



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: 22 July 2020

FAM 09

PRACTICE DIRECTION

CONSENT ADJOURNMENT (FLA/FMEA)

Purpose

To set out the procedure for adjourning matters under the *Family Law Act*, S.B.C. 2011, c. 25 (FLA) or the *Family Maintenance Enforcement Act*, R.S.B.C. 1996, c. 127 (FMEA) from one family remand date to another or to adjourn generally.

Application

This practice direction applies to all court registries in the Province.

Direction

1. Effective July 16, 2020 until further direction, counsel may complete and file a [Consent Adjourning Form](#) (Form) by email to the [applicable local court registry](#) to adjourn matters under the FLA or FMEA from one family remand date to another or to adjourn generally (“filing counsel”), where at least one party is represented by counsel and the filing counsel has obtained the consent of all other parties or their counsel.
2. Filing counsel shall use one Form for each court file and each remand date, and may only use the Form where counsel is adjourning a matter from one list date to another with the same time estimate (or less).
3. Filing counsel shall select one of the following on the Form:
 - a. **“Adjourned to one of the following two (2) available dates/times to be set by the Registry”** (the court registry will confirm the new date by reply email);
 - b. **“Adjourned to date/time”** for matters previously scheduled by the JCM where the new date has been provided by the JCM;
 - c. **“Adjourned to the JCM to be rescheduled”** if the appearance was previously scheduled by a JCM, unless they have already obtained a date from the JCM in advance; or

d. “Adjourned generally”.

4. Filing counsel shall email the Form to the applicable local court registry by 4:00 p.m. at least two clear business days in advance of the scheduled appearance.
5. Except where adjourned to the JCM to reschedule or adjourned generally, filing counsel shall provide all other parties or their counsel with a copy of the filed Form with the new family remand date and appearance details provided by the court registry.
6. The Consent Adjournment Form cannot be used to adjourn trials. Please use the [Consent to Court Date Form](#) to adjourn trials.

History of Practice Direction

- Original practice direction effective July 16, 2020.
- Revised practice direction effective July 22, 2020: clarifies role of filing counsel; changes filing requirement from one to two clear business days in advance in para. 4; and adds para. 5.

I make this practice direction pursuant to my authority under the *Provincial Court Act*, R.S.B.C. 1996, c. 379 and Rule 20(13) of the *Provincial Court (Family) Rules*, B.C. Reg. 417/98.

Melissa Gillespie
Chief Judge
Provincial Court of British Columbia