

April 16, 2020

### COVID-19 Venezuela: Supreme Court extends suspension of Court Working Hours

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The Plenary Chamber of the Venezuelan Supreme Court, by Resolution No. 002-2020, dated April 13, 2020, announced that the courts throughout the country will not work from April 13 to May 13 due to the COVID-19 pandemic.



#### A decision amidst the Decree of State of Alarm

This decision is in accordance with the measures implemented by the Executive Power, guaranteeing the promptness and administration of justice, indicating that “ongoing processes will remain suspended and procedural lapses will not run”, which does not prevent the court’s work on urgent matters to ensure the rights of any of the parties, according to the law. In the same way, jurisdictional bodies shall take the necessary measures to ensure that the service of administration of justice is not suspended.

#### An exception for Constitutional Injunctions

As always, for Constitutional Injunctions every day is considered Court working day even those within the term stated above, therefore judges are compelled to process and render judgment on the respective matters. The Constitutional and Electoral Chambers of the Venezuelan Supreme Court will remain on duty during the state of emergency.

#### Criminal matters

On Criminal matters, the public service of administration of justice will continue in accordance with article 156 of the Criminal Procedural Code, which states:

“Every day will be considered business day for the presentation and hearing of criminal matters in their preliminary stage. During intermediate and oral trial stages, Saturdays, Sundays, and holidays declared as such by the law will not be counted, as well as the days in which the court is not able to work. The administration of criminal justice is a permanent function of State; consequently, it cannot be interrupted by collective holidays or any other measure that affects compliance with procedural terms. In matters of recourses, the terms will be computed in Court working days.”

#### Guarantee to access of justice

The Head Judges; Presidents of National Administrative-Contentious Courts; Presidents of Criminal Circuit Courts; Coordinators of Labor Circuit Courts, Protection of Children and Adolescents Circuit Courts, and Courts with jurisdiction in Crimes Against Women, have powers to adopt the necessary measures to guarantee access to justice during this contingency by COVID-19.

#### Maritime matters

On Maritime matters, even though the Resolution does not expressly mentions it, article 4 of the Maritime Procedural Law states that “For the presentation of decrees, practices or lifting of precautionary measures, as well as other urgent matters, every hour and every day is considered a working day”. Therefore, in dealing with precautionary measures as stated above, the Maritime Court with jurisdiction must guarantee the continuity of the public service of administration of justice.

For any advice or clarification, do not hesitate to contact us.

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