



Action Number:

Your file number will appear here

# Provincial Court of Alberta (Civil)

PLAINTIFF(S)

All parties names will display here. If there are any Third Parties their names will also be displayed along with the title for THIRD PARTY

DEFENDANT(S)

DOCUMENT

NOTICE OF TRIAL

A trial of this matter has been scheduled before a Judge of the Provincial Court:

DATE AND TIME:  
DURATION:  
WHERE:

This section will tell you all the details of when you are required to attend court.

ROOM:

\*\* Any additional information from the court may appear here

It is expected that the entire trial will be concluded within the time scheduled.

You must be ready to proceed on the trial date. Requests for special requirements such as hearing assistance, voice amplifiers, television or video equipment must be made at: <https://av.albertacourts.ca> at least 30 days before the trial. If an interpreter is needed, it is your responsibility to make the necessary arrangements for a qualified interpreter to attend at your expense.

At least 30 days prior to the Trial date, the parties must exchange all relevant records to each of the other parties at their address for service. Failure to do so may result in the records not being admissible at trial. For a description of records read the attached Important Notice to Parties.

No person shall record the trial without the permission of the Court.

Settlement is encouraged between the parties before the trial. Should the action settle prior to the trial date you must contact the Court office as soon as possible.

Should you require an adjournment of the trial, you must contact all other parties to determine if they will agree to an adjournment. If not agreed, an application must be made to the Court for an adjournment. It is within the Court's discretion to permit or deny any request for an adjournment.

Any inquiries may be directed to the Court office at: This will always display the Base Court number

**WARNING:**

If you fail to appear at the Trial, your Civil Claim, Dispute Note, Counterclaim or other pleading may be struck and Judgment may be entered against you.

Dated on November 19, 2018 at Edmonton, Alberta Base Court information

\_\_\_\_\_  
Clerk of the Provincial Court

## IMPORTANT NOTICE TO PARTIES

## Customized Notice to Parties for the Notice of Trial

A Trial is a formal hearing before a Judge that records all evidence and facts that are either in agreement or in dispute between the parties. At the conclusion of the trial the Judge will give a decision immediately or at a later date.

### 1. Try to settle:

- A) You are encouraged to talk to the other parties about settlement well in advance of the trial.
- B) A settlement made without the need for a trial will save everyone time, expense and stress.

### 2. Settlement prior to the Trial:

- A) Write down your settlement and have all parties sign the document. Make copies for everyone.
- B) If the parties settle the action, you must contact the Court office prior to the Trial.
- C) When the terms of the settlement are performed, which could include payments being made, a Notice of Withdrawal of the Civil Claim and / or Counterclaim must be filled.

### 3. Preparing for the Trial:

- A) Spend time preparing your case before trial.
- B) You **must** provide your relevant records to each of the parties at their address for service. "Records" include documents, contracts, cheques, invoices, letters, receipts, repair estimates, photographs or videos, printouts of any emails or other electronic messages, copies of transcripts of any voice mail messages, or any other materials that relate to this action. Bring these records with you to the trial. You should also bring a copy for the Court.
- C) Review your records and those that are provided to you by the other parties.
- D) You may wish to call witnesses to support your case and give evidence. To ensure their attendance at the trial you must file and serve a "Notice to Attend as a Witness" with the prescribed witness allowance. You will need to do this at least 21 days before the trial date.

### 4. Evidence:

- A) If available, the Court prefers original records. All materials will be retained by the Court if they are entered as exhibits; ensure that you keep a copy for yourself.
- B) If you are intending on having electronic evidence such as flash drives or memory sticks, ensure that you make prior arrangements with the Court. You may need to provide your own device to display the information on when in Court.
- C) Personal attendance of a witness is required as written statements from witnesses may not be admitted as evidence by the presiding Trial Judge. This is particularly so if the witnesses are skilled in a particular field such as mechanics, doctors, engineers, appraisers, carpenters, or repairmen and they will be providing opinion evidence relating to their area of expertise. *\*See the instructions on the Notice of Attend as a Witness.*

### 5. Trial Etiquette:

- A) Security measures are in effect at the Courthouse. Ensure that you arrive in sufficient time to clear security and be on time for the trial.
- B) Cell phones must be turned off.
- C) No person shall record the trial.
- D) Speak calmly and clearly; do not interrupt others.
- E) Address the Judge as "Your honour", Legal Counsel as, "Mr.\_\_\_\_" or "Ms.\_\_\_\_" and the Court Clerk as "Master Clerk" or "Madam Clerk"

### 6. What to expect at the Trial:

- A) Call your witnesses into the courtroom in the order in which you are presenting your case.
- B) Organize your records and potential exhibits relating to your witnesses' testimony in the same order that you are calling them to the stand.
- C) Each party will be given the opportunity to present their case and to cross-examine the witnesses for the other party.
- D) At the conclusion of the trial, the Judge may give a decision immediately or at a later date.
- E) A Judge may order that costs be paid by one party to the other to compensate them for their time and effort in making or defending a claim.
- F) All parties will receive a Certificate of Judgment (Court Order) confirming the details of the Judgment.

For more help, visit the Provincial Court Civil website at <https://www.albertacourts.ca/pc/areas-of-law/civil> you will find information on court processes and videos to assist you.