



# Alberta Court of Justice

## Practice Directive

### The Calgary Indigenous Court(CIC)

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Effective: January 2, 2026

#### Application and Effective Date

1. This Practice Directive applies to all matters in the CIC as of January 2, 2026.

#### Eligible Persons and Offences

2. CIC will address judicial interim release and sentencing for those who are Indigenous and who identify as Indigenous.
3. All *Criminal Code of Canada* (CC) charges, including allegations involving intimate partner/domestic violence or conflict, and *Controlled Drugs and Substances Act* (CDSA) charges for offences which are alleged to have occurred in Calgary, except section 469 CC offences, are eligible for CIC. *Traffic Safety Act* and City of Calgary Bylaw offences will not be heard unless they are related to a CC or CDSA offence that is before the CIC.
4. The City of Calgary has given consent to the Alberta Crown Prosecution Service (ACPS) and to the Public Prosecution Service of Canada (PPSC) to exercise all discretion regarding the City of Calgary's municipal offences and will provide support and assistance to the ACPS and the PPSC as required.
5. By order of the Court, criminal offences from other locations involving Indigenous accused may be waived to CIC for judicial interim release hearings (including revocation) or for summary disposition with active Calgary files.

#### Intake Time Frame and Expectations of those with Roles in CIC

6. Potential CIC participants will be permitted to have four court appearances over a maximum of 12 weeks, within which time they will be required to choose whether their matter(s) will be addressed in CIC or whether their matter(s) will be moved out of CIC (e.g., for resolution or to set a preliminary inquiry/trial). If a choice is not made within this time frame, it is presumed that the matters(s) will be moved out of CIC.

7. In addition to the participants, those with roles in CIC proceedings include Elders and Traditional Knowledge Keepers, complainants, the Crown prosecutor, defence counsel and duty counsel, case managers and others with the Soksipaitapiisin Restorative Justice Program, others who participate in the Case Management Table, the Court Clerk and the presiding Justice. For all Court sittings, all are invited to sit at the table with the Justice and Court Clerk.
8. Crown prosecutors, defence counsel and duty counsel and all those who support CIC participants, are expected to be familiar with and act in accordance with the principles, purpose, mandate and guiding considerations of the Court and, in the case of counsel, to also be familiar with the relevant legislation and jurisprudence.

### **Waiver of Delay**

9. Mindful of the individualized healing journey of each CIC participant and the time that these journeys may take, CIC participants will be required to waive on the Court record any delay pursuant to section 11(b) of the *Canadian Charter of Rights and Freedoms* related to involvement in CIC.

### **Court Sittings**

10. CIC will be held on Wednesdays and Fridays in courtroom 1800 beginning at 9:00 am.
  - a. Wednesday sittings will be a continuous docket court. Ordinarily, matters within the jurisdiction of the Public Prosecution Service of Canada will be scheduled only for the 1st and 3rd Wednesdays of each month.
  - b. Friday sittings will have both a morning (9:00am -12:00pm) and afternoon session (1:00pm until completion).

### **Court Procedures**

11. The procedures outlined below are not to create rigid rules that leave no room for deviation or adaptation to the circumstances and needs of the CIC participant. Instead, they are intended to create a framework within which the guideline considerations of CIC can be achieved ([Alberta Court of Justice – Calgary Indigenous Court – CIC Guide](#)).
12. But for exceptional circumstances approved by the presiding Justice in advance, counsel, service providers and CIC participants are required to appear in person.

### **Wednesday Court (commencing at 9:00am)**

13. Court will typically open with a smudge and prayer led by the presiding Elder, followed by introductions of those present. CIC participants who are attending court that day are expected to be in the courtroom for the smudge and prayer.
14. Matters within the jurisdiction of the Alberta Crown Prosecution Service will be called throughout the sitting day, while matters within the jurisdiction of the Public Prosecution Service of Canada will be called only between 9:00am and 11:00am.
15. Those participants who wish to begin their participation in the CIC and those who are early in the admission process will attend court personally and meet with intake workers located outside of courtroom, after which the new participant's matter will be addressed in Court.
16. As early engagement is key to participant success in CIC, at the meeting with the intake worker, the new participant will:
  - a. submit a CIC referral;
  - b. learn about the processes and the expectations of them while participating in the CIC;
  - c. provide information that will allow for their initial needs to be addressed (e.g., housing, addiction treatment, food security); and
  - d. schedule follow-up meetings with the participant's case worker.
17. New participants will attend CIC in person weekly at the discretion of the presiding justice to ensure the participant has connected with the supports necessary to begin engagement with CIC. Once the participant has stabilized, has established those connections and is showing engagement, the frequency of appearances will be once every six weeks, again, at the discretion of the presiding Justice.
18. If a participant does not attend CIC or follow-up meetings with their case worker and others (e.g., the Elder or the probation officer), the participant may be returned to the regular docket on application of the Crown or by the Court on its own motion due to lack of readiness. In all such cases, should the individual wish to return to CIC once ready to engage in the CIC program, they must apply, on notice to the Court and Crown, to have their matter(s) returned to CIC. Applications for removal from CIC or re-entry into CIC by those previously removed will be heard Wednesday afternoons.
19. Those who have Healing Plans will attend CIC to provide updates regarding their progress on their healing journey.

20. Consent judicial interim release applications, applications to change release or probation conditions, and probation reviews may be scheduled for Wednesdays. Such matters may be addressed before the sitting CIC Justice, rather than having to be scheduled before the specific Justice who made the release or probation order.
21. On Wednesdays, counsel will speak to matters scheduled for the following Friday; either confirming that matter will proceed or applying for an adjournment.

