



## Northwest Territories Courts

**Denise Bertolini, Courts Administrator**

13 March 2020

**TO:** All Members of the Law Society of the Northwest Territories  
Royal Canadian Mounted Police, "G" Division, Yellowknife  
Public Prosecution Service Canada  
Legal Aid Commission of the NWT  
City of Yellowknife  
Media outlets

### **Changes to Territorial Court sittings due to COVID 19**

Chief Judge Gorin has directed the following changes, effective immediately, to Territorial Court proceedings. While these changes will result in disruption and some delay, it is necessary to be proactive under the circumstances. The situation will be monitored closely and any updates will be sent to this same distribution and posted on the courts website.

### **Proceedings outside of Yellowknife**

- ALL proceedings outside Yellowknife are cancelled until June 1<sup>st</sup>. The sole exception will be matters involving in custody accused that can be conducted by video appearance. Emergency matters that arise from communities outside of Yellowknife will be dealt with as the circumstances require.
- All individuals who are at liberty and who have matters scheduled before June 1<sup>st</sup> are to be resummonsed to the first available scheduled court date in the community where their matters were previously scheduled following May 31<sup>st</sup> to either deal with or reschedule their matters.
- All individuals who have appearances scheduled in a community outside of Yellowknife who are in custody will have their matters spoken to via video-link to Yellowknife. Where such individuals have matters set for trial, preliminary inquiry, sentencing, or otherwise for hearing prior to June 1<sup>st</sup>, their matters will be brought forward through a form 19 to appear before the court by video in order to reschedule their proceedings.

- Civil mediation sessions previously set prior to June 1<sup>st</sup> will be rescheduled to dates that follow May 31<sup>st</sup>.
- Wellness Court and DVTO Court proceedings are cancelled until following May 31<sup>st</sup>.
- All future court process requiring an accused to appear before the court should be to a date following May 31<sup>st</sup>.

### **Proceedings in Yellowknife**

- All matters that are presently scheduled for trial, preliminary inquiry, sentencing or otherwise for hearing in Yellowknife are to proceed as scheduled until further notice.

#### **Civil and Family Court**

- All Civil and Family docket day appearances in Yellowknife involving individuals who are at liberty are cancelled until June 1<sup>st</sup> unless otherwise directed. However, counsel may have the matter brought forward to appear as agent or counsel for such individuals in their absence.
- The only matters that will proceed on docket days without being brought forward as set out in the previous paragraph will be applications to confirm child apprehensions, time-limited matters, or trials and other hearings set to the docket day.

#### **Criminal and Youth Court**

- All Criminal and Youth Court docket day appearances in Yellowknife involving individuals who are at liberty are cancelled until June 1<sup>st</sup> unless otherwise directed. However, counsel may have the matter brought forward to appear as agent or counsel for such individuals.
  - The only matters that will proceed on docket days without being brought forward as set out in the previous paragraph will be trials, preliminary inquiries, sentencings and hearings that are set for docket days.
- All individuals who are at liberty and who have matters scheduled before June 1<sup>st</sup> and who have matters other than trials, preliminary inquiries, sentencings or hearings are to be resummonsed to the first available scheduled docket day following May 31<sup>st</sup>.
- Any individuals who have been detained pending resolution of their charges will appear on docket day via video-link.

#### **Wellness and DVTO Court**

- Wellness Court and DVTO Court proceedings are cancelled until following May 31<sup>st</sup>.

## **Civil Mediation**

- Civil mediation sessions previously set prior to June 1<sup>st</sup> will be rescheduled to dates that follow May 31<sup>st</sup>.

## **Summons and Other Court Process**

- All future court process requiring an accused to appear before the court should be to a date following May 31<sup>st</sup>.

## Justice of the Peace Court

- **Absolutely ALL** Justice of the Peace proceedings are cancelled until June 1<sup>st</sup> subject to the following exceptions.
- Bail hearings and interim proceedings involving judicial interim release are to proceed remotely by video or audio.
- Peace bond applications will proceed as usual.
- All accused who are released following bail hearings are to be required to attend court on a date after June 1<sup>st</sup> unless the circumstances require otherwise.

## In Chambers Matters

All in chambers meetings with judges are to be dealt with by teleconference until June 1<sup>st</sup>.

## Emergency Matters

Any emergency or time-limited matters that arise at any location in the Northwest Territories will be dealt with as the circumstances may require.

## Exceptions

Territorial Court Judges may direct that in a particular case the foregoing measures be departed from, where they determine that the circumstances require it

***These measures will be revisited as the situation evolves.***

If there are any questions, please feel free to contact me.

Sincerely,

Denise Bertolini  
Courts Administrator