



**Notice to Public and Profession
Court of Appeal of Alberta
March 23, 2020**

Appeals, Applications and Motions Generally

The Court of Appeal continues to hear appeals, applications and motions but as of March 23, 2020, these are not in person. Details are set out below.

The procedures in this Notice for Appeal Sittings and Applications before Three Judge Panels and Single Judge Duty Matters repeat the procedures set out in the Court's Notice dated March 16, 2020.

Where this Notice conflicts with anything in the March 16, 2020 Notice, this Notice prevails.

Procedural Time Limits Extended

Effective March 25, 2020, unless otherwise directed by a case management officer or judge, **where an appeal (fast track, standard or criminal appeal) has not yet been set for hearing**, and the deadline to order or commence preparation of the appeal record and transcripts or for the filing of appeal records, transcripts, factums, extracts of key evidence and books of authorities falls **on or prior to May 4, 2020**, the deadline is extended by 2 months. Otherwise, all time limits remain in effect and must be respected.

Further, where an appeal has been set for hearing and has not been adjourned, the deadlines to order or commence preparation of the appeal record and transcripts or for the filing of appeal records, transcripts, factums, extracts of key evidence and books of authorities also remain in effect and must be respected.

Filing deadlines for commencement documents (e.g., Notices of Appeal, Applications for Permission to Appeal) are not suspended and continue to apply.

Filing deadlines for applications continue to apply.

The Court's [Case Management Officers](#) remain available to consider requests for extensions, fiats and other administrative directions.

Filing Modifications and Directions on Correspondence

Where possible, counsel and parties are encouraged to file their documents by email or fax.

Filing Modifications: Effective March 23, 2020, until further notice, all documents may be filed by fax or email (in PDF format) as follows:

- Calgary matters: Fax: 403-297-5294 or Calgary.Registry@albertacourts.ca
- Edmonton matters: Fax: 780-422-4127 or Edmonton.Registry@albertacourts.ca

If you have any questions regarding filing by email or fax, please contact the applicable Registry by email (as set out above) or by telephone at:

- Calgary matters: 403-297-2206
- Edmonton matters: 780-422-2416

Counsel and parties that file documents by fax or email will be temporarily exempted from the filing of paper copies. Paper copies must be provided at a later time as required by the Court. A filed copy of the document will be returned via email or fax.

Correspondence: All Correspondence should be emailed to the applicable Registry and **not** the Case Management Officer. Should a direction from the Case Management Officer be necessary, the Registry will notify the Case Management Officer for appropriate response.

Email Formatting and Size Limitations: Please ensure that the subject line of any email contains both the appeal number and style of cause. Note that the Court is unable to accept documents by email that exceed 100MB in a single transmission.

Fees: Payment of any filing fee in a civil matter can be made electronically at <https://eservices.alberta.ca/courtofappeal-filing-fees-civil.html>. Once the payment is made, a copy of the receipt must be emailed to the appropriate Registry. Documents for which a fee is required will not be filed until the Registry receives a copy of the subject receipt or is otherwise satisfied payment has been received.

Drop Off Filing: Where possible, counsel and parties are encouraged to file their documents by email or fax. Where that is not possible, documents can be delivered to the Registry and left in a designated drop off area. Registry staff will retrieve documents from the designated area throughout the day and file them when time permits. Documents will be backdated to the date of receipt providing they are in compliance with the Rules. A contact name, email address and telephone number must be noted on the document. The

Registry will notify filing parties by telephone or email when the document is ready to be picked up or of deficiencies that must be corrected.

Modification to Bail Check-Ins

Effective immediately, any person who is required to personally check in to a Registry counter under the terms of an Order for Judicial Interim Release may now do so by telephone or email. Any such person will be required to provide their name, appeal number, date of birth, address, telephone number and email address (where available).

- Calgary matters: Telephone: 403-297-2206 or Calgary.Registry@albertacourts.ca
- Edmonton matters: Telephone: 780-422-2416 or Edmonton.Registry@albertacourts.ca

Suspension of Appellate Judicial Dispute Resolution

The Court has suspended appellate judicial dispute resolution until July 2, 2020. Parties wishing to use this service may book dates beginning at that time.

Bar Admissions

No in-person bar admissions will be conducted by the Court prior to July 2, 2020. Bookings may be made with judges for an in-person ceremony on or after that date. Admissions may be done by phone prior to then with a public ceremony conducted at a later date.

Appeal Sittings and Applications Before Three Judge Panels

The following protocol is now in effect with respect to appeals and applications to be heard by a three judge panel of the Court of Appeal:

1. Unless otherwise directed by a case management officer or a judge, all appeals and applications before a three judge panel will be heard electronically (by video conference or audio telephone). The participants must provide the Registry with contact video conference or telephone numbers for that purpose in advance of the hearing date. Communications with the Edmonton Registry are to be sent by email to Edmonton.Registry@albertacourts.ca or by phone to 780-422-2416. Communications with the Calgary Registry are to be sent by email at Calgary.Registry@albertacourts.ca or by phone to 403-297-2206.
2. If anyone feels that an in person oral hearing is required (whether by reason of s 688 of the *Criminal Code* or otherwise), they are directed

to contact a case management officer to explain why the appeal or application requires an in person oral argument and the Court will issue a direction.

3. Personal attendance in court will not be permitted without prior written authorization from a case management officer or a judge.
4. **Providing all parties consent**, any appeal or application may be adjourned *sine die*.
5. The parties may consent to having the appeal or application decided on the paper record only without oral argument: R. 14.32(2) for appeals and R. 14.51 for applications. If the parties consent to proceed in that manner, the Registry should be advised in writing in advance of the hearing date.

Single Judge Duty Matters in the Court of Appeal

The following protocol currently applies to matters set down before a single duty judge of the Court of Appeal:

1. Unless otherwise directed by a case management officer or a judge, all duty matters set down before a single judge will be heard by audio conference. The participants must provide the Registry with contact telephone numbers for that purpose in advance of the hearing date. Communications with the Edmonton Registry are to be sent by email to Edmonton.Registry@albertacourts.ca or by phone to 780-422-2416. Communications with the Calgary Registry are to be sent by email to Calgary.Registry@albertacourts.ca or by phone to 403-297-2206.
2. Personal attendance in chambers will not be permitted without prior written authorization from a case management officer or a judge.
3. **Providing all parties consent**, any matter may be adjourned *sine die*, although the parties are reminded that under R. 14.44(2), applications for permission to appeal must be heard within six months or they are deemed abandoned. Further, under R. 14.52, all other applications (including applications to a three judge panel) must be heard within three months or they are deemed abandoned. Applications for a fiat to extend the time may be made to a Case Management Officer.

4. The parties may consent to having applications decided on the paper record only without oral argument: R. 14.51. If the parties consent to proceed in that manner, the Registry should be advised in writing before the scheduled hearing date.

Any further inquiries regarding hearing of appeals or applications can be directed to the [Case Management Officers](#).

As matters unfold, the Court may reduce or suspend Court operations or implement other measures including alternative measures for communication and filing of documents as warranted. Please continue to monitor the [Court of Appeal website](#) for up to date information.