



IN THE TERRITORIAL COURT OF YUKON

PRACTICE DIRECTION
CP-7

Conduct of Circuits by Telephone

Scheduled circuits may be conducted by telephone at the discretion of the presiding judge where no substantive matters are expected to be heard or where the weather would make travel unsafe. See Practice Direction ADMIN-5 (*Circuit Cancellation Due to Weather*).

In the event that a scheduled court circuit is conducted by telephone, the court registry will make the necessary arrangements with the circuit community. Any individuals required in court should attend at the time and place scheduled.

For further information, please see the attached “Circuit Courts” and “What to do when Circuit Courts are held by phone” documents prepared by the court registry.

Chief Judge K. Ruddy
April 6, 2018

CIRCUIT COURTS

- The circuit court calendar for the following year is sent out in the fall to a distribution list that includes the RCMP, First Nations, CYFN Courtworkers and relevant Yukon government departments among other recipients. The calendar is also posted to, and updated on, the Yukon Courts website:
<http://www.yukoncourts.ca/courts/territorial/calendar.html>

This calendar shows the date, time and location in each community for all planned circuit courts for the year, as well as the dates of pre-circuit conferences.

- Approximately two weeks before each scheduled circuit, a pre-circuit conference is held at which the cases on the docket are discussed. The Court Clerk will send a fax to a community-specific distribution list two weeks before each pre-circuit conference indicating the date and time of the conference and a number to call in if people outside Whitehorse want to participate.
- At the pre-circuit conference the Judge decides whether the court party will attend the circuit in person or by telephone, taking into account a number of considerations including whether any substantive matters (such as trials or sentencing) are on the docket. If there are no cases on the docket for that circuit the Judge will cancel the circuit altogether.
- If a circuit is canceled, or will be done by telephone, the Trial Coordinator's Office will fax a notice to all parties on the community distribution list.
- If a circuit is canceled, the Supervisor, Court Clerks will cancel the reservation for the venue either by phone or by email.
- When a circuit court is to be held by telephone, the Supervisor, Court Clerks will contact the community RCMP detachment to arrange for a member to attend at the venue, and will also contact a representative of the venue to confirm the phone number to be called on the day of Court.
- One day before the circuit is to happen, whether it is by phone or in person, a Clerk of the Court will fax out the most up-to-date docket to the community distribution list.

See the instruction sheet "What To Do When Circuit Courts Are Held By Phone" for details on what community and RCMP members can do to help make circuit courts held by phone go smoothly.

WHAT TO DO WHEN CIRCUIT COURTS ARE HELD BY PHONE

For circuit courts held by phone to run smoothly, the help of community and RCMP members is needed. Someone designated by the community, or an alternate, must:

- attend the venue to unlock the door 15 minutes before court is to start;
- set up a speaker phone; and
- post the docket so the public can see it (for example, tape it on the door to the courtroom).

Before court starts, the RCMP member in attendance will advise those present that the court party will not be attending the community in person, but that court will be held by telephone instead.

When the Court calls in from Whitehorse, someone in the community must answer the phone and put it into hands-free (speaker) mode. The Clerk from Whitehorse will identify the people who are on the phone in Whitehorse, and then call the matters on the docket. The RCMP member will let Whitehorse know whether each person is present or not. If the person is present the RCMP member will ask them to come forward when their matter is called so they can be heard on the phone.

Once court is finished, someone from the community will have to disconnect the phone, put tables and chairs away (if required), and close and lock the venue (if required).

If there are to be any changes to the circuit court venue, phone number or other details that might impact the court, someone in the community must advise the Supervisor, Court Clerks as soon as possible by phoning 1-800-661-0408 ext. 3429 or by emailing clerksupervisor@gov.yk.ca.

The Court very much appreciates the assistance of community and RCMP members in carrying out these important functions. Should you have any questions about what needs to be done to prepare for circuit courts held by phone, please contact the Supervisor, Court Clerks at 1-800-661-0408 ext. 3429 or at clerksupervisor@gov.yk.ca.