



THE PROVINCIAL COURT OF BRITISH COLUMBIA

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## Semi-Annual Time to Trial Report

### March 31, 2017

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## 1. Introduction

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On September 14, 2010, the Provincial Court of British Columbia released the report “Justice Delayed: A Report of the Provincial Court of British Columbia Concerning Judicial Resources”. One recommendation of the Report was to issue regular updates to the Attorney General and the public concerning time to trial in each area of the Court’s jurisdiction. The Court now publishes such a report semi-annually.

Time to trial measures the time elapsed until the next available date (in months) that a defined event can be routinely scheduled onto a future court list in a particular location.<sup>1</sup> Time to trial does not reflect when cases are actually set, rather it is an estimate of when court time would be available to schedule a particular activity. This estimate is then compared against the standard established by the Court for that activity.

Time to trial data is currently collected from 69 court locations. The current update includes the following information as of March 31, 2017:

- Adult Criminal Weighted Provincial Time to Trial;
- Family Law Act (FLA) Weighted Provincial Time to Trial;
- Child, Family and Community Service Act (CFCSA)<sup>2</sup> Weighted Provincial Time to Trial;
- Civil Small Claims Weighted Provincial Time to Trial;
- Locations with the Longest Time to Trial in each area of the Court’s jurisdiction.
- Time to Trial Results by Location

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<sup>1</sup> Does not include fast tracked events, or dates that become available due to cancellations

<sup>2</sup> Also known as ‘Child Protection’

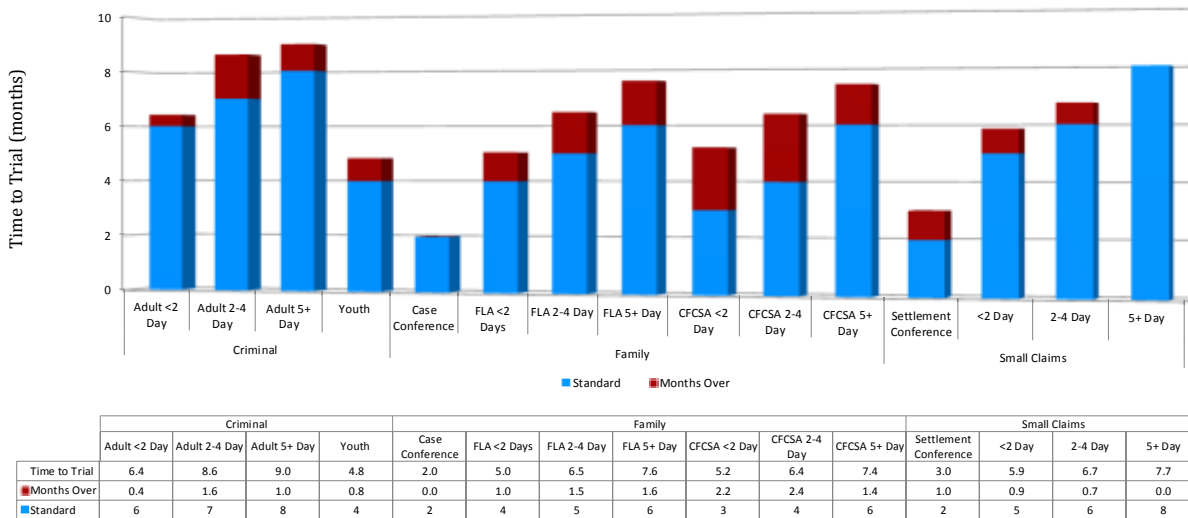
## 2. Provincial Time to Trial

Provincial weighted time to trials have generally either held steady or increased since the Provincial Court adopted new trial time categories in June 2016. The sole exception is 2-4 day small claims trials, for which time to trial decreased slightly.

Results for the longest small claims trials (5+ days) remain within standard. Family case conferences are also within standard. All other trial results exceed the Office of the Chief Judge (OCJ) Standard.<sup>3</sup>

**Figure 2** shows weighted<sup>4</sup> province-wide times to trial, as well as OCJ standards. Weighted results in all but family case conferences and five-day and longer small claim trials exceed OCJ standards as of March 31, 2017. The relative size of the delay can be seen by examining the 'months over standard' portion, which is shown in red.

**Figure 2 - Provincial Weighted Time to Trial by Jurisdiction and Trial Length**



<sup>3</sup> In order to meet the OCJ standard, 90% of cases must meet the listed time to trial.

