



CIVIL JUSTICE REFORM IN BRITISH COLUMBIA SUPREME COURT

Why should I care about the Supreme Court civil justice system?

The Supreme Court civil justice system deals with problems like car accidents, divorces, disputes over wills, construction disputes and unpaid debts. If you ever have a problem like this, and it is too large to be handled in Small Claims Court, then you may end up talking to a lawyer, going to court or going to mediation to find a solution.

What is wrong with the civil justice system?

Canada's civil justice system is better than many, but its high cost means fewer and fewer people are able to use the system to help them solve their problems. Steps are now being taken to change the way B.C.'s civil justice system works so that it will be more affordable and easier to use. As Supreme Court of Canada Justice Beverley McLachlin has said, "The most advanced justice system in the world is a failure if it does not provide justice to the people it is meant to serve."

Why is our civil justice system so expensive?

Under B.C.'s "adversarial system" of justice, lawyers have a duty to do as much as they can to make sure their clients are protected. As a result, many parts of a lawsuit are expensive and take a lot of time. For example, a process called "discovery" allows each side to require the other to provide all information and documents related in any way to the lawsuit. Another expensive part of the system is the payments to "expert witnesses" who give opinions about scientific or other technical matters. Judges under our system currently have little power to cut the cost or length of the adversarial process.

What are the new civil rules going to do to reduce costs?

The proposed new rules will help judges to cut costs and delay. The new rules will help courts to make sure that people who go to court pay attention to how much time and money is spent on solving a legal problem. The new rules will limit the most expensive parts of a lawsuit, such as the exchange of information and the use of expert witnesses.