



Chambers of
Judge Nancy K. Orr

P.O. Box 2290
Charlottetown, P.E.I. C1A 8C1

COVID-19 Impact on Provincial Courts in Prince Edward Island

UPDATE: Issued as of June 1st, 2020

This notice replaces the Court's previous Directive issued on March 20th, 2020 to the public

In order to protect the health and safety of all Court users and to help contain the spread of COVID-19, the Provincial Court of Prince Edward Island significantly reduced court operations on March 20, 2020, while still providing access to the Court for those with urgent matters.

As this Province has now begun to ease some of the restrictions imposed on Islanders in general, and following consultations with the Chief Public Health Office and others in the court system, the Provincial Court of Prince Edward Island will gradually increase court operations, effective as of June 1st, 2020.

However, the Provincial Court will continue to follow the directives of the Chief Public Health Officer to protect the health and safety of the public and contain the spread of Covid-19. As such, access to Provincial Court in Prince Edward Island will continue to be restricted to only those persons who are necessary to the proceedings before the Court. This will reduce the number of persons who are in and about the court facilities, and then in contact with staff and other members of the public. Those who will be permitted access will include counsel, accused, witnesses, support workers, probation officers, court officers and members of the media, or such other persons as authorized in advance by the judge.

UNREPRESENTED ACCUSED:

If you are scheduled for a first appearance, a trial, preliminary inquiry, sentencing hearing, or a hearing for a recognizance or to vary an existing order, and you are not represented by counsel, you **must appear in court on your scheduled date** unless you have Covid-19 related symptoms or are required to self-isolate.

If you are experiencing Covid-19 symptoms, you must contact the local court office by telephone and **in advance of your scheduled appearance**. See the phone numbers below. You will be required to provide your contact information to schedule a court appearance by telephone and you may be required to provide proof of your medical symptoms or testing conducted.

ACCUSED REPRESENTED BY COUNSEL:

Counsel who want to request an adjournment of their client's election or plea, fix a date for a trial or hearing, or other routine matters are to continue to appear via telephone. Counsel are required to call the local court office in advance of the scheduled appearance to confirm their contact information so that an audioconference can be scheduled with the Court on their client's scheduled appearance date. For such matters, the client is not to attend court.

Counsel should obtain a designation of counsel from their client for indictable matters, to be filed in advance of the scheduled appearance. An accused and their counsel will be required to attend court for any trial, preliminary hearing, application for a recognizance or to vary an order, or for sentencing, unless otherwise authorized by the judge in advance.

On docket days, appearance times will be staggered and counsel will be advised what time they will be called, or if coming to court, at what time they are to appear.

FOR THOSE WHO DO ATTEND THE COURTHOUSE:

Everyone entering the Provincial Court will, in addition to the usual screening procedures, be asked a series of questions to ensure they are not experiencing any Covid-19 symptoms, and must now provide their phone number and address for contact tracing. Only one person at a time will be admitted to the screening area. Others will wait outside, physical distancing (6 feet apart) until called forward for screening.

On days when first appearances are set, unrepresented accused will be dealt with first and in the order they arrive at the courtroom. Plan to arrive a few minutes early for your court time to get through the screening.

Additional hand sanitizing stations have been installed by the elevators, courtroom entrances and in the court room. There will be additional cleaning between cases. To respect physical distancing, available seating in the court rooms and waiting areas is now limited and is clearly marked.

Counsel are advised to speak with their clients and witnesses in advance of their trial dates. The interview rooms at the Courthouse are limited, and with physical distancing requirements in place, have restrictions on the number of people who can be in them at any one time. They are to be used only for short discussions- not trial preparation.

In advance of the scheduled trial date, counsel should confirm with court staff the number of witnesses required to attend the trial. This will assist in effective management of traffic in and out of the Courthouse and the courtrooms.

All those who are required to enter the Courthouse must:

- co-operate with the Deputy Sheriff or other authorized staff during the screening process and follow their direction;
- obey the capacity limits established;
- obey all Public Health hygiene directions, including physical distancing (keeping 2 metres/6 feet between individuals); and
- obey all signs and physical indicators while waiting in line to enter the Court house or courtroom.

FINES AND RESTITUTION PAYMENTS/ TICKETS:

Fines and restitution continue to be due and payments will be accepted by cheque, over the phone by credit card or by arranging an e-transfer. **Payments will not be accepted in person until further notice, so please do not attend at any court location to make a fine payment.**

If you have recently received a ticket and you **do not wish to dispute it**, you must contact the Provincial Court in Charlottetown by telephone at 902-368-6030, Summerside at 902-888-8187 or Georgetown at 902-652-8990 **BEFORE the due date** indicated on the ticket to enter the guilty plea and arrange payment.

If you have recently received a ticket and **you wish to dispute it**, you must contact the Provincial Court in Charlottetown by telephone at 902-368-6030 or Summerside at 902-888-8187, or Georgetown at 902-652-8990 **BEFORE the due date** indicated on the ticket. The Justice of the Peace will take your not guilty plea by telephone and set a date for your trial.

At this time, and until further notice, you are NOT to come to any Provincial Courthouse to deal with any summary offence tickets or payments for fines or restitution.

ACCUSED WHO ARE IN CUSTODY

The Provincial Court will make full use of video and audio technology whenever possible, to effectively address criminal matters involving accused persons who are **in custody, and avoid the personal attendance at the Courthouse of those in custody, unless such attendance is required.**

If at all possible, bail hearings will be conducted by the accused in custody appearing through the use of video/audio conference instead of in-person, and unless otherwise directed by the judge.

If at all possible, sentencing hearings for in-custody accused persons will be conducted by that accused appearing by the use of video conference instead of being transported to the Courthouse, and unless otherwise directed by the judge.

Accused persons who are in custody should be aware that in the event that an accused who is in custody has to be transported to the Courthouse for a trial or other proceeding, if returning to the Correctional Centre after Court, he or she will likely be subject to testing and/or isolation periods at the jail.

COURT OFFICES:

Court officers, peace officers, and individuals who need to communicate information to the Provincial Court are asked to use telephone, email or fax as appropriate.

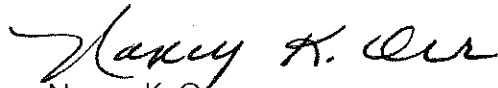
The Court's directive of March 20th, 2020 issued to Crown, policing and enforcement agencies and court staff regarding filing informations electronically, requests for production orders/warrants and initial arrest and requests for remand **continues in force**, except that limited attendance to obtain summons and subpoenas may now occur. Any other attendances should be approved **in advance by the Judge**.

Please see the Provincial Court website at: <https://www.courts.pe.ca/provincial-court> for further information as circumstances change.

Contact numbers regarding court appearances:

Summerside 902-888-8187 Charlottetown 902-368-6693 Georgetown 902-652-8990

Dated at Charlottetown, Prince Edward Island this 1st day of June, 2020.



Nancy K. Ofr

Chief Judge of the Provincial Court of Prince Edward Island