



TERRITORIAL COURT COUR TERRITORIALE
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NORTHWEST TERRITORIES TERRITOIRES DU NORD-OUEST

Denise Bertolini, Courts Administrator

December 31, 2021

TO: All Members of the Law Society of the Northwest Territories
Royal Canadian Mounted Police, "G" Division, Yellowknife
Public Prosecution Service Canada
Legal Aid Commission of the NWT
City of Yellowknife
Media outlets

CHANGES TO TERRITORIAL COURT SITTINGS AND MATTERS BEFORE JUSTICES OF THE PEACE DUE TO COVID 19 (REVISED December 31, 2021)

These directives replace those that were issued on December 22, 2021. They take effect immediately. The most recent changes appear in bold and red. THESE DIRECTIVES WILL BE REVISED AS THE CIRCUMSTANCES REQUIRE.

APPEARANCES BY COUNSEL

Counsel may appear in person, through an agent, or remotely. However, in cases where proceedings are to occur in Yellowknife at a location other than the Yellowknife Courthouse building, counsel shall appear in person or by agent (remote appearances will not be feasible). Arrangements to appear remotely can be made by contacting the Territorial Court Registry in Yellowknife.

TERRITORIAL COURT

1. Proceedings outside of Yellowknife

a) Civil and Family Court

- all appearances and other matters will be conducted by teleconference.
- all mediation sessions will be conducted by teleconference.

b) Criminal and Youth Justice Court

All circuit matters that were to be heard during September 2021 to February 2022 inclusive, have been rescheduled to be spoken to on the first scheduled circuit to the community in question after February 28, 2022, except for the first Inuvik circuit which will be the week of February 21, 2022.

All matters will be addressed according to the alphabetical order of the Accused person's surname. The docket for each community will be called in the order set out below:

INUVIK

February 22 - 25, 2022

February 22, 2022

All Youth Matters 9:30 am

ADULT

Surnames beginning with letters A - D 9:30 am - 12:00 pm

Surnames beginning with letters E - J 1:30 pm - 5:00 pm

February 23, 2022

Surnames beginning with letters K - O 9:30 am - 12:00 pm

Surnames beginning with letters P - Z 1:30 pm - 5:00 pm

TUKTOYAKTUK

March 3 & 4, 2022

March 3, 2022

All Youth Matters 10:00 am

ADULT

Surnames beginning with letters A - D 10:00 am - 12:00 pm

Surnames beginning with letters E - J 1:30 pm - 5:00 pm

March 4, 2022

Surnames beginning with letters K - O 10:00 am - 12:00 pm

Surnames beginning with letters P - Z 1:30 pm - 5:00 pm

BECHOKO

March 1 - 4, 2022

March 1, 2022

All Youth Matters 1:30 pm

ADULT

Surnames beginning with letters A - D 10:00 am - 12:00 pm

Surnames beginning with letters E - L 1:30 pm - 5:00 pm

March 2, 2022

Surnames beginning with letters M - Q 10:00 am - 12:00 pm

Surnames beginning with letters R - V 1:30 pm - 5:00 pm

March 3, 2022

Surnames beginning with letters W - Z 10:00 am - 12:00 pm

Surnames beginning with letters X - Z 1:30 pm - 5:00 pm

FORT MCPHERSON

March 9 & 10, 2022

March 9, 2022

Surnames beginning with letters A - J 10:00 am - 12:00 pm
Surnames beginning with letter K 1:30 pm - 5:00 pm

March 10, 2022

Surnames beginning with letters L - Z 10:00 am - 12:00 pm

AKLAVIK

March 17, 2022 - Docket will be called as listed

SAHTU

March 21- 25, 2022

DELINE - March 21, 2022

All Youth Matters 11:00 am

ADULT

Surnames beginning with letters A - M 11:00 am - 12:00 pm
Surnames beginning with letters N - Z 1:30 pm - 5:00 pm

TULITA (March 22, 2022) - Docket will be called as listed

FORT GOOD HOPE (March 23, 2022) - Docket will be called as listed

NORMAN WELLS (March 24, 2022) - Docket will be called as listed

ULUKHAKTOK

March 28 & 29, 2022

March 28, 2022

All Youth Matters 11:00 am

ADULT

Surnames beginning with letters A - I 11:00 am - 12:00 pm
Surnames beginning with letters J - Z 1:30 pm - 5:00 pm

