



THE PROVINCIAL COURT OF BRITISH COLUMBIA

Semi-Annual Time to Trial Report September 30, 2023

Introduction

On September 14, 2010, the Provincial Court of British Columbia released the report “Justice Delayed: A Report of the Provincial Court of British Columbia Concerning Judicial Resources”. One recommendation of the Report was to issue regular updates to the Attorney General and the public concerning time to trial in each area of the Court’s jurisdiction. The Court now publishes such a report semi-annually.

Time to trial measures the time elapsed from the time the case is ready to be scheduled until the next available date (in months) that a defined event can be routinely scheduled onto a future court list in a particular location.¹

Time to trial does not reflect when cases are actually set, rather it is an estimate of when court time would be available to schedule a particular activity. This estimate is then compared against the standard established by the Court for that particular activity.

Time to trial data is currently collected from 69 court locations. The current update includes the following information as of September 30, 2023:

- Adult Criminal Weighted Provincial Time to Trial;
- Family Law Act (FLA) Weighted Provincial Time to Trial;
- Child, Family and Community Service Act (CFCSA)² Weighted Provincial Time to Trial;
- Civil Small Claims Weighted Provincial Time to Trial;
- Locations with the Longest Time to Trial in each area of the Court’s jurisdiction;
- Time to Trial Results by Location.

¹ Does not include fast tracked events, or dates that become available due to cancellations.

² Also known as ‘Child Protection’.

Provincial Time to Trial

Overall, provincial weighted times to trial have increased on average by 8% between September 2022 and September 2023. Most categories have increased their delays over the past year. The top areas that have increased are:

- Family Case Conferences increased in the time to conference by 38%, from 1.4 months to 1.9 months. This is still under the 2 month standard.
- Time to long Small Claims trials (over 5 days) increased by 16%, from 6.6 months to 7.7 months. This is still under the standard of 8 months.
- Long CFCSA trials (over 5 days) delays increased 15%, from 6.3 months to 7.3 months. The standard is 6 months.
- Delays for short FLA trials (less than 2 day) increased 12%, from 5 months to 5.6 months. The standard is 4 months.

The categories that saw a decrease in Time to Trial experienced very minimal improvement:

- Delays for adult Criminal trials between 2 and 4 days decreased by 2% from 7.8 months to 7.6 months, still over the 7 month standard.

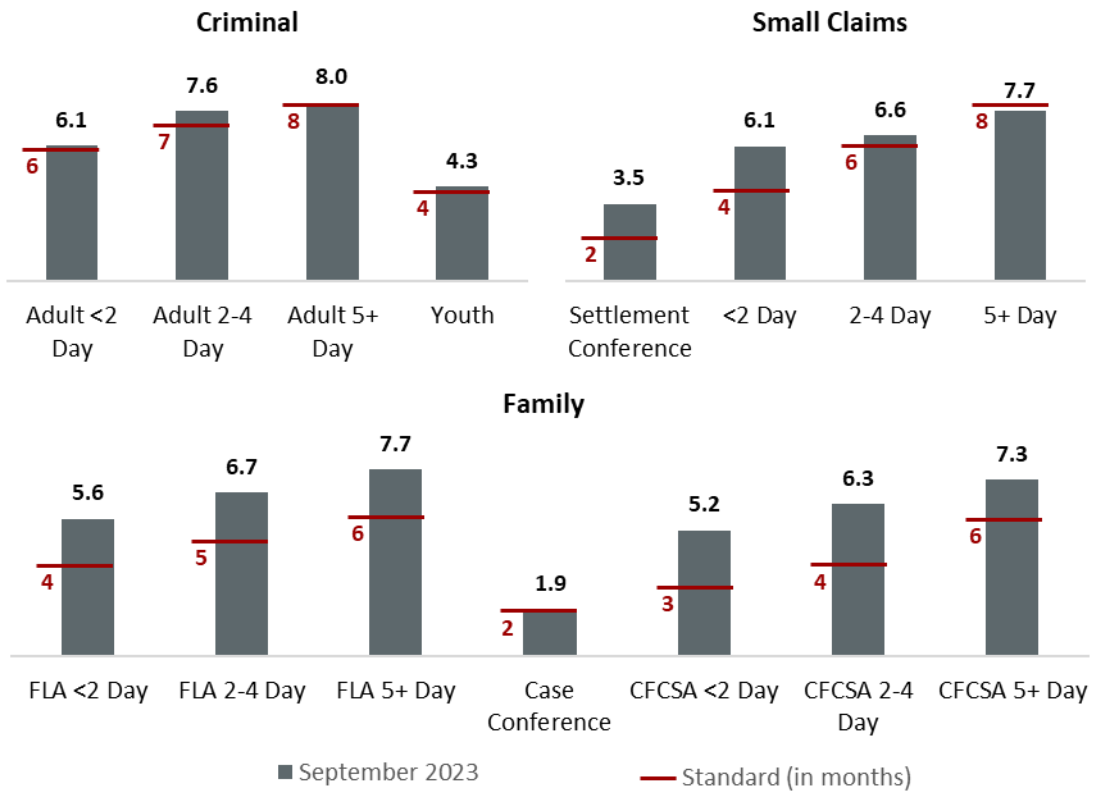
Overall, results varied from 0.3 months below the Provincial Court standard to 2.3 months over the standard, with nearly all measures being over the standard in September 2023.

