



Supreme Court of British Columbia

2007 Annual Report

The Supreme Court of British Columbia
800 Smithe Street
Vancouver, BC V6Z 2E1
www.courts.gov.bc.ca

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JUSTICES OF THE SUPREME COURT OF BRITISH COLUMBIA

The Honourable Chief Justice Brenner
The Honourable Associate Chief Justice Dohm
The Honourable Mr. Justice Lander**
The Honourable Mr. Justice Cohen*
The Honourable Mr. Justice Shaw*
The Honourable Mr. Justice Maczko*
The Honourable Mr. Justice Stewart*
The Honourable Mr. Justice Hood**
The Honourable Mr. Justice Fraser****
The Honourable Mr. Justice R.R. Holmes*
The Honourable Mr. Justice Parrett
The Honourable Mr. Justice Wong*
The Honourable Mr. Justice McKinnon*
The Honourable Madam Justice Boyd
The Honourable Mr. Justice Curtis*
The Honourable Mr. Justice Singh*
The Honourable Mr. Justice Melnick*
The Honourable Mr. Justice Preston*
The Honourable Mr. Justice Scarth*
The Honourable Madam Justice Allan*
The Honourable Madam Justice Sinclair-Prowse
The Honourable Mr. Justice Josephson*
The Honourable Madam Justice Gill
The Honourable Mr. Justice Warren*
The Honourable Mr. Justice Meiklem
The Honourable Madam Justice Dorgan
The Honourable Mr. Justice Vickers*
The Honourable Mr. Justice Blair
The Honourable Mr. Justice Tysoe***
The Honourable Mr. Justice Shabbits
The Honourable Madam Justice Koenigsberg
The Honourable Mr. Justice Edwards ****
The Honourable Madam Justice Baker
The Honourable Mr. Justice R.D. Wilson*
The Honourable Mr. Justice Sigurdson
The Honourable Mr. Justice Williamson
The Honourable Madam Justice Humphries
The Honourable Madam Justice Dillon
The Honourable Mr. Justice A.F. Wilson
The Honourable Mr. Justice Romilly
The Honourable Mr. Justice Davies
The Honourable Madam Justice Satanove
The Honourable Madam Justice Stromberg-Stein
The Honourable Mr. Justice Cole
The Honourable Madam Justice MacKenzie
The Honourable Mr. Justice Grist
The Honourable Mr. Justice Bauman
The Honourable Madam Justice Morrison*
The Honourable Mr. Justice McEwan
The Honourable Madam Justice Beames
The Honourable Madam Justice Loo
The Honourable Mr. Justice Burnyeat
The Honourable Madam Justice D. Smith
The Honourable Mr. Justice Pitfield
The Honourable Mr. Justice Macaulay

The Honourable Mr. Justice Ralph**
The Honourable Madam Justice Bennett
The Honourable Mr. Justice Chamberlist
The Honourable Madam Justice Martinson
The Honourable Madam Justice L. Smith
The Honourable Mr. Justice Halfyard
The Honourable Madam Justice Neilson
The Honourable Mr. Justice Powers
The Honourable Mr. Justice Metzger
The Honourable Mr. Justice Brooke
The Honourable Mr. Justice Cullen
The Honourable Madam Justice Garson
The Honourable Madam Justice H. Holmes
The Honourable Mr. Justice Slade
The Honourable Mr. Justice Joyce
The Honourable Madam Justice Wedge
The Honourable Mr. Justice Crawford
The Honourable Mr. Justice Goepel
The Honourable Madam Justice Gray
The Honourable Mr. Justice Barrow
The Honourable Mr. Justice Rogers
The Honourable Mr. Justice Groberman
The Honourable Madam Justice Brown
The Honourable Mr. Justice Truscott
The Honourable Madam Justice Gerow
The Honourable Mr. Justice Williams
The Honourable Mr. Justice Masuhara
The Honourable Madam Justice Ballance
The Honourable Mr. Justice Rice
The Honourable Mr. Justice Kelleher
The Honourable Mr. Justice Bernard
The Honourable Mr. Justice Ehrcke
The Honourable Mr. Justice Johnston
The Honourable Mr. Justice Brine
The Honourable Mr. Justice Silverman
The Honourable Madam Justice Fisher
The Honourable Madam Justice Arnold-Bailey
The Honourable Madam Justice Gropper
The Honourable Madam Justice Russell
The Honourable Mr. Justice N. H. Smith
The Honourable Mr. Justice Groves
The Honourable Mr. Justice Leask
The Honourable Mr. Justice Myers
The Honourable Madam Justice Bruce
The Honourable Mr. Justice Smart
The Honourable Madam Justice Dickson
The Honourable Mr. Justice Hinkson
The Honourable Mr. Justice Frankel ***
The Honourable Mr. Justice Bracken
The Honourable Mr. Justice Butler

* *Indicates Supernumerary*

** *Indicates Retired*

*** *Indicates appointed to the Court of Appeal
for British Columbia*

**** *Indicates Died*

MASTERS OF THE SUPREME COURT

Master A. Donaldson
Master W. McCallum
Master N. Bolton
Master R. Barber**

Master D. Tokarek
Master M. Bishop*
Master D. Baker
Master S. Scarth

Master H. Hyslop
Master P. Keighley
Master I. Caldwell
Master G. Taylor

Master B. Young

* *Indicates Part-Time*

** *Indicates Retired*

REGISTRARS OF THE SUPREME COURT

William McCallum
Kathryn Sainty
Murray Blok
Carolyn Bouck

Master and Registrar of the Supreme Court
District Registrar (New Westminster)
District Registrar (Vancouver)
District Registrar (Victoria)

JUDICIAL STAFF

Office of the Chief Justice and Associate Chief Justice

Linda Larson	Executive Assistant to the Chief Justice
Lois McLean	Executive Assistant to the Associate Chief Justice
Jill Leacock	Law Officer
Heidi McBride	Law Officer

Judicial Administration

Alix Campbell	Director Judicial Administration
Frank Kraemer, QC	Executive Director & Senior Counsel, Judicial Administration
Rani Amott	Manager of Support Services
Colin Sharwood/Kevin Arens	Manager of Information Technology and Finance
Tammy McCullough	Assistant to the Director
Yvonne Samek	Finance Clerk
Michelle Sam	Judicial Assistant
Dawn Levert	Manager, Provincial Registrar's Program

Judicial Administrative Assistants

Vancouver	Adrien Amadeo-Vittone, Monelle Clements, Tannes Gentner, Bonnie Healy, Felipa Ibarrola, Joanne Ivans, Wanda Lam, Beverlee Lea, Pat Lloyd, Evelyn Mathesius, Linda Peter, Stella Phillip, Samantha Servis, Rita Wikkerink, Wanda Wilk, Mary Williams, Maeve McLoughlin, Gail Woods, Stephanie Wyer
Chilliwack	Laura Burgess
Cranbrook	Jeanne Brock
Kamloops	Jane Raggatt, Beckie Allen
Kelowna	Lana Pardue, Sharon LeBlanc
Nanaimo	Pat McKeeman, Patricia Robison
Nelson	Kathie Pereverzoff
New Westminster	Margaret Henderson, Raji Johal, Carrie Mathesius, Brenda McPhee, Brenda Vawda
Prince George	Susan Johns
Prince Rupert	Norma Heke
Victoria	Karen Gurney, Cherry Luscombe, Victoria Osborne-Hughes

Trial Coordination

Cindy Friesen	Manager, Trial Coordination and Manager of Information
Krystal Mason	Assistant to Manager, Trial Coordination and Law Officers Reserve Judgment Clerk

Vancouver

Sue Smolen	Civil Trial Coordinator
Mary Ellen Pearce	Criminal Trial Coordinator

Allison Donnelly	Assistant Trial Coordinator
Kim Gunn	Assistant Trial Coordinator
Christine Hutton	Assistant Trial Coordinator

Rhona Ogston Assistant Trial Coordinator
Patricia Acthim Assistant Trial Coordinator
Laura Hill Assistant Trial Coordinator
Cary Ann Moore Data Entry Clerk

Kamloops, Revelstoke, Salmon Arm

Dave McCoy Trial Coordinator

Kelowna, Nelson, Penticton, Rossland, Vernon

Barb Turik Trial Coordinator
Janine Benson Assistant Trial Coordinator

Nanaimo, Campbell River, Courtenay, Port Alberni and Powell River

Cheryl Turner Trial Coordinator
Michelle Schley Assistant Trial Coordinator

New Westminster, Chilliwack

Tanya Andres Trial Coordinator
Irene McLeod Assistant Trial Coordinator
Debbie Soroka Assistant Trial Coordinator
Leanne Griffith Assistant Trial Coordinator (Chilliwack)

Smithers

Sharon Portsch Trial Coordinator

Prince George, Dawson Creek, Fort St. John, Quesnel, Williams Lake

Pamela Wallin Trial Coordinator
Kelly Parmar Assistant Trial Coordinator

Prince Rupert, Terrace

Crystal Foerster Trial Coordinator

Victoria

Dianne Lezetc Trial Coordinator
Sandra Smith Assistant Trial Coordinator
Clive Hall Assistant Trial Coordinator

