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| COURT FILE NUMBER | [*File Number*] |
| COURT | COURT OF KING’S BENCH OF ALBERTA |
| JUDICIAL CENTRE | *Select a Judicial Centre* |
| PLAINTIFF | [*Plaintiff Name*] |
| DEFENDANT | [*Defendant Name*] |
| DOCUMENT | **STREAMLINED TRIAL ORDER (CIVIL)** |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | [*Address for Service and Contact Information of Party Filing this Document*] |

Clerk’s Stamp

**DATE ON WHICH ORDER WAS PRONOUNCED:** *Click to select a date*

**NAME OF JUDGE WHO MADE THIS ORDER:** *Enter name of presiding Justice*

**HEARD AT:** *Select a Judicial Centre***, ALBERTA**

**UPON** an application being made for a streamlined trial;

**AND UPON** noting that the parties have participated in an alternative dispute resolution process as required by R. 4.16 (*mandatory in family law cases – see R. 8.28(2) and Practice Note 8 #9*);

**AND UPON HEARING** the submissions by or on behalf of the parties;

**AND UPON IT APPEARING** to the Court that the whole or a part of the claim is suitable for adjudication by a streamlined trial;

**IT IS HEREBY ORDERED THAT:**

1. **The hearing in this action shall proceed to a** *Enter length of trial* **day streamlined trial on a date to be scheduled by the trial co-ordinator;**

**ISSUES**

1. The issues or questions to be determined at the streamlined trial shall be [*be as specific as possible, even where “all issues” are to be decided*]:
	1.
	2.
	3.

**TRIAL READINESS**

*[Note: Here set out any preparatory matters that need to be completed such as questioning, compliance with undertakings, disclosure, provision of expert reports.]*

1. The plaintiff shall: *Click to enter all preparatory matters here* on or before*Click to select a date* **.**
2. The defendant shall: *Click to enter all preparatory matters here* on or before *Click to select a date* **.**
3. Both parties shall: *Click to enter all preparatory matters here* on or before *Click to select a date* **.**
4. Form 37 [*Request to Schedule a Trial Date*] attaching a copy of this order shall be filed by *Click to enter Name of Party filing this Order* on or before *Click to select a date* **.** *(Specify if Form 37 required: R. 8.28(1)* *Click to specify here )*

**EVIDENCE**

1. The streamlined trial will proceed with an Agreed Statement of Facts and an Agreed Book of Records which will be finalized on or before *Click to select a date* . The parties shall exchange proposals for the agreed statement of facts and records on or before *Click to select a date*, and the parties shall file the resulting agreed statements of facts and records with the Court on or before *Click to select a date* .
2. Each party shall file a single concise affidavit, based upon the affiant’s personal knowledge, containing the primary evidence, including admissible records, which that party intends to rely on at the streamlined trial.
3. Plaintiff’s lead affidavit sworn by *Click to enter Name* shall be due on or before *Click to select a date*.
4. Defendant’s lead affidavit sworn by *Click to enter Name* shall be due on or before *Click to select a date*.

Any properly admissible rebuttal evidence shall be due on or before *Click to select a date*.

1. The parties also propose to file the following concise supplemental affidavits based on personal knowledge, or which are otherwise admissible.

*Provide particulars of any supplemental affidavits to be filed by each party, including deadlines for delivery:*

1. Plaintiff’s affidavits from lay witnesses:
2. Plaintiff’s affidavits from expert witnesses *[briefly state topic of expert’s opinion]*:
3. Defendant’s affidavits from lay witnesses:
4. Defendant’s affidavits from expert witnesses *[briefly state topic of expert’s opinion]*:
5. Each adverse party may question on the affidavits of the opposing party, but must complete that questioning on or before *Click to select a date* . A copy of the transcripts shall be filed on or before *Click to select a date* .
6. The evidence at the streamlined trial shall primarily be introduced by affidavit, but the parties are permitted to provide direct testimony as follows:
7. Plaintiff’s witness:

*Specify EACH witness. Indicate their NAME; whether they are to testify in chief or are only called for cross-examination. Also indicate time allowed for testimony*

1. Defendant’s witness:

*Specify EACH witness. Indicate their NAME; whether they are to testify in chief or are only called for cross-examination. Also indicate TIME allowed for testimony*

*[Direct testimony of party, witness or expert should be limited to discrete topics, with non-controversial topics being addressed by affidavit.]*

1. Each witness may be subject to cross-examination generally, as in a full trial, but the total maximum time for cross-examination of each witness shall be *Enter maximum number of minutes* minutes. If a witness is not offered for cross-examination then the affidavit of that witness shall not be considered as evidence in the streamlined trial.
2. Each party may file answers to interrogatories and portions of transcripts from questioning for use as evidence as provided by R. 5.31. The deadline for filing any such evidence shall be the same as the deadlines specified in Paragraph 8.
3. Should any party wish to call additional witnesses or evidence not specified in this Order, that party shall give notice to the other party without delay, and apply at a case conference pursuant to Rule 4.10 for a supplemental streamlined trial order.

**ARGUMENT**

1. Each party shall file a brief limited to *Enter maximum number of pages* pages, outlining the facts relied on, reasons for the relief requested, and any legal or other arguments. The plaintiff shall file by *Click to select a date*and the defendant shall file by *Click to select a date*.
2. The parties will each be limited to *Enter maximum number of minutes* minutes for closing arguments. Counsel for the party to give the first closing argument will be allowed a maximum *Enter maximum number of minutes* minute response to the closing argument of the other party.

**CONCLUSION**

1. The determination of the issues at the streamlined trial shall be a final judgment, not an interim judgment, with respect to those issues.
2. If the parties reach agreement on some or all the foregoing issues, the Court shall be immediately advised.
3. Except for emergencies or an application to confirm trial readiness under rule 8.28(5), no other applications shall be brought by either party prior to the hearing date without leave of Justice *Enter NAME of Justice*.
4. *Enter NAME of PARTY* shall pay the Clerk of the Court the fee required to set the matter down for a streamlined trial no later than *Click to select a date* (*same date as the Form 37*).
5. A copy of this Order shall be provided to the trial coordinator’s office.

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Justice of the Court of King’s Bench of Alberta