



Alberta Court of Justice

Edmonton Criminal Division

Notice to Criminal Bar – Trials and Preliminary Inquiries

Effective: November 18, 2013

Effective November 18, 2013, trials and preliminary inquiries that start in the Edmonton Criminal Division will continue until they are concluded. It is agreed by the Chiefs of all levels of court in Alberta that scheduling priority will be given to completing trials and preliminary inquiries that have started in order to avoid lengthy adjournments for completion.

The Court will make every effort to ensure that matters are started on time -- no later than 9:30 a.m. in the case of trials scheduled for the morning. Counsel will be expected to be attentive to, and realistic in estimating time requirements at the time of scheduling matters and where one can reasonably foresee that a matter might extend beyond the allotted time, counsel will be expected to have made tentative arrangements to clear his or her calendar for the following day.

The Court recognizes that in some cases it may not be possible to continue on the following day without significant disruption to other scheduled proceedings. In those limited cases, the continuation may be delayed for a few days. However, absent very exceptional circumstances, the continuation must be set as soon as possible and, in any event, within a period of two weeks. This will not involve just finding a date that is convenient. It will require clearing one's schedule of other matters if necessary.

In some circumstances, splitting a trial may be necessary for legitimate purposes: for example, to accommodate the availability of a specific witness or to meet the statutory prerequisites of the *Criminal Code* regarding expert witnesses or to allow sufficient time for a Justice to make a legal ruling.

If an adjournment is granted by the trial justice for those reasons, then the adjournment may be allowed to exceed two weeks but only by the amount of time necessary to serve the express purpose of the adjournment.