



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

## Notice to the Profession, the Public and the Media Regarding Civil and Family Proceedings

### COVID-19: CHAMBERS APPLICATIONS BY TELEPHONE AND MICROSOFT TEAMS

*COVID-19 Notice No. 42*

**Date: October 14, 2020**

***This notice replaces COVID-19 Notice No. 28, Resumption of Further Court Operations – Chambers Applications***

#### Introduction

Effective June 8, 2020, Chief Justice Hinkson directed that chambers matters estimated for 2 hours or less resume by telephone.

Effective October 14, 2020, Chief Justice Hinkson directs that the Court will begin a gradual roll-out to hear chambers applications using Microsoft Teams (“Teams”), in accordance with the procedures set out in this Notice.

For hearings by Teams, parties are strongly encouraged to use video as set out below. For every Teams hearing, a dial-in conferencing number will also be provided so that parties can participate by phone if they are unable to do so by video or if their video connection fails during the hearing.

Applications in Masters chambers of 2 hours or less scheduled for hearing in Vancouver will begin to be heard by Teams on **October 26, 2020**.

Until further notice, all applications other than Masters chambers of 2 hours or less in Vancouver will proceed by telephone. Hearing of lengthy chambers applications and applications in Judges chambers and in locations other than Vancouver by Teams will be announced at a later date. Parties are encouraged to check the Court’s website regularly for more information.

The Chief Justice has also ordered that until the provincial state of emergency expires or is cancelled, certain requirements in the *Supreme Court Civil Rules* and the *Supreme Court Family Rules* are modified to facilitate the process in this Notice. See the Court's order dated June 5, 2020, [found here](#).

Effective July 13, 2020, as described in Part I of this notice, certain requirements were reinstated. See the Court's order dated July 13, 2020, [found here](#).

While the Court is taking all steps necessary to allow for chambers applications to proceed, the Court cannot guarantee that all applications will proceed as scheduled. The Province is still impacted by the COVID-19 pandemic and efforts taken to contain it. The Court will continue to be guided by public health recommendations, and further adjustments to Court processes may be required. The Court appreciates willingness on the part of parties to expect and accommodate changes to scheduled proceedings.

Further information and directions will be provided when available.

## **I. MAKING A CHAMBERS APPLICATION**

Parties must bring and respond to applications in accordance with the *Supreme Court Civil Rules* or the *Supreme Court Family Rules*, as applicable, subject to the modifications described below.

### **A. Modifications to Notice of Application and Application Response**

The applicant must file a **notice of application in Form 32 for a civil matter** or in **Form F31 for a family matter**.

If the respondent wishes to respond, the respondent must file an **application response in Form 33 for a civil matter** and **Form F32 for a family matter**.

Applicants and respondents must modify their respective forms as follows:

- The applicant must identify the place of the hearing and indicate that the hearing is either by telephone (for all locations listed in Appendix A) or by Teams (for Masters chambers of 2 hours or less in Vancouver). The respondent must include the same information in their response.
- Applicants and respondents must include an email address and telephone number. The registry will contact them to provide either:
  - a) telephone conferencing information, or
  - b) a link by email to connect by Teams, including alternate dial-in conferencing numbers to be used by any party that is unable to use video or that encounters problems with the video connection during the hearing.

Parties must file and serve the modified notice of application, modified application response, and other application materials (i.e., every affidavit and other document that is to be referred to at the hearing and that has not already been filed and served in the

proceeding) in accordance with the *Supreme Court Civil Rules* or the *Supreme Court Family Rules*, as applicable.

Effective July 13, 2020, in-person registry services resumed at all Supreme Court registries in British Columbia. For information about in-person registry services and other methods of filing see **Part I** of [COVID-19 Notice No. 34](#). Parties are strongly encouraged to e-file through [Court Services Online](#).

## **B. Application Record**

The process for providing an application record to the registry is modified as follows:

- The application record must be prepared in accordance with Rules 8-1(15) and 8-1(16) of the *Supreme Court Civil Rules* and Rule 10-6(14) of the *Supreme Court Family Rules*, except parties may include copies of case law and other authorities that they will rely on at the hearing (in other words, Rule 8-1(15)(d)(ii) of the *Supreme Court Civil Rules* and Rule 10-6(14)(d)(ii) of the *Supreme Court Family Rules* do not apply).
- The application record must have an external cover page as required by [Administrative Notice 14](#), and must include the contact information (email preferred) for all parties. If the registry is unable to contact the parties to send the link to connect by Teams and alternate dial-in numbers, the matter may not proceed as scheduled.
- If parties submit a draft order in the application record, a backing sheet is required and it must include a mailing address.

Applicants must provide application records to the registry, and serve application record indexes on each respondent, in accordance with the timelines set out in the *Supreme Court Civil Rules* and the *Supreme Court Family Rules*.

Application records will not be returned to the parties after the hearing (in other words, Rule 8-1(19) and (20) of the *Supreme Court Civil Rules* and Rule 10-6(17) and (18) of the *Supreme Court Family Rules* do not apply). Application record contents will be securely destroyed following the hearing. If the hearing is adjourned, the registry will hold the application record for 10 business days. If a requisition resetting the adjourned application is not filed within that time period, the contents of the application record will be securely destroyed.

If an application record is not provided to the registry within the time stipulated in this Notice, the application will be struck from the chambers list or the court list. Parties are not permitted to file a requisition for late filing of their application record. The applicant may file a requisition to reset their hearing date.

