



**Provincial Court
of British Columbia**

**Annual Report
2003 - 2004**

THE HONOURABLE CAROL BAIRD ELLAN
CHIEF JUDGE



**THE PROVINCIAL COURT
OF BRITISH COLUMBIA**

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The Honourable Geoff Plant
Attorney General
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Dear Mr. Attorney:

I am pleased to enclose the Court's fourth Annual Report, covering the period April 1, 2003 to March 31, 2004. It will be posted on the Provincial Court website at www.provincialcourt.bc.ca. The report reflects a productive year, including several areas of court reform, continued responsible fiscal management, and an expanded public outreach effort on the part of the Court.

Sincerely,

A handwritten signature in black ink, appearing to read 'CBE' followed by a flourish.

The Honourable Carol Baird Ellan
Chief Judge

CBE:mht

Enclosure



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INTRODUCTION AND OVERVIEW OF THE 2003 – 2004 FISCAL YEAR

Following the publication of the Court's Three Year Strategic Plan¹ at the end of the 2002-2003 fiscal year, the Court continued in its quest for excellence in the delivery of justice to the public, adhering to its statement of principles as adopted with the Strategic Plan:

As an independent judiciary, the Provincial Court of British Columbia is committed above all to upholding the Rule of Law and the Constitution of Canada. We aspire to be fair, impartial, compassionate and patient in a knowledgeable and consistent application of the law to all persons, with due regard to each person's circumstances. We strive in serving the communities of BC to provide reasonable and equal access to justice for all persons through traditional and innovative processes which, to the extent permitted by law and our resources, are practical, speedy, inexpensive, and simple.

Many of the proposed changes to the Court and improvements or enhancements to the Court's delivery of justice suggested in the Plan were commenced or implemented during this fiscal year. These include continued revision of the internal governance and administrative structure of the Court through the Management and Executive Committees, continued decentralization of Court administration by delegation to the Administrative Judges, and continued refinement of the method of assessment of judicial resource requirements, to permit appropriate allocation of resources and achieve optimal service levels throughout the province.

In March 2004, the Court completed a First Year Review of the Strategic Plan, features of which included achievements in the following areas:


- Backlog reduction
- Civil reform
- Court administration
- Court performance standards
- Criminal reform
- Education, judges' self-evaluation and training
- Electronic filing
- Family reform
- Library resource review
- Operational review of the Office of the Chief Judge
- Public outreach
- Review of assigned duties of judicial justices of the peace

Highlights of some of these activities and developments in the current fiscal year follow.

• ***Backlog Reduction***

Backlog reduction initiatives were commenced in the South Fraser and Vancouver Criminal districts within the year, to add and redistribute resources to areas with the most significant criminal backlogs. With these initiatives, some new appointments, and reductions in caseloads, backlogs in the South Fraser District were largely addressed by January 2004.

¹http://www.provincialcourt.bc.ca/downloads/pdf/Judicialplanningcommitteereport2001_2002.pdf



In February 2004, the Attorney General and the Chief Judge announced a new initiative to address backlogs in criminal cases at Vancouver's Provincial Court, 222 Main Street. As of December 2003 that courthouse was experiencing delays of up to 11 months for matters to go to trial. As part of the initiative, the Chief Judge agreed to chair a Main Street Criminal Procedure Committee. The Committee's mandate includes looking at ways to increase courtroom efficiencies through optimum utilization, adherence to criminal caseflow management rules, the role of counsel and the judiciary in pre-trial case management for long trials, and other improvements.

- ***Civil Reform***

The Court's Civil Procedures Committee, struck in the fall of 2002 and chaired by the Honourable Associate Chief Judge A.J. Spence, commenced considering how the Provincial Court process for civil claims might be improved, in order to assist in accommodating an increasing caseload if the monetary jurisdiction limit of \$10,000 were increased. The Committee provided a rough draft of a suggested revised civil process to the BC Justice Review Task Force² and to the Court in the spring of 2003. Revision of the Court's civil process remains under active consideration by the Committee and the Justice Review Task Force. The aim of the Committee is to be in a position to implement revisions to civil procedure concurrently with an increase in the monetary jurisdiction of the Court, if that occurs.

- ***Court Administration***

The Provincial Court has over the past year participated in a number of country-wide studies and seminars on models of court administration, including an ongoing study being conducted by the Canadian Judicial Council. The Chief Judge assisted in conducting a survey of comparative administrative structures of provincial and territorial courts for the Canadian Council of Chief Judges in the fall of 2003.

- ***Court Performance Standards***

In January 2004, the Executive Committee coordinated a seminar on Court Performance Measurement Systems, presented to Court and Ministry of Attorney General officials. As a result, a committee was struck to consider and develop a Court Performance Measurement System for the Provincial Court, which is currently under way.

- ***Criminal Reform***

On March 8, 2004, the Attorney General and the Chief Judge announced the launch of the Vancouver Street Crime Working Group, an initiative of the Justice Review Task Force, to consider alternative ways to deal with street crime. The Court is represented on this committee by the Chief Judge and the Honourable Judge H.C. Stansfield. The Committee will consider a revised process for low-level repeat offenders, including exploring a community or other specialty court model, with a view to possible province-wide reform.

- ***Education, Judges' Self-Evaluation and Training***

The year saw expansion of education programs and opportunities provided by the Office of the Chief Judge and judges of the Court including *Youth Criminal Justice Act* training, Myers-Briggs for judges, and expanded mentoring, education and orientation programs for new judges.

²BC Justice Review Task Force, <http://www.bcjusticereview.org/>

- ***Electronic Filing***

In October 2003, the Chief Judge struck an Electronic Filing Rules Sub-committee, to represent the Court on the Joint Court Electronic Filing Rules Committee, which includes representatives of the British Columbia Supreme Court and Court of Appeal. The Provincial Court Committee consists of the Honourable Judge J.G. Cohen and the Honourable Judge G.S. Gill, and Gene Jamieson, Legal Officer to the Chief Judge.

- ***Family Reform***

The Justice Review Task Force designated a Family Justice Reform Working Group in July 2003 on which the Court is represented by the Honourable Associate Chief Judge J.J. Threlfall. This group will develop recommendations for changes to the family court system in BC. It will also re-examine the concept of unified family court and will make recommendations on the delivery of family justice services outside of the court system, such as non-adversarial and settlement-oriented processes.

- ***Library Resources***

The Chief Judge's Office is in the process of carrying out a decision to review the Court's library resources, and to discontinue hard copies of most legal reporting services and other resource materials, in view of the fact that most of these are now accessible electronically. In light of this, it is likely that the comprehensive materials and content of the judges' seminars, produced for each conference by the Education Committee, will become even more vital. The Court will expand skills training for use of electronic research tools.

- ***Operational Review of the Office of the Chief Judge***

A review of the systems and procedures at the Office of the Chief Judge was performed by an outside consultant in the fall of 2003, resulting in recommendations for reform of processes, job descriptions and staffing structures. These reforms are under way.

- ***Public Outreach***

During the year, members of the Court participated in many public activities including television appearances, media interviews and public speaking engagements, in pursuit of the Court's goal of becoming more transparent and open to the public. The Executive Committee, Legal Officer, and the Director of Judicial Administration participated in media training in the summer of 2003. The Chief Judge struck a Public Relations Committee in the spring of 2004 which will develop a plan for a province-wide public outreach program and a court media relations policy in the next year.

- ***Review of Assigned Duties of Judicial Justices of the Peace***

At the request of the Chief Judge and pursuant to the Strategic Plan, the Judicial Council commenced a review of the assignments and appointment criteria for judicial justices of the peace in light of recent legislative changes and case law.

It is evident from the recent national studies of court administration and from the experience of the Executive Committee as members of the Canadian Council of Chief Judges, that the Provincial Court of British Columbia is at the vanguard in its ongoing innovative initiatives to improve access to justice, public information and the quality of judicial service provided by the Court. The Court's activities in this most recent fiscal year continue in the Court's tradition of responsiveness and accountability to the public it serves, and demonstrate its continuing excellence as a trial court.

ADMINISTRATION

1. Executive Committee

An Executive Committee was formed in March 2003, consisting of the Chief Judge and Associate Chief Judges, pursuant to the Court's Three Year Strategic Plan.

At that time the Executive Committee consisted of Chief Judge Carol Baird Ellan and Associate Chief Judges Tony Spence and Ellen Burdett. Administrative Judge Jim Threlfall of the Okanagan District was appointed as an Associate Chief Judge on May 1, 2003 and added to the Executive Committee, at which time, the Associate Chief Judges were assigned the following designations and areas of responsibility pursuant to the Strategic Plan:

Associate Chief Judge - Policy & Procedure - A.J. Spence

- Primarily responsible for policy development
- Primary contact for JJPs
- Primarily responsible for Criminal, Civil & Family Procedure issues and development
- Oversees substantive, procedural and technological matters relating to the work of the Court
- Alternate presiding member of Judicial Council
- Primary responsibility for examining complaints (other than Chief Judge)

Associate Chief Judge - Operations - E.M. Burdett

- Chair of Management Committee
- Supervisory responsibility for judicial resource allocation, including assignment of ad hoc/part-time/unassigned judges
- Supervision of Provincial ROTA program and liaison with Systems Department
- Primary contact for members of Management Committee
- Examines complaints as delegated by the Chief Judge

Associate Chief Judge - External - J.J. Threlfall

- Represents Court to government in administrative matters
- Coordinates judiciary input on legislation
- Primary contact for government officials dealing with the Court other than Attorney and Deputy
- Assembles and circulates information on government plans/initiatives
- Implements administrative independence projects endorsed by the Executive Committee
- Some public relations and media responsibility
- Primary contact for interior of the province
- Liaises with British Columbia Provincial Court Judges Association (BCPCJA) and Canadian Association of Provincial Court Judges (CAPCJ)
- Examines complaints as delegated by the Chief Judge

2. Management Committee

The Administrative Judges designated pursuant to section 10 of the *Provincial Court Act* are the Management Committee, which is chaired by the Associate Chief Judge - Operations. The Administrative Judges are listed under their districts on pages 19 and 20.

