

Pre-Preliminary Conferences

Rules 4.3 and 4.4 of the [Criminal Rules of the Alberta Rules of Court](#) pertain to preliminary inquiries and state:

4.3 If an accused represented by a lawyer has requested a preliminary inquiry, the accused's lawyer shall, on or before the date of requesting the preliminary inquiry, unless otherwise directed by the Court or a Practice Direction,

(a) file with the Court a completed statement of issues in Form 4 identifying the issues to be raised at the preliminary inquiry and the witnesses to be examined; and

(b) serve a copy of the filed Form 4 on the Crown prosecutor and any lawyers for other parties in accordance with Rule 3.

4.4 (1) If an accused chooses to have a preliminary inquiry, a pre-preliminary conference may be scheduled before a justice, either in open court or in chambers, and either in person or by remote appearance, to consider matters to promote a fair and expeditious preliminary inquiry

(2) If a pre-preliminary conference has been scheduled or if the Court otherwise directs, the Crown prosecutor shall, in advance of the pre-preliminary conference, file with the Court a completed statement of the Crown position with respect to the preliminary inquiry in Form 5.

Effective immediately and subject to the following, the default procedure for the Calgary Criminal and Calgary Regional Division shall be that an in-court hearing will not be scheduled following the filing of the Form 4.

1. After the filing of the Form 4, the accused or Crown prosecutor may request of the Case Management Office that an open court pre-preliminary conference be scheduled.
2. The accused or Crown prosecutor may contact the Assistant Chief Justice for Calgary Criminal and Calgary Regional for the purpose of:
 - a. seeking the assignment of a Justice for the preliminary inquiry; and/or
 - b. scheduling a pre-preliminary conference in Chambers.
3. Nothing in this direction limits the Court's authority to direct that a pre-preliminary conference be held or that a Justice be assigned to the preliminary inquiry.
4. Pre-preliminary conferences that have already been scheduled will proceed.