

1. Family and Child Protection - EDMONTON

All Child Protection docket courts in 441 in the morning will be held remotely by teleconference or videoconference where possible, with a court coordinator and duty counsel in attendance in court to deal with any parties who attend in person.

All Child Protection matters scheduled for a **hearing** through to July 3rd, 2020 will be reviewed by the Court on a case-by-case basis and may proceed if the court directs.

Family Law dockets in the afternoon will be held on those matters previously adjourned in March and April to the date indicated at that time. Dockets will be split into 2 courtrooms and the number of people in the courtroom will not exceed 15 at a time. Courtrooms have been marked off for physical distancing and attendees are expected to comply.

Family Law trials that were previously set for this time period will proceed for parties and their lawyers plus witnesses only. You may be contacted by the clerk's office within the two weeks prior to your trial date as a reminder.

Judicial Dispute Resolution matters that were previously set for this time period will proceed for the parties and their lawyers only. The JDR room has been marked for physical distancing. A JDR may be moved into a courtroom if one is available.

All Pretrial conferences are to proceed, and the parties may appear by telephone if prior arrangements are made with the clerk's office.

The Court will continue to **hear urgent Family and Child Protection matters** as determined by a Judge including:

- a. Matters with statutory limitations or deadlines;
- b. Where there is the risk of violence or immediate harm to one of the parties or the child;
- c. Where there is a risk of removal of the child;
- d. Apprehension Orders;
- e. Initial Custody Hearings, first appearance after apprehension and
- f. Mandatory reviews or show cases under the *Child, Youth and Family Enhancement Act, Protection of Children Abusing Drugs Act, Protection of Sexually Exploited Children Act, Mandatory Drug Testing and Disclosure Act, and Mental Health Act.*
- g. Warrants and Emergency Protection Orders on Child Protection Hearing where the parties have consented to a return, Supervision Order, Temporary Guardianship Order or Permanent Guardianship Order will occur as agreed by counsel or as directed by the Court.
- h. Any matter of an urgent nature where irreparable harm is likely to occur if the application is not heard.

If a Judge determines that a matter is urgent, a hearing/trial will be scheduled with all participants appearing by teleconference, videoconference or in person, as directed.

Remote Family and Child Protection Applications

On April 22nd, 2020 the Provincial Court posted the Remote Family and Child Protection Applications Guidelines. This Guideline indicated that the Court will develop protocols that permit the Court to remotely hear Family and Child Protection applications that would otherwise have not have been “Court urgent” beginning in May 2020 as follows:

Remote applications by teleconference or by videoconference will occur where:

- a. The application and supporting affidavits are filed and served in advance;
- b. an Order can reasonably be granted from the evidence on the record;
- c. and there the application including decision is expected to take less than 30 minutes. (In exceptional circumstances, the Court is prepared to hear applications anticipated to take longer than 30 minutes where leave is granted). The protocols are not intended to consider lengthy or complicated matters nor are they intended to replace hearings that require *vive voce* evidence.

Each region is developing Practice Notes with respect to these remote applications. Please see the Provincial Court website for more information.

Self Represented Litigants in Family Law Matters

Self-represented individuals who wish to commence a matter in the Provincial Court or wish to have an ongoing matter brought into Court, must contact the Family Court Counsellor. Family Court Counsellors can be contacted at the following phone numbers:

Edmonton: 780-427-8343	Calgary: 403-297-6981
Grande Prairie: 780-833-4200	High Prairie: 780-523-6183
Hinton: 780-865-8384	Lethbridge: 403-388-3102
Medicine Hat: 403-529-8716	Red Deer: 403-340-7187
Stony Plain: 780-968-5812	St. Paul: 780-614-6300
Wetaskiwin: 780-361-1374	Ft. McMurray: 780-743-7345

Emergency Protection Orders (EPO's)

Emergency Protection Orders may be made by telecommunication under certain circumstances in the Hearing Office after hours. Appendix “E” provides the procedure for these applications (attach the Emergency Protection Order teleconference application (COVID-19) document) as contained on the website and hyperlink. In person EPO's are still heard at 130pm daily.

The Provincial Court is not accepting any new family matters without leave of the court until June 1. New matters may be filed from June 1 on to be heard July 6

onward in 441 afternoon docket. The Caseflow and Intake Regulation (Family Court Counselors) remains mandatory in Calgary, Edmonton, Red Deer and Grande Prairie

2. Youth

All **docket courts** will be held remotely by teleconference or videoconference.

The Court will continue to deal with **in-custody** Youth matters, either remotely or in person as may be directed.

All **out-of-custody Youth trials in Calgary and Edmonton** will be adjourned to docket [Crown and Defence are not sure about this right now and want to talk amongst themselves]

Out-of-custody Youth trials in all other areas will be considered on a case-by-case basis and may proceed if so directed by the Court.

Out of custody Youth summary dispositions can be brought forward and scheduled in Courtroom 443 for May 29, June 8, 9 and 24. One hour per matter or consecutive hours can be booked. The times will be 930, 1030, 1130, 130, 230, and 330. Crown and Defence to limit people in the courtroom which has been marked off for physical distancing. Crown may appear by Webex or telephone at times. The Young person is expected to attend in person.