



THE PROVINCIAL COURT OF BRITISH COLUMBIA

---

## Semi-Annual Time to Trial Report

### March 31, 2019

---

## 1. 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.<sup>1</sup>

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 March 31, 2019:

- Adult Criminal Weighted Provincial Time to Trial;
- Family Law Act (FLA) Weighted Provincial Time to Trial;
- Child, Family and Community Service Act (CFCSA)<sup>2</sup> 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

---

<sup>1</sup> Does not include fast tracked events, or dates that become available due to cancellations

<sup>2</sup> Also known as ‘Child Protection’

## 2. Provincial Time to Trial

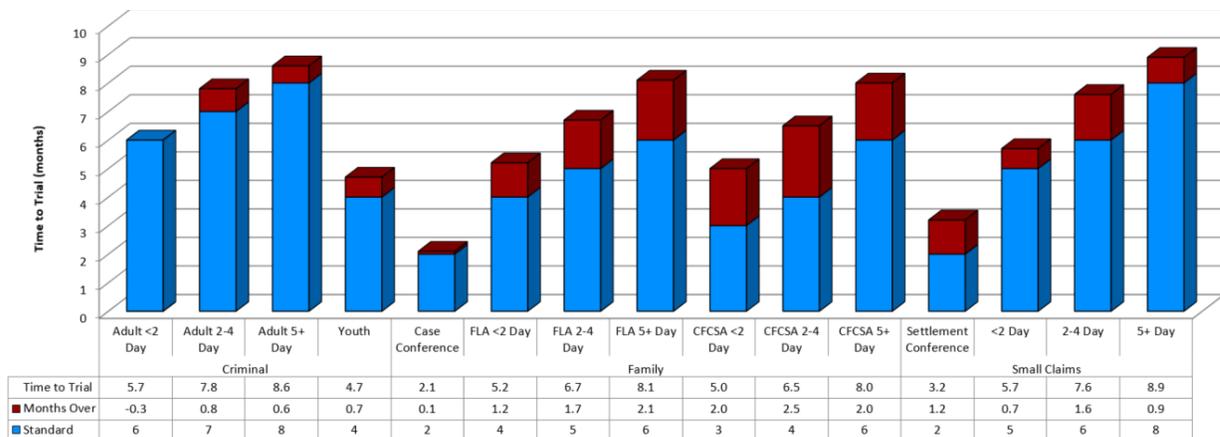
Provincial weighted times to trial have declined since March, 2018 by an average of 3%. The three exceptions were:

- Youth trials increased to 4.7 months from 4.0 months
- Settlement Conferences in the small claims division showed the largest proportionate change with an increase from 2.6 months to 3.2 months, and
- Time to a conference in the family division increased very slightly from 2.0 months to 2.1 months.

Despite the general decline in times to trial, most weighted times to trial results for March 2019 exceeded the Office of the Chief Judge (OCJ) standard. Adult trials <2 days was the only category below standard (0.3 months under standard). All other conference and trial times varied from 0.1 to 2.5 months over standard.

Figure 2 shows weighted<sup>3</sup> province-wide times to trial, as well as OCJ standards. The relative size of delays in excess of the OCJ standard can be seen by examining the 'months over' portion, shown in red.

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



<sup>3</sup>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.

### 3. Weighted Results by Jurisdiction

Figures 3 to 6 show weighted province-wide times to trial and OCJ standards, by division. These figures also show a comparison between the results as at March 2018 and 2019.

Figure 3 sets out the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult 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. Since March 2018, time to an adult criminal trial has declined in all categories.

**Figure 3 - Weighted Provincial Time to Adult Criminal Trials**



	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Mar-18	6.5	9.2	9.5
Mar-19	5.7	7.8	8.6
Standard	6	7	8

Data Source: Judicial Next Available Date Surveys

Figure 4 (next page) 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 time to trial sets out the number of months between a family case conference and the first available court date for typical FLA trials of various lengths. These results do not take into account the time between a first appearance in Court and the family case conference. Since March 2018, all FLA results declined, with the exception of case conferences, which increased slightly.