Judges Library

Diane Lemieux Librarian
Fairfax Culpepper Library Technician

Judgment Office

Heidi Hoefner Judgment Clerk

Supreme Court Ushers

Donna Cox
Gerry Cumming
Lynne Muckalt
Lyle Bolton

IT Services (provided by Microserve Business Computer Services)

Mark Hujanen
Karen Hujanen
Yasmin Kassam
David Chow
Andre Drewitt
Eddie Chan
Simon Kim

Service Delivery Manager
IT Operations
Service Delivery Analyst
Help Desk Lead Technician
Help Desk Lead Technician
Help Desk Technician
Help Desk Technician

Project Management Office

Bob Braganza

Manager

IT Consultant

Steve Blanchard

JURISDICTION OF THE COURT (2007)

The Supreme Court of British Columbia is the province's superior trial court. It is a court of general and inherent jurisdiction and hears both civil and criminal cases as well as appeals from Provincial Court. The Supreme Court is a circuit court in which all the judges and masters travel throughout the province to preside over cases. The Supreme Court sits in eight judicial districts and has resident judges in the following locations: Vancouver, Chilliwack, Cranbrook, Kamloops, Kelowna, Nanaimo, Nelson, New Westminster, Prince George, Prince Rupert and Victoria. The Supreme Court also sits in the following additional locations where there is no resident judge or master: Campbell River, Courtenay, Dawson Creek, Duncan, Fort Nelson, Fort St. John, Golden, Penticton, Port Alberni, Powell River, Quesnel, Revelstoke, Rossland, Salmon Arm, Smithers, Terrace, Vernon and Williams Lake.

The Supreme Court currently consists of the Chief Justice, Associate Chief Justice, 84 full-time and 22 supernumerary judges. Full-time judges are required to sit 32 weeks a year, with 20 non-sitting weeks. Under the rule of 80, election of supernumerary status can only be made by a judge who has continued in judicial office for at least 15 years and whose combined age and number of years in judicial office is not less than 80, or by a judge who has attained the age of 70 years and has continued in judicial office for at least 10 years. The judge shall hold the office of supernumerary from the time notice is given until he or she reaches the age of retirement, resigns or is removed from or otherwise ceases to hold office, or until the expiry of 10 years from the date of the election, whichever occurs earlier.

New judges are appointed upon the retirement of a full-time judge or when a full-time judge elects supernumerary status. Appointments are made by the Governor-in-Council on the recommendation of the Federal Minister of Justice. The Commissioner for Federal Judicial Affairs oversees the appointment process on behalf of the Minister of Justice.

The Supreme Court also has 13 masters. Masters are judicial officers appointed by Provincial Order-in-Council on the recommendation of the Attorney General after consultation with the Chief Justice. Masters preside in civil chambers and registrar hearings and decide on pre-trial motions and procedural orders.

There are three judicial registrars who are located in Vancouver and Victoria. They are appointed under Section 12 of the *Supreme Court Act* and are under the general direction of the Chief Justice. Judicial registrars hear a wide variety of matters, including reviews of lawyers' accounts, bankruptcy discharge applications and bankruptcy taxations, assessments of costs, subpoenas to debtor, passings of accounts and settling orders.

CHANGES IN THE COURT'S COMPLEMENT

Appointments

In 2007, the Court welcomed four new judges:

The Honourable Christopher E. Hinkson, Q.C. was appointed to the Supreme Court at Vancouver on March 2, 2007. He replaced Mr. Justice T.J. Melnick (Cranbrook) who elected to become a supernumerary judge. Mr. Justice Hinkson received a Bachelor of Laws in 1975 from University of British Columbia and was admitted to the Bar of British Columbia in 1976. His practice expertise is in the areas of medical malpractice, personal injury, commercial and human rights litigation and administrative law. At the time of his appointment, Mr. Justice Hinkson was a partner with the firm of Harper, Grey in Vancouver. Mr. Justice Hinkson's professional responsibilities have included his roles as President of the Vancouver Bar Association, Member of Education Committee of the Law Society of British Columbia, Adjunct Professor at Faculty of Law of the University of British Columbia and Fellow of the American College of Trial Lawyers. He has acted in executive roles with the British Columbia Medical Services Foundation and the Vancouver Foundation.

The Honourable S. David Frankel was appointed to the Supreme Court at Vancouver on March 2, 2007. He replaced Mr. Justice A. M. Stewart (Vancouver) who elected to become a supernumerary judge. Mr. Justice Frankel received a Bachelor of Laws in 1973 and a Bachelor of Science in 1970 from the University of British Columbia and was admitted to the Bar of British Columbia in 1974. He articulated with Guild, Yule & Company in Vancouver and at the time of his appointment, was Senior General Counsel, Public Prosecution Service of Canada in Vancouver. In his practice with the federal Department of Justice, he developed an expertise in the area of Charter litigation, criminal law and constitutional law. Appointed a Queen's Counsel in 1988, Mr. Justice Frankel is a respected lecturer and author. In 2004, he was awarded the UBC Law School Adjunct Professor Outstanding Service Award. Mr. Justice Frankel appeared frequently before the Supreme Court of Canada and has been a Fellow of the American College of Trial Lawyers and a Director of the Law Courts Inn. He is also an active Board Member of the Beth Israel Synagogue in Vancouver. Mr. Justice Frankel was elevated to the BC Court of Appeal on May 10, 2007.

The Honourable G. Bruce Butler, Q.C., was appointed to the Supreme Court at Vancouver on March 20, 2007. He replaced Mr. Justice V.R. Curtis (Vancouver) who elected to become a supernumerary judge. Mr. Justice Bruce Butler received a Bachelor of Laws in 1979 and a Bachelor of Arts (English) in 1974 from the University of British Columbia and was admitted to the Bar of British Columbia in

1980. He articulated with Harper Grey Easton (1979-80) and then joined the firm and became a partner of the firm (now Harper Grey LLP) in 1986. He has developed his practice expertise in the areas of commercial law, air law, insurance law and gaming law. Mr. Justice Butler has acted as Director of the Vancouver Bar Association and as a Member of the CBA's civil litigation, insurance and air law subsections. He is a frequent lecturer and presenter on tort and insurance law and is active in the Vancouver community coaching minor sports and volunteering for the Canadian Diabetic Association and other charities.

The Honourable Judge J. Keith Bracken was appointed to the Supreme Court at Victoria. Prior to his appointment, he was a judge of the Provincial Court of British Columbia in Duncan. He replaces Mr. Justice R.G.D. Wilson (Victoria) who elected to become a supernumerary judge.

Mr. Justice Keith Bracken received a Bachelor of Laws in 1976 and a Bachelor of Arts (Economics) in 1975 both from the University of Saskatchewan and graduated from the RCMP training academy in 1963. He was admitted to the Bar of British Columbia in 1977 and to the Bar of Saskatchewan in 1984. Over the next several years Mr. Justice Bracken developed his practice expertise in the areas of civil litigation, banking law and criminal law. In 1991, he was appointed to the Provincial Court of British Columbia. Mr. Justice Bracken has been a frequent presenter at law conferences and has taught at the University of Victoria and Akitsiraq Law Schools. He has also acted as co-editor of the Canadian Association of Provincial Court Judges' Journal.

Retirements

The Honourable Mr. Justice Ross Lander of the Supreme Court at Nanaimo, retired on April 3, 2007. Mr. Justice Lander, born in 1932, obtained his B.A. in Political Science from Washington State University and graduated in law from the University of British Columbia. He was admitted to the BC bar in 1961. Prior to his appointment as a judge of the County Court of Cariboo in 1975, and subsequent appointment to the County Court of Vancouver Island in 1980, Mr. Justice Lander practised law with the Kelowna firm of Weddell & Company until 1973 when he joined the Department of Justice in Vancouver. While in practice, Mr. Justice Lander was a member of the Executive of the BC Branch of the Canadian Bar Association and of the Yale Bar Association. He was appointed to the Supreme Court in 1982, and went supernumerary in 1997.

The Honourable Mr. Justice Duncan Shaw of the Supreme Court at Vancouver, retired on November 21, 2007. Born in Vancouver in 1932, he graduated in law from the University of British Columbia in 1956. He was first Chair of the Legal Services Society, and a member of the Judicial Council of the Provincial Court. He practiced law with Davis and Company until his appointment to the Supreme Court in 1987. Before his retirement, he went supernumerary in July, 2002.

The Honourable Mr. Justice Bryan Ralph of the Supreme Court of Vancouver, retired on November 1, 2007. Born in Victoria, he graduated from law at the University of British Columbia, and obtained a masters of law degree from the London School of Economics in 1976. He was executive director of the Legal Services Society, Director of the Legal Clinic and Criminal Law Professor at the University of British Columbia Law School, and Secretary of the Law Society of BC. He was appointed to the Supreme Court in April, 1997.

