



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: *12 June 2020 (unless otherwise stated in this Notice)*

NP 19

NOTICE TO THE PROFESSION AND PUBLIC

COVID-19: RESUMPTION OF FURTHER COURT OPERATIONS

The Provincial Court of British Columbia recognizes that the Province is still impacted by the COVID-19 pandemic. The Chief Public Health Officers of Canada and the Province still require people to keep a safe distance from each other, but currently there can be a cautious reopening of public places with health and safety protocols in place to minimize the transmission of the virus. Taking this into account, the Provincial Court has developed the plan set out in this Notice to resume further court operations.

As of June 8, 2020, the Provincial Court has resumed in-person proceedings in two courtrooms in each of the following six locations: Surrey, 222 Main Street (Vancouver), Robson Square (Vancouver), Victoria, Prince George, and Kelowna. As of June 15, 2020, the Provincial Court will be opening one courtroom for in-person appearances in each of the 28 locations listed in **Appendix "D"**. For most cases, the processes set out in this Notice, including remote proceedings, will continue.

Criminal, family, small claims, and youth court trials and hearings scheduled after July 3, 2020 will remain on the trial list on the date scheduled. Counsel and self-represented litigants should attend court on the date scheduled at 9:00 AM to advise if they are ready to proceed that day. The Court will determine which trials will proceed. Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court. Criminal trials and continuations and preliminary inquiries (excluding summary proceedings set for half a day or less) adjourned for lack of court time will be scheduled for a pre-trial conference before a new hearing date is scheduled. Family and small claims case conferences will proceed by telephone on their scheduled dates.

The Provincial Court initially instituted the Hub Court model to contain the spread of COVID-19. The Hub Courts acted as Regional locations for the Court to conduct remote proceedings, as there have been few in person proceedings conducted. As the Court opens more courtrooms, particularly in larger court locations, to accommodate in person proceedings where it is safe to do so, the Court will no longer be relying on the Hub Court model. However, bail hearings, urgent family applications, pre-trial conferences, and other case conferences may be heard remotely by a judge in a location outside the court location where the matter originates in order to enhance efficiency.

The directions in this Notice are subject to change as circumstances of the pandemic change.

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I. FAMILY (including child protection (CFCSA) and maintenance enforcement (FMEA))¹

To contact Legal Aid to make an application or seek help with an urgent problem relating to a family court matter that has been adjourned in response to the current COVID-19 situation, please call your local **Legal Aid office** or call **1-866-577-2525** (BC wide) or **604-408-2172** (Greater Vancouver).

a. Family appearances originally scheduled or adjourned during COVID #1 and #2, and scheduled after July 3, 2020

For family appearances, other than for urgent matters, originally scheduled during March 16 to May 16, 2020 (“COVID #1”) and May 19 to July 3, 2020 (“COVID #2”), and scheduled after July 3, 2020, please see the table below for the current status of appearances.

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled after July 3, 2020
Family Remand List (CFCSA, FLA, FMEA)	Adjourned as noted in Appendix “A” - Adjournment Details	Adjourned as noted in Appendix “A” - Adjournment Details	Will be heard by telephone on the date scheduled. Please contact the applicable court registry for dial in information in advance of the scheduled date.
Family case conference (CFCSA)	Being rescheduled for judges to hear by telephone.	Will be heard by telephone on the date scheduled.	Will be heard by telephone on the date scheduled.
Family case conference (FLA)	Being rescheduled for judges to hear by telephone.	Will be heard by telephone on the date scheduled.	Will be heard by telephone on the date scheduled.
Family Management Conference (Victoria)	Being rescheduled for judges to hear by telephone.	Will be heard by telephone on the date scheduled. The Court will contact parties if the start time will be changed.	Will be heard by telephone on the date scheduled.

¹ In this Part, for references to a pre-trial conference (PTC), the pre-trial conference judge will determine whether the hearing can proceed on the date originally scheduled taking into consideration the following: urgency; suitability of receiving evidence by affidavit, telephone or videoconference; requirement for witness to testify in person; and, the ability of the court to safely accommodate people attending in person on the date scheduled for the hearing.

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled after July 3, 2020
CFCSA Trial	In the process of being rescheduled for trial dates after July 6, 2020. May also be scheduled for a pre-trial conference (PTC).	May be able to proceed on date scheduled. Please contact the applicable JCM.	Will remain on the trial list on date scheduled. Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day. The Court will determine which trials will proceed. Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court.
FLA/FMEA Trial	May be scheduled for a PTC.	May proceed as a PTC on the date scheduled unless otherwise contacted by the Court.	Will remain on the trial list on date scheduled. Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day. The Court will determine which trials will proceed. Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court.

b. Urgent Family Matters

In a child protection case all statutorily mandated matters, including the initial presentation hearing and the protection hearing, are urgent hearings and will proceed on the day they are scheduled by telephone and, if they are on a list, they will proceed on the list day.