**Figure 4 - Weighted Provincial Time to FLA Trials**

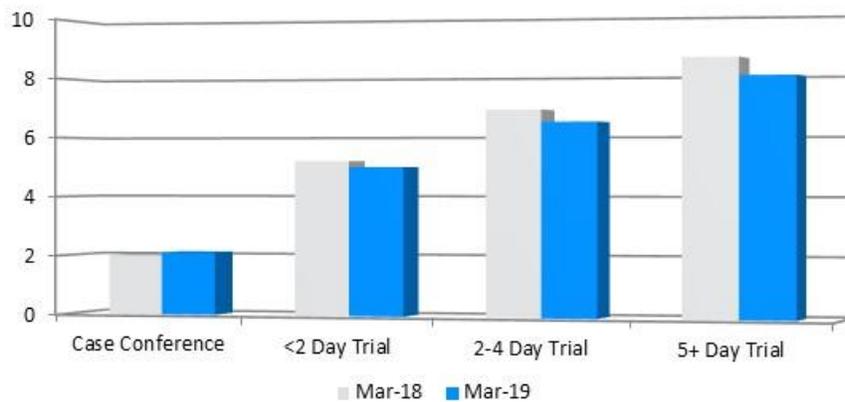


	Case Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Mar-18	2.0	5.5	7.0	8.4
Mar-19	2.1	5.2	6.7	8.1
Standard	2	4	5	6

Data Source: Judicial Next Available Date Surveys

**Figure 5** 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 be set and the first available date for a family case conference. The time to trial sets out the number of months between the end of a family case conference and the first available court date for a typical CFCSA trials of various lengths. These results do not take into account the time between a first appearance in Court and the case conference. With the exception of case conferences, which increased slightly, CFCSA time to trial has decreased in all categories since March 2018.

**Figure 5 - Weighted Provincial Time to CFCSA Trials**



	Case Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Mar-18	2.0	5.2	6.9	8.6
Mar-19	2.1	5.0	6.5	8.0
Standard	2	3	4	6

Data Source: Judicial Next Available Date Surveys

**Figure 6** 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. Time to small claims trials are down from last year, however, the time to a settlement conference has showed an increase.

**Figure 6 - Weighted Provincial Time to Small Claims Trials**



	Settlement Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
■ Mar-18	2.6	6.3	8.1	9.7
■ Mar-19	3.2	5.7	7.6	8.9
Standard	2	5	6	8

Data Source: Judicial Next Available Date Surveys

## 4. Top 10 Results

Figures 7, 8, and 9 show the ten locations with the longest times to trial for different jurisdictions. 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 OCJ standard is shown across the top and the provincial weighted delay is shown along the bottom.

Figure 7 shows the ten locations exceeding the standard for the longest adult criminal trials.

**Figure 7 - 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	
1	Duncan	9	Richmond	11	Terrace	12
2	Richmond	9	Terrace	11	Surrey	11
3	Terrace	9	Duncan	10	Duncan	11
4	Fort St. John	8	Port Hardy	10	Richmond	11
5	Courtenay	8	Surrey	9	Fort St. John	10
6	Western Communities	8	Fort St. John	9	Courtenay	10
7	Port Hardy	8	Courtenay	9	Western Communities	10
8	Williams Lake	7	Western Communities	9	Kitimat	10
9	Cranbrook	7	Kitimat	9	Victoria	9
10	Quesnel	7	Port Coquitlam	8	Port Coquitlam	9
	<b>Provincial</b>	<b>5.7</b>		<b>7.8</b>		<b>8.6</b>

Figure 8 is similar to figure 7, but shows the ten locations with the longest times to trial in the two family jurisdictions.

