

Goal 03

Make Courts Work Better

There have been many initiatives in 2017 to improve court-based services, while continuing to manage large caseloads across the country. This sampling of projects reflects activities undertaken within this year.

The 2016 baseline

The 2016 survey of A2J involvement was completed by 32 respondents from courts or tribunals including provincial, territorial, and federal trial courts, appellate courts and administrative tribunals. All of these institutions offer some front-end, early resolution resources with 56% offering mediation and 50% providing legal information resources. When asked about other early resolutions services:

- 28% offer legal referral services
- 28% offer other onsite pre-trial conferences, informal resolution and case management
- 25% offer triage services
- 25% offer community referral services
- 22% offer conciliation services
- 22% offer summary advice
- 16% offer pro-bono services
- 6% offer student support services
- 6% offer mini trials

82% of court respondents and 53% of administrative board or tribunal respondents stated that they provide specialized assistance for self-represented litigants.

At Courthouses

Many new projects are changing courthouse services. In Newfoundland and Labrador a mental health docket returned, after many years, to the Saint John's courthouse. The Quebec Court of Appeal sat in Trois Rivières, the first time it has ever sat outside of Montreal or Quebec City. BC's Civil Resolution Tribunal, an integrated online and personal dispute resolution mechanism, expanded its jurisdiction to include small claims matters under \$5000.

Ontario launched a new Juror Support Program, offering health and wellbeing supports to people who serve on juries. The BC Provincial Court released new guidelines for when one can bring a support person to court, recognizing the need of self-represented litigants for in-court support. New free mediation services are being offered at the Sherbrooke courthouse while a court officer now provides conciliation services in Nova Scotia Courts. Nova Scotia established its first specialty Gladue Court at the Wagmatcook First Nation while BC launched the Nicola Valley Indigenous Court. Nova Scotia has also authorized its judges and justices of the peace to issue emergency protection orders for families living in First Nations communities. Winnipeg now has a new justice of the peace night court with services in English and French outside of business hours. Ontario evaluated its Seamless Access to Justice in French pilot project and made these changes at the Ottawa courthouse permanent to better serve French speakers. Alberta's Court of Queen's Bench expanded Bench Intake, Resolution and Caseflow Management program to the Judicial Centre of Red Deer. A new process for resolving interjurisdictional child support orders has been introduced in BC.

New Policies and Approaches

Justice Canada has developed an Access to Justice Index for federal administrative bodies, measuring their accessibility to users and identifying ways to improve access to justice. Ontario's new Bail Directive is reducing pre-trial custody time. The Northwest Territories introduced new Rules of Civil Procedure, updating the process for civil matters, while Nova Scotia published its Rules of Civil Procedure in French. There are new criteria for eligibility to the Mental Health Court in Nova Scotia. The Yukon has simplified its filing forms, speeding up the process and reducing rejection rates at court services.

Integrating Technology

At courts across the country new technology is being used to make it easier or cheaper for people to initiate and participate in court proceedings. The Federal Court of Appeal now keeps audio recordings of all hearings, available on request to parties to a case. Manitoba live streamed a high-profile sentencing hearing while an appeal was live webcast from the Newfoundland and Labrador Court of Appeal. New video conferencing between the courts and corrections facilities in Brandon and Portage la Prairie ease travel time and courthouse backlogs. Ontario's Court of Appeal used third party remote calling technology for appearances. E-filing was introduced in Alberta, and for both civil claims and appeals in Ontario. The Northwest Territories introduced online fee payments.

10

**courts
introduced
new
technology**

4

**provinces opened new
Indigenous Peoples'
Courts or expanded
specialized services for
Indigenous communities**

Reaching out

Courts conducted new outreach to improve access to processes and decisions. BC issued a media guide and offered workshops on media access while Nova Scotia's Media Liaison Committee addressed physical access to courts and court files. The Yukon Courts post their decisions on twitter, as does the Quebec Court of Appeal, with links to full court decisions. The Nova Scotia Court of Appeal produced a video to assist self-represented litigants. Friend of the Court services for family law motions appearances were available in Manitoba. In BC, the Ministry of the Attorney General launched its Virtual

Initial Needs Determination Program offering rural and remote family justice clients a range of triage and referral services by telephone. Some BC courthouses host in-person Self-Help Resource Rooms with access to computers, printers and photocopiers.



New A2J Index tracks the accessibility of federal tribunals for self-represented litigants



Small claims under \$5000 can now be resolved through an online dispute resolution mechanism in BC