In all other cases not addressed above, on application, only urgent family (FLA, CFCSA, and FMEA) matters **as determined by a judge** in a telephone hearing will be heard, including:

- a. requests for urgent relief relating to the safety of a child or parent;
- b. requests to obtain or set aside protection orders, or urgent orders involving parenting time, contact with a child or communication between parties;
- c. urgent issues that must be determined relating to the well-being of a child including essential medical decisions or issues relating to relocation, non-removal, wrongful removal or retention of a child;
- d. applications to suspend, change or cancel any order for imprisonment or committal pursuant to the *Family Maintenance Enforcement Act*;
- e. in a child protection case, all urgent matters, including applications for supervision orders and for extension of time, and any other urgent motions or hearings; and
- f. urgent cases where irreparable harm will occur if the application is not heard.

See procedure for determining urgent matters below under subsection (c).

CFCSA documents may be filed by email to the applicable local [court registry](#).

c. Procedure for Determining Urgent Family Matters

Applications to a judge for determining on the record if a matter is urgent can be sent:

- a. by email, phone or mail to the applicable local [court registry](#); or,
- b. by fax to fax filing registries (see [GEN 01 Practice Direction](#)).

If a judge determines that a matter is urgent, a hearing/trial will be scheduled with all participants appearing by telephone. The hearing/trial will not be in person.

d. New Filings

The Provincial Court registries are not accepting any new, non-urgent family filings until further notice, except those documents listed in **Appendix "C"**.

These documents can be filed by:

- email or mail to the applicable local [court registry](#); or,
- fax to fax filing registries (see [GEN 01 Practice Direction](#)).

We are continuing to re-examine when we can expand to accept new filings.

e. Other Resources for Family Cases

The following link lists some other resources that may assist in resolving a family matter:
<https://www.provincialcourt.bc.ca/types-of-cases/family-matters/links>.

II. SMALL CLAIMS

a. Small claims appearances originally scheduled or adjourned during COVID #1 and #2, and scheduled after July 3, 2020

For small claims appearances, other than for urgent matters, originally scheduled during March 16 to May 16, 2020 (“COVID #1”) and May 19 to July 3, 2020 (“COVID #2”), and scheduled for after July 3, 2020, please see the table below for the current status of the appearances.

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled for after July 3, 2020
Applications and Payment Hearings	Adjourned as noted in Appendix “A” - Adjournment Details	Adjourned as noted in Appendix “A” - Adjournment Details	Will be heard by telephone on the date scheduled. Please contact the applicable court registry for dial in information in advance of the scheduled date.
Settlement conference	Being rescheduled for judges to hear by telephone. Parties may be notified by the registry by telephone of the new date/time rather than the usual method by mail.	Will be heard by telephone on the date scheduled.	Will be heard by telephone on the date scheduled.
Trial conference	Being rescheduled for judges to hear by telephone. Parties may be notified by the registry by telephone of the new date/time rather than the usual method by mail.	Will be heard by telephone on the date scheduled.	Will be heard by telephone on the date scheduled.

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled for after July 3, 2020
Trial	Being scheduled for pre-trial conference (PTC).	May proceed as a PTC on the date scheduled unless otherwise contacted by the Court.	<p>Will remain on the trial list on date scheduled.</p> <p>Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day.</p> <p>The Court will determine which trials will proceed.</p> <p>Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court.</p>
Rule 9.1 Simplified Trial	Being scheduled for pre-trial conference (PTC).	<p>Will proceed as a PTC.</p> <p>The PTC might be scheduled at a different time or even a different date than the original trial date. Parties will be contacted by the Court.</p>	<p><u>Robson Square</u></p> <p>Will remain on the trial list on date scheduled for in person proceeding. The Court will contact the parties regarding how to submit their Trial Statements in advance.</p> <p><u>Richmond</u></p> <p>Will proceed as a PTC. The PTC might be scheduled at a different time or even a different date than the original trial date. Parties will be contacted by the Court.</p>

b. Urgent Small Claims Matters

Urgent small claims matters as determined by a judge on the record will be heard by telephone including applications:

- a. regarding outstanding warrants;

- b. to preserve limitation periods if required (see [MO98-2020](#));
- c. to extend the time for filing pleadings where permitted under the *Small Claims Rules*; and
- d. to renew notices of claim.

See procedure for determining urgent matters below under subsection (c).

c. Procedure for Determining Urgent Small Claims Matters

Applications to a judge for determining if a matter is urgent can be sent:

- a. electronically (where able) using [Court Services Online](#);
- b. by email, phone or mail to the applicable local [court registry](#); or,
- c. by fax to fax filing registries (see [GEN 01 Practice Direction](#)).

d. New Filings

No new non-urgent small claims filings will be accepted by the Provincial Court registries until further notice, except those documents listed in **Appendix “C”**.

These documents can be filed:

- a. electronically (where able) using [Court Services Online](#);
- b. by email or mail to the applicable local [court registry](#); or,
- c. by fax to fax filing registries (see [GEN 01 Practice Direction](#)).

We are continuing to re-examine when we can expand to accept new filings.

