# Form 27 Rule 6.3

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| COURT FILE NUMBER | Clerk’s Stamp |
| COURT | COURT OF QUEEN’S BENCH OF ALBERTA |
| JUDICIAL CENTRE |  |
| CLIENT(S)  (Applicant(s)) |  |
| LAYWER(S) or LAW FIRM  (Respondent(s)) |  |
| DOCUMENT | **APPLICATION TO PERMIT A REVIEW OF A LAWYER’S RETAINER AGREEMENT AND ACCOUNTS** |

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| ADDRESS FOR SERVICE AND  CONTACT INFORMATION OF  PARTY FILING THIS DOCUMENT |  |

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| **NOTICE TO RESPONDENT(S)**  This application is made against you. You have the right to state your side of this matter before the Court.  To do so, you must be present when this matter is heard by the Court as shown below:  **Date:**  **Time:**  **Where:**  **Before Whom: Master in Chambers**  Go to the end of this document to see what else you can do and when you must do it. |

**Remedy claimed or sought:**

1. An order directing that the following accounts be reviewed, notwithstanding Rule 10.10 [*Time limitation on reviewing retainer agreements and legal accounts*]:

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| **Date of Account** | **Invoice Number** | **Amount** |
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1. In the alternative, an order extending the time for a review of the accounts.
2. An order permitting the review of any retainer agreement that relates to the accounts, notwithstanding Rule 10.10.

**Grounds for making the application:**

1. The accounts are unreasonable, having regard to the legal services provided by the Respondent(s) and the retainer agreement made between the parties.
2. There is a reasonable explanation for the delay in requesting a review.
3. The limitation period has not expired and a review would not prejudice the Respondent(s).

**Material or evidence to be relied on:**

1. The Applicant will rely on the affidavit of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, sworn on the \_\_\_\_ day of \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, 20\_\_\_\_\_, and filed.

**Applicable Rules:**

1. Rule 10.10 [*Time limitation on reviewing retainer agreements and legal accounts*].
2. Rule 1.4(2)(c) and (h) [*Procedural orders –* order, direction or ruling with respect to a proceeding or related matter; extending the time for doing anything in a proceeding].
3. Rule 1.5(1)(a) [*Rule contravention, non-compliance and irregularities* – curing a contravention of, or non-compliance with, the rules].
4. Rule 13.5(2) and (3) [*Variation of time periods*].

**Applicable acts and regulations:**

1. *The* Limitations *Act*, RSA 2000, c L-12, section 3(1)(a) – 2 year limitation period for seeking a remedial order (including a review, as it may result in a remedial order).

**Any irregularity complained of or objection relied on:**

1. None.

**How the application is proposed to be heard or considered:**

1. It is proposed that the application be heard before a Master in Chambers using affidavit evidence.

AFFIDAVIT EVIDENCE IS REQUIRED IF YOU WISH TO OBJECT

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| **WARNING**  If you do come to court either in person or by your lawyer, the Court may give the Applicant(s) what is being requested, without you being there to object. You will be bound by any order the Court makes. If you want to take part in this application, you or your lawyer must attend in court on the date and at the time as shown at the beginning of this form. If you intend to give evidence in response to the application, you must reply by filing an affidavit or other evidence with the Court and serving a copy of that affidavit or other evidence on the Applicant(s) within a reasonable time before the application is to be heard or considered. |