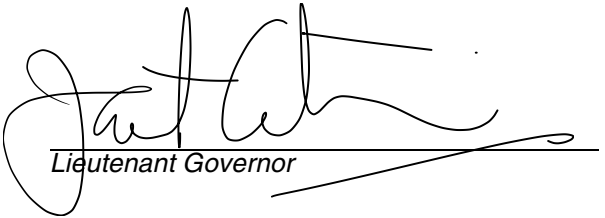


PROVINCE OF BRITISH COLUMBIA

ORDER OF THE LIEUTENANT GOVERNOR IN COUNCIL

Order in Council No. 559

, Approved and Ordered November 8, 2022



Lieutenant Governor

Executive Council Chambers, Victoria

On the recommendation of the undersigned, the Lieutenant Governor, by and with the advice and consent of the Executive Council, orders that, effective December 19, 2022, the Provincial Court (Child, Family and Community Service Act) Rules, B.C. Reg. 533/95, are amended as set out in the attached Schedule.



Attorney General and Minister Responsible for Housing



Presiding Member of the Executive Council

(This part is for administrative purposes only and is not part of the Order.)

Authority under which Order is made:

Act and section: Court Rules Act, R.S.B.C. 1996, c. 80, s. 1

Other: O.C. 1514/95

R20619133

SCHEDULE

1 *The Provincial Court (Child, Family and Community Service Act) Rules, B.C. Reg. 533/95, are amended by repealing the definition section and substituting the following:*

Definitions

In these rules:

“**Act**” means the *Child, Family and Community Service Act*;

“**business day**” means a Monday, Tuesday, Wednesday, Thursday or Friday that is not a holiday;

“**clerk**” means a member of the registry staff;

“**court**” means the Provincial Court except where the Act or these rules provide otherwise;

“**lawyer of record**”, in relation to a party, means a lawyer who has provided notification or advised the court in accordance with Rule 8 (20);

“**method of attendance**”, in relation to a case conference, mini-hearing and hearing, includes

(a) attending in person, and

(b) attending by telephone, video conference or other means of electronic communication;

“**party**”, with respect to a proceeding under the Act, means a person who, under the Act, is a party to that proceeding;

“**registry**” means a registry of the court.

Interpretation

In these rules, other words and expressions have the meaning given to them in the Act, unless the context indicates otherwise.

2 *Rule 1 is amended*

(a) *in subrule (2) by adding “or an Application to Change Method of Attendance (Form 10.5), as applicable,” after “Form (2)”*,

(b) *in subrule (6) by striking out “Form 2 or Form 3” and substituting “Form 2, Form 3 or Form 10.5”*,

(c) *by repealing subrule (7) and substituting the following:*

Conduct of hearings

(7) A judge may conduct a hearing or part of a hearing with one or more persons attending by telephone, video conference or other means of electronic communication. ,

(d) *in subrule (8) by adding the following paragraph:*

(b.1) an order under Rule 9 (4), changing the method of attendance unless the order is in relation to a hearing at which sworn oral evidence is given; ,

(e) in subrule (9) by striking out “under subrule (8)” and substituting “under subrule (8) (a), (b), (c) or (d)”, and

(f) by adding the following subrules:

How to apply for an order for changing method of attendance without a hearing

- (10) To apply for an order under subrule (8) (b.1), a person must file the application form (Form 10.5). (See Rule 9 (5))

Forms 1, 2 and 3 – transition

- (11) A person may, until January 17, 2023,
- (a) complete and file with the court a Presentation Form using Form 1 as it read on December 18, 2022,
 - (b) complete and file with the court an Application for an Order using Form 2 as it read on December 18, 2022, and
 - (c) complete and file with the court an Application to Change or Cancel an Order using Form 3 as it read on December 18, 2022.

3 Rule 2 is amended

(a) by repealing subrule (1),

(b) in subrule (2) by striking out “at any other time” and substituting “at any time”,

(c) in subrule (3) by striking out “When a judge directs a case conference under subrule (1),” and substituting “When a case conference is directed,”,

(d) in subrule (4) by striking out “their lawyers” and substituting “their lawyers of record”,

(e) by adding the following to subrule (5):

(p.1) make an order about the method of attendance of a person at a further case conference; ,

(f) in subrule (6) by striking out “a clerk” and substituting “the court”, and by striking out “their lawyers” and substituting “their lawyers of record”, and

(g) by repealing subrule (9), and substituting the following:

Direction where case conference to be conducted

- (9) The chief judge may direct that case conferences set at one place be conducted at another place.

4 Rule 3 (1) (b) is amended by striking out “at least 2 days” and substituting “at least 7 days”.

5 *Rule 3 (2) is amended by striking out “reasonable estimated travelling expenses.” and by adding the following paragraphs:*

- (a) reasonable estimated travelling expenses for a subpoena to appear in person, or
- (b) for a subpoena to appear by another method of attendance, the reasonable estimated cost of the telephone call, video conference or other method of attendance.