III. CRIMINAL (ADULT AND YOUTH)²

To contact Legal Aid to make an application or seek help with an urgent problem relating to a criminal court matter that has been adjourned in response to the current COVID-19 situation, please call your local **Legal Aid office** or call **1-866-577-2525** (BC wide) or **604-408-2172** (Greater Vancouver).

² In this Part, “trial” includes preliminary inquiry if not already stated. Also, in this Part, for references to a pre-trial conference (PTC), the purpose of a PTC is to ensure that: (i) only those requiring a trial are actually set for hearing; and (ii) to discuss with the pre-trial conference judge how the trial will proceed, including discussions about: what admissions can be made; whether certain aspects of the trial can be completed virtually or through written submissions; and, how much court time the trial will require. See [CRIM 12 Practice Direction: Criminal Pre-Trial Conferences During COVID-19](#) for applicable procedures and forms.

1. PERSONS IN CUSTODY

a. In custody criminal trials and trial continuations originally scheduled or adjourned during COVID Period #1 and #2, and scheduled after July 3, 2020

For in-custody trials and trial continuations, other than for urgent matters, originally scheduled during March 16 to May 16, 2020 (“COVID #1”) and May 19 to July 3, 2020 (“COVID #2”), and scheduled after July 3, 2020, please see the table below for the current status of the appearances.

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled for after July 3, 2020
In-custody trial or trial continuation (excluding summary proceedings - all those trials set for a half day or less)	Pre-trial conference by audioconference or videoconference will be scheduled by the JCM after contacting the parties, even if a new trial date has already been set in the interim.	Pre-trial conference by audioconference or videoconference will be scheduled by the Judicial Case Manager after contacting the parties.	<p>Will remain on the trial list on date scheduled.</p> <p>Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day.</p> <p>Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court.</p> <p>The Court will determine which trials will proceed.</p> <p>Trials adjourned for lack of court time will be scheduled for a PTC before a new trial date is fixed.</p>

Appearance type	Current status of appearance originally scheduled/adjourned during COVID #1 (March 15-May 16)	Current status of appearance originally scheduled/adjourned during COVID #2 (May 19-July 3)	Current status of appearance scheduled for after July 3, 2020
In-custody summary proceedings trial or trial continuation (all those trials set for a half day or less)	<p>Adjourned as noted in Appendix "A" - Adjournment Details</p> <p>The Court file will record that these adjournments are due to COVID-19.</p>	<p>Will remain scheduled on the date originally set for trial with the accused appearing by videoconference and counsel appearing by telephone or videoconference.</p> <p>The trial will not proceed on that date, and if not resolved will be adjourned to another date as directed by the judge to fix a new trial date.</p>	<p>Will remain on the trial list on date scheduled.</p> <p>Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day.</p> <p>Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court.</p> <p>The Court will determine which trials will proceed.</p>

If an in custody trial was originally scheduled from June 1 to July 3, 2020, the issue of urgency can be raised with the pre-trial conference judge and, if necessary, permission may be granted to make an urgency application on the record.

For COVID #1 and #2 in custody criminal matters, if there has been a pre-trial conference and the matter is still proceeding to trial, counsel **must** contact the applicable JCM with their available dates to schedule the trial before their next appearance.

b. New in custody charges occurring during COVID #1 and COVID #2 and after July 3, 2020 that require more than a half day of trial

For all new adult and youth in custody files with charges occurring during COVID #1 and COVID #2 and after July 3, 2020 that require more than a half day of trial:

- i. Files that have been set for trial or preliminary inquiry must have a pre-trial conference prior to the trial or preliminary inquiry proceeding; and
- ii. Files that have not been set but wish to be set for trial or preliminary inquiry must have a pre-trial conference before being scheduled for trial or preliminary inquiry.

To schedule a pre-trial conference contact a [Judicial Case Manager](#) at the applicable court location.

c. Other criminal appearances

The scheduling and hearing of in-custody sentencings or bail hearings will proceed unless adjourned by the Court on application by a party. To schedule an application contact a [Judicial Case Manager](#) at the applicable court location. Parties must appear by video conference or telephone for in custody sentencing and bail hearings. Adjournments due to COVID-19 will be noted as such in the Court file.

Consent remand matters will proceed by telephone in court or by submitting by email to the Judicial Case Manager at the applicable local court location the [Consent Requisition Form](#). Please refer to “Alternatives to in-person appearance” in [CRIM 13 Practice Direction: Initial Appearance Court During COVID-19](#).

All judicial interim release (bail) hearings will continue to use video/telephone conferences (instead of in-person appearances), unless a judge or justice orders otherwise. Bail applications occurring outside of Court sitting hours shall be referred to the [Justice Centre](#).

For consent bail variations without a surety, the Application to Vary Bail by Consent Form (PCR 317) (<https://www2.gov.bc.ca/gov/content/justice/courthouse-services/documents-forms-records/court-forms/criminal-court-forms>) may be sent to the [Judicial Case Manager](#) at the applicable local court location in one of the following ways:

- a. by email; or
- b. if available in the location, by facsimile.

Counsel for a person in-custody may sign the Form on their behalf if it is their application. For consent bail variations with a surety, please call the [Judicial Case Manager](#) at the applicable local court location for further information.

