



ACTION RECOMMENDED

CBABC recommends that the BC Government:

- Increase funding to the Court Services Branch to enhance court staffing in smaller communities and enhance training of court staff in all communities to support a modernized court administration system;
- Fully fund the development of the initiatives outlined in *the Court Digital Transformation Strategy 2019-2023* and [Modernizing Justice and Public Safety: A Digital Strategy for the Justice and Public Safety Sector 2019/2020](#).

An injection of funding these areas would modernize the court system, increase efficiency, and address backlogs.

ISSUE

Inadequate staffing in the Court Services Branch, particularly in smaller communities, has led to lengthy wait times for important administrative tasks and difficulties in scheduling, which delay the completion of family and civil cases. This puts additional pressure on litigants who need proof of a court order to take the next step in their case, such as enforcing child support payments, obtaining document disclosure, or changing the land owner registry title.

Smaller communities, in which the court sits and hears cases only for defined periods, would be better served if they could take advantage of the sudden availability of Provincial or Supreme Court judges or masters. However, without sufficient clerks, sheriffs and other court services staff, a courthouse cannot respond to the availability of additional judges. Similarly, the centralization of some tasks, particularly when the technology has not kept pace with change, leaves many courthouses in smaller communities with difficulties in providing the necessary services in a timely and efficient manner. As a result, litigants experience even greater delays and uncertainty as to when their cases will be heard.

Despite the government funding in 2018 that was allocated towards increasing the number of sheriffs and the injection of emergency funding in 2020 during the early stage of the pandemic, more government funding is required for the court system to meet the needs of British Columbians in the 21st century.

This funding would be used to increase the number and proficiency of court administrative staff to address the ongoing deficiencies. Centralization of some tasks, while perhaps creating some efficiencies in the system, have unfortunately created some new inefficiencies. The turn-around time for receiving orders, for example, is unacceptably long. These inefficiencies have resulted in poor service outcomes for litigants, particularly in smaller communities.

Technology is needed to provide a platform for dealing with documents on video conferences, and would allow judges who suddenly become available to have access to the material necessary to hear a



case. But in addition to that, there is a need for technologically-adept court staff to operate a digital system and support the litigants and judges using it.

WHY IT MATTERS

The efficiency of the court system has significant repercussions for access to justice in BC. In addition, the inefficiencies and the difficulties in providing effective service to the justice system participants have a large impact on the public's confidence in the justice system, which in turn has an impact on the rule of law itself.

Issues with efficiency in the justice system are driven to a large extent by the nature and availability of the resources required to run it.

In 2017, CBABC recommended several measures to improve the accountability of the justice system and the efficient operation of the courts. In 2020, the global pandemic has served to highlight the continuing issues in the system and how improvements in staffing and technology can better serve the needs of the justice system and the citizens of BC. Changes to the system should be focused on systemic change and must always keep the users of the justice system at the centre of the discussion.

REFERENCE MATERIALS

[*Court Digital Transformation Strategy 2019-23*](#), Ministry of Attorney General, Government of BC (2019)

[*Modernizing Justice and Public Safety: A Digital Strategy for the Justice and Public Safety Sector 2019/2020*](#), Government of BC (2019)

Links to all *Agenda for Justice 2021* reference materials are available at cbabc.org/A4Jbackground.