OFFICE OF THE CHIEF JUDGE

THE PROVINCIAL COURT
OF BRITISH COLUMBIA

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Justice Delayed: A Report of the Provincial Court of British Columbia Concerning Judicial Resources

On September 14, 2010 the Provincial Court of British Columbia released its "*Justice Delayed*" Report. The Report concluded that it would be appropriate to issue regular updates to the Attorney General and the public concerning the judicial complement of the Court, caseloads and times to trial in each area of the Court's jurisdiction.

This document provides the following updates as of March 31, 2012:

- Total Judge Complement and Judge FTE's [number of Judges];
- Adult Criminal Cases Exceeding the Court's Standard;
- Adult Criminal Weighted Provincial Delay;
- Child Protection Weighted Provincial Delay;
- Family Weighted Provincial Delay;
- Civil Small Claims Weighted Provincial Delay;
- Locations with the Longest Delays to Trial in each area of the Court's jurisdiction.

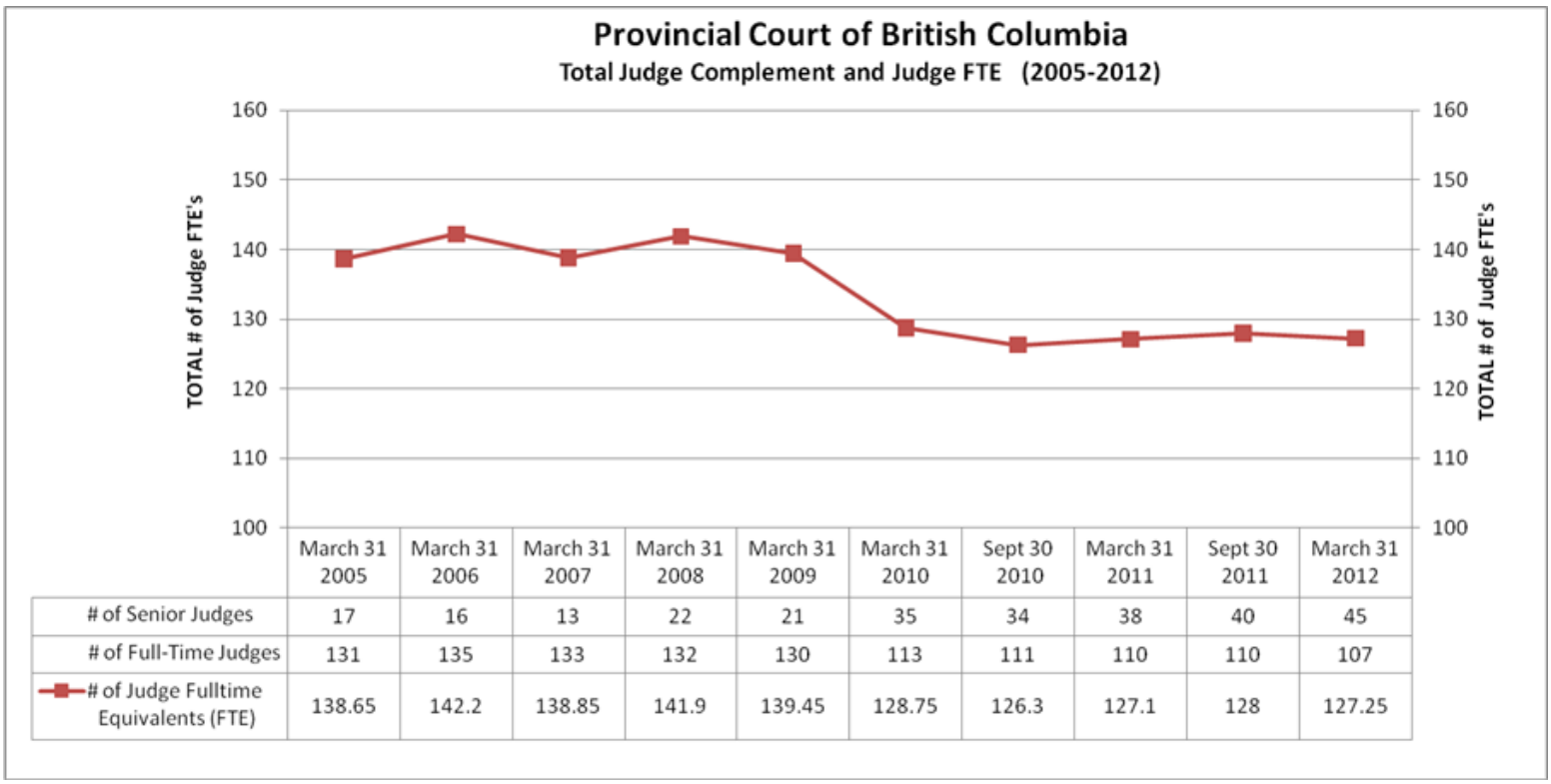
When the *Justice Delayed* report was issued in September 2010, the judicial complement was 126.30 and as of March 31, 2012 is 127.25. The judicial complement as of March 31, 2012 is 16.4 Judges less than at December 31, 2005.

Information regarding the current complement can be found by viewing the Provincial Court Judge Complement here.

The next scheduled update will be based on data obtained as of September 30, 2012.