**Figure 8 - Locations with the Longest Delays to Family Trials**

	<2 Day FLA		2-4 Day FLA		5+ Day FLA	
	4 Months Max		5 Months Max		6 Months Max	
1	Quesnel	10	Richmond	11	Richmond	12
2	Duncan	9	Duncan	10	Duncan	11
3	Richmond	9	Quesnel	10	Robson Square	10
4	Williams Lake	9	Western Communities	9	Western Communities	10
5	Western Communities	8	Williams Lake	9	Terrace	10
6	Cranbrook	7	Port Coquitlam	8	Quesnel	10
7	Fort St. John	7	Cranbrook	8	Kitimat	10
8	Chilliwack	6	Fort St. John	8	Port Coquitlam	9
9	100 Mile House	6	100 Mile House	8	Fort St. John	9
10	Merritt	6	Mackenzie	8	Williams Lake	9
	<b>Provincial</b>	<b>5.2</b>		<b>6.7</b>		<b>8.1</b>

	<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
	3 Months Max		4 Months Max		6 Months Max	
1	Quesnel	10	Duncan	10	Duncan	11
2	Duncan	9	Quesnel	10	Richmond	11
3	Williams Lake	9	Western Communities	9	Western Communities	10
4	Western Communities	8	Williams Lake	9	Quesnel	10
5	Cranbrook	7	Cranbrook	8	Terrace	10
6	Chilliwack	6	100 Mile House	8	Kitimat	10
7	Richmond	6	Surrey	7	Robson Square	9
8	Fort St. John	6	Robson Square	7	Williams Lake	9
9	Merritt	6	Kamloops	7	Merritt	9
10	100 Mile House	6	Port Coquitlam	7	Surrey	8
	<b>Provincial</b>	<b>5.0</b>		<b>6.5</b>		<b>8.0</b>

Figure 9 is similar to figures 7 and 8, but shows the ten locations with the longest times to trial in the small claims jurisdiction.

**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	
1	Richmond	10	Richmond	11	Richmond	12
2	Duncan	9	Robson Square	10	Duncan	11
3	Western Communities	8	Duncan	10	Terrace	11
4	Chilliwack	7	Western Communities	9	Robson Square	10
5	Cranbrook	7	Port Coquitlam	8	Victoria	10
6	Quesnel	7	Chilliwack	8	Western Communities	10
7	Williams Lake	7	Cranbrook	8	Kitimat	10
8	Kitimat	7	Fort St. John	8	Port Coquitlam	9
9	Fort St. John	6	Quesnel	8	Fort St. John	9
10	Courtenay	6	Terrace	8	Merritt	9
	<b>Provincial</b>	<b>5.7</b>		<b>7.6</b>		<b>8.9</b>

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

Results 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 OCJ standard 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.

36 of the 69 court locations for which the Court collects time to trial information are smaller operations. Of the 36 locations, 10 do not have a resident judge, but are staffed and include registry services<sup>4</sup> and 26 have neither resident judge nor registry services.<sup>5</sup> 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.

Due to these factors, comparing similar time to trial results between large and small court locations is not particularly useful. Smaller locations are marked with an asterisk in the table below.

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>6</b>	<b>7</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>6</b>	<b>8</b>
Assignment Court	Abbotsford		7	8	6	3		7	
	Kelowna		4	6	4	2		3	4
	Main Street		7	8					
	Port Coquitlam		8	9	7	6		8	9
	Robson Square				4	4		10	10
	Surrey		9	11	6	2		7	8
	Victoria		6	9	4	4		7	10
Fraser Region	Chilliwack	6	7	8	4	3	7	8	
	New Westminster	5	6	7	3	2	4	5	5
Interior Region	Castlegar *	2	5		2	2	4	5	
	Clearwater *	5			3	3	5		
	Cranbrook	7	8		3	3	7	8	
	Creston *	5	6		3	3	5	6	
	Fernie *	3	5		3	4	3	5	
	Golden *	4	6		3	4	4	5	
	Grand Forks *	4	5		4	3	4	5	
	Invermere *	6	7		2	5	6	7	
	Kamloops	5	7	8	5	3	5	7	8
	Lillooet *	6	7		4	4	6	7	
	Merritt *	6	7	9	4	4	6	7	9
	Nakusp *	3	5		3	3	3	5	
	Nelson	5	6		5	2	4	5	
	Penticton	5	6	6	3	1	5	6	
Princeton *	4			2	1	4			