The following new Administrative Judges were appointed during the fiscal year.

July 1, 2003 - Administrative Judge Michael J. Brecknell (Prince George District)
March 1, 2004 - Administrative Judge William J. Kitchen (Vancouver Criminal District)

3. Traffic Court and Justice Centre Administration

Pursuant to a recommendation in the Three Year Strategic Plan, the designation of Administrative Judicial Justice of the Peace was created. Linda Mayner has been the Administrative Judicial Justice of the Peace for the Traffic Court Division since February 1, 2003 and Kathryn Pomfret was appointed Administrative Judicial Justice of the Peace for the Justice Centre, to replace Irene Blackstone, on December 1, 2003.

CHANGING JURISDICTION AND CASELOAD

1. The Scope of the Court's Authority

The Provincial Court and the Supreme Court of British Columbia are the two trial courts in the province. By caseload, the Provincial Court is the only court involved in the majority of cases received by the British Columbia courts system. During the fiscal year 2003-04, the Provincial Court received 207,450 new cases while the superior courts received 62,712 new cases in the same period.

The Provincial Court's caseload is made up of four types of matters. About 50% of Provincial Court caseloads are criminal and youth matters, 35% are traffic and bylaw matters, and about 15% family and small claims.

Depending upon the nature of the case, appeals from Provincial Court decisions may go to either the Supreme Court of British Columbia or the Court of Appeal, and may ultimately be appealed to the Supreme Court of Canada.

The Provincial Court hears matters under a wide variety of federal and provincial enactments, including those listed below. Under some enactments, jurisdiction is shared with the Supreme Court or split between the Provincial Court and the Supreme Court.

Federal Statutes:	Provincial Statutes:	
<ul style="list-style-type: none"> • Criminal Code • Youth Criminal Justice Act • Controlled Drugs and Substances Act • Firearms Act • Income Tax Act • Fisheries Act 	<ul style="list-style-type: none"> • Adult Guardianship Act • Child, Family and Community Service Act • Commercial Transport Act • Court Order Enforcement Act • Family Relations Act • Family Maintenance Enforcement Act • Health Act • Liquor Control and Licensing Act • Local Government Act (Bylaw Offences) 	<ul style="list-style-type: none"> • Mental Health Act • Motor Vehicle Act • Motor Carrier Act • Offence Act • Small Claims Act • Waste Management Act • Youth Justice Act

Regarding criminal matters, over 97% of all criminal cases in British Columbia are conducted and completed in the Provincial Court (102,077 new criminal cases in Provincial Court in 2003-04, compared to 2,191 new criminal cases in the British Columbia Supreme Court and Court of Appeal). The Provincial Court's jurisdiction extends to all criminal cases, except those few listed in section 469 of the *Criminal Code* (such as murder, treason, piracy, alarming Her Majesty) which ordinarily require jury trials and for which the Provincial Court would hear any preliminary inquiry.

The Provincial Court does not conduct jury trials, but for serious offences (termed "indictable") where the accused does not elect a jury trial or a trial by a Supreme Court Judge, the Provincial Court hears the trial. This includes such matters as attempted murder, manslaughter, aggravated assault, sexual assault, kidnapping, extortion, home invasion, fraud - in short, all criminal cases short of murder and those few other offences listed in section 469 of the *Criminal Code*. There are also a considerable number of lesser criminal

offences that must proceed in the Provincial Court or for which the Crown may elect to proceed in the Provincial Court by way of “summary conviction”.

In family matters, the Provincial Court has jurisdiction in child protection cases, maintenance, custody, guardianship, and access, but does not deal with divorce, adoptions, or the division of family property. Sharing jurisdiction with the Supreme Court in matters of child custody, access, maintenance, and maintenance enforcement, the Provincial Court hears more than 36,000 family cases each year (including repeat applications on existing files) or about 74% of all family matters in the province.

The Provincial Court’s jurisdiction in civil matters extends to cases with a monetary limit of \$10,000. It hears approximately 20,000 cases each year, which represents about 42% of the Supreme Court’s civil volume.

Traffic-related provincial and federal ticket offences are heard by judicial justices of the peace in traffic court. Judicial justices of the peace also hear bail and search warrant applications by fax and telephone through the Justice Centre.

2. Legislative Changes

a. Federal

During the fiscal year April 1, 2003 to March 31, 2004, portions of four Federal Acts affecting Provincial Court jurisdiction came into force.

Parts of *An Act to Amend the Criminal Code (Firearms) and the Firearms Act*, S.C. 2003, c. 8, came into force on May 30 and August 15, 2003, and deals with aspects of the *Criminal Code* and *Firearms Act* related to ownership, licensing and use of firearms.

As noted in last year’s annual report, significant portions of the *Criminal Law Amendment Act*, 2001, S.C. 20, c. 13 (formerly Bill C15A) came into force in 2002 and 2003. Provisions which were expected to come into force on December 1, 2003 were delayed and are scheduled to come into force on June 1, 2004. These latter provisions deal primarily with preliminary inquiries.

While much of the *Proceeds of Crime (Money Laundering) and Terrorist Financing Act*, S.C. 2000, c. 17, came into force from 2000 to early 2003, further provisions came into force on March 31, 2004. These latter provisions deal with consequential amendments to the *Canada Post Act* and the *Seized Property Management Act*.

An Act to Amend the Criminal Code (Criminal Liability of Organizations), S.C. 2003, c.21 (except one provision) came into force on March 31, 2004. The *Act* deals with changes to the *Criminal Code* to support prosecution of organizations, as distinct from individuals.

b. Provincial

On May 28, 2003 amendments came into force to the *Family Relations Act*, R.S.B.C. 1996, c.128, and the *Interjurisdictional Support Orders Act*, and the *Offence Act*, S.B.C. 2002, c.29, which were included in the *Miscellaneous Statutes Amendment Act* (No. 2), S.B.C.

2003, c.37. The amendments to the two former *Acts* relate to paternity tests and determination of parentage, while the *Offence Act* amendment relates to aspects of violation tickets under the *Act*.

Also on July 1, 2003, amendments to the *Evidence Act*, R.S.B.C. 1996 c.124, came into force permitting courts to allow witnesses to provide evidence by video in all levels of court in British Columbia, unless the court concludes that receiving evidence in that way would be contrary to the principles of fundamental justice.

On July 1, 2003 amendments from the *Attorney General Statutes Amendment Act*, S.B.C. 2002, c.37 came into force. These included amendments to the *Provincial Court Act* to provide that Provincial Court Judges have exclusive Provincial Court jurisdiction over matters under the *Canadian Charter of Rights and Freedoms*, aboriginal treaty rights or claims, or any matter for which a term of imprisonment could be imposed. In addition, these amendments included provisions allowing evidence to be admitted on violation ticket trials despite such evidence not being admissible under the strict laws of evidence, provided the evidence is relevant, credible and trustworthy.

Section 272 of the *Local Government Act*, R.S.B.C. 1996, c. 323, which provided the Chief Judge of the Provincial Court with a consultative role in establishing fine amounts in municipal bylaws, was repealed by the *Community Charter Transitional Provisions Consequential Amendments and Other Amendments Act*, S.B.C.2003, c. 52, s. 230 (effective January 1, 2004 by B.C. Reg. 465/2003).The consultative role for the Chief Judge has not been continued under the *Community Charter*, S.B.C. 2003, c. 26.

The *Judicial Compensation Act*, S.B.C. 2003, c. 59, was brought into force on October 23, 2003. This legislation deals with the Compensation Commission process for Provincial Court Judges and Judicial Justices of the Peace. Provisions related to pensions for judges are also transferred from the *Provincial Court Act* to this legislation.

The *Youth Justice Act*, S.B.C. 2003, c. 85, came into force on April 1, 2004. This legislation deals with proceedings under provincial legislation in relation to young persons and incorporates a number of provisions in the federal *Youth Criminal Justice Act*.

The Slovak Republic was added on October 10, 2003, to the list of reciprocating jurisdictions in the *Interjurisdictional Support Orders Regulation*, B.C. Reg. 15/2003 under the *Interjurisdictional Support Orders Act*, S.B.C. 2002, c. 29, pursuant to B.C. Reg. 351/2003.

In 2003, small claims matters in Vancouver, Nanaimo, Surrey and North Vancouver became subject to new mediation rules (B.C. Reg. 172/2003). On October 24, 2003, Victoria was added to that list of such registries, pursuant to B.C. Reg. 373/2003.

The *Municipal Bylaw Enforcement Regulation*, B.C. Reg. 352/89, was repealed and replaced by the *Community Charter Bylaw Enforcement Ticket Regulation*, B.C. Reg. 425/2003. The *Regulation* establishes, among other things, the maximum fine under section 265 of the *Community Charter*, S.B.C. 2003, c. 26, and the prescribed forms of tickets under that legislation.