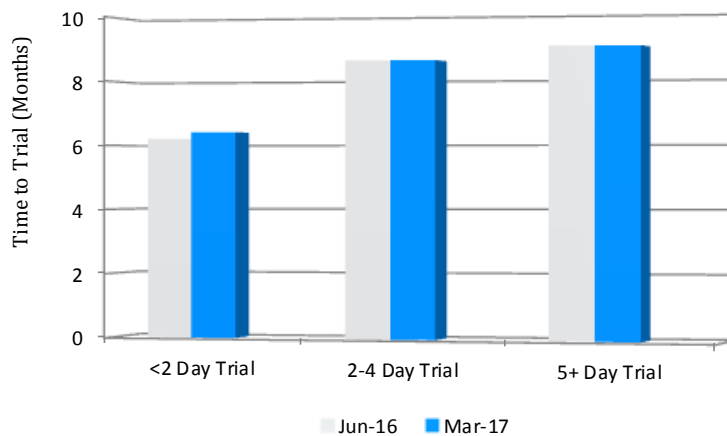
<sup>4</sup> All locations in the province were weighted based on fiscal year caseloads. Weighted time to trial is the average time (in months), weighted by caseloads, from the time a request is made to the next available date.

### 3. Weighted Results by Jurisdiction

Figures 3 to 6 show weighted province-wide times to trial and OJ standards, by division. These figures also show a comparison between June, 2016 and March, 2017.

Figure 3 sets out the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult criminal trials of various lengths. These results do not take into account the time between a first appearance in Court and the Arraignment Hearing/Fix Date. The results for March, 2017 are slightly higher in the <2 Day category, but are otherwise holding steady for all adult criminal trials.

**Figure 3 - Weighted Provincial Time to Adult Criminal Trials**

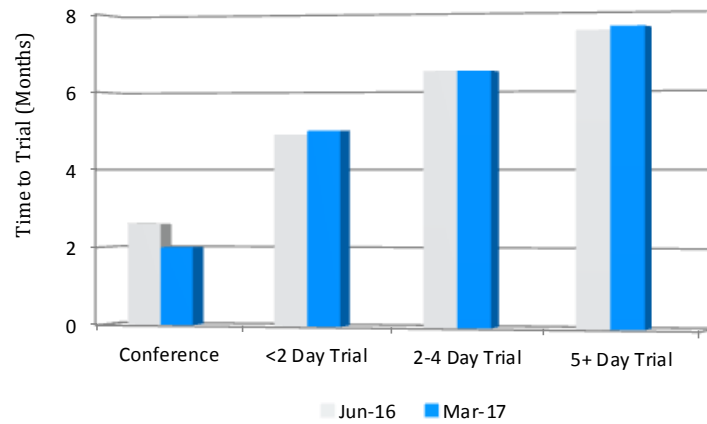


	<2 Day Adult	2-4 Day Adult	5+ Day Adult
Jun-16	6.2	8.6	9.0
Mar-17	6.4	8.6	9.0
Standard	6	7	8

Data Source: Judicial Next Available Date Surveys

Figure 4 (next page) includes two types of proceedings: family case conferences and trials. The time to a family case conference is the number of months between the date a judge directs a conference to be set and the first available date for a family case conference. The time to trial sets out the number of months between a family case conference and the first available court date for typical FLA trials of various lengths. These results do not take into account the time between a first appearance in Court and the family case conference. Results for all trial lengths either remained the same, or increased slightly. The time to an available case conference shows a decrease.

**Figure 4 - Weighted Provincial Time to FLA Trials**

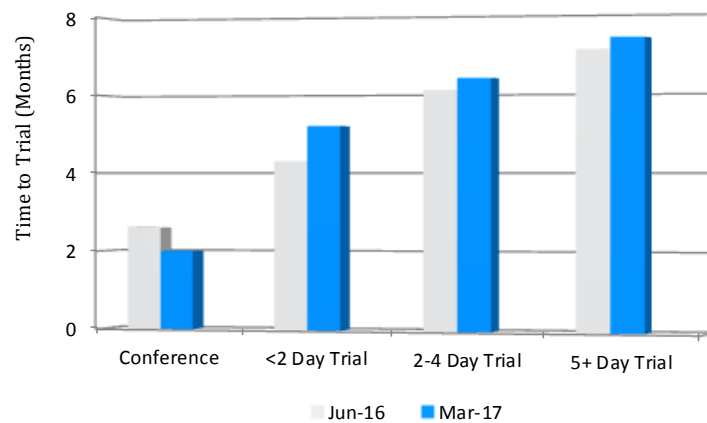


	Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Jun-16	2.6	4.9	6.5	7.5
Mar-17	2.0	5.0	6.5	7.6
Standard	2	4	5	6

