



## Provincial Court of British Columbia

---

The terms you read and hear in a courthouse can be unfamiliar and confusing. This page explains some legal words and acronyms commonly used in court and on court lists.

**The following websites also provide helpful explanations of many commonly used legal and court terms.**

[Criminal law glossary \(Government of BC\)](#)

[Family law glossary \(Government of BC\)](#)

[Legal Dictionary \(Justice Education Society\)](#)

[Plain language definitions of common legal words \(Clicklaw\)](#)

[Understanding criminal court lists and acronyms \(Government of BC, Download JUSTIN code table\)](#)

### **A**

Absolute discharge

When a person is found guilty or pleads guilty but the judge decides it is not necessary to convict them. The person then has no criminal record. See *Criminal Code* section 730.

Accusation

A claim that a person has committed a crime.

Acquittal

When, at the end of a trial, the judge finds the accused not guilty of committing the crime.

Affidavit

A document setting out facts that you swear under oath or affirm to be true. In some cases a lawyer, notary public or commissioner of oaths must witness your signature and sign your affidavit.

Affirm

When a witness promises to tell the truth in court without referring to religious belief. An affirmation has the same effect as a sworn oath.

#### Affirmation

A solemn promise to tell the truth without reference to religious belief. It has the same effect as a sworn oath.

#### Age of consent

The age at which someone can legally consent to sexual activity. The age of consent in Canada is 16, except for young people who are close in age or married.

#### AHR

Arraignment hearing. At this hearing, the criminal charge against the defendant is formally read to them. The accused person states whether they will plead guilty or not guilty, and in some cases, whether they request a preliminary hearing.

#### Allegation

An accusation of wrongdoing against someone that is not yet proven to be true.

#### Allege

To say something that has not yet been proven to be true.

#### Alternate dispute resolution

A process where a neutral person helps people reach agreement (also called "ADR").

#### Alternative measure

Instead of going to court, the police or Crown prosecutor might give someone charged with a less serious crime an opportunity to accept responsibility by making amends to the victim and the community. For example, they might apologise and/or pay compensation for damage.

#### Amicus

Short for Amicus Curiae – Latin for “friend of the Court” – refers to a lawyer who participates in a court proceeding as an impartial advisor, not as a party’s lawyer.

#### APP

Application. Applications are specific documents submitted by either party in a court case. They ask the court to make a decision on a matter.

#### Appearance notice

An official notice telling an accused person they must appear in court at a specific time and place to respond to a criminal charge.

## Arraignment

A hearing where the criminal charge against the defendant is formally read to them. The accused person states whether they will plead guilty or not guilty and in some cases, whether they request a preliminary hearing. What happens at an arraignment hearing depends on the type of criminal offence the defendant is charged with.

## Arrears

Payments that are required by an agreement or a court order but not paid. Often used in family court to describe payments not made for child or spousal support. Also used in small claims court for payments required by a payment order that are not made.

## Articled student

A law school graduate working under the supervision of a lawyer.

# B

## Bail

An order made by a judicial justice or a judge releasing an accused person from jail until their trial and requiring them to obey certain conditions (rules) and return to court on a specific date. The legal term for bail is “judicial interim release”.

## BCFMA

British Columbia Family Maintenance Agency is responsible for monitoring and enforcing all support orders and agreements that are filed with the program. Formerly called Family Maintenance Enforcement Program (FMEP).

## BCPC

British Columbia Provincial Court

## BCSC

British Columbia Supreme Court

## Best interests of the child

The best interests of the child is a legal test in family law used to decide what would best protect the child’s physical, psychological, and emotional safety, security, and well-being. See section 37 of the *BC Family Law Act*.

## Beyond a reasonable doubt

An expression used in law to mean the judge or jury deciding the case is very sure that the accused is guilty. In a criminal case, Crown counsel must prove the charges beyond a reasonable doubt.

## C

### Canadian constitution

The supreme law of the country, defining how government is organized, how it will function and setting out individuals' fundamental rights and freedoms. The Constitution of Canada includes the *Constitution Act, 1867*, and the *Constitution Act, 1982*.

### Case management order

An administrative or procedural order to help a case proceed fairly and efficiently.

