



EDMONTON FAMILY AND YOUTH COURT RESUMPTION PROTOCOL

Purpose:

Commencing March 1, 2021 and onward, the following protocols will apply to Edmonton Family and Youth court procedures.

Procedures/Guidelines:

Youth Court:

1. Docket matters will proceed as scheduled. Crown and Defence will appear by telephone or videoconference, or in person as required. Short sentencings and release applications can be scheduled for the morning docket, subject to the discretion of the presiding Judge.
2. All Bring Forwards will utilize the pre-existing Bring Forward process.
3. Young persons who are not in custody are to appear in person if:
 - a. They are charged with an indictable offence and their lawyer has not filed a designation of counsel;
 - b. Their release conditions are being changed;
 - c. They wish to enter a guilty plea;
 - d. They are to be sentenced; or
 - e. They have a trial, a preliminary inquiry or other hearing.
4. Young Persons who are in custody are to appear by CCTV (or telephone if in quarantine) for all docket and sentencing matters. For trials, the young person is to appear in person.
5. Pre-Trial Conferences are to be scheduled for all trials set for one (1) day or longer.
6. Summary Disposition matters will be scheduled in courtrooms 442 or 443, and will be set at 45-minute intervals. Young persons are not to appear in the courtroom before their scheduled time. Crown and Defence are to have a joint resolution or have narrowed their sentencing proposals. Crown is responsible for working out the schedule with the Trial Coordinator. Defence may appear by videoconference only if the young person is in custody or if the young person is accompanied by a responsible adult/support person for the court appearance.
7. All trials and sentencings will occur as scheduled:

- a. Crown will appear by telephone or by video conference for sentencings.
- b. Defence Counsel may appear by telephone or videoconference only if the young person is accompanied by a responsible adult/support person for the court appearance.
- c. Crown and Defence are to appear in person for trials.

Child Protection:

Court Telephone Appearances: A direct telephone line must be provided for all Court telephone appearances. Calls will not proceed if a voice mail is reached, or if the call is placed on hold.

1. Apprehension applications are to occur by telephone, videoconference or, if necessary, in person.
2. Initial Custody Hearings will occur as scheduled with in-person attendance by counsel, witnesses and parties unless otherwise directed by the presiding Judge.
3. Docket matters are to occur by telephone, videoconference or, if necessary, in person.
4. Case Management matters are to occur by telephone or videoconference unless otherwise directed or agreed.
5. Pre-Trial Conferences will occur by telephone or, if necessary, in person and will be on the record if a party is not represented.
6. Trials are to occur as scheduled. If witness accommodation is needed, that issue is to be addressed prior to trial.
7. Judicial Dispute Resolutions shall occur as scheduled. Counsel and parties may appear in person, by telephone or by video conference.
8. Parties for all *PSECA*, *PCHAD* and Secure Services Applications and Reviews may appear in person or by telephone, with the exception of youth in a secure facility, who will appear either by telephone or videoconference.

Family Law:

Court Telephone Appearances: A direct telephone line must be provided for all Court telephone appearances. Calls will not proceed if a voice mail is reached, or if the call is placed on hold.

1. 441 Family Docket will proceed as scheduled:
 - a. Counsel will appear for docket matters by telephone, videoconference, or if necessary, in person.
 - b. Self-Represented parties are to appear by telephone or in person.
 - c. Use of videoconference in 441 PM Docket shall be made available to **counsel only**, for the purpose of dealing with consent orders, adjournments, and docket appearances.
2. Counsel requiring the videoconference link for docket matters shall send an email to edmpcfywebex@csadm.just.gov.ab.ca 48 hours in advance and no later than 3:30 p.m. the day before court. Counsel or Self-Represented parties wishing to attend by telephone shall send an email to edmpcfywebex@csadm.just.gov.ab.ca 48 hours in advance and no later than 3:30 p.m. the day before court. The email shall include in the subject line, the parties' last names and the file number (e.g. SMITH v. SMITH FF903004567).
3. Judicial Dispute Resolutions will proceed as scheduled by telephone or videoconference (<https://albertacourts.webex.com/meet/virtual.courtroomELC-FY-JDR>). Self-Represented parties wishing to attend by telephone shall send an email to

edmpcfywebex@csadm.just.gov.ab.ca 48 hours in advance and no later than 3:30 p.m. the day before the JDR. The email shall include in the subject line, the parties' last names and the file number (e.g. SMITH v. SMITH FF903004567).

4. Pre-Trial Conferences will be conducted in 351 as scheduled by telephone, or in person, if necessary. Self-Represented parties wishing to attend by telephone shall send an email to edmpcfywebex@csadm.just.gov.ab.ca 48 hours in advance and no later than 3:30 p.m. the day before court. The email shall include in the subject line, the parties' last names and the file number (e.g. SMITH v. SMITH FF903004567).
5. Applications for Emergency Protection Orders (EPOs) are to occur with the applicant in person. Under exceptional circumstances, the applicant may appear by telephone, subject to the discretion of the presiding judge. EPO Duty Counsel may appear by videoconference or by telephone, as necessary. If appearing by telephone, a direct telephone line must be provided. Calls will not proceed if a voice mail is reached, or if the call is placed on hold.
6. Application for Mental Health Warrants are to be in person.

Filing Documents, Setting Trial Dates and Scheduling Matters Without an Appearance in Court:

1. The Counter can accept documents (Affidavits, Update Statements, Responses with Reply Statements, Affidavit of Service, File Brought Forwards) from **Counsel Only**, by email through the Counter Proxy, with a limit of 10 pages at Edmpcfy.Counter@csadm.just.gov.ab.ca.
2. Claims are **not** accepted by e-mail.
3. The Court Clerk shall call down to the Trial Coordinator for any requests to set trial dates or adjournment dates from the courtroom.
4. Trial dates can be obtained from the Trial Coordinator at: edmpcfy.tc@csadm.just.gov.ab.ca. The Trial Coordinator shall prepare a Trial Scheduling Notice which shall be sent with the file to court to be confirmed on the record in court. The confirmation shall be sent to counsel by e-mail.

Counsel wanting to pre-book trial dates are to contact the Trial Coordinator **at least 2-3 days prior** to the docket date with their availability. **PLEASE NOTE:** PTCs are mandatory for trials booked for 1 day or more, and will be booked unless an early trial date is obtained.

5. Any type of Consent Desk Order can be forwarded to the Family Orders Clerks by e-mail to Edmpcfy.Familyorders@csadm.just.gov.ab.ca. The desk Consent Order must address the status of the Claim (e.g. to be adjourned, include new date, terms of interim orders, change in terms of the interim order, cancellation of interim orders, cancellation of trial dates). The email shall include in the subject line, the parties' last names and the file number (e.g. SMITH v. SMITH FF903004567).

As per: A. Veylan, ACJPCJ

Edmonton Family & Youth

Date: March 1, 2021