



PROVINCIAL COURT OF BRITISH COLUMBIA

The March 17, 2020 update replaces this March 15 and 16, 2020 update.

March 16, 2020 - COVID 19 Update

This March 16, 2020 Update must be read in conjunction with the March 15, 2020 Update which immediately follows.

As of Wednesday, March 18, 2020:

FAMILY (including CFCSA and FMEA cases) ...

Only urgent family, child protection (CFCSA), and Family Maintenance Enforcement Act (FMEA) matters as determined by a judge will be heard, including:

- a. requests for urgent relief relating to the safety of a child or parent;
- b. requests to obtain or set aside protection orders, or urgent orders involving parenting time, contact with a child or communication between parties;
- c. urgent issues that must be determined relating to the well-being of a child including essential medical decisions or issues relating to relocation, non-removal, wrongful removal or retention of a child;
- d. in a child protection case, all urgent or statutorily mandated matters, including the initial presentation hearing, the protection hearing, applications for supervision orders and for extension of time, and any other urgent motions or hearings; and
- e. applications to suspend, change or cancel any order for imprisonment or committal pursuant to the Family Maintenance Enforcement Act (FMEA).

Applications to a judge for determining if the matter is urgent can be sent by fax to fax filing registries (see [GEN 01 Practice Direction](#)) or by mail to the applicable [court registry](#).

All non-urgent family matters, including trials, scheduled to proceed between March 18, 2020 and May 5, 2020 are adjourned without the parties having to attend Court. There will be notification regarding the next appearance date. Please only contact the applicable Judicial Case Manager by telephone if you have any questions.

The Provincial Court registries will not accept any new non-urgent family filings between March 18, 2020 and May 5, 2020.

SMALL CLAIMS

Only urgent small claims matters as determined by a judge will be heard, including applications:

- a. regarding outstanding warrants;
- b. to preserve limitation periods;
- c. to extend the time for filing pleadings where permitted under the Small Claims Rules; and
- d. to renew notices of claim.

Urgent small claims filings will only be accepted:

- electronically (where able) using [Court Services Online](#);
- by mail; or,
- by fax to fax filing registries (see [GEN 01 Practice Direction](#)).

Applications to a judge for determining if a matter is urgent can be sent by fax to fax filing registries (see [GEN 01 Practice Direction](#)) or by mail to the applicable [court registry](#).

No new non-urgent small claims filings will be accepted by the Provincial Court registries between March 18, 2020 and May 15, 2020.

All non-urgent small claims matters, including trials and [Rule 9.1 Simplified Trials](#), scheduled to proceed between March 18, 2020 and May 15, 2020 are adjourned without the parties having to attend Court and will be rescheduled to a later date. There will be notification regarding the next

appearance date. Please only contact the applicable Judicial Case Manager by telephone if you have any questions.

CRIMINAL

PERSONS OUT OF CUSTODY

You do not need to attend Court in person for your criminal court matter scheduled to proceed between March 18 and April 30, 2020. It will either be adjourned to another date approximately 90 days from the date of your scheduled appearance; or you will be required to attend by telephone on the date you are scheduled to attend. Further details will be available on March 17, 2020 on the Provincial Court [website](#) (and will be posted on the courthouse entrances in due course). Please only contact the applicable [Judicial Case Manager](#) by telephone if you have any questions.

You may also apply by calling the [court registry](#) to adjourn a matter or have a matter heard by audio/videoconference or telephone.

Adjournments due to COVID-19 will be noted as such in the Court file.

If your matter is urgent, you or your counsel may choose to call the [court registry](#), and they will arrange to have a Provincial Court Judge determine by teleconference whether the matter is urgent and any next steps.

SEARCH WARRANTS AND PRODUCTION ORDERS

All search warrant and production order applications will proceed by fax or telephone.

YOUTH CRIMINAL JUSTICE ACT (YCJA) MATTERS

YCJA matters will follow the procedures and directions set out for Criminal (Adult) matters.

The Court will post further information as it becomes available, so please continue to check our website at www.provincialcourt.bc.ca.

March 15, 2020 COVID-19 Update

In order to protect the health and safety of all Court users and to help contain the spread of COVID-19, the Provincial Court is reducing Court operations while ensuring meaningful access to the Court for those with urgent matters until further notice. The Court will post further information as it becomes available, so please continue to check the Provincial Court website for updates.

As of Monday, March 16, 2020

- Family case conferences, CFCSA (child protection) case conferences or small claims case conferences scheduled between March 16 and May 4, 2020 will not proceed so the parties do not have to attend Court. The parties will receive notification by May 4, 2020 regarding the next date they must attend Court.
- All judicial interim release (bail) hearings will use video/audio conferences and teleconferences instead of in-person appearances, unless a judge or justice orders otherwise.
- On Monday, March 16, and Tuesday, March 17, 2020, after hearing submissions, judges will use their discretion to determine if previously scheduled family, CFCSA, small claims and criminal trials will proceed on those two days.

As of Wednesday, March 18, 2020

- The scheduling and hearing of in custody criminal trials and sentencings will proceed unless adjourned by the Court on application by a party.
- All judicial interim release (bail) hearings will continue to use video/telephone conferences in accordance with [CRIM 05 Hearing of Bail Applications](#) (instead of in-person appearances), unless a judge or justice orders otherwise. CRIM 05 generally provides that bail applications within court sitting hours are assigned to be heard by judges in the locations where they are sitting, and bail applications occurring outside of court sitting hours shall be referred to the Justice Centre.
- Parties are encouraged to apply to use video conference for in custody sentencing and trials in criminal matters.
- Consent remand matters will proceed by telephone or by submitting the Consent Remand Form by email where available.

- Traffic, ticket or bylaw matters scheduled from March 18 to May 4, 2020 will be adjourned without the disputant having to attend Court and will be rescheduled to a later date. A notice of a new court date will be sent to the disputant by mail to the address on file with the Court.
- The Court anticipates only the following matters will proceed:
 - In custody criminal trials and sentencings;
 - Other criminal matters that a judge, on application, determines are urgent;
 - Urgent family matters (e.g. restraining orders) and CFCSA (child protection) matters as determined by a judge;
 - Search warrants and production order applications;
 - Urgent small claims matters such as outstanding warrants.

Parties must ensure the applicable Court Registry has their current contact information.

Further details will follow.