



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective date: 23 February 2015

GEN 02

PRACTICE DIRECTION

ACCESS TO THE COURT FOR LAWYERS AND ARTICLED STUDENTS WHO HAVE A DISABILITY

Purpose

To ensure the Provincial Court of British Columbia is open and accessible to lawyers and articulated students who have a disability.

Application

This practice direction applies to all court locations in the Province.

Directions

1. Lawyers and articulated students who self-identify as having a particular disability and who present themselves to a Judicial Case Manager (JCM), a Judicial Justice (JJ), or a Provincial Court Judge (PCJ), whether in Court or at a Court Registry, will have their matter scheduled so as to accommodate their particular disability to the extent that it is not an undue hardship on the Court or would unreasonably interfere with the administration of justice.
2. Requests regarding scheduling of any matter by a lawyer or articulated student with a disability are to be addressed in the following manner:
 - A lawyer or articulated student who self-identifies as having a disability that impacts his or her ability to access the Court should be asked to identify his/her need for accommodation from the Court.
 - The lawyer or articulated student who has a disability should be heard by the JCM, JJ or PCJ at the earliest opportunity and should not be asked to wait until more senior counsel have been heard.
 - To the extent that it does not pose an undue hardship for the Court or unreasonably interfere with the administration of the Court, the disability of the lawyer or articulated student should be accommodated.

3. Factors that the Court may consider when scheduling lawyers/articled students with a disability include the following:
- The nature of the disability and its impact on the ability of the lawyer or articled student to access the court – e.g. consideration should be given as to whether a particular time of day, court or courtroom location, or other matter has an impact on the accessibility of the Court.
 - Whether any physical accommodations should be put in place by the Court in order to accommodate the needs of the lawyer or articled student; e.g. a chair, an amplifying microphone, etc.
 - Whether there is a need to notify any court staff, sheriffs or members of the judiciary of the presence of the lawyer or articled student in the Court, and any accommodation which will be required or which already has been arranged to be in place.

History of Practice Direction

- Original practice direction dated January 04, 2008.
- Amended practice direction dated February 23, 2015 (changes to wording and formatting only).
- January 8, 2020: Housekeeping update to remove “duration” section as contained information duplicated in “History of Practice Direction” section.

I make this practice direction pursuant to my authority under the *Provincial Court Act*, R.S.B.C. 1996, c. 379.

Thomas J. Crabtree
Chief Judge
Provincial Court of British Columbia