

NOTICE

MANITOBA COURT OF QUEEN'S BENCH

RE: COVID-19 SUSPENSION AND RESTRICTION OF HEARINGS

This Notice updates the previously issued Notice dated March 16, 2020. As with the previous Notice, this direction is obviously based upon the Court of Queen's Bench's desire to do all that is possible to act preventatively and proactively to avoid or limit the spread of COVID-19. It is also based on the institutional objective and need to provide a principled approach to the provision of essential judicial services.

The last Notice provided direction respecting the period from March 16 to April 17, 2020. In light of the continuing threat of COVID-19, and consistent with the objectives explained in the previous paragraph, the Court is now prepared to address the next period in the Court's spring rota.

During the period from **April 20 to May 25, 2020**, the Court of Queen's Bench is limiting scheduled matters to certain prioritized categories and to either emergency or urgent/emergent matters as they will be identified and defined on the basis of the distinct work and direction given by the Court's General and Family Divisions.

As was the case with the previous March 16, 2020 Notice, a number of the adjourned Family and General Division matters (criminal and civil) have been placed on assignment or administrative lists. These lists are for the adjournments arising from the March 16 to April 17, 2020 period and they are scheduled for the week of April 17, 2020. Respecting the adjourned matters in the period affected by this present Notice, the period from April 17 to May 25, 2020, the assignment or administrative lists for both divisions will be scheduled for the week of May 19, 2020.

Although this Notice will address both General and Family Division matters, a separate Notice will be issued concurrently to more specifically address the Family Division administrative lists and the related and somewhat

modified (from the last Notice), service the Family Division will provide during the period of April 20 to May 25, 2020. Similarly, an additional and separate Notice will be issued concurrent with this Notice that will provide further detail concerning the civil administrative/assignment lists in the General Division.

General Division:

- Criminal Matters
 - Trials, *voir dire*s, and criminal motions
 - All non-custody matters will be adjourned to a special assignment list presently scheduled for May 21, 2020, at 9:30 a.m. That date is subject to change.
 - Bails and Bail Reviews - This court will continue to function subject to what should be the now customized practice of the accused appearing by video from the institution and counsel attending by teleconference.
 - Estreatals, and summary conviction appeals are adjourned *sine die*, and counsel should contact Marina O'Leary to reset these dates when the Court reopens.
 - All pre-trials and case management conferences are adjourned *sine die*. After May 22, 2020, counsel or a party may contact the trial coordinator to schedule a new date.
 - For in-custody matters, the trial dates remain set, and it should be expected the matter will proceed.

- Civil Matters
 - All civil trials will be adjourned to a special assignment list presently scheduled for May 21, 2020, at 9:30 a.m. That date is subject to change.
 - All contested civil motions and applications presently scheduled are adjourned *sine die*. After May 22, 2020, counsel or a party may contact the civil motion coordinator to schedule a new hearing date, subject to evolving information in respect to this virus.

- The Uncontested Civil List is suspended until May 22, 2020. If your motion is an emergency, please contact the civil motion coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed.
- All other civil matters, including pre-trial conferences, case management conferences, small claim appeals, and JADRs, are adjourned *sine die*. After May 22, 2020, counsel or a party may contact the trial or motion coordinator to schedule a new date.

It should be understood that any and all miscellaneous matters not captured by the above direction, which the parties consider to be of an emergency nature, may still be addressed by a designated duty judge. If you believe your matter might fall into this category, you may contact the trial coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed. It should also be understood that all urgent and time sensitive commercial matters within the jurisdiction of the commercial list will be administered and adjudicated as they arise.

Family Division

Effective April 20, 2020 through to May 22, 2020, all matters scheduled to appear in the Family Division are subject to the following limitations and direction, subject to the Family Division Notice to the Profession being released concurrently:

- Triage Screening List will be cancelled until further notice. Matters currently pending on this list will be addressed via fax and email to parties and counsel.
- All Triage Conferences, Case Conferences, CP Pre-Trials, CP and FD trials, all motions (including summary judgment motions), applications, JADRs, and in-chambers appointments (including FPA references) will be cancelled until further notice. All of the identified matters (with the exception of the in-chambers FPA appointments which will be adjourned *sine die*) that will be cancelled will be adjourned and spoken to on special assignment lists scheduled for May 21 and 22, 2020. These dates are subject to change.

