



# Alberta Court of Justice

## Edmonton Criminal Division Criminal Rules Practice Directive

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Effective: July 4, 2023

Replaces the following prior Practice Directives:

1. The 'Practice Directive regarding the filing of Charter Notices and Supporting Materials in Edmonton', dated June 1, 2010, and
2. The 'Practice Note - Edmonton Motions Court and Appendices', dated July 1, 2015.

### **Criminal Applications Procedure for the Edmonton Criminal Division**

#### **Purpose**

This Practice Direction applies to any application related to a trial or preliminary inquiry, the scheduling of which occurs after September 1, 2021.

#### **Procedure**

1. All dates for trial or preliminary inquiry will be fixed through the Edmonton Case Management Office (CMO).
2. All trials and preliminary inquiries that are scheduled to last two days or more will require a pre-trial conference or pre-preliminary conference (collectively referred to as "case conference"), unless exempted by the Court. A Justice may direct a case conference in other situations, and parties may request additional case conferences that are not mandated by this Practice Note.
3. Where an accused is represented by counsel, case conferences will be booked through Judges Chambers, and will be conducted in the manner directed when scheduled. However, counsel may request a case conference in Court, which shall be booked through the CMO.

4. Counsel are required to complete and submit the Joint Counsel Form (which is posted on the Court's website) three days in advance of the case conference to: [PTC.EdmAdult@albertacourts.ca](mailto:PTC.EdmAdult@albertacourts.ca)
5. Checklists associated with Forms 1, 2 and 3 are posted on the Court's website and parties must complete and file them with the associated Forms and supporting materials.
6. Parties should file documents electronically at: [COJEdmonton.Criminal@just.gov.ab.ca](mailto:COJEdmonton.Criminal@just.gov.ab.ca). If parties are unable to file electronically, they may file documents in hard copy (2 copies required) at the Cashier and Inquiries Counter.
7. Service of the Forms, checklists and supporting material is to occur in accordance with Rule 3.
  - a. Service on the Alberta Crown Prosecution Service (ACPS) if an accused's lawyer or agent does not know whether a specific Crown Prosecutor has been assigned to a file can be filed electronically at:
    - i. **Edmonton General Prosecutions** – electronic service at: [JSG-ACPS.EdmontonProsecutions@gov.ab.ca](mailto:JSG-ACPS.EdmontonProsecutions@gov.ab.ca) or service by hard copy at 6th floor, Brownlee Building, 10365-97 Street, Edmonton, Alberta.
    - ii. **Edmonton Specialized Prosecutions** – electronic service at: [JSG-ACPS.EdmSpecialized@gov.ab.ca](mailto:JSG-ACPS.EdmSpecialized@gov.ab.ca) or service by hard copy at: Suite 516, Brownlee Building, 10365-97 Street, Edmonton, Alberta.
  - b. Service on the Public Prosecution Service of Canada (PPSC) if an accused's lawyer or agent does not know whether a specific Prosecutor has been assigned to a file can be filed electronically at [edmppsdisctm@ppsc-sppc.gc.ca](mailto:edmppsdisctm@ppsc-sppc.gc.ca) or by leaving a hard copy at the PPSC office located at 700 EPCOR Tower, 10423 – 101st Street, Edmonton, Alberta.
8. All Forms, checklists and supporting materials filed electronically (with the exception of case authorities) will be printed by Resolution and Court Administration Services and placed on the Court file. If accompanied by a sealing order, the materials that are the subject of the sealing order will be placed in a sealed envelope on the Court file.

9. Parties who have filed electronically are expected to bring hard copies of supporting materials on the day of their hearing for the presiding Justice.

### **Informal Applications (Rule 2.2)**

10. Unless a Court otherwise directs, informal applications as described in Rule 2.2 will be heard in regularly-scheduled docket courtrooms.

### **Pre-trial Applications (Rules 2.5 and 2.7)**

11. Pre-trial applications are to be heard at least 60 days prior to the scheduled date for trial. A non-exhaustive list of examples of pre-trial applications can be found in Rule 2.5(1).
12. A Form 1, checklist and supporting material must be filed and served 30 days before the date set for the pre-trial application.
13. The Form 2, checklist, and supporting material must be filed and served within 15 days of the receipt of the Form 1.
14. Pre-trial applications over 60 minutes and pre-trial applications that require an assigned trial judge shall be booked through the CMO.
15. Motions Court sits on Tuesday afternoons at 1:30 pm in Courtroom 357. The following shall be scheduled in Motions Court, through the CMO (unless another Practice Directive provides otherwise):
  - a. Consent pre-trial applications;
  - b. Contested pre-trial applications of up to 60 minutes duration (that do not require an assigned trial justice); and,
  - c. Requests to abridge time for the filing of Forms, checklists and supporting material for pre-trial applications.

### **Trial Applications (Rule 2.6)**

16. Trial applications will be heard on the same day the trial is scheduled unless the Court directs otherwise.
17. The Form 1 commencing the trial application, the checklist, and supporting material must be filed and served 30 days in advance of the commencement of the trial.

18. The Form 2, the checklist, and supporting material must be filed and served within 15 days of the receipt of the Form 1.
19. Requests to abridge time for filing of Forms, checklists, or supporting materials for trial applications must be scheduled through CMO in Motions Court.