



COVID-19: PROVINCIAL COURT WILL ALLOW MORE TYPES OF IN-PERSON PROCEEDINGS

Wednesday, Feb. 9, 2022
Updated: Friday, Feb. 18, 2022

Effective Monday, Feb. 14, 2022, the Provincial Court of Nova Scotia will start easing the suspension of in-person proceedings. Trials and some sentencing hearings will be allowed to proceed in person, provided the presiding judge is satisfied that all public health directives can be followed. Space and other considerations in some courthouses may impact operational decisions.

All other matters will continue to be heard virtually, with counsel and parties appearing by telephone or video, provided there is sufficient staff and equipment to do so. This directive applies to matters in the Provincial Court, the Youth Justice Court, Night Court, and Wellness Court Programs.

“We know that COVID-19 continues to be a concern in our communities,” said The Hon. Pamela Williams, Chief Judge of the Provincial and Family Courts. “We are taking this first step to expand services and will continue to evaluate the situation to determine when it is safe to further ease restrictions. Rest assured that throughout this transition, every effort will be made to reduce the risk of spreading the virus in courthouses.”

Counsel and other court participants are reminded that mandatory masking and two-meter physical distancing measures remain in effect and will be strictly enforced.

For trials approved to proceed in person, prosecutors, defence counsel and accused individuals will be present in the courtroom, unless the presiding judge directs otherwise. Whenever possible, witnesses will also appear in person. Only one witness at a time will be allowed in the courtroom.

For sentencing hearings in the Provincial Court and Youth Justice Court, the presiding judge must be satisfied that it is necessary the hearing proceed in person, after considering submissions from counsel.

The resolution of non-urgent matters remains a priority for the Provincial Court and the Youth Justice Court. Counsel are encouraged to continue reviewing their matters to see what can be resolved without an in-person hearing. The full process to request the resolution of a non-urgent matter is outlined [here](#).

Provincial Court Sitings in Eskasoni First Nation

Provincial Court sittings in Eskasoni First Nation will continue to be held at the Sydney courthouse until April 12, 2022. Accused individuals may appear by telephone unless personal attendance is required for trials or sentencing. Counsel will need to advise the Court in advance if their matter can proceed in person or whether an adjournment will be requested.

Self-Represented Individuals

If you are not in custody and you have a court appearance by telephone or video in the Provincial Court, unless the Court contacts you directly, your matter will go ahead and you are expected to participate virtually. If you are unsure of the status of your matter, please [contact the courthouse](#) where your matter is scheduled to be heard.

If you are not in custody and you have an upcoming in-person appearance, including a trial or sentencing hearing, you should [contact the courthouse](#) where your matter is scheduled to be heard to determine whether the matter is proceeding.

Please note that if your matter is adjourned, you may be required to attend court in person on the new date you are provided.

Bail Hearings

All bail hearings will continue to be held virtually by video on Microsoft Teams, whenever possible. Provincial Court judges in certain locations may require in-person attendance of local counsel for contested bail hearings. Counsel involved in contested proceedings should check with the judge presiding in that jurisdiction for direction.

For more information on the various COVID-19 measures in effect for the Provincial Court and the Youth Justice Court, please refer to the [Consolidated Directive](#).

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