



FORM 3: MEDIA REQUEST FOR ACCESS TO A SPECIFIED COURT RECORD IN CRIMINAL PROCEEDINGS

Description

FORM 3 is available on the Supreme Court of BC website for accredited members of the media to request access to the following specified court records in criminal proceedings:

1. Filed notices of application
2. Filed affidavits

The media and public may have access to indictments, informations, reasons for judgment, and court orders upon request at the Registry without using FORM 3, unless the proceeding is under the *Youth Criminal Justice Act*, or there are statutory provisions or court orders restricting access. Consult the [Court Records Access Policy](#) available on the Supreme Court website for more details about requesting access to these and other specific court records.

The purpose of FORM 3 is to minimize the need for accredited media to make a formal court application to access filed notices of application or affidavits where the request for access may appropriately be addressed on an expeditious basis, and does not engage the interests of third parties not represented by the Crown.

Procedure

1. A member of the accredited media completes Section A and then provides a copy to Crown counsel and to defence counsel (or to the accused person, if they are self-represented).
2. Counsel or the self-represented party completes Section B of FORM 3 and returns it to the media representative. If any party fails to return the completed Section B within a reasonable time in the circumstances, the media representative may submit FORM 3 without a response from that party.
3. The media representative submits FORM 3 with Sections A and B completed to the Registry where the criminal proceeding is scheduled to take place, is underway, or took place. If the proceeding is underway, the completed form may be submitted to the court clerk in the relevant courtroom. The Registry or the court clerk ensures that the presiding judge receives the completed form.
4. The presiding judge considers the request and makes a determination about whether to grant access, whether further response from the parties is required, whether any third party (with an apparent or potential interest in the subject matter of the application) should be notified of the application, or whether a formal court application is necessary. The presiding judge records the determination in Section C and notifies the media representative and the parties to the proceeding.
5. The original of the completed FORM 3, with the judge's written determination, is placed in the court file and forms part of the record of proceedings.

Accredited **MEDIA APPLICANT** to fill out Section A only:

SECTION A:

Case Name and File No:

Request Date:

Request By:

Agency:

Contact No:

Specified court record to be accessed:

Filed notice of application (specify)

Filed affidavit (specify)

Note that the media and public may have access to indictments, informations, reasons for judgment, and court orders upon request at the Registry without using FORM 3, unless the proceedings are under the Youth Criminal Justice Act, or there are statutory provisions or court orders restricting access. Consult the [Court Records Access Policy](#) available on the Supreme Court website for more details about requesting access to these and other specific court records.

Requested Classification of Access

- UNLIMITED** - applicant may view, copy and publish
- COPY ONLY** - exhibit may not be published
- VIEW ONLY** - exhibit may not be copied or published
- OTHER** - provide details in "Comments" section below

Comments: (200 characters)

Signature: _____

COUNSEL or SELF-REPRESENTED PARTIES to fill out Section B only:

SECTION B:

Case Name and File No:

Review Date:

Counsel Name *(leave blank if self-represented)*:

Representing *(provide name of party and indicate if self-represented)*:

Party's Position on Classification of Access:

(If you oppose access or your position is that a formal application is required check "Other" and provide details in "Comments" section)

- UNLIMITED** - applicant may view, copy and publish
- COPY ONLY** - exhibit may not be published
- VIEW ONLY** - exhibit may not be copied or published
- OTHER** - provide details in "Comments" section below

Comments: (200 characters)

Signature: _____

COURT to fill out Section C only:

SECTION C:

Case Name and File No:

The Court's Decision on Access:

(Indicate level of access granted and any terms. If access is not permitted or a formal application for access is required check "Other" and provide details in "Comments" section)

- UNLIMITED** - applicant may view, copy and publish
- COPY ONLY** - exhibit may not be published
- VIEW ONLY** - exhibit may not be copied or published
- OTHER** - provide details in "Comments" section below

Comments:

Signature: _____