



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

UPDATED: Thursday, Oct. 1, 2020

Earlier this year, the Nova Scotia Courts 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.

Some of those processes have since been updated to reflect the evolving situation with the pandemic, including the resumption of more in-person hearings.

Although more matters are now proceeding in person, public access to courthouses continues to be restricted to those who work in the building, who are involved in a hearing or those who have an appointment. Sheriffs are conducting screening at all courthouses to ensure a visitor's presence is required and that it is safe for them to attend. To maintain the open courts principle, members of the media are permitted to attend court in person.

Access to Court Proceedings

In-Person Hearings

Unless otherwise noted by a judge, members of the media are permitted to physically attend in-person court proceedings. However, due to physical distancing requirements, all courtrooms now have maximum capacity limits posted outside the doors and reduced seating in the public gallery. Maximum capacity for a courtroom includes the judge, court staff, sheriffs, counsel, parties, witnesses, and other participants directly involved in the proceedings.

If media are interested in covering a hearing but the courtroom is already at capacity, they are asked to contact the Judiciary's Communications Director to see if arrangements can be made to participate remotely by telephone or video. Alternatively, the Court may provide a copy of the audio after the hearing concludes.

As per the [Courts' masking policy](#), members of the media who come to court are required to wear a non-medical mask in all public areas of courthouses. Masks are not mandatory in courtrooms, unless the judge orders otherwise.

Remote Hearings

Some court matters continue to be dealt with remotely by telephone or video, which means attending in person is not an option. Members of the media are permitted to participate in these proceedings remotely, on the following conditions:

By Telephone:

- Media 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.

By Skype:

- Media must have their microphone on mute and their video camera turned off during the proceedings;
- As per the Courts' policies on the use of electronic devices in courtrooms, media may record audio of the proceeding for note-taking purposes only, not for broadcast;
- Media are not permitted to record video or take still photographs of the virtual court proceedings. The presiding judge may require a verbal undertaking on the record to this effect; and
- Media are expected to connect to the virtual court hearing at the set time; however, if the connection is lost or they need to leave the session, Skype allows them to rejoin without disrupting the proceedings.

Members of the media who wish to participate in a court proceeding by telephone or Skype should contact the Judiciary's Communications Director, who will work with court staff to provide the details to connect remotely.

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

The Justice of the Peace Centre in Dartmouth is dealing with all new criminal matters by telephone, unless otherwise directed by the presiding judge. 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

To further reduce in-person contact and the number of people inside the building, front counter services at all courthouses are not available during the pandemic.

Public access to files has resumed at courthouses where there is space available to view the files, while respecting physical distancing. Please note that individuals must contact Court Administration by email to make an appointment to view files, prior to coming to the courthouse. This is required so that staff can control the number of people in the viewing rooms. These spaces will be disinfected between appointments. Anyone coming to view files will be subject to health screening at the front door.

To make an appointment at the Halifax Law Courts, please contact Laurie Campbell at Laurie.Campbell@novascotia.ca. To make an appointment at another courthouse in the province, please refer to the list of [email addresses for courthouses](#).

If a courthouse does not have an appropriate space to accommodate file access, or for time sensitive file requests, members of the media should contact the Judiciary's Communications Director to facilitate access electronically.

Access to Audio of Court Proceedings

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

The Nova Scotia Courts have resumed posting online dockets for the Court of Appeal, the Supreme Court (General Division), Bankruptcy Court, and Night Court in Halifax. Those are available on the Courts' website [here](#).

Daily dockets for the Provincial Court and weekly Crownside and Halifax Supreme Court dockets will continue to be emailed to members of the media who subscribe through the Judiciary's Communications Director.

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