

COURT COMMUNICATIONS

A PRACTITIONER'S QUICK GUIDE

1. Maintain Formality

As per Rule 18.1, a solicitor "must not, in the presence of any of the parties or solicitors, deal with a court on terms of informal personal familiarity which may reasonably give the appearance that the solicitor has special favour with the Court."



2. Communicate Responsibly

Solicitors must take care to ensure that their advice to invoke the coercive powers of the Court, abides by the criteria set out in Rule 21.1.

3. Include Your Opponent

Rule 22.5 mandates that, bar a few exceptions, solicitors must not communicate with the Court about any matter of substance relating to the proceedings, in their opponent's absence.



4. Acknowledge the Court's Authority

Requests to the Court, such as proposals of Consent Orders, should be expressed in terms which acknowledge the Court retains full discretion as to whether they will be granted, rather than terms appearing to inform or instruct the Court.



5. Delegate with Care

As discussed in *Amirbeaggi* at [15], where a party is represented, submissions should not be made to the Court by anyone other than a legal representative. Supervision arrangements for lawyers who do write to the Court should also be stringent.



6. Uphold Standards Virtually

When appearing remotely, solicitors must maintain the same standards of formality as in-person hearings, including appropriate dress and behaviour. Similarly, electronic correspondence is to be drafted with the same formality required in print correspondence with the Court.



7. Stay Updated

Solicitors must continuously stay informed and adhere to obligations set out for them in the *Solicitor's Conduct Rules*. Solicitors may also wish to review the additional resources on etiquette available on court websites.