Data Source: Judicial Next Available Date Surveys

**Figure 5** includes two types of proceedings: family case conferences and trials. The time to a family case conference is the number of months between the date a judge directs a conference be set and the first available date for a family case conference. The time to trial sets out the number of months between the end of a family case conference and the first available court date for a typical CFCSA trials of various lengths. These results do not take into account the time between a first appearance in Court and the case conference. Results for all trial categories show an increase in the time to trial between the two periods. The time to an available case conference shows a decrease.

**Figure 5 - Weighted Provincial Time to CFCSA Trials**



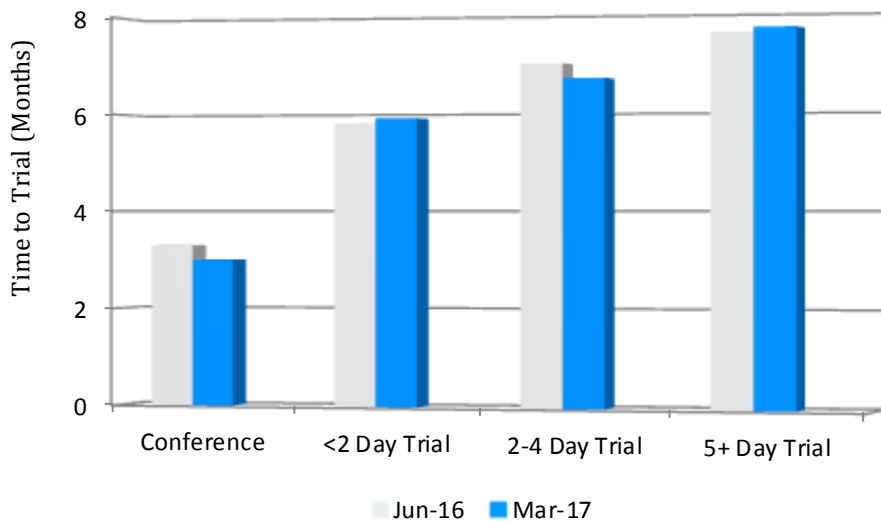
	Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Jun-16	2.6	4.3	6.1	7.1
Mar-17	2.0	5.2	6.4	7.4
Standard	2	3	4	6

Data Source: Judicial Next Available Date Surveys

**Figure 6** includes two types of proceedings: settlement conferences and trials. The time to a settlement conference is the number of months between the date the last reply or document is filed to ready the case for a settlement conference and the first available date for a settlement conference. The time to trial is the number of months between the end of a settlement conference and the first available court date for typical small claims trials of various lengths. These results do not take into account the time between the filing of a claim and the reply.

Time to Trial decreased for 2-4 day trials - the only trial result to have decreased between June, 2016 and March, 2017. 5+ day small claims trials continue to be the only trial category within standard. The time to a settlement conference shows a decrease.

**Figure 6 - Weighted Provincial Time to Small Claims Trials**



	Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Jun-16	3.3	5.8	7.0	7.6
Mar-17	3.0	5.9	6.7	7.7
Standard	2	5	6	8

Data Source: Judicial Next Available Date Surveys

## 4. Top 10 Results

Figures 7, 8, and 9 show the ten locations with the longest times to trial for different jurisdictions. Smaller locations are screened out of these calculations, as a longer wait for trial dates is more likely a result of fewer Court sittings in these locations. The OCJ standard is shown across the top, and the provincial weighted delay is shown along the bottom.

There were eight locations exceeding the standard for the longest adult criminal trials, therefore, only eight results are listed under that heading in Figure 7.

**Figure 7 - Locations with the Longest Delays to Adult Criminal Trials**

	<2 Day		2-4 Day		5+ Day	
	6 Months Max		7 Months Max		8 Months Max	
1	Fort St. John	16	Fort St. John	16	Campbell River	12
2	Dawson Creek	14	Dawson Creek	14	Surrey	11
3	Port Hardy	12	Chetwynd	14	Vancouver Criminal	11
4	Penticton	9	Port Hardy	12	Terrace	11
5	Williams Lake	9	Terrace	11	100 Mile House	11
6	Nanaimo	8	Surrey	10	Abbotsford	10
7	New Westminster	8	100 Mile House	10	Courtenay	10
8	Port Alberni	8	Vancouver Criminal	9	Williams Lake	10
9	Merritt	8	Abbotsford	9		
10	100 Mile House	8	Port Coquitlam	9		
	Provincial		6.4		8.6	
					9.0	

Figure 8 is similar to figure 7, but shows the ten locations with the longest times to trial in the two family jurisdictions.

