



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: 23 Feb 2015

SM. CL. 03

PRACTICE DIRECTION

SCHEDULING OF CIVIL CASES

Purpose

To clarify scheduling procedures to ensure cases are resolved in a just, speedy, inexpensive and simple manner according to the mandate of Section 2 of the *Small Claims Act*.

Application

This practice direction applies to all court locations in the Province except Robson Square (where *Small Claims Rule 7.5* applies).

Directions

Cases requiring more than ½ day of trial time

1. Cases that are estimated to exceed a ½ day for trial may be adjourned to a trial preparation settlement conference. Orders may be made at the settlement conference requiring statements of facts, witness 'will says', and documents and reports to be brought to the trial preparation settlement conference.
2. The trial preparation settlement conference will generally occur in a settlement conference room and will be a working session to examine evidence and determine issues. It is expected that counsel and the parties will address, with the judge, the issue of trial time with the goal of a just, speedy, simple and inexpensive resolution of disputes.
3. It is expected that only one settlement conference will be required in each case to explore settlement, and a further conference, in cases set for more than a ½ day, to prepare for trial.

Settlement Offer Rule

4. The profession is encouraged to utilize the settlement offer Rule 10.1 prior to, or within 30 days of a settlement conference, which may permit a recovery of substantial costs, if a matter proceeds through trial.

Duration

This practice direction is in effect from February 02, 2006 and remains in effect until further direction from the Chief Judge.

History of Practice Direction

- Original practice direction dated February 02, 2006.
- Amended practice direction dated February 23, 2015 (changes to wording and formatting - paragraph two (cases under \$10,000) and paragraph three (cases over \$10,000) of the original practice direction deleted).

I make this practice direction pursuant to my authority under the *Provincial Court Act*, R.S.B.C. 1996, c. 379, the *Small Claims Act*, R.S.B.C. 1996, c. 430 and the *Small Claims Rules*, B.C. Reg. 261/93.

Thomas J. Crabtree
Chief Judge
Provincial Court of British Columbia