
April 23, 2020

BULLETIN

CHIEF JUSTICE OF BC NOW GRANTED DISCRETION TO MODIFY COURT RULES

[Ministerial Order 121/2020](#), the latest order of Minister Mike Farnworth made under s. 10(1) of the *Emergency Program Act*, grants the Chief Justice and Associate Chief Justice of BC the power to modify the Supreme Court Civil rules and the Supreme Court Family Rules. The Chief Justices may make an order that any rule does not apply to a particular class of applications, or in the case of a specific application. Limiting this discretion is a requirement that the Chief Justices may only modify the rules if they would require a party to take a step in an application that cannot reasonably be taken because of the COVID-19 pandemic. Finally, the Order allows the Chief Justices to require an application to be heard by way of written submissions, telephone, video conference, any other communication medium.

This Order is effective until the state of emergency under the *Emergency Program Act* expires.

Local governments engaged in litigation should take note, as this Order may allow that litigation to proceed despite the closure of the courts.

Nick Falzon