



NORTHERN REGION CRIMINAL RULES PRACTICE DIRECTION

Effective: September 1, 2021

The Criminal Rules of Court come into effect September 1, 2021. All trials or preliminary inquiries scheduled on or after that date will be required to be set, and any trial or pre-trial applications made, in accordance with the Rules.

Procedure:

1. All Grande Prairie dates for trial and preliminary inquiry will continue to be fixed through the CMO office. At locations not served by the CMO, matters will be scheduled by the presiding judge in docket. Multi-day special sittings at all locations will be booked through the Trial Coordinator in Grande Prairie.
2. All multi-day trials and preliminary inquiries require a Pre-Trial Conference (PTC) or a Preliminary Hearing Conference (PHC). PTCs and PHCs will be booked through the Trial Coordinator in Grande Prairie.
3. Matters set for one day or less will not require a PTC or PHC.

Forms and Checklists:

4. Forms 1, 2 and 3 of the Rules all have corresponding checklists that must be completed and filed by parties with the associated Forms and relevant supporting materials; these checklists, and the requirement for filing them, are consistent with the Practice Notes in other regions.

Informal Applications (Rule 2.2):

5. For the purpose of continuing the efficiencies of pre-existing practices, applications for a witness to appear by electronic means or for counsel to be appointed under s. 486 for cross-examination purposes, shall in the first instance be considered to be informal applications as contemplated by Rule 2.2. Such applications may continue to be heard in docket, upon being brought forward in accordance with the pre-existing practice, or addressed at the time that a matter is in docket for other purposes. The presiding Judge may direct at that time that the application be commenced formally with a Form 1, or give such other directions as may make procedures most effective and efficient.

Pre-trial applications (Rules 2.5 and 2.7):

6. Pre-trial applications are to be heard at least 60 days prior to the scheduled date for trial, as specified in the Rules. A non-exhaustive list of examples of pre-trial applications can be found in Rule 2.5 (1).
7. Counsel must contact the clerk at the relevant base court location (see paragraph 15, below) to request a hearing date; counsel must be prepared to advise the clerk of the scheduled trial date, whether the application must be heard by the trial Judge, and provide a reasonable estimate of the time requirement for the application. It is not the responsibility of the clerk to advise counsel that the application must be to the trial Judge.
8. Based on the information provided by counsel, the clerk will advise counsel of the date, time, and location for the hearing of the application, and counsel will then file and serve materials accordingly; if the application is one which must be heard by the trial Judge, the clerk will confirm those details with that Judge prior to communicating them to counsel.
9. As set out in the Rules, a Form 1 and any supporting material must be filed and served thirty days before the date set for the pre-trial application; the Form 2 and any supporting material must be filed and served within fifteen days of the receipt of the Form 1. Checklists must be filed with the forms, as set out in paragraph 4, above.
10. Forms and any supporting materials are to be filed at the relevant base court location (see paragraph 15, below).
11. Service of the Forms and any supporting material is to occur in accordance with Rule 3.
12. Counsel must ensure that sufficient time to hear the application is set aside when the matter is booked. Counsel may appear by telephone or electronically with the consent of the presiding Judge; such a request may be made by corresponding with the clerk at the base location, by email or otherwise, with a copy to opposing counsel/party.

Trial applications (Rule 2.6):

13. Trial applications are to be heard at the commencement of trial unless the Court directs otherwise.
14. The Form 1 commencing the trial application and any supporting material must be filed and served 30 days in advance of the commencement of the trial. The Form 2 and any material supporting it must be filed and served within 15 days of the receipt of the Form 1. Checklists must be filed with the forms, as set out in paragraph 4, above.
15. Forms and any supporting materials are to be filed at the relevant base court location as set out in point 6, above.
16. Service of Forms and any supporting material is to occur in accordance with Rule 3.

Base Points relevant to Circuit Points:

17. A reference in this Practice Note to “the relevant base court location” means the following:
 - a. Grande Prairie in relation to Valleyview, Fox Creek, and Grande Prairie;
 - b. Peace River in relation to Fairview, Falher, and Peace River;
 - c. High Prairie in relation to Slave Lake, Wabasca-Desmarais, Red Earth Creek, and High Prairie; and

- d. High Level in relation to Ft. Vermilion, Chateh, and High Level;

Electronic Filing and Service:

18. Electronic filing addresses for the base points are:

- a. peap@csadm.just.gov.ab.ca - Peace River
- b. hilp@csadm.just.gov.ab.ca - High Level
- c. grpp@csadm.just.gov.ab.ca - Grande Prairie
- d. hipp@csadm.just.gov.ab.ca - High Prairie

19. Electronic service addresses for the provincial crown are:

- a. Slave Lake Crown - slcrown@gov.ab.ca
- b. Peace River Crown - prcrown@gov.ab.ca
- c. Grande Prairie - GP.Crown@gov.ab.ca

20. Electronic service addresses for the federal crown are:

- a. High Prairie, Peace River, High Level circuits - federalprosecutions@mccoylelaw.ca
- b. Grande Prairie circuit - kevin.lieslar@outlook.com

August, 2021

D. R. Shynkar, ACJ Northern