### Cause of action

The legal basis on which a civil claim is brought.

### CCO

Continuing custody order is an order under the *Child, Family and Community Services Act (CFCSA)* making the Director of Child Protection the guardian of a child.

### CDSA

*Controlled Drugs and Substances Act* is the federal law dealing with drug offences.

### CFCSA

*Child, Family and Community Services Act* is the Provincial law addressing child protection matters in BC.

### Child protection

The area of law dealing with the safety and well-being of children and governed by BC's *Child, Family and Community Service Act* or Indigenous child protection laws.

### Child support

The money one parent pays to another parent to help support the children if the parents do not live together.

### Child support agreement

An agreement that specifies how much child support a parent must pay. It may be a separate agreement or may form part of an agreement dealing with other issues.

### Child Support Guidelines

The *Federal Child Support Guidelines* are the rules used in BC for calculating the amount of child support one parent must pay to the other parent to help support their children.

### Child Support Officer

A government employee who provides information and helps parents and guardians to obtain or change child support agreements and orders.

#### Child support order

A court order that specifies how much child support a parent must pay. It may be a separate order or may form part of an order dealing with other issues.

#### Claimant

The person (or company, society etc.) who begins a lawsuit in a small claims case. The claimant files a *Notice of Claim* form asking for a court order.

#### CLC

#### Consult legal counsel

#### Common-law relationship

Not a legal term, but often used to describe unmarried couples who live together in a marriage-like relationship for some time. See section 3 of the *Family Law Act*.

#### Community sentence

A sentence other than imprisonment. One where the offender lives in the community and is bound by the rules of a probation order or conditional sentence.

#### Companion animal

An animal that is kept primarily for companionship. It is usually a family pet. Although the BC Provincial Court cannot make orders about other types of family property, it can deal with possession and ownership of companion animals.

#### Conditional discharge

When a person is found guilty or pleads guilty but the judge decides it is not necessary to convict them if they obey the rules (conditions) of a probation order. If they obey all the rules, at the end of their probation they will not have a criminal record. See *Criminal Code* section 730.

#### Conditional sentence

A jail sentence served in the community. The offender does not live in jail but is supervised by BC Community Corrections. They must follow certain rules (conditions).

#### Conduct order

An order a judge can make to help prevent disputes or resolve underlying problems in a family law matter.

#### Consensual dispute resolution

A process where someone helps people reach agreement (also called “CDR”). It includes mediation, facilitated negotiation, or the collaborative law process. Separated parents, for example, can use CDR to reach their own agreement instead of having a judge decide for them.

#### Consent arraignment

Making a plea of guilty or not guilty using a *Consent Arraignment* form instead of appearing before a judge. This form may also be used for elections, setting dates for hearings in certain circumstances (see CPD 1 CCFM Practice Direction and CRIM 08).

#### Consent order

A court order made by a judge when the parties agree on what the order should say. Parties may be able to file some consent orders in the court registry and have them signed by a judge without appearing in court.

#### Contempt of court

Serious disrespect for a court or a court order. Being in contempt of court is an offence that can result in a fine or jail sentence.

#### Continuing custody hearing

A hearing to decide whether a child should remain in the custody of the Director after a temporary custody order expires. See section 49 of the *Child, Family and Community Service Act*.

#### Convicted

An accused person is convicted when they plead guilty or are found guilty and the judge does not grant them a discharge.

#### Correctional centre

Jail or penitentiary. A provincial correctional centre (jail) is for offenders whose sentences are for less than two years. A federal correctional centre (penitentiary) is for offenders whose sentences are for two years or more.

#### Court clerk

A Court Services Branch employee who helps the judge inside the court room. Some of their responsibilities include recording the court proceedings, marking and recording the list of exhibits and swearing in witnesses.

#### Court Services justice of the peace

Justices of the peace are employed by the Court Services Branch of the Ministry of the Attorney General (Government of BC). They work in court registries in positions such as court manager and court clerk. Their powers are delegated by the Chief Judge.

## CPIC

Canadian Police Information Centre.

## CPIC record

A list of criminal convictions matching a name and birthdate, provided by the Canadian Police Information Centre.