- Child Protection Intake Dockets up to and including May 22, 2020 are cancelled. Matters currently scheduled to appear on those CP Intake Dockets between April 20, 2020 and May 22, 2020 will be adjourned to a special child administrative intake list on May 21, 2020.
- Any and all emergency hearings which are child protection related or those emergent matters flowing from the new FD Case Flow Model and “emergent” 70DD requests, may be addressed by a duty judge. If your matter is an emergency/emergent, please contact the triage conference coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed.
- Protection Order Set Aside Docket and Hearings are cancelled until further notice. Currently scheduled matters for the period from April 20, 2020 to May 22, 2020 will be adjourned to a special administrative Protection Set Aside Docket on May 21 and 22, 2020.
- ISO Dockets during this period will be similarly cancelled and addressed on May 21, 2020, at a specially designated administrative list.

It should be understood that any and all miscellaneous matters not captured by the above direction, which the parties consider to be of an emergency nature, may still be addressed by a designated duty judge. If you believe your matter might fall into this category, you may contact the trial coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed.

Court of Queen’s Bench Regional Service

This direction has application to all Court of Queen’s Bench Judicial Centres, subject to any specified local customization.

- Thompson
 - Any and all General Division matters scheduled to proceed in the above designated period will be adjourned to a special administrative assignment list which will be conducted by telephone on May 21, 2020, at 9:30 a.m.
 - The previously announced Administrative List will occur on May 4, 2020. Any and all other Family Division matters are adjourned to the June 1, 2020 list.

- The Pas
 - Any and all General Division matters scheduled to proceed in the above designated period will be adjourned to a special administrative assignment list which will be conducted by telephone on May 21, 2020, at 9:30 a.m.
 - The previously announced Administrative List will occur on April 27 and a further Administrative List will occur on May 25, 2020.

- Morden
 - Any and all General Division matters scheduled to proceed in the above designated period will be adjourned to a special administrative assignment list which will be conducted by telephone on May 21, 2020, at 9:30 a.m.
 - The previously announced Administrative List will occur on May 4, 2020 and any and all other Family Division matters during the designated period will be adjourned to June 8, 2020.

- Flin Flon
 - Any and all General Division matters scheduled to proceed in the above designated period will be adjourned to a special administrative assignment list which will be conducted by telephone on May 21, 2020, at 9:30 a.m.
 - The previously announced Administrative List will occur on April 20, 2020 and a further Administrative List will occur on May 19, 2020. Any and all Family Division matters not otherwise being dealt with on the previously announced lists will be adjourned to June 15, 2020.

- St. Boniface
 - Any and all General Division matters scheduled during the designated period will be adjourned to June 8, 2020.

- The previously announced Administrative List will occur on May 6, 2020. Any and all other Family Division matters during the designated period are adjourned to June 10, 2020.
- Selkirk
 - Any and all General Division matters during the designated period are adjourned to June 11, 2020.
 - The previously announced Administrative List will occur on May 7, 2020. Any and all other Family Division matters during the designated period are adjourned to June 4, 2020.
- Brandon
 - All General and Family Division (including child protection) matters that are adjourned will appear on special administrative assignment lists on May 21 and 22, 2020, the details of which will be designated by a direction issued by the Brandon Judicial Centre.
 - It should be understood that any and all miscellaneous matters not captured by the above direction, which the parties consider to be of an emergency nature, may still be addressed by a designated duty judge. If you believe your matter might fall into this category, you may contact the Brandon trial coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed.
- Dauphin
 - All General and Family Division (including child protection) matters that are adjourned will appear on special administrative assignment lists on May 21, 2020, the details of which will be designated by a direction issued by the Dauphin Judicial Centre.
 - It should be understood that any and all miscellaneous matters not captured by the above direction, which the parties consider to be of an emergency nature, may still be addressed by a designated duty judge. If you believe your matter might fall into

this category, you may contact the Dauphin trial coordinator who will contact the duty judge, following which a determination will be made as to if and how the matter will proceed.

All matters appearing before the masters, both in the Winnipeg Judicial Centre and in the Regional Judicial Centres, will be addressed with a specific direction.

New Bookings

With the exception of the matters discussed above, the court will not be taking any new scheduling requests.

Filing

Filing processes will remain unaffected subject to the earlier direction that counsel take care to ensure that in this extraordinary period only essential documents are filed.

THE FOREGOING IS SUBJECT TO CHANGE. ANY CHANGES WILL BE ANNOUNCED ON THE COURT'S WEBSITE.

ISSUED BY:

“Original signed by Chief Justice Joyal”

**The Honourable Chief Justice
Glenn D. Joyal**

DATE: April 2, 2020