

COVID-19 NOTICE

The New Brunswick Courts have been meeting with representatives of government to address the issues arising out of the Coronavirus (COVID-19). The Courts will be taking pro-active and preventative measures to protect the participants in the justice system and to reduce the spread of COVID-19. The Courts recognize the seriousness of the situation and prioritize the health and safety of all court participants, while balancing the need to maintain judicial operations and to preserve the rule of law.

The Courts also recognize the important principles of open courts and access to timely justice. In issuing the directives described below, we have been mindful of these principles and weighed them against the reality of the societal harms that could result from a failure by the courts to adhere to the guidelines and recommendations of medical professionals.

Effective Monday, March 16, 2020, access to the courthouses in New Brunswick is restricted to only those persons who are necessary to the proceedings before the courts. This will include counsel, litigants, accused, witnesses, victim service workers and members of the media. The general public will not be allowed in the courthouse. Accessibility by the media will serve to honor the open court principle. No one who is experiencing any COVID-19 related symptoms should attend the courthouses.

Effective immediately, the following measures are being taken by the courts, although these are subject to change as frequently as necessary:

Measures applicable to all levels of court

- The public is informed not to enter a courthouse unless a justice participant, a journalist or otherwise have business to be there. This, because of the extraordinary circumstances resulting from the COVID-19 emergency measures;
- Everyone is informed not to enter a courthouse if advised by Public Health, a doctor or the Department of Health website to self-isolate due to possible exposure to the Coronavirus (COVID-19) or if experiencing Coronavirus/COVID-19 symptoms;
- Persons with scheduled court appearances are being informed that, if they are advised to self-isolate due to possible exposure to the Coronavirus (COVID-19), they must not come to the courthouse in person. Instead, they are to immediately contact the appropriate court office to inform the Court that they have been advised not to attend and to follow any directions;
- Appropriate directions are being issued to judges and court personnel to self-isolate where appropriate and otherwise to take all precautionary measures not to contract the virus.

Measures applicable to the Court of Appeal

- All motions and status hearings will be heard as scheduled, but by telephone conference. Lawyers and self-represented parties are being contacted to provide them with call-in details;

- The appeals scheduled for Monday, March 16 through to Wednesday, March 18 are being adjourned while the Court tests measures that could allow appeals to be heard from remote locations; that is, from one's home office;
- Failing these measures, the appeals will be adjourned or perhaps heard by telephone with the consent of all parties;
- Any party claiming that the hearing of an appeal is urgent will be allowed to make a request to be heard by a single judge to determine if the appeal is indeed urgent;
- Request for adjournments will be entertained by telephone.

Measures applicable to the Court of Queen's Bench

- All jury trials scheduled are being adjourned until further notice;
- All matters scheduled before small claims adjudicators and case management masters are adjourned;
- All non-essential or non-urgent matters are being adjourned until further notice;
- Matters that may be considered in Chambers will continue uninterrupted;
- The offices of the Clerk of the Court of Queen's Bench will remain open at reduced capacity to allow for the filing of documents;
- The ability to file documents electronically is an option being considered urgently and further directives will follow;
- The following matters are deemed to be essential:

In the Family Division:

- Protective care hearings pursuant to Sections 37.1(4)(b) and 51(6) of the **Family Services Act**;
- Applications in regard to abused or neglected adults pursuant to Sections 37, 38, 39, and 40 of the **Family Services Act**;
- First Appearances in child protection matters pursuant to Section 51(1) of the **Family Services Act**;
- Matters pursuant to the **Intimate Partner Violence Act**; and
- Any other matter deemed urgent by the responsible judge.

In the Trial Division:

- All criminal matters where the accused is incarcerated;
- Injunctions or applications related to the COVID-19 pandemic; and
- Any other matter considered urgent by the responsible judge.

Measures applicable to the Provincial Court

- If you are **not in custody** and you have a **criminal trial** scheduled in the Provincial Court between March 23 and May 31, 2020, your matter will be adjourned, unless otherwise ordered. You must call the Provincial Court or send an e-mail to the applicable court location **before** your scheduled trial date for further directives;
- If you are a **witness** in a **criminal trial** scheduled in Provincial Court between March 23 and May 31, 2020, you must contact Public Prosecution Services before the scheduled trial date by telephone or email for further directives;
- **If you are scheduled for appearance in Provincial Court for any other matter** scheduled between March 23 and May 31, 2020, you must call or send an e-mail to the applicable Provincial Court office on or before your scheduled date to set-up a telephone conference with the Judge. **You must not appear in person.**

Urgent matters will proceed as follows, unless adjourned by the Court on application by a party. Parties are asked to proceed by videoconference, if such means are available and deemed appropriate by the presiding Judge.

- All proceedings for Accused persons in custody, including bail hearings, trials, sentencing hearings, preliminary inquiries, and youth criminal sentence reviews;
- Trials (including trial continuation, sentencing hearings and decisions) and preliminary inquiries for persons not in custody will proceed only if a judge determines in advance that the matter is urgent;
- All court filings and applications for judicial authorizations will proceed by telecommunication. Section 490 *Criminal Code* applications will be heard by telecommunication; if contested, the Judge will decide if the matter is urgent and give further instructions as to how to proceed.

REGION	TELEPHONE NUMBER	E-MAIL CRIMINAL MATTERS
Campbellton	506-789-2337	pc-campbellton@gnb.ca
Bathurst	506-547-2155	pc-bathurst@gnb.ca
Caraquet	506-726-2502	pc-caraquet@gnb.ca
Tracadie	506-394-3700	pc-tracadie@gnb.ca
Miramichi	506-627-4018	pc-miramichi@gnb.ca
Elsipogtog	506-523-4600	pc-elsipogtog@gnb.ca
Moncton	506-856-2307	mctnprequests@gnb.ca
Saint John	506-658-2568	pc-saintjohn@gnb.ca
Burton	506-357-4020	pc-burton@gnb.ca
Fredericton	506-453-2120	Fredericton.provincialcourt@gnb.ca
Woodstock	506-325-4415	Woodstock.provincialcourt@gnb.ca
Edmundston	506-735-2026	pc-edmundston@gnb.ca