

## ***Assignment Court Frequently Asked Questions***

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### ***1) Where do I go when I first arrive at the court location?***

Upon arrival, counsel and self-represented parties should check the new digital display monitors for the case name and courtroom, then go to the courtroom and check in with the court clerk. Doors to the Assignment Court will open 15 minutes prior to the start of session and priority may be given to matters that are first ready to proceed, so it is beneficial to arrive on time. If you arrive when court is already in session, please wait for your case to be called. Out of custody accused, parties and/or witnesses are not required to appear in Assignment Court as long as counsel can confirm they are in the building.

### ***2) What happens in Assignment Court?***

A Judicial Case Manager (JCM) will preside and call the Assignment Court list. Counsel and self-represented parties will advise the JCM of their trial readiness when called. The JCM may ask several questions to assess whether the case should be assigned a feeder courtroom and trial judge. Such questions may include:

- Are all parties present?
- Is the matter ready to proceed as scheduled?
- Is the time estimate still accurate?

If the case is not ready proceed, the reason should be given and the JCM will advise on next steps or put the case before a judge if necessary.

### ***3) How can I prepare for Assignment Court and what is expected?***

Self-represented parties and counsel should meet with opposing parties prior to the commencement of Assignment Court to discuss how the matter will be proceeding. Counsel should have instructions from their client prior to the calling of the Assignment Court list and appear in person when the case is called. Parties are expected to advise the presiding JCM if a matter is no longer going to proceed as scheduled; any factors that may be relevant to case assignment (e.g. out of town witnesses); as well as any equipment needs or special witness accommodation.

### ***4) What types of matters will be scheduled on the Assignment Court list for 9:00 am?***

Family, Small Claims and Criminal cases will be dealt with in the Assignment Court. The types of matters that may be scheduled for 9:00 am include: trials; preliminary inquiries; bail hearings; dispositions;

continuations; or any matter requiring more than a ½ day of court time. Continuations set on dates in the future will be scheduled for 9:00 am in Assignment Court. Consecutive day continuations will be set for 9:30 am directly to the trial courtroom for each subsequent day. Please check the scheduling notice and inquire with the JCMs if you are unsure whether your matter is returnable to the Assignment Court.

### ***5) Why are continuations set for 9:00 am in Assignment Court?***

Information provided to the JCM during Assignment Court may impact how cases are fed out to trial courtrooms. For example: counsel may appear with written submissions and no longer need the time originally estimated; a witness may fall ill; the accused may wish to plead guilty; or counsel's instructions on the continuation may change. For these reasons, continuations will be scheduled on the Assignment Court list at 9:00 am when the trial is scheduled to resume at a later date.

### ***6) Can warrants be issued by the Judicial Case Manager (JCM) in Assignment Court?***

The JCM will canvass the matter on the Assignment Court list and have the option to stand the matter down to the end of the list or issue a warrant if sought. If the matter is stood down, the JCM will recall it at the end of the list so that counsel can speak to the matter. Upon hearing counsel and considering the circumstances, the JCM will make the decision to issue a warrant or stand the matter down to the JCM office for the matter to be dealt with at a later point in the day (e.g. 10:00 am). In some cases, the prosecutor may not wish to excuse their witnesses right away so they may ask for the matter to be stood down to the JCM office.

### ***7) Can an agent appear for counsel in Assignment Court?***

Counsel are required to attend in person to answer questions on the current state of trial readiness. Counsel do not have to check in right at 8:45 am if they need some additional time to interview a witness, but they are to attend in person for the calling of the assignment court list at 9:00 am. If counsel require time past 9:30 am (or following the conclusion of the Assignment Court list) to interview witnesses etc., they can make that request and the JCM will stand the matter down to the JCM office. However, once all the trial courts have started, there is a risk that there may not be another feeder trial court available if counsel is ready to proceed with the trial at a later point in the day.

### ***8) What happens if I am running late for Assignment Court?***

The JCMs will begin calling the Assignment Court list at 9:00 am. Parties who have not checked in with the court clerk will be paged to the courtroom and non-attendance will be noted on the record. If an accused person, party, or counsel is late, the matter will not be traversed to a trial court. The matter will be stood down until the end of the Assignment Court or recalled sooner if the accused person, party, or counsel arrive before the list is complete.

