



THE PROVINCIAL COURT OF BRITISH COLUMBIA

Semi-Annual Time to Trial Report

September 30, 2019

Introduction

On September 14, 2010, the Provincial Court of British Columbia released the report “Justice Delayed: A Report of the Provincial Court of British Columbia Concerning Judicial Resources”. One recommendation of the Report was to issue regular updates to the Attorney General and the public concerning time to trial in each area of the Court’s jurisdiction. The Court now publishes such a report semi-annually.

Time to trial measures the time elapsed from the time the case is ready to be scheduled until the next available date (in months) that a defined event can be routinely scheduled onto a future court list in a particular location.¹

Time to trial does not reflect when cases are actually set, rather it is an estimate of when court time would be available to schedule a particular activity. This estimate is then compared against the standard established by the Court for that particular activity.

Time to trial data is currently collected from 69 court locations. The current update includes the following information as of September 30, 2019:

- Adult Criminal Weighted Provincial Time to Trial;
- Family Law Act (FLA) Weighted Provincial Time to Trial;
- Child, Family and Community Service Act (CFCSA)² Weighted Provincial Time to Trial;
- Civil Small Claims Weighted Provincial Time to Trial;
- Locations with the Longest Time to Trial in each area of the Court’s jurisdiction;
- Time to Trial Results by Location.

¹ Does not include fast tracked events, or dates that become available due to cancellations

² Also known as ‘Child Protection’

Provincial Time to Trial

Overall, provincial weighted times to trial have remained similar (decreased by 1%) between September 2018 and September 2019. Most categories either stayed the same or improved over the past year. Top areas that improved:

- Mid-length (2-4 days) adult criminal trials (decreased in time to trial by 10%)
- Long (over 5 days) adult criminal trials (decreased in time to trial by 8%)

The only categories that saw an increase in Time to Trial:

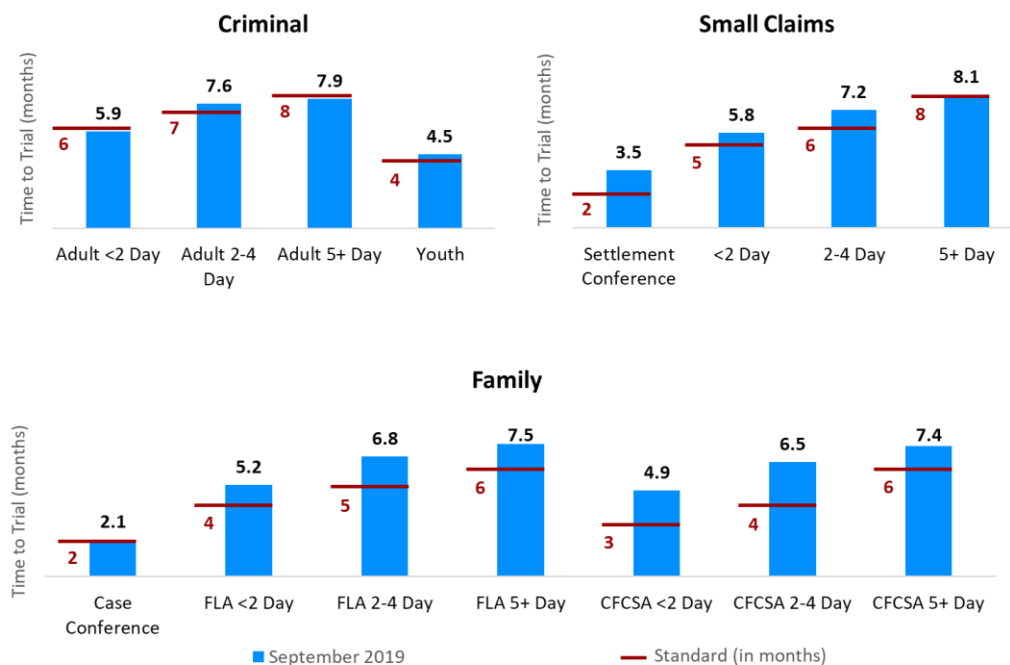
- Small Claims Settlement Conference (increased by 25%, from 2.8 months to 3.5 months)
- Short CFCSA (under 2 days) trials (increased by 7%, from 4.6 months to 4.9 months)
- Short FLA (under 2 days) trials (increased by 2%, from 5.1 months to 5.2 months)

Short (under 2 days) and long (over 5 days) adult criminal trials performed just under the Office of the Chief Judge (OCJ) standard (both 0.1 months under). However, most weighted times to trial results for September 2019 exceeded the OCJ standard. Overall, results varied from 0.1 months below the OCJ standard to 2.5 months over the standard.

