THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective date: *02 February 2021*
CRIM 08

CRIMINAL CASEFLOW MANAGEMENT RULES

SIMPLIFIED FRONT END PROCESS (2013)
FORMS AND PROCEDURE

NOTE THAT THESE FORMS ARE OPTIONAL AND FOR THE CONVENIENCE OF COUNSEL

COVID-19 Alert: Until further notice, for the purpose of this Practice Direction, the Judicial Case Manager's (JCM) office operates on a remote basis at this time. Accordingly, despite the directions set out below, any documents should be sent to a JCM by email, and any appearances before a JCM will by default be remote (without the need to request an appearance by alternate means). See the contact information for the applicable local JCM Office here.

Accessing the Forms

The Consent Requisition, Consent Remand and Consent Arraignment forms can be found on the Ministry of Attorney General, Criminal Court Forms website at:
http://www2.gov.bc.ca/gov/content/justice/courthouse-services/documents-forms-records/court-forms/criminal-court-forms. The forms are downloadable, fillable and saveable using a computer or mobile device.

Signatures

Counsel (Crown and Defence) signatures are not required on the Consent Requisition, Consent Remand and Consent Arraignment forms.

Forms do not specify signature required. Counsel may sign if they wish to but still need to provide the printed names and contact information in the appropriate sections on the forms.

Email Submissions to the JCM

When submitting a form by email to the JCM, counsel are expected to copy opposing counsel so both will receive an email copy of the submitted form, and so the JCM can reply to all to provide confirmation to all counsel as to whether the form has been accepted.

When replying to an emailed form, JCMs will reply to all by email to inform all counsel whether the form has been accepted or not.

JCMs may reject the form for various reasons including an incomplete form or if received too late to process.

Consent Requisition, Consent Remand and Consent Arraignment forms – the Court will accept these completed forms by email, fax or in person to the JCM. The Consent Remand Form can also be submitted to the applicable court registry.

Deadline for Form Submissions

The CPD-1 Practice Direction indicates that the Consent Requisition and Consent Arraignment forms are to be submitted "*no later than 12:00 noon of the business day prior to the scheduled appearance*." This is the absolute latest time. Note that local cut-off times may vary based on in-custody transport issues. The Consent Remand Form is to be submitted the day of the scheduled appearance.

When to use Forms

	Consent Requisition	Consent Remand	Consent Arraignment
Consent Required	Yes	Yes	Yes
For use by	Defence, Crown	Defence, Crown	Defence
Signatures Required	No	No	No
For Out-of-Court Use	Yes	Yes	Yes
Submitted by parties to	JCM Office	JCM Office or Court Registry	JCM Office

Form 1 - Consent Requisition

- Not for use by self-represented litigants
- Defence may appear as agent or designated counsel
- Submit to JCM
- To be used to change, cancel or call-ahead a non-trial appearance, indicate a guilty plea, set a date for sentencing or schedule an application before a judge
- Can also be used to cancel trial date(s) and schedule a disposition hearing (but not adjourning a trial)
- Used when a personal appearance is not required by the court
- Crown and Defence counsel agree to a return date, time, reason and method

Form 3 - Consent Remand

- For use only on appearance date
- Not for use by self-represented litigants
- All counsel agree in-custody accused is not required to make an in-person appearance
- Crown and Defence counsel agree to a return date, time, reason and method
- Defence to appear as agent or designated counsel
- Can be received by JCM or the applicable court registry
- NOT to be used to vary bail

Form 4 - Consent Arraignment

- Not for use by self-represented litigants
- For Adult Criminal matters only – not to be used for Youth matters
- Defence to appear as agent or designated counsel
- For use as an alternative to attending at court
- If submitted and accepted prior to the pre-set arraignment event, JCM to vacate the future arraignment appearance
- Used for entering not guilty plea, elections, setting dates for preliminary inquiries, trials, hearings and/or pre-trial conference (see CRIM 12 Practice Direction to determine if a pre-trial conference is required)
- For multi-accused files, separate forms must be prepared for each accused
- For one accused with multiple Information numbers, separate forms must be used for each Information number sequence

History of Notice

- Original notice dated December 01, 2013.
- Amended notice dated February 23, 2015
    - Changes to formatting;
    - Title of notice changed from "Provincial Court Scheduling Project - Notes for Forms and Workflows - December 2013"; and
    - Numbered notice as CRIM 08.
- Amended notice dated January 18, 2016
    - Expands the availability of *Form 4 (CPD-1) Consent Arraignment* for use in the Vancouver Island and Northern Regions, instead of Victoria and Western Communities only;
    - Adds "Consent Arraignment Workflow - Process for Counsel";
    - Adds last bullet under heading "Form 4 - Consent Arraignment"; and
    - Changes title of first section from "Adobe Versions" to "Accessing the Forms" and adds paras. 1 and 3 to that section.
- Amended notice issued on August 22, 2018 and effective October 1, 2018
    - Removes *Form 2 (CPD-1) Applications to Vary Bail by Consent*.
- Amended June 12, 2020 to expand and revise the use of consent arraignment, consent remand and consent requisition forms.
- Amended February 2, 2021: consequential amendments per revised CPD-1 Practice Direction to reflect expanded use of Consent Requisition Form to cancel trial date(s) and schedule a disposition hearing (but not adjourning a trial); clarify COVID-19 alert that any appearances before a JCM will by default be remote and alert applies for the purpose of this practice direction; and housekeeping changes. Consent Forms updated to reflect current use and now downloadable, fillable, and saveable using a computer or mobile device.