



Provincial Court of Saskatchewan Directive Update as of March 11, 2021

The Provincial Court places the highest priority on the health and safety of people who participate in its proceedings. The present Court Directive, issued February 4, 2021, gives effect to this priority. It notes the Court will not conduct in-person hearings if it decides there is a significant risk to public safety in proceeding. That directive expires on March 26, 2021. As of March 29, 2021, the Court will continue to hold in-person hearings at permanent court locations where they can proceed in compliance with Public Health Guidelines. Under this directive, counsel or an unrepresented accused who have concerns about the safety of proceeding with an in-person hearing are strongly encouraged to notify the court office so the Court can determine before the hearing date whether the matter should proceed as scheduled. Safety considerations that may be important include, but are not limited to, the number of participants, the attendance of an out of province witness, or travel between communities. The Court may also choose to initiate a case management conference on its own motion.

Traffic Safety Courts and Bylaw Courts will open in some areas where there is a relatively low number of participants.

This directive comes into effect on March 29, 2021.

CONSISTENT WITH PREVIOUS DIRECTIVES:

Counsel to appear by telephone: Counsel are encouraged to appear by telephone on all matters except trials and preliminary inquiries. Counsel do not need to seek approval from the presiding judge to appear by phone but must advise the court office of the telephone number where they may be contacted **in accordance with the practice of the local court office.**

Unrepresented accused: If you do not have a lawyer helping you with your criminal matter and you require information, please contact the court office where your matter is set. If your matter was set at a circuit court location, please contact the permanent court responsible for the circuit point. Staff will assist you. If you want to apply for assistance from a Legal Aid lawyer, call the Application Centre at 1-800-667-3764 or visit www.legalaid.sk.ca to request a telephone application.

Bail and sentencing hearings will proceed by telephone and/or video wherever practicable.

Circuit Court Appearances

Circuit point dockets will proceed but will be conducted by phone from the permanent court location.

Circuit court points may begin to reopen starting in April. As circuit points reopen, the information will be updated on the [Courts of Saskatchewan website](#). You can also contact the local permanent court point to learn when a circuit point will open or how matters from that circuit are being dealt with.

Criminal Matters – Trials and Preliminary Inquiries

The scheduling and hearing of in-person hearings, including trials and preliminary inquiries, will proceed for in-custody and non-custody matters at all permanent court locations unless adjourned by the Court on its own motion, or on application by the accused or the Crown. As social distancing and proper hygiene practices must be followed, counsel are encouraged to contact the Court **14 days prior to the scheduled court date** if they have concerns about the safety of an in-person hearing such as the number of participants, attendance of an out-of-province witness, travel between communities, or if they wish to request the use of technology. A case management judge will determine whether the risk to public safety is too significant to proceed. Case management conferences may also be initiated by the Court on its own motion with notice to the parties.

Child Protection Matters

Applications with respect to Child Protection matters can proceed at Provincial Court permanent locations. Local judges will determine whether and how hearings will take place.

Small Claims Matters

Small Claims trials continue to be scheduled, although in some instances, a judge may, having due regard to social distancing concerns, adjourn the matter. In that event you will be notified by the Court clerk and advised of the new date for your trial. If *you* have concerns about in-person hearings, you may contact the Small Claims Court clerk in writing **at least 14 days prior to your trial** to identify your concerns. A judge will consider the matter and advise whether the trial will proceed, or give direction on potential telephone attendance for you and your witnesses.

All matters scheduled for first appearance or case management conference will continue to proceed by telephone. You are urged to contact the Small Claims Court clerk and provide a telephone number that you can be reached at on your court date.

Traffic and Bylaw Court Appearances

Traffic and bylaw courts will re-open on March 29, 2021, except for: first appearance dockets at Saskatoon, Regina, Prince Albert and Estevan traffic court and Saskatoon and Regina Municipal bylaw court. For traffic court information please consult the [Traffic Court page](#) on the Court's website or phone the court office. For bylaw court information, consult the [Municipal \(Bylaw\) Court webpage](#) or phone the Municipal office.

Chief Judge S. Metivier