The Honourable Mr. Justice Sherman Hood of the Supreme Court at Vancouver, retired on August 1, 2007. Born in 1933 in Sault Ste. Marie in Ontario, he obtained a B.A. degree from Carleton and graduated from law at the University of British Columbia in 1961. He practiced law at Russell & DuMoulin until his appointment to the Supreme Court on June 30, 1989. Before his retirement, he went supernumerary in March, 2004.

Deaths

The Honourable Mr. Justice Robert Edwards died on November 5, 2007. Mr. Justice Edwards was appointed to the bench at the Supreme Court in Vancouver on February 1, 1993. He grew up in Victoria, where he attended the University of Victoria, graduating with distinction with a BA in Economics. He graduated from law at the University of Victoria in 1971. He was called to the bar in 1972, practised law with Sullivan, Smith and Bigelow in Victoria for a year, then joined the civil law section of the Department of the Attorney General. After becoming Director of the Constitutional and Administrative Law section, he was a key participant in the constitutional negotiations leading to the adoption of the *Canadian Charter of Rights and Freedoms*. In 1983 he was appointed Queen's Counsel. Mr. Justice Edwards was appointed Deputy Attorney General of British Columbia in 1990 and held that position until his appointment to the bench.

The Honourable Mr. Justice Peter Fraser died on December 16, 2007. Mr. Justice Fraser was born and raised in Vancouver. He completed his undergraduate degree and his LL.B. at the University of British Columbia, graduating in 1961. After articling with Shulman, Tupper and Company, Mr. Justice Fraser was called to the bar in 1962. Continuing his legal studies, he obtained his Master of Law from the University of Toronto in 1970. He was appointed a Queen's Counsel in 1986.

Mr. Justice Fraser was appointed to the bench at the Supreme Court in Vancouver in 1989. Two years later, he was appointed as a deputy judge of the Supreme Court of the Yukon Territory. He continued to serve as a regular sitting judge of the BC Supreme Court until he elected supernumerary status in January, 2005. Mr. Justice Fraser will always be remembered for his co-authorship of *Fraser and Horn: The Conduct of Civil Litigation in British Columbia*, one of the leading authorities on civil practice in British Columbia.

REPORT OF THE CHIEF JUSTICE

I am pleased to have this opportunity to report on the activities and initiatives of the Supreme Court in 2007. It has been another busy and challenging year where, again, improving access to justice has remained a priority.

In addition to the Civil Rules of Court initiative, we have been working on our new website, which will be launched in 2008. It will provide quick and easy access to useful information for the bar and the public, such as our database of judgments, scheduling information, contact information, and resources for self-represented litigants.

Enhancing Access to Justice

We have seen legal support services flourish and new projects come into being, all intended to foster an environment where justice is readily accessible by everyone in BC.

The BC Supreme Court Self-Help and Information Centre, opened in Vancouver in 2005, continues to provide excellent legal information and self-help resources in Supreme Court civil and family matters. The drop-in centre, at 800 Smithe Street, helps self-represented litigants find information they need to prepare for court, locate *pro bono* legal services, and appreciate the alternatives to resolving disputes in court.

More recently, the Ministry of the Attorney General and the Legal Services Society opened the first Justice Access Centre in April 2007. Located in Nanaimo, the centre initially provided services to those with family law problems. It immediately received positive feedback from the public and members of the Nanaimo bar – so much so that its services were expanded to civil disputes. The centre offers self-help resources and information, dispute resolution, limited legal advice, and referrals. Although this is a pilot project, it is hoped that a positive evaluation will lead to more centres being opened throughout the province.

ProBono Law of BC is operating a pilot project for civil chambers in Vancouver. Once a week, volunteer lawyers provide *pro bono* legal assistance and representation to qualified unrepresented litigants appearing in civil chambers, in both the BC Supreme Court and the BC Court of Appeal. The response has been very positive, and we are grateful for the commitment and time given by those *pro bono* lawyers.

The Justice Review Task Force began looking at the access to justice issue several years ago and in addition to other initiatives, created the Civil Justice Reform Working Group in 2004 to examine and consider changes to the Rule of Court.

Civil Justice Reform

In November 2006, the Civil Justice Reform Working Group published a report, which led to the release in July, 2007 of a Concept Draft of a draft set of rules incorporating many of the Report's principal recommendations. The object of the new Rules is to make litigation easier and less expensive, and thereby more accessible to those who wish access to our court to resolve their disputes.

Since then, a Steering Committee, including Deputy Attorney General Allan Seckel, Mr. Justice Malcolm Macaulay and I have continued to meet with many members of the bar and other groups to obtain their feedback on the proposals. In addition, many legal organizations and members of the bar made written submissions regarding the Concept Draft.

The Civil Law Committee of the BC Supreme Court facilitated discussion among the judiciary which has generated much insightful comment on the proposed amendments. The Rules Revision Committee worked with commitment and dedication over several months to incorporate the views of the bar and the judiciary.

The full participation of the legal community in this drafting process will prove to be invaluable in creating a set of Court Rules that will foster more affordable and suitable access to justice for the cases that come before the court.

Integrated Electronic Courts

Court Services and the judiciary continue to implement the electronic searching and filing initiative known as Court Services Online. In 2007, e-Search was enhanced to enable viewing of electronic documents. Court Services now has in excess of 100,000 documents in electronic format. In addition, e-Filing went live in 16 registries in 2007. These registries also began scanning paper-filed documents to move the courts closer to complete electronic court files.

Several judges of the Court are now actively processing e-Filed orders and viewing court files on-line. Reports from users have continued to be positive and in 2008 all remaining sites will be implemented for e-Filing.

The coming year will also see an increased focus on e-Court, which will further enhance the capability of using electronic court files and electronic evidence in the courtroom.

Public Affairs

It is vital to keep the public informed about matters before the court, and we have continued our work with the media to achieve this objective. Representatives from the Public Affairs Committee met with journalists to discuss ways to enhance accurate reporting of court proceedings.

The Publication Ban Project was introduced as a pilot project in 2005. Posting of publication ban applications provides advance notice to the media, counsel, and the public about upcoming discretionary ban applications in criminal proceedings. Feedback on this initiative has been very positive, and the project was extended to New Westminster in January, 2008. We expect the project to be expanded throughout the province in the future.

Court Information

The Court has maintained its ability to offer early trial dates across the province. In our court a trial date can be obtained as soon as the pleadings have closed. In most registries, it is possible to obtain a trial date within a reasonable period of time:

- Civil and family trials estimated at five days or less can be scheduled within five to six months.
- An in-custody accused can expect a trial date within four months.
- An out-of-custody accused can expect a trial date within six to eight months.

Trials are rarely bumped; counsel and litigants can now assume that a trial scheduled in our court will almost certainly proceed on the originally scheduled trial date.

Our new scheduling system has enhanced our ability to track and record information about trials and chambers matters throughout the province. A complete set of charts is set out in Appendix A.

General trends

The general trends across BC in 2007 were:

- Filings in civil and family matters remained fairly constant.
- The settlement rate has increased.
- There was a small decline in criminal filings.
- We have maintained an extremely low rate of bumping trials and long chambers hearings.

Trial scheduling information has been available on the court's website since 2006. Current scheduling information is available for family, civil, and criminal hearings for every registry in BC. Trial scheduling information is used widely by the bar; publication of information for booking hearing dates has served to dispel the concern that early trial dates were not readily available.

The BC snapshot

In 2007, there were:

- 46,353 civil filings (up 471 from last year; see Figure 1);
- 13,703 family filings (down 110 from last year; see Figure 1); and
- 1,049 criminal filings (down 390 from last year; see Figure 1).

The Court heard 1,184 trials throughout the province, 10 fewer than the previous year. Of those trials, only 19 were bumped (see Figure 4).

The Court also heard 1,800 long chambers applications, up by 130 over the previous year. Of those scheduled hearings, 24 were bumped (see Figure 6).

Full schedules of trials heard and bumped, by location, are set out in Figures 8, 9, and 10.

Figure 2 shows new filings, by category, in BC.

The Vancouver snapshot

In 2007, the Vancouver Court scheduled 6,284 civil (including family) trials and 2,725 long chambers hearings in Vancouver (see Figure 3). This represents a slight decrease in trials and a slight increase in long chambers hearings from the previous year (see Figure 3).

A significant number of trials settled or were adjourned; Vancouver heard 456 trials, 14 more than the previous year. Of those trials, only 4 were bumped (see Figure 5).

The Court heard 1,259 long chambers applications, an increase of 193 over the previous year. Seventeen were bumped from the list (see Figure 7).

2007 Practice Directions

Practice Directions are designed to improve court services to the public. These practice directions were issued in 2007:

Desk Taxations of Trustees' Statements of Receipts and Disbursements under the Bankruptcy and Insolvency Act: The Court issued templates for documents used for applications for desk taxations of trustee's statements of receipts and disbursements under the *Bankruptcy and Insolvency Act*.

