

KING'S BENCH GENERAL PRACTICE NOTE 1

PRACTICE DIRECTIONS APPLICABLE TO ALL PROCEEDINGS:

GOWNING FORMS OF ADDRESS and DECORUM CITATION OF AUTHORITIES

Effective January 1, 2023

1. Gowning

Generally speaking, counsel will be required to gown at any proceeding in which *viva voce* evidence will be heard. For greater certainty, and in addition, counsel are required to gown for all of the following:

- Civil, Family and Criminal Trials, including uncontested divorces, surrogate, estate and dependent adult trials, Emergency Protection Order (EPO) and Protection Order (PO) Review hearings, and assessments of damages;
- Any Special Chambers hearing in which *viva voce* evidence will be heard;
- Summary Trials, regardless of whether *viva voce* evidence will be heard;
- Hearings under the *Reciprocal Enforcement of Maintenance Orders Act* and other Hague Convention and inter-provincial hearings;
- Criminal guilty pleas, arraignments and jury selections;
- Oral hearings for divorce, regardless of whether *viva voce* evidence will be heard;
- Judgments, except where gowning was not required for the hearing giving rise to the judgment;
- Appeals from the Provincial Court of Alberta, and Surface Rights Board appeals, but not an appeal from the decision of an Applications Judge;
- Adoptions; and
- Bar Admissions and Swearing-in Ceremonies.

Gowning is not required for:

- Pre-trial Conferences;
- Judicial Dispute Resolution (of any type) or Early Intervention Case Conferences (EICC);
- Unless *viva voce* evidence is intended to be heard, bail, bail forfeitures, remands only and adjournments;
- Family Docket Court;
- Any Chambers or Special Chambers hearing (other than an application for divorce) in which *viva voce* evidence will not be heard; and

- Online hearings, whether or not *viva voce* evidence will not be heard, unless otherwise directed by the presiding Justice.
- At all times when appearing in court, whether in person or online, appropriate apparel should be worn by all participants, and appropriate decorum should be maintained – the presiding Justice is at liberty to direct what is not appropriate and the consequences thereof.

Counsel with personal circumstances, such as pregnancy, a medical condition or disability, are free to modify their traditional court attire to accommodate their personal circumstances as they reasonably see fit, including dispensing with a waistcoat and tabs. Modified attire must be dark in colour and in keeping with Court decorum. Counsel wearing altered attire are requested to advise designated court personnel (generally, the appropriate court coordinator) in advance of the appearance to ensure that counsel need not discuss their personal circumstances or modified attire on the record or in open court.

In the event that there is any uncertainty in regard to the Court’s gowning guidelines, Counsel are encouraged to inquire of the appropriate court coordinator.

2. Forms of Address and Decorum

Judges of the Court of King’s Bench of Alberta, in oral or written communications in Alberta, are to be called “Justices”.

At hearings, or in correspondence, counsel and parties may use "Justice" (or “Chief Justice” or “Associate Chief Justice” as the case may be), when addressing the Justices of the Court of King’s Bench.

Applications Judges should be addressed as “Judge” or “Your Honour”.

Parties rise, if they are able, when the Court is called to order and the Justice or Applications Judge enters the courtroom.

Parties rise and bow when the Justice or Applications Judge bow and then resume sitting.

3. Citation of Authorities

The Court of King’s Bench maintains guidelines for the citation of authorities in all proceedings (in English and French) before the Court. These guidelines are revised periodically and are posted to the Court’s website at: <https://albertacourts.ca/qb/resources/citation-guidelines>.