



## Courts

<b>COUNTRY</b>	<b>LIMIT</b>	<b>NO LIMIT</b>	<b>SPECIFICITIES</b>
<b>ALBANIA</b>	X		- Courts are closed.
<b>ARMENIA</b>			-The activities of the courts are suspended.
<b>BELGIUM</b>	X		- No introduction of new cases before 19.04.2020.
<b>BULGARIA</b>			-Activity of the courts are suspended, exception in the criminal cases.
<b>ESTONIA</b>			- The court activity is partially suspended.
<b>FINLAND</b>			-Court activities are partially suspended, especially in the Uusimaa region. People over 70 are not allowed to have contact with other people.
<b>FRANCE</b>	X		- Decree 2020-336 / 25.03.2020 : extension of time limits during the period of public health emergencies and the adaptation of procedures during that period : The reference period begins on 12 March 2020 (retroactive scope) and ends one month after the date of the end of the state of public health emergency. - This deferral mechanism provides legal certainty for judicial officers who could not serve during the confinement period. On the other hand, this mechanism of suspension - postponement is a possibility offered to the judicial officers: those who can / wish to do so can continue to serve within the framework of the procedural deadlines provided for by the texts.
<b>GERMANY</b>			
<b>GEORGIA</b>			-Ordonnance no 181/23 March 2020, establishes the restrictions adopted by the Government at country level and on each field of activity.
<b>GREECE</b>	X		- The Authorities of the country "have suspended the functioning of all jurisdictions in the country, except for provisional judicial protection"



<b>HUNGARY</b>	X		- The activity of the courts is partially suspended, depending on the object of the judgment and with strict observance of the measures of sanitary discipline and social distancing.
<b>KOSOVO*</b>	X		- All activities involving contacts between persons were suspended until the end of April 2020
<b>ITALY</b>	X		<p><b>FROM 09.03.2020 – 11.05.2020</b></p> <p>- The hearings in currently pending proceedings are automatically postponed to a later date, after 11 May 2020. This postponement applies to all Italian courts.</p> <p>- According to this Decree, the expiry of terms for all civil proceedings, including enforcement procedures, is suspended. The terms for the adoption of judicial acts and their motivation are suspended as well.</p> <p>If a term commences during this period, it will be considered as commencing at the end of the said period (i.e. on 12 May).</p> <p><u>These measures do not apply in certain cases, namely:</u></p> <ul style="list-style-type: none"> <li>- cases falling under the jurisdiction of the Juvenile Court, regarding the issuance of declarations of adoptability, unaccompanied foreign minors, minors who have been removed from their family and situations in which serious damage is possible;</li> <li>- cases regarding alimony or maintenance obligations that result from family relationships, from kinship or wedding;</li> <li>- precautionary proceedings connected to the protection of fundamental rights; urgent proceedings that regard the protection of mentally or physically incapacitated citizens, such as the interdiction, the incapacitation and the supporting administration.</li> <li>- proceedings for the adoption of protection orders against domestic violence; proceedings of validation of expulsion, removal and retention of European and non-European citizens; proceedings for the suspension of the executive effect or the enforcement of a first instance judgement and for the suspension of the enforcement of a second instance judgment challenged before the Court of Cassation.</li> <li>- all proceedings in which postponed examination could cause serious prejudice to the parties.</li> </ul> <p>In this case, the urgency declaration is issued by the Court President or by a judge authorized by him, with a non-challengeable decree, placed at the end or sideline of the main act. By contrast, if the action has already started, the judge in the case (the examining magistrate or the Court's President) shall issue the aforementioned declaration.</p>



**FROM 12.05.2020 – 30.06.2020**

The court presidents, after discussion with the Health Authorities and with the legal profession's representatives, could enact organizational measures. The evaluation has to be done on a case by case basis depending on the coronavirus's spread and trend.

In particular, they could:

- a) limit public access, ensuring in any case the access of people who have urgent tasks;
- b) limit, after discussion with the heads of court administration, the opening hours of courts. It is also possible to close to the public the offices that do not provide urgent services;
- c) regulate access to the services, for example, by requiring reservations, including electronic ones; it is necessary to ensure that the hearings will be scheduled for fixed times; all measures to avoid gatherings must be taken.
- d) adopt binding guidelines on the scheduling and carrying out of hearings.
- e) order all criminal hearings, special and individual hearings and public civil hearings to be conducted behind closed doors.
- f) provide that hearings, in which the presence of other people apart from lawyers, is not necessary, have to be conducted through remote connection. The judge has to communicate, before the hearings, all useful information to the lawyers: the day, the hour and the connection's modalities.
- g) order the postponement of hearings after the date of 30 June 2020, with the exceptions of art. 83.3;
- h) provide that, in hearings in which the presence of other people apart from lawyers is not necessary, there shall be electronic exchange and deposition of written notes, containing only the claims and the conclusions, with subsequent adoption of the judge's act.