Figures 2 to 5 show time elapsed in months from the time the case is ready to be scheduled until the next available date.

Figure 2 shows weighted³ province-wide times to trial, as well as OCJ standards in months.

Figure 2 - Provincial Weighted Time to Trial by Jurisdiction and Trial Length



³ All locations in the province were weighted based on fiscal year caseloads. Weighted time to trial is the average time (in months), weighted by caseloads, from the time a request is made to the next available date.

Weighted Results by Jurisdiction

Figures 3 to 5 show weighted province-wide times to trial and OCI standards in months, by division. These figures also show a comparison between the results as at September 2018 and 2019.

Figure 3 sets out the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult/youth criminal trials of various lengths. These results do not take into account the time between a first appearance in Court and the Arraignment Hearing/Fix Date. All adult criminal results have either declined or held steady, compared to September 2018.

Figure 3 - Weighted Provincial Time to Adult/Youth Criminal Trials

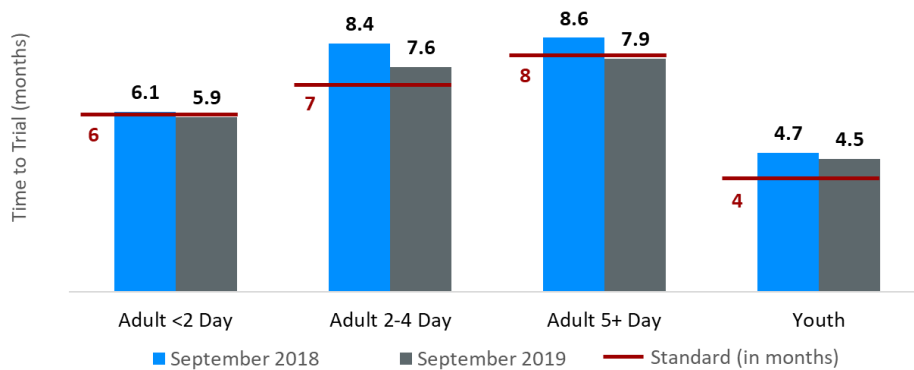
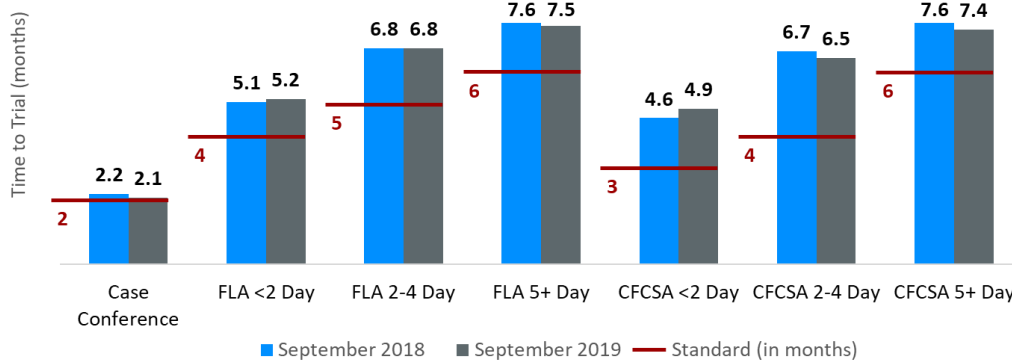


Figure 4 includes two types of proceedings: family case conferences and trials. The time to a family case conference is the number of months between the date a judge directs a conference to be set and the first available date for a family case conference. The time to trial sets out the number of months between a family case conference and the first available court date for typical FLA or CFCSA trials of various lengths. These results do not take into account the time between a first appearance in Court and the family case conference. Since September 2018, all FLA and CFCSA results declined or held steady, with the exception of short (under 2 days) FLA trials and short (under 2 days) CFCSA trials, which increased slightly.