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

<sup>5</sup> These locations are only open for scheduled courtroom appearances such as hearings and trials

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>6</b>	<b>7</b>	<b>8</b>	<b>4</b>	<b>2</b>	<b>5</b>	<b>6</b>	<b>8</b>
Interior Region Cont'd	Revelstoke *	6	6		4	3	6	6	
	Rossland	4	6		4	3	3	5	
	Salmon Arm	6	7		4	3	6	7	
	Sparwood *	3	5		3	4	3	5	
	Vernon	5	7		4	2	5	7	
Northern Region	100 Mile House *	6	8	8	6	4	6	8	8
	Anahim Lake *	1	1	1	1	1	1	1	1
	Burns Lake *	5	6	6	4	2	5	6	6
	Chetwynd *	2	7	8	2	2	5	7	8
	Dawson Creek	4	7	8	4	1	5	7	8
	Fort Nelson *	2	3		2	2	2	3	
	Fort St. James *	6	7	8	8	4	3	6	
	Fort St. John	8	9	10	8	1	6	8	9
	Fraser Lake *	1	2	5	1				
	Hazelton *	4	7	7	3	3	4	7	7
	Houston *	4	5	5	5	2	4	5	5
	Kitimat *	7	9	10	4	3	7	8	10
	Kwadacha *	3			3				
	Mackenzie *	6			4	2	6		
	Masset *	3	3		2	2	3	3	
	McBride *	5			3			8	
	Prince George	6	7	8	4	1	5	6	
	Prince Rupert	3	8	9	3	3	3	8	
	Queen Charlotte *	5	5		5	3	5	5	
	Quesnel	7	8	8	5	1	7	8	8
Smithers	4	5	5	3	2	4	5	5	
Terrace	9	11	12	5	3	4	8	11	
Tumbler Ridge *	3	7	5	3	3	3	7	8	
Valemount *	5			3					
Vanderhoof *	4	5	6	2	2	3	5		
Williams Lake	7	7	8	5	2	7	7	8	
Vancouver Region	North Vancouver	3	6	7	3	3	3	6	7
	Pemberton *	4	7	7	4	3	4	7	7
	Richmond	9	11	11	9	5	10	11	12
	Sechelt	4	5	7	3	2	4	6	7
Vancouver Island Region	Campbell River	6	8		3	3	4	6	
	Courtenay	8	9	10	3	3	6		
	Duncan	9	10	11	8	4	9	10	11
	Nanaimo	5	7	8	3	4	5	7	8
	Port Alberni	4	6	7	3	4	4	6	7
	Port Hardy *	8	10		3	1	6		
Western Communities	8	9	10	7	3	8	9	10	
OCJ	Bella Bella *	3	3	9					
	Bella Coola *	5	5	7					
	Powell River *	4	5		4	2	4	5	