Model Receivership Orders: The Court adopted a standard form of order for receivership orders made pursuant to the *Bankruptcy and Insolvency Act* and pursuant to s. 39 of the *Law and Equity Act*.

Initiation of Bankruptcy Files: Applicants wishing to open any bankruptcy file must file a requisition in Form 2, accompanied by the supporting document. The requisition must state the name of the bankrupt, the title of the supporting document, the authority that allows the filing of that document, and an address for delivery of the applicant.

Fax Filing: The Court issued a list of fax filing numbers for the registries to which Rule 67 applies.

Rule 68 – Amendment and Expansion Province Wide: Rule 68 was expanded throughout the province, and applies to any action commenced in any registry of the Court where the total of the monetary claims amount to \$100,000 or less, exclusive of interest and costs. Rule 68 was amended with respect to evidence summaries, and the limitation on leading evidence from a witness at trial if the evidence summaries are not in compliance. It was also amended to extend the application of Rule 26(11) to expedited actions under Rule 68.

Conclusion

Judicial Administration and Court Services staff members are integral to the efficient delivery of Court services; without their commitment and support, such services would not be possible. And, of course, I extend my thanks to my colleagues – the judges, masters and registrars of this Court. I am grateful for their hard work and dedication to the administration of justice in BC.

COURT COMMITTEE REPORTS

Members of the Supreme Court participate on a number of committees which assist the Chief Justice and the Associate Chief Justice with the work and administration of the Court.

The internal committees include the Civil Law Committee, the Courthouse Facilities Committee, the Criminal Law Committee, the Education Committee, the Family Law Committee, the Law Clerks Committee and the Public Affairs Committee.

There are also a number of committees that operate jointly with members of the Court of Appeal including the Joint Court Technology Committee and the Judges Library Committee.

Finally, there are committees which include internal and external members. The Judicial Access Working Committee includes Judicial Administration staff from the Court of Appeal, the Supreme Court and the Provincial Court as well as Court Services Branch employees. The Rules Revision Committee, which is a committee of the Attorney General, includes judges and masters of the Court as well as representatives from Court Services, legislative drafting counsel and the private bar.

JUDICIAL ACCESS POLICY WORKING COMMITTEE

Members: *Jennifer Jordan, Registrar, Court of Appeal (Chair)*
Alix Campbell, Director Judicial Administration, to March, 2007
Frank Kraemer, QC, Executive Director & Senior Counsel,
Judicial Administration, from April, 2007
Virginia Day, Director, Business Development and
Change Management, Court Services
Meg Gaily, Law Officer, Court of Appeal
Heidi McBride, Law Officer, Supreme Court
Mike Smith, Director Judicial Administration, Provincial Court
Gene Jamieson, Legal Officer, Provincial Court
Kathryn Thomson, Legal Policy Consultant

Mandate of the Committee

The Committee is a joint committee consisting of judicial representatives from all three courts and Court Services members. The Committee develops draft policies and interacts with the various court committees, seeking guidance and approval for the draft policies relating to access to court records, specifically in electronic format. The Chief Justices and Chief Judge are consulted before a policy is adopted. In addition to policy work, the Committee also reviews access applications for those seeking bulk access to court record information and access to court record information for research purposes.

Work of the Committee

In 2007, work of this Committee continued to revolve around issues relating to Digital Audio Recording System (DARS), discussions about access to criminal record information, and consolidation of the various access policies. The Committee continued and is nearing completion of its work of preparing an access policy that will address access to digital audio recordings including the judiciary, Court Services staff, parties, media, members of the public, and transcription contractors.

During the year, the Committee received, considered and granted a number of applications from a variety of government agencies and departments for access to court records for the purpose of fulfilling their statutory mandates.

Looking Forward to 2008

In addition to considering applications for access to court records, the Committee expects to complete its work on the Public Access Policy and the DARS Access Policy. The Committee will also continue to work on finalizing an Access Policy Manual which is designed to assist Court Services staff in accessing and understanding the Electronic Access Policy and other access policies.

JOINT COURTS TECHNOLOGY COMMITTEE

Members: Mr. Justice Groberman (Chair)
Mr. Justice Masuhara (Vice-Chair)
Madam Justice Levine
Madam Justice Boyd
Mr. Justice Tysoe
Frank Kraemer, QC, Executive Director & Senior Counsel,
Judicial Administration
Jennifer Jordan, Registrar, B.C. Court of Appeal
Kevin Arens, Manager of Information Technology and Finance
Cindy Friesen, Manager, Trial Coordination
Heidi McBride, Law Officer (Secretary)

The Committee discussed a number of issues and projects at its meetings including the courts' new website; judicial access to DARS; and ongoing technology support issues.

Digital audio records (DARS)

Replacement of analog recorders with digital audio recorders (DARS) was fully realized in 2007, with a great deal of assistance and support from Court Services IT. Training was provided to court staff and the judiciary. The Committee participated in the DARS project and provided significant input to ensure that judicial requirements were taken into account.

Website Redesign

After conducting an online survey of website users, redesign of the superior courts' website was undertaken this year. The new design will facilitate access to information frequently searched by the legal profession and the public. The new website will be launched in 2008.

Software Renewal

The Committee participated in the software renewal initiative undertaken by the Office of the Attorney General. The Committee provided input on enhancing technological efficiencies in the present system while keeping options open for future opportunities and initiatives.

Ongoing Support

In addition to new initiatives undertaken in 2007, the Committee monitored service

levels provided by the IT department. It also responded to many issues raised by the courts, such as:

- providing suggestions to the courts on “best practices” for maintaining confidentiality and security in the system, including network password changes;
- providing input to the Integrated Court Framework Planning Committee to integrate electronic initiatives into the courts;
- monitoring the e-filing pilot project, which operates in seven registries throughout the province; and
- reviewing options and renewing the contract with Microserve.

CIVIL LAW COMMITTEE

Members: Mr. Justice Bauman (Chair)
Madam Justice Gray (Vice-Chair)
Madam Justice Dorgan
Madam Justice Dillon
Mr. Justice Davies
Mr. Justice McEwan
Mr. Justice Macaulay
Mr. Justice Goepel
Mr. Justice Brine
Master Scarth
Jill Leacock, Supreme Court Law Officer/Secretary

The Civil Law Committee publishes the Civil Law Memos which discuss decisions of note from the Court of Appeal and the Supreme Court of Canada.

In 2007, the Committee continued its review of pre-trial conferences and case management within the Court. The objective of the review is to develop a best practice model for case management. The Court will have an increased role in case management under the new civil rules expected to come into force in January, 2010. In anticipation of the new civil rules, the Committee hosted a series of sessions for members of the Court to participate in discussion about changes in civil practice that will be implemented by rule changes.

In 2007, the Court worked toward developing draft model Anton Piller and Mareva Orders. Madam Justice Gray, on behalf of the Committee, will continue a liaison role with the Law Society, to further develop the model Orders.

In addition, the Chair of the Committee participated with representatives of the Criminal Law Committee and the Public Affairs Committee in a project to develop a protocol for media access to exhibits.

COURTHOUSE FACILITIES COMMITTEE

Members: *Mr. Justice Macaulay (Chair)*
Mr. Justice McEwan
Mr. Justice Grist
Mr. Justice Barrow
Mr. Justice Chamberlist
Mr. Justice Williams
Alix Campbell, Director of Judicial Administration to March, 2007
Frank Kraemer Q.C., Executive Director & Senior Counsel,
Judicial Administration from April, 2007
Jill Leacock, Law Officer (Secretary)

The Courthouse Facilities Committee was constituted in 2006 as a standing committee of the Court. The composition of the Committee is intended to reflect regional representation. The mandate of the Committee is to:

- facilitate consultation between Court Services and the judiciary in relation to planning and construction of new courthouse facilities or the renovation and alteration of existing facilities;
- provide liaison between Court Services and the judiciary respecting issues of security or access to justice in relation to courthouse facilities, or other issues of concern;
- advise the Chief Justice in relation to developing priorities for short-and long-term capital spending projects.

In 2006, a sub-committee of the Committee chaired by Mr. Justice Barrow was struck to identify model processes and facilities for juries and panels and to measure existing courthouses against this model. This project was a significant one and the sub-committee's work continued through 2007, with a report being made to the Committee as a whole in late 2007. The project is ongoing.

The Committee will continue to canvass the views of members of the Court annually to ascertain priorities for annual capital expenditures.

CRIMINAL LAW COMMITTEE

Members: Madam Justice H. Holmes (Chair)
Madam Justice Bennett (Vice-Chair)
Mr. Justice Shabbits
Madam Justice Koenigsberg
Madam Justice Stromberg-Stein
Madam Justice MacKenzie
Mr. Justice Cullen
Mr. Justice Williams
Mr. Justice Ehrcke
Mr. Justice Silverman
Mr. Justice Smart

In 2007, Mr. Justice Shabbits, Mr. Justice Silverman and Mr. Justice Smart joined the Committee.

