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JAWATANKUASA PEGUAM PULAU PINANG PENANG BAR COMMITTEE

Court Liaison 18/20

12 May 2020

To Members of the Penang Bar,

Update No 13: Guidelines, Standard Operating Procedures and Duty Rosters on Court Operations during Conditional Movement Control Order and post-Movement Control Order period from 13 May 2020 until 31 Jul 2020

Members' attention is drawn to Bar Council's Circular 145/2020 dated 8 May 2020 (<https://www.malaysianbar.org.my/document/members/circulars/2020---2024/2020&rid=39434>) on the Chief Registrar of the Federal Court of Malaysia's Guidelines and Standard Operating Procedures (SOPs) on Court operations nationwide during the Conditional Movement Control Order (CMCO) and post-Movement Control Order (MCO) period with effect from 13 May 2020.

In addition to the Guidelines and SOPs, members are informed as follows:

- (a) Courts nationwide will implement a duty roster system during the CMCO and post-MCO period from 13 May 2020 until further notice; and
- (b) Staggered timing will be applied for Hearings and the relevant notices with regard to the case status will be issued by the relevant Courts to the respective parties before the hearing date is fixed. However members of the Bar are advised to liaise with the Courts (registrars or interpreters in charge) from time to time to ascertain the status of your respective cases.

We have received the following additional directives from Director of the Penang Courts, Puan Zaharah Binti Hussain and Senior Assistant Registrar of the Penang High Court, Puan Diannee Ningrad Binti Nor Azahar pertaining to the Penang Courts:

- (i) From 13 May 2020 until 31 Jul 2020, the Penang Courts will be operating with only 30% of its workforce. Please refer to the relevant [cause lists](#) and duty rosters, access to which is described below;
- (ii) For Subordinate Courts without the Case Management System (CMS) e.g. Bukit Mertajam, Jawi and Balik Pulau, parties are encouraged to apply to utilise e-mail for non-contentious matters e.g. recording of consent judgments;
- (iii) For all Subordinate Courts, the respective Interpreters will contact parties to update them on their case status. Parties are also encouraged to liaise with the respective [interpreters](#). If there is no exchange of communication between parties and the interpreters, the matter will eventually be called up in Court on the given mention date according to the [Subordinate Courts' duty rosters](#);
- (iv) For the High Court, the Registrars in charge will contact parties to update them on their case status. For matters fixed before the Registrars, please refer to the respective [Registrars duty roster](#). Members are to take note that the mode and procedure for online hearings referred to in the Registrars duty roster is yet to be finalised and we will update members upon receipt of the same from Court;

- (v) Lawyers and pupils attending Court are to pre-prepare and take along a copy of the [Borang Pelawat Ke Mahkamah](#) as it will not be provided by the Courts. A manual log book will be provided by Court for registration of members of the public;
- (vi) All Criminal cases before the Georgetown Subordinate Courts will be heard at the Sri Pinang Building located at the corner of Light Street and Jalan Tun Syed Sheh Barakbah (not the Annexe Building);
- (vii) For criminal trials, both the High Court and Subordinate Courts will only hear part-heard cases until further notice;
- (viii) Cause lists for High Court and Subordinate Court cases fixed from 13 May 2020 to 15 May 2020 have been posted on the Judiciary's website <http://www.kehakiman.gov.my/pulaupinang/ms/node/529>. The cause lists can also be assessed from <http://www.kehakiman.gov.my/pulaupinang/> by selecting AWAM followed by SENARAI KAUSA; and
- (ix) For Courts without CMS, cause lists for cases after 15 May 2020 will be uploaded to <http://www.kehakiman.gov.my/pulaupinang>. For Courts with CMS, the status of cases from 15 May 2020 onwards can be viewed via the e-filing website.

The following duty rosters, communication instructions and other relevant information will be posted on the Penang Bar website for members' information:

- [Appendix A](#) - *Jadual Bertugas Mahkamah Rendah (Georgetown dan Balik Pulau) semasa tempoh PKPB dari 13 Mei 2020 hingga 31 Julai 2020*
- [Appendix B](#) - *Jadual Bertugas Mahkamah Rendah (Butterworth, Bukit Mertajam dan Jawi) semasa tempoh PKPB dari 13 Mei 2020 hingga 31 Julai 2020*
- [Appendix C](#) - *Pengendalian Kes di hadapan Timbalan Pendaftar / Penolong Kanan Pendaftar Mahkamah Tinggi Pulau Pinang semasa tempoh Perintah Kawalan Pergerakan Bersyarat (PKPB) dan Pasca Perintah Kawalan Pergerakan (PKP)*
- [Appendix D](#) – List of Subordinate Courts' Interpreters and their contact details
- [Appendix E](#) - *Borang Pelawat Ke Mahkamah*

Members are also encouraged to refer to the Judiciary's website for Press Releases that are released from time to time at <http://www.kehakiman.gov.my/en/press-release>.

We will continue to inform members as and when we receive any updates from the Courts. In the meantime, we urge and request for members' patience and cooperation with the Courts to ensure that the changes and new practices that are implemented can be effectively observed and complied with for our mutual safety and well-being.

At the same time, we welcome any constructive feedback to improve the abovesaid procedures.

Lee Guan Tong & Imavathi Subramaniam
Co-Chairpersons
Court Liaison Subcommittee