

## Measures in courts\_Covid-19\_Lithuania

The Council of Judges, taking into account the changes in the legal regulation and the epidemiological situation in the country, the explanations provided by the Ministry of Health on the organization of court hearings, in 2020 provided several revised recommendations on the exercise of judicial functions and organization of court work. The need to ensure the continuity of the judiciary through the use of means of distance communication and, where necessary, the organization of court work and the provision of services to persons in a secure physical manner was emphasized:

- The work of judges, court staff and visitor services is organized remotely, except where the relevant functions need to be performed at the workplace.
- For the service of court visitors, a distance of at least 2 m from the visitor is ensured, or the workplace of a court employee is separated from the visitor by partitions.
- Protective equipment (face masks, respirators or other devices) covering the nose and mouth is worn in courtrooms, common areas and workplaces (offices or other rooms) where more than one employee is employed.
- In order to ensure security and after an individual assessment of the possibilities and the need to organize a court hearing in the case, the court proceedings are organized by giving priority to the following forms of hearings:
  - 1) in writing;
  - 2) orally at a distance;
  - 3) verbally in a mixed (remote and physical) way;
  - 4) orally in a physical way.
- During a remote court hearing, all or part of the participants in the proceedings (including judges (members of the panel of judges), court clerks) may not be present in the courtroom, but the Lithuanian flag and coat of arms are displayed in the working environment of the presiding judge. Judges wear robes and badges with the coat of arms of the Lithuanian state, lawyers and prosecutors wear robes.
- At the request of a participant in the proceedings or his or her representative, it shall be possible to communicate in confidence by means of distance communication of their choice, provided that the principal so agrees.
- Digital procedural media may not be shared when using court-provided or publicly available videoconferencing programs.
- In the cases and according to the procedure established by the procedural laws, the course of the hearing must be recorded: the minutes of the hearing (or in individual cases audio and video) are recorded and attached to the case file. During video conferences, an audio recording made using a mobile audio recording device (dictaphone) or using video conferencing programs (e.g. Zoom) shall be stored in the information system of Lithuanian courts in accordance with the established procedure. An audio and video recording made by videoconference shall be stored on a central videoconferencing facility or medium operated by the National Courts Administration, which shall be attached to the case file.
- During the physical court hearing, all participants must wear appropriate personal protective equipment (face masks or respirators) covering the nose and mouth, keep a distance of at least 2 meters from other persons, hand disinfection must be possible in the

courtroom, during breaks announced during the hearing and after meetings the premises must be ventilated, the surfaces in contact after the meetings must be disinfected.

- In order to ensure the continuity of court proceedings, there must be co-operation with other courts, where necessary, on the premises or equipment needed to hold court hearings (remotely or physically), as well as opportunities for co-operation with other institutions, bodies and organizations.
- If it is not possible to hold court hearings in writing, orally remotely, orally (remotely and physically) or orally physically, scheduled oral hearings are postponed and scheduled after the end of the quarantine regime, and the possibility to return to the case is reconsidered. The persons involved in the case shall be informed immediately of any changes in the date and time of the court hearings.
- The implementation of the principle of publicity of the process is ensured by organizational means, by forecasting and regulating in advance the flows of persons wishing to observe / listen to the court hearing (s), retransmission of the court hearing image and / or sound to another room open to the public.
- Traceability of the work of judges and court staff in court premises is ensured, as well as collection of data (name, surname, telephone number, date and duration of court visit) of persons who participated in oral court hearings in court premises, got acquainted with the case file in court premises, observed court proceedings , for the rapid identification of risks in cases of coronavirus infection (COVID-19).