

# NOTICE

## PROVINCIAL COURT OF MANITOBA

### FURTHER SUSPENSION AND RESTRICTION OF HEARINGS

#### Winnipeg and Brandon Judicial Centres

**May 10, 2021 (Amended)**

Since the beginning of the COVID-19 pandemic the Provincial Court of Manitoba has taken proactive measures to protect the health and safety of all court users to help contain the spread of COVID -19 while continuing to provide essential judicial services to Manitobans. Further to our earlier Notice of March 15, 2021 and due to the ongoing pandemic in Manitoba and in line with public health directives, further suspensions and modifications will take effect on Tuesday **May 11, 2021** and remain in place **until May 31, 2021** or a further Notice is issued.

Due to the rise of positive cases of COVID-19 in Winnipeg, climbing test positivity rates and the suspension of school classes in Winnipeg and Brandon in particular, these modifications will focus on restricting the need for persons to attend in person in Winnipeg and Brandon and the circuit court sittings serviced out of Winnipeg and Brandon. Other Regional Court Centres are not affected by this notice at this time. However, we are closely monitoring the situation in the balance of the Regions and we will act quickly if the situation deteriorates there as well. (See the Notice of March 15, 2021 which describes the regional circuit sittings that are proceeding.)

Subject to the below exceptions, all Winnipeg and Brandon circuit court sittings are suspended. Virtual dockets will be held for these sittings in Winnipeg and Brandon with counsel (and accused, if attending) appearing remotely.

All in-custody trials, **whether one day or multiple days, set in Winnipeg and Brandon** will proceed. All one day out of custody trials will be suspended. **All one day trials set in Winnipeg and Brandon circuits, whether in or out of custody, are suspended.** Counsel should discuss re-setting these matters for trial after May 31, 2021 and advise the Court of the new trial date on the date currently set for trial (by email preferably). All multi-day trials (in and out of custody) set in Winnipeg or Brandon or in their related circuits location will proceed as scheduled with strict adherence to the COVID protocols in place.

For Winnipeg trials, counsel are reminded to email the Virtual Assignment Court ([VirtualTrialAssignCourt@gov.mb.ca](mailto:VirtualTrialAssignCourt@gov.mb.ca)) as soon as possible to let the presiding Judge know whether the matter is proceeding so it can be assigned to a trial courtroom. This helps promote physical distancing. This email box is monitored starting at 9:15 am every day. We remind counsel (and your witnesses) not to gather outside Courtroom 302 while awaiting assignment of a courtroom for your trial. For Brandon, we remind

counsel and witnesses who are attending to adhere strictly to the Covid protocols and to maintain social distancing at all times.

All continuations of trials or matters where a Judge is seized will proceed as scheduled.

All dispositions will proceed on the presumption all parties appear remotely. The preferred platform for these dispositions in Winnipeg is MS Teams. In Brandon the preferred platform is Starleaf. Counsel are encouraged to confirm to the Disposition Coordinators the matter will proceed by a video conferencing platform.

If counsel are asking for an exception and requesting in-person appearances, judicial permission must be sought by emailing the Disposition Coordinator at least two days in advance. The position of all parties must be included in the request. The Disposition Coordinator will forward the email to the presiding judge or an administrative judge, if no judge is yet assigned. The circumstances requesting the permission for in person appearances should be pressing or urgent. If the parties cannot appear remotely, or if permission to attend in person is not granted by a judge, the matter will be adjourned.

All bail applications in Winnipeg and Brandon will proceed with all parties appearing remotely, by telephone or video where available. It is incumbent upon counsel to ensure they are on a phone line where they can communicate clearly with the court, and where there are no background noises or interruptions.

The Provincial Court of Manitoba remains open to hear applications with respect to urgent out of custody matters as well as all in custody matters.

In Winnipeg, the Provincial Court Counter dockets will continue to be held virtually. Persons will not be allowed to attend in person but will be asked to phone into the Court to address their matter by calling either 204-948-3138 or 204-945-4612 and speaking to the Staff Justice of the Peace, between the hours of 8:30 a.m. and 2:00 p.m.

In Winnipeg, the Legal Aid Administrative docket will proceed with persons appearing remotely. Counsel and accused persons will not be allowed to attend in person.

#### Child Protection

All child protection dockets will proceed virtually in the appropriate court centre.

#### Provincial Offences Court

The Provincial Offences Court office at 373 Broadway Avenue, Winnipeg will remain closed to the public up to and including May 31, 2021. Provincial Offences Act matters (Winnipeg and Regional) including Highway Traffic Act matters scheduled to appear **for a dispute hearing** up to and including May 31, 2021 throughout Manitoba will be adjourned without you appearing and rescheduled to a later date. Notification of the new date and time will be sent to you. The court office at 373 Broadway remains open to accept fine payments only if other remote options cannot be utilized. This suspension applies to all Provincial Offences Act matters, including Highway Traffic Act matters

scheduled for hearing in Winnipeg and all regional court centres and circuit court locations with the exception of a limited number of Highway Traffic Matters which may proceed virtually. If your matter is to proceed virtually, you will be contacted directly.

Further Notices

The Provincial Court of Manitoba continues to carefully monitor the public health situation. Further restrictions will be considered in the rest of the province, if necessary. All of the above is subject to further Notice as circumstances evolve.

**ISSUED BY:**

*“Original signed by:”*

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**The Honourable Chief Judge  
Margaret Wiebe**

**DATE: May 10, 2021**