



## **Covid-19 Response Steering Group**

### **Getting back open for Business.**

Monday, 20<sup>th</sup> April 2020

Dear all,

It is odd to think that today heralds the beginning of a new legal term. Such has been the sudden and almost complete shutdown of the Courts, mirroring the shutdown of the whole nation, that we could be forgiven for losing a sense of when vacation time ends and when legal term recommences.

For family lawyers across Ireland and for their clients more particularly, the whole experience of the last 5 weeks or so has been incredibly disconcerting. The fixed norm against which we conduct our business is that the Courts at all levels are available to protect the vulnerable from abuse, to resolve disputes, to rule settlements and so on. When that norm was by and large taken away, we were instantly confronted by the paralysis and inertia with which the norm was replaced.

This Steering Group was established to try to co-ordinate the responses of the FLA on behalf of its membership to the crisis thrust upon us. It was established to lobby, to innovate, and to give prominence to the FLA as a highly active, visible and trusted body to the Court Service, to the Bar Council, the Law Society, the Judiciary and wider.

It has exploited media contacts to get prominence to the co-ordinated initiatives of the FLA, the Bar Council and the Law Society around access guidelines and to ensure that clarity was brought to a confused picture in the first few weeks of the shutdown.

Law Library Distillery Building, 145-151 Church Street, Dublin 7 D07 WDX8  
Contact: [pcmcarthy@lawlibrary.ie](mailto:pcmcarthy@lawlibrary.ie) or [nejackson@lawlibrary.ie](mailto:nejackson@lawlibrary.ie)

Committee: Paul McCarthy SC (Chair), Sara Phelan SC, Adrienne Cawley BL, Eithne Hegarty BL, Rachel Baldwin BL, Sinead Behan BL, Jennifer Cuffe BL, Keith Walsh, solicitor, Brendan Dillon, solicitor, Deirdre Burke, solicitor.  
Liaison: Sean O hUallachain SC (Bar Council), Helen Coughlan, solicitor (Law Society), Nuala E Jackson SC (FLA)



## **Covid-19 Response Steering Group**

It has also pushed innovation with remote hearing experiments. These have allowed the FLA to speak with the authority of experience about the possibilities remote technology hold for getting **some** business back up and running, but equally to make it known that remote hearings are **only a part of the solution** and not by any stretch of the imagination a solution in and of itself.

The committee will this week re-appraise the situation which confronts the entire family law community.

There is no clarity as yet across the various Courts, about what a return to work might look like, still less the detail of how it would be achieved. Much of this is, of course, a factor of the broader uncertainty as to what a relaxation of the shutdown might itself look like, but some of it stems from the completely separate nature of each Court jurisdiction which leads to a potential lack of cohesion about the future plans of each Court. It would certainly be welcome if a more holistic approach was taken.

**We expect that an announcement will be made by Government on Friday week or so about the shutdown; whether it will be continued, or whether it will be relaxed and if so, to what extent. To contribute to the debate in Government and wider, the committee intends to review the document it published some weeks ago entitled “Future Functioning of the Courts’ and to reissue it, revised and updated by the 24<sup>th</sup> April. We invite ideas from the entire membership as to how the business of the Courts could be re-established post 5 May. Given that the predominance of family law litigation is at District and Circuit Court level, suggestions for these Court’s particularly are invited.**

**Please let us have your suggestion (bullet points not essays!), by Thursday of this week, the 23<sup>rd</sup> April at the latest. Please do not assume that your ideas have already been thought of by anyone else; please do not assume that your ideas don’t matter. We**

Law Library Distillery Building, 145-151 Church Street, Dublin 7 D07 WDX8  
Contact: [pcmcarthy@lawlibrary.ie](mailto:pcmcarthy@lawlibrary.ie) or [nejackson@lawlibrary.ie](mailto:nejackson@lawlibrary.ie)

Committee: Paul McCarthy SC (Chair), Sara Phelan SC, Adrienne Cawley BL, Eithne Hegarty BL, Rachel Baldwin BL, Sinead Behan BL, Jennifer Cuffe BL, Keith Walsh, solicitor, Brendan Dillon, solicitor, Deirdre Burke, solicitor.  
Liaison: Sean O hUallachain SC (Bar Council), Helen Coughlan, solicitor (Law Society), Nuala E Jackson SC (FLA)



## **Covid-19 Response Steering Group**

**particularly want to hear from practitioners on each and every circuit across the country. Every idea, no matter how seemingly far-fetched, will be considered and evaluated. Every contribution is welcomed and valued.**

One of the difficulties created by the Covid 19 pandemic is that those who are in any way vulnerable, whether due to medical conditions or age, must be exceptionally careful. We are conscious that there are FLA members who are in this category and who might like to be more involved but who cannot at this time. We fully understand. Just to reassure you and all members that the FLA is very concerned that none of us should have to endanger our health or safety whether we are vulnerable or not and this is simply non-negotiable.

Finally, we are grateful for the efforts of many members to whom we have reached out for assistance or contributions. It is a remarkable tribute to the spirit of collegiality and cohesion among the FLA membership that no one who we have asked for help in the last 5 weeks has demurred. To each and every one of you, a sincere ‘thank you’.

With every good wish.

Stay well and Stay safe.

Paul McCarthy SC

For the committee.

Law Library Distillery Building, 145-151 Church Street, Dublin 7 D07 WDX8  
Contact: [pcmcarthy@lawlibrary.ie](mailto:pcmcarthy@lawlibrary.ie) or [nejackson@lawlibrary.ie](mailto:nejackson@lawlibrary.ie)

Committee: Paul McCarthy SC (Chair), Sara Phelan SC, Adrienne Cawley BL, Eithne Hegarty BL, Rachel Baldwin BL, Sinead Behan BL, Jennifer Cuffe BL, Keith Walsh, solicitor, Brendan Dillon, solicitor, Deirdre Burke, solicitor.  
Liaison: Sean O hUallachain SC (Bar Council), Helen Coughlan, solicitor (Law Society), Nuala E Jackson SC (FLA)