

Summary of the *Alberta Rules of Court Amendment Regulation*

Included in the *Alberta Rules of Court Amendment Regulation* (AR 194/2020), which became effective on October 21, 2020 (with some exceptions), are the following provisions:

- **Rule 6.30** [*When restricted court access application may be filed*] and **Rule 6.33** [*Judge assigned to application*] are amended to ensure Masters in Chambers have the authority to make restricted court access orders for matters within their jurisdiction.
- **Rule 12.65** [*Non-compliance by appellant*] is amended so that an application to reinstate a family law appeal, previously dismissed by the Court of Queen's Bench for failure to file transcripts, may be made no later than 3 months after dismissal.
- **Rule 13.21** [*Requirements for exhibits to affidavit*] is amended to broaden the list of exceptions to the requirement that a record to be used with an affidavit must be attached as an exhibit to the affidavit.
 - If the exhibit is not attached, the exhibit must be adequately identified and the affidavit must state a reason for not attaching it, including but not limited to: the physical characteristics of the exhibit; the confidentiality of the exhibit's contents; the exhibit having been already filed; or any other appropriate reason.
 - An exhibit that is not attached to an affidavit must be made available for inspection and copying by the other parties to the litigation, subject to the direction of the Court.
 - Any interested person who is not a party may apply to the Court for access to the exhibit, which may be granted on such terms and conditions as the Court may direct.
- **Rule 13.41(2)** [*Authority of court clerk*] is amended to remove reference to filing by fax and to clarify the authorized methods to file documents with the Court.
- **Rule 13.41(4)** [*Authority of court clerk*] is amended to provide that where the court clerk has filed an affidavit submitted by electronic means, the party or person who submitted the affidavit for filing must:
 - Keep the original paper version of the affidavit until a date specified in the rule;
 - On request, make the original paper version of the affidavit available for inspection by other parties or their lawyer and by the court; and
 - If a request is made by the court clerk for the original paper version to be filed, submit the original for filing within 15 days after that request is received.
- Effective November 1, 2020, the following forms set out in **Schedule A, Division 2** (Family Law Forms) are amended:
 - **Form FL-23** [*Affidavit of Applicant*] is repealed and replaced with a simplified version which relies on checkboxes and fill-in-the-blank text, reduces duplication, and ensures that all relevant evidence required by the Court to consider a desktop divorce application is provided.
 - **Form FL-24** [*Affidavit of Applicants (Joint)*] is repealed and replaced to make similar revisions to those set out for Form FL-23 above.