



THE PROVINCIAL COURT OF BRITISH COLUMBIA

Semi-Annual Time to Trial Report

September 30, 2022

Introduction

On September 14, 2010, the Provincial Court of British Columbia released the report “Justice Delayed: A Report of the Provincial Court of British Columbia Concerning Judicial Resources”. One recommendation of the Report was to issue regular updates to the Attorney General and the public concerning time to trial in each area of the Court’s jurisdiction. The Court now publishes such a report semi-annually.

Time to trial measures the time elapsed from the time the case is ready to be scheduled until the next available date (in months) that a defined event can be routinely scheduled onto a future court list in a particular location.¹

Time to trial does not reflect when cases are actually set, rather it is an estimate of when court time would be available to schedule a particular activity. This estimate is then compared against the standard established by the Court for that particular activity.

Time to trial data is currently collected from 69 court locations. The current update includes the following information as of September 30, 2022:

- Adult Criminal Weighted Provincial Time to Trial;
- Family Law Act (FLA) Weighted Provincial Time to Trial;
- Child, Family and Community Service Act (CFCSA)² Weighted Provincial Time to Trial;
- Civil Small Claims Weighted Provincial Time to Trial;
- Locations with the Longest Time to Trial in each area of the Court’s jurisdiction;
- Time to Trial Results by Location.

¹ Does not include fast tracked events, or dates that become available due to cancellations

² Also known as ‘Child Protection’

Provincial Time to Trial

Overall, provincial weighted times to trial remained steady (0% difference) between September 2021 and September 2022. Top areas that improved:

- Youth Criminal trials (decreased in time to trial by 11%)
- Small Claims Settlement Conference (decreased in time to trial by 8%)

Top categories that saw an increase in Time to Trial:

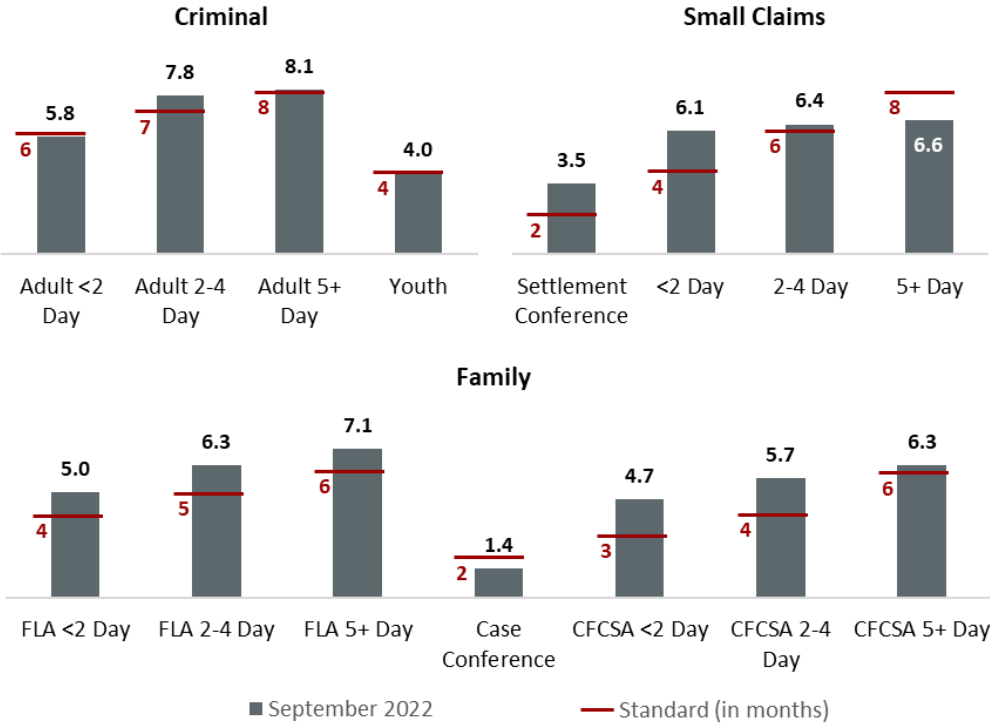
- Medium Small Claims (2-4 days) trials (increased by 14%, from 5.6 months to 6.4 months)
- Long Small Claims (over 5 days) trials (increased by 8%, from 6.1 months to 6.6 months)
- Medium Adult Criminal (2-4 days) trials (increased by 8%, from 7.2 months to 7.8 months)

Overall, results varied from 1.4 months below the Provincial Court standard to 1.7 months over the standard, with most measures being over the standard in September 2022.

