



THE PROVINCIAL COURT OF BRITISH COLUMBIA

Semi-Annual Time to Trial Report

September 30, 2018

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.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, 2018:

- 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’

2. Provincial Time to Trial

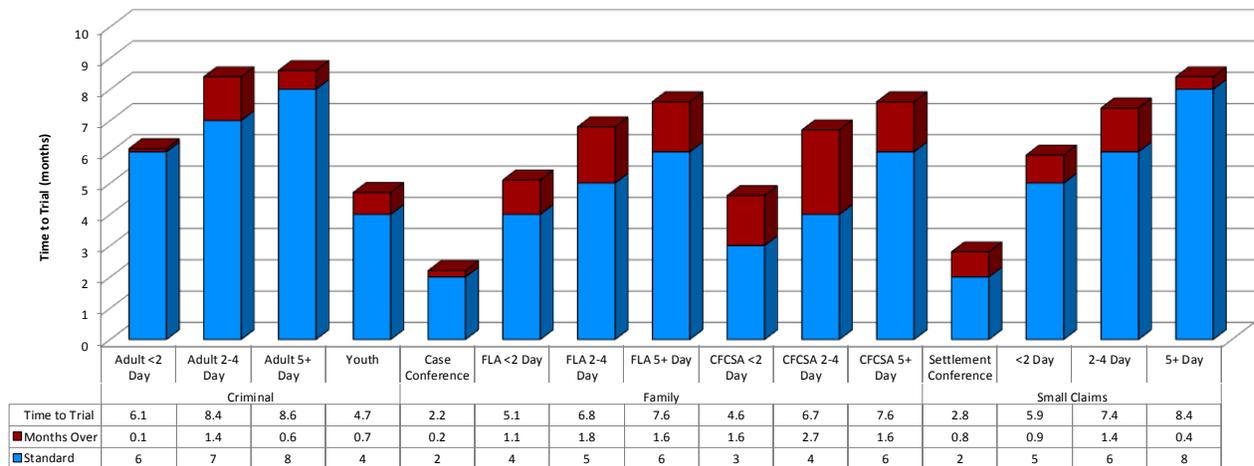
Provincial weighted times to trial have remained substantially the same between September 2017 and September 2018. Although there has been an overall increase by an average of 1% since September, 2017 this average obscures differences between result types where some decreases in time to trial occurred during this period.

- Short (<2 Day) trials remained the same in all divisions except CFCSA, which declined
- Mid-length (2-4 Day) trials declined in the adult and small claims divisions and increased slightly in the two family divisions
- Lengthy (5+ Day) trials declined in all divisions except Small Claims, which increased
- Youth trials showed the largest proportionate increase (from 4.2 months to 4.7)
- Time to a conference declined in both the family and small claims divisions

All weighted times to trial results for September 2018 exceeded the Office of the Chief Judge (OCJ) standard. Results varied from 0.1 to 2.7 months over standard.

Figure 2 shows weighted³ 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



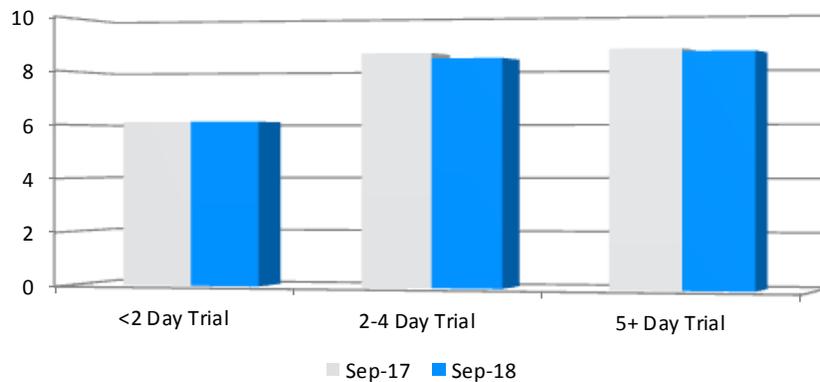
³All locations in the province were weighted based on fiscal year caseloads. Weighted time to trial is the average time (in months), weighted by caseloads, from the time a request is made to the next available date.

