**INDEX TO LOCAL COURT PROFORMA DOCUMENTS – COVID-19**

Please note when communicating with the Court that solicitors must comply with ethical obligations in accordance with 22.5-22.8 of the *Uniform Conduct and Practice Rules*. **Please ensure you *notify the DPP first when adjourning or listing matters for a review of bail, a release application or sentence matter THEN once notified please THEN inform the Court by email and COPY in the DPP solicitor to that email.***

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**EMAILS TO COURT**

1. **Email to the Court notifying of our appearance in writing - client on bail**

Dear Registry,

**Client:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name]. This is a formal notification that we act for the accused.

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] that we act for Mr/s [insert name of client] and have copied them into this email.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert DPP solicitor email]

1. **Email to the Court notifying of our appearance in writing - client in custody**

Dear Registry,

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name and MIN]. This is a formal notification that we act for the accused. Mr/s is in custody at [insert name of correctional centre].

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] that we act for Mr/s [insert name of client] and have copied them into this email.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert DPP solicitor email]

1. **Email to the Court seeking an adjournment for existing client - on bail**

Dear Registry,

**Client:**

**Local Court:**

**Date:**

**File no:**

We act for Mr/s [insert client name]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently on bail.

In response to the COVID-19 pandemic Legal Aid NSW is needing to adjourn matters. We ask that this matter be adjourned to [insert date].

We ask that bail be continued to the next Court date. We will write to our client at the most currently advised address on our file of the next date to attend Court. Please forward the bail continuance notice to their address at [insert address].

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] of our application for an adjournment have copied them into this email. We understand the application to adjourn is consented to/opposed [select relevant].

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert DPP solicitor email]

1. **Email to the Court seeking an adjournment for existing client - in custody**

Dear Registry,

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We act for Mr/s [insert client name and MIN]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently in custody at [insert name of correctional centre].

In response to the COVID-19 pandemic Legal Aid NSW is needing to adjourn matters. We ask that this matter be adjourned to [insert date]. We will advise our client of the next date for Court in writing to the Correctional Centre that they are being held.

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] of our application for an adjournment and have copied them into this email. We understand the application to adjourn is consented to/opposed [select relevant].

Please confirm receipt by reply email.

Yours sincerely

[insert solicitor name]

**Solicitor**

CC: [insert DPP solicitor email]

1. **Email to the Court seeking a variation of bail for existing client - on bail**

Dear Registry,

**Client:**

**Local Court: [INSERT NAME OF LOCAL COURT MATTER IS NEXT LISTED]**

**Date:**

**File no:**

We act for Mr/s [insert client name]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently on bail.

In response to the COVID-19 pandemic Legal Aid NSW is seeking to have existing client’s bail conditions reviewed immediately.

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] of our application for a variation of current bail conditions and have copied them into this email. We understand the application to vary these conditions is consented to/opposed [select relevant].

The proposed variation of bail is as follows;

1. In the event of a Federal or State Government order for a total lockdown that reporting be done by telephone by the accused to the relevant police station.
2. A reduction in reporting conditions from [insert current reporting days] to [insert new proposed days]
3. [insert new proposed condition]

[If relevant] The surety is [insert name of surety/s]. They have been advised of the proposed variation and consent to it. The surety can be contacted on [insert email address of surety if permitted].

Please advise of the listing date for the variation of bail by reply email to the parties.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert email of DPP solicitor]

1. **Email to the Court seeking a listing date for release application - client in custody**

Dear Registry,

**Client:**

**MIN:**

**Gaol:**

**Local Court: DOWNING CENTRE LOCAL COURT**

**Date: TO BE ADVISED**

**File no:**

We act for Mr/s [insert client name and MIN]. Mr/s [insert client name] is currently in custody at [insert name of correctional centre] and is seeking a listing date for a release application as soon as possible.

In response to the COVID-19 pandemic we ask that this matter be listed for a release application at Downing Centre Local Court.

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] of the proposed release application and have copied them into this email. We understand that the release application is consented to/opposed [select relevant].

The proposed conditions of release are as follows;

1. [insert new proposed condition]
2. In the event of a Federal or State Government order for a total lockdown that reporting be done by telephone by the accused to the relevant police station.
3. [If relevant] The surety is [insert name of surety/s]. They have been advised of the proposed release application and are able to provide the following; [name of surety, address, telephone number and signed letter from surety scanned and attached to this email]

The surety can be contacted on [insert email address of surety if permitted].

Please advise of the next available listing date for the release application by reply email to all parties.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert email of DPP solicitor]

1. **Email to the Court seeking finalisation of matter by plea - client on bail**

Dear Registry,

**Client:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name]. We are instructed to seek finalisation of the following matters and are instructed to enter a plea of guilty to the following offences;

Offences:

1. [insert offence date time and H number]

2. [insert offence date time and H number]

We have advised the Solicitor with carriage at the DPP, [insert name of DPP solicitor with carriage] that we act for Mr/s [insert name of client] and have copied them into this email.