Figure 4 - Weighted Provincial Time to Family Trials

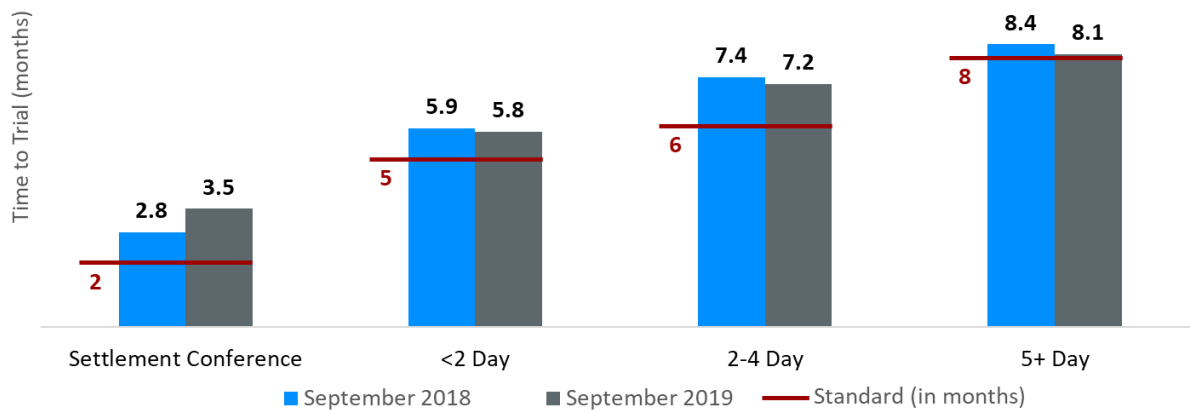


Data Source: Judicial Next Available Date Survey

Weighted Results by Jurisdiction (continued)

Figure 5 includes two types of proceedings: settlement conferences and trials. The time to a settlement conference is the number of months between the date the last reply or document is filed to ready the case for a settlement conference and the first available date for a settlement conference. The time to trial is the number of months between the end of a settlement conference and the first available court date for typical small claims trials of various lengths. These results do not take into account the time between the filing of a claim and the reply. Since September 2018, small claims trial results have decreased, while time to a conference increased.

Figure 5 - Weighted Provincial Time to Small Claims Trials



Data Source: Judicial Next Available Date Survey

Top 10 Results

Figures 6 and 7 show the ten locations with the longest times to trial in months for different jurisdictions. Smaller locations are screened out of these calculations, as a longer wait for trial dates is more likely a result of fewer Court sittings in these locations. The OCJ standard in months is shown across the top and the provincial delay average is shown along the bottom.

Figure 6 - Locations with the Longest Delays to Adult Criminal Trials

<2 Day		2-4 Day		5+ Day	
6 Months Max		7 Months Max		8 Months Max	
Nanaimo	8	Port Coquitlam	10	Bella Coola	12
Campbell River	8	Port Hardy	10	Port Coquitlam	10
Courtenay	8	Nanaimo	9	Terrace	10
Port Hardy	8	Campbell River	9	Vancouver Criminal	9
Richmond	7	Courtenay	9	Nanaimo	9
Penticton	7	Fort Nelson	9	Richmond	9
Fort St. John	7	Burns Lake	9	Fort St. John	9
Quesnel	7	Victoria	8	Fort Nelson	9
Fort Nelson	7	Abbotsford	8	Burns Lake	9
Burns Lake	7	Richmond	8		
Provincial Average	5.9		7.6		7.9

Figure 7 - Locations with the Longest Delays to Family Trials (FLA)

