



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: 17 May 2021

FAM 02

PRACTICE DIRECTION

SEARCHING A REGISTRY FILE RULE 174 PROVINCIAL COURT FAMILY RULES

Purpose

To clarify the meaning of “a lawyer” under Rule 174 of the *Provincial Court Family Rules*.

Application

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

Directions

1. Under Rule 174¹ “a lawyer” includes an articling student acting for a party or an articling student acting as agent for a party’s lawyer.

¹ Rule 174(1) Who can search files

- (1) Unless the court otherwise orders, only the following persons may search a court file under these rules:
- (a) a party to the court file;
 - (b) a lawyer, whether or not the lawyer represents a party, and including a lawyer for a child;
 - (c) a family justice counsellor;
 - (d) a person authorized by a judge;
 - (e) a person authorized in writing by a party to the court file or by the party’s lawyer.

History of Practice Direction

- Original practice direction dated July 24, 2002.
- 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.
- May 17, 2021: Authority statement and Rule reference amended to be consistent with the new *Provincial Court Family Rules* that came into force May 17, 2021.

I make this practice direction pursuant to my authority under the *Provincial Court Act*, R.S.B.C. 1996, c. 379 and Rule 160 of the *Provincial Court Family Rules*, B.C. Reg. 120/2020.

Melissa Gillespie
Chief Judge
Provincial Court of British Columbia