Although the 9:00 am start time has been raised as a concern by some counsel, the experience in Port Coquitlam has been that counsel are able to arrange their schedules so that they are present at the 9:00 am start time.

***9) What if counsel has matters scheduled in two different courtrooms at 9:00 am?***

Counsel need to appear in Assignment Court at 9:00 am to receive their trial court assignment. Counsel may have to make adjustments to their schedules and ensure they do not have over-booking conflicts with their trials.

***10) If an adjournment is requested in Assignment Court, which courtroom will it be adjourned to?***

Consent adjournments may be moved to a remand court. Contested adjournments may be put before a feeder court judge in case the adjournment is denied and the trial proceeds. If there are other files requiring a trial court, they may be stood down to the JCM office to await the outcome of a contested adjournment application.

***11) What if my trial is not proceeding? Should I just advise the JCM in Assignment Court?***

If counsel thinks the case should remain on the Assignment Court list (due to uncertainty about a plea or for other reasons) the matter can be left on the list. However, all efforts should be made in advance to remove cases from the Assignment Court list if counsel know a guilty plea will be entered or a trial will otherwise not be proceeding. Lawyers are encouraged to use the Consent Requisition form so they will not have to be in Assignment Court for 9:00 am if their trial is not proceeding as scheduled.

***12) Is there an afternoon Assignment Court list?***

In all the Assignment Court locations, there will be the possibility of an afternoon Assignment Court list but that is not expected to be a common occurrence.

***13) What are some of the benefits of Assignment Court?***

One notable benefit since Port Coquitlam started Assignment Court in July 2014 is that trials are commencing promptly at 9:30 am. Also, because the court is not pre-assigning cases to judges, there is increased flexibility for arranging early continuation dates.

***14) What if I need special equipment for my trial?***

There is an expectation of counsel that any special accommodation or equipment requests will be addressed/ booked in advance. Some of the equipment may only be available in certain courtrooms, so it is essential that counsel communicate this information to the JCMs in a timely way, in order for the JCMs to be in a position to traverse the case from Assignment Court to the designated trial courtroom with the equipment already set up.

**15) How do I give feedback regarding Assignment Court?**

Each court location has an Assignment Court working group that has representatives from each agency. Ask a local JCM who the representatives from your agency are or send an email to:

[pcss@provincialcourt.bc.ca](mailto:pcss@provincialcourt.bc.ca)

**16) What courtrooms are being used for Assignment Court and Summary Proceedings Court in each of the Assignment Court locations?**

Location	Type	Courtroom #s	Days	Times
Port Coquitlam	Summary Proceedings Court	4, 1	Wed, Fri	9:30 am and 2:00 pm
	Assignment Court	5	Mon – Fri	9:00 am and 1:30 pm
Vancouver (222 Main St.)	Summary Proceedings Court	510	Mon, Tue, Wed, Thu	9:30 am and 2:00 pm
	Assignment Court	304	Mon – Fri	9:00 am and 1:30 pm
Robson Square	Summary Proceedings Court	102	Thu (pm only)	9:30 am and 2:00 pm
	Assignment Court	103	Tues – Fri	9:00 am and 1:30 pm
Victoria	Summary Proceedings Court	203	Fri, Mon and Tues (alt)	9:30 am and 2:00 pm
	Assignment Court	104	Mon-Fri (first 3 weeks of the month) Mon-Wed (last week of the month)	9:00 am and 1:30 pm
Kelowna	Summary Proceedings Court	K7	Mon – Wed every 2 <sup>nd</sup> week (alternate weeks from assignment court)	9:30 am and 2:00 pm
	Assignment Court	K7	Mon – Fri every 2 <sup>nd</sup> week	9:00 am and 1:30 pm
Abbotsford	Summary Proceedings Court	104	Mon, Wed	9:30 am and 1:30 pm
	Assignment Court	105	Mon - Fri	9:00 am and 1:00 pm
Surrey	Summary Proceedings Court	310	Mon – Fri	9:30 am and 1:30 pm
	Assignment Court	104	Mon – Fri	9:00 am and 1:00 pm