



COVID-19 TRAFFIC COURT RESUMPTION PROTOCOL

(PHASE 4 - EFFECTIVE MAY 31, 2021)

Purpose:

Effective May 31, 2021, Traffic Courts (adult and youth) will commence hearing trial matters at base and circuit court locations. In person appearances will only be allowed for those individuals who either have a trial scheduled or have been subpoenaed to appear as a witness at a trial at either a base court or circuit court location

All other “in person” appearances continue to be suspended for all Traffic Court matters (adult and youth).

Commercial Legal Agents and Defence Counsel will continue to appear remotely by Webex (where available) or telephone for mandatory docket appearances.

Adjournment requests and time to pay applications/extensions and set aside applications will continue to be handled as desk top applications.

Defendants will be required to contact the respective base court office to deal with their matters.

Warrants to Hold will only be considered in those situations where the Justice of the Peace (JP) or Provincial Court Judge (PCJ) determines there was a likelihood that the accused was unable to contact the requisite court location.

There will be no presumptive adjournments during this time.

I. Docket Courtroom Appearances for Part 2 Tickets:

1. Files at Warrant Status

a. Warrants to Hold – Defendant Contacts the Court Office

- i. Where a Defendant contacts the court location by email or telephone and wishes to deal with their warrant to hold by telephone, and it is the intention of the Defendant to plead guilty to the matter, the matter will be scheduled in a



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courtroom in the respective base court before a JP/PCJ in accordance with local scheduling protocols.

- ii. The Crown will attend the base court remotely for these appearances, unless the Crown determines that an “in person” appearance is required.

b. Warrant to Hold – Defendant Does Not Contact the Court Office

- i. If the Defendant does not contact the court office by the scheduled court date, the JP/PCJ will determine whether the warrant will be released, extend the hold, and if released, whether the warrant should be endorsed or not.

c. Appearances on Outstanding Warrants

- i. If a Defendant attends the court house and advises the sheriffs at perimeter security that they have an outstanding warrant they wish to deal with, they will be directed to call or email the court office for further information.

d. Releases on Outstanding Warrants

- i. Where Law Enforcement Agencies (LEA) or a bail JP releases a person arrested on a Traffic warrant, the accused should be released to appear at a date (May 31, 2021 or later), place and time in accordance with local scheduling protocols then in effect.

2. In Custody Appearances

- a. Accused persons who are in custody exclusively for traffic matters will appear in the respective traffic courtroom at the base court location. For base court locations that don't have regularly scheduled traffic sitting days, the accused will appear in a criminal courtroom.

3. Mandatory Court Appearances for Self-Represented Defendants

- a. If a Defendant attends the courthouse and advises the sheriffs at perimeter security that they have a ticket with a mandatory court appearance they wish to deal with, they will be directed to call or email the court office for further information.



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- b. Where the Defendant contacts the court office by email or telephone and advises they wish to plead guilty to their matter and there is a mandatory court appearance required (e.g. no insurance, suspended driving, etc.), the court office will provide the Defendant the opportunity to adjourn their matter into a courtroom for a telephone appearance.
- c. Where the Defendant advises they wish to make a telephone appearance, the court office will adjourn the matter into a courtroom at the base court (as per the local scheduling protocols).
- d. The court office will obtain a phone number from the Defendant for the phone appearance and advise the Defendant that they are required to be available for the telephone court appearance on the date and time scheduled.
- e. The matter will be heard in the scheduled courtroom on the date and time scheduled by the court, in “c” above, as per the local scheduling protocol.

II. Sentencings/Decisions/Trial Continuations

These matters will be treated as a priority and will be scheduled into the earliest available trial slot, taking into consideration the availability of the seized JP/PCJ.

III. Trial Courtrooms

Effective May 31, 2021, all scheduled trials will be heard at base and circuit court locations. If you are a defendant or witness for a scheduled trial matter, you will be required to appear in person at the court location at the date and time the trial is scheduled for.

IV. Justice of the Peace Counters

Justice of the Peace Counters will remain closed and all tickets will continue to be handled through the remote process.