



COURT OF QUEEN'S BENCH OF ALBERTA

NOTICE TO THE PROFESSION

Amendments to the Surrogate Rules and Forms - Grace Period

Amendments to the Surrogate Rules arising out of the new *Wills and Succession Act*, which come into effect on February 1, 2012, have prescribed a number of new forms and introduced several procedural changes for the Court of Queen's Bench. It is the responsibility of litigants or their counsel to ensure that, starting on February 1, 2012, they are fully complying with the amendments to the Surrogate Rules.

However, to ensure continued access to justice for litigants, the Court is of the view that a reasonable grace period should be observed until April 30, 2012, 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 Surrogate Rules, 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 May 1, 2012, as a result of a review of the practices observed by the Court, the requirements of compliance may be more strictly enforced.

In the meantime, should any party or counsel feel aggrieved by an interpretation of a Rules or forms requirement made by Court 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.

A stylized, somewhat abstract signature in black ink.
Neil C. Wittmann, Chief JusticeA signature in blue ink, appearing to read 'John D. Rooke'.
John D. Rooke, Associate Chief Justice