HAY RIVER
March 14 & 15, 2022

March 14, 2022
All Youth Matters

1:30 pm

ADULT

Surnames beginning with letters A - M

9:30 am - 12:00 pm

DVTO Matters (All)

1:30 pm

Surnames beginning with letters N - Z

1:30 pm - 5:00 pm

FORT SIMPSON
March 16 & 17, 2022

March 16, 2022
All Youth Matters

1:30 pm

ADULT

Surnames beginning with letters A - M

9:30 am - 12:00 pm

Surnames beginning with letters N - Z

1:30 pm - 5:00 pm

FORT RESOLUTION

March 23, 2022 - Docket will be called as listed

FORT PROVIDENCE
March 24, 2022

March 24, 2022
All Youth Matters

1:30 pm

ADULT

Surnames beginning with letters A - L

9:30 am - 12:00 pm

Surnames beginning with letters M - Z

1:30 - 5:00 pm

FORT SMITH
March 29 - April 1, 2022

March 29, 2022
All Youth Matters

1:30 pm

ADULT

Surnames beginning with letters A - G

11:00 am - 12:00 pm

Surnames beginning with letters H - Z

1:30 pm - 5:00 pm

FT. LIARD
April 6 & 7, 2022

April 6, 2022
All Youth Matters

1:30 pm

ADULT

Surnames beginning with letters A - K

11:00 am - 12:00 pm

Surnames beginning with letters L - Z

1:30 pm - 5:00 pm

With the exception of the foregoing changes, all matters can be continued to be scheduled in the ordinary course until further notice.

Individuals not in Custody.

- Court process requiring an accused to appear before the court may be to any regularly scheduled docket day.

Individuals in Custody

- Docket appearances for all adults and youth who are in custody will be heard in Yellowknife on Wednesdays at 9:30 a.m. by video. Counsel may appear in person or remotely.
- Any individual referred to in the foregoing paragraph may have his or her matter brought forward in order to be sentenced in the Territorial Court via video-link.
- The Territorial Court will hear all applications for bail review pursuant to s. 523(2)(c)(iii) of the *Criminal Code* via video-link.

2. Proceedings in Yellowknife

a) Civil and Family Court

- **All appearances and other matters will be conducted by teleconference unless otherwise allowed by the court.**
- All mediation sessions will be conducted by teleconference.

b) Criminal and Youth Court

Individuals not in Custody

- **All YOUTH COURT DOCKET DAYS prior to February 14, 2022 are cancelled and all matters listed on them will be adjourned to the Monday that falls exactly 6 weeks following the cancelled docket day. The affected Young Person will be required to attend court on the date their matter is adjourned to.**

- **As of February 14, 2022, all YOUTH COURT DOCKET DAYS will be held in Courtroom 202 at the Court house building.**
- **All ADULT CRIMINAL DOCKET DAYS prior to February 14, 2022 are cancelled and all matters listed on them will be adjourned to the Tuesday that falls exactly 6 weeks following the cancelled docket day. The affected adult will be required to attend court on the date their matter is adjourned to.**
- **As of February 14, 2022, ADULT CRIMINAL DOCKET DAYS for individuals who are at liberty will be heard each Tuesday that is indicated as being available on the Court Sittings Schedule beginning at 9:30 a.m. at the Northern United Place until further notice, with the exception of February 15th will be held in Courtroom 202 at the Court house building. Remote Appearances are not feasible. Counsel are encouraged to appear as agent for their clients where possible.**
- **Trials, Preliminary Inquiries, and Sentencings that are presently scheduled in Yellowknife prior to February 14th, 2022 will be adjourned until February 15th, at 1:30 p.m. at the Yellowknife Courthouse in Courtroom 202, to be rescheduled.**
- DVTO Court and Wellness Court matters will be conducted remotely.
- With the exception of the foregoing changes, all matters can be continued to be scheduled in the ordinary course until further notice.