Several changes were made to the Regulations under the *Offence Act*, R.S.B.C. 1996, c. 338. B.C. Reg. 298/2003 and B.C. Reg. 299/2003 established forms of Certificates of Evidence under section 15.3 of the *Act*, effective August 1, 2003, as well as established specific

offences under the *Motor Vehicle Act* as prescribed for the purposes of section 15.3(1) of the *Offence Act*. B.C. Reg. 300/2003 replaced the provision setting out the fine in the *Violation Ticket Administration and Fines Regulation*, B.C. Reg. 89/97 for operating without a licence under the *Motor Carrier Act*, R.S.B.C. 1996, c. 315. B.C. Regs. 382/2003, 383/2003 added a further Certificate of Evidence form and substituted a number of violation ticket forms under the *Offence Act Forms Regulation*, B.C. Reg. 422/90. B.C. Reg. 384/2003 amended the *Violation Ticket Administration and Fines Regulation*, B.C. Reg. 89/97, effective February 1, 2004, regarding fine amounts, victim surcharge levies and ticketed amounts related to matters under the *Motor Vehicle Act*, R.S.B.C. 1996, c. 318, and *Motor Vehicle Regulations*, B.C. Reg. 26/58. B.C. Reg. 396/2003 amended the Schedules to the *Violation Ticket Administration and Fines Regulation* regarding enforcement officers and fines under the *Motor Carrier Act* and the *Motor Carrier Act Regulations*, B.C. Reg. 59/59 and B.C. Reg. 252/94. B.C. Regs. 411/2003 and 412/2003 amended the *Violation Ticket Administration and Fines Regulation* in relation to such matters as fine amounts under the *Greater Vancouver Transit Conduct and Safety Regulation*, B.C. Reg. 87/99, as well as other matters under the Schedule related to fine amounts for specific contraventions.

3. Trends in Caseload

a. Incoming Cases by Subject Matter

Trends in the number of new adult and youth criminal cases continue to reflect reductions in caseloads as do the percentage of pending cases for the latest fiscal year. With these falling caseloads, the Court has to date been able to address most backlogs without increasing overall resources (see below in c.).

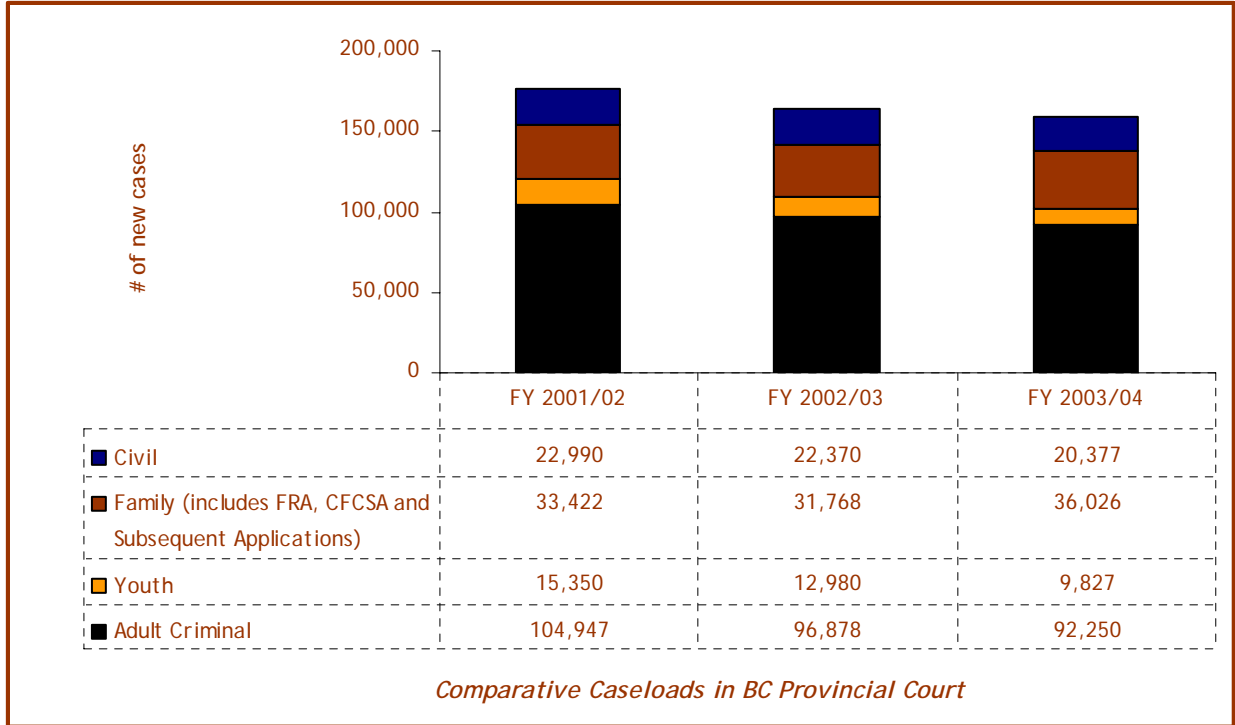
In fiscal 2003 - 2004 new *Family Relations Act* cases decreased slightly; however, subsequent applications on files commenced before 2003/2004 increased dramatically. The number of new cases under the *Child, Family and Community Service Act* decreased slightly while the subsequent applications under the *Child, Family and Community Service Act* slightly increased over the past year. Overall, family caseloads, including subsequent applications, were up by about 13%.

Youth criminal cases are part of the Family Division. Caseloads in Youth for 2003 - 2004 decreased dramatically, in part likely due to the emphasis in the new *Youth Criminal Justice Act* on alternate measures.

Volumes of civil cases filed in the Court continued to decline as did waiting time for settlement conferences in most areas; however, waiting time for trials in some larger court locations increased, due to temporary reductions in judicial resources or delays in appointments. Again, it is expected that with reductions in caseloads and reallocation of resources, these waiting times will be reduced over the next year.

Traffic caseloads increased during the year; however changes to the jurisdiction of judicial justices of the peace (discussed above and at p. 15) are expected to decrease caseloads significantly within the next year. It is expected that any traffic backlogs will be addressed through these anticipated reductions in caseload and more effective time utilization in the JJP division.

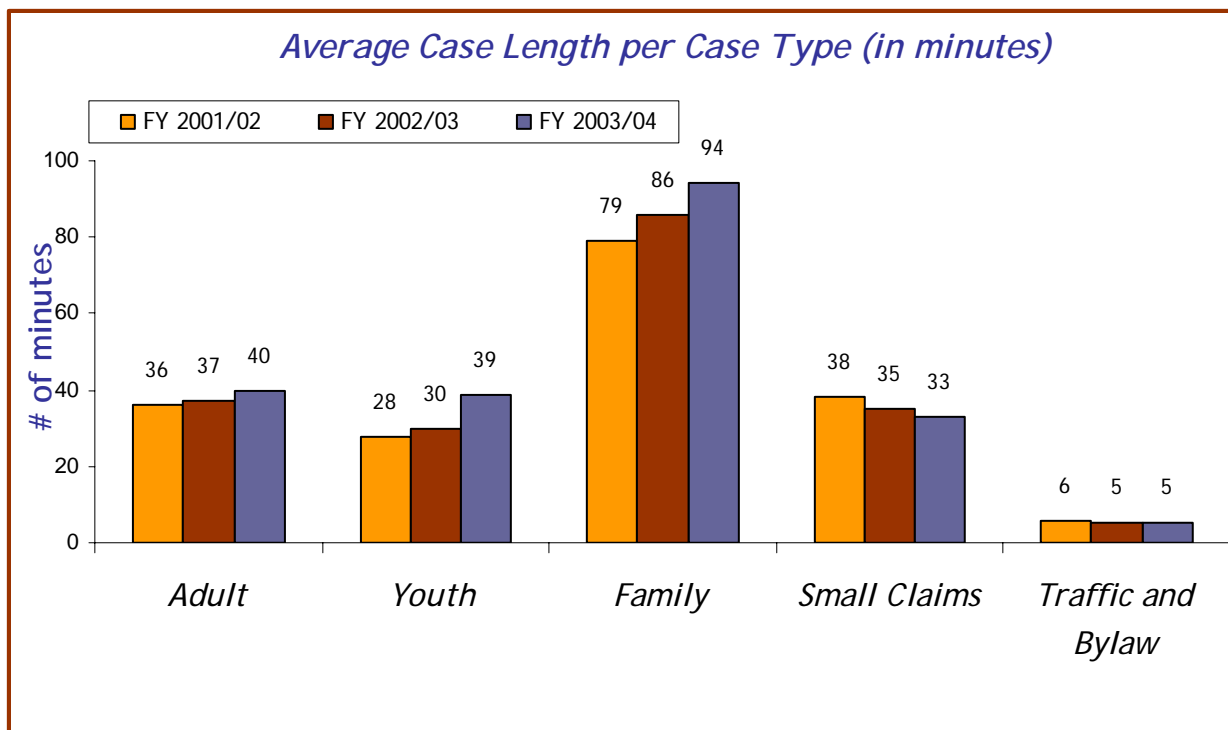
The following chart shows comparative caseloads for new cases for the current and previous two fiscal years, by subject, other than traffic matters.



b. Trends in Case Lengths

The following graph shows provincial average case lengths based upon time spent on case types. There are significant regional variations between districts for some case types. The Management Committee has, with the assistance of the Court's Director of Judicial Administration and Administrative Judicial Case Manager, developed a method of assessing the need for judicial resources (judges) province-wide, through a calculation based on average caseloads and case lengths. Utilizing regional case lengths, incoming caseloads and existing backlogs, the Court is able to estimate the required number of judges for each district.

