



COVID-19: PROVINCIAL COURT INTRODUCES PROCESS FOR RESOLUTION OF NON-URGENT MATTERS

Thursday, April 9, 2020

The Provincial Court has introduced a new process for counsel to resolve non-urgent criminal matters during the COVID-19 pandemic. Right now, only urgent and essential matters (in-custody bail hearings and some sentencings and youth criminal sentence reviews) are being heard in court, and mostly by telephone and video.

Subject to the availability of a judge and court staff, this new process will help clear matters off the docket where the prosecutor and defence counsel have come to an agreement or substantial agreement on the resolution of the file

Counsel will complete the [Request for Resolution of Non-Urgent Matters form](#) and send it to the Supervisor of the Provincial Court. Email addresses for all Provincial Courts are available online [here](#). This form can be used to seek a date to appear by telephone before a Provincial Court Judge for:

- Resolution by way of restorative justice referral
- Resolution by way of peace bond and dismissal of charges
- Resolution by way of withdrawal or dismissal of charges
- Resolution by way of guilty plea and request the preparation of a Presentence Report, Gladue Report, or Impact of Race and Culture Assessment (IRCA)
- Resolution by way of guilty plea and joint recommendation for non-custodial sentence

Please note: it is important for counsel to indicate time requirements for resolution on the request form. Counsel must complete any disposition checklist forms ([Disposition Form](#), [Release Order Condition](#), [Conditional Sentence Order](#), Probation, Fine Order, etc.) and send them to the Supervisor prior to the resolution date.

The Provincial Court Supervisor will confirm with counsel the resolution date and scheduled time, along with the teleconference phone and ID numbers. Counsel will distribute this information to attendees. This will be indicated in the **Office Use Only** portion at the bottom of the Request Form. The Provincial Court Supervisor will schedule in the JEIN database.

At the scheduled resolution time, the Court Clerk will facilitate the conference call into the courtroom and record all hearings on the record in Voxlog, while maintaining an accurate log of the resolution matter.

After resolution, the Court Clerk will enter all hearing results in JEIN and prepare any disposition orders for electronic signatures, either by the accused individual or their counsel, subject to a designation pursuant to Sec. 650.01 of the *Criminal Code*. Paperwork will be distributed to police, the Nova Scotia Public Prosecution Service, Community Corrections, Victim Services (where applicable), and the accused.

In consultation with the Judiciary, the Supervisors will create schedules for each court location to facilitate resolutions and arrange for court staff to attend, possibly one or two days per week, as needed.

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