



COURT OF APPEAL

THE LAW COURTS
400-800 HORNBY STREET
VANCOUVER, B.C.
V6Z 2C5

ANNOUNCEMENT

Court of Appeal Civil Rule Reform Consultation

Background

1. The case for rule reform as a tool for improving access to justice has been articulated by a variety of voices that seem to be increasing in number and in volume. For example, the National Action Committee on Access to Justice in Civil and Family Matters produced its [Report of the Court Processes Simplification Working Group](#), which discusses the role of rules of court in promoting access to justice. In particular, the report suggests that the “right” rules of court can promote a quicker and less costly resolution of actions, applications and appeals.
2. An appellate court, because of its narrower role and less complex requirements compared to a trial court, is well-situated to develop the type of simplified set of rules and procedures advocated for in the literature.
3. Keeping in mind the National Action Committee’s caution not to contemplate new rules that do not contribute to the simplification of court procedures and overall improvement to access to justice, the Court of Appeal is undertaking an examination of its civil rules and procedures. At this early stage, it is unknown whether the result will be a significant overhaul or whether some minor tinkering will suffice.

Consultation Process

4. The Court wishes to hear from the public about how the Court’s civil rules are working for the people who participate in the Court’s processes.
5. Potential topics for input might include:
 - a. a new organization of the Court’s rules that would set out the Court’s powers in the *Court of Appeal Act* and the Court’s procedures in the Court of Appeal Rules in the chronological order of a typical appeal;
 - b. ways to reduce the amount of paper required for an appeal, such as improving or expanding the use of electronic documents, decreasing the number of paper copies required, etc.;

- c. updating the costs rules, for example, by increasing the tariffs, and making them more consistent with the BC Supreme Court costs regime;
 - d. augmenting or otherwise adjusting the powers of a single justice in chambers (section 10 of the *Act*);
 - e. consolidating the security for costs powers;
 - f. adding or removing items on the list of matters requiring leave to appeal (Rule 2.1);
 - g. broadening the array of options relating to vexatious litigant orders;
 - h. providing a process for motions to be disposed of in writing; and
 - i. changing or providing alternative options with respect to the filing schedule of an appeal.
6. The Court does not wish to curtail or discourage innovative thinking about rule reform. Therefore, the topics listed above are provided merely in order to convey the nature of reform ideas which the Court seeks to consider. The Court invites input on any rule reform ideas and encourages litigants to bring their concerns and problems forward, along with suggested solutions. The Court is interested in hearing about what is working well with the civil rules, as well as what is not working.
 7. The Court has set up an email address, BCCACivilRules@courts.gov.bc.ca and encourages you to send your input by email. Please be as specific as possible about obstacles and inefficiencies you have experienced, as well as your vision for a fair and efficient system.
 8. The deadline for submitting feedback is March 31, 2015. Once the Court has had an opportunity to review and evaluate your ideas, further consultative steps may be announced.
 9. To be clear, this consultation will deal only with the Court's civil rules. The rule reform consultation regarding the Court's criminal rules will be conducted separately.

Conclusion

10. We thank you in advance for your time, thoughts and input on this complex topic. We look forward to a productive consultation and, ultimately, an effective and responsive result.