For applications to replace a police undertaking under s. 502(2) of the *Criminal Code* the Application to a Judge Form (PCR 315) is available at:

<https://www2.gov.bc.ca/gov/content/justice/courthouse-services/documents-forms-records/court-forms/criminal-court-forms>.

2. PERSONS OUT OF CUSTODY (including Circuit Courts)

a. COVID 1: Out of custody criminal trials and trial continuations originally scheduled from March 16 to May 16, 2020

Out of custody trials and trial continuations (excluding summary proceedings - all those trials set for a half day or less) that were previously scheduled from March 16 to May 16, 2020 that were adjourned to a date by the court or as set out in **Appendix “A” - Adjournment Details** will be scheduled for a pre-trial conference by audioconference or videoconference before a new trial date is set. Judicial Case Managers will contact the parties before the next court date to

schedule the pre-trial conference. See [CRIM 12 Practice Direction: Criminal Pre-Trial Conferences During COVID-19](#) for applicable procedures and forms.

For COVID 1 out of custody criminal matters (excluding summary proceedings - all those trials set for a half day or less), if there has been a pre-trial conference and the matter is still proceeding to trial, counsel **must** contact the applicable JCM with their available dates to schedule the trial before their next appearance.

Out of custody COVID 1 summary proceedings trials (all those trials set for a half day or less) and continuations will not have a pre-trial conference. These trials are adjourned without the parties having to attend Court in person. See **Appendix “A” - Adjournment Details** (shaded in grey) for the next date to fix a new trial date. The Court file will record that these adjournments are due to COVID-19.

b. COVID 2: Out of custody criminal trials and trial continuations originally scheduled from May 19 to July 3, 2020

If you have an out custody criminal trial or continuation on...	You must contact the Judicial Case Manager at the applicable local court location to arrange to have the Court determine by telephone whether the trial is urgent and any next steps before...	If no urgency application is made, you are deemed to have consented to an adjournment to the date below and Witnesses and parties represented by counsel will be de-notified. The Court file will record that these adjournments are due to COVID-19.
May 19 – 29, 2020	May 8, 2020	August 18, 2020
June 1 – 12, 2020	May 15, 2020	August 31, 2020
June 15 – July 3, 2020	May 29, 2020	September 15, 2020

Out of custody criminal trials and continuations (excluding summary proceedings - all those trials set for a half day or less) will be scheduled for a pre-trial conference by audioconference or videoconference. See [CRIM 12 Practice Direction: Criminal Pre-Trial Conferences During COVID-19](#) for applicable procedures and forms.

For COVID 2 out of custody criminal matters (excluding summary proceedings - all those trials set for a half day or less) , if there has been a pre-trial conference and the matter is still proceeding to trial, counsel **must** contact the applicable JCM with their available dates to schedule the trial before their next appearance.

Out of custody COVID 2 summary proceedings trials (all those trials set for a half day or less) and continuations will not have a pre-trial conference. These trials are adjourned without the parties having to attend Court in person. See **Appendix “A” - Adjournment Details** (shaded in

grey) for the next date to fix a new trial date. The Court file will record that these adjournments are due to COVID-19.

c. Out of custody criminal trials and trial continuations scheduled after July 3, 2020

For out of custody trials and trial continuations scheduled after July 3, 2020, please see the table below for the current status.

Appearance type	Current status of appearance scheduled for after July 3, 2020
Out of custody trial or trial continuation (excluding summary proceedings - all those trials set for a half day or less)	Will remain on the trial list on date scheduled. Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day. Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court. The Court will determine which trials will proceed. Trials adjourned for lack of court time will be scheduled for a PTC before a new trial date is fixed.
Out of custody summary proceedings trial or trial continuation (all those trials set for a half day or less)	Will remain on the trial list on date scheduled. Counsel and self-represented litigants are to attend Court on date scheduled at 9:00 AM to advise if ready to proceed that day. Witnesses and parties represented by counsel are to wait outside the courthouse (within a 30 minute distance) and be prepared to be called to attend court. The Court will determine which trials will proceed.

d. New out of custody charges occurring during COVID 1 and COVID 2 and after July 3, 2020 that require more than a half day of trial

For all new adult and youth out of custody files with charges occurring during COVID 1 and COVID 2 and after July 3, 2020 that require more than a half day of trial:

- i. Files that have been set for trial or preliminary inquiry must have a pre-trial conference prior to the trial or preliminary inquiry proceeding; and
- ii. Files that have not been set but wish to be set for trial or preliminary inquiry must have a pre-trial conference before being scheduled for trial or preliminary inquiry.

To schedule a pre-trial conference contact a [Judicial Case Manager](#) at the applicable court location.

e. Other out of custody criminal matters scheduled to proceed from May 19 to July 3, 2020

With the exception of trials, continuations and matters determined by a judge to be urgent (see above), all out of custody criminal matters (initial appearances, remands, applications, and sentencings³) scheduled to proceed from May 19 to July 3, 2020 are adjourned without the parties having to attend Court. See **Appendix “A” - Adjournment Details** (shaded in grey) for the next date. The Court file will record that these adjournments are due to COVID-19.