## II. THE CHAMBERS HEARING

Parties will be held to the time estimates provided. There may be cost consequences for parties who exceed their time estimates.

### A. Telephone:

Parties will check in with the court clerk the morning of the hearing, and remain in the telephone conference until their matter is called and heard. The following processes will apply:

#### 1. Confirming the scheduled hearing date and time

- At least one day before the hearing date, the registry will send the parties a hearing confirmation email with instructions about how to join the telephone conference and the time that the parties must check in with the court clerk.

#### 2. Attending chambers via phone

- Parties will be required to check in with the court clerk when they join the telephone conference and should refer to the instructions provided in the hearing confirmation email.
- The check-in time will begin at 9:00 am, unless the hearing confirmation email provides otherwise.
- Parties are expected to stay on the line with a muted connection until their matter is called.
- The [Policy on Use of Electronic Devices in Courtrooms](#) (the “Policy”) applies to applications heard by telephone, and parties must not record telephone proceedings except in accordance with the Policy.

### B. Teams:

Parties will log onto Teams with video using the link provided, or if they are unable to do so, dial in using the conferencing numbers provided, to check in with the court clerk the morning of the hearing. Parties should remain connected until their matter is called and heard. Parties must ensure that their microphone or phone connection is muted and that their camera (if applicable) is off until their matter is called and heard. General instructions on using Teams for hearings are available here:

[https://www.cbabc.org/CBAMediaLibrary/cba\\_bc/pdf/Resources/MS-Teams-CBABC-Desktop.pdf](https://www.cbabc.org/CBAMediaLibrary/cba_bc/pdf/Resources/MS-Teams-CBABC-Desktop.pdf)

The following processes will apply:

#### 1. Confirming the scheduled hearing date and time

- At least one day before the hearing date, the registry will send the parties a hearing confirmation email with instructions about how to join the chambers conference using Teams by video and dial-in conferencing numbers, as well as the time that the parties must check in with the court clerk.

## **2. Attending chambers via Teams**

- Parties will be required to check in with the court clerk when they join the conference using Teams, whether by video or using the dial-in conferencing number, and should refer to the instructions provided in the hearing confirmation email. The check-in period will begin at 9:00 am, unless the hearing confirmation email provides otherwise.
- Parties are expected to stay connected with muted microphone or phone connections and cameras off until their matter is called.
- The [Policy on Use of Electronic Devices in Courtrooms](#) applies to applications heard by Teams and telephone, and parties must not record proceedings except in accordance with the Policy.
- Parties are expected to dress in business attire.
- Parties must do their best to minimize disturbances, including with respect to noise.
- Parties may sit throughout the hearing and are not required to stand while addressing the Court. They are also not required to stand or bow when the presider enters or leaves the hearing.
- Parties may not eat and may not drink anything except water while the hearing is ongoing.
- Parties should avoid moving off-screen during the hearing of their matter or should seek the permission of the master or judge to do so.

Questions regarding Teams hearings of Masters chambers applications of 2 hours or less in Vancouver should be directed to:

Scott Kinloch  
236-889-9754  
[Scott.kinloch@gov.bc.ca](mailto:Scott.kinloch@gov.bc.ca)

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

Dated October 14, 2020, at Vancouver, British Columbia

By Direction of Chief Justice Christopher E. Hinkson  
Supreme Court of British Columbia

## Appendix A

The location of the chambers hearing depends on the location of the registry file.

The below table shows where the chambers hearing will be located based on the location of the registry file. For example, if the registry file is located in Cranbrook then the hearing location is Kamloops.

<b>REGISTRY FILE LOCATION</b>	<b>HEARING LOCATION and REGISTRY CONTACT INFORMATION</b>
<ul style="list-style-type: none"> <li>• Chilliwack</li> </ul>	CHILLIWACK 604.795.8350
<ul style="list-style-type: none"> <li>• Cranbrook</li> <li>• Golden</li> <li>• Kamloops</li> <li>• Nelson</li> <li>• Revelstoke</li> <li>• Rossland</li> <li>• Salmon Arm</li> </ul>	KAMLOOPS 250.828.4344
<ul style="list-style-type: none"> <li>• Kelowna</li> <li>• Penticton</li> </ul>	KELOWNA 250.470.6900
<ul style="list-style-type: none"> <li>• Campbell River</li> <li>• Courtenay</li> <li>• Nanaimo</li> <li>• Port Alberni</li> <li>• Powell River</li> </ul>	NANAIMO 250.741.5860
<ul style="list-style-type: none"> <li>• New Westminster</li> </ul>	NEW WESTMINSTER 604.660.0686
<ul style="list-style-type: none"> <li>• Dawson Creek</li> <li>• Fort St. John</li> <li>• Prince George</li> <li>• Quesnel</li> </ul>	PRINCE GEORGE 250.614.2700
<ul style="list-style-type: none"> <li>• Vancouver (except for masters chambers of 2 hours or less)</li> </ul>	VANCOUVER 604.660.2849
<ul style="list-style-type: none"> <li>• Vernon</li> </ul>	VERNON 250.549.5422
<ul style="list-style-type: none"> <li>• Duncan</li> <li>• Prince Rupert</li> <li>• Smithers</li> <li>• Terrace</li> <li>• Victoria</li> </ul>	VICTORIA 250.356.1478
<ul style="list-style-type: none"> <li>• Williams Lake</li> </ul>	WILLIAMS LAKE 250.398.4301