

# **Family Court Staff and Responsibility**

## **Clerk of Court**

The primary administrator for the operations of the Family Court shall be the Clerk of Court. The Clerk of Court is responsible for coordinating the operations of the Family Court. In addition, the Clerk of Court is responsible to:

- a) Prepare court books/summons for the Family Court.
- b) Prepare all returns.
- c) populate the Court computerised database system with the client's case information and the orders and directions issued by the Court in its proceedings.
- d) Refer clients seeking Family Court social services to the Intake Welfare Officer.
- e) Facilitate access to Court transcripts and provide clients with copies of the orders made in respect of the Court's proceedings.

The Clerk of Court facilitates the day-to-day administrative functions of the Family Court and implements the directions of the Director and, at the district level, the Magistrate in relation to the Court's administrative functions. The Clerk of Court shall be supervised by the Director or, at the district level, by the Magistrate.

### **Job Tasks:**

1. Preparing the Court Book for civil and hybrid matters filed in the Court.
2. Providing information to the public on Court procedures.
3. Providing legal information to the client on formulating a cause of action and preparing the plaint in civil and hybrid matters.
4. Registering all juvenile and criminal cases filed in the Court.
5. Maintaining accurate records of adjournment dates and directives, and orders issued by the Court.
6. Uploading the information from the Court Book into the Court computerised database system.
7. Preparing summons and warrants.
8. Instructing bailiffs on the services of summons and warrants.
9. Preparation of transcripts and issuing transcripts to clients.
10. Sending out letters on behalf of and upon the instruction of the Magistrate.
11. Providing support to the Magistrate.
12. Supervise the preparation of returns and reports required by the Director.

## **Reception/Secretarial Services**

The reception service shall be provided by the front desk receptionist in the Family Court and by the secretary or person so appointed in the district courts. The receptionist/secretary is the provider of information to members of the public as to the status of their matter and the procedures for applications in the Court. The receptionist/secretary shall also prepare letters, reports, transcripts, and shall direct the public to the different services provided by the Court. Further, the receptionist/secretary shall provide referral and other information to members of the public for services not provided by the Court.

## **Cashier Services**

The cashier shall be responsible for all monetary collections on behalf of the Court. The cashier shall provide all receipts and documents in the proper format for all monies collected by the Court. Where the Court uses Smart Stream for the collection, recording and disbursement of payments, the Smart Stream procedures shall be used in respect to all payments, and all reports shall be required to be processed in Smart Stream.

The Cashier and Assistant Cashiers shall be supervised by the Finance Officer.

### **Job Tasks:**

1. Collect all monies and issue appropriate receipts for all such monies collected.
2. Prepare deposit slips and facilitate the deposit of all monies paid.
3. Input all monies collected and receipts issued into the Smart Stream system.
4. Record all particulars of money collected.
5. Prepare the cashbook and cash reconciliation reports.
6. Provide daily updates to the Clerk of Court on the status of maintenance payments.
7. Prepare statements for payments made and monies on accounts for clients.
8. Receive information on financial orders made by the Court to be paid into Court from the Clerk of Court and create accounts for payments to be made.
9. Maintain up-to-date ledgers of financial orders and voluntary payment notices for maintenance and other payments made to the Court for clients.

## **Finance Officer**

The Finance Officer is an administrative supervisor for the financial and clerical aspects of the Court's administrative services. The Finance officer is also expected to liaise with the Ministry and to have oversight of the Court to address public service issues or staff needs, under the direction of the Director. The Finance Officer is supervised by the Director.

### **Job Tasks**

1. Oversee and supervise the collection of all moneys and issuance of appropriate receipts for all such moneys collected.

2. Supervise the preparation of deposits and facilitates deposit of all monies paid.
3. Provide second approval to moneys paid from the Smart Stream system.
4. Supervise the cashiers in the districts in relation to Family Court payments collected by them and Family Court payments made by them to clients.
5. Approve expenses in accordance with the Family Court budget.
6. Assist the Director in the preparation of the Annual Budget.
7. Liaise with the Attorney-General's Ministry on behalf of staff in relation to benefits and entitlements, leave, payments, and other staff administrative issues.
8. Supervise clerical, secretarial, and all cashier and bookkeeping staff.
9. Maintain proper records as required.
10. Provide such reports to the Director as are required.

## **Bailiff Services**

The bailiff is the primary enforcement officer for the court. The bailiff shall be responsible to effect the service of all summons and warrants issued by the Court. In addition, the bailiff shall execute orders and warrants on behalf of the Court as directed by the Clerk of Court to effect orders and directions of the Magistrate. The bailiff may, from time to time, be required to assist with security and court orderly services to the Court.

### **Job Tasks:**

1. Effect the service of summons and warrants.
2. Effect the service of orders in domestic violence proceedings.
3. Sit in Court to assist the Magistrate as a Court Orderly when required.
4. Provide returns to the Clerk of Court on Court orders and directions issued by the Magistrate in Court Proceedings.
5. Provide updates to the Clerk of Court on the service of summons, warrants, and orders.
6. Should you be served with a summons, please ensure to appear to court on the date of the hearing indicated in your summons.

## **Mediation**

The Clerk of Court shall be responsible for referring matters to a mediator assigned by the Family Court. At the first hearing of every application and at every subsequent stage in the proceedings, the Court must consider whether mediation would be appropriate to bring about a non-court resolution of the matter before the Court. Where the Court considers that a matter before the Court (not being an exempted proceeding) is suitable for mediation, the Court may, at any stage of the proceedings, adjourn the hearing and refer the matter to a mediator for mediation. In considering whether mediation is appropriate for a matter already commenced, the Court shall consider:

- i) Whether mediation proceedings already taken place and the outcome of those proceedings.
- ii) Whether the proceedings are exempted from mediation.

- iii) Whether the parties are willing to agree to a non-court resolution of the matter; and
- iv) Whether the matter before the Court can be resolved by mediation.