Notes for Forms and Workflows – December 2013

NOTE THAT THESE FORMS ARE OPTIONAL FOR COUNSEL

ADOBE VERSIONS:

To use the Consent Requisition, Consent Remand and Consent Arraignment electronically, the forms have been built to work with Adobe Reader 9.0 or higher. Adobe Reader is free and can be downloaded from the internet. Note that forms are fillable and saveable.

SIGNATURES:

- Counsel (Crown and Defence) signatures are not required on the Consent Requisition, Consent Remand and Consent Arraignment forms
- Forms do not specify signature required. Counsel may sign if they wish to but still need to provide the printed names and contact information in the appropriate sections on the forms

EMAIL SUBMISSIONS TO THE JCM:

- When submitting a form by email to the JCM, counsel are expected to copy opposing counsel so both will receive an email copy of the submitted form, and so the JCM can reply to all to provide confirmation to all counsel as to whether the form has been accepted
- When replying to an emailed form, JCMs will reply to all by email to inform all counsel whether the form has been accepted or not
- JCMs may reject the form for various reasons including an incomplete form or if received too late to process
- **The Court Registry does not accept email submissions.** For locations accepting emailed forms, the completed consent forms can only be received and accepted through the JCM's generic scheduling email address

> - **Not all forms will be accepted in all locations by email as of December 1, 2013.**
>   - *Consent Requisition* and *Consent Remand* – With the exception of Surrey, North Vancouver and Vancouver Provincial (Adult Criminal) courthouses, most other court locations will accept the Consent Requisition and Consent Remand forms by email.
>   - *Consent Arraignment* - As set out in the Practice Direction, at this time the Consent Arraignment form will only be accepted by email, fax or in person in Victoria and Western Communities.
>   - Trial Scheduler locations - The forms will **not** be accepted by email or facsimile at the following locations: Burns Lake, Fort Nelson, Golden, McKenzie, Powell River, Sechelt, Valemont. The Trial Scheduler will accept the forms in person.
>   - Circuit court locations – Circuit court / unstaffed locations will **not** accept these forms in any format (email, facsimile or in person). The process is not available in these locations. Please refer to the Provincial Court website for a list of Unstaffed Court Locations: http://www.provincialcourt.bc.ca/locations-contacts

DEADLINE FOR FORM SUBMISSIONS:

The Practice Direction indicates that the forms are to be submitted "*no later than 12:00 noon of the business day prior to the scheduled appearance.*" This is the absolute latest time. Note that local cut-off times may vary based on in-custody transport issues.

WHEN TO USE FORMS:

	Consent Requisition	Application to Vary Bail by Consent	Consent Remand	Consent Arraignment
Status	NEW	Existing – PCR 317	NEW	NEW
Consent Required	Yes	Yes	Yes	Yes
For use by	Defence, Crown	Accused, Defence, Crown	Defence, Crown	Defence
Signatures Required	No	Yes	No	No
For Out-of-Court Use	Yes	Yes	Yes	Yes
For non-scheduled appearance date	Yes	Yes	No	Yes
Submitted by parties to	JCM Office (Registry may file call aheads)	Registry / JCM / Court	Registry / JCM / Court	JCM Office

- **Form 1 - Consent Requisition**
  - Not for self-represented litigants
  - Defence may appear as agent or designated counsel
  - Submit to JCM (Call ahead may be filed by counsel in person at the Registry)
  - To be used to change, cancel or call-ahead a **non-trial** appearance
  - Used when a personal appearance is not required in court
  - Crown and Defence counsel agree to a return date, time, reason and method

- **Form 2 - Application to Vary Bail by Consent**
  - Existing Court form CS # PCR 317
  - Can be filed by counsel or accused
  - Submit to Registry / JCM / Court
  - To be used to vary bail by consent
  - Used when a personal appearance is not required in the courtroom
  - Crown consents to the variation request – Crown to sign form
  - Registry to produce new bail document(s)
  - Accused to sign new bail document(s)

- **Form 3 - Consent Remand**
  - For use only on appearance date
  - Not for self-represented litigants
  - All counsel agree in-custody accused is not required to make an in-person appearance
  - Crown and Defence counsel agree to a return date, time, reason and method
  - Defence to appear as agent or designated counsel
  - Can be received by JCM (CSBJP may accept form filed by counsel in person at the Registry)
  - NOT to be used to vary bail

- **Form 4 - Consent Arraignment**
  - Victoria and Western Communities court locations only (Dec 2013 until further notice)
  - Not for self-represented litigants
  - For Adult Criminal matters only – not to be used for Youth matters
  - Defence to appear as agent or designated counsel
  - For use as an alternative to in-person appearance
  - If submitted and accepted prior to the pre-set arraignment event, JCM to vacate the future arraignment appearance
  - Used for setting preliminary inquiries, trials, hearings and/or sentencing dates
  - For multi-accused files, separate forms must be prepared for each accused