

NOTICE

PROVINCIAL COURT OF MANITOBA

Re: Service of Child Protection Proceedings on persons in custody during Pandemic restrictions

The Covid pandemic has created some concerns about how the personal service of child protection proceedings might be accomplished on those persons who are in custody. Prior to the pandemic, a process server might attend the institution to effect personal service. However with Code Red restrictions and the elimination or restriction of visitors to the Correctional Centre, this method of service is not possible.

There are two options.

1. One is email the correctional facility at the contacts noted below. The Correctional Centre will require a copy of the documents that need to be served on the inmate as well as a draft affidavit of service. The contact person at the institution will personally serve the document on the inmate, complete the blank portions (this can be handwritten) of the draft affidavit of service before a Commissioner for Oaths and email all documents back to counsel or the child caring agency. The original documents would be returned to counsel or the agency via regular mail.
2. The correctional facility receives the documents by email. They serve the inmate with a copy of the documents and complete a draft affidavit of service. They email these documents back to counsel or the child caring agency. A staff person at the child caring agency completes an affidavit confirming service and attaches as an exhibit the emailed confirmations it has received from the Correctional Centre. The original affidavit by counsel's staff person can then be filed with the Court (without the need to provide undertakings that the original will be filed when it is received in the mail, as required by option one) and counsel will ask the Court to validate the service.

Winnipeg Remand Centre:

- The agency can email the documentation that needs to be served to WRCInmatePaperwork@gov.mb.ca
- Admissions staff will print the paperwork and either have it sent to the floor the inmate is on, or have the inmate brought down to admissions (Depending on where the inmate is housed, and whether he/she is symptomatic or asymptomatic).
- The signed paperwork will then be scanned back to the email address provided by the agency.

Headingley Correctional Centre

- The agency can email the documentation that needs to be served to HCCinmatepaperwork@gov.mb.ca.
- A staff member will ensure the person in custody is served. The staff member will then send an email confirmation that the documents were served on the person in custody.
- The signed paperwork will then be scanned back to the email address provided by the agency.
- In the event counsel do not receive a response, they can contact
Cindy.Schulz@gov.mb.ca
Office Phone No. 204-831-4636
Cell Phone No. 204-794-0482

Women's Correctional Centre

- The documents for service can be emailed to wccinmatepaperwork@gov.mb.ca
- The emailed document from the agency will be printed and served on the inmate. An affidavit of service will be completed by staff at the Correctional Centre and the documents scanned and emailed back to the counsel or agency requesting service.
- It may also be possible to set up a video conference with the inmate to effect personal service.

Brandon Correctional Centre

- The agency can email the documentation that needs to be served to BCCinmatepaperwork@gov.mb.ca
- Records/admissions staff will print the paperwork and go through it with the inmate.
- The affidavit of service will be sworn/affirmed before a Commissioner for Oaths.
- The signed paperwork will then be scanned back to the email address provided by the agency.
- Please direct any communication to the records/admissions area.

Milner Ridge Correctional Centre

- The agency or counsel can email the Intake/Admissions department. The electronic mailbox is active and the Intake/Admissions office does prefer documents are forwarded this way. (MRCCinmatepaperwork@gov.mb.ca).
- MRCC does have Commissioners for Oaths on staff. They will validate and be able to have affidavits of service sworn/affirmed before them. Once service is complete, they will be scanned and emailed back to the appropriate agency.

- Documents faxed or mailed would be directed to Intake/Admissions for processing.

The Pas Correctional Centre

- Documents for service can be emailed to TPCCInmatePaperwork@gov.mb.ca.
- The mailbox is managed by Admission staff (Roxanne Paul and Sean Bertholet), both of whom are Commissioners for Oaths and can complete the affidavit of service, after personal service has been effected on the inmate.

Stony Mountain Correctional Centre

- The contact person for service of documents is Karen Shaffer (email: PRA.SENTMGMT@CSC-SCC.GC.CA).
- The Agency sends an email with the documents and a blank affidavit of service to that individual and upon service being completed, the staff person at Stony Mountain provides them with the completed affidavit of service by mail.

ISSUED BY:

“Original signed by:”

**The Honourable Associate Chief Judge
Anne Krahn**

DATE: November 18, 2020