One of the most important functions of the Committee is to keep members of the Court apprised of new decisions of the SCC and BCCA relating to criminal law, evidence, and procedure. Madam Justice Bennett assumed this task in 2007, taking over from Mr. Justice Stewart who had “retired” from the task upon electing supernumerary status. Madam Justice H. Holmes took on Madam Justice Bennett’s former duty of keeping members of the Court informed of legislative developments in the criminal law field. Mr. Justice Silverman undertook, for the Committee, the task of outlining for the Court the extensive amendments concerning orders for DNA samples, many of which came into force on January 1, 2008.

The Committee assisted the Education Committee by facilitating and providing speakers for programs (one relating to practical approaches to jury charges with emphasis on the defences of intoxication, self-defence, and provocation; and a second program relating to publication bans and mid-trial media applications.)

In 2007, the Working Group established by this Committee in 2006 to review the report of the Ontario Superior Court of Justice, *New Approaches to Criminal Trials*, continued its work. The Working Group is composed of Mr. Justice Barrow and members of this Committee (Justices H. Holmes, MacKenzie, Bennett, and Cullen). The Ontario Report addressed the problems of unduly lengthy or delayed criminal trials in the Superior Court of Justice in Ontario, and recommended new rules for case management to establish procedures and other requirements to govern pre-trial applications. The mandate of the Working Group is to consider whether the recommendations of the Ontario Report (or variations of them) may be suitable for implementation by this Court. The Working Group gave its interim report to the Committee at the close of 2007, and continues its work in some specific areas, following the Committee’s response.

In 2007, members of the Committee participated in discussions with members of the Court's Civil Law Committee and Public Affairs Committee toward developing a protocol for medial access to exhibits.

The Committee worked with the Manager of the Criminal Registry at Vancouver Law Courts to clarify how pre-sentencing time in custody ("dead time") should be recorded. The Committee developed a checklist to assist judges to ensure that sentences imposed are expressed in a way that can be accurately reflected in the Record of Proceedings. Madam Justice Bennett and Madam Justice Stromberg-Stein developed a comprehensive set of materials to assist judges in sentencing, and presented them at a Law at Lunch session.

The Committee worked with the Manager of the Criminal Registry to provide guidance with respect to file purging policy for the registry.

EDUCATION COMMITTEE REPORT

Members: Mr. Justice Davies (Chair)
Madam Justice Beames (Vice-Chair)
Mr. Justice Romilly (Vice-Chair)
Madam Justice Satanove
Madam Justice Bennett
Mr. Justice Cullen
Madam Justice Ross
Mr. Justice Slade
Mr. Justice Goepel
Mr. Justice Groberman
Mr. Justice Kelleher
Mr. Justice Groves
Madam Justice Holmes
Madam Justice Gray
Madam Justice D. Smith
Master Baker
Jill Leacock, Supreme Court Law Officer (Secretary)
Heidi McBride, Supreme Court Law Officer (Secretary)

The mandate of the Education Committee is to assist members of the court to stay informed about developments in the law and to organize regular educational conferences addressing topics of interest. In 2007, two very successful educational conferences were held. The May conference was held in Kelowna; the November conference in Vancouver.

In addition to the two conferences, the Committee also organizes informal education sessions which take place bi-monthly during the noon recess. Judges outside Vancouver attend these sessions via teleconference. Several such sessions were held in 2007.

There were changes to the membership of the Committee in 2007. Madam Justice Neilson resigned from the Committee in 2007. The Committee is grateful for her valuable contributions. Madam Justice Neilson was replaced by Madam Justice D. Smith. Mr. Justice Romilly resigned as Vice-Chair at the end of 2007. The Committee is grateful to Mr. Justice Romilly for his contributions to the Committee and to the educational programs provided to the Court.

In early 2008, Madam Justice Gray and Madam Justice Holmes joined the Committee.

The National Judicial Institute continues to provide tremendous support to the Education Committee by way of organizational, planning and logistical assistance for the court's educational conferences. The Committee is most appreciative of this support.

FAMILY LAW COMMITTEE

Members: Mr. Justice Joyce (Chair)
Master Donaldson (Vice Chair)
Mr. Justice Cole
Madam Justice Beames
Madam Justice Loo
Mr. Justice Preston
Mr. Justice Chamberlist
Mr. Justice Barrow
Master Scarth
Heidi McBride, Supreme Court Law Officer (Secretary)

The issue of inter-jurisdictional child abduction has been a topic of discussion throughout the year. The Committee has been working on a draft Hague Convention Protocol for the purpose of coordinating responses to an application to return a child to a particular jurisdiction. It is also reviewing the need for a central registry for filing Article 16 notices.

The Committee continues to provide members of the Court with memoranda of topical issues in family law, as well as reports of significant family law cases.

The Committee also considered these issues:

- the operations and services of the HUB pilot project in Nanaimo;
- the procedure for granting desk order divorces;
- the Notice to Mediate pilot project; and
- updating the Judicial Case Conference information on the Court's website.

LAW CLERK COMMITTEE

Members: Mr. Justice Curtis (Chair)
Madam Justice Dillon
Mr. Justice Pitfield
Mr. Justice Barrow
Ms. Jill Leacock, Supreme Court Law Officer
Ms. Heidi McBride, Supreme Court Law Officer

The Supreme Court has 18 judicial law clerks: 2 located in Victoria; 2 in New Westminster; and 14 in Vancouver. The clerkship term is 12 months and commences annually in September. Each law clerk is assigned to a complement of 5 to 7 judges. The role of the law clerk is to undertake legal research, editing and proofreading duties.

The 18 law clerks that commenced their clerkships with the Supreme Court in September 2007 are:

Vancouver

Seva Batkin
Emily Clough
Jonathan Hanvelt
Megan Kammerer
Kristal Low
Lisa Phillips
Jeff Robinson
Melanie Harmer
Stephanie Sanger
Roanna Tay
Laura Gill
Emily Kirkpatrick
Michael Nadeau
Tamara Olding

New Westminster

Oana Chirila
David Hunter

Victoria

Emily Boyle
Geoffrey Trotter

The law clerks provide much valued assistance to the Judges and Masters of the Court for which the Committee extends its appreciation.

JUDGES LIBRARY COMMITTEE

*Members: Madam Justice Kirkpatrick (Chair)
Madam Justice Humphries
Madam Justice D. Smith
Madam Justice Satanove
Frank Kraemer, Q.C., Executive Director & Senior Counsel,
Judicial Administration
Diane Lemieux, Librarian*

The Judges' Library continues to balance the need for change in the face of burgeoning technology with proven historical practices.

The Library organizes training sessions for judges, masters and judicial staff who require access to legal databases such as LexisNexis Quicklaw, Westlaw-e Carswell, and QPLegaleze. A refresher presentation of the new Quicklaw was given in November, 2007.

The Library is responsible for converting and posting the decisions of the Court of Appeal and the Supreme Court on the courts' websites. In 2007, 1,798 Supreme Court judgments were published, 610 Court of Appeal judgments were published and 5 Yukon Court of Appeal judgments were published.

The Judges' Library, like most libraries, seeks innovative ways to preserve services and its permanent collection in the face of ever-increasing costs and changing demands. For example, in 2007, the average increased cost for digests, texts, report services etc., was 4.67%.

The Library has attempted to control costs by reducing reliance on hard bound copies of the law reports. In Vancouver, the Library cancelled one topical reporter and one duplicate set of a reporter located on level 4. In New Westminster, the Library cancelled one criminal law reporter due to cost and space considerations, and because that reporter is available online. New Westminster maintains the reporter, Canadian Criminal Cases.

The library purchased 108 new acquisitions in 2007, more than 50% of which were texts.

On the environmental front, normally photocopied items can now be scanned and e-mailed on request. Case digests available online are no longer photocopied and delivered in paper format unless requested. Lengthy journal articles can now be retrieved electronically with the use of a USB flash drive or e-mail.

Upgrades in e-mail, scanning, photocopying and faxing capabilities have allowed the

Library, with the assistance of the Information Technology Department, to promptly deliver items such as articles, reported case law and court judgments.

We encourage the recycling of dated criminal codes and White Books to the Law Courts Education Society for use in their justice system education program.

PUBLIC AFFAIRS COMMITTEE

*Members: Mr. Justice Groves (Chair)
Mr. Justice Williamson
Mr. Justice Blair
Madam Justice Wedge
Chief Justice Brenner (Ex Officio)
Jill Leacock, Law Officer (Secretary)*

The Committee has continued its work liaising with journalists, court clerks and other non-judicial groups such as the Law Courts Education Society.

The accreditation of journalists is an ongoing issue for the Committee. The accreditations are limited to three years and must be renewed thereafter. Over this past year we appear to have resolved delay problems in providing qualified journalists with their formal accreditation documents.

The Publication Ban Notification Project is no longer a pilot project – it is now established in the Vancouver Law Courts. The project was expanded to the New Westminster Registry of the Supreme Court. The Committee anticipates that the Publication Ban Notification Project will be expanded to all Supreme Court registries throughout the province within the next calendar year. This will necessitate work with court services, likely on a regional basis, to ensure that staff receives appropriate training to run the program effectively.

