

NOTICE

PROVINCIAL COURT OF MANITOBA

Re: COVID-19 SUSPENSION AND RESTRICTION OF HEARINGS

December 23, 2021

The Provincial Court of Manitoba continues to take proactive, preventative measures to protect the health and safety of all court users and to help contain the spread of COVID-19. Given the rise in COVID cases in the last few days, and the expectation this trend will continue for some time moving forward, the Provincial Court of Manitoba is again shifting how it delivers its court services.

Bail Applications and Dispositions

Effective immediately in all centres, all adult and youth in custody **bail and disposition courts** will continue to sit and all bails and dispositions will **presumptively be done virtually**, either by video or telephone until further notice. Bail Triage will proceed virtually.

COURT CENTRES: WINNIPEG, PORTAGE LA PRAIRIE, BRANDON, DAUPHIN, THE PAS AND THOMPSON

Trials, Continuations, Preliminary Hearings and Special Sitings

Effective January 4, 2022, in the major court centres of Winnipeg, Portage la Prairie, Brandon, Dauphin, The Pas and Thompson, the Provincial Court of Manitoba will hear all in custody and out of custody trials, continuations, special sittings and preliminary hearings in person. While the Court remains closed to the general public, those people attending as an accused or a witness may have a maximum of two support people in attendance with them.

For Winnipeg trials and preliminary hearings, counsel are reminded to email the Virtual Assignment Court (VirtualTrialAssignmentCourt@gov.mb.ca) on the morning of the hearing to let the presiding Judge know whether the matter is proceeding so it can be assigned to a trial courtroom as soon as possible. The mailbox is monitored starting at 9:15 a.m. every day. We remind counsel (and your witnesses) not to gather outside courtroom 302 while awaiting assignment to a trial courtroom. Counsel and their clients can wait anywhere in the courthouse complex as the assignment of the courtroom is done via email.

For all court centres, we remind counsel and witnesses attending court to adhere strictly to the COVID-19 protocols and to maintain social distancing at all times.

Gun Prohibition Court

All matters set for hearing will proceed in person as scheduled. All other matters appearing on this docket not set for hearing must either proceed virtually via remote appearance, arranged in advance with the Trial Coordinator, or be adjourned to a future docket.

Legal Aid Administrative Court

Legal Aid Administrative dockets will continue to proceed virtually, all parties are to appear remotely.

Private Prosecution Court

All Private Prosecution matters set for hearing will proceed in person as scheduled. All other matters appearing on a docket not set for hearing must either proceed virtually via remote appearance, arranged in advance with the Trial Coordinator, or be adjourned to a future docket.

Circuit Locations

All in custody and out of custody trials, continuations, special sittings and preliminary hearings will proceed as scheduled in person in all circuit locations. All dispositions and other dockets will proceed virtually by telephone. All participants are expected to follow the COVID-19 protocols in each circuit location so the matters can proceed safely and within the public health guidelines.

The circuit court locations continue to be closed to the general public and are only open to those people necessary to the proceedings before the courts. Those people attending as an accused or a witness may have a maximum of two support people in attendance with them. The only people in the court facility should be those who are proceeding to trial/ preliminary hearing, continuation or special sitting. If multiple matters are scheduled, people are not allowed in the courtroom until their matter is to be heard.

CHILD PROTECTION AND FAMILY MATTERS

Child Protection proceedings are considered to be a priority in the essential services provided by the Court during this time. Child Protection dockets from the court circuit points will occur in the circuit location if there are also trials set on that day. The Court party will be notified in advance if this is the case. The practices set out in our Notice of April 16, 2020, will continue to apply except only those persons essential to the proceedings can appear in person. Counsel are to

coordinate staggered appearances to allow for physical distancing and facilitate remote attendance wherever possible.

If there are no criminal trials set on circuit and it is a stand-alone CP docket, it will be heard remotely from the associated court centre of Winnipeg, Thompson, The Pas, Dauphin and Portage la Prairie, on the same date the Child Protection docket was to take place in the circuit court. Counsel are expected to appear by telephone for the Child Protection dockets.

Child Protection, *Family Maintenance Act* and Private Guardianship trials will proceed as scheduled. The Court remains available to hear applications with respect to urgent matters, especially where those can be arranged with the parties attending remotely.

Family Court dockets will proceed virtually in the associated court centre.

Protection Orders

Protection Order applications will continue to be heard by Judicial Justices of the Peace.

Provincial Offences- Winnipeg and Regional

The Provincial Offences Court Office at 373 Broadway Avenue, Winnipeg, will be closed to the public beginning immediately and until further notice. Provincial Offences Act matters (Winnipeg and Regional) including Highway Traffic Act matters scheduled to appear in person between January 4, 2022 and February 4, 2022, will be adjourned without you being present and rescheduled for a later date. Notification of the new date and time will be sent to you.

Some *Highway Traffic Act* matters will proceed virtually. If your matter has been scheduled to proceed virtually it will proceed on its scheduled date. If it has not been scheduled and it can proceed virtually, and you agree to do so, you will be contacted directly by the Court with the date and time of your hearing along with instructions of how to attend.

Fines can be paid by interact e-transfer by calling 204-948-1282 or online by visiting the following website:

<https://www.gov.mb.ca/justice/tickets/finepayment.html>.

If you have any questions regarding your ticket, please call 204-945-3156 or 1-800-282-8069 EXT 3156.

Case Management Conferences

Case Management Conferences will continue to be conducted by teleconference.

Provincial Court Counter (PCC) Dockets and other Intake Dockets

The Provincial Court Counter Dockets and all other dockets will continue to be held virtually. No one is allowed to attend in person. For Provincial Court Counter Dockets in Winnipeg, those without counsel will be asked to phone in to address their matter by calling either 204-948-3138 or 204-945-4612 between 8:30 a.m. and 2:00 p.m. to speak to a Staff Justice of the Peace.

The Provincial Court of Manitoba will continue to assess the situation on an ongoing basis.

ISSUED BY:

“Original signed by:”

**The Honourable Chief Judge Margaret Wiebe
Provincial Court of Manitoba**

DATE: December 23, 2021