

Virtual Bail Initiative FAQ Handbook Vancouver Coastal & Fraser Regions (Hybrid Bail Courtrooms)

Background

A hybrid model for Daytime Virtual Weekday bail hearings launched in the Vancouver Coastal region on September 16, 2023. The Fraser region Daytime Virtual Weekday bail hearings launches on November 16, 2023.

In the hybrid model:

- ❖ Judges and counsel may attend the bail hearing either remotely or in person at a dedicated physical hybrid bail courtroom.

**Exception to the hybrid model - morning triage for remanded matters (9 – 9:30am) and the afternoon triage for new in-custody matters (1:15-1:30pm) must be attended remotely – there is no in person option for triage. These are MS Teams meetings not courtroom appearances. (see MS Teams channel: MS Team Links folder for meeting link)*

- ❖ In-custodies attend the bail hearing remotely from correctional centres, sheriff courthouse cells or police (RCMP/municipal) detachments (unless ordered by a judge to appear in person).
- ❖ Dedicated physical hybrid bail courtrooms are available in the locations noted on page 3 of [CRIM 05](#).

Hybrid court model

1. A dedicated MS Teams Virtual Court channel is created for each region. The channel utilizes technology to post key information, contact information, schedules, court lists, training materials, counsel rosters and other resource materials for court users. The channel also has additional applications such a Chat function for counsel to connect with the Sheriff Quarterback.
2. There is an electronic Court Digital Display System which shows in real time, matters that are on the list for the courtroom. This list is accessed through the MS Team Virtual Court channel by selecting the “Virtual Bail Court List” tab.
3. There is an administrative MS Teams meeting prior to court starting in the AM and PM (“Triage”) where counsel attend to prioritize matters appearing on the morning and afternoon lists. This triage enables the JCM or Sheriff Quarterback to line up accused in order of appearance for efficient timely bail hearings.
4. The physical hybrid courtroom is open to the public (except during the AM and PM triage).
5. Criminal Practices Directives: [CRIM 05](#), [CRIM 18](#), and [NP31](#) provide information regarding the processes for daytime virtual bail programs.

General Court Timelines/Activities

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|--------------------|---|
| 9:00 AM – 9:30 AM | <p>JCMs lead morning triage for the Remand Court List</p> <p>Triage is only accessible on MS Teams Meeting – not in person</p> <p>See MS Teams Links folder and select the links document for the court location or use the “Live Links” document to access the MS Teams Remand Triage meeting. These are matters on the morning court list and will appear as such on the Court Digital Display Board at the time they are scheduled in JUSTIN.</p> <p>Note: This triage meeting is not a courtroom appearance. It is an administrative meeting of counsel to organize and prioritize the calling of the matters on the morning court list accused/files. This meeting is open to counsel only.</p> <p>*All counsel with matters on the Remand Court list should attend triage to have their matter prioritized. If counsel are unable to attend, they can email instructions to the Bail JCM or Duty Counsel to appear as agent. This will result in that matter being triaged. If counsel do not attend, their matter will be called after the matters that were spoken to at the morning triage.</p> |
| 9:30 am – 12:00 PM | <p>Remand List – Hybrid Courtroom Open</p> <p>Remand List matters are heard in the order that is set at the morning triage. Any files not “triaged” in the MS Teams Meeting will remain on list and called at the end of the triaged list.</p> |
| 12:00 PM – 1:15 PM | Court Lunch Break |

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|-----------------------|---|
| 1:15 PM – 1:30 PM | <p>Crown counsel lead afternoon triage for New In-Custody Bail hearings</p> <p>Triage is only accessible on MS Teams Meeting – not in person</p> <p>See MS Teams Links folder and select the links document for the court location or use the “Live Links” document to access the MS Teams Remand Triage meeting. These New In-Custody Bail Hearings are on the “5:00 PM” placeholder list on the Court Digital Display Board until they are assigned an order in the triage.</p> <p>Note: This triage meeting is not a courtroom appearance. It is an administrative meeting of counsel to organize the afternoon court list accused/files. This meeting is open to counsel only.</p> |
| 1:30 PM to End of Day | <p>New In-custody List – Hybrid Courtroom Open</p> <p>New In-Custody List matters are heard in order from triage. Any files not “triaged” in the MS Meeting will remain on the list and will be called at the end of the triaged list.</p> |

Key Timelines – cut off times interpreted flexibly:

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| 6-7:30 AM | Police submit Detachment Prisoner Slates for overnight arrests to Crown |
| 7:30-8:30 AM | Crown emails to duty counsel Detachment Prisoner Slates |
| 8-8:30 AM | Crown emails duty counsel ‘Morning Email’ - summary of new arrests, locations |
| 08:45-9:00 AM | Sheriff QB emails to duty counsel New In Custody List (& posts to Teams) |
| 09:00 AM | Morning Triage session |
| 09:30 AM | Morning Remand court sessions |
| 10:00 AM | Duty counsel to email JCM re any remanded accused whose status is unclear |
| 10:30 AM | JCM will begin calling remand files whose status is unclear. |
| 11:00 AM | Cutoff for police to submit new RTCCs to Crown |
| 12:00-1:30 PM | Lunch Break for court sittings |
| 01:15 PM | Afternoon Triage sessions |
| 01:30 PM | Afternoon court session begins |
| 03:00 PM | Cutoff for registry/warrant arrests – later arrests go to evening at Justice Centre |
| 04:30 PM | End of court sittings |