We have advised the DPP solicitor that we are seeking for the above matters to be finalised and have emailed them these instructions for our client to do so. We confirm our client consents to the finalisation of the above matters in their absence.

Please confirm receipt by reply email.

In finalising these matters the following matter in mitigation are submitted on behalf of Mr/s [insert name of client];

[insert relevant objective and subjective submissions]

Please confirm the outcome of the matters by reply email.

We will advise our client of the outcome of their matters once we have been advised by the you in writing. We will write to our client at the most recent address on our current file. We ask that you write to our client at the most recent address listed on the Court papers.

Yours sincerely

[insert solicitors name]

**Solicitor**

CC: [insert email of DPP solicitor]

**EMAILS TO THE DPP**

**1. Email to the DPP notifying that we act - client on bail**

Dear Sir/Madam,

**Client:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name].

We have advised the [insert name of court] Local Court by email today that we act for the accused.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the DPP notifying that we act - client in custody**

Dear Sir/Madam,

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name].

We have advised the [insert name of court] Local Court by email today that we act for the accused.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the DPP seeking an adjournment for existing client - on bail**

Dear Sir/Madam,

**Client:**

**Local Court:**

**Date:**

**File no:**

We act for Mr/s [insert client name]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently on bail.

In response to the COVID-19 pandemic Legal Aid NSW is needing to adjourn matters. We have written to the Court and asked that this matter be adjourned to [insert date] and have copied you into that email.

We have asked that bail be continued to the next Court date. We will write to our client at the most currently advised address on our file of the next date to attend Court and that the bail continuance notice be sent to the address on the Court papers.

Please advise if the application to adjourn is consented to or is opposed as soon as possible by reply email to [insert email address]

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to DPP seeking an adjournment for existing client - in custody**

Dear Sir/Madam,

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We act for Mr/s [insert client name and MIN]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently in custody at [insert name of correctional centre].

In response to the COVID-19 pandemic Legal Aid NSW is needing to adjourn matters. We have written to the Court and asked that this matter be adjourned to [insert date] and have copied you into that email.

We will write to our client at [insert name of correctional centre] of the next Court date.

Please advise if the application to adjourn is consented to or is opposed as soon as possible by reply email to [insert email address].

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the DPP advising of a proposed variation of bail for existing client - on bail**

Dear Sir/Madam,

**Client:**

**Local Court: [INSERT NAME OF LOCAL COURT MATTER IS NEXT LISTED]**

**Date:**

**File no:**

We act for Mr/s [insert client name]. The matter is next listed at [insert date] Court on [insert court]. Mr/s [insert client name] is currently on bail.

In response to the COVID-19 pandemic Legal Aid NSW is seeking to have existing client’s bail conditions reviewed immediately.

We have advised the Court at [insert name of Local Court] of our application for a variation of current bail conditions and have copied you into that email. Please advise if the application to vary these conditions is consented to or is opposed, as soon as possible.

The proposed variation of bail is as follows;

1. In the event of a Federal or State Government order for a total lockdown that reporting be done by telephone by the accused to the relevant police station.
2. A reduction in reporting conditions from [insert current reporting days] to [insert new proposed days]
3. [insert new proposed condition]

[If relevant] The surety is [insert name of surety/s]. They have been advised of the proposed variation and consent to it. The surety can be contacted on [insert email address of surety if permitted].

Please advise of your view with regard to the above.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the DPP advising of a proposed listing for release application - client in custody**

Dear Sir/Madam,

**Client:**

**MIN:**

**Gaol:**

**Local Court: DOWNING CENTRE LOCAL COURT**

**Date: TO BE ADVISED**

**File no:**

We act for Mr/s [insert client name and MIN]. Mr/s [insert client name] is currently in custody at [insert name of correctional centre] and is seeking a listing date for a release application as soon as possible.

In response to the COVID-19 pandemic we have requested that this matter be listed for a release application at Downing Centre Local Court.

Please advise if the proposed release application is consented to or is opposed.

The proposed conditions of release are as follows;

1. [insert new proposed condition]
2. In the event of a Federal or State Government order for a total lockdown that reporting be done by telephone by the accused to the relevant police station.
3. [If relevant] The surety is [insert name of surety/s]. They have been advised of the proposed release application and are able to provide the following; [name of surety, address, telephone number and signed letter from surety scanned and attached to this email]

The surety can be contacted on [insert email address of surety if permitted].