Figures 2 to 5 show time elapsed in months from the time the case is ready to be scheduled until the next available date.

Figure 2 shows weighted³ province-wide times to trial, as well as Provincial Court standards in months.

³ All locations in the province were weighted based on fiscal year caseloads. Weighted time to trial is the average time (in months), weighted by caseloads, from the time a request is made to the next available date.

Figure 2 - Provincial Weighted Time to Trial by Jurisdiction and Trial Length



Weighted Results by Jurisdiction

Figures 3 to 5 show weighted province-wide times to trial and Provincial standards in months by division. These figures also compare the results as of September 2022 and September 2023.

Figure 3 sets out the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult/youth criminal trials of various lengths. These results do not take into account the time between a first appearance in Court and the Arraignment Hearing/Fix Date. Delays for short adult (under 2 days) and youth trials have slightly increased compared to September 2022. Whereas medium and long (over 2 days) adult trials have minimally decreased since September 2022.

Figure 3 - Weighted Provincial Time to Adult/Youth Criminal Trials

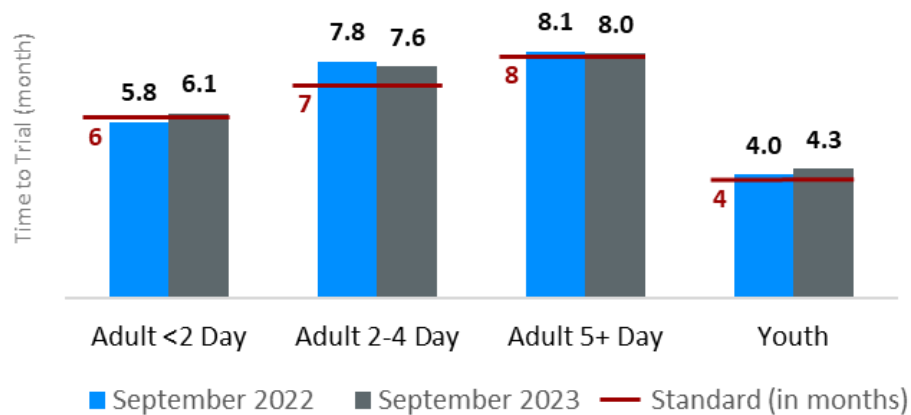
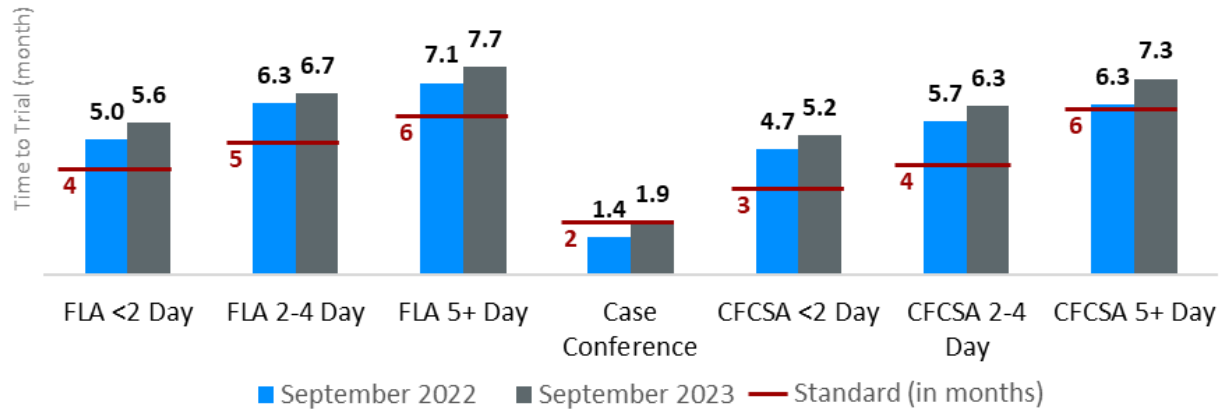


