



Procedure Guide For In-Person and Virtual Hearings and Other Matters

Date: April 20, 2022
Revised: May 24, 2022

The purpose of this Guide is to:

1. Provide information about procedural requirements and best practices for in-person hearings.
2. Provide information about procedural requirements and best practices for virtual hearings.
3. Confirm procedures for bail check-ins, electronic filing, online payment of filing fees, condensed books and the remote commissioning of affidavits.
4. Confirm the COVID-19 health and safety protocols in place including those for in-person hearings.

1. Procedural Requirements and Best Practices for In-Person Hearings

Attendance at In-Person Proceedings

Pursuant to the [April 28, 2022 Notice to the Profession and Public](#), access to Alberta courthouses is no longer restricted.

Pursuant to the May 17, 2022 Notice to the Profession and Public, social distancing requirements and related capacity limits in courtrooms in which the Court of Appeal hears matters are rescinded. All restrictions in relation to masking, vaccination policies and the current use of Plexiglass will remain in effect until further notice.

Virtual attendance at an in-person hearing by represented parties and members of the public and media cannot be accommodated at this time.

COVID-19 Safety Protocols

A list of the Court's COVID-19 safety protocols for in-person hearings is included in section 4 of this Notice. **Anyone attending a proceeding in person must be in full compliance with these protocols.**

Confidentiality or Privacy Concerns Form

In keeping with the open court principle of Canada's justice system, court hearings are open to the public and media unless a provincial or federal enactment or court order prohibits that access. Initially adapted for virtual hearings, the Confidentiality or Privacy

Concerns Form will continue to be used for in-person hearings. Counsel for the parties and self-represented litigants must advise the Court of any identified or potential privacy or confidentiality concerns no later than 10 business days before the scheduled date of their hearing by completing and submitting a [Hearings Confidentiality or Privacy Concerns Form](#).

Best Practices

As the court record is now officially electronic, courtrooms are configured to accommodate the use of laptops or other electronic devices in order to access facts and other appeal documents during oral argument. Instructions on how to connect to the Court's WiFi will be located in the courtroom; however, all parties are **strongly encouraged** to download all documents in advance to their electronic device, so that a reliance on the WiFi connection will not be necessary. Devices should be fully charged and accompanied by a power cable.

Other Resources

Further information on attending in-person hearings is available on the Court's website. Links to this information are:

- [Court Etiquette](#)
- [Security at the Court](#)
- [Photography and Recording](#)

2. Procedural Requirements and Best Practices for Virtual Hearings

Attendance at Virtual Hearings

Applications before a single appeal judge that proceed virtually will be open to counsel, self-represented litigants, represented litigants, members of the public and accredited media.

Appeal Conferences for Family Law Fast Track Appeals and Judicial Dispute Resolution (JDR) will be open to counsel, self-represented litigants and represented litigants. Given the confidential nature of these proceedings, members of the public and accredited media are not permitted to attend.

The Registry will coordinate the attendance of counsel and self-represented litigants at the virtual hearing.

Other than for Appeal Conferences for Family Law Fast Track Appeals and Judicial Dispute Resolution, no later than the day before the virtual hearing, public links will be available on the publicly-posted [hearing lists](#) on the Court's website. For members of the

media and public, click the link, provide some basic information, acknowledge the undertaking, and click “join” to observe or listen to the judges, counsel and self-represented litigants participating in the hearing in real-time. Judges, counsel, and self-represented litigants will not be able to see or hear those who are just viewing, or listening to, the proceeding.

Parties represented by counsel can join by the above-noted method or attend the virtual hearing at their lawyer’s office or listen to the audio as arranged by their lawyer. In the latter case, lawyers must make their own arrangements for those participants whom they represent. The Registry is not able to coordinate the attendance of represented parties. Parties represented by counsel must not call directly into the audioconference nor access the URL numbers provided by the Court.

Resources on attending virtual hearings for counsel, self-represented litigants, members of the public and media are available on the Court’s website. Links to these resources are:

- [Guide for Connecting and Attending a Virtual Hearing for Counsel and Self Represented Litigants](#)
- [Guide for Viewing Virtual Hearings for Public and Media](#)

Photography and Recording

The [Court’s Policy on the Use of Electronic Devices in Courtrooms](#) continues to apply to in-person and in electronic hearings.

Virtual Hearing Attendance Undertaking Form

Prior to attending a virtual hearing, counsel and self-represented litigants are required to sign and submit an attendance undertaking. The undertaking form can be found [here](#).

Acknowledgement of Non-lawyer to Abide by Court Direction Form

To avoid compromising the integrity of court proceedings, the Court requires that all non-lawyer participants in virtual hearings of the Court sign and submit an acknowledgment prohibiting recording and rebroadcasting of Court proceedings.

The acknowledgment must be executed by all non-lawyer participants in advance of the virtual hearing. This includes self-represented litigants. The [Acknowledgement of Non-lawyer to Abide by Court Direction Form](#) can be found here. This acknowledgment is in addition to, not in replacement of, the Court’s [Policy on the Use of Electronic Devices in Courtrooms](#).