These figures measure court hours by subject against total incoming caseloads, not trial lengths. They represent a weighted average of all matters ranging from those concluded in a few minutes or several brief appearances, to trials which may be up to several months or even years in length. Approximately 7% of the Court's caseloads proceed to trial, the remainder being dealt with by guilty pleas, consent orders, settlements, or discontinuance.



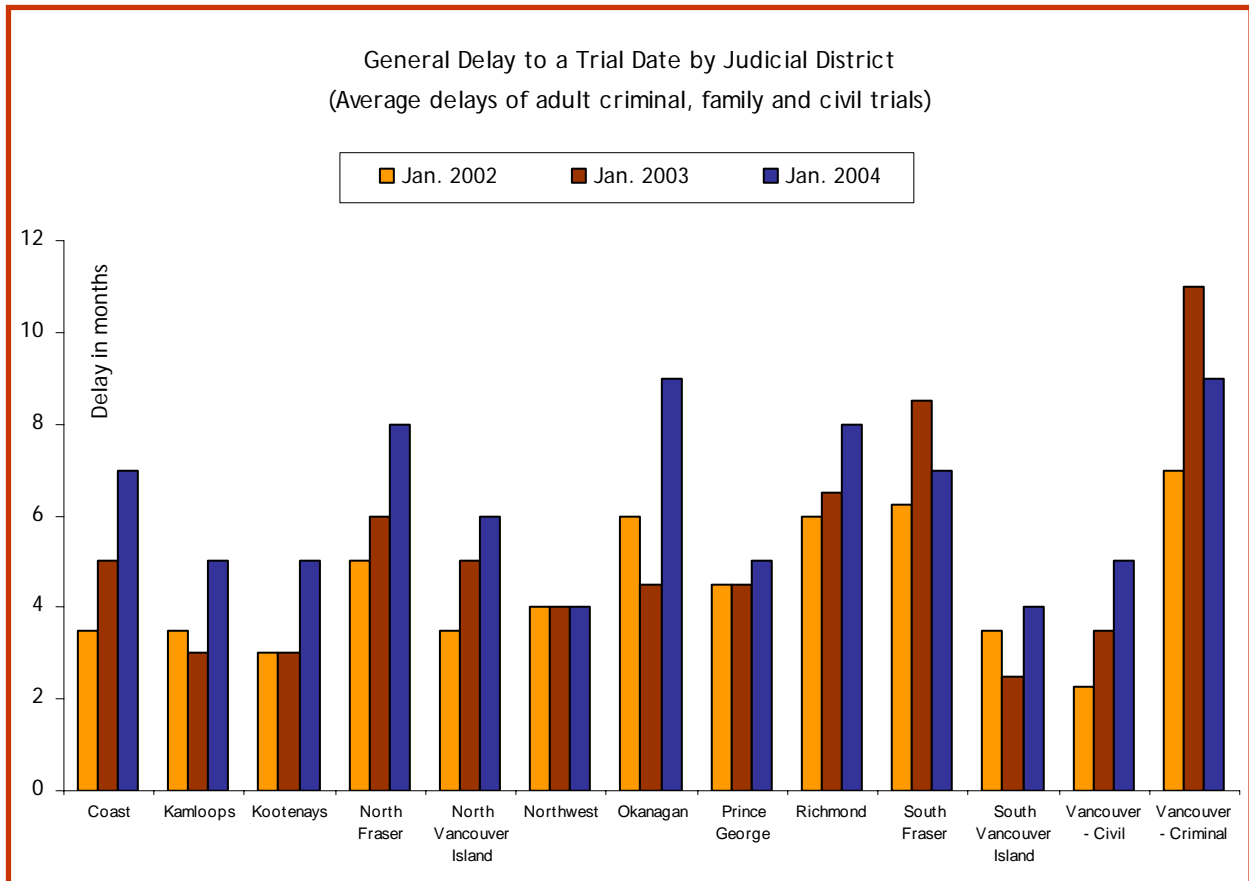


c. Trends in Available Trial Dates (Backlog)

The chart below shows the average "next available trial date" per district for the past three years. This represents the average time delay between the setting of a case and its trial date.

Most districts remain within an acceptable range, though backlogs were starting to develop as of January 2003 in a few areas, due in part to a significant number of illnesses, and in part to uneven distribution of judicial resources throughout the province. Backlog reduction initiatives were commenced in the South Fraser and Vancouver Criminal Districts within the year, to add and redistribute resources to areas with the most significant criminal backlogs. With these initiatives and new appointments, and reduction in caseloads, backlogs in the South Fraser District were largely addressed by January 2004. A similar concentrated backlog reduction initiative for Vancouver should show favourable results by 2005.

In January 2004, the Executive Committee initiated a seminar on Court Performance Standards, presented at the Office of the Chief Judge, in which members of the judiciary and representatives of the Ministry of Attorney General participated together. It is anticipated that a Court Performance Measurement System will be jointly developed by the Court and the Court Services Branch over the next year, to serve as a coordinated, accurate and timely means of monitoring service levels and access to justice.



DIVISIONS OF THE COURT - DEVELOPMENTS IN THE YEAR

1. Civil Division

The Court's Civil Procedures Committee, struck in the fall of 2002 and chaired by the Honourable Associate Chief Judge A.J. Spence, commenced shortly after its inception to consider how the Provincial Court process for civil claims might be improved, in order to assist in accommodating an increasing caseload if the monetary jurisdiction were increased. In the spring of 2003, the Committee provided a rough draft of a suggested revised civil process to the Justice Review Task Force and to the Court for their review. Many comments were received and considered at that time. Revision of the Court's civil process for small claims (under \$50,000) and for larger claims remains under active consideration by the Committee and the Justice Review Task Force. The aim is for the Court to be in a position to implement revisions to civil procedure concurrently with an increase in the monetary jurisdiction of the Court, if that occurs.

The Committee has most recently prepared a proposed Civil Dispute Resolution Model for claims up to \$50,000 to replace the current civil procedures. This model was presented to the Justice Review Task Force in the spring of 2004 with a view to that body conducting a broad based public consultation to consider the merits of the proposal.

The Court Dispute Mediation Practicum continued to provide pre-court mediation for civil matters, as well as allowing for training of mediators through supervised practical experience, expanded this year from locations at Robson Square, Surrey, Delta (now closed) and Nanaimo to include Victoria and North Vancouver. The Small Claims Rules were amended to standardize procedures for the program.


2. Criminal Division

The Court's Criminal Caseflow Management Rules (CCFM) are judges' rules under s. 482 of the *Criminal Code*. They were enacted in September 1999 after a vote of the judges and are posted on the website. The Rules were intended to encourage early resolution of cases, and greater event certainty, by reducing the number of cases unnecessarily set for trial and reducing unproductive appearances. The implementation of CCFM was completed in 2000.

The Court's Criminal Procedures Committee, chaired by Associate Chief Judge Spence and made up of representatives of the Bar, Government, Legal Services Society and the Law Society, commenced a review of the Rules at the request of the Chief Judge in September 2002. The committee's report endorsed the CCFM process and suggested several revisions to the procedures prescribed by the Rules. These suggestions were considered by the judges of the Court at the Spring Conference in May 2003.

As a result of these suggestions, the Chief Judge issued a Practice Direction in November 2003 making it possible to waive an arraignment hearing in summary conviction proceedings. This Practice Direction and others are available on the Court's website³.

³<http://www.provincialcourt.bc.ca/aboutthecourt/criminalandyouthmatters/chiefjudgespracticedirections/index.html>



In February 2004, the Attorney General and the Chief Judge announced a new initiative to address backlogs in criminal cases at Vancouver's Provincial Court, 222 Main Street. As of December 2003 that courthouse was experiencing delays of up to 11 months for matters to go to trial. As part of the initiative, the Chief Judge agreed to chair a Main Street Criminal Procedure Committee. The Committee's mandate includes looking at ways to increase courtroom efficiencies through optimum utilization, adherence to criminal caseflow management rules, the role of counsel and the judiciary in pre-trial case management for long trials, and other improvements. The Committee includes senior members of the judiciary, Crown counsel and government. It is anticipated that the Committee will have some success in reducing backlogs to an acceptable level by the end of 2004.

On March 8, 2004, the Attorney General announced the launch of the Vancouver Street Crime Working Group, an initiative of the Justice Review Task Force, to consider alternative ways to deal with street crime. The Court is represented on this committee by the Chief Judge and Judge Stansfield. The Committee will consider a revised process for low-level repeat offenders, including exploring a community or other specialty court model, with a view to possible province-wide reform.

3. Family Division

An extremely positive development in Family Court arose out of the Legal Services Society's decision to provide family duty counsel in many locations. The assistance of these counsel proves invaluable in case management, as the parties are much better able to make informed decisions about their cases before they appear in court. Judges are consequently less involved in providing instruction and assistance to parties, and better able to provide appropriate rulings and orders at an earlier stage in the proceedings. It is anticipated that the addition of these valuable resources will have a positive effect on caseloads and backlogs in the family division over the next fiscal year.

Another positive initiative is the Surrey Court Project's Facilitated Planning Meeting, a pilot project run by the Ministry of Children and Family Development (MCFD) in the South Fraser Region which is still ongoing. The project's background and evaluation is listed on the Ministry of Attorney General's Dispute Resolution Office (DRO) website⁴.