6 *Rule 3 is amended by adding the following subrules:*

How to change a witness’s method of attendance

(2.1) A witness may apply to a judge under Rule 9 (5) to change a witness’s method of attendance.

Judge may change a witness’s method of attendance

(2.2) The judge may order a witness to attend court by any method of attendance that the judge considers appropriate in the circumstances.

7 *Rule 3 (3) (b) is amended by adding “if the witness attends court in person,” before “bring to court”.*

8 *Rule 3 (4) is repealed and the following substituted:*

Subpoena may be cancelled or varied

- (4) A person who is served with a subpoena may apply under Rule 1 (2) to a judge, who may
 - (a) cancel the subpoena if
 - (i) the person is not needed as a witness,
 - (ii) it would be a hardship for the person to appear in court as required by the subpoena, or
 - (iii) in the case of a child witness, the judge considers that it would not be in the child's best interests to require the child to testify, or
 - (b) vary the subpoena to allow the witness to attend court by another method of attendance.

9 *Rule 3 is amended by adding the following subrule:*

If a judge changes a witness’s method of attendance

- (5.1) If a judge changes a witness’s method of attendance, the judge
 - (a) must direct the witness
 - (i) how, and by what date, to submit and serve any records and other things, if the witness will not be attending in person, and
 - (ii) where or how to attend, including by providing a telephone number or video conferencing information, if applicable, and

- (b) may order
 - (i) the return of any money that was provided under subrule (2), or
 - (ii) that the party subpoenaing the witness pay for the witness's travelling expenses, telephone call, video conference or other reasonable estimated cost of the method of attendance.

10 *Rule 3 (8) (b) is amended by striking out “his or her presence” and substituting “the presence of the witness”.*

11 *Rule 5 (4) (b) is amended by striking out “on everyone who is entitled” and substituting “on every person who is entitled”.*

12 *Rule 6 is amended by adding the following subrule:*

Address for service

- (0.1) An address for service may be any of the following:
- (a) a mailing address;
 - (b) an email address;
 - (c) a facsimile number.

13 *Rule 6 (4) is repealed and the following substituted:*

How documents may be served

- (4) Documents required by the Act or these rules to be served may be served as follows:
- (a) on an individual
 - (i) by leaving a copy with the individual,
 - (ii) if the individual is a party, by registered mail or by email to the last address for service given under subrule (5), (6) or (7), or by facsimile transmission to the last facsimile number given as an address for service under subrule (5), (6) or (7), or
 - (iii) if the individual is a party with a lawyer of record, by leaving a copy at that lawyer's office or by emailing or by sending a facsimile transmission to that lawyer's office;
 - (b) on a designated representative of a First Nation, an Indigenous community, a Treaty First Nation or the Nisga'a Lisims Government by emailing to the email address, or by sending a facsimile transmission to the facsimile number for service provided by the First Nation, Indigenous community, Treaty First Nation or Nisga'a Lisims Government or by leaving a copy with the designated representative;
 - (c) on a society within the meaning of the *Societies Act*
 - (i) by registered mail to the mailing address of the society's registered office on file with the Registrar of Companies,
 - (ii) by leaving a copy at the delivery address of the society's registered office on file with the Registrar of Companies or with a director or officer of the society, or

- (iii) by emailing to the email address of the society, if the society has provided an email address as an address for service;
- (d) on a company within the meaning of the *Business Corporations Act*
 - (i) by registered mail to the mailing address of the company's registered office on file with the Registrar of Companies,
 - (ii) by leaving a copy of it at the delivery address of the company's registered office on file with the Registrar of Companies or with a director or officer of the company, or with a receptionist or a person at the company's place of business who appears to manage the company's business there, or
 - (iii) by emailing to the email address of the company, if the company provided an email address as an address for service;
- (e) on an unincorporated association
 - (i) by registered mail to the registered office of the association,
 - (ii) by leaving a copy with an officer of the association, or
 - (iii) by emailing to the email address of the association, if the association provided an email address as an address for service;
- (f) on a director
 - (i) by leaving a copy with or by sending a facsimile transmission to the director's lawyer of record,
 - (ii) by emailing to the director or to the director's lawyer of record, or
 - (iii) by leaving a copy at, or by sending a facsimile transmission to, the district office with conduct of the case.

