

**PRACTICE NOTE**  
**PROVINCIAL COURT CIVIL DIVISION**  
**TRANSITION PERIOD**

Amendments to the *Provincial Court Act* and *Regulations* which come into effect on January 1, 2019, have prescribed a number of new forms and introduced various procedural changes for civil matters in the Provincial Court. It is the responsibility of litigants or their counsel to ensure that, starting on January 1, 2019, they are fully complying with the new *Provincial Court Civil Procedure Regulation* (AR 176/2018).

However, to ensure continued access to justice for litigants, the Court is of the view that a reasonable grace period should be observed until March 1, 2019, before the requirement for compliance is more strictly enforced. Staff are encouraged to be liberal in their interpretation of compliance, particularly when lack of compliance is minor, or is a matter of form rather than substance, and a reminder would suffice.

For example, if a document is submitted for filing in a format used under the previous *Provincial Court Civil Claims Forms Regulation* (AR 55/2001), it is the expectation of the Court that such documents will be accepted for filing by the Clerk of the Court for the duration of this grace period. After March 1, 2019, following a review of the practices observed by the Court, the requirements of compliance may be more strictly enforced.

In the interim, should any party or counsel feel aggrieved by an interpretation of a procedural or forms requirement made by Resolution and Court Administration Services staff during this interim period, parties or their counsel are reminded that they may apply to the Court on notice to the party or parties opposite.

Dated this 11<sup>th</sup> day of December, 2018.



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Gordon W. Sharek  
Assistant Chief Judge  
Civil Division  
Provincial Court of Alberta