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## **The courts make greater use of written procedures and technical solutions during the state of emergency**

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The Council for the Administration of Courts (KHN) gave recommendations on how to organize the work of the courts during the rapid spread of the COVID-19 virus and the state of emergency declared in Estonia. Written procedures and the use of technical solutions are preferred.

“The most important thing is for the Estonian courts to ensure the proper functioning of justice even in emergency situations. At the same time, we will also pay attention to health and prevent the spread of the virus among judges, court officers, participants in the proceedings and other persons involved in the administration of justice,” said Villu Kõve, Chief Justice of the Supreme Court.

Under the guidance of the KHN, courts, where possible, will handle cases in writing. If a hearing has already been determined, the court will contact the parties concerned and inform them of the further course of the proceedings. If possible, the hearing can be postponed and resumed after the end of the state of emergency. If the case cannot be adjourned, the court shall conduct the hearing or other procedural act by technical means of communication. If also this is not possible, the judge will decide whether to hold a hearing, depending on the circumstances of the particular case. Procedural acts involving direct physical contact are carried out only on the basis of a reasoned decision by the judge, in which case hearings are conducted in the largest possible courtroom with sufficient distance between people. And, after each hearing, the courtroom will be thoroughly cleaned.

"The court has a number of tasks that cannot be postponed - for example, solving search and arrest requests, applying arrest in misdemeanor proceedings, executing imprisonment, granting provisional legal protection and much more," Kõve said. "In these cases, too, the use of technical means of communication is favoured, but if this is not possible, the court will decide whether to hold a hearing, on a case-by-case basis. I emphasize that the work of the courts will continue," said Kõve, adding that the recommendations of the KHN are the framework, but it is ultimately up to each court and judge to determine the organization of work, monitoring the developments within the country.

People summoned to court who have symptoms of the disease or who have been in close contact with a virus carrier must report to the court and will not be allowed to enter the courthouse. Persons not involved in legal proceedings or the administration of justice are also denied access to courthouses during the state of emergency.

Recommendations of the Council for the Administration of Courts [1]

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