Morning Remand Lists

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| 2 PM Day before – JCM posts list to Teams channel; emails list to duty counsel for next day |
| Additions – may be added in an updated list |

New Arrest Lists

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| Detachment prisoner slates | Crown emails to duty counsel by about 8:30AM |
| Crown 'morning email' | Crown emails to duty counsel by about 8:30 AM |
| New in custody list | Sheriff quarterback emails to duty counsel by about 8:45 |
| Virtual bail digital court list | Registry adds files through morning; access on Teams channel |

For Interpreters or for Filing Bail Documents - Contact Local Registry

If the accused, the interpreter, and counsel are all physically present at the courthouse, the Sheriff QB **may** be able to arrange an in-person meeting. Otherwise:

- If the accused requires an interpreter, counsel should reach out to the Sheriff QB to arrange an MS Teams video interview meeting for the accused with the interpreter and counsel.
- Counsel must ensure that they inform the Sheriff QB when the meeting is over so that the accused can be removed from the interview meeting. **If the accused is not removed from the MS Teams meeting, they can't be called into the courtroom for their MS Teams appearance** as the MS Teams video unit will not accept a call from the courtroom if it is currently in a meeting.

Roles and Responsibilities of Justice Partners

Provincial and Federal Crown Counsel

- Attend AM and PM triage sessions for prioritization of accused/files on court list

AM Remand Crown

- Review and prepare for bail hearings and matters on the court list.
- Speak with counsel to discuss bail positions and time estimates to inform the court for organization and triage of court list.
- Attend at the morning triage on MS Teams meeting.
- Suggest the use of Consent Remands or Requisitions for matters not proceeding to provide efficient use of court time.
- Co-ordinate with other Crown with remand list matters for proposal of order for Bail JCM and counsel.
- Speak to criminal matters on the AM Remand List.

PM In-Custody Crown

- Conduct charge assessments for all new in-custody accused within the local courthouse.

- Conduct charge assessments and provide bail instructions to other provincial Crown offices regarding accused in-custody in other courthouses.
- Speak with police officers, victims and other justice partners regarding new in-custody files being processed.
- Submit Crown bail packages to Local Registry for new in-custody bail hearings.
- Provide Duty counsel bail packages to daily duty counsel for new in-custody bail hearings.
- Attend PM triage on MS Teams meeting and provide order for all new in-custody bail hearings.
- Coordinate with other Crown for the In-Custody bail hearings (i.e. Federal Crown and IPV Crown regarding line up). Speak to all PM new in-custody bail hearing matters on list.

Legal Aid BC

Legal Aid BC Lawyer Priority Line (Vancouver Head Office) 1-888-601-6076

- Posts Legal Aid Duty Counsel Roster and Schedule and updates as required to MS Teams Channel. **Files: Schedules**
- Maintains counsel information on the MS Teams channel for each Region. **Files: Contact Information**
- Processes Legal Aid applications for clients who require representation.
- Assists daily duty counsel in their duties finds replacements/additional support as required.

Daily Duty Counsel and LABC Navigator

- **2PM day prior:** the Navigator reviews the posted Remand List and connects with Duty and defence counsel to confirm client court appearances. The Navigator will send an email to Duty Counsel, cc'ing all known defence counsel, with information regarding which accused are in custody on the next day's AM list, who their counsel are/might be, and contact information for the next day's Crown.
- Duty Counsel may receive instructions from defence counsel who are unable to attend AM triage to advise the Crown and Bail JCM. Defence counsel must advise whether the matter is proceeding, the time estimate, and any known time constraints in defence counsel's schedule.
- Duty counsel and the Navigator receive the police prisoner slates and Good Morning Email from provincial Crown regarding new in-custody accused who require a bail hearing that afternoon.
- **8:30 AM:** the Navigator reviews the new in-custody list and will send an email to Duty counsel, cc'ing all known defence counsel, with information regarding which accused are in custody on the PM list, who their counsel are/might be, and contact information

for the day's Crown. Duty counsel will inquire with the Navigator regarding any additions to the list after 8:30 AM.

- Duty Counsel attends the AM triage and assists any clients on the AM Remand List who do not have counsel assigned, or whose counsel is unavailable.
- Duty Counsel liaises with the Court Registry regarding any interpreter requests for interviews with accused.
- Duty Counsel receives bail packages from Crown throughout the day, liaises with the Sheriff Quarterback to arrange private interviews with clients who require their assistance, prepares and argues PM bail hearings or remands for in-custody clients in need of duty counsel assistance.
- Duty Counsel attends the PM triage to coordinate with Crown in setting the PM order.

