



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective date: *20 August 2021*

NP 25

NOTICE TO THE PROFESSION AND PUBLIC

**ADJOURNMENT AND RESCHEDULING OF MATTERS PRESENTLY SET FOR
SEPTEMBER 30, 2021**

Purpose

Further to the BC Government's [recognition](#) of the National Day for Truth and Reconciliation on September 30 in the Province this year, all Provincial Court locations will be closed on September 30, 2021. The purpose of this Notice is to direct the adjournment of, and outline the process for rescheduling, matters presently scheduled for September 30, 2021. **This Notice replaces the Court's August 6, 2021 Announcement.**

Notice

1. **All court appearances presently set for September 30, 2021 are adjourned.**
2. Parties and counsel are required to participate in rescheduling these appearances. The table below sets out the process for rescheduling.

I. FAMILY (including child protection (CFCSA) and maintenance enforcement (FMEA))	
Type of appearance presently set for September 30, 2021	Process for rescheduling
First and only day of trial (CFCSA, FLA, FMEA)	Judicial Case Manager (JCM) will contact parties and counsel to reschedule.
Trial presently scheduled to commence on September 30, 2021, with subsequent trial dates	Parties and counsel will be expected to attend the next scheduled trial date after September 30, 2021. On this date, parties and counsel will address rescheduling the September 30, 2021 date with the presiding judge.

Continuation of trial where there is already a scheduled trial date before September 30, 2021 to address rescheduling with the presiding judge (CFCSA, FLA, FMEA)	Parties and counsel will be expected to address rescheduling with the presiding judge at a scheduled trial date before September 30, 2021.
Continuation of trial where there is not already a scheduled trial date before September 30, 2021 to address rescheduling with the presiding judge (CFCSA, FLA, FMEA)	JCM will contact parties and counsel to reschedule.
Family remand list (CFCSA, FLA, FMEA)	Court registry (Registry) will reschedule in consultation with JCMs and also with the Director for CFCSA/FMEA matters. The parties will receive notification regarding the next date they must attend court.
CFCSA Rule 2 case conference	The parties will receive notification regarding the next date they must attend court.
Family settlement conference	The parties will receive notification regarding the next date they must attend court.
Family management conference	The parties will receive notification regarding the next date they must attend court.
II. SMALL CLAIMS	
Type of appearance presently set for September 30, 2021	Process for rescheduling
First and only day of trial (including Rule 9.1 simplified trial and Rule 9.2 summary trial)	JCM will contact parties and counsel to reschedule.
Trial presently scheduled to commence on September 30, 2021, with subsequent trial dates	Parties and counsel will be expected to attend the next scheduled trial date after September 30, 2021. On this date, parties and counsel will address rescheduling the September 30, 2021 date with the presiding judge.
Continuation of trial where there is already a scheduled trial date before September 30, 2021 to address rescheduling with the presiding judge	Parties and counsel will be expected to address rescheduling with the presiding judge at a scheduled trial date before September 30, 2021.
Continuation of trial where there is not a scheduled trial date before September 30, 2021 to address	JCM will contact parties and counsel to reschedule.

rescheduling with the presiding judge	
Trial conference	The parties will receive notification from the Registry regarding the next date a trial conference will be scheduled.
Settlement conference	The parties will receive notification from the Registry regarding the next date a settlement conference will be scheduled.
Applications to a judge	The parties will receive notification regarding the next date they must attend court.
Payment hearings	The creditor/debtor will be required to file and serve a new summons (Form 12)/notice (Form 13) with the rescheduled date obtained from the Registry. For payment hearings that were previously heard and adjourned for review on September 30, 2021, the parties will receive notification from the Registry regarding the new date.
III. CRIMINAL (ADULT AND YOUTH)¹	
Type of appearance presently set for September 30, 2021	Process for rescheduling
A. IN CUSTODY	
Any in custody appearance scheduled for September 30, 2021	JCM will contact counsel to reschedule. If not, rescheduled, the matter will be call dated to September 28, 2021, at the court location where the matter was previously scheduled to proceed, or as otherwise directed by a JCM, at 9:30AM to fix a date. The court registry will prepare the process required to bring the matter forward for video attendance on that date.
Judicial interim release - new in custody charges on September 30, 2021	New in custody charges will be referred to the Justice Centre with the weekend bail procedures governing.
B. OUT OF CUSTODY	
First and only day of trial	Adjourned to October 7, 2021 for a fix date, unless a new date for trial is obtained from a Judicial Case Manager before September 30, 2021.

¹ In this Part, "trial" includes preliminary inquiry.

	A bench warrant will be issued for all accused persons who have not rescheduled their first day of trial set for September 30, 2021. The bench warrant will be held and not executed until the next scheduled appearance date of October 7, 2021. If the accused person appears personally or through counsel/agent on or before October 7, 2021, the bench warrant will be vacated.
Trial presently scheduled to commence on September 30, 2021, with subsequent trial dates	A bench warrant will be issued for September 30, 2021 and will be held until the subsequent trial date unless adjourned before September 30, 2021. Parties and counsel will be expected to attend the next scheduled trial date after September 30, 2021. On this date, parties and counsel will address rescheduling the September 30, 2021 date with the presiding judge.
Continuation of trial where there <u>is</u> already a scheduled trial date before September 30, 2021 to address rescheduling with the presiding judge	Parties and counsel will be expected to address rescheduling with the presiding judge at a scheduled trial date before September 30, 2021.
Continuation of trial where there is <u>not</u> already a scheduled trial date before September 30, 2021 to address rescheduling with the presiding judge	Adjourned to October 7, 2021 to fix a date for your next appearance unless the next continuation date is already scheduled prior to October 7, 2021, or a new date for trial is obtained from a Judicial Case Manager before September 30, 2021. A bench warrant will be issued for all accused persons who have not rescheduled their first day of trial set for September 30, 2021. The bench warrant will be held and not executed until October 7, 2021, unless the next scheduled appearance date is before October 7, 2021 in which case it will be executed on that earlier date. If the accused person appears personally or through counsel/agent on or before October 7, 2021, the bench warrant will be vacated.
Initial Appearance Court	Adjourned to October 7, 2021, unless a new appearance date is obtained from a Judicial Case Manager before September 30, 2021. A bench warrant will be issued for all accused persons who have scheduled appearances on September 30,

	2021 and have not prior to September 30, 2021 otherwise adjourned their matters. The bench warrant will be held and not executed until the next scheduled appearance date of October 7, 2021. If the accused person appears personally or through counsel/agent on or before October 7, 2021, the bench warrant will be vacated.
Pre-trial conference	JCM will contact parties and counsel to reschedule.
Disposition	JCM will contact parties and counsel to reschedule.
IV. TRAFFIC, TICKET OR BYLAW MATTERS	
Traffic, ticket or bylaw matters scheduled for September 30, 2021 are adjourned 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.	

History of Notice to the Profession and Public

- Original Notice to the Profession and Public effective August 20, 2021.

By Direction of Chief Judge Melissa Gillespie
Provincial Court of British Columbia