

IN THE FAMILY JUSTICE COURTS OF THE REPUBLIC OF SINGAPORE
PRACTICE DIRECTIONS
AMENDMENT NO. 5 OF 2017

1. It is hereby notified for general information that, with effect from 1 November 2017, the Family Justice Courts Practice Directions will be amended as follows:-

(a) The following new Paragraphs 25A and 25B will be inserted after the existing Paragraph 25:

[Paragraph 25A](#)

[Paragraph 25B](#)

(b) the existing Paragraph 103 will be deleted and replaced with the following paragraph:

[Paragraph 103](#)

(c) the existing Paragraph 104 will be deleted and replaced with the following paragraph:

[Paragraph 104](#)

(d) the existing Paragraph 147 will be deleted and replaced with the following paragraph:

[Paragraph 147](#)

(e) the existing Form 126 will be deleted:

[Form 126](#)

(f) the following new Forms 209A and 209B will be inserted after Form 209:

[Form 209A](#)

[Form 209B](#)

(g) the existing Form 245 will be deleted:

[Form 245](#)

(h) the existing Form 259 will be deleted and replaced with the following form:

[Form 259](#)

2. The amendments in 1(a) above:-
 - (i) set out the process following the appointment by the Family Justice Courts of a maintenance record officer in maintenance proceedings under the new rule 114B of the Family Justice Rules; and
 - (ii) provide that an applicant intending to make an application for an order under Part VIII of the Women's Charter may, with his consent, be referred by the Family Justice Courts Registry for an assessment to ascertain the financial circumstances of the applicant or the respondent or both prior to the making of such application.
3. The amendments in 1(b), (e) and (g) above are to delete the provisions that allowed parties to apply for audio recording of proceedings as they are no longer applicable.
4. The amendment in 1(c) above is to draw the attention of court users to the provisions of section 5 of the Administration of Justice (Protection) Act 2016 (Act No. 19 of 2016), which came into operation on 1st October 2017.
5. The amendments in 1(d) and (h) above are to refer parties to the Electronic Filing Service website (currently at www.elitigation.sg) for the operating hours of the service bureau.
6. The inclusion of new Forms 209A and 209B referred to in 1(e) above are for the following purposes:
 - (i) Form 209A is to be used by the maintenance record officer (MRO) to request the Family Justice Courts for an order for a party to produce documents under rule 114B(3) of the Family Justice Rules; and
 - (ii) Form 209B is to be used by a party to request for an examination of the MRO under rule 114B(6) of the Family Justice Rules.

Dated this 30th day of October 2017



CHIA WEE KIAT
REGISTRAR
FAMILY JUSTICE COURTS

25A. Appointment of Maintenance Record Officer

- (1) In any maintenance proceedings, the Court may on its own motion, appoint a maintenance record officer pursuant to rule 114B of the Family Justice Rules.
- (2) Upon the making of an order for the appointment of a maintenance record officer, unless the Court orders otherwise, the parties to the proceedings shall prepare an additional set of documents as set out in Paragraph 25 of these Practice Directions and such other documents as the Court may direct.
- (3) The documents referred to in sub-paragraph (2) above shall be submitted to the Court prior to the hearing of the application and in accordance with such directions as the Court may give.
- (4) Upon the appointment of the maintenance record officer, the officer shall contact the parties directly to make the necessary arrangements and appointments for the purpose of preparing a report under rule 114B(1) of the Family Justice Rules. The parties shall keep to the appointments to avoid any postponement of the hearing of the application.
- (5) A request by a maintenance record officer under rule 114B(3) of the Family Justice Rules must be made in Form 209A of Appendix A of these Practice Directions and served on the party against whom production of the documents is sought and the other party.
- (6) Unless the Court directs otherwise, a copy of the report under rule 114B(1) of the Family Justice Rules shall be prepared and be submitted to the Court and the parties not less than 7 working days before the hearing of the application.
- (7) A party who intends to examine the maintenance record officer under rule 114B(6) of the Family Justice Rules shall give the officer and the Court a written request in Form 209B of Appendix A of these Practice Directions at least 5 working days before the date of hearing.

25B. Referral for assessment

Notwithstanding that an application under Part VIII of the Women's Charter has not been made, an applicant may, with his consent, be referred by the Family Justice Courts Registry for an assessment to ascertain the financial circumstances of the applicant or the respondent or both prior to the making of such application.

103. Production of record of hearing

Record of Trials

- (1) Pursuant to rule 611 of the Family Justice Rules, the Registrar hereby directs that there shall be audio recording of all trials in action. Such audio recording shall be made using the Digital Audio Recording Transcription System (DART) only.
- (2) Pursuant to rule 611(1)(b), the Registrar further directs that in proceedings where no audio recording is made, the notes of hearing shall be taken down by the Judge, judicial officer or court officer, whether by hand or through the use of a computer or electronic device.
- (3) The provisions of sub-paragraphs (1) and (2) are subject to any directions made by the Judge or judicial officer hearing the matter, or by the Registrar, whether or not upon application by the parties. Such directions may include the use of alternative means of producing transcripts.
- (4) Where the Court makes such directions under sub-paragraph (3):
 - (a) the transcript of the notes of hearing shall, pursuant to rule 611(1)(b), constitute the official record of hearing; and
 - (b) the parties shall inform the Family Justice Courts Registry by letter at least 7 working days before the scheduled hearing as to the mode by which the proceedings will be recorded.
- (5) The costs of engaging a service provider shall be paid by the parties directly to the service provider.
- (6) Requests for certified transcripts of the official record of hearing conducted at the Supreme Court building shall be made by filing the requisite Request electronic form through the Electronic Filing Service at least 7 working days before the scheduled hearing.