Figure 4 includes two types of proceedings: family case conferences and trials. The time to a family case conference is the number of months between the date a judge directs a conference to be set and the first available date for a family case conference. The overall number of family case conferences scheduled has decreased as a result of changes to the Provincial Court Family Rules that came into effect in May of 2021. Most of the case conferences are now for CFCSA files only. At this time, the court is not able to report on the time to a Family Management Conference, which is the first court appearance for most FLA files under the new rules. The time to trial sets out the number of months between a family management conference or a family case conference and the first available court date for typical FLA or CFCSA trials of various lengths. These results do not take into account the time between a first appearance in Court and the family case conference.

Compared to September 2022, all family trials and conferences have increased their delays, and all trials remain more than a month over standards. Long CFCSA trials (over 5 days) increased by a full month, followed by notable increases in delays for family case conferences, FLA trials less than 2 days and over 5 days, and CFCSA trials between 2-4 days.

Weighted Results by Jurisdiction (continued)

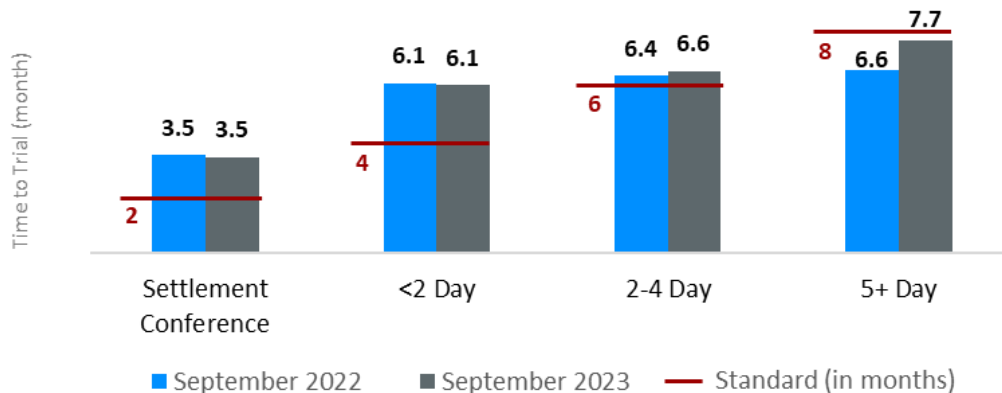
Figure 4 - Weighted Provincial Time to Family Trials



Data Source: Judicial Next Available Date Survey

Figure 5 includes two types of proceedings: settlement conferences and trials. The time to a settlement conference is the number of months between the date the last reply or document is filed to ready the case for a settlement conference and the first available date for a settlement conference. The time to trial is the number of months between the end of a settlement conference and the first available court date for typical small claims trials of various lengths. These results do not take into account the time between the filing of a claim and the reply. Since September 2022, settlement conferences and short trials (less than 2 days) results have stayed the same. The time to small claims trials over 5 days has increased by over a month, compared to September 2022, but remain under the 8 month standard.

Figure 5 - Weighted Provincial Time to Small Claims Trials



Data Source: Judicial Next Available Date Survey

Top 10 Results

Figures 6, 7, 8, and 9 show the ten locations with the longest times to trial in months for different jurisdictions as at September 30, 2023. Smaller locations are screened out of these calculations, as a longer wait for trial dates is more likely a result of fewer Court sittings in these locations. The Provincial Court standard in months is shown across the top, and the provincial delay average is along the bottom.