### **Friday Court (Commencing at 9:00am)**

22. Scheduled dispositions (for current CIC participants) and judicial interim release hearings (booked in advance through the Case Management Office) will be heard on Fridays.
23. Matters will be scheduled for either 9:00 am or 1:00 pm
24. Court will break between 12:00 and 1:00pm.

### **Healing Plans – the Heart of CIC**

25. Healing Plans are an essential part of the healing and wellness journey of CIC participants. The creation and completion of a comprehensive Healing Plan assist each participant in identifying their individual needs and meeting their identified goals.
26. As such, in addition to other conditions, every order for judicial interim release will require the creation of an initial Healing Plan by a date set by the Justice. Every community sentence order (i.e., probation order or conditional sentence order) will include a condition that the participant continue the Healing Plan developed while the participant was on Judicial Interim Release.

### **Content of the Healing Plans**

27. To be clear, Healing Plans are living documents that will be designed and modified in consideration of the needs of the participant. The Healing Plan will evolve over the time that the participant spends in CIC. That said, every Healing Plan must include:
  - a. Regular meetings with an Elder.
  - b. Regular meetings with the participant’s assigned case manager who will work directly with the participant as they progress through the Healing Plan, including by connecting the participant with the necessary resources and support agencies.

- c. Culturally relevant engagement with the supports available through CIC to first identify and then address the underlying factors that have led to the behaviour that brings the participant before the courts.
- d. Involvement by the complainant to the extent they are willing.
- e. A plan to monitor the participant's progress and hold the participant accountable.
- f. Identifiable milestones that will be recognized during court appearances.
- g. Goals for completion.

### **The Soksipaitapiisin Restorative Justice Program**

28. To ensure consistency, transparency and accountability, subject to limited exceptions at the discretion of the presiding Justice, Healing Plans will be developed and evolve through the Soksipaitapiisin Restorative Justice Program. Soksipaitapiisin is the Blackfoot word for "a good life." The Soksipaitapiisin Restorative Justice Program is a program offered by the [Elizabeth Fry Society of Calgary](#) in cooperation with CIC. The program works on rehabilitation through connecting people to their culture and heritage. As part of the Healing Plan, the program assists participants in, among other steps, connecting with Elders, Traditional Knowledge Keepers and other members of their community to learn about their heritage, ceremony and people.
29. The exceptions referred to above are limited to circumstances in which the needs of the CIC participant cannot be adequately addressed by the Soksipaitapiisin Restorative Justice Program, either because the participant requires specialized counselling or therapy unavailable through the Program or the participant resides outside of the locations served by the Program. Whether to make an exception and how to adapt the CIC process as set out below to the participant's circumstances will be determined by the presiding Justice.

### **Weekly Case Management Table Meetings and Weekly Meetings with Counsel**

30. Upon their decision (made within the timeline above) to participate in the CIC, participants will be referred to the Soksipaitapiisin Restorative Justice Program and to the Case Management Table (CMT) for intake.
- a. The CMT refers to meetings held outside of Court each Monday, to discuss the progress of CIC participants. Meetings will be attended by Elders, Calgary Police Service peace officers who participate in CIC and members of the Soksipaitapiisin Restorative Justice Program.

- b. The participant will work with the court intake worker, their assigned case manager and the Elder to address immediate needs and goals to be able to begin to develop a Healing Plan.
  - c. Once referred to the CMT, the participant will continue to work with the Elder, their case manager and the supports available at the CMT to prepare a written Healing Plan.
31. Every Tuesday starting at 12:30pm, representatives of the Elizabeth Fry Society will meet with Probation Services, Calgary Police Service peace officers who participate in CIC, representatives of the prosecution services and counsel for those participants who are appearing in CIC on the Wednesday of that week to provide an update on the participants' progress. Counsel for the participants are expected to attend these meetings in order to be able to provide the update to the presiding Justice. Note that updates respecting any scheduled matters within the jurisdiction of the:
- a. Public Prosecution Service of Canada will be provided from 12:30pm to 1:00pm.
  - b. Alberta Crown Prosecution Service will commence at 1:00pm.

### **Sharing Healing Plans and In-Court Reports**

32. The Healing Plan will be shared with the Crown prosecutor and defence counsel for any additions they may wish to suggest. If additions are suggested, the Healing Plan will be returned to the participant for review.
- a. Once the initial Healing Plan has been created, the written plan will be presented to the presiding Justice at the ensuing court appearance for discussion and confirmation. Healing Plans must be filed with court ([acoj.cgy-casecord@albertacourts.ca](mailto:acoj.cgy-casecord@albertacourts.ca)) and approved by the presiding Justice after reviewing it with the participant.
  - b. The participant will review and update the Healing Plan with the Elder and the CMT every 90 days.
  - c. At each subsequent court appearance, the participant will report on progress with the Healing Plan. Any additions, deletions or modification to a Healing Plan must be approved by the presiding Justice and will be reviewed by the Justice with the participant. The updated Healing Plans will be filed with the court ([acoj.cgy-casecord@albertacourts.ca](mailto:acoj.cgy-casecord@albertacourts.ca)).
  - d. Completion of the Healing Plan will be determined by the Elder, the CMT, the participant and the presiding Justice.

### **Blanket Ceremonies**

33. A blanket ceremony will be held in CIC to celebrate the participant's success following the completion of the Healing Plan. This blanket ceremony is important for several reasons. It is an important acknowledgement of all the work the participant has done to fulfill the recommendations set out in their Healing Plan. It is also a reminder to the participant that the CIC and CMT, other Stakeholders and the Case Managers, only provide opportunities to the participants but it is the participant who does all the hard work that has brought them to this day.
34. Even after the blanket ceremony, the presiding Justice may request that the participant return to CIC for periodic probation reviews.