The Justice Review Task Force designated a Family Justice Reform Working Group in July 2003 on which the Court is represented by Associate Chief Judge J.J. Threlfall. This group will develop recommendations for changes to the family court system in BC. It will also re-examine the concept of unified family court and will make recommendations on the delivery of family justice services outside of the court system, such as non-adversarial and settlement-oriented processes. The report of the Committee is expected in December 2004.

⁴<http://www.ag.gov.bc.ca/dro/child-protection/index.htm>

4. Judicial Justices of the Peace Division

On July 1, 2003, an amendment of the *Provincial Court Act* was passed which removed the jurisdiction of JJPs to hear certain matters, including applications under the *Canadian Charter of Rights and Freedoms*, and offences that may result in imprisonment. The result of this is that in traffic or other provincial disputes where a *Charter* issue is raised, the matter is now referred to a judge. Matters where the prosecution is seeking jail are generally commenced before a judge. At the same time, the legislation enabled the production of a police officer's evidence by way of a certificate rather than in person. The latter provision is being piloted in Kamloops and may be phased in to the rest of the province over time. Another pilot project commenced during the year provides for a new process for minor municipal bylaw violations, such as parking violations, to be dealt with out of the court system.

FACILITIES

Following the 2002 closure of 24 Provincial Court courthouses, circuits have now been permanently reopened in the following sites:

100 Mile House	Houston
Castlegar	Invermere
Chase	Kitimat
Chetwynd	Lillooet
Creston	Merritt
Fernie	Princeton
Grand Forks	Revelstoke
Hope	Vanderhoof

Planning is under way for:

- an extension to the Surrey Courthouse to add three courtrooms
- a new courthouse in Salmon Arm with a planned opening in October 2005
- renovations to the Penticton Courthouse to enhance security and provide additional judicial space

FINANCIAL REPORTS

1. 2003 / 2004 Budget Submissions and Expenditures

	Budget	Actual	Variance	
SALARY	29,237,000	28,349,622	887,378	(1)
SUPP. SALARY	8,000	72,437	-64,437	(2)
BENEFITS	6,621,000	6,431,438	189,562	
JUDICIAL COUNCIL/AD HOC	128,000	382,765	-254,765	(3)
TRAVEL	1,305,000	1,221,899	83,101	(4)
CENT MGNT SUP. SVCE	284,000	301,084	-17,084	
PROF. SERVICES	71,000	106,681	-35,681	(5)
DATA/TELEPHONE	207,000	237,072	-30,072	(6)
OFFICE EXPENSE	678,000	696,928	-18,928	
ADVERTISING	3,000	0	3,000	
SUPPLIES	73,000	71,329	1,671	
VEHICLES	45,000	41,998	3,002	
AMORTIZATION EXP.	378,000	262,303	115,697	(7)
BUILDING LEASE	454,000	517,116	-63,116	(8)
C.A.P.C.J. GRANT	6,000	7,200	-1,200	
LIBRARY	207,000	205,387	1,613	
INTEREST ON NON-CAPITAL LEASES	9,000	2,455	6,545	
GENERAL EXPENSES	0	2,093	-2,093	
Sub-Total Operating	39,714,000	38,909,807	804,193	
Operating Variance as per Financial Management Report			804,193	
Provincial Court Judges	140.34			
Judicial Justices of the Peace (JJP)	28.66			
Staff	74.41			
Total FTE:	243.41			
	Budget	Actual	Variance	
Capital Budget Variance (Systems and Furniture)	112,000	47,319	64,681	
(1) Appointment lag on judges/JJPs; savings from Senior Judge Program; funding reserve for judges on sick/LTD leave and incorrect loading				
(2) More Maternity Leaves than anticipated				
(3) Incorrect loading between salary and ad hoc				
(4) Travel Reduction Strategies				
(5) Contract not originally planned/budgeted				
(6) Contract to handle systems work due to recruitment lag of employee				
(7) Amortization of Systems and Assets not fully charged as anticipated				
(8) Office relocation expenses				

2. Ad Hoc Judges & Judicial Justices of the Peace Programs

Ad hoc judges and judicial justices of the peace (JJP - see p.21) are retired judges and JJPs who are reappointed to perform judicial duties on a per diem basis. They are deployed on a short-notice, emergency basis to cover for short-term illness or other unexpected shortages of judicial resources. The ad hoc judges program serves as a complement to the newer Senior Part Time Judges Program discussed below. As of March 31, 2004, there were 5 ad hoc judges and 2 ad hoc JJPs on the Court.

Ad hoc Judges

C. Barnett
F. Green
L. Nimsick
K. Page
T. Shupe

Ad hoc JJPs

H. Gaffney
D. Rivett

The following charts show the amount of time committed to ad hoc judge and judicial justice of the peace services in the 2003-2004 fiscal year. As in the prior fiscal year, ad hoc assignments exceeded budgeted amounts. However, expenditures were offset by salary savings from delays in appointments, long-term disability or leaves of absence.

2003/ 2004 Ad Hoc Judge Usage & Expenditures

FOR FISCAL YEAR 2003/2004	DAYS USED	\$ AMOUNT	
TOTAL USAGE	285.00	\$204,345.00	
TOTAL BUDGET (days)	180.00	\$129,060.00	
VARIANCE	(105.00)	(\$75,285.00)	

2003/ 2004 Ad Hoc Judicial Justice of the Peace Usage & Expenditures

FOR FISCAL YEAR 2003/2004	DAYS USED	\$ AMOUNT	
TOTAL	354.10	\$100,364.00	
TOTAL BUDGET	180.00	\$50,760.00	
VARIANCE	(174.10)	(\$49,604.00)	

JUDICIAL COMPLEMENT

1. Judges

At the commencement of the fiscal year, in April 1, 2003, the complement of provincial court judges totalled 135 full time judges, 14 part time and 6 ad hoc judges.

At March 31, 2004, the complement was 135 full time, 13 part time and 5 ad hoc judges. The following changes in the complement of judges took place during the 2003-2004 fiscal year.

a. Retirements

Judge	Date	Administrative District
1. J.B. Paradis	Aug 15, 2003	Coast
2. R.C. Graham (ad hoc)	Aug 31, 2003	Office of the Chief Judge
3. J.L. McCarthy	Aug 31, 2003	Vancouver Criminal
4. T.C. Smith	Sept 30, 2003	Cariboo
5. R.D. Grandison	Sept 30, 2003	Coast
6. N.C.M. Collingwood	Oct 31, 2003	South Fraser
7. P.R. Lawrence	Feb 27, 2004	Northwest

b. Part Time Elections

Judge	Date	Administrative District
1. M.H. Thomas	Apr 30, 2003	South Fraser
2. C.D. Lazar	June 30, 2003	North Vancouver Island
3. C.B. MacArthur	Jan 2, 2004	South Fraser
4. W.J. Diebolt	Jan 31, 2004	Coast
5. E.A. Sather	Mar 31, 2004	Kamloops

c. Appointments

Judge	Date	Administrative District
1. P.D. Gulbransen	July 18, 2003	Abbotsford
2. M.O. MacLean	Sept. 18, 2003	Vancouver Criminal
3. R.B. Caryer	Oct. 17, 2003	Surrey
4. J.F. Galati	Feb. 18, 2004	Robson Square
5. D. Senniw	Mar. 4, 2004	Robson Square

d. Transfers

Judge	Date	Location
1. P.M. Doherty	July 1, 2003	Campbell River to Courtenay
2. P.V. Hogan	July 1, 2003	Prince George to Okanagan
3. J. Auxier	Jan 26, 2004	Robson Square to North Vancouver

Provincial Court Judges by Administrative District as at March 31, 2004

Office of the Chief Judge

C. Baird Eilan, Chief Judge

Ad Hoc Judges:

C.C. Barnett

F.S. Green

L.A.T. Nimsick

K.D. Page

T.W. Shupe

Vancouver:

W.J. Kitchen, Administrative Judge

E.A. Arnold

C.L. Bagnall

B.E. Bastin

E.H. Bendrodt (p/t)

C.J. Bruce

J.E. Godfrey

T.J. Gove

F.E. Howard

R.R. Low

M.O. MacLean

P.L. Maughan

T.D. McGee

H.J. McGivern

J.F. Palmer

K.A.P.D. Smith (p/t)

D.I. Smyth

C.J. Trueman (LTD)

C.E. Warren

H.F. Weitzel

Robson Square

M.E. Rae, Administrative Judge

B.K. Davis

H.K. Dhillon

J.F. Galati

R.M. Gallagher

G.D. Gillis

M.R. Mondin

P.R. Meyers

D.R. Pendleton

V. Romilly

D. Senni

A.R. Tweedale

J.F. Werier

W.F. Yee

North Fraser

A.J. Spence, Associate Chief Judge

P.L.J. de Couto, Administrative Judge

T. Alexander

S.C. Antifaev

G.P. Angelomatis

M.R. Buller Bennett

J.C. Challenger

R.P. Chen

S. Dossa

D.D. Potheary

D.M.B. Steinberg

D. Stone

South Fraser

W.G. MacDonald, Administrative Judge

K.W. Ball

M.C. Borowicz

R.B. Caryer

J.G. Cohen

T.J. Crabtree

T.D. Devitt

E.A. Ferbey

H. Field

G.S. Gill

P.D. Gulbransen

B.G. Hoy

P.A. Hyde

J.W. Jardine

R.J. Lemiski (p/t)

J.J. Lenaghan

J.R. Lytwyn

M.I. MacAlpine (p/t)

