



EDMONTON CRIMINAL REMOTE APPEARANCE PRACTICE NOTE

Effective June 6, 2022

Updated April 11, 2023

Application

This Practice Note is applicable to all Criminal Court matters proceeding in Edmonton.

1. Introduction

1.1. Parties appearing remotely must conduct themselves in accordance with the [Alberta Court of Justice Conduct Guide for Remote Appearances](#).

2. First-Appearance Docket Court, Required Appearance Court, and Bail Court

2.1. In first-appearance docket courtrooms (265, 267 and 268) Required Appearance Court (356), remote appearances will remain the default rule. This default rule also applies to bail court (353), which is considered an extension of 265. This allows for continued remote appearances for minor docket appearances without prior court approval (e.g. adjournments, in-custody bail and minor summary disposition matters where accused is appearing by CCTV). All remote appearances are subject to strict compliance with the Provincial Court's Conduct Guide for Remote Appearances. Legal Aid Duty Counsel in 265, 267 and 356 may continue to appear remotely, except in 268 where in-person appearance is required. Crown prosecutors assigned with primary responsibility for specific docket courtrooms are required in person, with the exception of the 265B Crown and the 268A Crown.

3. Mental Health Court, Drug Treatment Court, Edmonton Indigenous Court and Self-Represented Accused Trial Confirmation Court

3.1. For Mental Health Court (357), Drug Treatment Court (267), Edmonton Indigenous Court (358) and Self-Represented Accused Trial Confirmation Court (357), the default rule is in-person (except for in-custody matters where the accused appears by CCTV). This includes the requirement for in-person Legal Aid Duty counsel.

4. Scheduled Summary Disposition Courtrooms

4.1. In scheduled summary disposition courtrooms (446 and 267), the default rule is in person. Applications for remote appearances by parties must be made in advance to the scheduled or seized Justice. The Crown with primary responsibility for the summary disposition courtroom is required in person.

5. Enhanced Trial Assignments

5.1. The Enhanced Trial Assignment Process will remain as the process used for assignment court (355).

6. In-Person default Rule

6.1. The in-person default rule applies to all matters involving viva voce evidence (such as trials, preliminary inquiries and fatality inquiries).

7. Applications for Remote Appearances

7.1. Where applicable, applications for a remote appearance must be made in advance of the court appearance electronically to: edmcinquiries@albertacourts.ca. The principles, along with a non-exhaustive list of factors to be considered for such applications, are set out in the Criminal Code in sections 715.21, 715.22, 715.23 and 715.25.

8. Case Management Office

8.1. In-person counter services at the CMO will be reinstated for self-represented accused persons. Access for legal counsel to CMO services will continue by way of Remote Courtroom Scheduling (RCS), Adjournment Digital Service (ADS), and email. It is strongly encouraged that legal counsel continue to use remote options allowing self-represented individuals, who do not have access to remote options, easier access to in-person services.

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