Figure 6 - Locations with the Longest Delays to Adult Criminal Trials

<2 Day		2-4 Day		5+ Day	
6 Months Max		7 Months Max		8 Months Max	
Cranbrook	9	Cranbrook	10	Port Coquitlam	10
Nanaimo	8	Prince George	9	Prince George	10
Penticton	8	Nanaimo	9	Kamloops	10
Powell River	8	Kamloops	9	Vernon	10
Hazelton	8	Vernon	9	Merritt	10
Prince George	7	Penticton	9	Lillooet	10
Vernon	7	Courtenay	9	Clearwater	10
Port Alberni	7	Dawson Creek	9	Bella Bella	10
Courtenay	7	Powell River	9	Kelowna	9
Campbell River	7	Lillooet	9	Nanaimo	9
6.1		7.6		8.0	

Figure 7 - Locations with the Longest Delays to Family Trials (FLA)

<2 Day FLA		2-4 Day FLA		5+ Day FLA	
4 Months Max		5 Months Max		6 Months Max	
Cranbrook	9	Cranbrook	10	Port Coquitlam	10
Nanaimo	8	Kelowna	9	Kamloops	10
Penticton	8	Nanaimo	9	Vernon	10
Fernie	8	Kamloops	9	Merritt	10
Vernon	7	Vernon	9	Lillooet	10
Salmon Arm	7	Penticton	9	Clearwater	10
Port Alberni	7	Fernie	9	Bella Bella	10
Revelstoke	7	Fort St. John	8	Kelowna	9
Kamloops	6	Nelson	8	Nanaimo	9
New Westminster	6	Dawson Creek	8	Penticton	9
5.6		6.7		7.7	

Data Source: Judicial Next Available Date Survey

Top 10 Results (Continued)

Figure 8 - Locations with the Longest Delays to Family Trials (CFCSA)

<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
3 Months Max		4 Months Max		6 Months Max	
Cranbrook	9	Cranbrook	10	Kamloops	10
Nanaimo	8	Kamloops	9	Vernon	10
Penticton	8	Kelowna	9	Merritt	10
Vernon	7	Vernon	9	Clearwater	10
Port Alberni	7	Penticton	9	Lillooet	10
Salmon Arm	7	Clearwater	9	Bella Bella	10
Kamloops	6	Lillooet	9	Surrey	9
North Vancouver	6	Surrey	8	Nanaimo	9
Fort St. John	6	Nanaimo	8	Kelowna	9
Powell River	6	Port Alberni	8	Port Coquitlam	9
5.2		6.3		7.3	

Figure 9 - Locations with the Longest Delays to Small Claims Trials

<2 Day Trial		2-4 Day Trial		5+ Day Trial	
5 Months Max		6 Months Max		8 Months Max	
Cranbrook	9	Cranbrook	10	Port Coquitlam	10
Nanaimo	8	Port Coquitlam	9	Kamloops	10
Penticton	8	Kamloops	9	Vernon	10
Powell River	8	Nanaimo	9	Clearwater	10
Sparwood	8	Vernon	9	Lillooet	10
North Vancouver	7	Penticton	9	Merritt	10
Vernon	7	Courtenay	9	Bella Bella	10
Courtenay	7	Powell River	9	Surrey	9
Salmon Arm	7	Sparwood	9	Kelowna	9
Port Alberni	7	Surrey	8	Nanaimo	9
6.1		6.6		7.7	

Data Source: Judicial Next Available Date Survey

Appendix 1: Time to Trial by Location, Jurisdiction, and Trial Length

Results in months for all locations for which time to trial information is collected appear below. Results for the Criminal and Small Claims divisions are listed first, followed by results for Family. Locations are listed by region, with the exception of assignment court locations, which are listed together. The Provincial Court standard in months is shown for reference. Not all locations for which time to trial information is collected hear all kinds of trials. Grey cells indicate that the trial type in question is not heard at that location.

Note that 36 of the 69 court locations for which the Court collects time to trial information are smaller operations. Of the 36 locations, ten do not have a resident judge but are staffed and include registry services⁴ and 26 have neither a resident judge nor registry services.⁵ Due to the relatively small number of Court sitting days in these locations, lengthier delays are anticipated for a number of reasons, including:

- The inability to accommodate longer trials. These lengthy trials cannot be scheduled for several days in a row as they often can in larger court locations.
- The inability to react to caseload fluctuations, which could result in an increase in the amount of cases requiring a trial.

Smaller locations are marked with an asterisk in the table below.

⁴ Registry offices are open to public for filing documents, accessing court file information or requesting information on court processes.

⁵ These locations are only open for scheduled courtroom appearances such as hearings and trials.

