on the Court Service website in recent weeks that the judges are working hard to clear any backlog.

### Commencing new proceedings

It is still possible to commence new proceedings, though practically it is more difficult to do so. As the court offices are closed to the public (except by appointment for essential business only), papers must be filed by post. In urgent cases, namely cases that fall into any of the six categories listed above and also proceedings where the statutory time limit is due to expire before 14 April 2020, an appointment can be made to attend at the office. Any proceedings that are issued will, for now, progress at a slower pace than what might otherwise have been expected.

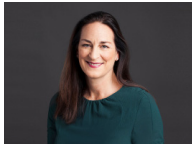
### The new legal term

It appears from the Chief Justice's statement that new arrangements will be in place at the start of the new legal term on 20 April 2020 and that work is ongoing to pilot the hearing of suitable cases remotely, in a manner that is fair and where the parties and their representatives can adhere to all Government guidance and direction. This is a very exciting development for practitioners and the efforts of the judiciary and the Courts Service to keep cases moving and ensure that justice can still be administered must be recognised.

We will keep you updated on all developments in this regard.

Find out more about our [Litigation, Dispute Resolution and Investigations Group](#).

KEY CONTACTS



**Eve Mulconry**  
Partner  
+353 1 920 1155  
eve.mulconry@arthurcox.com



**Ryan Ferry**  
Partner  
+353 1 920 1143  
ryan.ferry@arthurcox.com



**Andrew Lenny**  
Partner  
+353 1 920 1140  
andy.lenny@arthurcox.com



**Joanne O'Leirigh**  
Partner  
+353 1 920 1650  
joanne.oleirigh@arthurcox.com



**Deirdre O'Mahony**  
Partner  
+353 1 920 1058  
deirdre.omahony@arthurcox.com



**Keith Smith**  
Partner  
+353 1 920 1137  
keith.smith@arthurcox.com



**Michael Twomey**  
Partner  
+353 1 920 1139  
michael.r.twomey@arthurcox.com



**Richard Willis**  
Partner  
+353 1 920 1154  
richard.willis@arthurcox.com



**Gavin Woods**  
Partner  
+353 1 920 1136  
gavin.woods@arthurcox.com



**Sinéad Reilly**  
Professional Support lawyer  
+353 1 920 1151  
sinead.reilly@arthurcox.com