## Creditor

A person to whom money is owed.

## Criminal charge

The specific criminal offence a person is accused of committing. If a person is charged, it means that charges have been laid against them.

## Criminal Code

*Criminal Code of Canada (CCC)* is the federal law that applies across Canada and sets out criminal offences, sentences and how a criminal case proceeds. A judge must follow the law in the *Criminal Code*.

## Criminal offence

An act that breaks a law that relates to how to behave in society. The harm caused by the act is seen to be against society as a whole, not just a specific person. Sometimes it refers to the specific law that was broken.

## Criminal record

A list of a person's convictions for criminal offences and the sentences they received. Criminal records are kept in central computer systems most police agencies across Canada can access.

## Cross examination

When a lawyer or person without a lawyer questions a witness presented by another party. The party presenting the witness questions them first.

## Crown counsel

Independent lawyers with the federal or provincial prosecution service. Crown counsel do not represent the government, police or victim of crime. Rather, they perform their function on behalf of the public. Crown counsel may also be referred to as Crown, Crown prosecutors or prosecutors.

## CRT

Civil Resolution Tribunal is an online dispute resolution tribunal that is separate from the Court. The tribunal deals with civil claims up to \$5,000 and some other claims.

## CSO

In the criminal context, CSO means conditional sentence order. CSO also refers to Court Services Online which is an electronic service of the Ministry of Attorney General which provides online access to some court record information from the Provincial Court and Supreme Court. It also allows e-filing of some documents.

## Custodial sentence

A jail sentence in which an offender is kept in custody.

## D

### DC

Defense counsel

### Debtor

A person who owes money.

### Defence counsel

The lawyer(s) representing an accused person (a person charged with committing a crime).

### Defendant

In small claims court, the defendant is the party being sued and who files a *Reply* to a claim. In criminal court, it is the person charged with an offence.

### Direct examination

When the person who called a witness to testify (or their lawyer) questions that witness.

### Director of Child Protection

The person designated under the *Child, Family and Community Services Act (CFCSA)* with child protection powers and duties that are delegated to social workers. The name may differ under Indigenous child protection laws.

### Director of Maintenance Enforcement

The person designated under the *Family Maintenance Enforcement Act (FMEA)* with duties and powers to enforce orders for child and spousal support. Also see BCFMA.

### Discharge

When a person is found guilty or pleads guilty, but the judge decides that a conviction and criminal record are not necessary. A discharge may be absolute (with no conditions) or conditional (with rules imposed in a probation order).



## Disclosure

Making the Crown's case known to the accused person and their lawyer by providing information about the evidence. The prosecutor must disclose, or share, with the accused all relevant information gathered in the investigation so the accused can fully defend themselves against the charge.

## Dismiss

To reject something in court. For example, to dismiss an application or a criminal charge.

## Dispo court

An abbreviation for disposition court. This is where criminal charges are ended by a judge imposing a sentence or the Crown entering a stay of proceedings or withdrawing a charge.

## Dispute resolution

A term often used to refer to mediation and other ways of resolving disputes by agreement.

## Divorce Act

A federal law. *Divorce Act* matters can only be addressed in BC Supreme Court, not in BC Provincial Court.

## DOMÉ

## Director of Maintenance Enforcement

## Duty counsel

A lawyer paid by Legal Aid BC who can provide free legal advice and representation at a first court appearance and at a bail hearing, but not usually at trial.

# E

## Exhibits

Objects or documents formally presented as evidence in a hearing or trial, accepted by the judge or judicial justice, and given an "Exhibit number" that can be used to refer to it.

## Extrajudicial measures

Options for dealing with a youth accused of committing a crime, instead of going to court. See the *Youth Criminal Justice Act*, Part 1.

## Extrajudicial Sanctions

Formal measures used for dealing with a youth accused of committing a crime instead of going to court. More formal than extrajudicial measures. See the *Youth Criminal Justice Act*, Section

10.

## **F**

### **Failure to appear**

When an accused person does not attend a scheduled court appearance. Failing to appear in court is a criminal offence.

### **Family court**

The division of the BC Provincial Court that grants court orders for guardianship, parenting arrangements, contact, child support, spousal support and protection under the *Family Law Act*. Child protection cases are also dealt with in family court.

