



EDMONTON REGION PROCEDURE

Effective: May 10, 2021

COVID-19 MEASURES

On May 5, 2021, the Provincial Court announced further measures to respond to the ongoing Covid -19 pandemic. These measures are designed to reduce the number of personal appearances in the courthouse and Courtrooms with a view to reducing the risk of infection to justice participants.

Effective May 9, 2021 until May 28, 2021 the following procedure will be applicable to court proceedings in the Edmonton Regional Courts.

Criminal (Adult)

All non-urgent out-of-custody trials, preliminary inquiries and other hearings requiring viva voce evidence will be adjourned. "In-custody" will be defined as an individual who is in custody on the matter scheduled.

Rather than presumptive adjournments of the trials not proceeding, Counsel for any trial adjourned during this time will be required to book new trial dates. The current procedure for booking trials dates will be used, ie. through the CMO or by contacting the clerk for potential dates. This can be done by sending an email to the Clerk requesting trial dates with the email cc'd to the Crown. The Clerk will respond "reply all" with the trial dates and the Crown can then ascertain witness availability and "reply all" with the trial date which the Clerk will confirm.

Self reps also have to obtain a new trial date and they will be instructed to contact the clerk to obtain these dates.

All other proceedings including docket applications and pre-trials will be conducted virtually.

In-custody trials and preliminary hearings or urgent matters scheduled at the circuit point locations will proceed at the circuit points. The court at circuit points will only be open for

the conduct of the trials. The Clerk's counter will not be open and all Court filing must be done at the basepoints.

For those trials, or hearings that are proceedings, it will be the responsibility of counsel to ensure that client, counsel, witnesses do not enter the courthouse until they receive a call advising them that their trial is ready to proceed.

Docket appearances for both base and circuit points will be conducted virtually. There will be no exceptions for Counsel or other individuals to be present in the courtroom.

Determination of the urgency of a trial will be made by the Assistant Chief Judge (ACJ) upon seven days written notice prior to trial with notice to opposing party. Abridgement of time will be in the discretion of the ACJ. On matters in which a Judge is seized including a trial continuation, the determination of urgency will be made by the trial Judge. Where possible counsel seeking a determination of urgency should contact the opposing party and if both parties agree that they would like a determination of urgency for the file, send a joint notice to the ACJ or trial judge in the case of continuations. Upon receipt of the notice requesting determination, the ACJ or trial judge in the case of continuations will set a conference with counsel to hear the position of each counsel.

Civil

All in-person trials, pretrial conferences, assessments and applications, will be adjourned. The parties will be contacted by the Court to set new dates to proceed. All matters other than trials (PTCs) that are presently scheduled to be heard by telephone or Webex will proceed as scheduled.

Family

All family hearings or trials with viva voce evidence will be adjourned unless an application has been made for the matter to be deemed urgent.

Child Protection

All child protection apprehension applications, docket appearances, case conferences, JDRs, and PTCs will proceed strictly remotely. All non-urgent hearings and trials will be adjourned.

All initial custody applications will proceed as scheduled. These will be considered urgent and can proceed in person.