14 *Rule 6 (8) is amended by striking out “with him or her,” and substituting “with the child.”.*

15 *Rule 6 (10) is amended by striking out “a party may apply” and substituting “a person may apply”.*

16 *Rule 6 (11) is amended*

(a) by repealing paragraph (b) and substituting the following:

- (b) for service by registered mail, a certificate of service (Form 9) that includes one of the following:
 - (i) a copy, produced by facsimile or otherwise, of the signature obtained by Canada Post at the time the document was delivered;
 - (ii) a printout of the delivery confirmation made available on the internet by Canada Post; ,

(b) in paragraph (c) by striking out “on a lawyer” and substituting “on the lawyer of record”, and by striking out “the lawyer” and substituting “the lawyer of record”, and

(c) by adding the following paragraph:

- (e) for service by email, a certificate of service (Form 9) with the following attached to the certificate:
 - (i) a printout of the first page of the email message that includes the sender's name, the recipient's email address, the date the email was sent and the time the email was sent;
 - (ii) if the printout of the first page of the email message does not list the name of the document as an attachment to the email, a copy of the document.

17 Rule 6 is amended by adding the following subrules:

When service by email is deemed to be completed

- (11.01) A document transmitted for service by email under this rule is deemed to be served as follows:
- (a) if the document is transmitted before 4 p.m. on a day that is not a business day, the document is deemed to be served on the day of transmission;
 - (b) if the document is transmitted on a day that is not a business day, or after 4 p.m. on any other day, the document is deemed to be served on the next business day.

If document does not reach a person

- (11.02) If a document was served in accordance with subrule (4), a person may show on application that the document
- (a) did not come to the person's notice,
 - (b) came to the person's notice later than when it was served or effectively served, or
 - (c) was incomplete or illegible, and
- the judge may make orders or give directions to serve the document in a specified manner or give any other order or direction that the judge considers appropriate.

Form 9 – transition

- (11.03) A person may, until January 17, 2023, file with the registry a certificate of service using Form 9 as it read on December 18, 2022.

18 Rule 7 is amended

- (a) *in subrule (2) by striking out “The director’s lawyer” and substituting “The director’s lawyer of record”*,

(b) by repealing subrule (4) and substituting the following:

Approving the order

- (4) An order must be signed as approved by the lawyer of record for each party who was represented, unless
- (a) the judge orders otherwise, or
 - (b) the order is a protective intervention order made under section 28 of the Act or a restraining order made under section 98 of the Act. , **and**
- (c) in subrule (7) (a) by striking out “to the lawyer for each party” and substituting “to the lawyer of record for each party”.*

19 Rule 8 is amended

(a) by repealing subrule (4) and substituting the following:

Adjournment

- (4) A hearing may be adjourned only
- (a) with the permission of a judge, or
 - (b) in the case of a hearing at which sworn oral evidence will not be given, if the director’s lawyer of record files with the court a Consent Adjournment form (Form 10.2) after having obtained consent of all of the parties or their lawyer of record, as applicable. ,
- (b) by repealing subrule (5),*
- (c) in subrule (8) by adding the following paragraph:*
- (e) make orders about a person’s method of attendance at a case conference, mini-hearing or hearing. ,

(d) by repealing subrule (15) and substituting the following:

Who may search files

- (15) Unless a judge orders otherwise, no person other than the following may search a registry file respecting a matter under the Act:
- (a) a party;
 - (b) a party’s lawyer of record;
 - (c) a person authorized in writing by a party;
 - (d) a person authorized in writing by a party’s lawyer of record. , **and**

(e) by adding the following subrules:

Lawyer of record

- (20) For the purposes of these rules,
- (a) a lawyer must provide notification to the other parties that the lawyer is the lawyer of record for a party by

- (i) completing and filing with the court a Notice of Lawyer of Record for Party (Form 10.3), and
 - (ii) serving on each party the form referred to in subparagraph (i), or
- (b) a lawyer must advise the court, when appearing in court, that the lawyer is the lawyer of record for a party.

Ceasing to be lawyer of record

- (21) For the purposes of these rules,
- (a) a lawyer must provide notification to the other parties that the lawyer is no longer the lawyer of record for a party by
 - (i) completing and filing with the court a Notice of Removal of Lawyer of Record for Party (Form 10.4), and
 - (ii) serving on each party the form referred to in subparagraph (i), or
 - (b) a lawyer must advise the court, when appearing in court, that the lawyer is no longer the lawyer of record for a party.

Judge may waive or modify process in respect of notification of lawyer of record

- (22) A judge may, at any time, waive or modify the processes in subrules (20) and (21).

20 The following rule is added:

Rule 9 – Method of Attendance

Default method of attendance

- (1) Case conferences, mini-hearings and hearings must be attended in person.

Direction by chief judge for exception to default

- (2) Despite subrule (1), the chief judge may direct that a class of case conferences, mini-hearings or hearings may or must be attended by telephone, video conference or other means of electronic communication.

Classes of case conferences, mini-hearings and hearings

- (3) A direction under subrule (2) may be different for different court locations, court registries, types of case conferences, mini-hearings or hearings or classes of persons or circumstances.

Direction on how to attend

- (4) If the chief judge gives a direction under subrule (2) that a case conference, mini-hearing or hearing may or must be attended by telephone, video conference or other means of electronic communication, the court must direct the persons attending
- (a) how, and by what date, to submit and serve any records and other things, if the person will not be attending in person, and
 - (b) where or how to attend, including by providing a telephone number or video conferencing information, if applicable.