If you think your matter (other than a trial) is urgent, you or your counsel must contact the [Judicial Case Manager](#) at the applicable local court location and they will arrange to have a judge determine, by telephone, whether the matter is urgent and any next steps.

f. Process for Resolution of Non-urgent Criminal Disposition Matters

The Court will hear dispositions on non-urgent criminal files where:

- i. the accused (out of custody) and counsel agree to appear by telephone;
- ii. the prosecutor and defence counsel have agreed to similar submissions as to a fit sentence that does not involve any incarceration but may factor in time already spent in custody and include a one day jail sentence where the accused is not taken into custody; and
- iii. the disposition will not require more than 45 minutes of court time.

In order to schedule these dispositions, defence counsel must:

- iv. complete the “[Request for Resolution of Non-Urgent Matters](#)” Form;
- v. fax or email the completed Form to the applicable local [court registry](#); and
- vi. provide a means by which the accused will receive a printed copy of any court order(s). For example, this could be an email, fax or mailing address for the accused or their counsel.

A Judicial Case Manager will contact counsel to schedule the telephone hearing before a judge. Scheduling of these hearings will begin as of May 4, 2020.

All materials to be relied on must be provided to the court two days in advance of the hearing. Those materials will include the picklist terms agreed to as part of any peace bond, probation order, or conditional sentence order.

g. Filings

No new non-urgent criminal filings, other than noted above, will be accepted by the applicable local [court registry](#) until further notice. We are continuing to re-examine when we can expand to accept other filings.

³ Subject to the “Process for Resolution of Non-Urgent Criminal Disposition Matters” below.

Information must be sent by telecommunication (fax or telephone) to the applicable local [court registry](#). The process hearing will be done by telephone.

3. INITIAL APPEARANCE COURT

The previous version of this Notice was unclear about whether Initial Appearance Court matters scheduled from June 15 to July 3, 2020 are adjourned as set out in **Appendix “A”**.

For the Fraser, Interior, Northern, and Vancouver Regions, Initial Appearance Court will recommence at all reopened court locations effective June 15, 2020.

For the Vancouver Island Region, Initial Appearance Court will recommence at all reopened court locations effective July 6, 2020. If you have matters scheduled from June 15 to July 3, 2020, you do not need to attend court and your matter will be adjourned as set out in **Appendix “A”**.

Please see [CRIM 13 Practice Direction: Initial Appearance Court During COVID-19](#) for further details.

4. INDIGENOUS COURTS

a. Matters originally scheduled from March 16 to May 16, 2020 (COVID 1)

All Indigenous Court matters scheduled to proceed from March 16 to May 16, 2020 (except for those matters scheduled in Duncan on May 11 and 15, 2020) are adjourned without the parties having to attend Court. See **Appendix “B” - Indigenous Courts Adjournment Details** for more information.

b. Matters originally scheduled from May 19 to July 3, 2020 (COVID 2), and matters scheduled after July 3, 2020

All Indigenous Court matters scheduled from May 19 to July 3, 2020 (and May 11 and 15, 2020 in Duncan), and matters scheduled after July 3, 2020, will remain on the date scheduled unless otherwise notified by the Court. The Court anticipates hearing these matters by audioconference or videoconference without the participants attending court in person until further notice.

5. JUDICIAL AUTHORIZATIONS

This direction suspends the [CRIM 03 Practice Direction regarding Daytime Search Warrant Applications](#) until further notice.

For all warrants, including judge only warrants, peace officers should contact the Justice Centre. Do not attend your local courthouse in person.

Until further notice, all applications for judicial authorization that can be made by telecommunication should be made by telecommunication for judicial consideration, unless a judge or justice directs otherwise. In person applications for all applications that can be made by telewarrant pursuant to section 487.1 of the *Criminal Code* will not be accepted by the Justice Centre.

Affidavits in support of applications for all judicial authorizations must be properly sworn before being transmitted to the judge or justice.

6. SECTION 490 DETENTION OF THINGS SEIZED

Section 490 *Criminal Code* extension applications will be heard by telephone. New applications must include a date/time and phone number that the applicant and disputant can attend by telephone. On the day of the telephone hearing, if the matter is uncontested, and service has been proven, the CSB Justice of the Peace or Judicial Justice will review the application along with supporting materials filed. If the matter is contested, the CSB Justice of the Peace or Judicial Justice will obtain the telephone contact information for the applicant and disputant and provide that to the applicable local [Judicial Case Manager](#), who will arrange to have a Provincial Court Judge determine by telephone whether the matter is urgent and any next steps.

7. APPLICATION TO RENDER ACCUSED BY SURETY

Those no longer wanting to be sureties for an accused can fill out the form, [Application to render accused by surety pursuant to s. 766\(1\) of the Criminal Code](#) (PCR 967), and make that application by faxing, emailing or mailing the form to the applicable local [court registry](#).

