



**PRACTICE DIRECTIVE
ON REMOTE APPEARANCES IN TERRITORIAL COURT**

GENERAL

1. This directive sets out the procedure for individuals wishing to attend proceedings in Territorial Court remotely.

APPEARANCES BY COUNSEL IN TERRITORIAL COURT

2. In all matters before the Territorial Court, including criminal, family, civil and child protection matters, counsel are expected to appear in person or through an agent unless prior leave to appear by telecommunication has been granted by a judge.
3. Where counsel wish to appear by telecommunication, they must apply in writing to the clerk of the court as far in advance as possible, and no later than noon on the day prior to the appearance date, stating:
 - (a) the nature and anticipated length of the proceedings on which counsel is to appear;
 - (b) the method of telecommunication by which counsel wishes to appear and if the application is for appearance by audioconference or telephone, an explanation of why an appearance by videoconference is not feasible;
 - (c) in the case of a criminal matter, whether counsel anticipate that the accused will appear in person;
 - (d) in the case of a civil, family or child protection matter, whether counsel anticipates that any party to the matter will appear in person; and
 - (e) the reason for the application including any exceptional circumstances which prevent counsel from appearing in person or by agent.
4. The clerk of the court will present the written application to the judge who is set to preside on the day of the proceeding. The judge may rule on the application in chambers or may require further submissions to be made by counsel.
5. In cases where a judge has granted an application to appear by telecommunication and counsel fails to appear when the court calls the matter, the judge may consider that failure as non-attendance. The court may also take into account such failures when determining whether to allow or refuse appearances by telecommunication in the future.
6. Where statutory provisions exist which allow counsel to appear by a method of telecommunication, the foregoing procedure need not be followed.
7. In urgent situations, the presiding judge may waive the requirement of the application set out at paragraph 2.

APPEARANCE BY ACCUSED IN TERRITORIAL COURT

8. An accused person may apply to appear in court by telephone or videoconference if they reside outside of the community where the court appearance will be heard. The application may be made in court at a prior appearance or may be made by contacting the Territorial Court Registry as far in advance as possible, and no later than noon on the day prior to the appearance date by phone at 1-866-822-5864 or by email to TerritorialCourt@gov.nt.ca.
9. Accused persons are required to attend court in person for trial, preliminary inquiry, sentencing or other substantive proceedings unless a judge directs otherwise.
10. Accused persons who are in custody will appear in court by videoconference for proceedings of an administrative nature unless they request an in-person appearance or as ordered by the court. They may also appear by agent or through counsel by designation depending on the nature of the alleged offences and how the Crown has elected to proceed.

INTIMATE PARTNER VIOLENCE TREATMENT OPTIONS COURT

11. An accused person who has been directed to appear in the Intimate Partner Violence Treatment Options Court in Yellowknife, Hay River or Inuvik and who resides outside of those communities, may without application to the court, appear by telephone or videoconference.
12. To arrange an appearance by telephone or by videoconference, the accused person should contact the Territorial Court Registry:
 - a. By phone at 1-866-822-5864 or
 - b. By email: TerritorialCourt@gov.nt.ca

CIVIL AND CHILD PROTECTION MATTERS

13. Parties in civil matters and child protection matters including parents and child protection workers may apply to appear in court by telephone or videoconference if they reside outside of the community where the court appearance will be heard. The application to appear remotely, may be made in court at a prior appearance or may be made by contacting the Territorial Court Registry as far in advance as possible, and no later than noon on the day prior to the appearance date by phone at 1-866-822-5864 or by email to TerritorialCourt@gov.nt.ca.
14. Parties in civil matters and child protection matters including parents are required to attend court in person for trial, hearings, settlement conferences or other substantive proceedings unless a judge directs otherwise.

APPEARANCE BY WITNESSES

15. Parties wishing to have a witness give evidence by telecommunication must obtain an order from a judge, and comply with the Practice Direction concerning Section 714.1 Applications, and append a completed test form.

CASE MANAGEMENT CONFERENCES

16. The Court will hold case management conferences by telephone or videoconference unless counsel requests, or the judge requires that they be held in person.

JUDICIAL SETTLEMENT CONFERENCES:

17. The Court will conduct judicial settlement conferences person, with parties and counsel appearing in person, unless a judge directs otherwise.

INDIVIDUALS OBSERVING COURT REMOTELY

18. Individuals may apply for permission to observe court by telephone or by videoconference by contacting the Territorial Court Registry as far in advance as possible, and no later than noon on the day prior to the appearance date by email to TerritorialCourt@gov.nt.ca, setting out their name, the matter they wish to observe, the reason they wish to observe the proceeding, and why they are not able to attend the proceeding in person.


CONDUCT ON REMOTE APPEARANCES

19. All persons attending court remotely must abide by Territorial Court Directives at www.nwtcourts.ca including the on use of electronic devices in the Courtroom.

REVOCAATION

20. This Directive replaces the Practice Direction of May 1, 2015 “Remote Appearances in Territorial Court” and the Practice Direction of May 15, 2023 “Appearances by Telecommunication in DVTO Court” and becomes effective immediately.


DATED this 8th day of May, 2026



Chief Judge Jeannie Scott



Judge Robert Gorin



Judge Stephanie Whitecloud-Brass



Judge Gary Magee