### **Family dispute resolution**

A process spouses can use to help them resolve a family law dispute out of court. It includes mediation, collaborative law and parenting coordination.

### **Family Justice Centres**

Family Justice Centres operate across the province. They are staffed by family justice counsellors who provide free assistance with issues related to separation or divorce.

### **Family justice counsellor**

A government employee who works out of a Family Justice Centre or Justice Access Centre in BC. Family justice counsellors are accredited family mediators. They are trained to help families with matters like parenting arrangements and support issues.

### **Family Law Act**

The main provincial law that deals with family law issues in BC.

### **Family law matter**

Family law matters are: parenting arrangements (parenting time and parental responsibilities); child support; contact with a child; guardianship of a child; spousal support; and, possession and ownership of a companion animal.

### **Family Maintenance Enforcement Act**

A provincial law that deals with the enforcement of maintenance orders and arrears orders.

### **Family Maintenance Enforcement Program**

See BC Family Maintenance Agency.

### **Family management conference**

If you filed an application or replied to an application in BC Provincial Court asking for an order under the *Family Law Act*, your first appearance in court will be at a family management conference.

## Family Relations Act

This law no longer applies. It has been replaced by the *Family Law Act* which is now the main provincial law that deals with family law issues in BC.

## Family violence

Family violence includes physical, sexual, and psychological or emotional abuse of a family member. Family violence does not include self-defence. See the definition in section 1 of the *Family Law Act*.

## FDA

See Fix date appearance

## FDC

Family duty counsel. Also see Duty counsel

## Federal Child Support Guidelines

Guidelines used to calculate child support in divorce and family law cases. Includes tables of support amounts for each province.

## First appearance

In criminal court, the first time an accused person must appear in court.

## Fix date appearance

A court appearance at which a date for another court appearance (such as a trial or hearing) is set.

## FJC

Family justice counsellor or family justice centre

## FLA

See *Family Law Act*

## FMC

Family management conference

## FMEA

See *Family Maintenance Enforcement Act*

FMEP

Family Maintenance Enforcement Program. Renamed to BC Family Maintenance Agency. See BC Family Maintenance Agency

Forensic evidence

Evidence collected through scientific methods, including fingerprint analysis and DNA tests in criminal cases.

FSC

Family settlement conference

FTA

See Failure to appear

FXD

See Fix date appearance

## **G**

GP

Guilty plea

Guardian

A guardian is responsible for their child's care and upbringing. A parent is generally a guardian of their child, unless they have never lived with the child.

Guardianship

Legal responsibility for a child's care and upbringing.

Guilty

When a person admits (pleads guilty) or is found by the judge or judicial justice (found guilty) to have committed the crimes they are charged with.

## **H**

Hybrid

Involving a choice. In criminal law, the Crown may choose whether to prosecute a hybrid

offence as summary or indictable.

In BC Provincial Court hybrid appearances are those where participants and the judge may appear in person or remotely.

## I

IAR

See Initial Appearance Room

in camera

A Latin term that indicates a hearing or portion of a hearing that restricts the public or press from taking part.

Indictable offences

More serious offences (for example, break and enter, aggravated sexual assault and murder). A person charged with some indictable offences may choose to be tried in Provincial Court or by a BC Supreme Court judge or jury, possibly after having a preliminary hearing.

Initial appearance

Sometimes called a first appearance. When an accused person attends court and a judicial case manager, justice of the peace, or judge tells them what offence or offences they are charged with.

Initial Appearance Room

The courtroom where people who are not in custody make their first appearance on a criminal charge.

ISO

The *Interjurisdictional Support Orders Act* is the provincial law setting out the process for getting or changing support orders when one person lives in BC and the other does not.

## J

JAC

Justice Access Centre

JCM

Judicial case manager

## JIR

See Judicial interim release

## JP

Justice of the peace

Judicial case manager

A judicial officer whose responsibilities include scheduling court matters. They may also hear initial appearances in criminal matters.

Judicial interim release

Release from custody of a person charged with a crime while they are waiting for their trial or appeal. The release order may require the defendant to obey certain conditions (rules) and return to court on a specific date. The legal term for “bail”.

