

Summary Proceedings Court (SPC) Frequently Asked Questions

1) What matters will be scheduled to SPC?

The Court will hear matters that are designated as SPC by the federal and provincial Crown at the time of charge approval. SPC cases will generally be less complex, have historically high collapse rates, and a time estimate of less than half a day. SPC will be scheduled by JCMs based on a set number of cases in the AM and PM sessions. Time estimates may be noted but will not generally impact the number of cases set. For Family and Small Claims matters, the determination to schedule the case to the SPC will be made based on time estimates confirmed by judges and/or specific direction by judges.

2) What time does SPC sit?

SPC starts at 9:30am for the morning session and at 1:30/2:00pm for the afternoon session.

3) Will the name of the judge scheduled to SPC be published in advance? No.

4) Will SPC files be assigned to a specific Crown?

No, SPC files will not be assigned to a specific Crown. It is anticipated that a “team” of Crown Counsel will be assigned to prosecute all files in SPC.

5) What if defense counsel does not agree with the Crown designation?

A SPC designation on a criminal file can only be made or changed by the Crown. There may be circumstances in which a file originally designated as “SPC” should be changed to a “General Assignment” (GA) file. This may be due to additional evidence and witnesses being required, through discussions with defense counsel, the development of unforeseen legal issues, and a general re-assessment of the case. Defence counsel may raise this with crown and seek their review of the designation where appropriate.

6) How is a SPC file that has a time estimate of more than ½ a day scheduled?

Regardless of the time estimate, any file that is designated as for the SPC should only be given one “time slot” in SPC court. Should counsel be of the view that the matter will take more time, the JCM might encourage counsel to have discussions about possibly having the SPC designation changed to “General Assignment” so that a prosecutor can be assigned the case. From a scheduling perspective, it is important to note that there is an element of proportionality to the SPC designation and these files are expected to have a high collapse rate. If they proceed and require additional time, it is expected they will be scheduled to an early continuation date.