



Scheduling a court case

Typical process

Judicial case managers are responsible for scheduling most trials and hearings.

The typical process for scheduling different types of cases is:

- In criminal cases most matters are set for trial after an arraignment hearing or pre-trial conference
- In small claims cases most matters are set for trial after a settlement conference or trial preparation conference, if the case does not reach a settlement
- In family law cases most matters are set for trial after a family management conference if all the issues are not resolved at the conference

On the court locations page you can find the contact information for the judicial case manager at the courthouse near you.

[Court locations and schedules](#)

How court time is estimated for hearings and trials

The length of your trial or hearing depends on several things, including:

- Whether you will or will not have a lawyer represent you
- How many witnesses will testify in the trial
- Whether you or witnesses require an interpreter
- Whether there are issues under the *Canadian Charter of Rights and Freedoms* in criminal cases
- Whether there are issues about if proposed evidence can be admitted in the trial
- How complicated the case is

- If there are lawyers, how long they think the trial will take

How judges are assigned

To ensure fairness in all trials, the Court controls the assignment of judges to cases.

If you believe that a judge assigned to decide your case would not be able to do that fairly and neutrally, you may ask the judge to disqualify themselves. However, the law only allows a judge to do this if they are satisfied that there is a conflict of interest or a "reasonable apprehension" that they are biased for or against one of the parties. The test for disqualification due to a reasonable apprehension of bias is whether an informed, reasonable and right-minded person would think it more likely than not that the judge, either consciously or unconsciously, would not decide the case fairly.

An application for disqualification is made in open court and on the record. The person making the application must provide reasons why the judge should not hear the case, and the other party has the right to reply.

Factors affecting when the proceeding is set

The time required to obtain a hearing or trial in the Court depends on a number of things, including:

- The estimated length of the hearing or trial
- The number of cases in a particular courthouse relative to the number of judges, court staff, sheriffs and courtrooms available
- The type and complexity of the case
- Time-related legal requirements
- The availability of lawyers and witnesses

The Court recognizes that every case deserves to be heard in as timely a manner as possible, but it must give priority to urgent cases.

Assignment court lists and summary proceedings court

In all courthouses in BC that do not have separate Assignment Courts and Summary Proceedings Courts, the judicial case manager schedules when criminal trials and hearings will happen in courtrooms. They monitor cases continuously and make any scheduling changes required.

In seven of the busier courthouses in the province (Abbotsford, Kelowna, Port Coquitlam, Surrey, Vancouver Provincial Court (222 Main St. and Robson Square) and Victoria), trials are scheduled to either Assignment Court or Summary Proceedings Court.

Assignment Court

Generally, trials estimated to require more than half a day of court time are scheduled to an Assignment Court list. Parties and their lawyers must attend Assignment Court at either 9 am or 1:45 pm on the day of the trial. In Assignment Court, the judicial case manager assesses the parties' readiness for trial and assigns each case to a trial courtroom.

[Notice 06 Assignment Court Lists](#)

Summary Proceedings Court

Cases estimated to take a half day of court time or less for trial or hearing and criminal matters designated by Crown counsel as Summary Proceedings Court matters are scheduled in Summary Proceedings Court.

Adjourning a hearing

An adjournment is when a hearing or trial is temporarily paused or postponed. Adjournments are not automatic. You must apply for them, and the Court has authority to grant or deny your application. It is important not to wait until the last minute to apply for an adjournment. The longer you wait, the greater the likelihood that other parties or persons will be inconvenienced or put to extra expense. This is a factor weighing against your application. Last minute adjournments may also result in wasted court time, something the Court works hard to avoid.

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