C.B. MacArthur (p/t)

S.K. MacGregor

C.G. Maltby

R.D. Miller

S. Point

R. Raven

A.E. Rounthwaite

J. Rounthwaite

E.D. Scarlett (LTD)

W.F. Stewart

M.H. Thomas (p/t)

W.A. Young

Provincial Court Judges by Administrative District as at March 31, 2004**South Vancouver Island**

L.W. Smith, Administrative Judge
J.K. Bracken
L.F.E. Chaperon
A.I. Ehrcke
A.E. Filmer (p/t)
L.J.M. Harvey
R.A. Higinbotham
J.M. Hubbard
J.N. Kay
B.D. MacKenzie
B.M. Neal
A.J. Palmer
E.J. Quantz

North Vancouver Island

E.L. Iverson, Administrative Judge
J.D. Cowling
P.M. Doherty
R.A. Gould
J.I.D. Joe
B.R. Klaver
C.D. Lazar (p/t)
K.J. Libby (p/t)
J.E. Saunders
B. Saunderson

Richmond

E.J. McKinnon, Administrative Judge
R.D. Fratkin
E.D. Schmidt
J.E. Watchuk

Coast

E.M. Burdett, Associate Chief Judge
D.E. Moss, Administrative Judge
J. Auxier
W.J. Diebolt (p/t)
J. Gedye
D.E. Moon
W.J. Rodgers

Okanagan

J.J. Threlfall, Associate Chief Judge
E.R. Brecknell
J.P. Cartwright
B.J. Grannary
P.V. Hogan
W.W. Klinger
D.B. Overend (p/t)
N.N. Phillips
G.G. Sinclair
R.R. Smith
H.C. Stansfield

Kamloops

T.A. Dohm, Administrative Judge
E.L. Bayliff
W.A. Blair
J.P. Gordon (p/t)
H. Rohrmoser
E.A. Sather (p/t)
B.W. Sundhu
R. Walters

Kootenays

R.G. Fabbro, Administrative Judge
D.C. Carlgren
D.L. Sperry
M.G. Takahashi
D.M. Waurynchuk

Prince George

M.J. Brecknell, Administrative Judge
E.C. Blake
R.R. Blaskovits
C.D. Cleaveley
B.L. Dollis
R.B. Macfarlane
K.D. Skilnick
R.E. Walker

Northwest

E.F. de Walle, Administrative Judge
W.R. Jack
A.K. Krantz
J.R. Milne
H.J. Seidemann

2. Judicial Justices of the Peace

Judicial Justices of the Peace (JJPs) are justices of the peace who are designated to be judicially independent pursuant to section 30(1) of the *Provincial Court Act*. Under section 11 of the *Provincial Court Act*, JJPs are assigned by the Chief Judge to preside over traffic and bylaw matters and ticketable offences under provincial legislation, to sit in payment hearings in civil matters, and to hear bail and search warrant applications.

Bail and search warrant applications conducted by JJPs are heard primarily by facsimile and telephone through the Justice Centre, located at 5021 Kingsway, Third Floor, Burnaby, BC, V5H 4A5. The Centre operates on a 24-hour basis.

At the commencement of the fiscal year, in April 1, 2003, there were 30 full time, 2 part-time and 5 ad hoc JJPs; and 190 non-sitting JPs which include judicial case managers. At March 31, 2004, the complement was 28 full time, 3 part time and 2 ad hoc JJPs, and 213 non-sitting JPs.

The following changes in the complement of JJPs occurred during the year:

Retirements

Judicial Justice of the Peace	Date	Administrative District
H. Armstrong (ad hoc)	April 30/03	North Vancouver Island
K.M. Yamamoto	June 30/03	Richmond
M.K. Whelan	October 1/03	South Vancouver Island
W.A. Austin (ad hoc)	December 7/03	South Vancouver Island
F.G. Palmer (ad hoc)	March 24/04	South Fraser

Transfers and Assignments

Judicial Justice of the Peace	Date	Administrative District
J. Aasen	June 15/03	Justice Centre
J. Chellappan	Sept 8/03	Robson Square
J. Chellappan	January 1/04	Justice Centre
J. Clark	April 1/03	Justice Centre & New West
G. Hayes	March 7/03	Justice Centre
D. Henderson	January 1/04	Abbotsford (temporary)
S. Joseph-Tiwary	Apr 8/03 - Mar 31/04	Robson Square
P. Lim	April 1/03	Justice Centre & New West
Z. Makhdoom	May 1/03	Robson Square
Z. Makhdoom	July 2 - Aug 22/03	Justice Centre (temporary)
L. Mayner	Sept 1/03	Surrey to Richmond

Transfers and Assignments continued:

Judicial Justice of the Peace	Date	Administrative District
M. Osborne	Sept 1/03	Robson Square
M. Osborne	Sept 8 - Oct 31/03	Justice Centre (temporary)
J. Smigel	March 7/03	Port Coquitlam
J. Smigel	Sept 1/03	Port Coquitlam to Richmond

Judicial Justices of the Peace - At March 31, 2004

Justice Centre:

- J.N. Aasen
- I. Blackstone
- J. Chellapan
- B.S. Cyr
- P.L. Dodwell
- G. Hayes
- S. Joseph-Tiwary
- D.H. Maihara
- D. North
- K.M. Pomfret
- C.L. Rogers
- P. Schwartz
- J.M. Wakefield

Office of the Chief Judge:

- H. Gaffney (ad hoc)
- D.W. Rivett (ad hoc)

Richmond:

- L.L. Mayner
- K.M. Morrison (p/t)
- J. Smigel

Vancouver (Robson Square):

- R. Almond
- M. Kobiljski
- Z. Makhdoom
- A.M. Osborne
- E. Turley

Kamloops:

- J.E. Hughes

Okanagan:

- L.J. Taylor

Prince George:

- C.D. Jolly

North Fraser:

- J.D. Clark
- D. Henderson (p/t)
- C.M. Proctor

South Fraser:

- B.D. Lambert

North Island:

- J.F. Dodd

South Island:

- G.E. Madrick (p/t)

Coast:

- P.M. Lim

• *Justice Centre Support Staff*

A group of dedicated personnel listed below provided support services to JJPs assigned to the Justice Centre throughout the current fiscal year.

Justice Centre - Judicial Justice of the Peace Support Staff - at March 31, 2004

Supervisors

Darlene Mayo
Erin Weisbrod

Support Staff

Wendy Underwood
Rachel Fujinami
Laura Ceklaj
Carissa Unger
Erin Burns

3. Judicial Case Managers

Judicial Case Managers (JCMs) are employees of the judiciary who are responsible, under the supervision of the administrative judges, for court scheduling, coordination of judges' sittings, conducting initial criminal appearances, and managing the flow of cases. They are instrumental in ensuring that judicial resources are effectively allocated and utilized in a manner consistent with the rules and policies of the Court.

Judicial Case Managers are justices of the peace and exercise judicial discretion as part of their duties. They are supervised by the administrative judges. The following were the Court's 33 judicial case managers as at March 31, 2004:

Judicial Case Managers - At March 31, 2004

Vancouver:

- T.L. Hill
- C.J. Johnstone
- K.E. MacKenzie
- L. Stokes

Robson Square:

- C. Mayhew
- K. Purdy (p/t)
- B. Siddoo

Richmond:

- C. Goodrich

Kootenays:

- E. Smedstad (Cranbrook)

Kamloops:

- S. Paul (Kamloops)

Okanagan:

- C.A. Rosom
- B.L. Vincent

Northwest:

- L. Leonardes (Terrace) (p/t)
- C.M. Foerster (Prince Rupert) (p/t)
- S. Portschi (Smithers) (p/t)

North Vancouver Island:

- D.G. D'Altroy (Courtenay/Campbell River)
- V. Mitchell (Nanaimo)

South Vancouver Island:

- S.L. Cole (Duncan/Colwood) (p/t)
- D. Henry (Victoria)
- Y. Locke (Victoria)
- M.L. Preston (Victoria)

North Fraser:

- M.L. deKeruzec (Port Coquitlam)
- S. Gill (Port Coquitlam)
- W.R. Bennett (New Westminster)

South Fraser:

- M.B. Gill (Surrey)
- J. Jenvey (Abbotsford)
- A. Mitchell (Abbotsford) (p/t)
- S. Thorne (Surrey)
- M.K. Warwick (Chilliwack)
- B. West (Surrey)

Prince George/Peace:

- D. Phillipow (Prince George)
- S. Jasper (Quesnel) (p/t)

Coast:

- S.I. McLarty (North Vancouver)

4. Judicial Administrative Assistants

Judicial Administrative Assistants (JAAs) are judiciary employees who perform administrative services for judges and JJPs in their administrative district. They organize meetings for judges, prepare written judgments, prepare the judges' rota, and keep court statistics. JAAs are under the supervision of the administrative judges.

