

ᑕᑭᑦᑎᑦᑎᑦᑎ Memo



ᑕᑭᑦᑎᑦᑎᑦᑎ To: The Bar of Nunavut, Justice Stakeholders, Media, Members of the Public

ᑕᑭᑦᑎᑦᑎᑦᑎ From: Acting Chief Justice Bonnie Tulloch

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ᑕᑭᑦᑎᑦᑎᑦᑎ Date: 12/1/2020

ᑕᑭᑦᑎᑦᑎᑦᑎ Re: Nunavut Court of Justice operations update in response to the December 2, 2020 lifting of Coronavirus (COVID-19) restrictions by Chief Public Health Officer

Please accept this Notice as an update on the Nunavut Court of Justice's ("NCJ") December 2020 operations. This Notice is being sent further to Dr. Patterson's November 30, 2020 announcement that the Government of Nunavut will be lifting COVID-19 restrictions in the majority of the Territory on December 2, 2020.

Expansion of Services

In concert with the Government's lifting of restrictions, the NCJ will be expanding adjudicative offerings as of December 2, 2020. The expansion of services will allow for the hearing, both remotely and in-person, of matters counsel wish to bring forward for hearing between December 2, 2020 and January 8, 2021.

All Court Services' COVID-19 procedures and protocols that were in place prior to November 18, 2020 are now reinstated. This means that counsel, members of the public, media, and other justice stakeholders will be permitted back into the courthouse in Iqaluit as of December 2, 2020. It is highly recommended that masks be worn by all who enter and access public areas of the courthouse.

Emergency Closure Orders

To accord with Dr. Patterson's continued advisement against non-essential travel, I have informed the Manager of Court Operations that the Emergency Closure Orders ("ECO") suspending circuit operations through to January 11, 2021 will remain in force until that date. Similarly, recognizing that witnesses and counsel often need to travel to Iqaluit for hearings, I have directed that the ECO for the NCJ in Iqaluit remain in force through to the close of business on January 8, 2021.

NCJ Operational Capacity through to January 11, 2021

I want to make it clear that while the ECOs remain in effect, the NCJ is open and well resourced to hear matters counsel and/or litigants wish to bring forward for a hearing in December. Counsel and litigants wishing to schedule the hearing of a civil or criminal, contested or uncontested, matter are invited and encouraged to do so by contacting the NCJ's trial coordinator at ncj.trialcoordinator@gov.nu.ca to check hearing availability.

Counsel or litigants wishing to reinstate a special sitting matter that was removed from the December or early January docket as a result of the ECO may contact Chambers via email (ncj.trialcoordinator@gov.nu.ca and ncj.chambers@gov.nu.ca) to arrange for a pre-hearing conference to discuss the rescheduling of the sitting in December or the first week of January 2021.

My previous assignment of resident judges to act as duty judges each week during the temporary suspension remains in force. Thus, our judges have good availability to hear matters counsel wish to bring forward.

As a reminder, the NCJ *will continue to hear all child welfare and guardianship matters* as docketed. The next CHW and GRD dockets will be heard on December 10, 2020 as originally scheduled.

Conclusion

I again conclude by thanking everyone for their support and cooperation during the past two weeks as we adjusted and worked together to ensure justice continued to be administered through the NCJ. I look forward to our Court being busy over the next two weeks accommodating the scheduling requests of counsel and litigants wishing to move forward with their matters.

Stay safe.

Acting Chief Justice Bonnie Tulloch
Nunavut Court of Justice