



THE LAW COURTS  
800 SMITHE STREET  
VANCOUVER, B.C.  
V6Z 2E1

## Notice to the Profession, the Public and the Media Regarding Criminal Proceedings

### COVID-19: Expansion of Court Operations

*COVID-19 Notice No. 33*

**Date: July 7, 2020**

This notice replaces the following notices and announcements:

- **COVID-19 Notice No. 21: Resumption of Some Regular Court Operations**
- **COVID-19 Notice No. 18: Notice of Suspension of Regular Court Operations – Criminal Proceedings dated May 11, 2020;**
- COVID-19 Notice No. 7: Notice of Suspension of Regular Court Operations – Criminal Proceedings dated April 16, 2020;
- COVID-19 Notice No. 5: Notice of Suspension of Regular Court Operations – Criminal Proceedings dated March 30, 2020;
- Announcement – Changes to Supreme Court Registry Operations dated March 25, 2020;
- Further Directions dated March 20, 2020;
- Notice of Suspension of Regular Court Operations dated March 18, 2020; and,
- Supreme Court of British Columbia Modified Proceedings dated March 13, 2020.

Effective March 19, 2020, the Honourable Chief Justice Hinkson suspended regular operations of the Supreme Court of British Columbia at all of its locations to protect the health and safety of court users and to help contain the spread of COVID-19. During the suspension, the Court continued to hear essential and urgent matters, and implemented new temporary processes for scheduling hearings and filing materials for those matters. The Court has also used remote means for hearings wherever possible and appropriate.

The Attorney General's Court Services Branch has confirmed that in-person registry services will resume on July 13, 2020 (see **Part I** of this notice for details). For this and other reasons, effective July 13, 2020, many of the temporary processes will be discontinued as no longer necessary and the regular processes will resume (see **Part II** of this notice for details).

The Court has expanded the scope of its in-court operations. However, attendance at courthouses is discouraged except where necessary for registry business or for a

hearing that is scheduled to occur in person in a courtroom. This will help minimize the overall number of people in courthouses.

## I. REGISTRY SERVICES

The Attorney General's Court Services Branch has confirmed that all Supreme Court registries will be open for in-person services on **July 13, 2020**. As of that date, materials may be filed at the registry. All registries will continue to receive documents for criminal matters by mail or fax. Counsel or self-represented accused persons may also contact the relevant criminal registry to inquire whether it is possible to file documents by email. Contact information for all Supreme Court registries is available [here](#).

Anyone with a general inquiry (e.g. public health measures, courthouse hours, parking) or an inquiry related to registry services, including the filing of materials, is asked to contact the Supreme Court registry by telephone, and not to contact Scheduling.

## II. CRIMINAL MATTERS

During the suspension of regular court operations, the Court established a temporary process to manage requests for hearings of essential or urgent criminal matters while registries were not providing in-person services. Effective **July 13, 2020**, the request for urgent hearing process will be discontinued and the regular processes will resume except as noted below.

**Judicial interim release (bail) and bail review hearings** are proceeding by telephone with accused persons in custody appearing by video. Hearings may be scheduled by contacting Supreme Court Scheduling directly.

**Detention review hearings under s. 525 of the *Criminal Code*** continue to be scheduled in accordance with CPD-4. Appearances are by telephone, with accused persons in custody appearing by video.

**Regular fix-date appearances** are proceeding on the usual day and time for each court location. Appearances are by telephone, with self-represented accused persons in custody appearing by video.

**Section 490 applications** are proceeding in accordance with the process described in [COVID-19 Notice No. 30](#).

**Regular pre-trial conferences (PTCs), COVID pre-trial conferences (CV PTCs), and Case Management Conferences (CMCs)** are proceeding by telephone. If the accused person is self-represented and in custody, Crown counsel should arrange for them to appear at the PTC, CV PTC, or CMC by video. For information regarding CV PTCs for cases that have been adjourned or are at risk of being adjourned due to the public health emergency, please see [COVID-19 Notice No. 29](#).

**Criminal trials, voir dices and pre-trial applications, and extradition hearings** resumed (where appropriate) on June 8, 2020. Appearances are in person in the courtroom unless the Court directs otherwise. The Court's capacity to hear these types of matters remains limited by the public health measures resulting from the ongoing pandemic. However, capacity is gradually increasing as modifications are made to courthouse and courtroom facilities, and in-court technology is improved.

**Summary conviction and traffic ticket appeals** are proceeding by telephone wherever possible and appropriate. Counsel may schedule an appeal matter for a telephone hearing by contacting Supreme Court Scheduling. If copies of any exhibits are required from the Provincial Court proceedings, counsel must contact the registry at least five business days before the hearing to ensure that copies of the exhibits can be sent to the relevant court location for the hearing.

**For any other criminal matters not mentioned above**, counsel or accused persons not represented by counsel may contact Supreme Court Scheduling directly to arrange for a hearing. Attendance at hearings will be by telephone where possible and appropriate, or by video where appropriate and available.

**Jury selections** are cancelled up to and including **September 7, 2020**, everywhere in the province.

### **III. MODE OF ATTENDANCE FOR HEARINGS IN CRIMINAL MATTERS**

In order to reduce the total number of people in courthouses at the same time, most non-trial appearances will take place by telephone or video (where appropriate and available), unless otherwise directed by the Court. In-person trials and hearings will be scheduled in courthouses and courtrooms that have been brought into conformity with public health directives, and that can be appropriately staffed.

Anyone attending a hearing in person at a courthouse must review the directions in [COVID Notice No. 27 – In Court Measures During the Pandemic](#) prior to arrival at the courthouse.

For information regarding health and safety protocols at courthouses across the province, please consult the Ministry of Attorney General's information about [COVID-19 Court Recovery Operations](#).

**THE FOREGOING IS SUBJECT TO CHANGE. ANY UPDATED DIRECTIONS WILL BE POSTED ON THE COURT'S WEBSITE.**

Dated 7 July 2020, at Vancouver, British Columbia

By Direction of Associate Chief Justice Heather J. Holmes  
Supreme Court of British Columbia