Total Judge Complement and Judge FTE's

2005 – 2012



	March 31 2005	March 31 2006	March 31 2007	March 31 2008	March 31 2009	March 31 2010	Sept 30 2010	March 31 2011	Sept 30 2011	March 31 2012
# of Senior Judges	17	16	13	22	21	35	34	38	40	45
# of Full-Time Judges	131	135	133	132	130	113	111	110	110	107
# of Judge Fulltime Equivalents (FTE)	138.65	142.2	138.85	141.9	139.45	128.75	126.3	127.1	128	127.25

Notes:

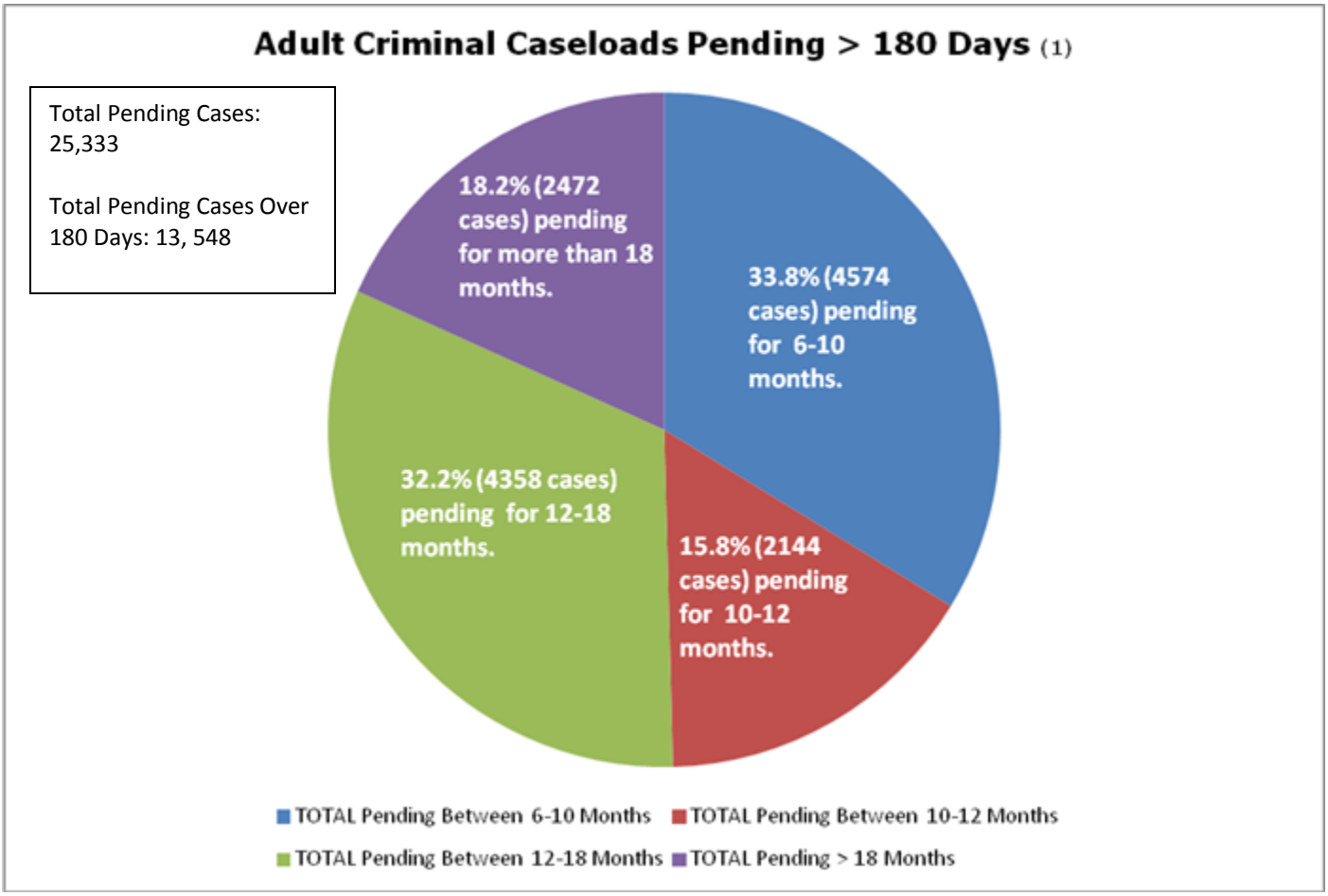
Data Source: Rota6.

Judicial Complement is based on the total number of fulltime and part time/Senior Provincial Court Judges who were sitting as a Provincial Court Judge on the date noted.

TOTAL Judicial fulltime equivalent positions = the number of fulltime judges + the number of senior Judges. Each fulltime judge is calculated at 1.0 JFTE; each senior judge is calculated at 0.45 JFTE.

Adult Criminal Cases Exceeding the Court's Standard

As at March 31, 2012



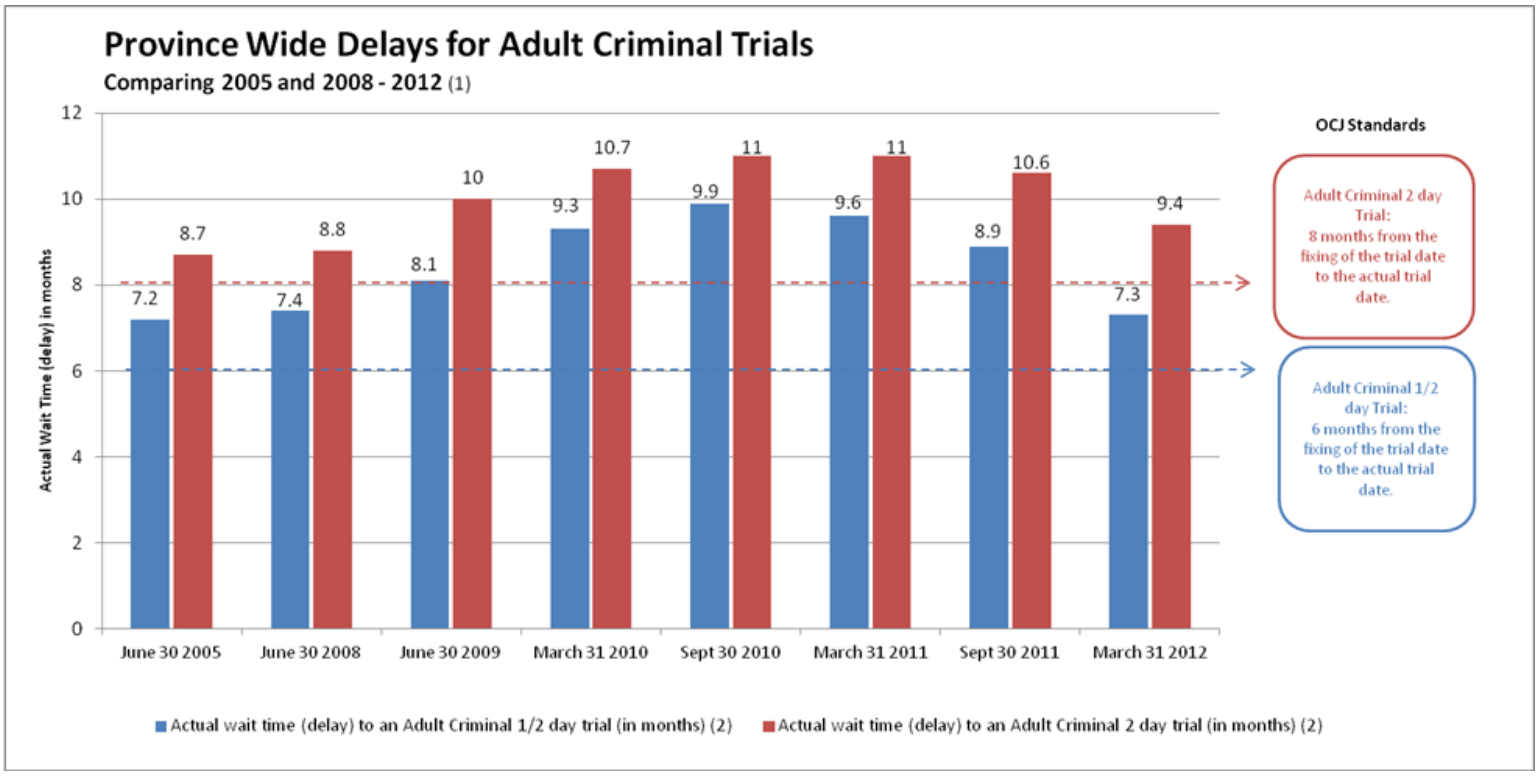
Notes:

Data Source: CORIN Database

(1) Provincial Court Pending Case: A case that has not completed and for which a future appearance is scheduled. Provincial Court Pending Case 180 days: A pending case where the number of days between the first appearance and the next scheduled appearance is over 180 days. Pending cases are snapshots of current pending case inventory. This report is as at March 31 2012 and represents a snapshot of the pending case inventory for all cases over 180 days. This report is preliminary and breaks these over 180 day cases into 4 different timelines.

Weighted Province Wide Delay Reports – Provincial Summary

Comparing 2005 and 2008 - 2012



Notes:

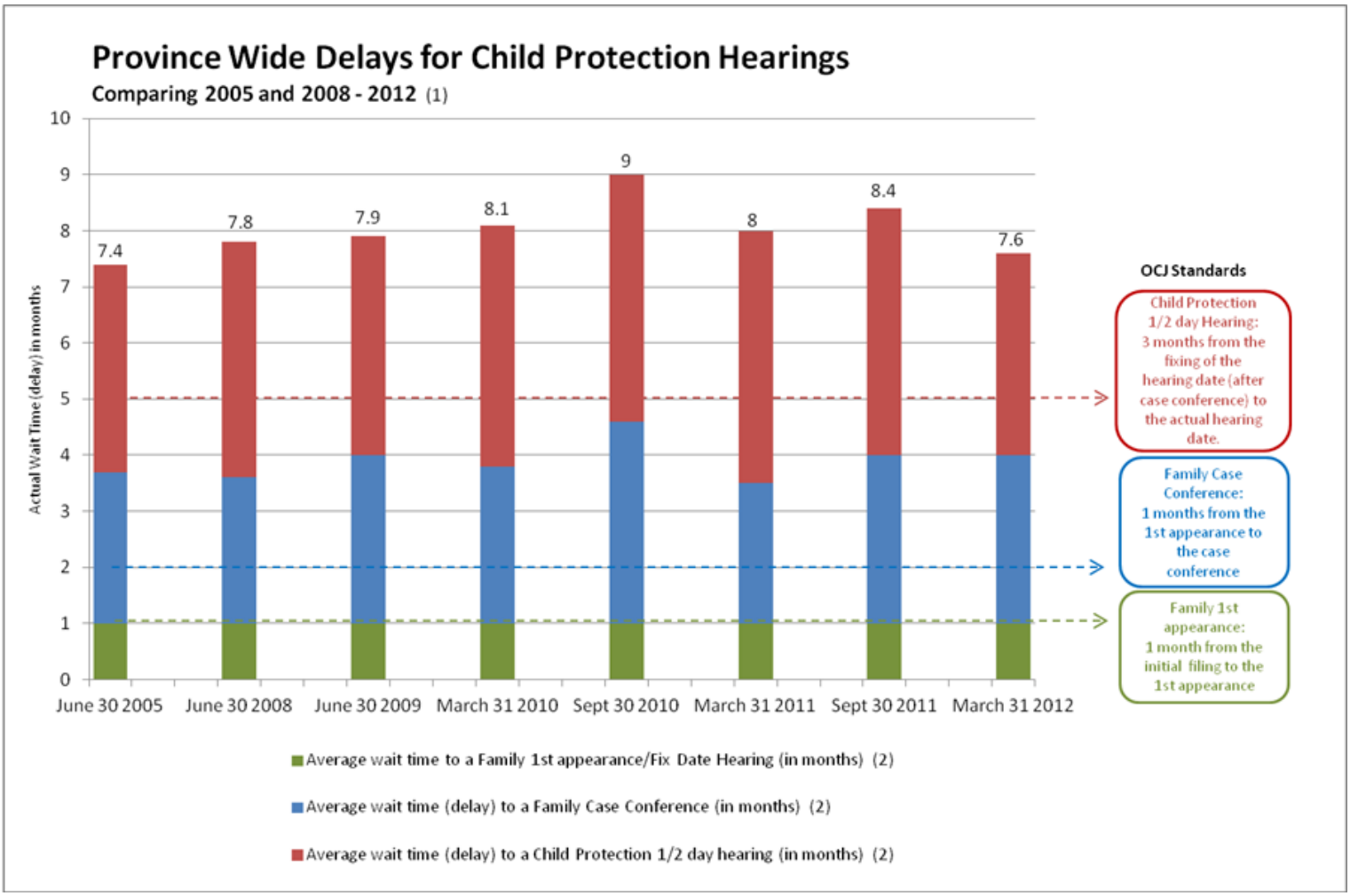
(1) Data Source: Judicial (Quarterly) Next Available Date Surveys.
All locations in the province were weighted based on the following caseload time periods:

- 2004/05 new caseloads for the June 30 2005 delays
- 2007/08 new caseloads for the June 30 2008 delays
- 2008/09 new caseloads for the June 30 2009 delays
- Calendar year 2009 new caseloads for the March 31 2010 delays
- 2009/10 new caseloads for the September 30, 2010 delays
- Calendar year 2010 new caseloads for the March 31 2011 delays
- 2010/11 new caseloads for the September 30, 2011 delays
- Calendar year 2011 new caseloads for the March 31 2012 delays

(2) For Adult Criminal Trials, this number represents the number of months between an Arraignment Hearing/Fix Date and the first available court date that a typical ½ day and 2 day Adult Criminal trial can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the court would "normally" be scheduling matters in the future. This wait time also takes into account any cases awaiting a trial date to be scheduled and factors those matters into any delay estimates.

OCJ Standards = 90% of court locations meet the time to trial standards.

The total wait time does not take into account the delay between the first appearance in Court and the date of the Arraignment Hearing/Fix Date.



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(2) For Child Protection Hearings, this number represents the number of months between an initial filing and the first appearance or Fix date, the first appearance and the first Case Conference and the first available court date that a typical ½ day Child Protection hearing can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the Court would "normally" be scheduling matters in the future. This wait time also takes into account any cases awaiting a hearing date to be scheduled and factors those matters into any delay estimates.

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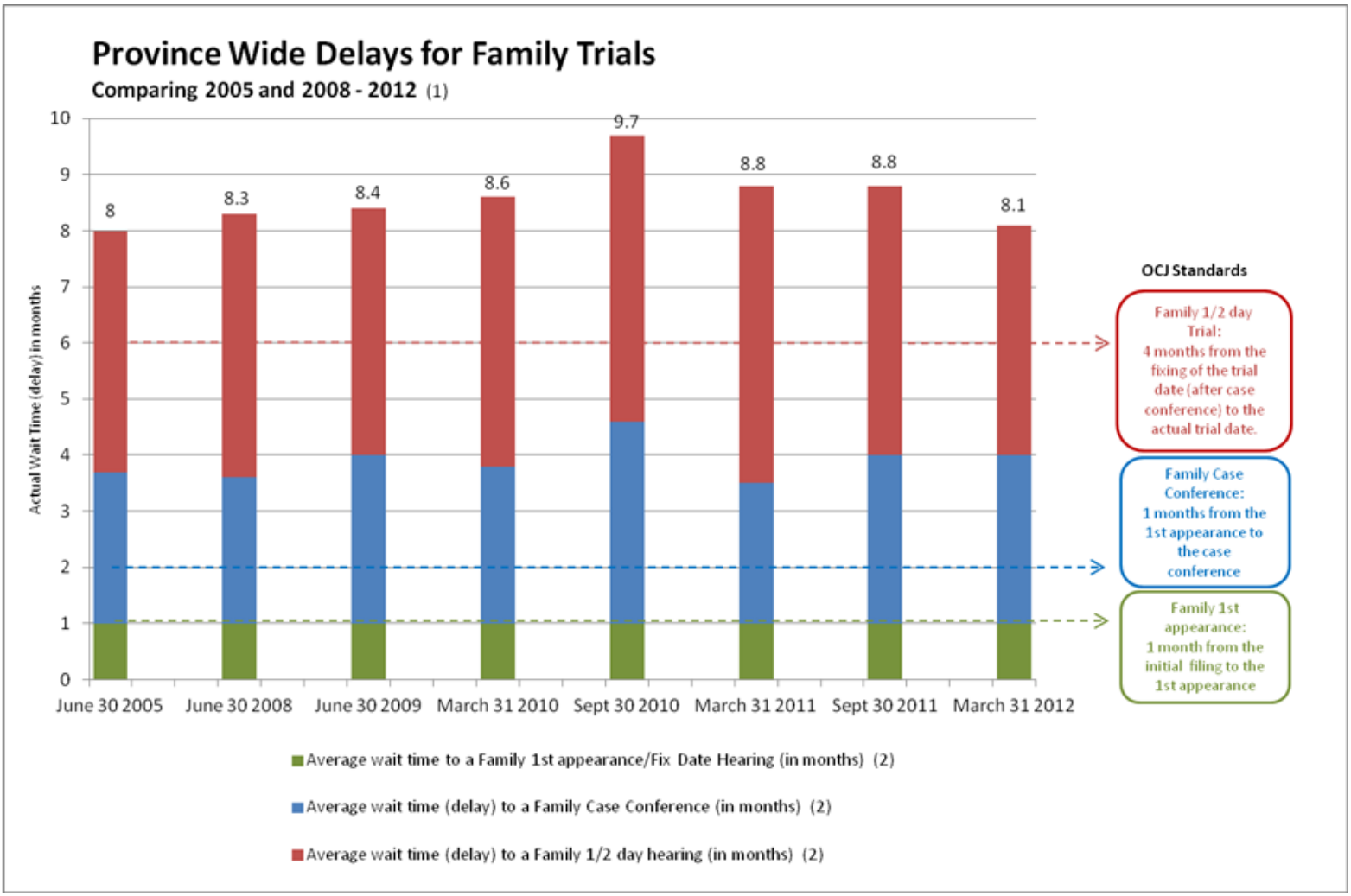

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- Calendar year 2010 new caseloads for the March 31 2011 delays
- 2010/11 new caseloads for the September 30, 2011 delays
- Calendar year 2011 new caseloads for the March 31 2012 delays

(2) For Family Trials, this number represents the number of months between an initial filing and the first appearance or Fix date, the first appearance and the first Case Conference and the first available court date that a typical ½ day Family Trial can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the Court would "normally" be scheduling matters in the future. This wait time also takes into account any cases awaiting a hearing date to be scheduled and factors those matters into any delay estimates.