Please advise of your view with regard to the above.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the DPP advising of proposed finalisation of matter by plea - client on bail**

Dear Sir/Madam,

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for Mr/s [insert client name]. We are instructed to seek finalisation of the following matters and are instructed to enter a plea of guilty to the following offences;

Offences:

1. [insert offence date time and H number]

2. [insert offence date time and H number]

We have advised the Local Court registry by email today of our client’s instructions to seek that these matters be finalised. We confirm our client consents to the finalisation of the above matters in their absence.

Please confirm receipt by reply email.

In finalising these matters the following matter in mitigation are submitted on behalf of Mr/s [insert name of client];

[insert relevant objective and subjective submissions]

Please advise of the matters which you intend to raise of behalf of the prosecution in relation to the disposal of the above matters by reply email.

We will advise our client of the outcome of their matters once we have been advised by the Court registry in writing.

Yours sincerely

[insert solicitors name]

**Solicitor**

**EMAILS TO CLIENT**

**1. Email to the client confirming we act - client on bail**

Dear Mr/s [insert name of client],

**Local Court:**

**Date:**

**File no:**

We confirm that we act for you and that your matter is next listed on [insert date] at [insert name of court] Local Court.

It is important that we can communicate with you by email if at all possible. It is important that we have your current address and telephone number. It is your responsibility to contact us to tell us your most recent contact details.

Please confirm you got this email by replying to it.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Letter to the client confirming we act - client in custody**

Dear Mr/s [insert name of client],

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We confirm that we act for you and that your matter is next listed on [insert date] at [insert name of court] Local Court.

We will appear remotely on the next occasion, on your behalf. We will ensure we have your instructions before the next Court date. We know that this may take some time and we will contact you by AVL conference or telephone calls to discuss your matter before the next Court date.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to the client advising matter adjourned - client on bail**

Dear Mr/s [insert name of client],

**Local Court:**

**Date:**

**File no:**

We arranged for your matter to be adjourned on [insert date] at Court [insert court].

Your matter is now listed on [insert date] at Court [insert court].

Your current bail has been continued.

It is important that we have your most current contact details so we can communicate with you. If your contact details change YOU MUST tell us.

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Letter to the client advising matter adjourned for existing client - in custody**

Dear Mr/s [insert name of client],

**Client:**

**MIN:**

**Gaol:**

**Local Court:**

**Date:**

**File no:**

We arranged for your matter to be adjourned on [insert date] at Court [insert court].

Your matter is now listed on [insert date] at Court [insert court].

We will appear remotely on the next occasion, on your behalf. We will ensure we have your instructions before the next Court date. We know that this may take some time and we will contact you by AVL conference or telephone calls to discuss your matter.

Yours sincerely

[insert solicitors name]

**Solicitor
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1. **Email to the client advising outcome of application for bail variation - client on bail**

Dear Mr/s [insert name of client],

**Local Court:**

**Date:**

**File no:**

We arranged for your bail to be varied. Your current bail has been varied as follows;

1. [insert condition];

2. In the event of a Federal or State Government order for a total lockdown that reporting be done by telephone to the relevant police station;

3. A reduction in reporting conditions to [insert days]

[If relevant] The surety is [insert name of surety/s] have been advised of the new conditions.

[select if relevant] The variation of bail was agreed to/opposed and the outcome was [insert outcome of bail variation}.

It is important that we have your most current contact details so we can communicate with you. If your contact details change YOU MUST tell us.

Your matter has been now adjourned to [insert date] at Court [insert court].

Please confirm receipt by reply email.

Yours sincerely

[insert solicitors name]

**Solicitor**

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1. **Letter to client confirming outcome of release application - client in custody**

Dear Mr/s [insert name of client],

**Client:**

**MIN:**

**Gaol:**

**Local Court: DOWNING CENTRE LOCAL COURT**

**Date: TO BE ADVISED**

**File no:**

We confirm bail has been granted as follows;

1. [insert bail conditions];

[If relevant] The surety is [insert name of surety/s] and they have been advised of the bail conditions.

It is important that we have your most current contact details so we can communicate with you. You must contact us within seven (7) days of the date of this letter to tell us your new contact details. If your contact details change YOU MUST tell us.

Your matter has been now adjourned to [insert date] at Court [insert court].

Please contact me within seven (7) days of the date of this letter.

Yours sincerely

[insert solicitors name]

**Solicitor**

1. **Email to client advising of the outcome and finalisation of matter by plea - client on bail**

Dear Mr/s [insert name of client],

**Client:**

**Local Court:**

**Date:**

**File no:**

We confirm that you instructed us to seek finalisation of the following matters and we entered pleas of guilty to the following offences;

Offences:

1. [insert offence date time and H number]

2. [insert offence date time and H number]

The outcome of the matters are as follows;

Offences:

1. [insert penalty for offence here]

2. [insert penalty for offence here]

We ask that you contact us within seven (7) days of the date of this email to confirm you have received this information about the outcome of your matters.

Yours sincerely

[insert solicitors name]

**Solicitor**