Confidentiality or Privacy Concerns Form

In keeping with the open court principle of Canada’s justice system, court hearings are generally open to the public and media unless a provincial or federal enactment or court order prohibits that access. Counsel for the parties and self-represented litigants must

advise the Court of any identified or potential privacy or confidentiality concerns no later than 10 business days before the scheduled date of their hearing by completing and submitting a Confidentiality or Privacy Concerns Form.

3. Other Matters

Bail Check-Ins – Continuing Modified Procedure

Any person who is required to personally check in to a Registry counter under the terms of an Order for Judicial Interim Release may now do so by telephone or email. Any such person will be required to provide their name, appeal number, date of birth, address, telephone number and email address (where available).

This modification will continue until further notice.

Electronic filing

As of March 1, 2021, e-filing of documents at the Court is mandatory. All documents, including correspondence, must be formatted in accordance with the [Practice Direction on Electronic Filing](#) and filed via the [Court of Appeal Management System \(CAMS\)](#) website. Unless an exemption from e-filing is granted, paper documents at the counter and documents via email will not be accepted.

Further information is available in the [February 8, 2021 Notice – Mandatory Electronic Filing](#).

Electronic Payment of Fees

Payment of applicable filing fees can be made electronically [here](#).

Condensed Books

In the [December 18, 2020 Notice to the Profession and Public](#), the Court announced that commencing February 1, 2021, parties would have the option of filing a Condensed Book as an aid to assist in oral argument in both civil and criminal appeals.

That option remains but as electronic filing is now mandatory, all Condensed Books must be uploaded electronically via [CAMS](#).

Remote Commissioning of Affidavits

The April 1, 2020 [Notice](#) on the Remote Commissioning of Affidavits continues to apply.

4. Health and Safety Protocols

To balance the open court principle with public health priorities, Alberta's Courts have taken proactive preventative measures to protect justice system participants and reduce the spread of COVID-19.

Effective May 24, 2022, the following health and safety protocols will be in effect for in-person hearings. Anyone attending a proceeding in person must be in full compliance with these protocols.

A. Mandatory Masks in Courthouses

As outlined in the [Notice to the Profession and Public](#) dated April 28, 2022, all persons entering a courthouse in Alberta are required to wear a face mask while in any public area of the courthouse subject to the exceptions set out in that Notice. Anyone claiming a medical or disability exemption from this masking requirement must provide proof thereof. For those who do not have a face mask, one can be obtained from perimeter security at the entrance to the courthouse.

B. All Courts' Vaccination Policies

To provide a safe location for all individuals who voluntarily come to or who are compelled to attend court, the Courts have implemented vaccination policies for all Court staff and those wishing to access the secure areas of Alberta courthouses. Details are set out in the following notices:

- [September 21, 2021 – All Courts' Vaccination Policy for Access to Restricted Workspaces](#)
- [October 1, 2021 – All Courts' Vaccination Policies for Access to Courtrooms](#)

C. Addressing Instances of Symptomatic Participants

Counsel or self-represented parties experiencing any symptoms of COVID-19 who are involved in an upcoming in-person hearing must contact the applicable [Registry](#) as soon as possible.

D. Courtroom Layout

Plexiglass dividers have been installed on the judicial dais, at the clerks' desk and at counsel tables.

Independent podiums have been installed at counsel tables eliminating the need to share a single podium. Oral submissions can be made from counsel tables. Hand sanitizer and disinfectant wipes will be made available at all seating areas.

E. Masks in Courtrooms

Individuals entering or present in a courtroom will be required to wear a face mask or face covering unless the presiding judge or panel directs otherwise. Face masks or face coverings must be worn in a manner that covers a person's nose and mouth. For those who do not have a face mask, one can be obtained from perimeter security at the entrance to the courthouse.

F. Water

A water dispenser will not be available in the courtroom during in-person proceedings. Counsel and self-represented parties will be permitted to bring their own water in clear plastic bottles, and those water bottles must be disposed of or removed from the courtroom after the hearing by the person who brought them.

G. Documents in the courtroom

As the court record is now officially electronic, all parties are encouraged to rely on electronic copies of documents.

Where the passing of copies of paper documents to others in the courtroom is unavoidable, counsel and self-represented parties must use the hand sanitizer available in the courtroom to sanitize their hands before and after handling the documents.

H. Cleaning and Sanitation

Hand sanitizer, disinfectant wipes and garbage receptacles will be available at the judicial dais, clerks' desk, and counsel tables. Hand sanitizer will also be available to gallery participants.

The information listed in this Guide may be subject to change. Further updates will be provided via notices on the Court's [website](#) as needed.

For questions or concerns about the return to in-person proceedings, please contact the Registry by email:

- Calgary matters: Calgary.Registry@albertacourts.ca
- Edmonton matters: Edmonton.Registry@albertacourts.ca

Or by telephone:

- Calgary matters: 403-297-2206 (Fax: 403-297-5294)
- Edmonton matters: 780-422-2416 (Fax: 780-422-4127)