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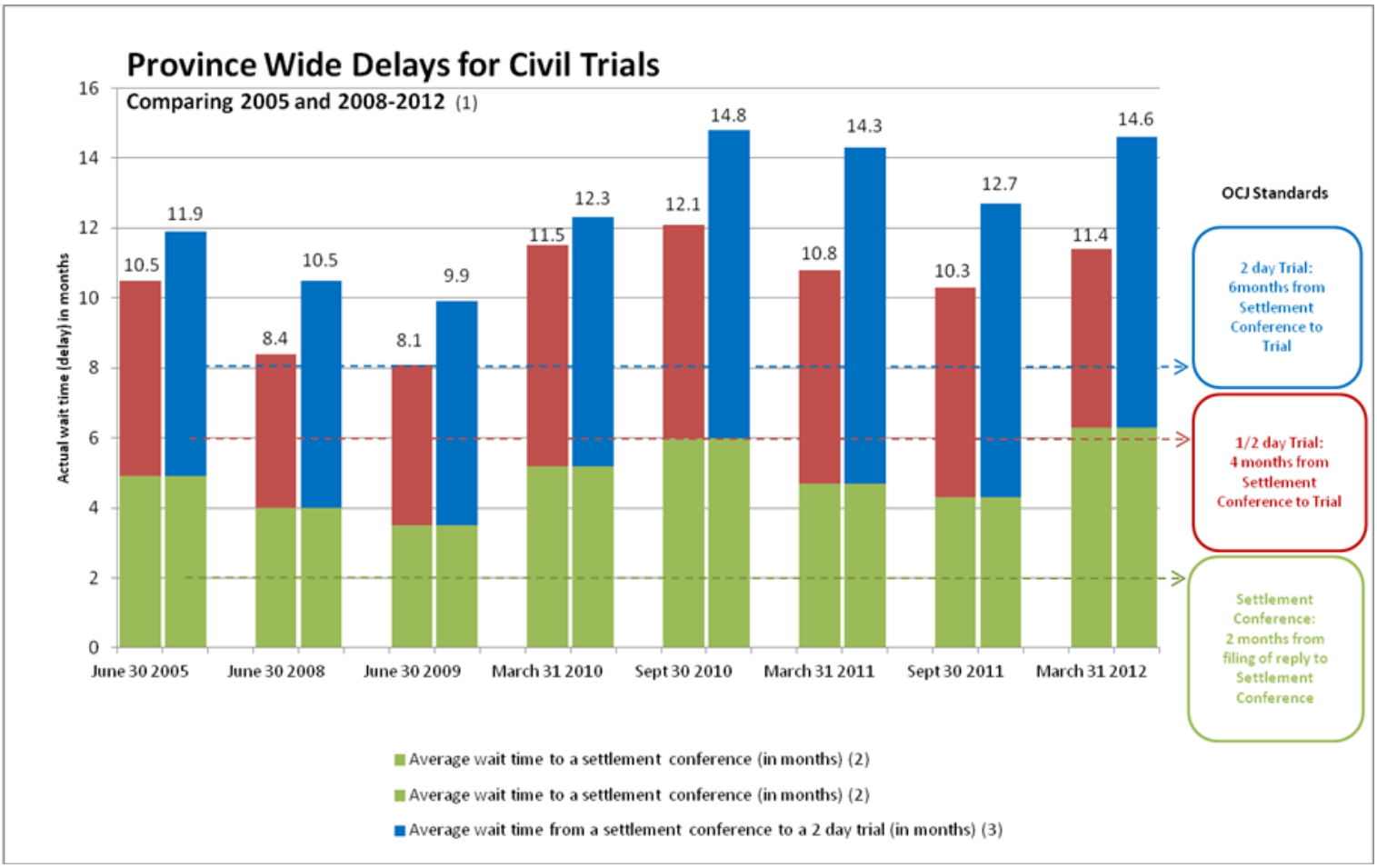

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- Calendar year 2010 new caseloads for the March 31 2011 delays
- 2010/11 new caseloads for the September 30, 2011 delays
- Calendar year 2011 new caseloads for the March 31 2012 delays

(2) For Small Claims Settlement Conferences, this number represents the number of months between the filing of the reply to the first available court date that a typical settlement conference can be scheduled into.

