



SOUTH REGION – REMOTE/IN-PERSON APPLICATIONS: CRIMINAL, YOUTH, FAMILY, CHILD WELFARE AND CIVIL

Effective: September 2nd, 2020

Purpose:

As the Provincial Court of Alberta moves towards Stage 5 of the Court Pandemic Plan and begins to contemplate a resumption of normal operations, the purpose of this Practice Note is to create a process that permits the Court to hear in person applications.

Nothing in this Practice Note changes the requirement that anyone appearing before the Court must be in full compliance with all Alberta Health Services Orders or directions regarding COVID-19.

In order to be able to maintain social distancing within the courtrooms, counsel are asked to discourage the attendance of any individuals not directly involved in the proceedings before the court. Parties, counsel, witnesses, interpreters, support workers as set out in s. 486.1(1) and (2) of the *Criminal Code* or as authorized by the Court and members of the accredited media are permitted to attend.

This replaces the previous Remote and In-person Application Practice Note.

Procedures/Guidelines:

1. Commencing Wednesday, September 2nd, 2020, until further notice, in-person and remote applications for Criminal, Civil and Family matters will proceed at the Courthouses in Medicine Hat and Lethbridge in accordance with this Practice Note unless otherwise directed by the Court.

Pre-Court Criminal and Youth:

2. Counsel who have a matter that they wish to resolve will contact the assigned Crown prosecutor to discuss and agree upon bringing a matter forward.
3. In the case of guilty pleas in criminal matters the following will be discussed:
 - a. in the case of a multi-count information or multiple Informations, the charges to which guilty pleas will be expected;
 - b. any agreed statement of facts that Counsel intend to present to the Court supporting the guilty plea(s);
 - c. any supporting documents that will be referenced during the sentencing hearing.
4. Counsel and the Crown Prosecutor are required to provide the information contained in the Appearance Court Forms attached hereto and provide the documents specified in the Forms, including the Agreed Statement of Facts if available by noon on the day preceding the scheduled appearance to the proxy email address below:

Lethbridge: pc.lethbridge@just.gov.ab.ca

Medicine Hat: criminaljp.medicinehat@csadm.just.gov.ab.ca

Pre – Court Family and Civil:

5. In the case of non-criminal matters if a party wishes to have an in-person application heard they shall first attempt to discuss with opposing counsel or party the file and the specific issue to be spoken to.
6. In the event opposing counsel does not agree to have the matter heard the applying counsel may request a time slot and then serve the opposing party or counsel in the usual way.
7. Once discussions outlined above have been completed and the matter is ready to proceed, Counsel will contact the proxy email address noted in paragraph 4 and request a time slot for the matter to be heard. All Counsel are required to use the form attached to this Practice Note.

Scheduling:

8. Applications will be scheduled on the basis of the anticipated length (in minutes) and the parties will be advised as to the date, time and Courtroom where the matter will be held.

Lethbridge

There will continue to be a remote docket court for all matters as presently scheduled. The remote and in-person applications for criminal matters contemplated in this Practice note will be scheduled as follows:

In Courtroom #7 commencing at 9:30 a.m. on the following dates: September 11th, 14th, 18th, 25th, October 2nd, 16th, 19th, 23rd, 26th, 30th, November 6th, 13th, 20th, 23rd, 27th, 30th, December 4th, 11th, and 18th.

Family and Child Protection: Commencing at 2:00 p.m. on Wednesdays.

Civil: Commencing at 9:30 a.m. on Wednesdays.

Medicine Hat

There will continue to be a remote docket court for all matters as presently scheduled. The remote and in-person applications contemplated in this Practice note will be scheduled as follows:

Criminal: After the conclusion of docket on Monday through Thursday in Court Room 9.

Civil: Commencing at 9:30 a.m. on Thursdays.

The extra Thursdays that were set aside for Family matters will no longer be available. Matters already set will be heard. No new Family matters will be scheduled for Thursdays

Court Proceedings:

9. Counsel must be ready to proceed with their matters at the beginning of the time slot chosen for their matters to be heard. Late attendance may well result in the matter having to be rescheduled.

Clerk's Stamp

IN-PERSON/REMOTE APPEARANCE FORM

Please send completed form to pc.lethbridge@just.gov.ab.ca for Lethbridge and Circuits Points¹
 Please send completed form to Criminaljp.medicinehat@csadm.just.gov.ab.ca for Medicine Hat and Brooks

Please note: Criminal, Family and Child Protection Applications will be set for 30-minute increments. Civil will be set for 15-minute increments. If you require additional time, please advise.

Matter currently set for (date): _____ Time: _____ am/pm Courtroom: _____

Case Information

Criminal: Name: _____
 Docket #: _____
 Crown: _____ Defence: _____

Type of Appearance:		Contact Information:	
<input type="checkbox"/> In-Person		Name: _____	# _____
<input type="checkbox"/> Remote		Name: _____	# _____
		Name: _____	# _____
		Name: _____	# _____

Purpose of Appearance:

Guilty plea and sentence
 Peace Bond
 Application to change release, probation or conditional sentence conditions
 Other: _____

CIVIL Action #: _____

Plaintiff: _____ Counsel: _____

Defendant: _____ Counsel: _____

FAMILY File No. #: _____

Applying for: _____

Applicant: _____ Counsel: _____

Respondent: _____ Counsel: _____

CHILD PROTECTION File No #: _____

Applying for: _____

Applicant: _____ Agency: _____

Counsel For:
 Department: _____ Mother: _____

Father: _____ Child(ren): _____

For Office Use only:
 This matter will be spoken to on the _____ day of _____, 20_____,
 in _____ at _____ am/pm in Courtroom #_____.

 Justice of the Peace Date

¹ Circuit Points include: Cardston, Fort Macleod, Pincher Creek and Taber.