

PROVINCIAL COURT

FRONT END PROJECT

WHAT'S NEW?

June, 2006

Administrative Court

There will be an Administrative Court that will sit on the 2nd and 4th Monday of each month at 2:00 p.m. in courtroom 401 commencing June 12, 2006. The Administrative Court will hear all Adult and Domestic Violence Custody Matters that are not ready for disposition, such as timeline violations, counsel to withdraw without new counsel present, etc. that require the attention of a Provincial Court Judge. Due to the administrative nature of this court, the accused will not be transported to appear in person or by video unless he/she is self-represented or by request of counsel.

Federal Custody Disposition/Administrative Court

All federal custody dispositions, timeline violations, counsel withdraw without new counsel present, etc. will be scheduled for 10:00 a.m. on the 1st and 3rd Tuesday of each month in courtroom 401 commencing June 20, 2006. If there is a disposition that needs to be accommodated earlier, it can be heard in bail court, if expedited or can be scheduled with Provincial Prosecution Custody Dispositions in courtroom 401.

Courtroom 301 Bail Court Timelines

All matters should remain on the 301 docket no longer than 2 weeks from first appearance. Once 2 weeks has passed, at the request of either counsel, the PTC will remand the matter to a 308 custody docket where it will remain until counsel are ready for a bail application at which time it will be remanded back on the 301 docket.

Contested Custody Adjournments

All non-urgent contested 308 Custody adjournments will be dealt with as follows:

Domestic Violence – Administrative Court

Adult – Administrative Court

Federal Prosecutions – Federal Custody Disposition Courts

If a matter is urgent and can not wait until the next scheduled court, it can be transferred on the same day to either 304 or 305 bail court at a time that can be accommodated and determined by the Bail Court Judge.

June 6, 2006

Custody Timelines

Effective June 12, 2006, all adult, domestic violence and federal prosecution accused that are being held in custody will have a timeline imposed of 3 months from their first custody appearance. The only exception will be those accused who are charged with an offence as noted below. On these matters, a timeline of 6 months will be imposed.

Homicides and fatalities
Child Pornography
Attempt Murder
Aggravated sexual assault & sexual aslt with weapon
Aggravated assault
Robbery with firearm
Robbery
Sexual Assault cause bodily harm
Break and Enters
Impaired cause bodily harm
Criminal Negligence cause bodily harm
Drive Dangerous cause bodily harm
Extortion
Hostage Taking
Incest
Perjury
All firearm and explosive offences
Overcoming resistance - s. 246
Administering Noxious Thing with intent
Criminal harassment
Mischief endangering life
Arson

Consent Custody Timeline Extensions

If both crown and defence agree that a specific case will take longer than the assigned timeline, they can ask the PTC in courtroom 308 to apply an extended timeline by consent. The PTC can only grant one consent timeline extension. There is no limit on the amount of time that it can be extended to and the charges will be adjourned to that date.

CCRD files without assigned timelines

There are still some old CCRD files on the 308 docket that do not have timelines assigned. The PTCs will refer these matters to the Administrative Court for timelines to be assigned.

Domestic Violence Out of Custody Plea Courts

As of June 5, 2006, Pre-trial Co-Ordinators will have the authority to issue warrants that are not contested and set out of custody trial dates.

June 6, 2006