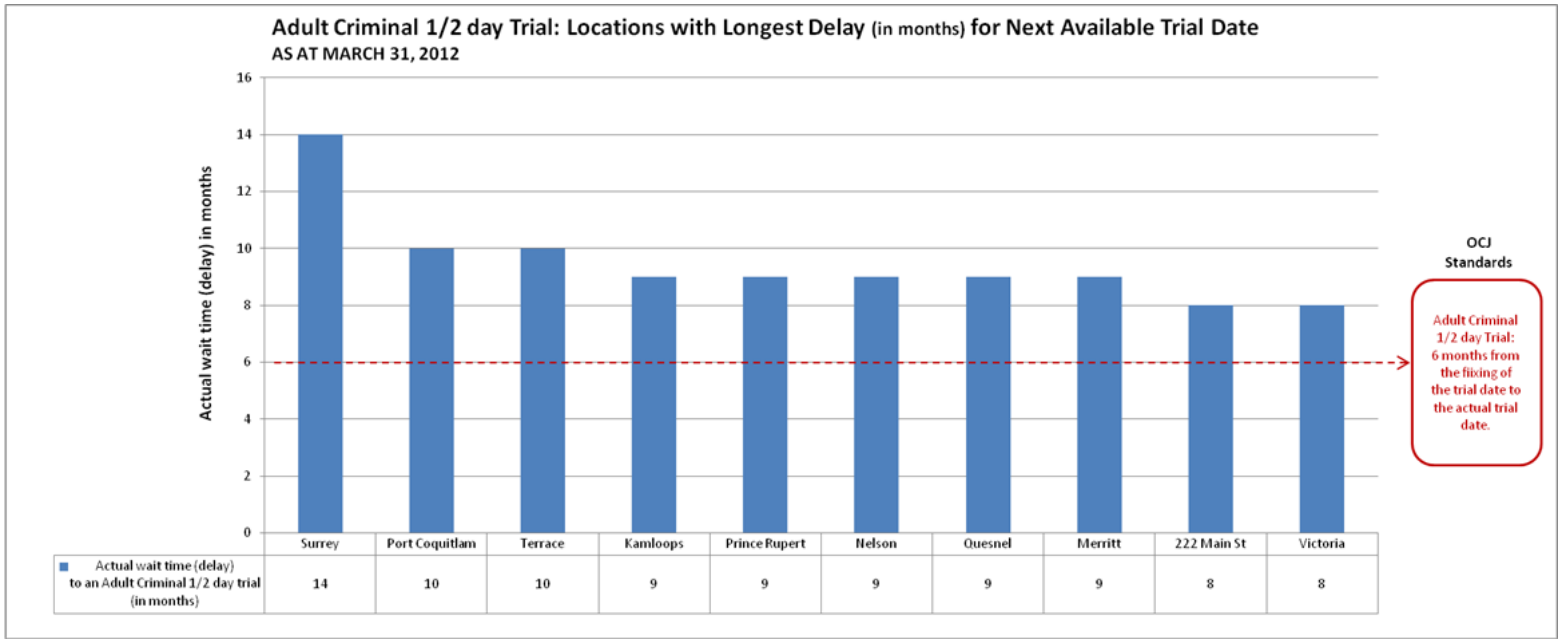
(3) For Small Claims ½ Day and 2 Day trials, this number represents the number of months between a Settlement Conference and the first available court date that a typical ½ day and 2 day trial can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the Court would "normally" be scheduling matters in the future. This wait time also takes into account any cases awaiting a trial date to be scheduled and factors those matters into any delay estimates.

OCJ Standards = 90% of court locations meet the time to trial standards.

The total wait time does not take into account the delay between the filing of the initial claim and the date when all pleadings are closed (replies and other documentation filed).

Locations with the Longest Delays to Trial – All Divisions

As at March 31, 2012



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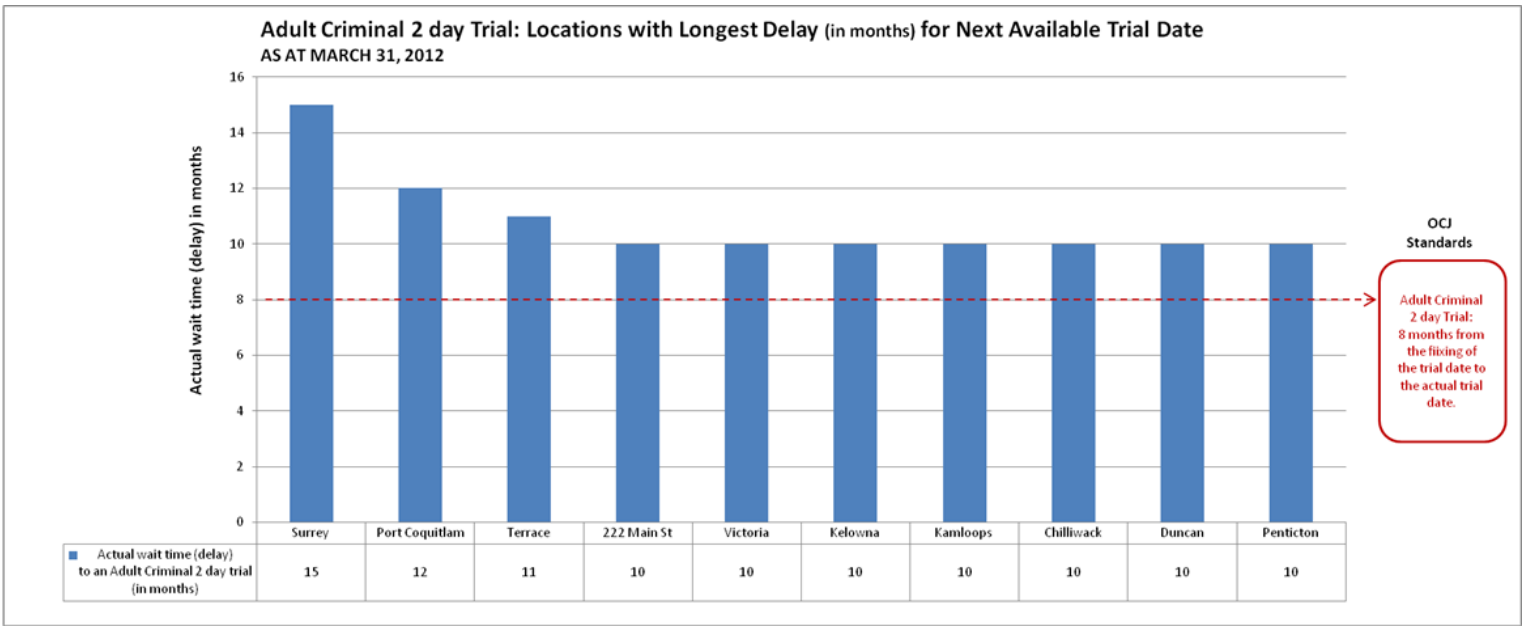
The total wait time does not take into account the delay between the first appearance in Court and the date of the Arraignment Hearing/Fix Date.



Notes:

Data Source: Judicial (Quarterly) Next Available Date Surveys.

For Adult Criminal Trials, this number represents the number of months between an Arraignment Hearing/Fix Date and the first available court date that a typical 2 day Adult Criminal trial can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the Court would "normally" be scheduling matters in the future. This wait time also takes into account any trials or hearings awaiting a trial date to be scheduled and factors those matters into any delay estimates.

