



**MANITOBA COURT OF APPEAL
MANITOBA COURT OF QUEEN'S BENCH
MANITOBA PROVINCIAL COURT**

NOTICE TO THE PROFESSION

September 28, 2020

As Manitoba's Chief Justices and Chief Judge, we have repeatedly acknowledged that the situation surrounding the COVID-19 pandemic in Manitoba remains fluid. It is expected that in the coming weeks and perhaps months, members of the legal profession who appear in Manitoba Courts will be diagnosed with COVID-19.

As with all Manitobans, in situations where members of the profession have been diagnosed with COVID-19, the now well-established Manitoba Health protocol will be followed and those identified as direct contacts (those who have spent more than 15 minutes with the diagnosed cohort within a distance closer than six (6) feet while not wearing a mask) will be notified and will require testing. All others will not be considered direct contacts.

It should be understood that the Manitoba Courts cannot and will not be notifying members of the profession each time a positive COVID-19 diagnosis has taken place in respect of a member of the profession who attends Court. Where such a diagnosis has occurred, the judge (or judges) and any court staff (clerks, sheriffs, etc.) in which the counsel in question has appeared, will be notified. This approach is premised upon not only concerns for confidentiality, but as well, it is premised upon the understanding that any and all direct contacts with the COVID-19 infected cohort would have been identified in the conversation with Manitoba Health following the positive diagnosis. The Courts' approach is also premised upon the assumption that pursuant to the Courts' rigorous safety protocols, for any previous contacts involving the lawyer in question, the appropriate requisite social distancing would have been respected.

It should be remembered that counsel must at all times while in a courthouse wear a mask, except, when in a courtroom, the presiding judge stipulates otherwise. In addition,

it is an unconditional requirement that for all in-person appearances in Manitoba courtrooms, social distancing must be respected or masks must be worn.

The three Chiefs would hope that in the spirit of professionalism and collegiality, members of the profession conduct themselves as responsibly and proactively as possible as it relates to the Courts already issued COVID-19 safety protocols and in respect of any situations requiring additional disclosures above those required by Manitoba Health.

We conclude by thanking all members of the profession for your continuing cooperation and collaboration in doing all that you can to both stay safe and to assist us in providing the judicial service and access to justice that all Manitobans deserve.

Richard Chartier
Chief Justice of Manitoba

Glenn D. Joyal
Chief Justice
Court of Queen's Bench

Margaret Wiebe
Chief Judge
Provincial Court

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