

NOTICE
PROVINCIAL COURT OF MANITOBA
(WINNIPEG CENTRE)

RE: DESIGNATION OF COUNSEL FORM

The Provincial Court continues to adapt its processes to facilitate the progress of matters through the Provincial Court and yet require in person attendance only when something meaningful is occurring. The Designation of Counsel form has been amended to allow counsel to attest they have explained to the client, the obligations of the client to maintain contact with counsel and appear in court when required. When properly explained and endorsed, this will prevent the need for accused persons to attend court in person to sign the designation of counsel form. While these processes limit the need for accused persons to appear in court in person, accused persons are always required to keep in contact with their lawyers and to appear in court when required by the Court.

Counsel are reminded, while there have been numerous changes in process to allow for counsel to appear on behalf of their clients, the Pre-Trial Protocol remains in place. The Pre-Trial Coordinators have limited jurisdiction as Staff Justices of the Peace, and as set out in the Pre-Trial Protocol, are required to follow the protocol and enforce mandatory timelines for all of the charges that appear before them. Counsel must be prepared to set dates when a matter appears on the Date Setting Court docket, or a warrant will issue, as required by the Protocol.

On the dockets leading up to Date Setting court, if the Pre-Trial Coordinators are advised there is an outstanding warrant for an accused person on other matters not on the docket, they can order the personal appearance of the accused person at a future court appearance before moving a matter to date setting court. This is to ensure the efficient use of court time and that the matter will proceed on the date set. If there are outstanding warrants for a person, there is a concern the accused person may not appear on future court dates.

Any concerns regarding the Pre Trial Protocol should be raised with Associate Chief Judge Krahn, rather than with the Pre Trial Coordinators directly, who do not have the authority to change the Protocol or use discretion not granted under the Protocol.

ISSUED BY:

“Original signed by:”

**The Honourable Chief Judge
Margaret Wiebe**

DATE: October 6, 2020