Application to change method of attendance

- (5) Despite subrules (1) and (2), a person may apply to change the person's own or another person's method of attendance at a case conference, mini-hearing or hearing to the court under Rule 1 (2) by completing and filing with the court an Application to Change Method of Attendance (Form 10.5).

Requirement for notice of hearing

- (6) An application under subrule (5) does not require service or a hearing unless
- (a) the judge requires notice and a hearing, in which case the judge may require service in accordance with Rule 6 or in any other manner the judge considers appropriate, or
 - (b) the application is in respect of a court proceeding at which sworn oral evidence will be given, in which case the judge may require service in accordance with Rule 6.

Hearing on application to change method of attendance

- (7) Unless a judge orders otherwise, a person may attend a hearing that is required under subrule (6) (a) or (b) by telephone, video conference or other means of electronic communication.

Attendance by designated representatives

- (8) A designated representative of a First Nation, an Indigenous community, a Treaty First Nation or the Nisga'a Lisims Government
- (a) may, despite subrules (1) and (2), attend a case conference, mini-hearing or hearing by telephone, video conference or other means of electronic communication if the designated representative does not intend to give sworn oral evidence or to call another person to give sworn oral evidence, and
 - (b) must attend a case conference, mini-hearing or hearing in person if the designated representative intends to give sworn oral evidence or to call another person to give sworn oral evidence unless
 - (i) a direction under subrule (2) applies to the designated representative, or
 - (ii) the designated representative makes a successful application under subrule (5).

Requirement to appear in person

- (9) Despite subrules (1) and (2), a judge who is conducting a case conference, mini-hearing or hearing at which persons are appearing by telephone, video case conference or other means of electronic communication may
- (a) adjourn the conference, mini-hearing or hearing at any time, and
 - (b) require persons to attend the case conference, mini-hearing or hearing, or any further case conferences, mini-hearings or hearings, in person or by another method of attendance that the judge considers appropriate in the circumstances.

Physical presence not required

- (10) For the purposes of these rules, other than subrules (1) and (8) (b) of this Rule, a reference to attending, appearing, conducting, giving, being present, being in court or being at a place or location is not to be interpreted as requiring in-person attendance.

Case conference, mini-hearing or hearing has an associated physical location

- (11) If a case conference, mini-hearing or hearing does not take place at a physical location because all persons attend the case conference, mini-hearing or hearing by telephone, video conference or other means of electronic communication, the case conference, mini-hearing or hearing is considered to take place at the court served by the registry where the court file is.

21 Appendix A is amended

(a) by repealing Forms 1, 2, 3, 4, 6, 8, 9, 10, 10.1 and 11, and substituting the attached Forms 1, 2, 3, 4, 6, 8, 9, 10, 10.1 and 11, and

(b) by adding the attached Forms 10.2, 10.3, 10.4 and 10.5.

APPLICATION FOR AN ORDER

Form 2

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

THE CHILD(REN):
This is the name and birthdate of each child involved.

In the matter of the child(ren):

Name	Date of Birth (mm/dd/yyyy)

THE PARENT(S)/ GUARDIAN(S):
This is the name(s) of the parent(s)/ guardian(s) of the child(ren) listed above.

The parent(s)/guardian(s) of the child(ren) is/are:

Name

FILED BY:
This is the name, address and email address of the one who is making this application.

This application is filed by:

Name			
Address		City	B.C.
Postal Code	Phone	Fax	
Email Address			

NOTICE TO:
This is the name address (and phone, fax number, and email address if applicable) of everyone who is required to be notified of the application.

Notice to:

Name	Address (include tel., fax #, and email address if applicable)

INDIGENOUS CHILD(REN):
Check one.

The child(ren) is/are Indigenous: Yes No

COURT DATE:
This is the date, time and place of the hearing of the application.

I will apply to this court on _____ at _____ am pm

in person at _____
court location

by another method of attendance, as specified _____
attendance details

When remote appearance is included in the "by" field, you may choose to attend in that method.

