



THE PROVINCIAL COURT
OF BRITISH COLUMBIA

Effective Date: January 24, 2025

Notice 03

NOTICE

**JUDICIAL CASE MANAGERS
ASSIGNMENT OF DUTIES PURSUANT TO S. 11 OF THE *PROVINCIAL COURT ACT***

The following are the duties, classes of cases or matters to which Judicial Case Managers are assigned by the Chief Judge:

- a. Fixing of dates for a preliminary inquiry, trial, sentencing hearing, hearing, conference or other proceeding;
- b. Adjournments, except for those matters involving self-represented accused who are in custody, whether detained or not,¹ (i) in the context of performing assigned duties or (ii) on the direction of a judge (and where jurisdiction to grant adjournments is given to a judge or the court under an enactment, authorization is given pursuant to s. 31(1) of the *Provincial Court Act* to exercise all the powers and jurisdiction of the court with respect to adjournments);²
- c. Issuing process, making orders and doing acts as may be required at a first or subsequent appearance for case management purposes including, but not limited to:
 - i. Conducting arraignment inquiries;
 - ii. Ordering a s. 486.4 ban on publication (by consent);
 - iii. Ordering a s. 517 ban on publication;
 - iv. Amending Informations (by consent);
 - v. Vacating bench warrants (where not opposed by counsel);

¹ Self-represented accused who are in custody, no matter the reason, should have their matters heard before a judge. The purpose of this is to ensure judicial oversight for self-represented accused in custody.

² Judicial Case Managers do not have the authority to adjourn settlement conferences. Applications in this respect go before a registrar, judge or justice as set out in the *Small Claims Rules*.

- vi. Vacating trial dates upon being advised of a guilty plea or stay of proceedings having been entered, or upon the issuance of a bench warrant;
- d. Taking of elections except from self-represented persons;
- e. Consent remand(s) of persons in custody pursuant to s. 516 of the *Criminal Code of Canada* where the accused is represented. This assignment does not include making no contact orders under s. 516(2) of the *Criminal Code*.
- f. Making a consent order that a preliminary inquiry or trial be conducted in French;
- g. Marking bail for an estreatment application; and
- h. Under the *Youth Criminal Justice Act*, reading the Information at the first appearance, and attending to the s. 26 age and notice requirements.

History of Notice to the Profession and Public

- Original Notice to the Profession and Public dated December 1, 2013.
- Amended Notice to the Profession and Public dated June 1, 2015 (deletion of paragraph (d) regarding the recording of guilty pleas; and deletion of paragraph (f) regarding making orders to obtain Pre-Sentence Reports, Technical Suitability Reports or other information that may be requested or required in connection with the recording of guilty pleas or taking of elections when consented to by Crown and Defence Counsel).
- Amended Notice to the Profession and Public issued on August 22, 2018 and effective October 1, 2018 (clarification of paragraphs (b) and (c), deleting reference in paragraph (e) to “all matters involving judicial interim release that are uncontested as to release and the form and conditions of release including uncontested variations of existing release orders and making a detention order where counsel consent”; and deletion of paragraph (f) regarding making a no contact order under s. 516(2) of the *Criminal Code of Canada* where the accused is represented and by consent).
- Amended Notice to the Profession and Public issued on September 10, 2024 (addition to paragraph (b) “except for those matters involving detained self-represented accused”).
- January 24, 2025: updated to clarify that for adjournments (paragraph b) self-represented accused who are in custody, no matter the reason, should have their application heard by a judge; and that Judicial Case Managers do not have authority to adjourn small claims settlement conferences.

Melissa Gillespie
Chief Judge
Provincial Court of British Columbia