Figures 2 to 5 show time elapsed in months from the time the case is ready to be scheduled until the next available date.

Figure 2 shows weighted³ province-wide times to trial, as well as Provincial Court standards in months.

Figure 2 - Provincial Weighted Time to Trial by Jurisdiction and Trial Length



³ All locations in the province were weighted based on fiscal year caseloads. Weighted time to trial is the average time (in months), weighted by caseloads, from the time a request is made to the next available date.

Weighted Results by Jurisdiction

Figures 3 to 5 show weighted province-wide times to trial and Provincial standards in months, by division. These figures also compare the results as of September 2021 and September 2022.

Figure 3 sets out the number of months between an Arraignment Hearing/Fix Date and the first available court date for typical adult/youth criminal trials of various lengths. These results do not take into account the time between a first appearance in Court and the Arraignment Hearing/Fix Date. Medium (2-4 days) and long (over 5 days) adult criminal results have increased, while short adult (under 2 days) trial and youth time to trial results improved compared to September 2021.

Figure 3 - Weighted Provincial Time to Adult/Youth Criminal Trials

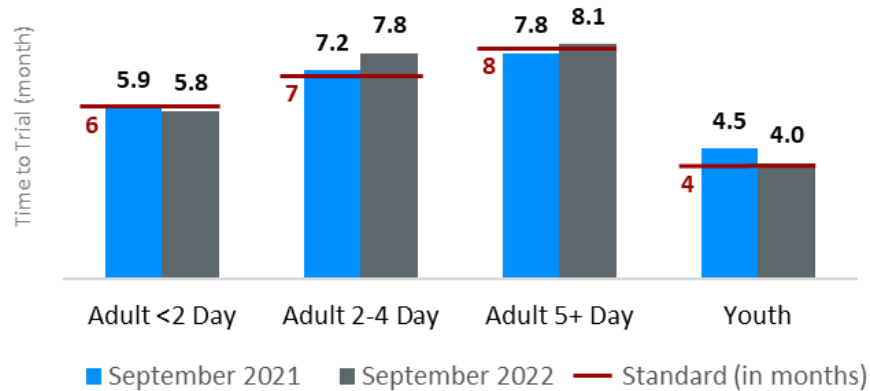
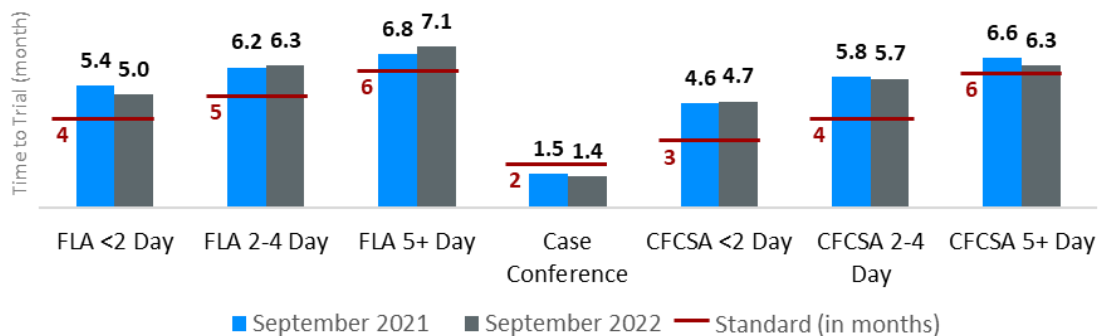


Figure 4 includes two types of proceedings: family case conferences and trials. The time to a family case conference is the number of months between the date a judge directs a conference to be set and the first available date for a family case conference. The time to trial sets out the number of months between a family case conference and the first available court date for typical FLA or CFCSA trials of various lengths. These results do not take into account the time between a first appearance in Court and the family case conference. Since September 2021, just over half of FLA and CFCSA results decreased, except for medium FLA trials (2-4 days), long FLA trials (over 5 days), and short CFCSA trials (under 2 days), which increased slightly.