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
<b>OJC Standards</b>		<b>2</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>
Assignment Court	Abbotsford	2		7	8		6	8
	Kelowna	2		6	7		7	7
	Main Street							
	Port Coquitlam	1		8	9		7	8
	Robson Square	3		7	10		7	9
	Surrey	1		7	8		7	8
	Victoria	4		5	8		5	7
Fraser Region	Chilliwack	3	6	7	8	6	7	8
	New Westminster	3	4	5	5	4	4	5
Interior Region	Castlegar *	2	2	5		2	5	
	Clearwater *	3	5			5		
	Cranbrook	3	7	8		7	8	
	Creston *	3	5	6		5	6	
	Fernie *	4	3	5		3	5	
	Golden *	4	4	6		4	6	
	Grand Forks *	3	3	4		3	4	
	Invermere *	5	6	7		6	7	
	Kamloops	2	5	7	8	5	7	7
	Lillooet *	3	6	7		6	7	
	Merritt *	3	6	7	9	6	7	9
	Nakusp *	3	3	5		3	5	
	Nelson	2	2	5		2	5	
	Penticton	1	4	4	4	3	3	3
	Princeton *	1	4			4		
	Revelstoke *	3	4	4		4	4	
	Rosland	2	3	4		3	4	
Salmon Arm	3	5	5		5	5		
Sparwood *	4	3	5		3	5		
Vernon	1	4	5		4	5		
Northern Region	100 Mile House *	4	6	8	8	6	8	8
	Anahim Lake *	1	1	1	1	1	1	1
	Burns Lake *	2	5	6	6	5	6	6
	Chetwynd *	2	2	7	8	2	6	7
	Dawson Creek	1	5	7	8	4	6	7
	Fort Nelson *	2	2	3		2	3	
	Fort St. James *	6	4	5	6	3	3	3
	Fort St. John	1	7	8	9	6	7	8
	Fraser Lake *							
	Hazelton *	3	3	7	7	3	7	7
	Houston *	2	4	5	5	4	5	5
	Kitimat *	2	4	7	10	4	7	10
	Kwadacha *					3		
	MacKenzie *	2	4	8				
	Masset *	2	3	3		2	3	
	McBride *			6		5		
	Prince George	1	5	5	6	3	4	6
	Prince Rupert	2	3	5		3	4	
	Queen Charlotte *	3	3	5		3	5	
	Quesnel	1	10	10	10	10	10	10
Smithers	2	4	5	5	4	5	5	
Terrace	1	5	6	10	5	6	10	
Tumbler Ridge *	3	3	7	8	3	6	7	
Valemount *	3	3			5			
Vanderhoof *	1	3	5	5	2	3	4	
Williams Lake	2	9	9	9	9	9	9	

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
<b>OCJ Standards</b>		<b>2</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>3</b>	<b>4</b>	<b>6</b>
Vancouver Region	North Vancouver	2	3	6	7	3	6	7
	Pemberton *	3	4	7	7	4	7	7
	Richmond	2	9	11	12	6	7	11
	Sechelt	2	3	5	7	3	5	7
Vancouver Island Region	Campbell River	3	3			3		
	Courtenay	2	3			3		
	Duncan	1	9	10	11	9	10	11
	Nanaimo	3	5	7	8	4	6	8
	Port Alberni	4	4	6	7	4	6	7
	Port Hardy *	1	4			3	6	
	Western Communities	1	8	9	10	8	9	10
OCJ	Bella Bella *	3					12	
	Bella Coola *	4						
	Powell River *	2	4	5		4	5	

Results for Summary Proceedings Court (SPC) appear below. The locations within standard are shown in green, with those above in red. The OCJ standard for each jurisdiction is listed across the top.

### Time to Trial for Summary Proceeding Court by Location and Jurisdiction

	Adult Criminal		FLA		CFCSA		Small Claims	
	4 Months		3 Months		2 Months		4 Months	
1	Vancouver Criminal	5	Victoria	4	Victoria	4	Robson Square	5
2	Kelowna	5	Robson Square	4	Robson Square	3	Victoria	5
3	Victoria	4	Port Coquitlam	4	Port Coquitlam	3	Port Coquitlam	4
4	Port Coquitlam	4	Abbotsford	3	Surrey	2	Abbotsford	3
5	Surrey	3	Surrey	2	Abbotsford	2	Surrey	2
6	Abbotsford	3	Kelowna	1	Kelowna	1	Kelowna	1
	<b>All AC Locations</b>	<b>3.9</b>		<b>2.9</b>		<b>2.6</b>		<b>3.7</b>