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 September 2017 and 2018.

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 September 2017, all adult criminal results have either declined or held steady.

Figure 3 - Weighted Provincial Time to Adult Criminal Trials

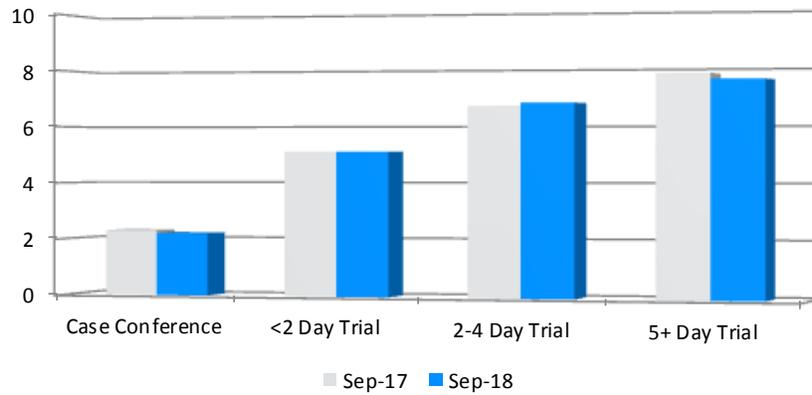


	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Sep-17	6.1	8.6	8.7
Sep-18	6.1	8.4	8.6
Standard	6	7	8

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 September 2017, all FLA results declined or held steady, with the exception of 2-4 day trials, which increased slightly.

Figure 4 - Weighted Provincial Time to FLA Trials

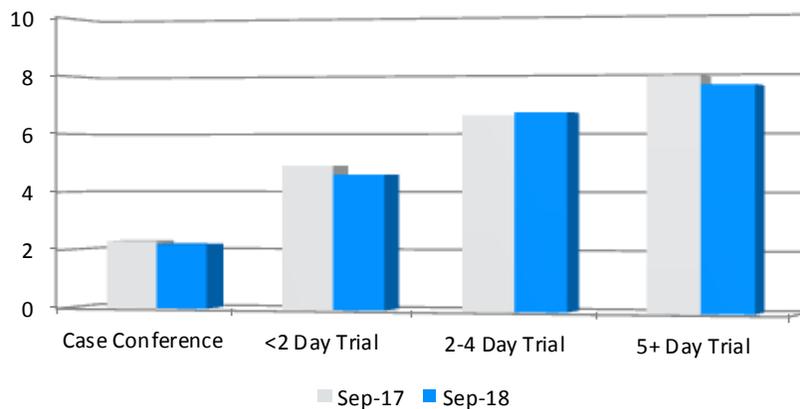


	Case Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Sep-17	2.3	5.1	6.7	7.8
Sep-18	2.2	5.1	6.8	7.6
Standard	2	4	5	6

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. Since September 2017, all CFCSA results have declined with the exception of 2-4 day trials, which increased slightly.

Figure 5 - Weighted Provincial Time to CFCSA Trials

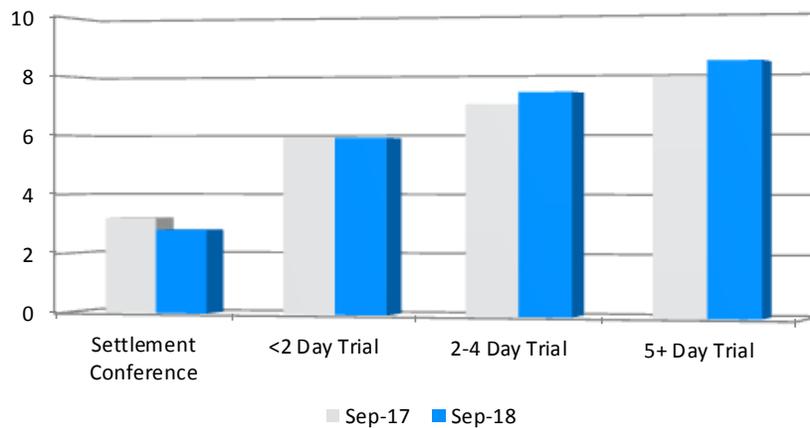


	Case Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
Sep-17	2.3	4.9	6.6	7.9
Sep-18	2.2	4.6	6.7	7.6
Standard	2	3	4	6

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. Since September 2017, small claims trial results have either held steady or increased, while time to a conference declined.