Judicial stay of proceedings

When a judge stops the criminal court process before the end of the trial. This happens very rarely.

Justice Access Centre

Justice Access Centres provide free assistance for family law and some Supreme Court BC civil issues. They are available in Abbotsford, Nanaimo, Surrey, Vancouver and Victoria, as well as virtually.

Justice of the peace

Justices of the peace are employed by the Court Services Branch of the Ministry of the Attorney General (Government of BC). They work in court registries in positions such as court manager and court clerk.

## JUSTIN

A computer program providing criminal case tracking and court administration records. The term "JUSTIN record" usually refers to a record of criminal convictions based on data from JUSTIN.

## L

Legal aid

Free legal information, advice and representation for people who cannot afford a lawyer and who qualify for the services. Provided by Legal Aid BC.

## **M**

### **Mistrial**

When a trial ends without a final judgment because there has been a fundamental problem with the process or when a jury in BC Supreme Court cannot reach a decision.

### **MVA**

Motor vehicle accident

## **N**

### **Needs Assessment**

A needs assessment is a meeting with a family justice counsellor to help identify both legal and non-legal needs related to a family law issue.

### **NOC**

See Notice of Claim

### **Non-custodial sentence**

A sentence served by an offender somewhere other than at correctional facility. For example, an offender may be given probation and serve their time in the community with supervision.

### **Non-disclosure**

Failing to make information known (not allowing the information to be seen or heard).

### **Not guilty**

An accused person makes a “not guilty” plea at an arraignment hearing when they do not admit committing the offence. In a trial, when the prosecutor cannot prove beyond a reasonable doubt that a person committed an offence, the judge or judicial justice must find them “not guilty”.

### **Notice of Claim**

The form used to begin a case in small claims court. It explains who the claimant is, who they are suing, what happened, and what they are asking for.

## **O**

### **Oath**

A solemn promise to tell the truth sworn on a holy book or symbol.

## Opinion evidence

Evidence of the opinions or beliefs of a witness, rather than facts. A witness who is not an expert may usually only testify about facts, not opinions. An expert may give their opinion about matters outside people's ordinary knowledge and experience.

## **P**

### Pardon

A decision to keep a criminal record separate from other criminal records. A pardon does not erase a convicted offence but rather removes it from the Canadian Police Information Centre database unless revoked. Pardons have been replaced by record suspensions.

### Parental responsibilities

Responsibilities guardians have when raising a child, including: daily decisions when caring for the child; decisions about education, religion and medical treatment; receiving information about the child from others; and protecting the child's legal and financial interests. Parental responsibilities can be shared or divided between guardians by agreement or court order.

### Parenting arrangements

The arrangements about how guardians will parent their child together. Parenting arrangements include how parental responsibilities and parenting time are shared.

### Parenting assessment

A report prepared by a family justice counsellor, social worker or other person authorized by a judge to help determine what living situation will best meet the children's needs.

### Parenting coordinator

A specially-trained person who can help parents implement a child-related agreement or order. A parenting coordinator may become involved through agreement or by court order.

### Parenting orders

Orders made about how you and the other parent will continue to parent your children after you separate. The orders describe parenting responsibilities and parenting time.

### Parenting time

The time a child spends with a guardian. During parenting time, a guardian makes day-to-day decisions about, and is responsible for, the care and supervision of the child.

### Parole

Gradual, controlled release of an offender by a Parole Board to help offenders re-integrate into society. Usually, the offender must follow certain rules (conditions) while on parole. Decisions



about parole are not made by judges.

#### Parole Board

A federal tribunal responsible for making decisions about parole and record suspensions.

#### Payor

The person paying child and/or spousal support.

#### Peace Bond

An order made by a judge under s. 810 of the *Criminal Code* to help protect one person from another. A peace bond lists certain rules (conditions) that must be followed by the person the peace bond has been issued against. It may say that person must have no contact or limited contact with another person.

#### Penitentiary

Usually refers to a federal correctional centre where offenders with sentences of two years or more are held.

#### Perjury

Lying after you have sworn or affirmed to tell the truth.

#### Picklist

A numbered list containing standard wording for common court orders.