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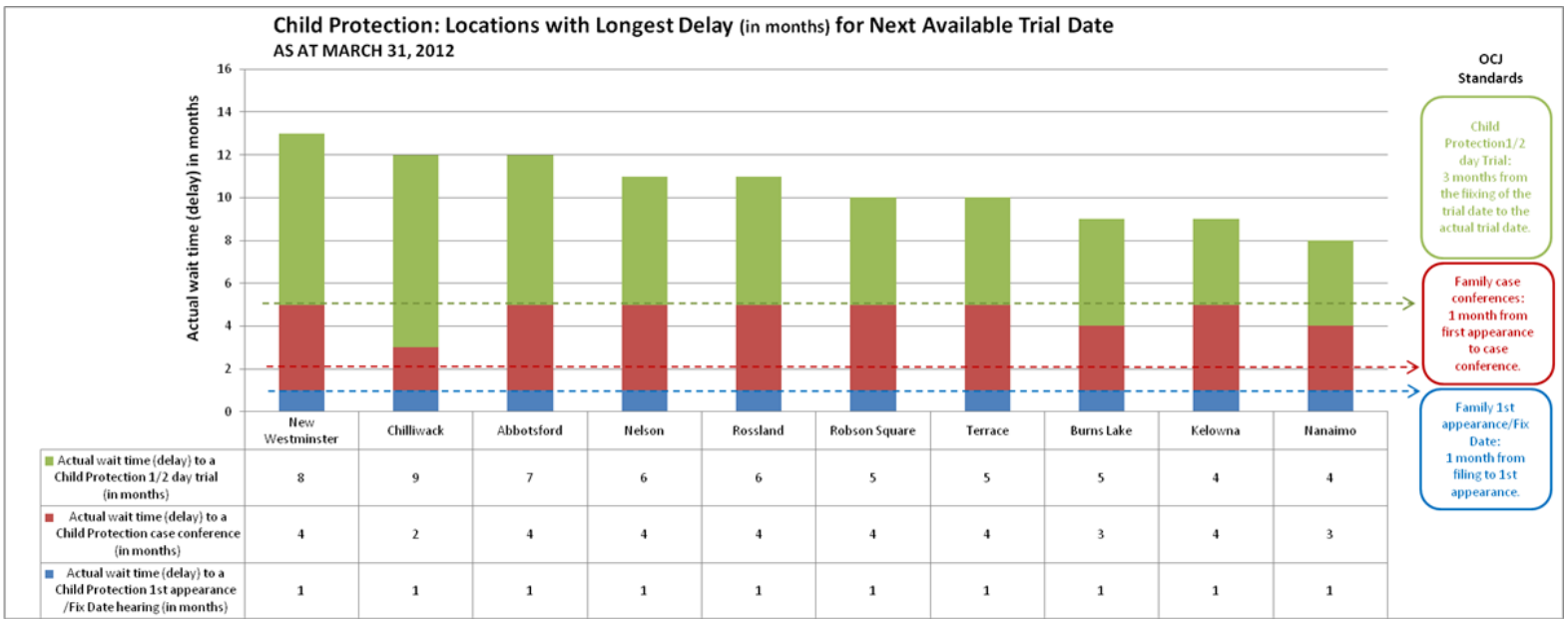

	New Westminster	Chilliwack	Abbotsford	Nelson	Rossland	Robson Square	Terrace	Burns Lake	Kelowna	Nanaimo
Actual wait time (delay) to a Child Protection 1/2 day trial (in months)	8	9	7	6	6	5	5	5	4	4
Actual wait time (delay) to a Child Protection case conference (in months)	4	2	4	4	4	4	4	3	4	3
Actual wait time (delay) to a Child Protection 1st appearance /Fix Date hearing (in months)	1	1	1	1	1	1	1	1	1	1

Notes:

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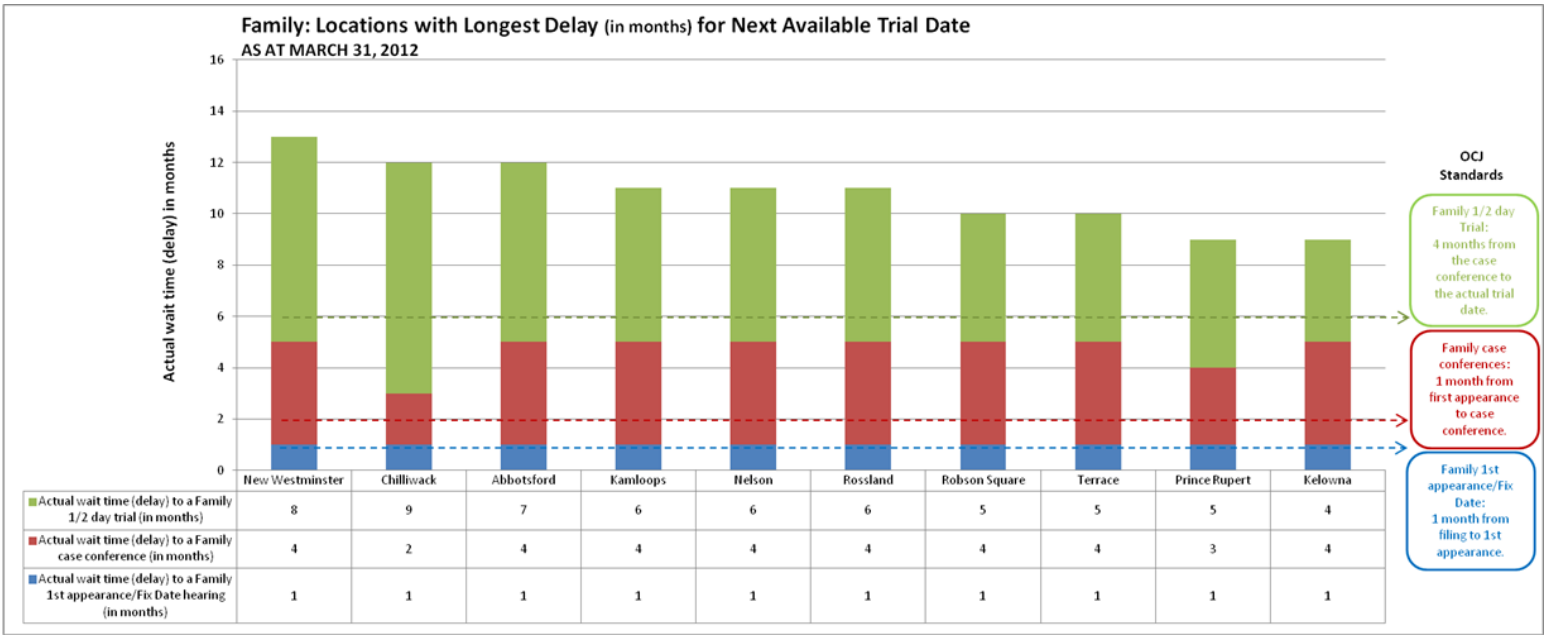
This measurement is a different report from that found on the original Justice Delayed report as this now takes into consideration delays to first appearances and case conferences as well as trials.