As in past years, the Committee met with journalists to foster the flow of communication between the Court and the media. The main topic of discussion with journalists this year was the efforts of the Public Affairs Committee, along with the Civil Law Committee and Criminal Law Committee, to establish protocols for access to trial exhibits. The goal of the Civil Law Committee and the Criminal Law Committee is to facilitate public access to exhibits without limiting the trial judge's control over the proceedings. The Committee expects to present a draft protocol for discussion by the Court in the next year.

The Chief Justice, Mr. Justice Groves, as Chair of the Committee, and the Law Officers respond to requests from the media. The Committee also continues to field requests and queries from individual judges on media issues.

RULES REVISION COMMITTEE

Members: Mr. Justice Macaulay (Chair)
Madam Justice Dillon
Mr. Justice Bauman
Madam Justice Garson
Mr. Justice Joyce
Master McCallum
Master Baker
Mr. Peter Behie Q.C.
Mr. J.E. (Ted) Gouge, Q.C.
Mr. J. Kenneth McEwan, Q.C.
Mr. Dinyar Marzban Q.C.
Mr. Peter Voith Q.C.
Mr. Ken Downing, Legislative Counsel
Ms. Jan Rossley (ex officio)
Ms. Jill Leacock – Supreme Court Law Officer (Secretary)

I. Mandate of the Committee

The *Court Rules Act*, R.S.B.C. 1996, c. 80 provides that the Lieutenant-Governor in Council has the power to make rules governing the conduct of litigation in the Supreme Court. The Rules Revision Committee (“Committee”) assists the Attorney General in making recommendations to the Lieutenant-Governor in Council for rule changes. The Attorney General appoints the members of the Committee by ministerial order, after consultation with the Chief Justice and the Chair. The Committee includes judges, masters, a representative of Court Services, legislative counsel and members of the bar. The members of the bar are chosen for their expertise in civil or family litigation and also broadly represent larger and smaller centres of the province.

The Committee meets regularly in person and by teleconference to discuss proposals for rule changes. Historically, the Committee initiates much of its own work but, the judiciary, the profession and the Ministry of the Attorney General also report problems with existing rules or, sometimes, propose changes.

Traditionally, the Committee consults widely with members of the private bar, professional organizations such as the Trial Lawyers Association or Canadian Bar Association Subsections as well as some institutional litigants, such as ICBC, before recommending significant changes. By doing this, the Committee seeks to ensure that proposed amendments to the Rules are evaluated in the broadest context. The Chair wishes to take this opportunity to thank the members of the private bar on the Committee who have so generously volunteered their time and commitment as well as the generous contribution by interested lawyers and others who have provided us with invaluable assistance during the consultative process.

Because the work of the Committee is quasi-legislative in nature, the Committee does not circulate its minutes nor inform the judiciary, members of the bar or the public of the details of any recommended rule changes before they are enacted.

After the Committee makes recommendations to the Attorney General regarding proposed amendments, the Attorney General consults with the Chief Justice as is required by the *Court Rules Act*, before presenting the amendments to Cabinet. With the exception of some stand-alone amendments, proposed rule amendments are presented to Cabinet in a package each spring. Upon Cabinet approval, the amendments are enacted by Order-in-Council and are usually effective July 1st.

Copies of the Orders-in-Council giving effect to the amendments as well as the full text of the Rules are available on the Court's website at www.courts.gov.bc.ca. From the Supreme Court page, click the Rules Amendment link. Invitations for Comment on proposed rule changes are often posted on the website as well. Members of the bar and the public are encouraged to check the website regularly for information on rule amendments.

II. Composition of the Committee

Two members of the bar joined the Committee in 2007: Dinyar Marzban, QC and Peter Voith, QC.

III. New Supreme Court Rules

In November 2006, the Civil Justice Reform Working Group issued its Report [the "Report"] which included a number of significant recommendations including the recommendation that the Supreme Court Rules be replaced by new civil and family rules. A Civil Rules Drafting Group was established by the Attorney General with a mandate to prepare a Concept Draft, translating the recommendations of the Report into new civil rules. A separate Family Rules Drafting Group was also established.

The Concept Draft Rules [CDR] were issued by the Civil Rules Drafting Group in July 2007 and posted to the website of Justice Review Task Force (JRTF) www.bcjusticereviewforum.ca/civilrules. Following the release of the CDR, a period ending November 30, 2007 was designated during which time the judiciary, the bar, and the public were encouraged to provide comment. A series of focus groups was also held around the Province to obtain comment and input from the bar and the public on the CDR.

The wholesale rewriting of the Supreme Court Rules represents a departure from the usual pace and manner in which rules amendment has occurred. Although the Committee did not initiate the CDR, a member of the Committee was a member of the Drafting Group. Once the CDR was released in July of 2007, the Committee became actively engaged in reviewing the CDR to provide feedback on the CDR. This process will be ongoing in 2008.

IV. Amendments passed in 2007

Some of the more significant rule amendments passed in 2007 are described below:

- Rule 26 was amended to requiring that an insurance policy under which an insurer may be liable to satisfy all or part of a judgment obtained in an action be included in the list of documents.
- Rule 27 was amended to add several subrules requiring that unless the court otherwise orders or the parties agree, a party being examined for discovery must answer questions relation to the availability of insurance to satisfy all or part of a judgment obtained in the action.
- Rule 33A was added to provide for a procedure to govern stated cases.
- Rule 66 was amended to increase the ceiling on costs provided for in 66(29(a) and 66(29) (b).
- Rule 67, the Fax Filing Pilot Project rule, was extended for a further year.
- Rule 68 was amended to extend its application province wide, and clarify certain aspects of the provisions relating to witness statements.
- Rule 69, the Electronic Filing rule became a permanent rule.

The Committee welcomes comments from the Court, members of the bar and the public related to its work. We also appreciate receiving copies of judgments that identify any ambiguities or anomalies in the Rules. Please forward your comments to Mr. Justice Macaulay, Chair, Rules Revision Committee, The Law Courts, 850 Burdett Avenue, Victoria, B.C. V8W 1B4.

APPENDIX A – COURT INFORMATION

The charts, graphs and tables in this Appendix provide statistical information on filings in the Supreme Court for new proceedings, trials and long chambers applications.

New Filings in B.C. Supreme Court from 1998-2007

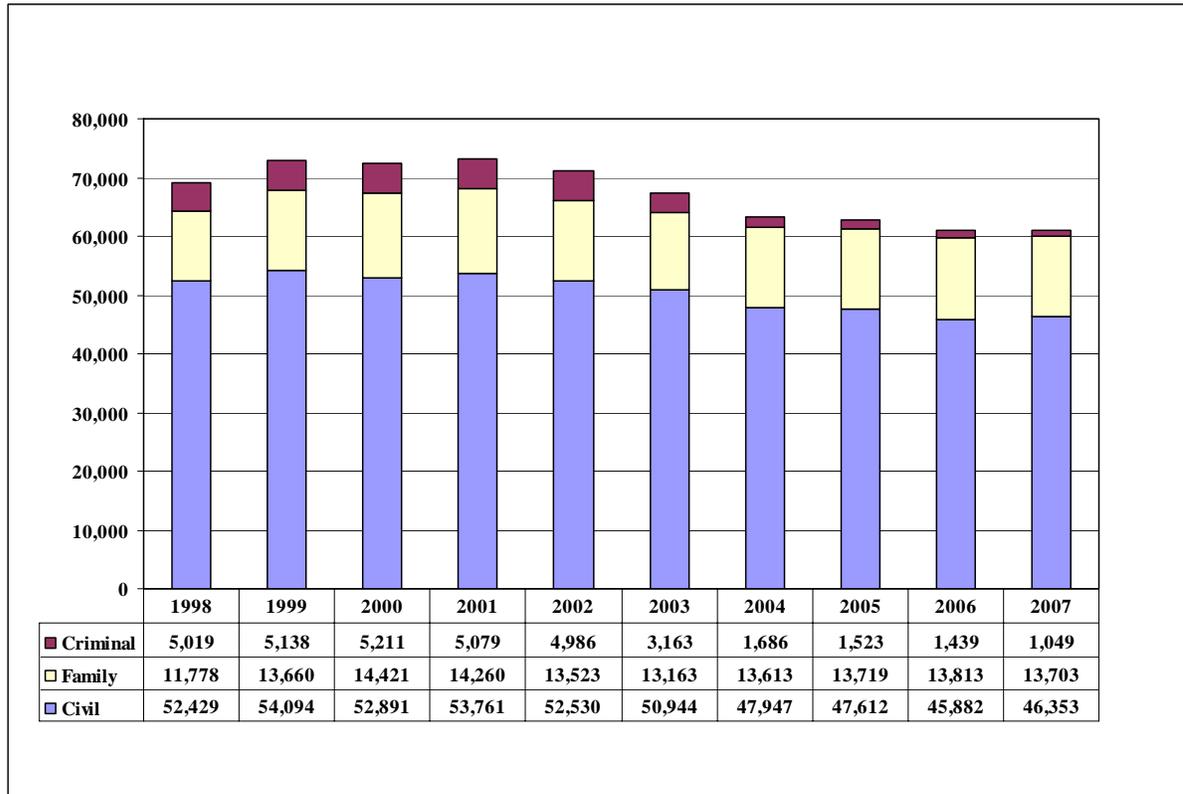


Figure 1

The “civil” category includes all general civil cases such as motor vehicle, bodily injury, debt collection, breach of contract, foreclosures, adoptions, bankruptcies, and *Business Corporations Act* matters. Prior to September 1, 1998, *Family Relations Act* proceedings were included in the “civil” category and *Divorce Act* proceedings were included in the “Family” category. After September 1, 1998, *Divorce Act* and *Family Relations Act* proceedings are included in the “family” category.