APPLYING FOR:
This is the order that the court will be asked to make, and the section of the Act or Rule that allows it.

an order for access to, information about or examination of a child (s. 17(2))

a protective intervention order (s. 28(3))

an order for necessary health care (s. 29(3))

an order that a person be a party at a hearing (s. 39(4))

a supervision order (under ____ s. 41(1)(a), ____ s. 41(2.1), ____ s. 42.2(4)(a) or ____ s. 46(3))

a temporary custody order placing a child in the custody of a person other than a parent (under ____ s. 41(1)(b) or ____ s.42.2(4)(c))

a temporary custody order placing a child in custody of the director (under ____ s. 41(1)(c) or ____ s. 42.2(4)(b))

extension of a temporary order (under ____ s. 44(3)(a), ____ s. 44(3)(b) or ____ s. 44.1(3))

a continuing custody order (under ____ s. 41(1)(d), ____ s. 42.2(4)(d), ____ s. 49(4), ____ s. 49(5) or ____ s. 49(10))

an order extending the time limit for a temporary custody order (s. 45(1.1))

an order permanently transferring custody of a child (____ s. 54.01(5) or ____ s. 54.1(3))

an order for access to a child (under ____ s. 55, ____ s. 56, ____ s. 57.01 or ____ s. 57.1)

an order appointing the Public Guardian and Trustee as the child's property guardian (s. 58(3))

an order that a police officer take charge of a child (s. 63(1))

an order for production of a record (s. 65(1))

an order under section 60 with reference to section _____

Form 2

1-COURT FILE 2-APPLICANT 3-RESPONDENT 4-EXTRA COPY FOR SERVICE
5-PROOF OF SERVICE 6-LAWYER'S OR FAMILY COPY

an order under section 60 dispensing with required consent
 an order varying notice requirements (s. 69)
 a restraining order (under ____ s. 98(1) or ____ s. 98(3))
 an order permitting use of another service method, as set out below (Rule 6(10))

This is more information about the order asked for, whether or not it is one of the listed orders.

an order as set out below
 Details of the order requested and the section of the Act or Rule relied upon:

Sign, type or print name

Dated _____

ADDRESS FOR SERVICE:
This is the address where documents can be mailed, emailed, or faxed to the person making this application.

Address for service if different from Applicant's:

Address _____	City _____	B.C. _____
Postal Code _____	Phone _____	Fax _____
Email Address _____		

APPLICATION TO CHANGE OR CANCEL AN ORDER

Form 3

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

THE CHILD(REN):
This is the name and birthdate of each child involved.

In the matter of the child(ren):

Name _____ Date of Birth (mm/dd/yyyy) _____

THE PARENT(S)/ GUARDIAN(S):
This is the name(s) of the parent(s)/ guardian(s) of the child(ren) listed above.

The parent(s)/guardian(s) of the child(ren) is/are:

Name _____

FILED BY:
This is the name, address and email address of the one who is making this application.

This application is filed by: Name _____

Address _____ City _____ B.C.

Postal Code _____ Phone _____ Fax _____

Email Address _____

NOTICE TO:
This is the name, address (and phone, fax number and email address if applicable) of everyone who is required to be notified of the application.

Notice to:

Name _____ Address (include Tel., Fax #, and email address if applicable) _____

INDIGENOUS CHILD(REN):
Check one.

The child(ren) is/are Indigenous: Yes No

COURT DATE:
This is the date, time and place of the hearing of the application.

I will apply to this court on: _____ at _____ am pm

in person at _____ court location _____

by another method of attendance, as specified _____ attendance details _____

When remote appearance is included in the "by" field, you may choose to attend in that method

APPLYING FOR:
This tells the order that the court will be asked to make.

FOR AN ORDER THAT:

the attached order be cancelled; OR

the attached order be changed to do the following:

REASONS:
This is more information about the reasons why the court should change or cancel the order.

Since the order was made, circumstances have changed significantly as follows: _____ OR

(if the application is under Rule 8(6))
The reason for failing to attend when the order was made is: _____

The change or cancellation of the order would be in the best interest of the child(ren) because: _____

I make this application under s. 28(4) s. 54(1) s. 57(1) s. 98(6.1) Rule 8(6)

ADDRESS FOR SERVICE:
This is the address where documents can be mailed, emailed, or faxed to the person making this application.

Sign, type or print name _____ Dated _____

Address for service if different from Applicant's

Address _____ City _____ B.C.

Postal Code _____ Phone _____ Fax _____

Email Address _____

Form 3

1-COURT FILE 2-APPLICANT 3-RESPONDENT 4-SERVICE
5-PROOF OF SERVICE 6-LAWYER OR FAMILY

**SUBPOENA
Form 4**

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

THE CHILD(REN):
This is the name and birthdate of each child involved.

In the matter of the child(ren):

Name(s)	Date(s) of Birth (mm/dd/yyyy)

THE PARENT(S)/ GUARDIAN(S):
This is the name(s) of the parent(s)/ guardian(s) of the children listed above.

The parent(s)/guardian(s) of the child(ren) is/are:

Name(s)

NOTICE TO:
This is the name, address (and phone, fax number and email address if applicable) of the witness you are requiring to attend court.

To:

Name		
Address	City	B.C.
Postal Code	Phone	Fax
		Email

You have been subpoenaed as a witness by

and you must appear in court

COURT DATE:
This is the date, time and method of attendance for the hearing.