<2 Day FLA		2-4 Day FLA		5+ Day FLA	
4 Months Max		5 Months Max		6 Months Max	
Nanaimo	8	Port Coquitlam	10	Port Coquitlam	10
Quesnel	8	Port Hardy	10	Terrace	10
Port Hardy	8	Nanaimo	9	Robson Square	9
Fort Nelson	7	Fort Nelson	9	Richmond	9
Golden	7	Burns Lake	9	Burns Lake	9
Burns Lake	7	Robson Square	8	Abbotsford	8
Kamloops	6	Victoria	8	Chilliwack	8
Chilliwack	6	Abbotsford	8	Duncan	8
Cranbrook	6	Richmond	8	Quesnel	8
Courtenay	6	Quesnel	8	Kitimat	8
Provincial Average	5.2		6.8		7.5

Data Source: Judicial Next Available Date Survey

Top 10 Results (Continued)

Figures 8 and 9 show the ten locations with the longest times to trial in months for different jurisdictions. Smaller locations are screened out of these calculations, as a longer wait for trial dates is more likely a result of fewer Court sittings in these locations. The OCJ standard in months is shown across the top and the provincial delay average is shown along the bottom.

Figure 8 - Locations with the Longest Delays to Family Trials (CFCSA)

<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
3 Months Max		4 Months Max		6 Months Max	
Quesnel	8	Port Hardy	10	Terrace	10
Fort Nelson	7	Nanaimo	9	Victoria	9
Burns Lake	7	Port Coquitlam	9	Port Coquitlam	9
Nanaimo	6	Fort Nelson	9	Burns Lake	9
Kamloops	6	Burns Lake	9	Robson Square	8
Chilliwack	6	Abbotsford	8	Duncan	8
Courtenay	6	Victoria	8	Abbotsford	8
Port Alberni	6	Quesnel	8	Chilliwack	8
Williams Lake	6	Robson Square	7	Quesnel	8
Cranbrook	6	Duncan	7	Richmond	8
Provincial Average	4.9		6.5		7.4

Figure 9 - Locations with the Longest Delays to Small Claims Trials

<2 Day Trial		2-4 Day Trial		5+ Day Trial	
5 Months Max		6 Months Max		8 Months Max	
Nanaimo	8	Port Coquitlam	10	Port Coquitlam	10
Chilliwack	8	Port Hardy	10	Terrace	10
Campbell River	8	Nanaimo	9	Robson Square	9
Courtenay	8	Campbell River	9	Richmond	9
Port Hardy	8	Courtenay	9	Nanaimo	9
Richmond	7	Fort Nelson	9		
Penticton	7	Robson Square	8		
Quesnel	7	Richmond	8		
Mackenzie	7	Victoria	8		
Fort Nelson	7	Abbotsford	8		
Provincial Average	5.8		7.2		8.1

Data Source: Judicial Next Available Date Survey

Appendix 1: Time to Trial by Location, Jurisdiction, and Trial Length

Results in months for all locations for which time to trial information is collected appear below. Results for the Criminal and Small Claims divisions are listed first, followed by results for Family. Locations are listed by region, with the exception of assignment court locations, which are listed together. The OCJ standard in months is shown for reference. Not all locations for which time to trial information is collected hear all kinds of trials. Grey cells indicate that the trial type in question is not heard at that location.

36 of the 69 court locations for which the Court collects time to trial information are smaller operations. Of the 36 locations, 10 do not have a resident judge, but are staffed and include registry services⁴ and 26 have neither a resident judge nor registry services.⁵ Due to the relatively small number of Court sitting days in these locations, lengthier delays are anticipated for a number of reasons including:

- The inability to accommodate longer trials. These lengthy trials cannot be scheduled for several days in a row as they often can in larger court locations.
- The inability to react to caseload fluctuations which could result in an increase in the amount of cases requiring a trial.

Due to these factors, comparing similar time to trial results between large and small court locations is not particularly useful. Smaller locations are marked with an asterisk in the table below.