**Figure 8 - Locations with the Longest Delays to Family Trials**

	<2 Day FLA		2-4 Day FLA		5+ Day FLA		<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
	4 Months Max		5 Months Max		6 Months Max		3 Months Max		4 Months Max		6 Months Max	
1	Port Hardy	10	Port Hardy	10	Terrace	11	Port Hardy	10	Port Hardy	10	Terrace	11
2	Williams Lake	9	100 Mile House	10	100 Mile House	11	Williams Lake	9	100 Mile House	10	100 Mile House	11
3	100 Mile House	9	Port Coquitlam	9	Kitimat	11	100 Mile House	9	Nanaimo	9	Kitimat	11
4	Nanaimo	8	Abbotsford	9	Williams Lake	10	Nanaimo	8	Abbotsford	9	Williams Lake	10
5	Port Alberni	8	Nanaimo	9	Quesnel	10	Port Alberni	8	Port Alberni	9	Quesnel	10
6	Quesnel	8	Williams Lake	9	Robson Square	9	Quesnel	8	Williams Lake	9	Robson Square	9
7	Courtenay	7	Port Alberni	9	Port Coquitlam	9	Courtenay	7	Terrace	9	Nanaimo	9
8	Merritt	7	Terrace	9	Abbotsford	9	Merritt	6	Robson Square	8	Abbotsford	9
9	Penticton	6	Robson Square	8	Kelowna	9	Hazleton	6	Quesnel	8	Kelowna	9
10	Fort St. John	6	Quesnel	8	Nanaimo	9	Kamloops	5	Merritt	8	Port Alberni	9
	Provincial		5.0		6.5		7.6		5.2		6.4	
											7.4	

Figure 9 is similar to figures 7 and 8, but shows the ten locations with the longest times to trial in the small claims jurisdiction.

**Figure 9 - Locations with the Longest Delays to Small Claims Trials**

	<2 Day		2-4 Day		5+ Day	
	5 Months Max		6 Months Max		8 Months Max	
1	Williams Lake	10	Terrace	11	Campbell River	12
2	Quesnel	10	Quesnel	10	Terrace	11
3	100 Mile House	10	100 Mile House	10	100 Mile House	11
4	Port Hardy	10	Port Hardy	10	Kitimat	11
5	Penticton	9	Port Coquitlam	9	Courtenay	10
6	Merritt	9	Nanaimo	9	Williams Lake	10
7	Kamloops	8	Campbell River	9	Quesnel	10
8	Nanaimo	8	Courtenay	9	Robson Square	9
9	Port Alberni	8	Williams Lake	9	Port Coquitlam	9
10	Vernon	7	Kitimat	9	Nanaimo	9
	<b>Provincial</b>	<b>5.9</b>		<b>6.7</b>		<b>7.7</b>

## Appendix 1: Time to Trial by Location, Jurisdiction, and Trial Length

Results for all locations for which time to trial information is collected appear in the two tables below. Results for the Criminal and Small Claims divisions are listed first, followed by results for Family Locations. Family Locations are listed by region, while assignment court locations, are listed together. The OCJ standard is shown for reference. Not all locations for which time to trial information is collected hear all kinds of trials. Grey cells indicate that the trial type in question is not heard at that location.

Of the 69 court locations for which the Court collects time to trial information, 37 are smaller operations. Of those 37 smaller locations, 11 do not have a resident judge, but are staffed and include registry services<sup>5</sup> and 26 have neither a resident judge nor registry services.<sup>6</sup> Due to the relatively small number of Court sitting days in these locations, lengthier delays are anticipated for a number of reasons including:

- The inability to accommodate longer trials. These lengthy trials cannot be scheduled for several days in a row as they often can in larger court locations
- The inability to react to caseload fluctuations which could result in an increase in the amount of cases requiring a trial.

Due to these factors, comparing similar time to trial results between large and small court locations is not particularly useful. Smaller locations are marked with an asterix in the table below.