Figure 6 - Weighted Provincial Time to Small Claims Trials



	Settlement Conference	<2 Day Trial	2-4 Day Trial	5+ Day Trial
■ Sep-17	3.2	5.9	7.0	7.9
■ Sep-18	2.8	5.9	7.4	8.4
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	Fort St. John	11	Fort St. John	13	Fort St. John	13
2	Terrace	10	Courtenay	11	Surrey	11
3	Campbell River	9	Port Hardy	11	Richmond	11
4	Courtenay	9	Surrey	10	Terrace	11
5	Port Hardy	8	Richmond	10	Chetwynd	11
6	Kamloops	7	Campbell River	10	Tumbler Ridge	11
7	Duncan	7	Terrace	10	Dawson Creek	10
8	Vernon	7	Port Coquitlam	9	Kitimat	10
9	Merritt	7	Prince George	9	Victoria	9
10	Mackenzie	7	Dawson Creek	9	Port Coquitlam	9
	Provincial	6.1		8.4		8.6

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	Fort St. John	9	Richmond	10	Fort St. John	11
2	Kamloops	7	Fort St. John	10	Chetwynd	11
3	Duncan	7	Robson Square	9	Tumbler Ridge	11
4	Chilliwack	6	Port Coquitlam	9	Kitimat	10
5	Cranbrook	6	Victoria	8	Victoria	9
6	Penticton	6	Kamloops	8	Robson Square	9
7	Dawson Creek	6	Chilliwack	8	Port Coquitlam	9
8	Williams Lake	6	Duncan	8	Chilliwack	9
9	Quesnel	6	Merritt	8	Duncan	9
10	Kitimat	6	Kitimat	8	Dawson Creek	9
	Provincial	5.1		6.8		7.6

	<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
	3 Months Max		4 Months Max		6 Months Max	
1	Fort St. John	9	Richmond	10	Fort St. John	11
2	Duncan	7	Fort St. John	10	Kitimat	10
3	Kamloops	6	Robson Square	9	Robson Square	9
4	Chilliwack	6	Victoria	8	Victoria	9
5	Williams Lake	6	Kamloops	8	Duncan	9
6	Quesnel	6	Duncan	8	Chilliwack	9
7	Cranbrook	6	Port Coquitlam	8	Terrace	9
8	Dawson Creek	6	Chilliwack	8	Dawson Creek	9
9	Kitimat	6	Merritt	8	Surrey	8
10	Richmond	5	Kitimat	8	Kamloops	8
	Provincial	4.6		6.7		7.6

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	9	Richmond	11	Chetwynd	13
2	Fort St. John	9	Fort St. John	10	Tumbler Ridge	13
3	Kamloops	7	Robson Square	9	Richmond	11
4	Chilliwack	7	Port Coquitlam	9	Fort St. John	11
5	Vernon	7	Campbell River	9	Kitimat	10
6	Duncan	7	Courtenay	9	Robson Square	9
7	Courtenay	7	Kitimat	9	Port Coquitlam	9
8	Salmon Arm	7	Victoria	8	Victoria	9
9	Merritt	7	Kamloops	8	Kamloops	9
10	Cranbrook	6	Duncan	8	Duncan	9
	Provincial	5.9		7.4		8.4

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 services⁴ and 26 have neither 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.