On:

Date	at	Time	<input type="checkbox"/> am	<input type="checkbox"/> pm
at:	Address	City	B.C.	Postal Code

in person at

court location

by another method of attendance, as specified

attendance details

RECORDS TO BRING:
If you want the witness to bring or submit to court any records or other things list them here.

If the court made an order that the witness attend in a way other than in person, include the terms of the order made by the judge.

You must bring the following records and other things to court:

What happens if you do not attend?
A judge may issue a warrant for your arrest.

CANCELLING A SUBPOENA:
Rule 3(4) tells how a subpoena may be cancelled.

Can the subpoena be cancelled?
If you believe that you are not needed as a witness or it would be a hardship for you to attend court, you may ask a judge to cancel the subpoena. You may also apply to a judge to change your method of attendance from what is listed on the summons.

TRAVELLING EXPENSES:
You must provide the witness with expenses related to their method of attendance at court.

\$ is attached for reasonable expenses related to the method of your attendance at court.

Date

Signature of person issuing subpoena

Form 4

1-COURT FILE 2-PARTY 3-WITNESS 4-PROOF OF SERVICE

**RELEASE
Form 6**

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren):

Name(s) _____ Date(s) of Birth (mm/dd/yyyy) _____

The parent(s)/guardian(s) of the child(ren) is/are:

Name(s) _____

Name _____ B.C. _____

Address _____ City _____

Postal Code _____

Email Address (if available) _____ Phone _____

I promise to attend the Provincial Court on: _____ at _____ am pm

in person at _____

by another method of attendance, as specified _____

court location

attendance details

When remote appearance is included in the "by" field, you may choose to attend in that method.

I am released on these conditions, imposed under Rule 3(9):

My name, address, telephone number, and email address as shown on this Release are correct.

I understand that if I do not attend court on the date and time shown, a judge may issue a warrant for my arrest.

Signature of person being released:

_____ Dated _____

A Judge of the Provincial Court of British Columbia or
A Justice of the Peace for British Columbia

Form 6

NOTICE OF ADDRESS FOR SERVICE

Form 8

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

THE CHILD(REN):
This is the name and birthdate of each child(ren) involved.

In the matter of the child(ren):	
Name(s)	Date(s) of Birth (mm/dd/yyyy)
_____	_____
_____	_____
_____	_____
_____	_____

THE PARENT(S)/ GUARDIAN(S):
This is the name(s) of the parent(s)/ guardian(s) of the children listed above.

The parent(s)/guardian(s) of the child(ren) is/are:	
Name(s)	_____
_____	_____

ADDRESS FOR SERVICE:
This is important because it is the address where the registry and other parties will send any further notices or information to you. It may or may not be the same as your home address. If your address changes, fill out another Notice of Address for Service and file it.

Check the appropriate box.

This is my address for service in this matter:		
Name	_____	
Address	_____	
City	B.C.	Postal Code _____
Personal service Address	<input type="checkbox"/> same as above	
<input type="checkbox"/> Service by email	Email address _____	
<input type="checkbox"/> Service by facsimile transmission to this number:	Fax no. _____	
<input type="checkbox"/> Change of information. My address has changed, and the new address(es) are effective on	Date _____:	
_____	_____	
_____	_____	
By submitting this form, I acknowledge that I will receive notice of court proceedings from the court and the other parties by one of the methods selected above.		

Type, print or sign name

_____ Date

CERTIFICATE OF SERVICE

Form 9

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren):

Name(s) _____ Date(s) of Birth (mm/dd/yyyy) _____

The parent(s)/guardian(s) of the child(ren) is/are:

Name(s) _____

I certify that I, ^{Name} _____

of ^{Address} _____ ^{City} _____ ^{Province} _____

Served ^{Name of person served} _____

on ^{Date} _____

at ^{Address/facsimile number/email address} _____

with a copy of: (List each document served)

by leaving with them personally;

by mailing to them by registered mail. Attached and marked as an exhibit to this certificate is:

confirmation of delivery or a printout of their signature from Canada Post, marked Exhibit " _____ "; or

the unopened envelope returned by Canada Post, marked Exhibit " _____ ".

by sending by email to the email address confirmed on ^{Date} _____. Attached and marked as Exhibit " _____ " to this certificate is a copy of the email sent, including the time delivered and confirming it was sent to ^{Email address} _____ which is the email address of ^{Name} _____,

by sending the copy by facsimile transmission. Attached and marked as Exhibit " _____ " to this certificate is a transmission report generated by the sending machine, confirming transmission to ^{Number} _____ which is the facsimile number of ^{Name} _____

_____ Dated _____

Form 9

PROTECTION ORDER

Form 10.1

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren):
Name(s) _____ Date of Birth (mm/dd/yyyy) _____

The parent(s)/guardian(s) of the child(ren) is/are:
Name(s) _____

Before the Honourable Judge _____ on _____
<small>Name mm/dd/yyyy</small>
After a hearing at _____ on _____ where the following
people appeared: <small>add additional lines as required court location mm/dd/yyyy</small>
Name _____ appeared as lawyer/lawyer of record for _____
Name _____ appeared as lawyer/lawyer of record for _____
(if applicable) <input type="checkbox"/> By consent <input type="checkbox"/> Without notice to others
(if applicable) <input type="checkbox"/> After a hearing at _____ the order dated _____ is
changed as stated below. <small>court location mm/dd/yyyy</small>

Select one or more of the following provisions, as applicable, complete the selected provision(s) and remove the provision(s) that is/are not selected so that it/they do(es) not appear in the draft order when submitted for filing.