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>6</b>	<b>7</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>6</b>	<b>8</b>
Assignment Court <sup>7</sup>	Abbotsford		9	10	4	3		7	
	Kelowna		3	7	2	2		3	4
	Main Street		9	11					
	Port Coquitlam		9	9	7	4		9	9
	Robson Square				4	4		8	9
	Surrey		10	11	7	2		5	7
	Victoria		7	8	7	2		7	8
Fraser Region	Chilliwack	5	6	7	4	2	6	7	
	New Westminster	8	8	8	5	3	5	5	
Interior Region	Castlegar *	5	6		3	2	5	6	
	Clearwater *	4	8	8	4	4	4	8	8
	Cranbrook	4	5		3	2	5	6	
	Creston *	3	5		1	1	3	5	
	Fernie *	3	5		2	3	3	5	
	Golden *	4	5		4	4	4	5	
	Grand Forks *	5	6		3	2	5	6	
	Invermere *	5	6		5	3	5	6	
Kamloops	7	8	8	4	3	8	8	8	

<sup>5</sup> Registry offices are open to public for filing documents, accessing court file information or requesting information on court processes.

<sup>6</sup> These locations are only open for scheduled courtroom appearances such as hearings and trials

<sup>7</sup> For assignment court locations, SPC replaces <2 Day trials in the survey. These results are discussed below.



Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>6</b>	<b>7</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>6</b>	<b>8</b>
Interior Region Cont'd	Lillooet *	6	8	8	4	4	6	8	8
	Merritt *	8	8	8	6	5	9	8	8
	Nakusp *	5	6		3	2	5	6	
	Nelson	5	6		3	2	5	6	
	Penticton	9	9		3	2	9		
	Princeton *	8			3	2	8		
	Revelstoke *	3	4		2	4	4	4	
	Rosland	5	6		3	2	5	6	
	Salmon Arm	7	7		4	3	7	7	
	Sparwood *	3	5		2	3	3	5	
Vernon	7	8	8	4	2	7	8	8	
Northern Region	100 Mile House *	8	10	11	8	3	10	10	11
	Anahim Lake *	1	1	1	1	1	1	1	1
	Burns Lake *	6	7	7	2	2	6	7	7
	Chetwynd *	3	14		2	2	3	5	
	Dawson Creek	14	14		13	2	6	7	
	Fort Nelson *	4	6		1	5	4	6	
	Fort St. James *	2	7		2				
	Fort St. John	16	16		15	2	6	6	
	Fraser Lake *	8			2				
	Hazelton *	7	8	9	4	4	7	8	9
	Houston *	5	6	7	4	4	6	7	7
	Kitimat *	6	9	11	4	2	6	9	11
	Kwadacha *	7	7	7	3	3	3	3	3
	MacKenzie *	6	8	8	4	2	4	4	4
	Masset *	6	8	9	6	3	6	8	9
	McBride *	5	7	7	3	1	3	5	5
	Prince George	4	8	8	3	2	4	6	6
	Prince Rupert	6	7	8	5	2	6	7	8
	Queen Charlotte City *	5	8	9	3	3	5	8	9
	Quesnel	10	10	10	10	2	10	10	10
Smithers	5	6	7	4	2	6	7	7	
Terrace	5	11	11	4	2	3	11	11	
Tumbler Ridge *	2	14		2	2	2	7		
Valemount *	5	7	7	3	1	3	5	5	
Vanderhoof *	3	3	7	3	2				
Williams Lake	9	9	10	9	2	10	9	10	
Vancouver Region	North Vancouver	3	5	6	4	3	5	6	6
	Pemberton *	5	7	7	4	4	5	7	7
	Richmond	5	5	7	2	3	5	5	5
	Sechelt	3	4	7	4	4	3	4	6
Vancouver Island Region	Campbell River	5	9	12	3	7	5	9	12
	Courtenay	7	9	10	3	4	7	9	10
	Duncan	3	6	6	3	3	3	6	6
	Nanaimo	8	9	9	3	5	8	9	9
	Port Alberni *	8	9	9	3	3	8	8	8
	Port Hardy *	12	12		3	1	10	10	
Western Communities	3	5	6	3	2	3	5	6	
OCJ	Bella Bella *	5	7		4	4	4	4	7
	Bella Coola *	6	8		4	4	4	4	7
	Powell River *	5	6		4	6			