Figure 4 - Weighted Provincial Time to Family Trials

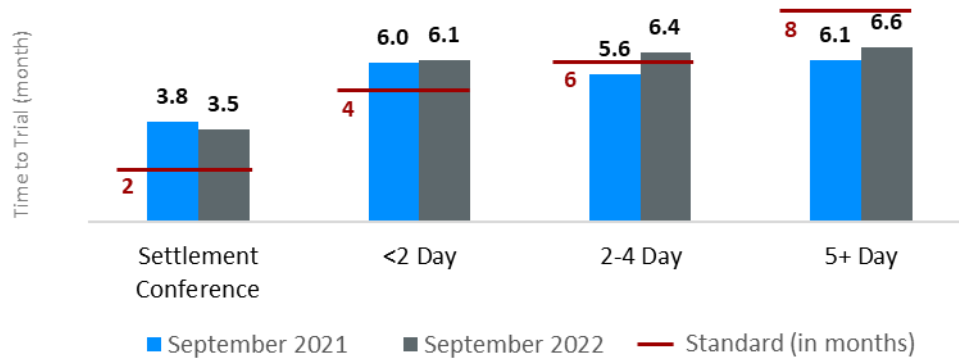


Data Source: Judicial Next Available Date Survey

Weighted Results by Jurisdiction (continued)

Figure 5 includes two types of proceedings: settlement conferences and trials. The time to a settlement conference is the number of months between the date the last reply or document is filed to ready the case for a settlement conference and the first available date for a settlement conference. The time to trial is the number of months between the end of a settlement conference and the first available court date for typical small claims trials of various lengths. These results do not take into account the time between the filing of a claim and the reply. Since September 2021, small claims trial results have increased while the time to a conference has decreased.

Figure 5 - Weighted Provincial Time to Small Claims Trials



Data Source: Judicial Next Available Date Survey

Top 10 Results

Figures 6, 7, 8, and 9 show the ten locations with the longest times to trial in months for different jurisdictions. Smaller locations are screened out of these calculations, as a longer wait for trial dates is more likely a result of fewer Court sittings in these locations. The Provincial Court standard in months is shown across the top and the provincial delay average is shown along the bottom.

Figure 6 - Locations with the Longest Delays to Adult Criminal Trials

<2 Day		2-4 Day		5+ Day	
6 Months Max		7 Months Max		8 Months Max	
Princeton	9	Vancouver Criminal	9	Port Coquitlam	11
Prince George	8	Port Coquitlam	9	Prince George	10
Penticton	8	Prince George	9	Duncan	10
Port Hardy	8	Duncan	9	Hazelton	10
Kamloops	7	Penticton	9	Masset	10
Creston	7	Kamloops	8	Dawson Creek	10
		Western Comm.	8	Vancouver Criminal	9
		Port Hardy	8	Kelowna	9
		Kitimat	8	Kamloops	9
				Penticton	9
Provincial	5.8		7.8		8.1

Figure 7 - Locations with the Longest Delays to Family Trials (FLA)

<2 Day FLA		2-4 Day FLA		5+ Day FLA	
4 Months Max		5 Months Max		6 Months Max	
Penticton	8	Kelowna	10	Port Coquitlam	11
Kamloops	7	Burns Lake	10	Kelowna	11
Creston	7	Port Coquitlam	9	Sechelt	10
Lillooet	7	Penticton	9	Kamloops	9
Chilliwack	6	Prince George	8	Penticton	9
Richmond	6	Kamloops	8	Prince George	8
Campbell River	6	Creston	8	Chilliwack	8
Sechelt	6	Victoria	7	North Vancouver	8
Merritt	6	Nanaimo	7	Terrace	8
Invermere	6	Chilliwack	7	Port Alberni	8
Provincial	5.0		6.3		7.1