Court Services Branch

Court Registry

- Receives Crown bail packages for new in-custody matters and schedules accused/files to the 5:00 PM placeholder on the MS Teams Court Digital Display.
- Completes swearing of new Tele-Information.
- Add Crown bail packages or duty/defence counsel documentation to Judge's P Drive.
- Court Clerks in bail courtroom clerk the bail hearings and assist the judge.
- Receives from Bail JCM consent requisitions or consent remands to remove accused/files from daily court appearance court list.
- Registry Quarterback attends the PM new in-custody triage MS Teams Meeting and admits participants to the meeting.
- Registry Quarterback records the order of accused/files to be called into the PM bail hearing court session and updates the Court Digital Display Board for PM In-custody 5:00 PM placeholder to show order for new in-custody bail hearings when court commences at 1:30 PM. Any matters that are not ready to proceed at triage meeting will remain at the 5:00 PM placeholder to be called when counsel advise the court.
- Registry communicates updates to the courtroom court clerk.

Court Clerks

- Manage the MS Teams virtual courtrooms.
- Manage the physical hybrid bail courtrooms.
- DO NOT monitor the MS Teams courtroom chat or attend triage.

Registry Quarterbacks

- Admit participants into the afternoon triage.
- Crown counsel leads the afternoon triage.
- Process communications and ensuring smooth flow of work between virtual bail clerk and home registry(ies), JCMs, counsel notes received at registry, etc.
- Pull the list for virtual bail courtrooms and send to the JCM in the Vancouver Coastal and Fraser regions.

- Once the order for the afternoon list has been decided, responsible for updating the afternoon files in JUSTIN so that the Court Digital Display System shows updated times.
- No requirement to adjust matters not spoken to at triage. They will remain on the list. at 5:00 pm and will not be adjusted after the triage. Counsel will indicate which of those files are ready in the Teams for other counsel and Sheriff QB.

Sheriff Services

Sheriff Quarterback

- Posts the SCMS Jail Slate to the MS Teams channel morning of court. **Files: Daily IC List (Posted by Sheriff) folder**
- Uses MS Teams channel Chat function to communicate with counsel and process requests for private counsel interviews for accused at correctional centres and sheriff cells who have a court appearance day of.
- Facilitate in-person counsel interviews for accused in courthouse cells.
- Attend AM Remand List triage to set up accused in correctional centres for court appearances based on counsel readiness.
- Communicate with correctional centres the order of prisoners to be called for video Remand List so prisoners can be brought to court for video court appearance.
- Attend PM triage MS Teams Meeting with counsel and Registry Quarterback.
- Organize with cell sheriffs the order of video appearances of new in-custody bail hearings for both courthouse and other courthouse/police locations for warrant arrests.
- Monitors MS Teams chat and email to respond to counsel, court requests.
- Works with Courtroom Sheriff.

For in person interviews at courthouse sheriff cells

- For in person interviews in the Vancouver Coastal region, see the instructions provided on the MS Teams channel. **Files: Contact Information: Coastal Region Access to Clients in Vancouver Coastal Region Sheriff Cells**
- For in person interviews in the Fraser region, see the instructions provided on the MS Teams channel. **Files: Contact Information: Access to Clients in Fraser Region Sheriff Cells**

Courtroom Sheriff

- Maintains courtroom security.
- Assists Sheriff Quarterback in their duties relating to requests from in-person counsel who require private interviews with clients and are having difficulties in access the MS Teams chat functionality.

Judiciary

Judicial Case Manager – Bail

- Posts the Remand Court Lists by 2pm day before to MS Teams Channel. **Files: Daily Morning Remand List (Posted by JCM)**
- Emails the AM Remand List to scheduled Daily Duty Counsel.
- Posts the updated triaged Remand List to MS Teams Channel. **Files: Daily Morning Remand List (Posted by JCM)**
- Attends AM Remand List triage MS Teams meeting to triage matters on Remand Court List and posts updated triaged Remand List to MS Teams Channel and emails to select stakeholders.
- Receives and processes [Consent Remand](#) and [Consent Requisition](#) forms and forwards same to court Registry and Crown.
- **new** [Consent Remand](#) – can be submitted the afternoon before a bail matter is heard. JCMs receive, review and process Consent Remand the day of the bail matter, and then send the form to the CSB QB for distribution.
- **new** [Consent Requisition](#) – can be submitted well before a bail matter and at a minimum the day before. JCMs process the Consent Requisition on the day it is submitted, and then send the form directly to the Registry.
- Monitors daily court activities and communicates updates for our courts to take matters if time availability in consultation with counsel.

Technical Issues

MS Teams

- Email: BCVirtualSupport@softlanding.ca OR,
- Call: 1.866.996.3222

NOTE: when you call, ensure to specify that you are looking for Court Services Branch Support for the Vancouver Coastal or Fraser Region as applicable.