IV. PUBLIC HEALTH EMERGENCY MATTERS

Matters related to public health and safety and the COVID-19 pandemic, including matters under the *Quarantine Act*, *Public Health Act* and similar statutes and regulations, are urgent hearings and will proceed with all participants appearing by audio conference or video conference. The hearing will not be in person. Applications can be sent by email, phone or mail to the applicable local [court registry](#).

V. TRAFFIC, TICKET OR BYLAW MATTERS

Traffic, ticket and bylaw matters, with hearings previously scheduled for March 18, 2020 and thereafter, are adjourned for rescheduling without the disputant having to attend Court. Parties will be sent a new notice of hearing that will include the date, time and location of the hearing. The Court is in the process of developing these new dates, times and locations and will provide further information as soon as possible.

Disputants have the options of:

- a. **Filing Written Reasons including a request for a fine reduction and/or time to pay** (link to form: <https://www2.gov.bc.ca/assets/gov/law-crime-and-justice/courthouse-services/court-files-records/court-forms/traffic/ptr022.pdf>)
- b. **Paying the fine(s) on the ticket**

The timeline to pay fines related to a Provincial Court traffic, ticket, or bylaw case is extended to July 15, 2020.

To dispute a violation ticket and have a trial date assigned as a future available court date, the Disputant can download a [form](#) and mail it in to: Ticket Dispute Processing, Bag 3510, Victoria, B.C. V8W 3P7.

VI. CIRCUIT COURTS

The Court is reaching out to stakeholders to see if remote hearings are possible.

Scheduling contact information is available in **Appendix “A”**.

THE FOREGOING IS SUBJECT TO CHANGE, ANY UPDATED DIRECTIONS WILL BE POSTED ON THE COURT’S WEBSITE.

History of Notice to the Profession and Public

- Original Notice to the Profession and Public issued on March 19, 2020, and effective March 25, 2020 (unless otherwise stated in the Notice).
- Updated Notice issued March 23, 2020 with additions noted in red.
- April 2, 2020: Updated Appendix B to replace picture of Application to Vary Bail by Consent Form with link to the Form.
- April 14, 2020: Changes since last update noted in red, including adding applications to replace a police undertaking under s. 502(2) of the *Criminal Code* under “Persons in Custody”; revising “Judicial Authorization” section and removing “Justice Centre” section in Part III “Criminal (Adult and Youth)”; adding Part IV “Public Health Emergency Matters”; and housekeeping changes.
- April 28, 2020: Updated to set out the plan to commence recovery of some court operations that are capable of being done remotely by audioconference or videoconference.
- May 8, 2020: Updated to address: summary proceedings in criminal matters; and, some urgent matters (see page 8 for information regarding a May 16, 2020 deadline).
- June 12, 2020: Updated to remove reference to Hub Courts; address Initial Appearance Court, remand appearances, and court appearances scheduled after July 3, 2020; update Appendix “C”; add Appendix “D”. See, also, [NP 22 Resuming In-Person Proceedings During COVID-19: Health & Safety Protocols](#) and [NP 21 Guide to Remote Proceedings](#).

By Direction of Chief Judge Melissa Gillespie
Provincial Court of British Columbia

APPENDIX "A" – ADJOURNMENT DETAILS

If your court location is listed in the table immediately below, you will be required to contact the scheduling contact noted below for your location (by email or telephone) **on the date you were originally scheduled to attend Court** in order to set your next appearance date.

AREA	COURT LOCATION	SCHEDULING CONTACT
Campbell River	Campbell River (staffed)	CampbellRiver.Scheduling@provincialcourt.bc.ca
	Gold River (circuit)	250-286-7556 (Mon and Tue) 250-334-1237 (Wed, Thu, and Fri)
Cariboo	Quesnel (staffed)	Cariboo.Scheduling@provincialcourt.bc.ca
	Williams Lake (staffed)	250-398-4377
	100 Mile House (circuit)	
	Anaheim Lake (circuit)	
Courtenay	Courtenay (staffed)	Courtenay.Scheduling@provincialcourt.bc.ca 250-286-7556 (Mon and Tue) 250-334-1237 (Wed, Thu, and Fri)
Duncan	Ganges (circuit)	Dun.Scheduling@provincialcourt.bc.ca 250-746-1201
Kamloops	Clearwater (circuit)	Kamloops.Scheduling@provincialcourt.bc.ca
	Lillooet (circuit)	250-828-4086
	Merritt (circuit)	
East Kootenays	Cranbrook (staffed)	EKootenays.Scheduling@provincialcourt.bc.ca
	Golden (staffed)	250-426-1354
	Creston (circuit)	
	Fernie (circuit)	
	Invermere (circuit)	
	Sparwood (circuit)	
West Kootenays	Nelson (staffed)	WKootenays.Scheduling@provincialcourt.bc.ca
	Rossland (staffed)	250-354-6870
	Castlegar (circuit)	
	Grand Forks (circuit)	
	Nakusp (circuit)	
North Vancouver	Pemberton (circuit)	NVan.Scheduling@provincialcourt.bc.ca 604-981-0293
OCJ	Atlin	LChung@provincialcourt.bc.ca
	Good Hope Lake	
	Lower Post	
	Bella Bella	Vanessa.Fong@gov.bc.ca
	Bella Coola	236-468-3628
	Klemtu	
	Kwadacha	DKrenz@provincialcourt.bc.ca
	Tsay Keh Dene	
Peace District	Chetwynd (circuit)	Peace.District.Scheduling@provincialcourt.bc.ca
	Tumbler Ridge (circuit)	250-787-3416
Penticton	Princeton (circuit)	Penticton.Scheduling@provincialcourt.bc.ca 250-492-1298