The following were the 21 judicial administrative assistants at March 31, 2004:

<i>Judicial Administrative Assistants - At March 31, 2004</i>	
<p>Vancouver Criminal:</p> <ul style="list-style-type: none"> • L. Lockstidt • A. Romilly • L. Mann <p>Richmond:</p> <p>A. Molgat (p/t)</p> <p>Robson Square:</p> <ul style="list-style-type: none"> • J.F. Crichton • C.L. McNeill • C. Mayhew (p/t) <p>North Fraser:</p> <ul style="list-style-type: none"> • J. Hanif (Port Coquitlam) • D. Twerdun (New Westminster) • S.A. Trochta (Port Coquitlam) (p/t) <p>South Fraser:</p> <ul style="list-style-type: none"> • J. Chan (Surrey) • A. Mitchell (Abbotsford) (p/t) 	<p>South Vancouver Island:</p> <ul style="list-style-type: none"> • A. Bruce (Victoria) • C.J. Rodin (Victoria) <p>North Vancouver Island:</p> <ul style="list-style-type: none"> • K. Steele (Nanaimo) <p>Okanagan:</p> <ul style="list-style-type: none"> • M. Low (Kelowna) <p>Prince George:</p> <ul style="list-style-type: none"> • L. Bishop <p>Kamloops:</p> <ul style="list-style-type: none"> • S.E. Chernoff (Kamloops) • J. Cunard (Williams Lake) (p/t) <p>Northwest:</p> <ul style="list-style-type: none"> • L. Leonardes (Terrace) (p/t) <p>Coast:</p> <ul style="list-style-type: none"> • D. Garcia (North Vancouver)

5. Office of the Chief Judge Staff

The following were the judiciary staff employed at the Office of the Chief Judge during the 2003 - 2004 fiscal year, and their respective duties:

1. **Director of Judicial Administration:** (Mike Smith) - under the direction of the Chief Judge, responsible for managing judicial administration matters, including liaison with government, management of the Court's budget, systems, resources, facilities, technology issues, justice of the peace program and special projects.
2. **Legal Officer:** (Gene Jamieson) - provides legal advice to the Chief Judge and accesses legal resources for judges, judicial justices of the peace, justices of the peace and staff in the Office of the Chief Judge.
3. **Administrative Judicial Case Manager:** (Grant Marchand) - provides the Chief Judge with reports on the state of the lists throughout the province; assists the case management program in achieving consistency of practice throughout the province.
4. **Systems Business Manager:** (Steve Rhodes) - plans, develops and recommends the acquisition of computer systems for the judiciary.
5. **Acting Manager, Finance and Administration:** (Gordon Lemire) - provides administrative, financial and human resources services; assists the director of judicial administration; monitors the budget; oversees acquisition of furniture and equipment.
6. **Acting JP Administrator:** (Joanne Arntsen) - assists the Chief Judge and director of judicial administration in the administration of the justice of the peace program; the unassigned and ad hoc judge programs; prepares and manages judicial justice of the peace rota; manages reception/secretarial resources; processes requests for library purchases.
7. **Executive Assistant to the Chief Judge:** (Maria Hla-Tin) - provides executive secretarial and administrative support to the Chief Judge.
8. **Executive Assistant to the Associate Chief Judges:** (Aida Estrella) - provides executive secretarial and administrative support to the Associate Chief Judges and Judicial Council of British Columbia.
9. **Administrative Services Coordinator:** (Viviana Ascui) - assists manager of finance & administration.



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10. **Systems Support Coordinators:** (Mona Salameh & Euan Vatcher) - assist systems business manager.
 11. **Administrative Assistant to Director of Judicial Administration:** (Serena Innes) - provides secretarial support to the director of judicial administration.
 12. **Administrative Assistant to Legal Officer:** (Evelyn Suzuki) - provides secretarial support to the legal officer.
 13. **JP Clerk:** (Myrna Himantog) - provides secretarial/clerical support to the JP administrator; assists the JP administrator in the administration of the justice of the peace program.
 14. **Travel Clerk:** (Crystal Hunter) - processes travel vouchers; prepares and distributes financial reports and information.
 15. **Accounts Clerk:** (Judy Darnel) - processes invoices and Visa payments; prepares and monitors contracts; assists with leave recording.
 16. **Purchase Clerk:** (Aida Ballesteros) - purchases equipment and supplies for the judiciary; processes travel vouchers.
 17. **Receptionist:** (Joyce Fernandes) - provides receptionist duties and secretarial support for the Office of the Chief Judge.

PUBLIC OUTREACH

The judges of the Court participated throughout the year in public legal education activities and speaking engagements. These included speaking to students, participating as panelists in educational conferences, appearing at public forums, teaching at various institutions, speaking on the justice system in a variety of forums, and participating in community activities such as local Law Days presented by the Canadian Bar Association.

Responsibility for public relations and media liaison for the Court is assigned to the Legal Officer to the Chief Judge, Gene Jamieson, who has primary responsibility for responding to media inquiries and issuing media releases on matters of interest to the public. He may be contacted through the Office of the Chief Judge.

The Chief Judge struck a Public Information Committee in the spring of 2004 which will develop a plan for a province-wide public outreach program and a court media relations policy in the next year. The members of the Public Information Committee are:

1. The Honourable Chief Judge C. Baird Ellan
2. The Honourable Associate Chief Judge E.M. Burdett
3. The Honourable Administrative Judge E.F. de Walle
4. The Honourable Administrative Judge P. de Couto
5. The Honourable Administrative Judge M.E. Rae
6. The Honourable Judge E. Blake
7. The Honourable Judge J. Challenger
8. The Honourable Judge T. Gove
9. The Honourable Judge R. Higinbotham
10. The Honourable Judge B. Hoy
11. The Honourable Judge J. Jardine
12. The Honourable Judge W. Klinger
13. The Honourable Judge J. Milne
14. The Honourable Judge D. Moon
15. The Honourable Judge D. Overend
16. The Honourable Judge A. Routhwaite
17. The Honourable Judge M. Takahashi
18. G. Jamieson, Legal Officer

A list of some of the year's outreach activities is set out on the following pages. Persons interested in inviting judges to speak or participate in public activities are invited to do so through the Office of the Chief Judge.

<i>Name</i>	<i>Date</i>	<i>Activity</i>
S. Antifaev	2003	Spoke at lunch hour to Law 11 Class
	Nov 20, 2003	Guest speaker at annual general meeting - Maple Ridge Youth Justice Advocacy Society
J. Auxier	July 2003	Book Author - Annotated Family Practice, 2003 - 04
C. Bagnall	June 24, 2003	Course Presenter at 4th Annual Winning Advocacy Skills Workshop
	Dec 4, 2003	Organized judges from 222 Main St. to volunteer at Food Bank
C. Baird Ellan	Sept 23, 2003	UBC Law Students Orientation at Robson Square Campus, arranged by Law Courts Education Society
	Feb 26, 2004	Delivered keynote speech at 27th Annual Women and the Law Dinner, UBC Law Women's Caucus
	March 8, 2004	Spoke to Criminology Students at SFU Burnaby Campus
	March 10, 2004	Spoke to 2nd year Sociology Students at Capilano College
K. Ball	2003 (3 times per year)	Met High School & College Students on "job shadow" days and discussed court activities
	Sept 17, 2003	Attended training at UBC Trial Advocacy Course Session
	Nov 6, 2003	Acted as a judge on the mock trial of UBC Trial Advocacy Course Session
	Nov 18, 2003	Teacher/trainer on preliminary inquiry session at UBC Trial Advocacy Course Session
	Twice a year	Kwantlen College Criminology Advisory Board on Curriculum
E. Blake	Ongoing	Planned, implemented & participated in ongoing interactive education program for high school students at Quesnel School District and Courthouse Legal Education Society

<i>Name</i>	<i>Date</i>	<i>Activity</i>
K. Bracken	2003	Talked to local High School Law Class Spoke in Court to groups of students from Business College and various "job shadow" students Spoke to Brentwood Bay Rotary Club Acted as Panel member with Crown and defence lawyers at 2 RCMP Seminars Lectured at University of Victoria Law School, Trial Advocacy Class, during Spring and Fall terms
E. Burdett	March 2003	Editor - Small Claims Act & Rules Annotated 2003
J. Challenger	May 3, 2003	Course Presenter - Impaired Driving & Driving Under Suspension Participated as Panel member at CLE Impaired Driving Seminar
	July 14, 2003	Appeared in Parenting After Separation Video, produced by Law Courts Education Society
	Sept - Nov, 2003	Participated in UBC Burns Moot for 8 Tuesday events for 2.5 hours, plus competition
	Nov 22, 2003	Panelist on issues relating to Bail at JJP Conference
J.G. Cohen	May 2003	Editorial Board - BC Family Practice Manual 2003 Update
	Dec 2003	Website Advisor - CLE website
T. Crabtree	Jan 24 - 26, 2003	Attended as Judicial Representative at Restorative Justice Circle Sentencing Workshop
B. Davis	July 11, 2003	Course Presenter - 5th Biennial Family Law Conference
E. de Walle	Jan 2003	Attended local Elementary School "Celebrity Readers" Program
	2003	Presided at swearing in of Smithers City Council Conducted courthouse tour and answered questions for Law Students Conducted ribbon-cutting ceremony of Kitimat Courthouse

