



## Northwest Territories Courts

Denise Bertolini, Courts Administrator

**24 March 2020**

**TO:** All Members of the Law Society of the Northwest Territories  
Public Prosecution Service Canada  
Legal Aid Commission of the NWT  
City of Yellowknife  
Media outlets

### **COVID 19 Response: changes to Supreme Court proceedings and scheduling**

**These directives replace the ones issued on March 18<sup>th</sup>, 2020. Most recent changes appear in bold and red. These directives will be updated if circumstances so require.**

Chief Justice Charbonneau has given certain directions, effective immediately, regarding Supreme Court proceedings. While these changes will result in disruption and some delay, it is necessary to be proactive under the circumstances. The situation is being monitored closely and any updates will be sent to this same distribution list and posted on the courts website.

#### **Criminal Matters:**

- All sittings outside of Yellowknife, (jury trials, non-jury trials, and sentencings) scheduled to proceed between now and May 1<sup>st</sup> are cancelled.
- Yellowknife Jury trials, judge alone trials and *voir dire*s, scheduled to proceed between now and May 1<sup>st</sup> are cancelled.
- Other hearings scheduled in Yellowknife (sentencing hearings, hearings for submissions) will proceed with the accused appearing by videoconference and counsel appearing by phone, so long as both parties agree to this manner of proceeding. Otherwise they will be rescheduled. The registry is in the process of communicating with counsel on each of these cases to ask for their positions.
- Regular Criminal chambers will, until further notice, proceed. Accused who are in custody will appear by videoconference. Counsel are directed to appear by

phone. If anyone else needs to appear (surety, witness etc), they will appear by phone.

- No new hearing dates are being scheduled at this time. Scheduling will resume when feasible to do so. This will include the possible rescheduling of matters already scheduled to proceed in the fall to free up time for cases that need to be given higher priority.

### Family and Civil matters

- Family and civil chambers will proceed, but until further notice, counsel and self-represented parties will appear by telephone. Anyone needing to appear in family or civil chambers should contact the registry to provide contact information.
- All family hearings where witnesses are to be called and are scheduled to proceed between now and May 1<sup>st</sup> are cancelled.
- Special chambers hearing scheduled to proceed between now and May 1<sup>st</sup> that do not involve calling evidence may proceed if counsel are prepared to appear by phone on those hearings. The registry is in the process of communicating with counsel on each of these cases to ask for their positions.
- All case management conferences will proceed by phone until further notice.
- All Judicial Settlement Conferences scheduled between now and May 1st are cancelled, unless they can proceed by phone. Counsel should contact the Judges' Chambers office to advise if they wish to proceed.

All Supreme Court matters, criminal, family and civil, will proceed in courtroom #201.

### Court of Appeal matters

**At the direction of the Chief Justice of the Court of Appeal, the sittings scheduled for April 21st will proceed. Parties will make their submissions over the telephone or in writing only.**

### Access to courtroom

**Based on advice received on March 24, 2020 from the office of the Chief Public Health Officer, members of the public will not be permitted to attend court proceedings until further notice. Members of the media will still be permitted to attend. To ensure compliance with the directions given by the Chief Public Health Officer regarding social distancing, anyone who attends will be required to sit only in one of the marked seats, and the total number of media representatives in attendance cannot exceed 8.**

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

Thank you.

Denise Bertolini  
Courts Administrator