

## **ALTERNATIVE DISPUTE RESOLUTION (ADR) CONFERENCES – COVID -19**

The Planning and Environment Court will resume limited “in person” Alternative Dispute Resolution (ADR) conferences chaired by the ADR Registrar. Parties will still have the option of participating in a conference via video-link or telephone.

Some organisations may have their own COVID-19 related policies regarding attendance meetings; or some people may be of an age or have underlying health issues that put them at higher risk. At this stage it will not be mandatory to attend a conference in person.

The following new practices will apply as of Monday 28 September 2020 until further notice:

### **ADR conferences in Brisbane**

- To facilitate appropriate social distancing, in person conferences held at the Supreme and District Court building will be limited to a maximum of six (6) people split equally between the parties. Additional people may participate via video-link or telephone. A party may offer any of their spare seats to another party.
- To ensure appropriate social distancing and provide 4m<sup>2</sup> per person, seating in breakout rooms will be limited to a maximum of three (3) people.
- To allow for surfaces in the conference and breakout rooms to be cleaned between sessions, in person conferences will be limited to 10am to 12.30pm and after 2pm.

To avoid conflict with the cleaning schedule, morning conferences may not run overtime or the afternoon session allowed to start prior to 2pm. If parties require a longer period of time to discuss matters they should book the afternoon session.

Start and finish times are flexible for conferences conducted by video-link or telephone.

- The breakout rooms do not have conferencing equipment, therefore parties will need to bring their own devices to facilitate discussions with remote attendees during breakout sessions.
- Due to computer software restrictions, video conferences will only be conducted using Microsoft Teams.

### **ADR conferences outside Brisbane**

- It is the preference that conferences for matters filed in other court registries be held in Brisbane or via video-link or telephone.

- In person conferences may be held at a regional court or local government facility at the sole discretion of the ADR Registrar, and where the ADR Registrar is satisfied that:
  - the nature of the matter justifies an in person conference;
  - suitable COVID Safe Plans are in place for the location; and
  - convenient transport options are available.
- The number of attendees will be determined in consultation with the ADR Registrar, and will be based on the room size at the host facility taking into account social distancing and the 4m<sup>2</sup> per person requirement.
- Parties should bring their own devices to facilitate remote attendance by other members of their party, as the ADR Registrar cannot guarantee the availability of conferencing equipment outside of the Brisbane court.
- If the ADR Registrar is unable to attend in person, the parties have the option to meet in person with the ADR Registrar chairing the conference remotely.

#### **Practices applicable to all ADR conferences**

- As per the directives of the Chief Health Officer (Qld), if any person has been:
  - directed to quarantine for a period of time which coincides with the date of the ADR conference; or
  - in a declared COVID-19 hotspot within 14 days of the date of the ADR conference,

they are not to attend the conference in person, but may attend remotely.
- If any person is displaying COVID-19 like symptoms or is generally sick, they are not to attend the conference in person, but may attend remotely. If any person becomes ill during a conference the ADR Registrar is to be informed immediately so that appropriate measures may be implemented.
- Not less than two business days prior to the conference the parties must send the ADR Registrar the names and email/contact details of the people attending, and whether they will be appearing in person or remotely.
- Sanitiser and cleaning wipes will be available at conferences held at court facilities. Individuals will responsible for their own sanitiser or wipes at other locations.
- Shared water jugs will not be provided for at conferences held at court facilities. Attendees are encouraged to bring their own water.

These practices will be subject to change depending on advice from Qld Health.

Parties need to consider who is actually required to attend a conference in person, and who can still contribute to the discussion by video-link or telephone.

Parties are reminded that if they cancel or delay conferences that have been booked in accordance with a court order that they will need to make an application to vary that order.

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