	New Westminster	Chilliwack	Abbotsford	Kamloops	Nelson	Rossland	Robson Square	Terrace	Prince Rupert	Kelowna
Actual wait time (delay) to a Family 1/2 day trial (in months)	8	9	7	6	6	6	5	5	5	4
Actual wait time (delay) to a Family case conference (in months)	4	2	4	4	4	4	4	4	3	4
Actual wait time (delay) to a Family 1st appearance/Fix Date hearing (in months)	1	1	1	1	1	1	1	1	1	1

Notes:

Data Source: Judicial (Quarterly) Next Available Date Surveys.

For Family Hearings, this number represents the number of months between an initial filing and the first appearance or Fix date, the first appearance and the first Case Conference and the first available court date that a typical ½ day Family hearing can be scheduled into. The "first available date" does not include court dates that have opened up due to cancellations, since that is not when the Court would "normally" be scheduling matters in the future. This wait time also takes into account any cases awaiting a hearing date to be scheduled and factors those matters into any delay estimates.

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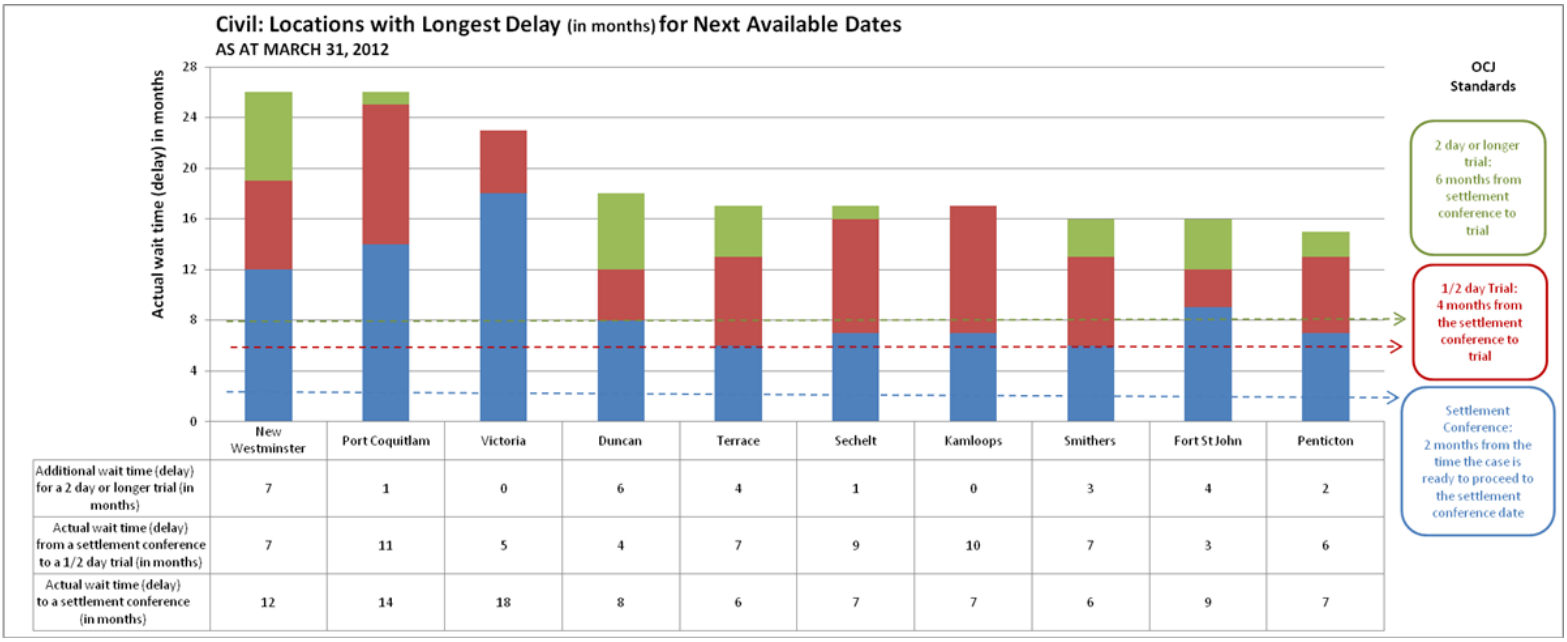

	New Westminster	Port Coquitlam	Victoria	Duncan	Terrace	Sechelt	Kamloops	Smithers	Fort St John	Penticton
Additional wait time (delay) for a 2 day or longer trial (in months)	7	1	0	6	4	1	0	3	4	2
Actual wait time (delay) from a settlement conference to a 1/2 day trial (in months)	7	11	5	4	7	9	10	7	3	6
Actual wait time (delay) to a settlement conference (in months)	12	14	18	8	6	7	7	6	9	7

Notes:

Data Source: Judicial (Quarterly) Next Available Date Surveys.

For Small Claims Settlement Conferences, this number represents the number of months between the filing of the reply to the first available court date that a typical settlement conference can be scheduled into. For Small Claims ½ Day Trials, this number represents the number of months between a Settlement Conference and the first available court date that a typical ½ day trial or hearing can be scheduled into. For Small Claims 2 Day Trials, this number represents the number of months between a beyond a regularly scheduled ½ day trial that a typical 2 day trial or hearing can be scheduled into.

The total wait time does not take into account the delay between the filing of the initial claim and the date when all pleadings are closed (replies and other documentation filed).

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