



## Who Will Hear My Application?

### Case Management Officer

The types of matters that may be determined by a CMO include:

- Categorizing or re-categorizing an appeal as a fast track appeal or a standard appeal
- Stipulating when permission to appeal or an extension of time to appeal is required
- Enforcing, staying, shortening or extending times and deadlines
- Setting, approving and modifying filing timetables
- Granting fiats to permit the filing of deficient documents, to amend documents and to vary the contents or format of documents to be filed
- Restoring appeals by consent
- Setting, adjourning and re-scheduling matters
- Settling the terms of orders or judgments or approving an order/judgment to be filed without all signatures
- Various other types of administrative issues.

### Single Judge in Chambers

A Single Judge in Chambers may hear any application that is incidental to an appeal including applications:

- For permission to appeal
- To declare an appeal struck, dismissed or abandoned for failure to comply with a mandatory rule, prior order or direction of the Court of Appeal
- To strike an appeal or application for permission to appeal that is not filed in time
- To extend the time to appeal or to seek permission to appeal
- To dismiss an appeal if it has not been significantly advanced in over 6 months and significant prejudice has resulted to a party
- For permission to intervene
- To stay proceedings or enforcement of a decision pending appeal (although the preferred practice is to apply first to the judge who made the decision)
- For security for costs



## Court of Appeal Panel

- To restore an appeal (if opposed; if by consent, the Case Management Officer has authority to restore)
- For judicial interim release (or to revoke bail)
- To withdraw as counsel of record (criminal only)

A Court of Appeal Panel may decide any application, including applications:

- To allow or dismiss an appeal on the merits
- For new evidence (heard by the same panel that hears the appeal)
- To reargue or reopen an appeal (the Case Management Officer should be consulted before filing the application)
- For directions required to give effect to any decision of the Court of Appeal (the Case Management Officer should be consulted before filing the application)
- To reconsider a prior precedential decision of the Court
- To dismiss an appeal for want of prosecution
- To appoint counsel