



IN THE SUPREME COURT OF BRITISH COLUMBIA

**RELATING TO THE COURT'S RESPONSE TO THE COVID-19 PANDEMIC**

**ORDER**

BEFORE THE HONOURABLE  
CHIEF JUSTICE HINKSON

)  
)  
)  
)

Friday, the 5th day of  
June 2020

ON THE COURT'S OWN MOTION:

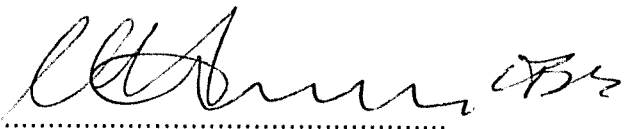
WHEREAS

1. On March 18, 2020, pursuant to the *Emergency Program Act*, R.S.B.C 1996, c. 111, the Minister of Public Safety and Solicitor General made Ministerial Order No. M073 declaring that a state of emergency exists throughout the whole of the Province of British Columbia because of the COVID-19 pandemic, and has since extended the state of emergency;
2. On March 19, 2020, I suspended regular operations of the Supreme Court of British Columbia ("Court") at all of its locations to protect the health and safety of Court users and to help contain the spread of COVID-19;
3. On April 22, 2020, the Minister of Public Safety and Solicitor General made Ministerial Order No. M121. The Order authorizes me and the Associate Chief Justice to make certain orders until the state of emergency expires or is cancelled; and
4. To facilitate the just, speedy and inexpensive determination of proceedings while protecting the health and safety of Court users, until the conclusion of the suspension of the Court's regular operations, I have determined that chambers applications under two hours in length will proceed by telephone. Certain timelines related to provision of application records and service of application record indexes must be changed to facilitate hearing applications by telephone and to ensure appropriate handling of documents.

THIS COURT ORDERS THAT:

1. All applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less will be heard by telephone, unless the Court otherwise orders.
2. Rule 8-2(1)(b), (c) and (2) of the *Supreme Court Civil Rules* and Rule 10-2(1)(b), (c) and (2) of the *Supreme Court Family Rules* do not apply to applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less. The place of hearing of applications will be at the location the Court directs in a Notice to the public respecting chambers applications during COVID-19.
3. 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 to applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less. The application record may include copies of authorities.
4. The time for providing an application record to the registry in Rule 8-1(15) of the *Supreme Court Civil Rules* and Rule 10-6(14) of the *Supreme Court Family Rules* does not apply to applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less. Applicants must provide the application record and any amended application record to the registry where the hearing is to take place no later than 4:00 p.m. on the business day that is 2 full business days before the date set for the hearing.
5. The time for serving an application record index on each respondent in Rule 8-1(17) of the *Supreme Court Civil Rules* and Rule 10-6(15) of the *Supreme Court Family Rules* does not apply to applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less. Applicants must serve a copy of the application record index on each respondent no later than 4:00 p.m. on the business day that is 2 full business days before the date set for hearing.
6. The process set out in 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* whereby the applicant must retrieve the application record does not apply to applications made under Rule 8-1 of the *Supreme Court Civil Rules* and Rule 10-6 of the *Supreme Court Family Rules* that are two hours or less. All application records will be securely destroyed after the conclusion of the hearing, unless the hearing is adjourned, in which case the registry will hold the application record for 10 business days.

7. This Order will remain in effect until the Court's suspension of regular operations is cancelled or until further order by me or the Associate Chief Justice.



.....  
Chief Justice Christopher E. Hinkson

Supreme Court of British Columbia