



Coronavirus COVID-19

BC Centre for Disease Control | BC Ministry of Health



Guidance for Courthouse Users During the COVID-19 Pandemic & BC Restart Plan

This guidance is for Courthouses in British Columbia and is based on known evidence as of

June 30, 2021

Legal disclaimer:

The purpose of this guidance is to provide practical public health advice to reduce the transmission of COVID-19 in British Columbia. This guidance does not have legal authority; however, not following the guidance in this document may leave individuals or organizations open to legal action. This guidance does not supersede orders or direction under the *Public Health Act*, by the courts or any other provincial or federal legislation. This guidance is subject to updates.



Ministry of Health



BC Centre for Disease Control

If you have fever, a new cough, or are having difficulty breathing, call 8-1-1.



Introduction

Court proceedings are critical and essential services for British Columbians. Courthouses are settings where people access justice relating to a myriad of public and private legal matters that often engage public safety and individual liberty rights. People rely on the right to access courts to resolve their legal disputes in a fair and just hearing, where the rule of law applies. Many people who attend at courthouses, do not choose to be there, rather they are compelled by subpoena or other process to attend. People must have confidence that the courts are safe and accessible.

During the COVID-19 pandemic, concerns about individual and public health and safety, as well as potential exposure risks have been highlighted by those who use the court system. This guidance document provides links to infection prevention and control measures implemented in courthouses¹ and includes thresholds for the ordering of COVID-19 testing for individuals who are scheduled to be present in a courthouse.

Restart Plan

The B.C. Government [Restart Plan](#) includes a shift from COVID-19 infection prevention and exposure control measures to ongoing communicable disease prevention measures in Step 3. While the Restart Plan sets dates and criteria for each step, the Provincial Health Officer "[Statement for Employers on Transitioning from COVID-19 Safety Plans to Communicable Disease Plans June 17, 2021](#)" recognizes that **some workplaces may maintain current COVID-19 Safety Plan protocols for a longer period to allow for a transitional period and progression from COVID-19 Safety Plans to communicable disease plans.**

BC Courts' Current Infection Prevention and Exposure Control Measures

For current health and safety measures for the courts please see:

- [Court of Appeal](#)
- [Supreme Court](#)
- [Provincial Court](#)
- [Ministry of the Attorney General](#)

Ordering COVID-19 Tests for Individuals Scheduled to be in Courthouses

Testing for COVID-19 is available for people with [symptoms](#) that are indicative of the infection. If an individual has no symptoms, testing is not required. Testing is generally not available through the provincial health care system for

¹ "Courthouses" is used in this document to refer to all court locations, including circuit court locations.



people without symptoms, including routine screening for employment, travel, school, before surgery or other settings.

The rationale for symptomatic testing is that the majority of identified cases have a known source of exposure. Resources to expand screening for asymptomatic individuals are high in relation to the expected low yield of detecting new cases; a significant amount of resources would be required to test asymptomatic individuals, and would impact laboratory testing costs, health system costs, and personal protective equipment. Asymptomatic individuals are also more likely to receive a false positive test, which has implications for the individual (e.g., unnecessary restriction of individuals) and the public health system (i.e., to conduct contact tracing).

This being said, a Lead Court Contact may request the testing of an individual for a variety of reasons, including:

- A court participant who is experiencing COVID-19 like symptoms or has a high degree of real or perceived risk where a clinical assessment including COVID-19 testing is required in order to inform the determination of whether the court proceeding can continue as scheduled;
- A court participant who will experience significant negative consequence should the court proceeding be adjourned in order to access COVID-19 testing; and/or
- A matter is proceeding in court and there is concern that one or more participants may be experiencing symptoms associated with COVID-19.

In any of these events, Lead Court Contacts will connect with the local medical health officer to discuss the specific circumstance that requires facilitated COVID-19 testing and arrange for testing if warranted as set out in the [“Communication and Incident Response Protocol: Notification of Potential COVID-19 Incidents and/or Testing at or Related to Courthouse”](#).

Related Links

[BCCDC Webpage on Courthouse Exposure Events and Incidents](#)

[BCCDC COVID-19 Information Webpage](#) and [hand washing poster](#)

[BC Restart Plan](#)

[Communication and Incident Response Protocol: Notification of Potential COVID-19 Incidents and/or Testing at or Related to Courthouse](#)

[Provincial Health Officer Orders](#)

[WorkSafeBC “Preparing for Step 3 of BC’s Restart: Communicable disease prevention”](#)