With respect to “criminal” filings it should be noted that amendments to the *Offence Act* which took effect on July 1, 2003 resulted in applications to extend the time for filing an appeal of deemed convictions for traffic and by-law offences being removed from the Supreme Court. This accounts in large part for the decline in the total number of criminal filings beginning in 2003.

New Filings by Category in B.C. Supreme Court in 2007

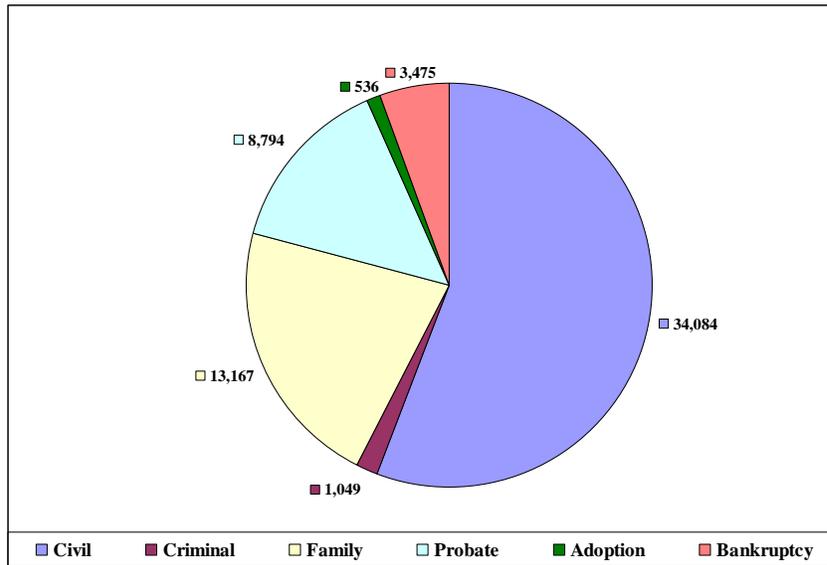


Figure 2

Figure 2 provides greater detail regarding the categories of new filings received by the Supreme Court in 2007. The “family” category includes *Divorce Act* and *Family Relations Act* proceedings.

Trials and Long Chambers Scheduled in Vancouver from 1998-2007

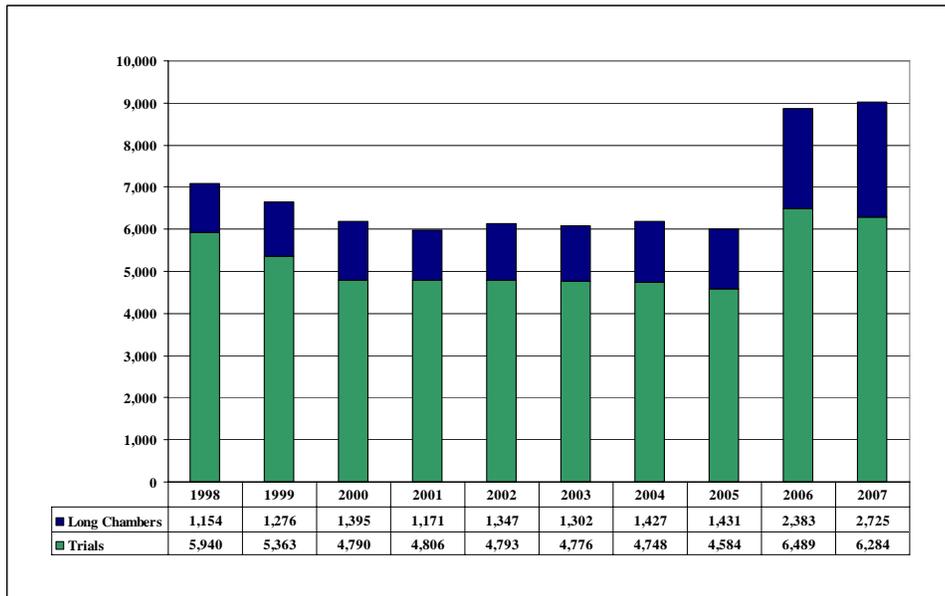


Figure 3

Figure 3 shows the number of civil (including family) trials and long chambers applications (applications with time estimates in excess of 2 hours) scheduled in Vancouver from 1998 to 2007.

Trials Heard and Bumped in BC from 2005 to 2007

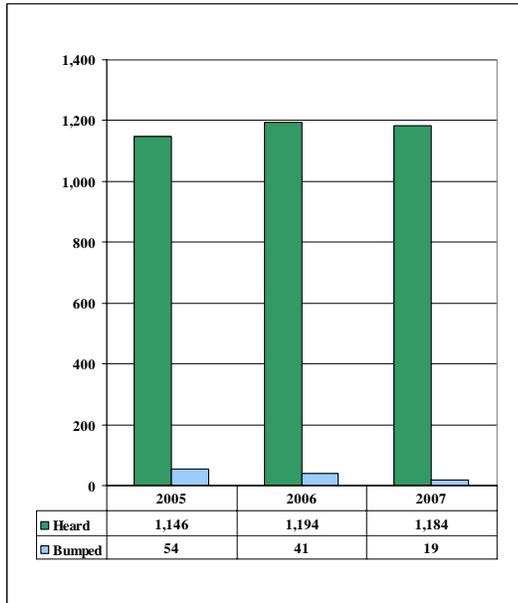


Figure 4 shows the number of civil (including family) and criminal trials heard and bumped in BC from 2005 to 2007.

Figure 4

Trials Heard and Bumped in Vancouver from 1998 to 2007

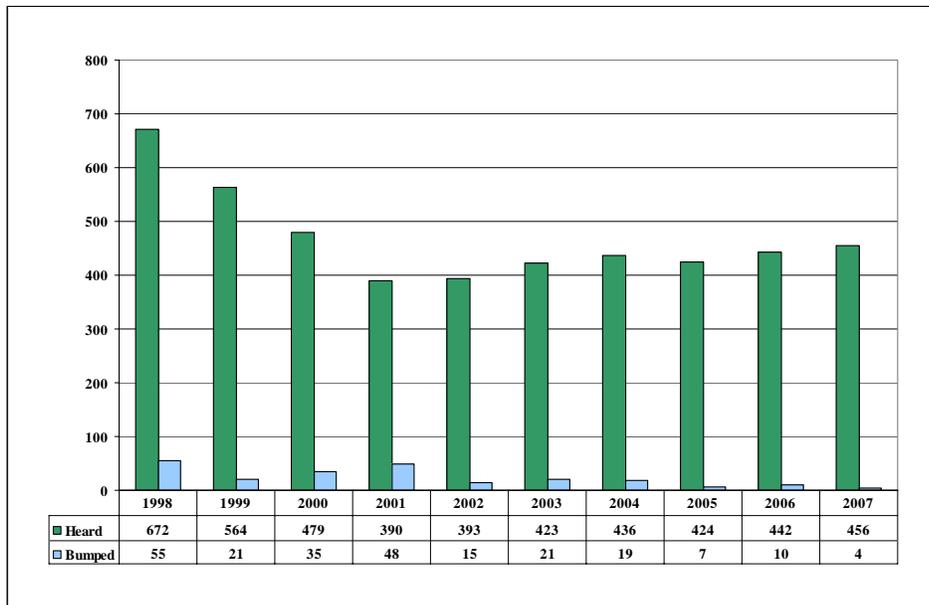


Figure 5

Figure 5 shows the number of civil (including family) and criminal trials heard and bumped in Vancouver from 1998 to 2007.

Long Chambers Application Heard and Bumped in BC from 2005-2007

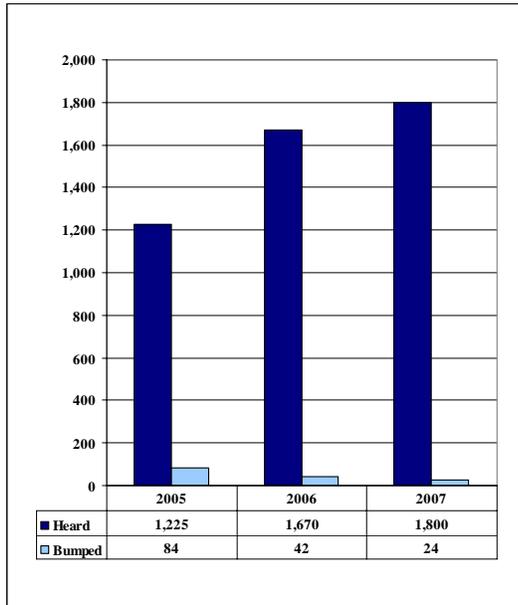


Figure 6 shows the number of civil (including family) long chambers applications heard and bumped in BC from 2005 to 2007.

