

PRACTICE NOTE 2015 – 3

CALGARY PROVINCIAL CRIMINAL

LOW COMPLEXITY DISPOSITION COURT - COURTROOM 507 EVERY TUESDAY EFFECTIVE: October 1, 2015

Purpose: In order to better facilitate discussion and early resolution of cases deemed a “Low Complexity File” (LCF) by the Provincial/Federal Crown, it is desirable to have a process whereby Low Complexity File Crown are able to “maintain ownership” of a Low Complexity File through to its resolution. Creating a Low Complexity Disposition Court (LCDC) for such cases will assist in the pre trial resolution of such cases.

Procedure:

1. Effective October 1, 2015, Defence Counsel/ Student Legal Assistance/ Calgary Legal Guidance, with the consent of the Crown, will be able to schedule low complexity matters into Courtroom **507** for disposition (i.e. not trial) every Tuesday at 9:30 a.m. or 2:00 PM with the first sitting of this court being Tuesday November 3, 2015. This will be known as the Low Complexity Disposition Court (LCDC).
2. As only those matters where Crown consents can be moved to this courtroom, ECR discussions between the LC Crown and Defence Counsel/ Student Legal Assistance/ Calgary Legal Guidance will be required prior to the matter being scheduled by CMO to the Low Complexity Disposition Court.
3. Only matters where the accused is represented by counsel/ Student Legal Assistance/Calgary Legal Guidance would be considered.
4. Once discussions have occurred between counsel/ Student Legal Assistance/Calgary Legal Guidance, and agreement has been reached to schedule the matter in to the LCDC, Low Complexity (LC) Crown shall include an “LCDC” designation on the Required Appearance Court (RAC) notes for the file.
5. Only files containing this LCDC designation from the Crown may be scheduled into the LCDC by CMO.
6. Counsel/ Student Legal Assistance/Calgary Legal Guidance can then attend at the CMO to schedule the matter to a designated LCDC date.

7. If an agreement is reached to resolve a matter **already scheduled for trial** it is expected that counsel will provide as much notice as possible to CMO that the matter is being resolved in LCDC. This will allow the re-use of the scheduled trial time previously set aside for that matter.
8. In any event, Counsel (specifically the Crown) are required to provide a **minimum of 2 business days' notice** to CMO to call a matter forward in order to schedule the matter into the LCDC court.
9. The name of the assigned Judge in Calgary LCDC 507 on Tuesdays will be posted in advance, and available at the CMO.

NOTE: THIS LCDC PROCESS IS ONLY AVAILABLE FOR MATTERS PRIOR TO THE SCHEDULED TRIAL DATE. IF A MATTER IS RESOLVED ONLY ON THE DAY(S) OF TRIAL, IT MAY NOT BE MOVED TO THE LCDC OR BEFORE ANY OTHER JUDGE FOR DISPOSITION. RATHER, THE TRIAL JUDGE REMAINS AS THE ASSIGNED JUDGE FOR THE MATTER UNTIL ITS CONCLUSION.

Per: Asst. Chief Judge James J Ogle
Calgary Criminal & Regional Courts
Dated: October 1, 2015