

## **Resumption of Court Proceedings at High Court**

Details of the resumption of court proceedings at High Court starting from 4 May 2020 are set out below.

2. In line with usual practice, parties will be separately notified of any change in the date and other arrangement of the hearing of their cases, regardless of whether the hearing has been affected by the General Adjourned Period (“GAP”).

### **3. Court of Appeal (“CA”)**

- (a) Cases listed in May and June 2020 will proceed as scheduled;
- (b) For civil appeals, Judges will explore the possibility of paper disposals as well as hearings by video-conferencing facilities (“VCF”)<sup>1</sup>. Directions for the use of such alternative modes of hearing will be communicated to the parties in good time. In the absence of such directions, oral hearings will take place with the parties or their legal representatives present in court;
- (c) For urgent applications to the CA, documents may be submitted through the one-way “no-reply” email account, which will be open until further notice : [hcdutyjudge@judiciary.hk](mailto:hcdutyjudge@judiciary.hk), or the e-Lodgement Platform. Parties and legal representatives are reminded to contact the Clerk of Court by telephone

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<sup>1</sup> All VCF hearings mentioned in this document will be directed and conducted in accordance with the Guidance Note for Remote Hearings for Civil Business in the High Court (Phase 1: Video-Conferencing Facilities) issued on 2 April 2020.

before sending their documents to the court electronically; and

- (d) For criminal cases, parties or legal representatives may, as directed by the court, lodge documents and submissions with the court through the special one-way “no-reply” email account: [carcriminal@judiciary.hk](mailto:carcriminal@judiciary.hk) or the e-Lodgement Platform.

#### 4. **Civil proceedings in the Court of First Instance (“CFI”)**

##### (a) *Proceedings listed for hearing in the CFI in the weeks of 4 May and 11 May 2020*

- (i) Unless otherwise directed by the presiding judge/master (“JJO”), the court will give 7-day lead time to hearings involve interlocutory and substantive applications (not involving oral evidence) and 14-day lead time to trials listed in the above periods;
- (ii) The above lead time policy does not apply to cases that are ready to proceed and the presiding JJO has given direction for the hearing to proceed as scheduled;
- (iii) If, notwithstanding the above lead time policy, a party is not ready to proceed with the hearing of the case, he/she should apply as soon as practicable to the presiding JJO for an adjournment. Unless otherwise directed, the application will be processed on the papers; and
- (iv) Notwithstanding the gradual re-opening of the court registries starting from 6 May 2020, JJOs may continue to give special directions on the

filing and lodging of documents for cases listed to be heard in this period.

(b) *For proceedings, including trials, listed for hearing in the CFI in the period from 18 May to 30 June 2020*

- (i) They will proceed as scheduled unless directed otherwise; and
- (ii) Any party who is not ready to proceed with the hearing of the case shall apply as soon as practicable to the presiding JJO for an adjournment. Unless otherwise directed, the application will be processed on the papers.

(c) *Alternative modes of hearing*

In view of the need to reduce oral hearings in court buildings due to public health considerations, in appropriate cases, JJOs may give directions for the case to be determined on the papers, or heard by the use of VCF or, for hearings before masters, by telephone. Directions for alternative mode of hearing will be communicated to the parties in good time. In the absence of such directions, oral hearings will take place with the parties or their legal representatives present in court.

(d) *Lodging of documents through dedicated email accounts and e-Lodgement Platform*

- (i) Parties or legal representatives may submit documents to the Duty Judge through the following dedicated one-way “no-reply” email account at [hcdutyjudge@judiciary.hk](mailto:hcdutyjudge@judiciary.hk) which will be open until further notice.

- (ii) Parties and legal representatives are reminded to :
  - (1) contact the Duty Judge concerned by telephone before sending their documents to the court electronically; and
  - (2) refrain from telephoning the Duty Judge after office hours (i.e. from 9:00 a.m. to 1:00 p.m. and from 2:00 p.m. to 5:00 p.m. from Mondays to Fridays), unless it is really necessary;
- (iii) Parties and legal representatives may lodge written submissions, authorities, hearing bundles and other documents as directed by JJOs to the CFI through the e-Lodgement Platform; and
- (iv) Documents relating to hearings on Summons Day in the CFI on Fridays may be submitted through the e-Lodgement Platform.

## 5. **Criminal Proceedings in the CFI**

### (a) Jury trials

- (i) Taking into account the logistical arrangements regarding jury, the earliest time for jury trials to resume is June 2020. It follows that, unless notification has been given to move the trial to early June 2020, all jury trials listed in May 2020 will not take place and will be re-fixed; and
- (ii) Subject to any change in circumstances, jury trials listed in June will proceed as scheduled. Parties will be notified if it is otherwise.

(b) Other hearings

- (i) All other criminal matters, including magistracy appeals, plea and sentence hearings, bail matters and other related criminal applications will be handled as scheduled; and
- (ii) Parties or legal representatives directed by the court to lodge documents or written submissions may do so through the dedicated one-way “no-reply” email account, which will be open until further notice : cficriminalr@judiciary.hk, or the e-Lodgement Platform.

6. The courts will continue to hand down decisions and judgments in both civil and criminal cases that are ready. As usual, the courts will give sufficient notice to the relevant parties of the cases. The judgments will be uploaded onto the Judiciary’s website immediately after handing down. Parties need not come to the court to collect the judgments. If a party does not come to the court to collect the judgment, a hard copy will be sent to him/her.

7. Applications for admission as a barrister or solicitor will proceed as scheduled. They will be subject to the procedures and special arrangements adopted for the admission hearings during GAP. Applicants will be separately informed by the court of the specific time allotted for their applications.

**Judiciary Administration**  
**29 April 2020**