- The payment of judicial fees also needs to be done by electronically.

**CIVIL HEARINGS**

Two new different ways of holding civil hearings are indicated in the emergency law: one **documental** (i.e. "figurative") and one **remote** (i.e. in "videoconference").

The courts will be able to use them in the period from 12 May to 30 June and also from 9 March to 11 May, only for urgent proceedings (set out in paragraph 3 of Article 3. 83, above).



			<p><b>F.1 DOCUMENTAL HEARINGS</b></p> <p>The Superior Council of the Magistrates' Court in a circular of 11 March 2020 recommends that this type of hearing be allowed.</p> <p>The use of such a hearing is limited to "<i>civil hearings that do not require the presence of persons other than the defenders of the parties</i>"; therefore those hearings in which the personal presence of the parties is necessary or where other parties such as witnesses, experts, translators, etc. shall participate are excluded from the use of this method.</p> <p>The use of this tool is possible because of the introduction of the new civil telematic litigation and the subsequent telematic production of the court's acts and measures. Of course, for those proceedings for which the casefile was partly on paper, as permitted by current legislation, the judges would have to request electronic production of a copy of the paper act in advance and assign deadlines for the electronic filing of synthesized written notes.</p> <p><b>F.2 REMOTE HEARINGS</b></p> <p>The hearing by videoconference must take place through the applications made available by the Ministry of Justice: Microsoft Teams and Skype for Business (decree of the Director General S.I.A. of 20 March 2020).</p> <p>The judge will have to inform the parties in advance of "<i>day, time and mode of connection</i>".</p>
<b>LATVIA</b>	X		- By Ordinance no 103 of March 12, 2020, the state of emergency was declared. On this occasion, social distancing measures were discussed, and the public activities were suspended, except for a significant violation of the law or an objective urgency.
<b>LUXEMBURG</b>	X		- The time limits prescribed in proceedings before the judicial, administrative, military and constitutional courts shall be suspended.
<b>MOLDOVA</b>			- According to Provision no. Of March 26, 2020, the Committee for Emergency Situations adopted several measures on some areas of public activity. In the case of the judicial activity, they are continued according to the object of the judgment and with the observance of the sanitary discipline norms. Prescription terms have been suspended.
<b>MONTENEGRO</b>			- According to the Order of March 16, 2020, a series of measures to prevent and suspend certain public activities were adopted. The court activities continue their activity in compliance with the measures of sanitary hygiene and distancing.
<b>QUEBEC</b>	X		- First virtual audience in front of a court in Quebec
<b>ROMANIA</b>			- By Decree No. 195/16 March 2020, the state of emergency was established at the country level. On March 17, 2020, the Superior Council of Magistracy adopted the Decision no



			1995/2020, which determined the actions that will be part of the notion of urgent justice and which will continue to be judged in compliance with the norms of sanitary discipline and those of social distancing.
<b>RUSSIA</b>			NA
<b>SLOVAKIA</b>	X		- According to the Act no 62/2020, a series of protective measures regarding all public activities were instituted. The activity of the courts continues with respect for the measures of public hygiene and distancing according to the object of the court.
<b>SPAIN</b>	X		- The time limits are suspended, and the time limits provided for in the procedural laws are suspended and interrupted for all jurisdictional orders. Calculation shall resume at the time when the present decree or, where applicable, its extensions, ceases to be in force. - In the order of criminal jurisdiction, suspension and interruption shall not apply to habeas corpus proceedings, actions entrusted to the custody services, actions with detainees, protection orders, urgent actions relating to prison surveillance and precautionary measures relating to violence against women or minors.
<b>THAILAND</b>			The government ordered the State of Emergency by Decree, between March 26 and April 30, 2020. With some exceptions, the court activities were suspended but with the sanctioning and social distancing measures being taken.
<b>THE NETHERLANDS</b>			NA