
NEWS RELEASE

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Ministry of Attorney General

Limiting use of experts to reduce costs, delays in motor vehicle disputes

VICTORIA – Changes to court rules will help bring balance between reducing legal costs and the ability of British Columbians injured in motor vehicle accidents to receive the medical benefits and settlements they need to recover from their injuries.

Amendments to the B.C. Supreme Court Civil Rules Regulation will put a stop to the disproportionate use of experts and expert reports currently being used in motor vehicle-related court cases. These amendments are designed to encourage earlier settlements and help reduce the costs of settling vehicle injury claims.

Vehicle injury claims have increased by 43% in the past five years. The increased use of experts has contributed to a 20% increase in ICBC's litigated injury settlements over the last year.

“The intent of these reforms is to avoid the costs and delays associated with the disproportionate use of experts and reports that we are seeing used today, without removing access to further expertise in situations where it's necessary,” said David Eby, Attorney General. “These changes are meant to encourage greater use of court-appointed or joint experts to provide a more neutral expert opinion and assist the court in determining appropriate amounts for injury claims.”

The proposed amendments will limit the number of experts and expert reports permitted to address the issue of damages, such as wage loss, future wage loss and future care that can be used by each side of a motor vehicle dispute. Parties will be able to use one expert and report for fast-track claims (e.g., less than \$100,000), and up to three experts and reports for all other claims. However, the judiciary will be able to permit additional court-appointed or joint experts at its discretion.

These amendments will come into effect immediately upon deposit for motor vehicle-related actions. They will also apply to all personal injury claims as of Feb. 1, 2020, subject to the further analysis and consultation that the ministry plans to undertake. More information will be available in the coming weeks.

These changes will bring British Columbia in line with other provinces that limit the number of experts in court cases.

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