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
OCJ Standards		6	7	8	4	2	5	6	8
Assignment Court	Abbotsford		6	7	4	3		5	7
	Kelowna		6		5	2		4	
	Main Street		7	7					
	Port Coquitlam		9	9	4	2		9	9
	Robson Square				7	4		9	9
	Surrey		10	11	6	2		6	7
	Victoria		8	9	7	3		8	9
Fraser Region	Chilliwack	6	7	9	4	2	7		
	New Westminster	6	7	8	4	3	4	5	7
Interior Region	Castlegar *	5	6		4	3	4	5	
	Clearwater *	5	6		4	4	5	6	
	Cranbrook	6	7		3	5	6	7	
	Creston *	6	7		2	5	6	7	
	Fernie *	6	7		2	3	6	7	
	Golden *	5	6		3	4	5	6	
	Grand Forks *	5	6		4	3	4	6	
	Invermere *	5	6		2	3	5	6	
	Kamloops	7	8	9	3	2	7	8	9
	Lillooet *	5	5		3	3	5	5	
	Merritt *	7	8		5	5	7	8	
	Nakusp *	2	4		2	1	2	4	
	Nelson	5	6		4	3	4	5	
	Penticton	5	5	5	3	2	5	5	
Princeton *	4			2	1	4			

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

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCI Standards		6	7	8	4	2	5	6	8
Interior Region Cont'd	Revelstoke *	8	7		5	2	8	8	
	Rossland	4	6		4	2	4	5	
	Salmon Arm	6	7		4	1	7	7	
	Sparwood *	6	7		2	3	6	7	
	Vernon	7	7		4	1	7	7	
Northern Region	100 Mile House *	4	5	6	3	4	4	5	6
	Anahim Lake *	1	1	4	1	1	1	1	4
	Burns Lake *	5	6	6	2	2	5	6	6
	Chetwynd *	5	8	11	5	1	5	8	13
	Dawson Creek	6	9	10	5	1	6	7	9
	Fort Nelson *	3	4	4	2	2	2	4	4
	Fort St. James *	6	8	8	3	1			
	Fort St. John	11	13	13	5	1	9	10	11
	Fraser Lake *	2	2		2				
	Hazelton *	4	4	6	3	2	4	4	6
	Houston *	3	4	4	2	2	3	4	4
	Kitimat *	6	9	10	4	4	6	9	10
	Kwadacha *	5					5		
	MacKenzie *	7	8		4	4	4	6	
	Masset *	2	3	7	2	1	2	3	7
	McBride *	6	8		4	4	6	8	
	Prince George	6	9	9	3	1	4	6	
	Prince Rupert	3	4	7	2	2	3	4	6
	Queen Charlotte *	4	7	7	4	3	4	6	7
	Quesnel	6	6	8	5	2	6	6	6
Smithers	3	4	4	2	2	3	4	4	
Terrace	10	10	11	3	3	2	5	9	
Tumbler Ridge *	7	8	11	5	2	7	8	13	
Valemount *	6	8		4	3	6	8		
Vanderhoof *	6	8	8	3	1				
Williams Lake	6	6	6	6	3	6	6	6	
Vancouver Region	North Vancouver	5	6	7	5	4	5	6	7
	Pemberton *	3	4	6	3	4	4	4	6
	Richmond	5	10	11	5	2	9	11	11
	Sechelt	4	6	7	4	4	5	6	8
Vancouver Island Region	Campbell River	9	10		3	2	6	9	
	Courtenay	9	11		4	1	7	9	
	Duncan	7	8	9	6	3	7	8	9
	Nanaimo	5	7	7	4	4	5	7	
	Port Alberni	6	7	7	4	4	5	7	7
	Port Hardy *	8	11		3	1	5		
Western Communities	4	7	8	4	3	4	7	8	
OCI	Bella Bella *	4	4	7					
	Bella Coola *	1	6	9					
	Powell River *	4	5		4	4	4	6	