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards (months)		6	7	8	4	2	5	6	8
Assignment Court	Abbotsford		8	8	5	3		8	8
	Kelowna		4	6	3	1		4	5
	Main Street		7	9					
	Port Coquitlam		10	10	4	4		10	10
	Robson Square				7	5		8	9
	Surrey		7	8	4	2		6	7
	Victoria		8		7	4		8	
Fraser Region	Chilliwack	6	7	8	5	2	8	8	
	New Westminster	6	6	7	4	4	4	5	6
Interior Region	Castlegar *	4	5		4	3	4	5	
	Clearwater *	6			4	4	6		
	Cranbrook	6	7		3	6	6	7	
	Creston *	6	7		3	4	6	7	
	Fernie *	6	7		2	6	6	7	
	Golden *	7	8		3	5	7	8	
	Grand Forks *	4	5		4	3	4	5	
	Invermere *	7	8		3	6	7	8	
	Kamloops	6	7	7	4	1	6	7	7
	Lillooet *	4	7	7	4	2	4	7	7
	Merritt *	6	7	7	4	2	6	7	7
	Nakusp *	4	5		4	3	4	5	
	Nelson	4	5		3	3	4	5	
	Penticton	7	7	7	3	2	7	7	
Princeton *	6			3	2	6			

⁴ Registry offices are open to public for filing documents, accessing court file information or requesting information on court processes.

⁵ These locations are only open for scheduled courtroom appearances such as hearings and trials.

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Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards (months)		6	7	8	4	2	5	6	8
Interior Region Cont'd	Revelstoke *	2	3		2	2	2	3	
	Rossland	4	5		4	3	4	5	
	Salmon Arm	4	5		3	2	4	5	
	Sparwood *	6	7		2	6	6	7	
	Vernon	5	6		3	2	5	6	
Northern Region	100 Mile House *	6	7	7	6	3	6	7	7
	Anahim Lake *	1	1	1	1	1	1	1	1
	Burns Lake *	7	9	9	6	2	7	9	
	Chetwynd *	5	6	7	4	1	4	5	
	Dawson Creek	5	6	7	4	2	4	4	
	Fort Nelson *	7	9	9	3	3	7	9	
	Fort St. James *	6	7	8		2	5	6	
	Fort St. John	7	8	9	5	4	4	5	
	Fraser Lake *	2				2	6		
	Hazelton *	7	7	8	4	2	7	7	
	Houston *	4	4	5	2	2	4	4	
	Kitimat *	6	8	8	5	2	6	8	8
	Kwadacha *	3							
	MacKenzie *	6			4		7		
	Masset *	4	6		4	3	4	6	
	McBride *	4			4				
	Prince George	6	7	8	4	2	5	6	
	Prince Rupert	2	3	5	2	3	2	3	5
	Queen Charlotte *	4	6		4	3	4	6	
	Quesnel	7	7	7	5	2	7	7	7
	Smithers	4	4	5	2	2	4	4	
	Terrace	6	8	10	3	1	4	6	10
	Tumbler Ridge *	5	6	7	4	2	4	5	
Valemount *	4		6	4		4			
Vanderhoof *	6	7	8		2	6	6		
Williams Lake	6	7	7	6	2	6	7	7	
Vancouver Region	North Vancouver	4	6	8	3	4	4	6	8
	Pemberton *	3	6	6	3	2	3	6	6
	Richmond	7	8	9	6	5	7	8	9
	Sechelt	3	5	6	3	3	3	5	6
Vancouver Island Region	Campbell River	8	9		4	3	8	9	
	Courtenay	8	9		4	3	8	9	
	Duncan	5	7	8	3	5	5	7	8
	Nanaimo	8	9	9	4	3	8	9	9
	Port Alberni	6	8		4	3	6	8	
	Port Hardy *	8	10		4	3	8	10	
	Western Communities	4	5	7	3	4	4	7	7
OCJ	Bella Bella *	4	4	7					
	Bella Coola *	9	12	12					
	Powell River *	5	7	4	5	3	5	6	

