

Service by email

The Family Court Emergency Amendment Rules 2020 allows for personal service to be effected electronically during an emergency (such as the present). Rule 107A provides an exception to personal service on a party or their representative and requires that “the electronic address must be known by the person effecting service to be an electronic address used regularly by the recipient.” An issue arose recently where a recipient of service by email had not been served, although an email address for that recipient had been provided by the applicant.

We have been asked to ensure that lawyers are aware of the requirement to present reliable evidence about a party’s known regular use of the electronic address when they intend for the recipient to be served electronically.

Auckland Courts information

Judge Goodwin has asked us to pass this message on to FLS members.

We will be operating all of next week at alert level 3. Lists are already being converted and call overs allocated for short cause hearing.

Papakura matters will be heard at Manukau District Court.

If we do move down in the middle of the week (or earlier) we will keep matters as listed. This avoids uncertainty and having to reschedule matters at short notice.

If there are any questions, please feel free to contact me.

We understand that the judges will be reviewing the situation after the Prime Minister’s

announcement this Friday.

We will keep you updated as confirmed information comes available.

Caroline Hickman

FLS Chair