Individuals in Custody

- Docket appearances for all adults and youth who are in custody will be heard in Yellowknife on Wednesdays at 9:30 a.m. by video. Counsel may appear in person or remotely.
- Sentencings will proceed by video-link on the date scheduled. However, upon request, the accused may be allowed to appear in person.
- **Trials, Preliminary Inquiries, and Sentencings that are presently scheduled in Yellowknife prior to February 14th, 2022 will be adjourned until a date following February 14th, 2022.**
- With the exception of the foregoing changes, all matters can be continued to be scheduled in the ordinary course until further notice.
- The Territorial Court will hear all applications for bail review pursuant to s. 523(2)(c)(iii) of the *Criminal Code* via video-link.

3. **General**

Territorial Court Location and Hours

All cases in Territorial Court will be heard in Courtroom 202 or 101 at the Yellowknife Courthouse building. Proceedings will commence at 9:30 a.m. from Monday to Friday.

Access to the Courtroom

Members of the general public will be permitted to attend court proceedings subject to the maximum number of people allowed per the office of the Fire Marshall. Members of the public in attendance are required to bring and wear a mask, use hand sanitizer and observe physical distancing of 2 meters where possible. Members of the public will be assessed before entering the courthouse building in order to determine whether they are exhibiting any physical symptoms.

Members of the media may also attend proceedings in the Territorial Court remotely. However, due to the restrictions on attendance, if they choose to attend in person, they will be subject to the same rules that as would apply to any member of the public. In order to find out how to attend remotely, members of the media can contact the court registry at 867-767-9289.

In Chambers Matters

All in scheduled chambers meetings with Territorial Court Judges are to be dealt with by teleconference.

Emergency Matters

Any emergency or time-limited matters that arise at any location in the Northwest Territories will be dealt with as the circumstances may require.

Exceptions

A Territorial Court Judge may direct that the foregoing measures be departed from as the circumstances require on a case by case basis. However, the limits on attendance imposed by the Office of the Fire Marshall will not be exceeded.

MATTERS BEFORE JUSTICES OF THE PEACE

Until further notice and subject to the requirements set out below, all matters may now be scheduled in the ordinary course.

1. Proceedings Outside of Yellowknife

Dockets for Municipal and Territorial Offences

All remaining Justice of the Peace Court sittings scheduled for dates before **March 1, 2022, are cancelled.**

All matters that were previously cancelled will be spoken to on the first Justice of the Peace Court sittings scheduled after **March 1, 2022 in the affected community.**

Bail

All bail hearings will proceed remotely in Yellowknife as outlined below.

2. Proceedings in Yellowknife

Dockets for Municipal and Territorial Offences

All remaining Justice of the Peace Court sittings scheduled for dates before **March 1, 2022, are cancelled.**

All matters that were previously cancelled will be spoken to on the first Justice of the Peace Court sittings scheduled after **March 1, 2022, in Yellowknife.**

Bail

All bail hearings and interim bail appearances will proceed with the accused appearing remotely by video or audio. Counsel may appear by audio or in person as they prefer.

All bail matters scheduled before Justices of the Peace in Yellowknife will be heard in Courtroom 102 at the Yellowknife Courthouse building. Bail proceedings will commence at 9:30 a.m. and 1:30 p.m. from Monday to Friday. However, the dial-in will be available at 9:00 a.m. and 1:00 pm to allow counsel to exchange necessary documents and make other necessary preparations.

On Saturdays, any matters that are required to proceed will begin at 1:30 p.m. However, the dial-in will be available at 1:00 p.m. to allow counsel to exchange necessary documents and make other necessary preparations.

Access to the Courtroom

Members of the general public will now be permitted to attend court proceedings subject to the maximum number of people allowed per the Office of the Fire Marshall.

Members of the public in attendance are required to bring and wear a mask, use hand-sanitizer and observe physical distancing of 2 meters where possible.

Members of the media may also attend proceedings in the Territorial Court remotely. However, due to the restrictions on attendance, if they chose to attend in person, they will be subject to the same rules that as would apply to any member of the public. In order to find out how to attend remotely, members of the media can contact the court registry at 867-767-9289.

****The foregoing measures will be revisited regularly and adjusted as required as the current health crisis evolves.***

If there are any questions, please feel free to contact me.

Sincerely,

Denise Bertolini
Courts Administrator