THIS COURT ORDERS

under section 28 section 98 of the *Child, Family and Community Service Act*, that _____ full name and date of birth of person prohibited is prohibited for a period of _____ from contacting or interfering with or trying to contact or interfere with _____ full name(s) or from entering any premises or vehicle, or boarding any vessel, that _____ full name(s) attend(s).

under section 28 section 98 of the *Child, Family and Community Service Act*, that _____ full name and date of birth of person prohibited is prohibited for a period of _____ from residing with _____ full name(s) of child(ren) or from entering any premises or vehicle, or boarding any vessel, where _____ full name(s) of child(ren) reside(s), including any premises, vehicle or vessel that _____ full name of person prohibited owns or has a right to occupy.

under section 28 section 98 of the *Child, Family and Community Service Act*, that _____ full name and date of birth of person restrained enter into a recognizance, with or without sureties, in an amount of \$ _____

under section 28 section 98 of the *Child, Family and Community Service Act*, that _____ full name and date of birth of person restrained must report to the court, or to _____ specify person(s) as follows: specify

THIS COURT ORDERS

under ___section 28 ___section 98 of the *Child, Family and Community Service Act*, that _____
_____ produce to the court, or to a person named by the court, _____
_____ full name and date of birth of person restrained
specify documents

Other: specify _____

Dated _____ By the Court _____

**DISOBEYING THIS ORDER IS A CRIMINAL OFFENCE UNDER SECTION 127
OF THE CRIMINAL CODE PUNISHABLE BY FINE OR IMPRISONMENT**

TAKE NOTICE THAT any police officer, including any R.C.M.P. officer having jurisdiction in the province of British Columbia, having reasonable and probable grounds to believe that the person against whom this order is made has contravened a term of this order may take action to enforce the order, whether or not there is proof that the order has been served on the person and, if necessary, may use reasonable force. Enforcement action may include arresting the person against whom this order is made without a warrant in accordance with section 495 of the Criminal Code.

CONSENT ADJOURNMENT

Form 10.2

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren):

Name(s) _____ Date(s) of birth (mm/dd/yyyy) _____

The parent(s)/guardian(s) of the child(ren) is/are:

Name(s) _____

Anyone who is entitled to notice of the appearance and has party status if they appeared at the application being adjourned, consent that the application(s) filed on _____

Date(s) application(s) filed _____

for _____ is adjourned to _____ at _____

Type of court appearance _____ mm/dd/yyyy _____ Time _____

(Time estimate: _____)

- in person at
- by another method of attendance, as specified

Court location

Attendance details

This date has been obtained from the (select one) Registry JCM (judicial case manager)

- Lawyer of record for the director filing this form confirms they have obtained the consent of all parties or their lawyer of record and shall provide all other parties or their lawyer of record with a copy of the filed form with the new court date and appearance details obtained from the court registry or the judicial case manager.

Name of person(s): _____ Lawyer of Record: _____

Name of person(s): _____ Lawyer of Record: _____

Name of person(s): _____ Lawyer of Record: _____

Name of person(s): _____ Lawyer of Record: _____

Filed by: _____ Date: _____

Type or print name of lawyer of record for the director _____ mm/dd/yyyy

Contact information for the lawyer of record for the director:

Address _____ Phone _____ Email _____

Important information

Lawyer of record for the director shall use one form for each court file and may only use the form where the lawyer of record is adjourning a file from one date to another with the same time estimate (or less).

This form **cannot** be used to adjourn hearings at which sworn oral evidence will be given.

NOTICE OF LAWYER OF RECORD FOR PARTY

Form 10.3

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

I, _____
Full name of lawyer of record

of _____
Firm name, if applicable

am the lawyer of record for the following party / parties:

Provide the full name of each party the lawyer of record is representing

I will be representing the party / parties identified above as follows:

Select all options that apply

on all issues until further notice to the court

other (specify):

The contact information and address for service of court documents are:

Firm name (if applicable) _____

Address _____

City _____ Province _____ Postal Code _____

Email: _____ Telephone _____

I understand I need to serve each other party with a filed copy of this notice.