Data Source: Judicial Next Available Date Survey

Top 10 Results (Continued)

Figure 8 - Locations with the Longest Delays to Family Trials (CFCSA)

<2 Day CFCSA		2-4 Day CFCSA		5+ Day CFCSA	
3 Months Max		4 Months Max		6 Months Max	
Penticton	7	Kelowna	10	Port Coquitlam	11
Creston	7	Sechelt	10	Kelowna	10
Lillooet	7	Burns Lake	10	Sechelt	10
Chilliwack	6	Port Coquitlam	9	Kamloops	9
Campbell River	6	Kamloops	8	Chilliwack	8
Port Hardy	6	Creston	8	Port Alberni	8
Sechelt	6	Nanaimo	7	North Vancouver	8
Invermere	6	Chilliwack	7	Terrace	8
Nanaimo	5	Penticton	7	Victoria	7
Duncan	5	North Vancouver	7	Nanaimo	7
Provincial	4.7		5.7		6.3

Figure 9 - Locations with the Longest Delays to Small Claims Trials

<2 Day Trial		2-4 Day Trial		5+ Day Trial	
5 Months Max		6 Months Max		8 Months Max	
Kamloops	8	Port Coquitlam	10	Kelowna	10
Penticton	8	Kelowna	10	Kamloops	10
Richmond	7	Kamloops	9	Duncan	10
North Vancouver	7	Penticton	9	New Westminister	9
Chilliwack	7	Duncan	9	Chilliwack	9
Prince George	7	Victoria	8	Western Comm.	9
Western Comm.	6	North Vancouver	8		
Duncan	6	Chilliwack	8		
Courtenay	6	Prince George	8		
Dawson Creek	6	Western Comm.	8		
Provincial	6.1		6.4		6.6

Data Source: Judicial Next Available Date Survey

Appendix 1: Time to Trial by Location, Jurisdiction, and Trial Length

Results in months for all locations for which time to trial information is collected appear below. Results for the Criminal and Small Claims divisions are listed first, followed by results for Family. Locations are listed by region, with the exception of assignment court locations, which are listed together. The Provincial Court standard in months is shown for reference. Not all locations for which time to trial information is collected hear all kinds of trials. Grey cells indicate that the trial type in question is not heard at that location.

Note 36 of the 69 court locations for which the Court collects time to trial information are smaller operations. Of the 36 locations, 10 do not have a resident judge, but are staffed and include registry services⁴ and 26 have neither a resident judge nor registry services.⁵ Due to the relatively small number of Court sitting days in these locations, lengthier delays are anticipated for a number of reasons including:

- The inability to accommodate longer trials. These lengthy trials cannot be scheduled for several days in a row as they often can in larger court locations.
- The inability to react to caseload fluctuations which could result in an increase in the amount of cases requiring a trial.

Smaller locations are marked with an asterisk in the table below.

⁴ Registry offices are open to public for filing documents, accessing court file information or requesting information on court processes.

⁵ These locations are only open for scheduled courtroom appearances such as hearings and trials.

Time to Trial by Location, Jurisdiction, and Trial Length

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards		6	7	8	4	2	5	6	8
Assignment Court	Abbotsford		5	6	4	1		5	6
	Kelowna		6	9	6	2		10	10
	Main Street		9	9					
	Port Coquitlam		9	11	3	3		10	
	Robson Square				2	5		4	5
	Surrey		7	7	4	4		6	6
	Victoria		7	8	4	3		8	
Fraser Region	Chilliwack	6	7	8	5	1	7	8	9
	New Westminster	6	7	8	4	4	5	7	9
Interior Region	Castlegar *	5	6		5	3	5	6	
	Clearwater *	4			1	1	4		
	Cranbrook	5	6		2	2	5	6	
	Creston *	7	8		2	2	7	8	
	Fernie *	4	5		1	2	4	5	
	Golden *	4	5		1	2	4	5	
	Grand Forks *	5	5		5	3	5	5	
	Invermere *	6	7		2	2	6	7	
	Kamloops	7	8	9	7	3	8	9	10
	Lillooet *	7			4	4	7		
	Merritt *	6	7		5	2	7	7	
	Nakusp *	3	5		3	2	3	5	
	Nelson	5	6		5	3	5	6	
	Penticton	8	9	9	6	2	8	9	
	Princeton *	9			3	3	9		
	Revelstoke *	5			3	3	5		
	Rosland	4	5		4	3	4	5	
	Salmon Arm	4			4	3	4		
Sparwood *	4	5		1	2	4	5		
Vernon	5	6	7	5	2	5	6	7	

