



March 24, 2020

Hon. David Eby, QC
Attorney General
PO Box 9044, Stn Prov Govt
Victoria, BC V8W 9E2

via email: AG.Minister@gov.bc.ca

Dear Mr. Attorney General,

Re: COVID-19 COURT CLOSURES AND LIMITATION PERIODS

I write on behalf of the BC branch of the Canadian Bar Association in regards to the effect of Covid-19 which has resulted in the closure of British Columbia courthouses and court rooms, and the ability of people to comply with limitation periods.

On March 18, 2020 Chief Justice Hinkson announced the suspension of hearings from March 10, 2020 to May 1, 2020 inclusive. In his Notice to the Profession, Chief Justice Hinkson also suspended all filing deadlines until May 1, 2020. He noted other statutory filing deadlines and limitation periods continue to apply, and advised parties can apply for extensions once regular operations resume.

However, we note that when the province of Ontario recently closed their courthouses, the provincial government ordered the suspension of any statute, regulation, rule or by-law establishing any limitation period or procedural deadline. We strongly urge the province of British Columbia to also suspend all statutory limitation dates for the duration of the state of emergency.

Although there is the ability to file electronically in British Columbia, we note that there continues to be challenges, particularly for self-represented litigants who do not have access to electronic filing. In addition, social distancing requirements impede a lawyer's ability to take proper instructions from clients who may not have access to video conferencing.

Thank you for your consideration,

Yours respectfully,

Kenneth Armstrong
CBABC President 2019/2020

cc: Craig Ferris Q.C., President, The Law Society of British Columbia
John Rice, President, Trial Lawyers Association of British Columbia
Richard Fyfe Q.C., Deputy Attorney General