



# Alberta Court of Justice

## Edmonton Indigenous Court Practice Note

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Effective: November 20, 2023

Counsel and participants should familiarize themselves with "[A Call to Action: A Guide to Edmonton Indigenous Court](#)". It sets out the mandate, protocols and practice of the Edmonton Indigenous Court.

EIC is for any accused who is or self-identifies as Indigenous.

EIC sits Wednesdays and Thursdays in Courtroom 266.

A Pre-Court Meeting is held Tuesdays in Courtroom 266. The Crown Prosecutors, Duty Counsel, and a case coordinator from Native Counselling Services of Alberta (NCSA) are present. Defence Counsel whose clients are scheduled to appear in EIC that week are required to attend the Pre-Court meeting in person, by Webex or through an agent.

EIC may hear all Criminal Code (CC) and Controlled Drugs and Substances Act (CDSA) charges for offences which are alleged to have occurred in Edmonton, except section 469 CC offences. Traffic Safety Act and City of Edmonton Bylaw offences will not be heard unless they are related to a CC or CDSA offence before the EIC. Criminal offences from other jurisdictions involving Indigenous offenders may be waived to EIC for bail (including revocation) or for summary disposition with active Edmonton files.

Unrepresented accused will be assisted by Duty Counsel.

Prior to a client's first appearance in Edmonton Indigenous Court, counsel or the accused's agent must complete and Edmonton Indigenous Court Referral Form found at <https://forms.office.com/r/R8c1V8wsua>.

### **Bail**

Accused who are bail denied are not eligible to seek bail in Courtroom 266.

Appearances for bail are at 9 a.m. on Wednesdays. A contested bail hearing must be scheduled through the CMO (COJEdmonton.CMO@just.gov.ab.ca). Where an accused will be released with the consent of the Crown, a bail hearing does not need to be scheduled.

### **Summary Disposition**

Summary Disposition referrals may only be made after counsel or duty counsel have instructions to resolve the matter. This necessarily means counsel has disclosure and has communicated with the Crown about resolution.

With the exception of disposition and sentencing hearings, appearances for summary disposition are at 9 a.m. Thursdays.

Disposition or sentence hearings (whether or not a Joint Submission will be presented) are held Wednesday afternoon and must be booked through the CMO ([COJEdmonton.CMO@just.gov.ab.ca](mailto:COJEdmonton.CMO@just.gov.ab.ca)).

### **Courtroom 266 Schedule**

	<b>Tuesday</b>	<b>Wednesday</b>	<b>Thursday</b>
	10 a.m. – noon Pre-Court Meeting	9 a.m. Appearances related to bail referrals	9 a.m. Appearances related to summary disposition referrals (excluding sentencing)
		1:30 p.m. Disposition or sentencing hearings	

- Leave of a Justice is required to schedule any matter for 60 minutes or more.