Time to Trial by Location, Jurisdiction, and Trial Length as at September 30, 2023

		September 2023 Time to Trial Summary							
	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards		6	7	8	4	2	5	6	8
Assignment Court	Abbotsford		5	6	4	4		5	6
	Kelowna		8	9	7	4		8	9
	Main Street		5	7					
	Port Coquitlam		7	10	3	2		9	10
	Robson Square				3	5		4	6
	Surrey		7	8	4	3		8	9
	Victoria		7	8	5	3		7	8
Fraser Region	Chilliwack	5	6	7	4	2	5	7	8
	New Westminster	6	7	8	5	3	6	7	8
Interior Region	Castlegar *	6	6		6	2	6	6	
	Clearwater *	6	9	10	4	3	6	9	10
	Cranbrook	9	10		2	3	9	10	
	Creston *	5	6		2	3	5	6	
	Fernie *	8	9		2	3	8	9	
	Golden *	6	7		3	3	6	7	
	Grand Forks *	6	8		6	2	6	8	
	Invermere *	5	6		2	3	5	6	
	Kamloops	6	9	10	6	3	6	9	10
	Lillooet *	6	9	10	6	3	6	9	10
	Merritt *	5	5	10	5	3	5	5	10
	Nakusp *	5	7		5	2	5	7	
	Nelson	6	8		6	2	6	8	
	Penticton	8	9	9	4	2	8	9	9
	Princeton *	9	9	9	3	3	9	9	9
	Revelstoke *	7			7	4	7		
	Rossland	5	7		5	2	5	7	
	Salmon Arm	7			7	4	7		
	Sparwood *	8	9		2	3	8	9	
	Vernon	7	9	10	7	4	7	9	10

Time to Trial by Location, Jurisdiction, and Trial Length as at September 30, 2023

		September 2023 Time to Trial Summary							
	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards		6	7	8	4	2	5	6	8
Northern Region	100 Mile House *	3	4	4	3	2	3	4	4
	Anahim Lake *	2	6	6	6	6	2	6	6
	Burns Lake *	4	7		2	2	4		
	Chetwynd *	6	9	9	6	2			
	Dawson Creek	6	9	9	6	2	5		
	Fort Nelson *	5	7		4	1	5	6	
	Fort St. James *	5	6	6	4	1	5		
	Fort St. John	6	8	8	6	3	6	8	
	Fraser Lake *								
	Hazelton *	8			4	4	8		
	Houston *	3	5	7	2	2	5	5	
	Kitimat *	4	5	6	3	2	4	5	
	Kwadacha *	5	5		5				
	Mackenzie *	5			3	1			
	Masset *	6	6	6	4	3	6	6	
	McBride *	3			3	1			
	Prince George	7	9	10	4	1	5	6	
	Prince Rupert	4	5	6	3	2	5	5	
	Daajing Giids *	3	6		3	4			
	Quesnel	5	6	6	4	2	4	5	5
	Smithers	4	5	7	2	2	5	5	
Terrace	6	7	8	4	2	5	7	7	
Tumbler Ridge *	6	9	9	6	2	5			
Valemount *	3			3	1				
Vanderhoof *	5	6	6	4	1	5			
Williams Lake	3	4	5	3	2	3	5	5	
Vancouver Region	North Vancouver	6	7	7	6	3	7	8	8
	Pemberton *	3	3	7	4	3	4	6	7
	Richmond	5	6	7	4	3	5	6	6
	Sechelt	5	5	6	5	4	6	6	7
Vancouver Island Region	Campbell River	7	8		4	2	6	8	8
	Courtenay	7	9		4	1	7	9	
	Duncan	5	7	8	5	4	6	7	8
	Nanaimo	8	9	9	4	1	8	9	9
	Port Alberni	7	8	8	4	1	7	8	8
	Port Hardy *	7	8		4	2		7	
	Powell River *	8	9		4	2	8	9	
Western Communities	5	7	8	5	4	5	7	8	
OCJ	Bella Bella *	7	7	10	1	1	8	8	10
	Bella Coola *	6	6	6	2	2	6	9	9

Time to Trial by Location, Jurisdiction, and Trial Length as at September 30, 2023