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>2</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>
Assignment Court <sup>8</sup>	Abbotsford	2		9	9		9	9
	Kelowna	2		7	9		7	9
	Main Street							
	Port Coquitlam	2		9	9		7	7
	Robson Square	2		8	9		8	9
	Surrey	1		7	8		7	8
	Victoria	2		7	8		7	8
Fraser Region	Chilliwack	1	5	7	8	5	7	8
	New Westminster	3	5	5	5	5	5	5
Interior Region	Castlegar *	2	3	3		3	3	
	Clearwater *	4	4	8	8	4	8	8
	Cranbrook	2	4	5		4	5	
	Creston *	1	3	5		3	5	
	Fernie *	3	3	5		3	5	
	Golden *	4	4	5		4	5	
	Grand Forks *	2	3	3		3	3	
	Invermere *	3	5	6		5	6	
	Kamloops	3	5	5	8	5	5	8
	Lillooet *	3	6	8	8	5	8	8
	Merritt *	3	7	8	8	6	8	8
	Nakusp *	2	3	3		3	3	
	Nelson	2	3	3		3	3	
	Penticton	2	6	6		5	5	
	Princeton *	2	4			4		
	Revelstoke *	2	3	4		3	4	
	Roseland	2	3	3		3	3	
	Salmon Arm	2	4	4		4	4	
Sparwood *	3	3	5		3	5		
Vernon	1	4	4	8	4	4	8	
Northern Region	100 Mile House *	3	9	10	11	9	10	11
	Anahim Lake *	1	1	1	1	1	1	1
	Burns Lake *	1	2	7	7	2	7	7
	Chetwynd *	2	3	5		2	5	
	Dawson Creek	2	6	6		5	5	
	Fort Nelson *	4	4	6		3	6	
	Fort St. James *	1	2			2	4	
	Fort St. John	1	6	6		5	5	
	Fraser Lake *							
	Hazelton *	3	6	8	8	6	8	8
	Houston *	4	4	6	7	4	6	7
	Kitimat *	2	4	8	11	4	8	11
	Kwadacha *	3	3	3	3	3	3	3
	MacKenzie *	2	4	4	4	4	4	4
	Masset *	3	6	8	9	6	8	9
	McBride *	1	3	3	3	3	3	3
	Prince George	1	4	3	3	4	3	3
Prince Rupert	2	5	6	7	5	6	7	
Queen Charlotte City *	3	5	6	9	5	6	9	
Quesnel	2	8	8	10	8	8	10	

<sup>8</sup> For assignment court locations, SPC replaces <2 Day trials in the survey. These results are discussed below.

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>2</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>
Northern Region Cont'd	Smithers	2	4	6	7	4	6	7
	Terrace	2	3	9	11	3	9	11
	Tumbler Ridge *	2	2	6		2	5	
	Valemount *	1	3	3	3	3	3	3
	Vanderhoof *	1	3	7		3	7	
	Williams Lake	2	9	9	10	9	9	10
Vancouver Region	North Vancouver	2	3	5	6	2	5	6
	Pemberton *	4	5	7	7	5	7	7
	Richmond	3	5	5	5	4	5	5
	Sechelt	4	3	4	6	3	4	6
Vancouver Island Region	Campbell River	2	5	2	2	5	2	2
	Courtenay	3	7	2	2	7	2	2
	Duncan	2	3	6	6	3	6	6
	Nanaimo	3	8	9	9	8	9	9
	Port Alberni *	3	8	9	9	8	9	9
	Port Hardy *	5	10	10		10	10	
	Western Communities	1	3	5	6	3	5	6
OCJ	Bella Bella *	4	4	4	7	4	4	7
	Bella Coola *	4	4	4	7	4	4	7
	Powell River *	2	5	6		5	6	

Results for Summary Proceedings Court (SPC) appear below. The locations within the new standards are shown in green, with those above in red. The OCJ standard for each jurisdiction is listed across the top.

### Time to Trial for Summary Proceeding Court by Location and Jurisdiction

	Adult Criminal		FLA		CFCSA		Small Claims	
	4 Months Max		3 Months Max		2 Months Max		4 Months Max	
1	Kelowna	7	Port Coquitlam	4	Port Coquitlam	4	Port Coquitlam	4
2	Port Coquitlam	4	Robson Square	3	Robson Square	3	Robson Square	3
3	Abbotsford	3	Abbotsford	3	Abbotsford	3	Victoria	3
4	Victoria	3	Victoria	3	Victoria	3	Surrey	2
5	Surrey	2	Surrey	2	Surrey	2	Abbotsford	2
6	Main Street	2	Kelowna	2	Kelowna	2	Kelowna	2
	<b>All AC Locations</b>	<b>3.0</b>		<b>2.8</b>		<b>2.8</b>		<b>2.7</b>