#### Plea

The statement an accused person makes in court when asked if they are guilty or not guilty of committing a crime.

#### PNI

See Proceed on new information

#### PO

See Protection order

#### PPSC

See Public Prosecution Service of Canada

#### Pre-sentence report

A written report prepared by a probation officer to help the judge when deciding on a sentence.

## Pre-trial conference

A meeting where the parties discuss with a judge what is needed to be ready for trial.

## Preliminary hearing

A hearing before a criminal trial where the judge decides if there is enough evidence to have a trial. Held only in cases involving indictable (serious) offences, when the prosecutor or accused person requests it.

## Presentation hearing

A short hearing held within seven days of a child being removed from their parent to decide whether the child should be returned to the parent or remain temporarily in the custody of the Director. See section 35 of the *Child, Family and Community Service Act*.

## Priority parenting matters

Removal or relocation of a child and certain actions by guardians that require a court order urgently. See the definition in section 2 of the *Provincial Court Family Rules*. *The Rules* shorten time limits for these matters to permit quick hearings.

## Probation

Being supervised in the community and following certain rules (conditions) as part of a sentence.

## Probation officer

A person who provides supervision, services and support to help offenders address the underlying causes of their criminal behaviour and avoid re-offending.

## Probation Order

An order made by a judge requiring an offender to follow certain rules (conditions) for a set period of time while they are serving all or part of their sentence in the community.

## Proceed on new information

When Crown counsel stays an information and lays a new one to replace it.

## Prolific offender

An offender with a long criminal record.

## Promise to appear

A document an accused signs when they are released from police custody, promising to appear in court on a specific date.

## Prosecute

To start or carry out legal proceedings against an accused person who has been charged with committing a criminal offence.

#### Protection hearing

A hearing to decide whether a child needs protection and whose custody the child should be in for a specified period. See section 40 of the *Child, Family and Community Service Act*.

#### Protection order

In *Family Law Act* cases: An order made by a judge under the *Family Law Act* to protect one family member from another where there is a risk of family violence. In criminal court: An order made by a judge under s. 810 of the *Criminal Code* to limit or prohibit contact or communications between people where there is a safety risk. Legally called a “810 recognizance”, also called a “peace bond” or a “no contact order”.

#### Protection order registry

A computer database of civil and criminal protection orders issued by BC courts or the police.

#### PSR

See Pre-sentence report

#### PTA

Promise to appear in court

#### PTC

See Pre-trial conference

#### Public Prosecution Service of Canada

The federal government branch responsible for prosecuting drug and other federal offences.

## **R**

#### RCC

See Report to Crown counsel

#### Re-integration

To become part of something again. In the case of an offender re-integrating into society, it means the offender returns to the community.

#### Recognizance

Recognizance refers to a promise, made by an accused who is pending trial, to appear in court

and answer to the criminal charges that have been brought against them.

#### Record suspension

A decision to keep a criminal record separate from other criminal records. A record suspension does not erase a convicted offence but rather removes it from the Canadian Police Information Centre database unless revoked.

Record suspension have replaced pardons.

#### Remanded

“Remanded in custody” means being held in custody until the next court date. “Remand” can also mean to postpone (adjourn) a criminal case to another date.

#### Remove a child

A social worker may remove a child from their parents’ home if they have reasonable grounds to believe that the child needs protection and that the child’s health or safety is in immediate danger, or that no other less disruptive measure that is available is adequate to protect the child. See section 30 of the *Child, Family and Community Service Act*.

#### Report to Crown counsel (RCC)

A document prepared by an investigative agency such as the police describing the circumstances of an alleged criminal or regulatory offence.

#### Residential Tenancy Branch

The branch of the BC Government that provides information and dispute resolution services for residential tenancies.

#### Restitution

Money a judge orders an offender to pay to a victim for financial losses the victim suffered because of the offender’s crime. This might cover, for example, lost wages or damaged property.

#### Restorative justice

A response to crime involving the offender dealing directly with the victim and representatives of the community to come up with ways to repair the harm caused by the crime and make amends.