Figure 6

Long Chambers Application Heard and Bumped in Vancouver from 1998-2007

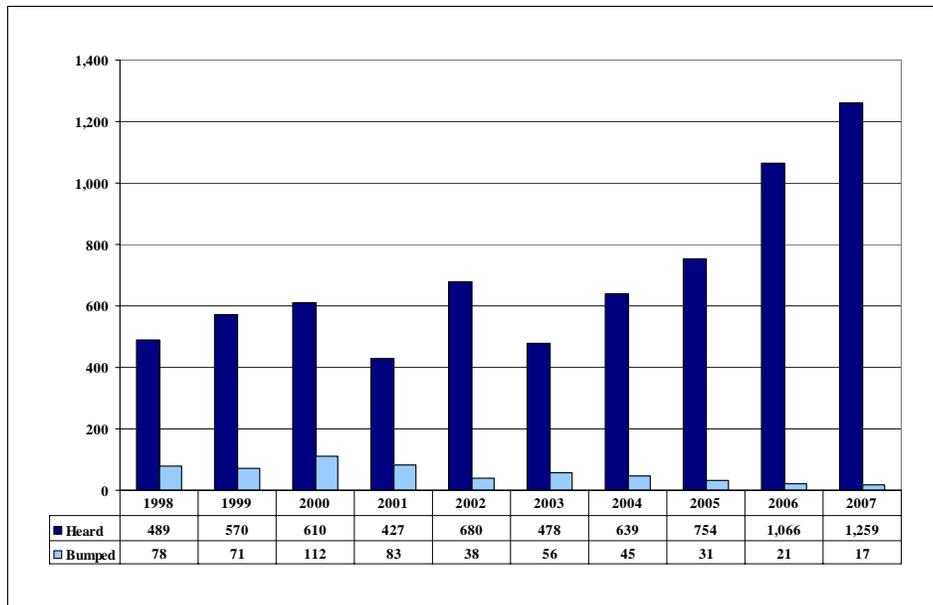


Figure 7

Figure 7 shows the number of civil (including family) long chambers applications heard and bumped in Vancouver from 1998 to 2007.

Trials Heard By Location in 2007

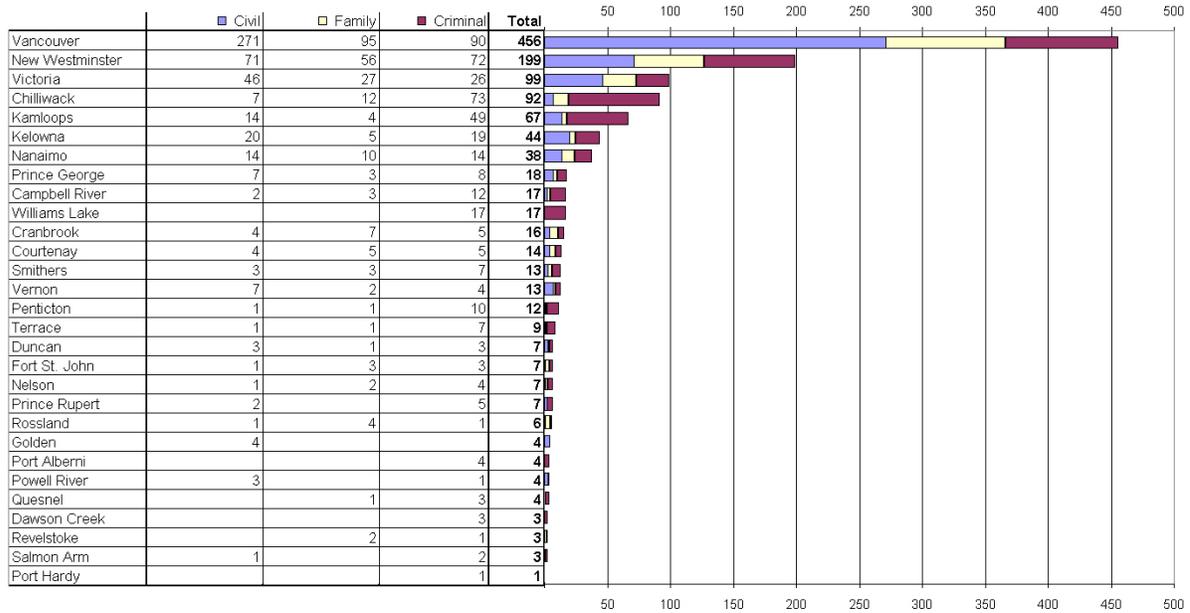


Figure 8

Figure 8 shows the number of civil, family, and criminal trials heard by location (in descending order) in 2007.

Trials Heard By Location in 2007

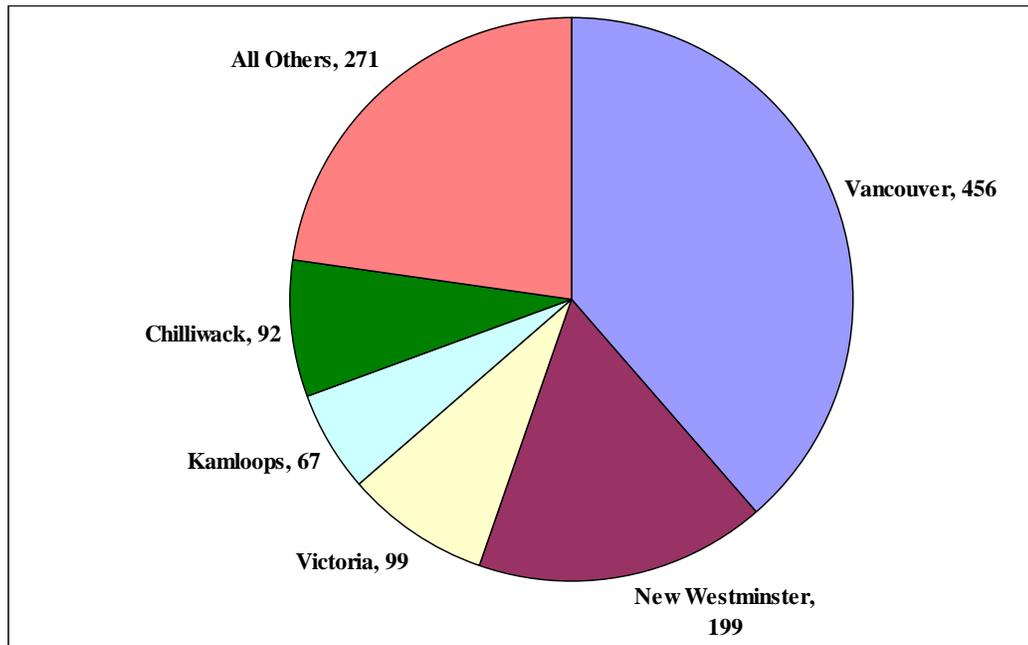


Figure 9

Figure 9 is an alternate representation of the data in Figure 8.

Trials Heard and Bumped by Location in 2007

	Heard 2007				Bumped 2007			
	Civil	Family	Criminal	Total	Civil	Family	Criminal	Total
Vancouver	271	95	90	456	2	2		4
New Westminster	71	56	72	199	4	1		5
Victoria	46	27	26	99		1		1
Chilliwack	7	12	73	92		1		1
Kamloops	14	4	49	67				
Kelowna	20	5	19	44	4			4
Nanaimo	14	10	14	38				
Prince George	7	3	8	18				
Campbell River	2	3	12	17				
Williams Lake			17	17				
Cranbrook	4	7	5	16	1	1		2
Courtenay	4	5	5	14				
Smithers	3	3	7	13				
Vernon	7	2	4	13				
Penticton	1	1	10	12				
Terrace	1	1	7	9				
Duncan	3	1	3	7				
Fort St. John	1	3	3	7	1			1
Nelson	1	2	4	7				
Prince Rupert	2		5	7				
Rosland	1	4	1	6				
Golden	4			4	1			1
Port Alberni			4	4				
Powell River	3		1	4				
Quesnel		1	3	4				
Dawson Creek			3	3				
Revelstoke		2	1	3				
Salmon Arm	1		2	3				
Port Hardy			1	1				
TOTAL	488	247	449	1184	13	6	0	19

Figure 10

Figure 10 shows the number of civil, family, and criminal trials conducted in each location and the number of scheduled trials which were bumped. A trial is classified as being bumped if it is not commenced or rescheduled within one week of the originally scheduled hearing date.