Request for Digital Audio Recording and Transcription Service for Hearings other than Trials

- (7) Digital audio recording and transcription of proceedings will be made available in the Family Justice Courts, to parties, through one or more designated service providers at the request of parties.
- (8) The request for digital audio recording and transcription service shall be subject to the approval and/or directions of the Court hearing the proceedings, the approval of the Registrar, and the availability of the designated service provider to provide the service.

Applications for Digital Audio Recording and Transcription Service

- (9) Any party who intends to use the digital audio recording and transcription service shall write to the Court hearing the proceedings for approval at least 12 working days before the commencement of the proceedings.
- (10) Upon written notification of the approval by the Court hearing the proceedings, the requesting party shall submit to the designated service provider at least 8 working days before the commencement of the proceedings the application for digital audio recording and transcription service using the requisite form provided by the designated service provider. The requesting party shall also comply with any direction(s) that may be given by the Court hearing the proceedings, in respect of the party's written request for digital audio recording and transcription service.
- (11) The designated service provider shall inform the requesting party whether the application for digital audio recording and transcription service has received final approval by the Registrar.
- (12) The cost of engaging the designated service provider for digital audio recording and transcription service shall be paid by the requesting party directly to the designated service provider. The engagement of and payment to the designated service provider are subject to its terms and conditions.
- (13) The party or parties engaging the designated service provider shall apply for sufficient copies of the transcript to be furnished to the Court hearing the proceedings and all other parties to the proceedings.

104. Use of electronic and other devices

- (1) In order to maintain the dignity of Court proceedings in the Family Justice Courts, court users are strictly prohibited from making any video and/or image recording in all hearings and sessions in Court or in chambers.
- (2) Additionally, all communications with external parties and audio recording during a hearing or session are strictly prohibited without prior approval of the Judge or Registrar hearing the matter or the person presiding over the session.
- (3) Court users are permitted to use notebooks, tablets and other electronic devices to take notes of evidence and for other purposes pertaining to the proceedings during hearings or sessions, provided that such use does not in any way disrupt or trivialise the proceedings.
- (4) This Paragraph shall apply to all family and juvenile proceedings in the Family Justice Courts.
- (5) For the avoidance of doubt, this Paragraph shall also apply to all alternative dispute resolution and counselling sessions conducted in the Family Justice Courts.
- (6) The attention of court users is also drawn to section 5 of the Administration of Justice (Protection) Act 2016 (Act No. 19 of 2016).

147. Filing documents through service bureau

- (1) Solicitors and law firms are encouraged to file documents through the Electronic Filing Service. However, in the event that certain documents cannot be filed through the Electronic Filing Service, solicitors and law firms may file documents through the service bureau. Litigants in person may also file documents through the service bureau.
- (2) The operating hours of the service bureau may be found on the Electronic Filing Service website at www.elitigation.sg.
- (3) [Deleted]
- (4) Any document which is accepted for filing outside the time periods specified on the Electronic Filing Service website at www.elitigation.sg, will be treated by the service bureau as having been accepted on the following working day.
- (5) Documents to be filed through the service bureau must comply with these Practice Directions and all applicable administrative instructions and procedures prescribed by the service bureau with the approval of the superintendent.
- (6) Documents filed through the service bureau shall be subject to a Manual Handling Fee as set out in the Electronic Filing Service website at www.elitigation.sg, and additional services made available by the service bureau may be subject to other administrative charges imposed by the service bureau with the approval of the superintendent.

Form 126
[deleted]

FORM 209A

Para 25A

**REQUEST BY MAINTENANCE RECORD OFFICER FOR PARTY'S DOCUMENTS
UNDER RULE 114B(3) OF THE FAMILY JUSTICE RULES**

(Title as in action)

I, _____ (*name*) (NRIC No. _____) of _____ (*address*),
the maintenance record officer for _____ (*case number*), hereby request the Court to
order _____ (*name of party required to produce the documents*) (NRIC No. _____)
to provide 4 sets of the following documents:-

(Describe and list the documents requested)

S/No	Title or description of document	Period for which the document is required (eg. from January 2017 to April 2017)	Reasons why the document is required	Reasons for belief that the party has the document

Dated day of 20 .

Signature of party

FORM 209B

Para 25A

REQUEST TO EXAMINE THE MAINTENANCE RECORD OFFICER

(Title as in action)

I, _____ (*name of party making the request*), being the [applicant/respondent*] hereby request to examine the maintenance record officer (MRO) at the hearing on [date and time] for the purpose of examining him/her on the following matters:

S/No.	Matter to be examined, including paragraph number in the MRO's report, where relevant	Reasons for examining the MRO on this matter

Dated this day of 20 .

Signature of party

**Delete accordingly*

FORM 245
[deleted]

FORM 259

Para 158

UNDERTAKING TO COURT TO E-FILE DOCUMENTS

1. I, _____ (*name of applicant/solicitor*), of _____ (*address*), do hereby undertake to the Court to file the following documents via the Electronic Filing Service (EFS)[#] by _____ (*date*):

- (a) the Originating Summons*;
- (b) the Summons*;
- (c) the affidavit(s) of _____ (*name of deponent*) affirmed on _____ (*date*); and
- (d) the draft and final Order of Court if granted by the Court.

2. I understand that if I should fail to carry out my undertaking, I am liable to be punished for non-compliance with an order of the Court.

(*Signature*)

Name of Applicant / Applicant's solicitor

Date : _____

For a non-EFS subscriber, the documents may be e-filed at the **LawNet & CrimsonLogic Service Bureau** located at:

133 New Bridge Road, #19-01/02 Chinatown Point, Singapore 059413
Tel: (65) 6538 9507
Fax: (65) 6438 6350

The operating hours may be found at www.elitigation.sg

* Delete where inapplicable