#### RTB

See Residential Tenancy Branch

## **S**

### Section 530 rights

An accused person's right under section 530 of the Criminal Code to apply to have a trial or preliminary inquiry in English, French or, if the circumstances warrant, both English and French. May be abbreviated to "s. 530 rights".

### Section 7 expenses

An amount of child support added to the basic guidelines table amount to pay for certain kinds of special or extraordinary expenses specified in the Federal Child Support Guidelines such as dental expenses. May be abbreviated to "s. 7 expenses".

### Self-represented litigant

A party to a court case who does not have a lawyer speaking for them in court. Sometimes called an "SRL" or unrepresented party.

### Sentence

A court order setting out the consequences of being convicted of a crime. Sentences may include fines, community supervision or jail.

### Sentencing circles

A sentencing hearing incorporating a traditional Indigenous method of dealing with members of the community who have broken the law. The circle is made up of the accused person, victim, families, Elders, other interested community members, the judge, Crown and defence lawyers and sometimes police. The circle aims to reach a consensus about a sentence to recommend to the judge.

### Sentencing hearing

A court hearing where a judge hears submissions from prosecution and defence lawyers about how the offender should be sentenced.

### Separation agreement

A written document that sets out how spouses have agreed to deal with things like parenting, support, and property after they separate.

### Simplified trial

A one-hour streamlined small claims trial conducted by a justice of the peace adjudicator at the Robson or Richmond courthouses.

### SOP

See Stay of proceedings

SPC

See Summary Proceedings Court

Special or extraordinary expenses

An amount of child support added to the basic guidelines table amount to pay for certain kinds of special or extraordinary expenses specified in the *Federal Child Support Guidelines* such as dental expenses. May be abbreviated to "s. 7 expenses".

Spousal support

Financial support paid to a former spouse under an agreement or court order. It used to be called maintenance and is sometimes called "alimony" outside BC.

Statutory release

Automatic release into the community for the last third of a federal (two years or more) sentence, required by law. Offenders on statutory release are supervised during the remainder of their sentence and may have to follow certain rules (conditions).

Stay of proceedings

A decision by Crown counsel not to proceed with charges. The prosecution may be re-started within certain timelines. Also see Judicial stay of proceedings.

Subpoena

A document issued by the Court ordering a person to come to court to be a witness. It may also require them to bring evidence with them. (pronounced "sub-peena")

Summary offences

These are less serious offences. The maximum penalty for a summary offence is usually a \$5,000 fine and/or six months in jail, although some summary offences have higher maximum sentences.

Summary Proceedings Court

(SPC) A courtroom in which trials expected to take less than half a day are scheduled.

Surety

Someone who promises to pay money if an accused released on bail does not obey their bail conditions or fails to attend court.

Suspect

A person who is believed to have committed a crime.

Sworn in

A witness who has been sworn in has sworn an oath or made an affirmation to tell the truth.

## **T**

TCO

See temporary custody order

Temporary absences

A temporary leave from prison, granted by prison officials, for things like medical treatment, counselling, or family visits.

Temporary custody order

An order under the *Child, Family and Community Services Act (CFCSA)* making the Director of Child Protection the guardian of a child for a certain period of time.

TFD

To fix a date

## **V**

Verdict

The decision a judge or judicial justice makes about whether an accused person committed the offence they are charged with. In a criminal case, the verdict can either be guilty or not guilty.

Victim impact statement

A written description by a victim of how a crime has affected them. It may include the physical, financial and emotional effects of the crime. The judge must consider it when sentencing the offender.

Voir Dire

A mini-hearing held during a trial to decide a legal issue, often to decide whether evidence can be admitted in the trial. In criminal trials, a *voir dire* may be held to decide whether something a person said to a police officer can be admitted as evidence in their trial.

## **Y**

YCJA

See *Youth Criminal Justice Act*

YO

Young offender. Youth under criminal law that fell under the *Young Offenders Act*, which was replaced by the *Youth Criminal Justice Act*

Youth Criminal Justice Act

The federal law dealing with youth offenders aged 12 to 17.



---

**Source URL:**

<https://main-bvx6a6i-t74dtfugroaqq.ca-1.platformsh.site/navigating-court-case/information-all-types-cases/courtroom-basics/glossary-and-court-jargon>