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
OJ Standards		2	4	5	6	3	4	6
Assignment Court	Abbotsford	3		5	6		5	6
	Kelowna	2		7			5	
	Main Street							
	Port Coquitlam	2		9	9		8	8
	Robson Square	3		9	9		9	9
	Surrey	1		7	8		7	8
	Victoria	3		8	9		8	9
Fraser Region	Chilliwack	3	6	8	9	6	8	9
	New Westminster	3	4	5	6	4	5	6
Interior Region	Castlegar *	2	4	4		4	4	
	Clearwater *	4	4	6		4	6	
	Cranbrook	3	6	7		6	7	
	Creston *	4	6	7		6	7	
	Fernie *	3	6	7		6	7	
	Golden *	4	5	6		5	6	
	Grand Forks *	3	4	5		4	5	
	Invermere *	3	5	6		5	6	
	Kamloops	2	7	8	8	6	8	8
	Lillooet *	3	3	5		3	5	
	Merritt *	2	5	8		5	8	
	Nakusp *	1	2	4		2	4	
	Nelson	2	4	4		4	4	
	Penticton	2	6	6	6	5	5	5
	Princeton *	1	4			4		
	Revelstoke *	1	5	5		5	5	
	Rosland	2	4	5		4	5	
Salmon Arm	1	5	5		5	5		
Sparwood *	3	6	7		6	7		
Vernon	1	5	5		5	5		
Northern Region	100 Mile House *	4	4	5	6	4	5	6
	Anahim Lake *	1	1	1	4	1	1	4
	Burns Lake *	1	4	6	6	4	6	6
	Chetwynd *	1	5	8	11	5	6	6
	Dawson Creek	1	6	7	9	6	7	9
	Fort Nelson *	2	2	4	4	2	4	4
	Fort St. James *	1	4	6	6	3	4	4
	Fort St. John	1	9	10	11	9	10	11
	Fraser Lake *							
	Hazelton *	2	3	4	6	3	4	6
	Houston *	2	3	3	4	3	3	4
	Kitimat *	3	6	8	10	6	8	10
	Kwadacha *		5			5		
	MacKenzie *	2	4	6		4	6	
	Masset *	1	2	3	7	2	3	7
	McBride *	3	4	6		4	6	
	Prince George	1	4	4	4	3	4	4
	Prince Rupert	2	3	4	6	3	4	6
	Queen Charlotte *	3	4	6	7	4	6	7
	Quesnel	2	6	6	6	6	6	6
Smithers	2	2	3	4	2	3	4	
Terrace	2	3	5	9	3	4	9	
Tumbler Ridge *	2	7	8	11	7	6	6	
Valemount *	3	4	6		4	6		
Vanderhoof *	1	4	6	6	3	4	4	
Williams Lake	3	6	6	6	6	6	6	

Region	Location	FCC	FLA			CFCSA		
			<2 Day	2 - 4 Day	5+ Day	<2 Day	2 - 4 Day	5+ Day
OCJ Standards		2	4	5	6	3	4	6
Vancouver Region	North Vancouver	3	4	5	7	4	5	7
	Pemberton *	4	2	5	6	2	5	6
	Richmond	1	5	10	8	5	10	8
	Sechelt	4	4	5	7	4	6	7
Vancouver Island Region	Campbell River	3	4	5		3	5	
	Courtenay	3	4	5		3	5	
	Duncan	2	7	8	9	7	8	9
	Nanaimo	2	5	7	7	4	7	7
	Port Alberni	4	5	7	7	4	7	7
	Port Hardy *	3	3	5		3		
	Western Communities	2	4	7	8	4	7	8
OCJ	Bella Bella *							
	Bella Coola *	6						
	Powell River *	3	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	5	Victoria	5	Port Coquitlam	5
2	Victoria	5	Port Coquitlam	5	Port Coquitlam	4	Victoria	5
3	Port Coquitlam	5	Robson Square	3	Robson Square	3	Robson Square	4
4	Kelowna	4	Kelowna	2	Surrey	2	Abbotsford	3
5	Abbotsford	3	Surrey	2	Abbotsford	2	Kelowna	2
6	Surrey	2	Abbotsford	2	Kelowna	1	Surrey	2
	All AC Locations	3.7		3.0		2.9		3.5