

DIRECTIVE TO THE GENERAL PUBLIC AND LAWYERS

COVID-19 – FURTHER UPDATED DIRECTIVE OF THE PROVINCIAL COURT OF NEW BRUNSWICK

In response to the announcement today by the Province of New Brunswick that the province will move into Level 3 of its COVID-19 Winter Plan on Friday, January 14, at 11:59 p.m., the Honourable Marco R. Cloutier, Chief Judge of the Provincial Court of New Brunswick, directs that further restrictive measures be implemented in the Provincial Court, **effective January 17, 2022**, in addition to those already implemented to contain the spread of COVID-19:

- Unless specified otherwise by the Chief Judge, any trial (including proceedings under the *Motor Vehicle Act* or other provincial statutes), trial continuation, sentencing hearing or other hearing, preliminary inquiry, and decision for an **accused or a defendant not in custody** will be adjourned to **January 31, 2022, at 9:30 a.m.**, to set a new date. However, any accused or defendant not in custody whose trial, trial continuation, sentencing hearing or other hearing, preliminary inquiry, or decision is thus adjourned is encouraged to contact the applicable Provincial Court office before the date initially scheduled to ask for a new date to be set before January 31, 2022;
- Any trial, including the continuation of a trial, sentencing hearing, and decision for an **accused in custody** will proceed as scheduled and in person;
- Any sentencing hearing for a **convicted person in custody** may proceed by videoconference at the discretion of the sentencing judge, or will otherwise proceed as scheduled and in person; and
- Show Cause Hearings (Bail Hearings) will continue to be held by videoconference. Arrangements will be made for witnesses testifying on behalf of the accused at those hearings.

In addition, the following instructions apply:

- If you are a **witness in a criminal trial** scheduled in Provincial Court, you must contact Public Prosecution Services before the scheduled trial date by telephone or email for further instructions. If you are a witness for an accused, you must contact Defence Counsel; and
- If you are **an accused or a defendant** who is **not in custody** and who is scheduled to appear in Provincial Court for any other matter, including a first appearance, an election, a plea, the setting of a trial date, a fine payment hearing, and an application to amend a release order, you must call or send an email 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.**

REGION	TELEPHONE	EMAIL	FAX
Campbellton	506-789-2337	pc-campbellton@gnb.ca	506-789-2186
Bathurst	506-547-2155	pc-bathurst@gnb.ca	506-547-7448
Tracadie	506-394-3700	pc-tracadie@gnb.ca	506-394-3696
Miramichi	506-627-4018	mirapcrequests@gnb.ca	506-627-4047
Elsipogtog	506-856-2307	mctnpcrequests@gnb.ca	506-856-3226
Moncton	506-856-2307	mctnpcrequests@gnb.ca	506-856-3226
Saint John	506-658-2568	pc-saintjohn@gnb.ca	506-658-3759
Fredericton	506-453-2120	Fredericton.Provincialcourt@gnb.ca	506-444-3612
Woodstock	506-325-4415	woodstock.provincialcourt@gnb.ca	506-325-3906
Edmundston	506-735-2026	pc-edmundston@gnb.ca	506-735-2396

All court filings and applications for judicial authorizations will proceed electronically unless, exceptionally, a judge directs otherwise. Applications under section 490 of the *Criminal Code* will be heard by video or teleconference; if the application is contested, the Judge will decide if the matter is urgent and give further instructions on how to proceed.