Time to Trial by Location, Jurisdiction, and Trial Length

Region	Location	Adult Criminal			Youth	Small Claims			
		<2 Day	2 - 4 Day	5+ Day		S. Conf	<2 Day	2 - 4 Day	5+ Day
OCJ Standards		6	7	8	4	2	5	6	8
Northern Region	100 Mile House *	5	6	7	5	2	5	6	7
	Anahim Lake *	6	1	1	6	6	6	1	
	Burns Lake *	2	10		2	2	2		
	Chetwynd *	6	6		5	1			
	Dawson Creek	6	6	10	5	2	6	6	
	Fort Nelson *	5	7		4	2	5	7	
	Fort St. James *	5	6		4	1			
	Fort St. John	6	7	8	4	1	4	6	
	Fraser Lake *	5	6		4	1			
	Hazleton *	3	7	10	2	1	3		
	Houston *	2			2	2	2		
	Kitimat *	5	8		2	1	5	7	
	Kwadacha *	5					5		
	Mackenzie *	5	6		4	1			
	Masset *	7	7	10	3	1	7	7	
	McBride *	3			3	1			
	Prince George	8	9	10	5	1	7	8	
	Prince Rupert	5	6	6	2	1	5	6	
	Queen Charlotte *	4			4	4			
	Quesnel	6	6	7	5	1	5	6	7
Smithers	3	4	5	2	2	3	4		
Terrace	5	6	8	3	2	4	6	8	
Tumbler Ridge *	6			5	1	5			
Valemount *	3			3	1				
Vanderhoof *	5	6		4	1				
Williams Lake	5	5	6	5	2	4	5	5	
Vancouver Region	North Vancouver	5	7	8	5	5	7	8	8
	Pemberton *	3	6	6	2	2	3	6	6
	Richmond	6	7	7	5	4	7	7	
	Sechelt	6	7	7	6	3	6	7	7
Vancouver Island Region	Campbell River	6	7	9	6	2	6	7	
	Courtenay	6	7		3	2	6	7	
	Duncan	6	9	10	6	4	6	9	10
	Nanaimo	5	7	7	3	2	5	7	7
	Port Alberni	4	5	8	3	1	4	5	8
	Port Hardy *	8	8		6	2			
	Powell River *	4	6		3	2	3	5	
Western Communities	6	8	9	6	3	6	8	9	
OCJ	Bella Bella *	1	5		1	1	1	5	
	Bella Coola *	5	5		2	2	5	5	

Time to Trial by Location, Jurisdiction, and Trial Length

Region	Location	FLA			FCC	CFCSA		
		<2 Day	2 - 4 Day	5+ Day		<2 Day	2 - 4 Day	5+ Day
OCJ Standards		4	5	6	2	3	4	6
Assignment Court	Abbotsford		5	6	1		5	6
	Kelowna		10	11	2		10	10
	Main Street							
	Port Coquitlam		9	11	1		9	11
	Robson Square		2	2			2	2
	Surrey		6	6	1		6	6
	Victoria		7		1		6	7
Fraser Region	Chilliwack	6	7	8	1	6	7	8
	New Westminster	5	7	7	2	4	6	7
Interior Region	Castlegar *	5	6		2	5	6	
	Clearwater *	4			1	4		
	Cranbrook	5	6		2	5	6	
	Creston *	7	8		2	7	8	
	Fernie *	4	5		2	4	5	
	Golden *	4	5		2	4	5	
	Grand Forks *	4	5		2	4	5	
	Invermere *	6	7		2	6	7	
	Kamloops	7	8	9	2	5	8	9
	Lillooet *	7			4	7		
	Merritt *	6	7		2	5	7	
	Nakusp *	3	5		2	3	5	
	Nelson	5	5		2	5	5	
	Penticton	8	9	9	2	7	7	7
	Princeton *	9			3	9		
	Revelstoke *	5			3	3		
	Rossland	4	4		2	4	4	
	Salmon Arm	4			3	4		
	Sparwood *	4	5		2	4	5	
Vernon	5	6	7	2	5	6	7	

