

Notice to the profession from the Law Society of BC
20 March 2020

COVID-19 update: Commissioning affidavits and information from the courts

The Benchers and staff of the Law Society understand the challenges that the profession is facing due to the extraordinary and rapidly evolving circumstances surrounding COVID-19. Despite operations having transitioned to work at home, our staff has been working to find solutions for several issues that have been identified to us, some of which are addressed in this Notice. We will continue to review policies and procedures that are within our authority, as well as to work collaboratively with others to implement measures for the current situation.

Execution of affidavits

On March 20, 2020, the Court of Appeal for British Columbia, the Supreme Court of British Columbia, and the Provincial Court of British Columbia issued Notices regarding affidavits for use in Civil and Family Proceedings that set out a process for commissioning affidavits in urgent cases where it is not possible, or is medically unsafe, for the deponent of an affidavit to attend physically before a commissioner. The full Notices can be found in the directives linked below:

[Court of Appeal for British Columbia](#)

[Supreme Court of British Columbia](#)

[Provincial Court of British Columbia](#)

Where lawyers reasonably determine that circumstances require virtual commissioning of an affidavit and follow the procedure in the Court's notice, the Law Society will consider the requirement that the deponent be physically present before the lawyers, set out in Appendix A 1(a) of the *Code of Professional Conduct*, to have been met.

From the BC Supreme Court: Suspension of regular court operations

Yesterday, the Honourable Chief Justice Hinkson suspended regular operations at all locations of the Supreme Court of British Columbia until

further notice, in order to protect the health and safety of court users and to help contain the spread of COVID-19. The Court provided guidance on matters currently set for hearing and indicated that, while regular operations are suspended, the Court will hear only essential and urgent matters. The full Notice to the Profession, the Public and the Media Regarding Civil and Family Proceedings is available [here](#).

The profession should note that the Notice provides direction regarding limitation periods and filing deadlines. Effective March 18, 2020, filing deadlines under the Supreme Court Civil Rules and the Supreme Court Family Rules are suspended until May 1, 2020. Statutory filing deadlines and limitation periods will continue to apply and when the Court resumes regular operations, parties may request an extension of time for deadlines set out in other statutes, which the Court will determine on a case-by-case basis. The Court has indicated that it will not hear applications for extensions of time until regular operations resume.

Lawyers can still use electronic filing in accordance with Supreme Court Rule 23-3 while regular operations of the Court are suspended. To access the Court Services Online platform, you will need to be a registered user. If you are not already registered, you may do so by visiting [BCOnline](#) and clicking the blue button at the top right-hand side of the screen.

Update from the LTSA

The Land Title and Survey Authority of British Columbia (LTSA) would like to assure all customers that our operations are continuing as usual during the continually-evolving COVID-19 situation. Although Front Counter services are closed to protect everyone's health, customers can still file applications, register land title interests, and search for land information through [our online systems](#). LTSA call centres are open from 8am – 4:30pm each business day. [Contact us](#) with your questions about land title applications, survey dataset submissions, and your system setup and use.

Other information

The Law Society will be posting answers to frequently asked questions as issues develop. For the latest FAQs, please check the [website](#).

You may contact our departments and the Lawyers Indemnity Fund at the telephone numbers and email addresses provided [here](#).

Practice advisors continue to be available to answer questions about practice and professional obligations. Contact information for practice advisors may be found on the [About Practice Advice](#) page on the Law Society website.

We appreciate your patience as we continue to implement new processes and measures to address this unprecedented situation.