<i>Name</i>	<i>Date</i>	<i>Activity</i>
E. de Walle	April 2003	Panel member at Northwest Community College "Justice Issues"
H. Dhillon	Summer 2003	Edited Small Claims Manual for Law Students Legal Advice Program
P. Doherty	Sept 2003	Spoke to First Year Law Students
	Over the years	Founding director and board member of Rotary International
		Guest speaker at Comox Valley Community Foundation
S. Dossa		Spoke to small and large groups of students of 3 High Schools
	Nov 4, 2003	Spoke to Law 12 Class, Maple Ridge Meadowridge School Students
J. Gedye	Jan 2004	Gave an interview to a MA candidate for thesis research on Judicial Perception of Drug Treatment Courts
	Dec 5, 2003	Volunteered at Bowen Island Christmas Hamper Foundation
T. Gove	Jan 2004	Interview with author of International Journal of Law & Psychiatry for publication regarding a decision concerning an eating disorder clinic in North Vancouver
	Feb 2004	On Scholarship award committee, Soroptimists of Canada
	For 3 years	Guest speaker at one monthly meeting of the Vancouver Family Youth Justice Committee to discuss new YCJA legislation.
J. Harvey	Feb 2004	Spoke to Criminology Class, Institute of Indigenous Government
J. Harvey	2003	Spoke to student from the Law Centre, together with the other lawyer, after a trial, in chambers, as part of student education
	Oct 2003	Panel member for Restorative Justice, University of Victoria
	Nov 2003	Met with students in the courtroom, arranged by Law Courts Education Society
V. Hogan	Fall 2003	Talked to "job shadow" students from Vernon & Salmon Arm High Schools, and Grades 6 & 7 from Vernon

<i>Name</i>	<i>Date</i>	<i>Activity</i>
V. Hogan	Once per term	Spoke to College Criminology Class students
M. Hubbard	Dec 1, 2003	Gave talk on PDR's, psychiatric & risk to re-offend assessments under the YCJA, Forensic Psychiatric Services Commission
W. Jack	Dec 2003 and Jan 2004	Planned and followed up formation of Smithers Town Counsel Family Court Committee
	Feb 27, 2004	Attended Staff Meeting - Gitzan Unlocking Aboriginal Justice Program, New Hazelton
	Mar 2, 2004	Spoke at Criminology 101 Class, Smithers Community College, topic "Sentencing"
J. Jardine	Twice a year	Kwantlen University College Criminology Advisory Board on Curriculum
	March 2004	Spoke to High School students on a regular basis during lunch hour Presenter at Kwantlen University College Member of Player Development Committee at BC Soccer Presenter at Youth Forensic Psychiatric Services Conference
R. Low	May 2003	Taught students from Law Society - Professional Legal Training Course at 222 Main Street
	June 2003	Taught students from Law Courts Education Society Class at 222 Main Street
	Nov 27, 2003 & Jan 9, 2004	Spoke to University Hill High School, Law 11 Class - topic: Tort Law
	March 2004	Taught students from Law Society - Professional Legal Training Course at 222 Main Street Taught students from Law Courts Education Society Class at 222 Main Street
J. Lytwyn	May 3, 2003	Course presenter - Impaired Driving & Driving Under Suspension
	June 27, 2003	Course Presenter - 4th Annual Winning Advocacy Skills Workshop
Main St. Judges	Dec 12 & 19, 2003	Volunteered at Food Bank, 1150 Raymur Street, Vancouver
	2003	Held discussions with representatives from Persian Community as part of the Law Courts Education Society Community Outreach Program

<i>Name</i>	<i>Date</i>	<i>Activity</i>
Main St. Judges	10 sessions in Fall 2003	Regular Meetings with a wide range of groups from the following for educational purposes: <ul style="list-style-type: none"> * Law Courts Education Program * UBC Law School & Clinics * LSLAP Clinics * UBC Law School Moot Competition Provided assistance with trial and feedback work to UBC Law School Advocacy Clinic
D. Moon	Fall 2003	Prepared and gave three 2-hour presentations on Justice System at Capilano College - Sechelt Campus, Eldercollege
S. Point	Jan 24, 2003	Attended as Judicial Representative at Restorative Justice Circle Sentencing Workshop
	Dec 1, 2003	Editorial Board - Aboriginal Practice Points
R. Raven	June 3, 2003	Course Presenter - Family Law Basics for Legal support staff
	July 11, 2003	Course Presenter - 5th Biennial Family Law Conference
Robson Square Judges	2003	Permitted courtroom observations and held discussions with students from "Youth at Risk" and "Alternative School" Held seminars and permitted observations of settlement conferences for LSLAP Students
	Yearly for 10 years	Mentored one or more members of the Supreme Court of Japan throughout their year in Canada during their pre/post court visits, and discussed Canadian Court procedures, law, case conferences and sentencing
W. Rodgers	Feb 7, 2004	Spoke to group at North Van RCMP, North Van Citizens Patrol Group
A. Routhwaite	Nov 2003	Swearing in ceremony of Surrey Police
	Jan 2004	Gave presentation at CIAJ Conference
	Jan 20 & Feb 17, 2004	Participated in teleconference meeting as member of Committee of Board of Directors of Canadian Institute for the Administration of Justice (CIAJ)
	Feb 2002 to Mar 2004	Did research and interviewed 15 people for PCJA Newsletter article "Journalism"

<i>Name</i>	<i>Date</i>	<i>Activity</i>
A. Routhwaite	Feb 16, 2004	Spoke to Grade 12 students on "job shadow" day
	Feb 16 - Mar 29, 2004	NJI / CAPCJ distance education course on Warrantless Search & Seizure, including live webcast workshops at noon March 8 & 15, 2004
	Feb 26, 2004	Swearing in Ceremony of Delta Police
J. Rounthwaite	Jan 24 - 26, 2003	Attended as Judicial Representative at Restorative Justice Circle Sentencing Workshop
	Spring 2003	Spoke to Grade 10 students on "job shadow" day
	Nov 20, 2003	Spoke at UCFV Criminology Class
	Dec 20, 2003	Spoke at Grade 12 Criminology Class
	Feb 21, 2004	Presided at Abbotsford Police Officers swearing in ceremony
J. Saunders	2003	Regularly spent break time with students from local schools or Malaspina College
		Toured facilities of the local youth jails on North Vancouver Island and the Nanaimo Regional Correctional Centre on chambers days
	Nov 2003	Guest speaker at Restorative Justice Conference, Nanaimo
	Dec 10, 2003	Spoke at John Howard Society, Nanaimo Luncheon for businessmen and women on the topic "Community Building through Restorative Justice"
	Mar 22, 2004	Spoke at RCMP Seminar on Fetal Alcohol Syndrome - topic "Fetal Alcohol Syndrome: View from the Bench"
K. Skilnick	Feb 10 - 11, 2004	Spoke at Youth Probation Officers Conference (North Region) Prince George - topic "Ways to improve quality/quantity of info youth probation officers can provide to the Court on youth matters"
H. Stansfield	Apr 24, 2003	Course Presenter - First Annual ADR Conference
M. Takahashi	Jan 2004	Spoke to police about YCJA and ITOs

<i>Name</i>	<i>Date</i>	<i>Activity</i>
R. Tweedale	Sept 26, 2003	Welcomed and interacted with Robert McCullough, Republic of South Africa Magistrate (seconded to Equality Court Human Rights Tribunal)
	Nov 6, 2003	At the request of Prof. Jim Hackler (University of Victoria) appeared on "Justice Responses to Youth Drug Abuse" Panel, 29th Canadian Congress on Criminal Justice, Vancouver, to give a judge's perspective
	Jan 2004	Did phone interview with MA candidate in Legal Studies, Carleton University, for research on "Judicial perception in response to dealing with drug-using offenders"
	Mar 2, 2004	Spoke to Criminology Class at Institute of Indigenous Government
C. Warren	2003	Spoke at lunch hour to student groups (Grade 10 and Adult ESL)
H. Weitzel	Sept 9 - Nov 7, 2003	Attended Peter Burns Moot - every Tuesday night
	Sept 15, 2003	Lectured to First Nations Law Clinic at noon hour
	Nov 18, 2003	Supreme Court Trial Advocacy course instructor (5:30 to 8:00 p.m.)
	Dec 4, 2003	Lectured to Downtown Eastside students in alternative school program at noon hour

TECHNOLOGY COMMITTEES

The Chief Judge's Technology Committee consists of the following members:

- The Honourable Judge B.K. Davis (co-chair)
- The Honourable Judge G. Cohen
- The Honourable Judge G. Gill
- M. Smith, Director of Judicial Administration (co-chair)
- S. Rhodes, Systems Business Manager

The Committee reviews Electronic Access Policy Issues affecting the Court and developed the Information Technology Plan for the Court, along with related policies and procedures. It continues to advise the Chief Judge and liaise with the Court Services Branch on all topics related to technology.

In addition, representatives of the Provincial Court participated on a Joint Court E-filing Rules Committee with representatives of the British Columbia Supreme Court and Court of Appeal. The mandate of the Committee has been to prepare draft court rules, which each court can work from to create rules related to the electronic filing of documents in court proceedings. It is expected that the electronic filing of documents may begin as a pilot project in the spring of 2005. The representatives of the Provincial Court on this committee are:

- The Honourable Judge G. Cohen
- The Honourable Judge G. Gill
- Gene Jamieson, the Court's Legal Officer

WEBSITE AND JUDGMENT DATABASE

The Court's website⁵ provides the public with a broad range of information about the Court, the Judicial Council, and the types of cases dealt with by the Court. The website also hosts the Court's judgment database, containing most written decisions and many oral decisions of the Court in the past four years. As of March 31, 2004 there were 2,020 judgments on the database.

The Provincial Court website is also now part of and accessible from the general website for all Courts in British Columbia⁶.

The Provincial Court website now includes a "What's New" section where current announcements regarding the Court can be found. In addition, it is expected that a section called "Ask the Chief Judge" will be established on the Court's homepage in the near future, where email questions regarding the Court and the justice system will be answered by the Chief Judge and members of the Court's Public Relations Committee.

⁵<http://www.provincialcourt.bc.ca/>

⁶<http://www.courts.gov.bc.ca>