Port Hardy	Port Hardy (staffed)	PortHardy.Scheduling@provincialcourt.bc.ca 250-286-7556 (Mon and Tue) 250-334-1237 (Wed, Thu, and Fri)
Powell River	Powell River (staffed)	LCaporale@provincialcourt.bc.ca and YHadfield@provincialcourt.bc.ca 604-485-3630
Prince George	Mackenzie (staffed by Service BC)	PG.Scheduling@provincialcourt.bc.ca 250-614-2740 or 250-614-2756
	Valemount (staffed by Service BC)	
	Fort St. James (circuit)	
	Fraser Lake (circuit)	
	McBride (circuit)	
	Vanderhoof (circuit)	
Prince Rupert	Prince Rupert (staffed)	PrinceRupert.Scheduling@provincialcourt.bc.ca 250-847-7482
	Masset (circuit)	
	Queen Charlotte (circuit)	
Smithers	Burns Lake (staffed)	Smithers.Scheduling@provincialcourt.bc.ca 250-847-7482
	Smithers (staffed)	
	Hazelton (circuit)	
	Houston (circuit)	
Terrace	Fort Nelson (staffed)	Terrace.Scheduling@provincialcourt.bc.ca 250-638-2140
	Dease Lake (circuit)	
	Kitimat (circuit)	
	New Aiyansh (circuit)	
	Stewart (circuit)	
Vernon	Salmon Arm (staffed)	Vernon.Scheduling@provincialcourt.bc.ca 250-549-5433 (Vernon) 250-833-3376 (Salmon Arm)
	Revelstoke (circuit)	

For all other court locations **not** listed in the above table, your matter is adjourned to the date set out below to fix your next appearance date:

If your matter is scheduled for...	Your matter is adjourned to fix a date ("adjourned date"/ "next date") for your next appearance on...
March 16	June 15
March 17	June 16
March 18	June 17
March 19	June 18
March 20	June 19
March 23	June 22
March 24	June 23
March 25	June 24
March 26	June 25
March 27	June 26
March 30	June 29
March 31	June 30

April 1	July 2 (STAT July 1)
April 2	July 3
April 3	July 6
April 6	July 7
April 7	July 8
April 8	July 9
April 9	July 10
April 14	July 13
April 15	July 14
April 16	July 15
April 17	July 16
April 20	July 17
April 21	July 20
April 22	July 21
April 23	July 22
April 24	July 23
April 27	July 24
April 28	July 27
April 29	July 28
April 30	July 29
May 1	July 30
May 4	July 31
May 5	August 4 (STAT Aug 3)
May 6	August 5
May 7	August 6
May 8	August 7
May 11	August 10
May 12	August 11
May 13	August 12
May 14	August 13
May 15	August 14
May 19	August 18
May 20	August 19
May 21	August 20
May 22	August 21
May 25	August 24
May 26	August 25
May 27	August 26
May 28	August 27
May 29	August 28
June 1	August 31
June 2	September 1
June 3	September 2
June 4	September 3
June 5	September 4
June 8	September 8 (Statutory holiday September 7)
June 9	September 9

June 10	September 10
June 11	September 11
June 12	September 14
June 15	September 15
June 16	September 16
June 17	September 17
June 18	September 18
June 19	September 21
June 22	September 28
June 23	September 29
June 24	September 30
June 25	October 1
June 26	October 2
June 29	October 5
June 30	October 6
July 2	October 7
July 3	October 8

APPENDIX "B" – INDIGENOUS COURTS ADJOURNMENT DETAILS

INDIGENOUS COURT	If you have an existing appearance date scheduled for ...	Your matter is adjourned to fix a date for your next appearance on ...
DUNCAN	Thursday, March 26	Monday May 11 (half day)
	Thursday, April 23	Friday May 15
KAMLOOPS	Friday, April 3	Friday, June 5
	Friday, May 8	Friday, July 10
MERRITT	Wednesday, April 22	Wednesday, June 17
NEW WESTMINSTER	Thursday, April 9	Thursday, June 4
	Thursday, May 7	Thursday, July 2
NORTH VANCOUVER	Wednesday, March 18	Wednesday, June 3
	Wednesday, April 8	Wednesday, June 17
PRINCE GEORGE	Tuesday, April 7	Tuesday, June 2
	Tuesday, May 5	Tuesday, July 7

APPENDIX “C” – ACCEPTED NEW FILINGS⁴

Accepted Family Filings:

- Certificate of Attendance (Parenting After Separation)
- Change of address (PFA 053)
- Consent orders and written agreements
- Consent to change trial date (Rule 11(1) Provincial Court (Family Rules))
- Consent to transfer court file (Rule 19(5) Provincial Court (Family Rules))
- Financial statements
- Interjurisdictional Support Order (ISO) Filings
 - Form I – Financial Statement
 - Form L – Respondent’s Response to Application
- Notice of Filing (FMEA)
- Notice of Withdrawal (FMEA)
- Notification from counsel advising change of counsel (PFA 053 or letter)
- Orders made by the Provincial Court
- Proof of service
- Referral Request
- Reply (matter will not be set at this time)
- Subpoenas
- Victoria Early Resolution and Case Management Model (Victoria only):
 - Form A – Notice to Resolve
 - Form D – Financial Statements
 - Form E – Certificate of Service
 - Form H – Application for Case Management (only for consent applications)
 - Form N – Application for Family Law Matter Consent Order

Accepted Small Claims Filings:

- Application to the Registrar (to adjourn a scheduled settlement conference or trial conference)
- Certificate of Compliance (matter will not be set at this time)
- Certificate of Readiness (matter will not be set at this time)
- Filings that end a file
 - Acknowledgement of payment
 - Notice of withdrawal
- Filings that result in a consent or agreement:
 - Acceptance of Offer
 - Agreement
 - Consent Order
 - Consent to act as guardian
 - Consent to adjourn settlement conference

⁴ Appendix “C” is subject to change, please check back regularly for any updates.

- Consent to adjourn trial conference
- Mediation documents
 - Fee declaration
 - Mediation agreement
 - Result of mediation
- Notice of change of address
- Notice to the claimant (matter will not be set at this time)
- Notices of Bankruptcy, and Consumer Proposals
- Proof of Service:
 - Affidavit of Service
 - Certificate of Service
- Reply (matter will not be set at this time)
- Reply to third party claim
- Request for payment out (where the 10 day notice was served prior to March 6, 2020)
- Third party claim
- Trial Statements

APPENDIX “D” - LOCATIONS RESUMING IN PERSON PROCEEDINGS AS OF JUNE 15, 2020⁵

<u>Abbotsford</u> 32203 South Fraser Way Abbotsford, BC V2T 1W6	<u>Campbell River</u> 500 - 13th Avenue Campbell River, BC V9W 6P1	<u>Chilliwack</u> 46085 Yale Road Chilliwack, BC V2P 2L8
<u>Courtenay</u> 420 Cumberland Road Courtenay, BC V9N 2C4	<u>Cranbrook</u> 102 - 11th Avenue South Cranbrook, BC V1C 2P3	<u>Dawson Creek</u> 1201 - 103 Avenue Dawson Creek, BC V1G 4J2
<u>Duncan</u> 238 Government Street Duncan, BC V9L 1A5	<u>Fort St. John</u> 10600 - 100 Street Fort St John, BC V1J 4L6	<u>Kamloops</u> 455 Columbia Street Kamloops, BC V2C 6K4
<u>Nanaimo</u> 35 Front Street Nanaimo, BC V9R 5J1	<u>Nelson</u> 320 Ward Street Nelson, BC V1L 1S6	<u>New Westminster</u> 651 Carnarvon St. New Westminster, BC V3M 1C9
<u>North Vancouver</u> 200 East 23rd Street North Vancouver, BC V7L 4R4	<u>Penticton</u> 100 Main Street Penticton, BC V2A 5A5	<u>Port Alberni</u> 2999 - 4th Avenue Port Alberni, BC V9Y 8A5
<u>Port Coquitlam</u> 2620 Mary Hill Road Port Coquitlam, BC V3C 3B2	<u>Port Hardy</u> 9300 Trustee Road Port Hardy, BC V0N 2P0	<u>Powell River</u> 6953 Alberni Street Powell River, BC V8A 2B8
<u>Prince Rupert</u> 100 Market Place Prince Rupert, BC V8J 1B8	<u>Quesnel</u> 350 Barlow Avenue Quesnel, BC V2J 2C2	<u>Richmond</u> 7577 Elmbridge Way Richmond, BC V6X 4J2
<u>Rossland</u> 2288 Columbia Avenue Rossland, BC V0G 1Y0	<u>Salmon Arm</u> 550 - 2nd Avenue Salmon Arm, BC V1E 4S4	<u>Sechelt</u> 5480 Shorncliffe Avenue Sechelt, BC V0N 3A0
<u>Smithers</u> 3793 Alfred Ave. Smithers, BC V0J2N0	<u>Terrace</u> 3408 Kalum Street Terrace, BC V8G 2N6	<u>Vernon</u> 3001 - 27th Street Vernon, BC V1T 4W5
<u>Williams Lake</u> 540 Borland Street Williams Lake, BC V2G 1R8		

⁵ In addition to Surrey, 222 Main Street (Vancouver), Robson Square (Vancouver), Victoria, Prince George, and Kelowna.