



## THE PROVINCIAL COURT OF NEWFOUNDLAND AND LABRADOR

### NOTICE TO THE PROFESSION AND THE GENERAL PUBLIC

#### REVISED COVID-19 OPERATIONAL PLAN

ISSUED: JANUARY 31, 2022

#### EXPANSION OF OPERATIONS – VIRTUAL COURT – UP TO AND INCLUDING FEBRUARY 7, 2022

As of Tuesday, February 1, 2022 the Court will be accepting applications to hear more of the cases which are now listed on its dockets.

The Court will now hear all matters (except arraignments, civil trials, traffic trials, *Contraventions Act* cases and peace bond hearings) where it can be established that the case can be efficiently and effectively presented to the Court for adjudication without the need for the physical presence of any person.

However, before any such case can proceed the parties will be required to obtain the permission of the Court. The nature of the virtual hearing and the processes by which the remote appearances might be best achieved can then be determined by the presiding judge.

Anyone wishing to make an application should forward it in the form as prescribed by the Rules to the respective court centre. A time will then be set for its hearing.

#### **ADULT AND YOUTH CRIMINAL CASES**

Unless otherwise notified by the Court, all adult and youth criminal appearances, trials, hearings, and sentencings (for those persons who are not in custody), for the period January 4, 2022 to February 7, 2022, inclusive, will be rescheduled five (5) weeks from the date of the scheduled court appearance or the next court date thereafter.

The Court will adjourn your matter without you being present using a Court Order called a “bench warrant with discretion” which will require you to attend Court on the new date. Your new Court date will be posted on the website when available.

There will be no in-person hearings. The Court will make full use of video and audio technology to effectively address criminal matters involving accused persons who are in custody to ensure the following matters will proceed, where possible:

- Bail hearings;
- Virtual appearances from Correctional Institutions;
- Sentencings;
- Preliminary inquiries and trials; and,
- Youth criminal sentence reviews.

In criminal matters, if you have been ordered by the Court to file materials, timelines will not be extended without the Court’s permission. A written application is required to extend the timelines for filing.

#### **APPLICATIONS FOR ADJOURNMENTS IN CRIMINAL CASES**

Anyone wishing to apply for an adjournment (beyond five (5) weeks) for persons who are not in custody may do so by submitting an application to the respective Court centre.

#### **WARRANTS AND JUDICIAL AUTHORIZATIONS**

The Court will be available to process warrants and judicial authorizations in each region.

#### **CIVIL MATTERS**

Civil matters set to proceed from Tuesday, January 4, 2022 to Monday, February 7, will be adjourned indefinitely and parties will be contacted by the Court about rescheduled dates.

Small Claims filings may be made *via* mail, fax or online (e-filing) at <https://provincial.efile.court.nl.ca/>

### **FAMILY AND PROTECTION MATTERS (CHILD AND ADULT)**

Non-urgent family matters set to be heard from Tuesday, January 4, 2022 to Monday, February 7, 2022, will be adjourned for five (5) weeks from the scheduled court date or the next court date thereafter. The Court website will be updated regularly to provide information regarding rescheduling.

Emergency/mandatory matters will proceed virtually, including, but not limited to:

- Child/Adult Protection; and,
- Family Emergency (such as risk of removal of a child from the Province).

All non-urgent family matters, including trials, scheduled to proceed from Tuesday, January 4, 2022 to Monday, February 7, 2022 are adjourned without the parties having to attend Court. There will be notification regarding the next appearance date by registered mail.

The Provincial Court registries will only accept any new non-urgent family filings from Tuesday, January 4, 2022 to Monday, February 7, 2022 by mail, e-mail and fax.

### **TRAFFIC COURT AND CONTRAVENTIONS ACT CASES**

Traffic Court and *Contraventions Act* matters set to proceed from Tuesday, January 4, 2022 to Monday, February 7, 2022 will be rescheduled five (5) weeks from the scheduled court date or the next court date thereafter.

The Court will adjourn your matter without you being present using a Court Order called a “bench warrant with discretion” which will require you to attend Court on the new date. Your new Court date will be posted on the website when available.

- Fine payments can be made to Fines Administration by phone, online at <https://www.gov.nl.ca/pay-online/> or by mail (see back of ticket). Payments may also be made to Provincial Court by mail only. **Do not mail cash.**
- Time to Pay extensions, adjournment requests and not guilty pleas can be made by contacting the local courthouse by mail, e-mail or fax.
- If you fail to notify the requisite court location of your intention to contest a matter by mail, e-mail or fax you will be convicted in your absence.

### **CIRCUITS**

Travel to circuit locations has been suspended. Any scheduled circuit matters between Tuesday, January 4, 2022 to Monday, February 7, 2022 affected by this temporary closure will be called on the next scheduled court circuit in the respective community, unless otherwise notified by the Court.

### **SPECIALTY COURTS**

Specialty Courts will proceed *via* virtual appearance, if possible. Participants will be contacted.

### **CONTACT**

Court operations will be monitored to ensure optimal service during these challenging times. Where possible, Courthouses may be re-opened. Any changes will be posted on this website, <https://court.nl.ca/provincial/>.

Enquiries can be made to the local Courthouse, as follows:

St. John's	(709) 729-1004	<a href="mailto:stjohns@provincial.court.nl.ca">stjohns@provincial.court.nl.ca</a>
Harbour Grace	(709) 596-6141	<a href="mailto:harbourgrace@provincial.court.nl.ca">harbourgrace@provincial.court.nl.ca</a>
Grand Bank	(709) 832-1450	<a href="mailto:grandbank@provincial.court.nl.ca">grandbank@provincial.court.nl.ca</a>
Clarenville	(709) 466-2635	<a href="mailto:clarenville@provincial.court.nl.ca">clarenville@provincial.court.nl.ca</a>
Gander	(709) 256-1100	<a href="mailto:gander@provincial.court.nl.ca">gander@provincial.court.nl.ca</a>
Grand Falls-Windsor	(709) 292-4212	<a href="mailto:grandfallswindsor@provincial.court.nl.ca">grandfallswindsor@provincial.court.nl.ca</a>
Corner Brook	(709) 637-2323	<a href="mailto:cornerbrook@provincial.court.nl.ca">cornerbrook@provincial.court.nl.ca</a>
Stephenville	(709) 643-2966	<a href="mailto:stephenville@provincial.court.nl.ca">stephenville@provincial.court.nl.ca</a>
Happy Valley-Goose Bay	(709) 896-7870	<a href="mailto:happyvalleygoosebay@provincial.court.nl.ca">happyvalleygoosebay@provincial.court.nl.ca</a>
Wabush	(709) 282-6617	<a href="mailto:wabush@provincial.court.nl.ca">wabush@provincial.court.nl.ca</a>