September 2023 Time to Trial Summary								
	Location	FLA			FCC	CFCSA		
		<2 Day	2 - 4 Day	5+ Day		<2 Day	2 - 4 Day	5+ Day
OCJ Standards		4	5	6	2	3	4	6
Assignment Court	Abbotsford		5	6	2		5	6
	Kelowna		9	9	3		9	9
	Main Street							
	Port Coquitlam		6	10	2		6	9
	Robson Square		5	6	2		4	5
	Surrey		7	8	1		8	9
	Victoria		7	8			7	8
Fraser Region	Chilliwack	5	6	7	2	4	6	7
	New Westminster	6	7	8	3	6	6	7
Interior Region	Castlegar *	6	6		2	6	6	
	Clearwater *	6	9	10	2	6	9	10
	Cranbrook	9	10		3	9	10	
	Creston *	5	6		3	5	6	
	Fernie *	8	9		3	8	9	
	Golden *	6	7		3	6	7	
	Grand Forks *	6	8		2	6	8	
	Invermere *	5	6		3	5	6	
	Kamloops	6	9	10	2	6	9	10
	Lillooet *	6	9	10	2	6	9	10
	Merritt *	5	5	10	2	5	5	10
	Nakusp *	5	7		2	5	7	
	Nelson	6	8		2	6	8	
	Penticton	8	9	9	2	8	9	9
	Princeton *	9	9	9	3	9	9	9
	Revelstoke *	7			2	7		
	Roseland	5	7		2	5	7	
	Salmon Arm	7			2	7		
Sparwood *	8	9		3	8	9		
Vernon	7	9	10	3	7	9	10	

Time to Trial by Location, Jurisdiction, and Trial Length as at September 30, 2023

September 2023 Time to Trial Summary								
	Location	FLA			FCC	CFCSA		
		<2 Day	2 - 4 Day	5+ Day		<2 Day	2 - 4 Day	5+ Day
OCJ Standards		4	5	6	2	3	4	6
Northern Region	100 Mile House *	3	4	4	2	3	4	4
	Anahim Lake *	2	6	6	6	2	6	6
	Burns Lake *	3	7		2	3	7	
	Chetwynd *	6	8		2	6	8	
	Dawson Creek	6	8		2	6	8	
	Fort Nelson *	4	6		1	4	6	
	Fort St. James *	4	5		1	3	4	
	Fort St. John	6	8		3	6	8	
	Fraser Lake *							
	Hazelton *	5			4	5		
	Houston *	3	4	7	2	3	4	7
	Kitimat *	3	5	5	1	3	5	5
	Kwadacha *							
	Mackenzie *	5			1	3		
	Masset *	4	6		3	4	6	
	McBride *				1			
	Prince George	4	6	6	1	3	4	4
	Prince Rupert	4	5		2	4	5	
	Daajing Giids *	3	6		4	3	6	
	Quesnel	4	5	5	2	4	5	5
Smithers	3	4	7	2	3	4	7	
Terrace	5	6	7	1	5	6	7	
Tumbler Ridge *	6	8		2	6	8		
Valemount *				1				
Vanderhoof *	4	4		1	3	4		
Williams Lake	3	4	5	2	3	5	5	
Vancouver Region	North Vancouver	6	7	7	3	6	7	7
	Pemberton *	3	3	7	3	3	5	7
	Richmond	5	5	6	2	2	3	
	Sechelt	5	5	6	3	5	5	6
Vancouver Island Region	Campbell River	4	6	8	2	4	5	
	Courtenay	3	3		1	3	3	
	Duncan	5	5	5	3	5	5	5
	Nanaimo	8	9	9	1	8	8	9
	Port Alberni	7	8	8	1	7	8	8
	Port Hardy *	4	4		2	4	4	
	Powell River *	6	7		1	6	7	
Western Communities	5	6	7	2	5	6	7	
OCJ	Bella Bella *	8	8	10	1	8	8	10
	Bella Coola *	6	9	9	2	6	9	9

Time to Trial by Location, Jurisdiction, and Trial Length as at September 30, 2023

Results in months for Summary Proceedings Court (SPC) appear below. Summary Proceedings Court generally hears less complex cases with historically high collapse rates and shorter time estimates. The locations above standard are shown in red. The Provincial Court standard in months is shown across the top, and the provincial assignment court delay average is shown along the bottom.

Time to Trial for Summary Proceeding Court by Location and Jurisdiction

Adult Criminal	FLA		CFCSA		Small Claims		
4 Months Max	3 Months Max		2 Months Max		4 Months Max		
Kelowna	6	Kelowna	6	Kelowna	4	Victoria	4
Victoria	4	Port Coquitlam	3	Robson Square	2	Kelowna	4
Vancouver Criminal	3	Surrey	2	Victoria	2	Robson Square	3
Port Coquitlam	2	Abbotsford	2	Abbotsford	2	Port Coquitlam	2
Abbotsford	2	Victoria	2	Port Coquitlam	2	Abbotsford	2
Surrey	1	Robson Square	1	Surrey	1	Surrey	1
All Assignment Court Locations (average)	2.6		2.6		1.9		2.2