

NOTICE
MANITOBA COURT OF QUEEN'S BENCH

RE: COVID-19 SUSPENSION AND RESTRICTION OF HEARINGS

MARCH 16, 2020

Effective immediately, all matters appearing in the Manitoba Court of Queen's Bench will be governed and limited by the following direction. 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, while at the same time providing a principled approach to the provision of essential judicial services.

During the period from **March 17 to April 17, 2020**, the Court of Queen's Bench is limiting scheduled matters to either emergency or urgent matters as they will be identified below based on the distinctive work of the Court's General and Family Divisions. The application of this direction to the period following April 17, 2020 is subject to evolving information concerning the virus.

Everything included in the direction below builds upon and takes precedence over the court's earlier announcement on Friday, March 13, 2020, which addressed a now more limited access to court buildings and the rescheduling of jury trials.

This notice is applicable to all judicial centres. To the extent that there are any differences between the Winnipeg Judicial Centre and the regional Judicial Centres, they are as outlined below.

General Division

- Criminal Matters
 - Trials, *voir dices*, and criminal motions
 - All non-custody matters will be adjourned to a special assignment list presently scheduled for April 16, 2020, at 9:30 a.m. That date is subject to change.
 - All presently scheduled in-custody matters must be the subject of a special pre-trial conference before a designated judge. The judge will receive submissions so as to determine whether the trial will proceed or not. If you are scheduled to participate in an in-custody matter, please contact the trial coordinator to schedule a pre-trial conference with the designated judge as soon as possible.
 - Bails and Bail Reviews - This court will continue to function subject to what should be the now customized practice of ensuring that only the parties addressing the matter before the court should attend inside the courtroom. Counsel will be told to wait in the hall until their matter is called subject to appropriate social distancing (as covered by the notice of March 13, 2020).
 - All other criminal matters, including estreatals, summary conviction appeals, pre-trial conferences, and case management conferences, are adjourned *sine die*. Within a week prior to April 16, 2020 (or a later date subject to evolving information in respect to this virus), the court will advise how counsel or a party may contact the trial coordinator to schedule a new date.
 - Notwithstanding the foregoing, where a trial proceeding by judge and jury has been adjourned (to the Assignment List), counsel should convene a pre-trial conference by teleconference with the trial judge as soon as reasonably possible.

- Civil Matters
 - All civil trials will be adjourned to a special assignment list presently scheduled for April 16, 2020, at 1:30 p.m. That date is subject to change.
 - All contested civil motions and applications presently scheduled are adjourned *sine die* (without a fixed return date). Within a week prior to April 16, 2020 (or a later date subject to evolving information in respect to this virus), the court will advise how counsel or a party may contact the civil motion coordinator to schedule a new date.
 - The Uncontested Civil List is suspended until April 17, 2020. If your motion is urgent, 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 hearings, small claim appeals, and JADR's, are adjourned *sine die*. Within a week prior to April 16, 2020 (or a later date subject to evolving information in respect to this virus), the court will advise how counsel or a party may contact the trial 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 urgent 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.

Family Division

Effective March 16, 2020, through to April 17, 2020, all matters scheduled to appear in the Family Division are subject to the following limitations and direction.

- 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, JADR's, and in-chambers appointments (including FPA references) will be cancelled until further notice. All of the identified matters that will be cancelled will be adjourned and spoken to on special assignment lists scheduled for April 16 and 17, 2020. These dates are subject to change.
- The Child Protection Intake Docket scheduled to proceed on March 19, 2020, will proceed with telephone appearances only. All other Child Protection Intake Dockets up to and including April 9, 2020 are cancelled. Matters currently scheduled to appear on those CP Intake Dockets between March 26, 2020 and April 17, 2020 will be adjourned to a special child protection administrative intake list on April 16, 2020.
- Any and all emergency hearings, either child protection related or those matters flowing from the new FD Case Flow Model (and/or otherwise), may be addressed by a duty judge. If your matter is 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 March 16 to April 17, 2020 will be adjourned to a special administrative protection set aside docket on April 16, 2020.
- ISO Dockets during this period will be similarly cancelled and addressed on April 16, 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.

In addition to the directions set out above, the following applies to the Judicial Centres discussed below.

- Thompson
 - Any and all General Division matters scheduled to proceed in the above designated period that are adjourned will be adjourned to a special administrative assignment list which will be conducted by telephone on April 16, 2020, at 9:30 a.m.
 - Any and all Family Division matters appearing on the April 6, 2020 list are adjourned to the May 4, 2020 list.
- Morden
 - Any and all General Division matters scheduled to proceed in the above designated period that are adjourned will be adjourned to a special administrative assignment list which will be conducted by telephone on April 16, 2020, at 9:30 a.m.
 - Any and all Family Division matters during the designated period will be adjourned to May 4, 2020.
- Flin Flon
 - Any and all General Division matters scheduled to proceed in the above designated period that are adjourned will be adjourned to a special administrative assignment list which will be conducted by telephone on April 16, 2020, at 9:30 a.m.
 - Any and all Family Division matters during the designated period are adjourned to April 20, 2020.

- St. Boniface
 - Any and all General Division matters scheduled during the designated period that are adjourned will be adjourned to May 4, 2020.
 - Any and all Family Division matters during the designated period are adjourned to May 6, 2020.
- Selkirk
 - Any and all General Division matters scheduled during the designated period that are adjourned will be adjourned to June 11, 2020.
 - Any and all Family Division matters during the designated period are adjourned to May 7, 2020.
- Brandon
 - All General and Family Division (including child protection) matters that are adjourned will appear on special administrative assignment lists on April 16 and 17, 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 urgent 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 April 16, 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 urgent 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.

Masters Hearings

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 by the masters to be issued within the next 48 hours. In the meantime, matters appearing before the masters on March 16 and 17, 2020, will proceed unless otherwise directed.

New Bookings

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

Filing

The Registry will remain open for filing.

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

ISSUED BY:

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

DATE: March 16, 2020