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Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
OCJ Standards (months)		2	4	5	6	3	4	6
Assignment Court	Abbotsford	3		8	8		8	8
	Kelowna	1		6	7		6	7
	Main Street							
	Port Coquitlam	1		10	10		9	9
	Robson Square	2		8	9		7	8
	Surrey	2		6	7		6	7
	Victoria	1		8			8	9
Fraser Region	Chilliwack	1	6	7	8	6	7	8
	New Westminster	3	4	5	6	4	5	6
Interior Region	Castlegar *	3	3	4		3	4	
	Clearwater *	4	6			6		
	Cranbrook	5	6	7		6	7	
	Creston *	3	6	7		6	7	
	Fernie *	5	6	7		6	7	
	Golden *	4	7	8		7	8	
	Grand Forks *	3	4	5		4	5	
	Invermere *	3	7	8		7	8	
	Kamloops	2	6	7	7	6	7	7
	Lillooet *	2	4	7	7	4	7	7
	Merritt *	2	5	7	7	5	7	7
	Nakusp *	3	4	5		4	5	
	Nelson	2	3	4		3	4	
	Penticton	2	6	6	6	5	5	5
	Princeton *	2	6			6		
	Revelstoke *	2	5	5		5	5	
	Rosland	3	3	4		3	4	
	Salmon Arm	2	5	5		5	5	
	Sparwood *	5	6	7		6	7	
Vernon	3	5	5		5	5		
Northern Region	100 Mile House *	3	6	7	7	6	7	7
	Anahim Lake *	1	1	1	1	1	1	1
	Burns Lake *	2	7	9	9	7	9	9
	Chetwynd *	1	4	5	6	4	5	6
	Dawson Creek	2	4	5	6	4	5	6
	Fort Nelson *	3	7	9		7	9	
	Fort St. James *	2	4	5		3	4	
	Fort St. John	4	4	5	6	4	5	6
	Fraser Lake *	2	4			4		
	Hazelton *	2	5	7	8	5	7	7
	Houston *	2	3	4	5	3	4	5
	Kitimat *	2	5	5	8	5	6	8
	Kwadacha *							
	MacKenzie *	1	5			5		
	Masset *	3	4	6		4	6	
	McBride *		4			4		
	Prince George	2	4	5	6	3	4	6
	Prince Rupert	2	2	3	5	2	3	5
	Queen Charlotte *	3	4	6		4	6	
	Quesnel	2	8	8	8	8	8	8
	Smithers	2	3	4	5	3	4	5
	Terrace	1	3	6	10	3	6	10
Tumbler Ridge *	2	4	5	6	4	5	6	
Valemount *		4						
Vanderhoof *	2	4	5		4	4		
Williams Lake	2	6	7	7	6	7	7	

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Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
OCJ Standards (months)		2	4	5	6	3	4	6
Vancouver Region	North Vancouver	3	4	6	6	4	6	6
	Pemberton *	2	3	6	6	3	6	6
	Richmond	2	4	8	9	3	6	8
	Sechelt	3	3	5	6	3	5	6
Vancouver Island Region	Campbell River	4	5	5		5	5	
	Courtenay	3	6	6		6	6	
	Duncan	2	5	7	8	5	7	8
	Nanaimo	2	8	9		6	9	
	Port Alberni	3	6	8		6	7	
	Port Hardy *	4	8	10		5	10	
	Western Communities	1	4	7	7	4	7	7
OCJ	Bella Bella *							
	Bella Coola *							
	Powell River *	2	5	7		5	5	5

Results in months for Summary Proceedings Court (SPC) appear below. The locations above standard are shown in red. The OCJ standard in months is shown across the top and the provincial assignment court delay average is shown along the bottom.

Time to Trial for Summary Proceeding Court by Location and Jurisdiction

Adult Criminal	FLA		CFCSA		Small Claims		
4 Months Max	3 Months Max		2 Months Max		4 Months Max		
Vancouver Criminal	5	Port Coquitlam	5	Victoria	4	Port Coquitlam	5
Port Coquitlam	5	Victoria	4	Port Coquitlam	4	Robson Square	3
Victoria	4	Robson Square	3	Abbotsford	3	Abbotsford	3
Kelowna	4	Abbotsford	3	Surrey	2	Surrey	2
Abbotsford	3	Kelowna	2	Robson Square	2	Kelowna	2
Surrey	2	Surrey	2	Kelowna	2		
All Assignment Court Locations (average)	3.5		3.1		2.6		2.8