Time to Trial by Location, Jurisdiction, and Trial Length

Region	Location	FLA			FCC	CFCSA		
		<2 Day	2 - 4 Day	5+ Day		<2 Day	2 - 4 Day	5+ Day
OCJ Standards		4	5	6	2	3	4	6
Northern Region	100 Mile House *	5	6	7	2	5	6	7
	Anahim Lake *	6	1	1	6	6	1	1
	Burns Lake *	2	10		2	2	10	
	Chetwynd *	5			1	5		
	Dawson Creek	5	6		2	5	6	
	Fort Nelson *	5	7		2	5	7	
	Fort St. James *	4	5		1	3	4	
	Fort St. John	4	6		1	4	6	
	Fraser Lake *	4	5		1	3	4	
	Hazelton *	3			1	3		
	Houston *	2			2	2		
	Kitimat *	2	6		1	2	6	
	Kwadacha *	5				5		
	Mackenzie *	3	4		1			
	Masset *	7	7		1	7	7	
	McBride *				1			
	Prince George	5	8	8	1	4	6	6
	Prince Rupert	5	6		1	5	6	
	Queen Charlotte *	4			4			
	Quesnel	5	6	7	1	5	6	7
Smithers	3	4	5	1	3	4	5	
Terrace	3	5	8	2	3	5	8	
Tumbler Ridge *	5			1	5			
Valemount *				1				
Vanderhoof *	4	5		1	3	4		
Williams Lake	4	5	5	2	4	5	5	
Vancouver Region	North Vancouver	5	7	8	1	5	7	8
	Pemberton *	2	6	6	2	2	6	6
	Richmond	6	7	7	1	5	6	6
	Sechelt	6	7	10	3	6	10	10
Vancouver Island Region	Campbell River	6	6		2	6	6	
	Courtenay	2	2		2	2	2	
	Duncan	5	5	5	1	5	5	5
	Nanaimo	5	7	7	1	5	7	7
	Port Alberni	4	5	8	1	4	5	8
	Port Hardy *				2	6	6	
	Powell River *	3	5		2	3	5	
	Western Communities	4	4	4	1	4	4	4
OCJ	Bella Bella *	1	5		1	1	5	
	Bella Coola *	5	5		2	5	5	

Time to Trial by Location, Jurisdiction, and Trial Length

Results in months for Summary Proceedings Court (SPC) appear below. Summary Proceedings Court generally hears cases that are less complex, have historically high collapse rates, and shorter time estimates. The locations above standard are shown in red. The Provincial Court standard in months is shown across the top and the provincial assignment court delay average is shown along the bottom.

Time to Trial for Summary Proceeding Court by Location and Jurisdiction

Adult Criminal	FLA		CFCSA		Small Claims		
4 Months Max	3 Months Max		2 Months Max		4 Months Max		
Kelowna	6	Kelowna	4	Kelowna	4	Kelowna	5
Vancouver Criminal	4	Robson Square	2	Robson Square	2	Port Coquitlam	4
Victoria	3	Port Coquitlam	2	Victoria	2	Abbotsford	3
Surrey	2	Abbotsford	2	Abbotsford	2	Robson Square	2
Port Coquitlam	2	Surrey	1	Port Coquitlam	2	Surrey	2
Abbotsford	2	Victoria	1	Surrey	1		
All Assignment Court Locations (average)	3.0		1.9		1.9		2.5