Sign, print or type name

Form 10.3

**NOTICE OF REMOVAL OF LAWYER OF RECORD
FOR PARTY**

Form 10.4

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

I, _____
Full name of lawyer of record

am no longer representing _____
Full name of party/parties

on this case effective _____.
mm/dd/yyyy

The contact information and address for service of court documents are now changed to:

Lawyer name (if applicable): _____

Party: _____ at

Address of Party: _____

City _____ Province _____ Postal Code _____

Email _____ Telephone _____

I understand I need to serve each other party with a filed copy of this notice.

Sign, print or type name

APPLICATION TO CHANGE METHOD OF ATTENDANCE
Form 10.5

In the Provincial Court of British Columbia
 Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren)	
Name(s)	Date(s) of Birth (mm/dd/yyyy)

The parent(s)/guardian(s) of the child(ren) is/are:
Name(s)

Applicant name			
Address			
City	Province	Postal Code	
Phone	Email	Fax	

I am Choose one of the following options

- Director
- Parent / Guardian
- Other
- Lawyer/Lawyer of Record for Name _____
- Designated Representative

1. I am applying for an order to allow:

Select all options that apply

- Me
- Parent(s) / Guardian(s) Include name(s) _____
- Witness(es) Include name(s) _____
- Other Specify _____
(the "Participant")

to attend at the: Choose one of the following options. If Hearing, Trial, Continuation, or Other, please also complete section 2 below.

- Case Conference
- Hearing
- Trial
- Continuation
- Other Specify _____

Scheduled for _____ at _____ by _____
mm/dd/yyyy Time Method of attendance

By another method of attendance as follows: Choose one of the following options

- Audioconference (telephone)
- Videoconference (MS Teams)
 - I confirm the Participant has the means to appear by videoconference (computer/tablet/mobile, reliable internet connection)
- In person

For the following reasons: Must complete this section

Check box if you have attached a page with further information

I understand I must promptly advise the other parties and other persons entitled to notice of this application of the outcome of this application, see Rule 6 Service.

2. The Participant intends to present oral evidence (for example, the Participant intends to testify or call witnesses to testify) at the appearance noted above? Yes No

If yes, this application must be served on all other parties and other persons entitled to notice of this application, see Rule 6 Service.

Additional information about oral evidence:

The Participant intends on testifying and/or calling witnesses to testify

Insert total number of witnesses _____ and brief description of nature of their evidence

Check box if you have attached a page with further information

Registry to complete:
This application will be made to the court at _____
Court registry, street address, city
 on _____ at _____ am / pm
Date Time
You may attend the court appearance by another method of attendance, as specified.
 See attached for details

3. Select the following additional information that applies:

The Participant requires and has requested or will request an interpreter

The Participant intends on presenting written evidence brief description of document(s) or materials

Check box if you have attached a page with further information

FOR COURT USE ONLY
Presiding Judge: Hearing: required not required
 Application: granted denied
 Terms if granted/Reasons if denied: _____
 Further court directions: _____
 Check box if you have attached a page with further information

 Signature Date _____

FOR REGISTRY USE ONLY
 Advised _____ at _____ am/pm on _____
 Name of applicant (Clerk initials) Time Date

WRITTEN CONSENT

Form 11

In the Provincial Court of British Columbia
Under the *Child, Family and Community Service Act*

REGISTRY FILE NUMBER
REGISTRY LOCATION

In the matter of the child(ren):	
Name	Date of Birth (mm/dd/yyyy)
_____	_____
_____	_____
_____	_____

The parent(s)/guardian(s) of the child(ren) is/are:
Name

I, _____ Name
_____ of _____ Address _____ City _____ Prov. _____
consent to the making of a Consent Order under section 60 with reference to section _____ .
Details of the consent order including any terms or conditions: _____

I am:
<input type="checkbox"/> the director.
<input type="checkbox"/> the child, 12 years of age and older.
<input type="checkbox"/> the child(ren)'s parent/guardian.
<input type="checkbox"/> a person who has custody of the child(ren) under section 35(2)(d), 41(1)(b) or s. 42.2(4)(c) of the Act.
<input type="checkbox"/> a person to whom the court has been requested to transfer custody of the child(ren) under s. 54.01(1) or 54.1(1) of the Act.
<input type="checkbox"/> a person to whom the court has been requested to grant custody of the child(ren) under s. 35(2)(d), 41(1)(b) or 42.2(4)(c) of the Act.
<input type="checkbox"/> the designated representative of a First Nation, an Indigenous community, a Treaty First Nation or the Nisga'a Lisims Government.
<input type="checkbox"/> a person made a party under section 39(4) of the Act.
<input type="checkbox"/> the Public Guardian and Trustee.

<input type="checkbox"/> I have been advised by the director to consult with independent legal counsel before signing this consent.
<input type="checkbox"/> I understand the nature and the consequences of this consent.
<input type="checkbox"/> My consent to the order is voluntary.

_____ Signature	_____ Dated
_____ Witness Signature	_____ Witness Name _____ Dated

Form 11