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## Unified Family Court

**ISSUE:** Work with the federal government to establish a Unified Family Court – as has been done in other provinces – to resolve existing issues resulting from two separate but parallel courts (Supreme and Provincial Courts) dealing with often overlapping family matters.

**BACKGROUND:** British Columbia has two separate but parallel courts dealing with family law matters, with duplications and overlaps in services and jurisdiction that are confusing to the public and wasteful of scarce resources. The Provincial Court deals with more than half of the family law cases in British Columbia, but there are many matters it cannot deal with. The Supreme Court has full family law jurisdiction, but fewer locations and more complex procedures. This results in confusion, inefficiency, duplication and delay.

Seven provinces have moved, in whole or in part, to a “Unified Family Court” in which one level of court deals with all family law matters. Such a court has many advantages, including simplified rules and procedures, a specialized bench, a strong cooperative resolution focus and extensive services for children and families. This has been recommended by various studies, notably in 2005 in the Family Justice Reform Working Group's report as part of the BC Justice Review Task Force.

Creation of such a court requires cooperation from the federal government, which has indicated a strong interest in creating and improving Unified Family Courts across the country.

Successful implementation of a unified family court would need to ensure that:

- It remains accessible throughout the province, such that those living in smaller centres currently served by the Provincial Court but not the Supreme Court continue to have access to family justice;
- Its procedures are no more complex than required and are adaptable to the needs of a particular case; and



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- It provides a focus for family services to assist families in moving to resolution as quickly as reasonably possible, with a strong focus on the encouragement of cooperative resolution while efficiently moving those cases for which cooperative resolution will not succeed to final resolution.

**Background Reading:**

[www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/justice-reform-initiatives/final\\_05\\_05.pdf](http://www2.gov.bc.ca/assets/gov/law-crime-and-justice/about-bc-justice-system/justice-reform-initiatives/final_05_05.pdf)

[www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/09/ufc-tuf/index.html](http://www.justice.gc.ca/eng/rp-pr/cp-pm/eval/rep-rap/09/ufc-tuf/index.html)