



COURT OF QUEEN'S BENCH OF ALBERTA

NOTICE TO THE PROFESSION

TEMPLATE ORAL HEARING ORDER

Effective immediately the Template Oral Hearing Order (attached) will be the basis for hearings where oral evidence is heard, except for trials under Part 8 of the Rules and oral hearings for Emergency Protection Orders, which will be heard, in the normal case, on dates set for those hearings.

Oral Hearing Orders may not be filed by consent, without a judicial determination of need.

Facts relied upon in support of an application for an Oral Hearing Order may be provided to the Court by way of an Agreed Statement of Facts, or if not agreed, by way of affidavit, and may include affidavit evidence previously filed in the action. The evidence must demonstrate a necessity for the hearing of oral evidence.

The default estimated times for examination in chief and for cross-examination (paragraphs 1(c) and (d) of the Oral Hearing Order) should be no more than one half hour each per witness, unless extended by the judge hearing the application, or during the oral hearing itself.

A black ink signature of Neil C. Wittmann, consisting of several overlapping, sweeping lines.

Neil C. Wittmann, Chief Justice

A blue ink signature of John D. Rooke, written in a cursive style.

John D. Rooke, Associate Chief Justice

COURT FILE NUMBER

Clerk's Stamp

COURT

COURT OF QUEEN'S BENCH OF ALBERTA

JUDICIAL CENTRE

PLAINTIFF

DEFENDANT

DOCUMENT

ORAL¹ HEARING ORDER

(For all hearings other than Part 8 of the Alberta Rules of Court)

ORDER PREPARED BY

DATE ON WHICH ORDER WAS PRONOUNCED: _____ at _____
Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: _____

UPON THIS APPLICATION being heard this day;

AND UPON READING OR HEARING READ the evidence filed in support of or opposition to this application;

AND UPON HEARING the submissions by or on behalf of the parties;

AND UPON IT APPEARING to the Court that there is a need for brief oral evidence as set out in this Order;

IT IS HEREBY ORDERED THAT:

1. At the hearing set in this matter for ____ day(s) commencing at ____ am/pm on (date) _____, brief oral evidence may be heard, on the following terms:

(a) The type or nature of the application to be heard at the hearing is for: _____, to _____

¹ This Order is granted based on the Template Order set out in Notice to the Profession #2014 – 02.

determine the substantive issue(s) of _____
_____;

(b) The specific issue(s) for which oral evidence is necessary at the hearing, is/are: _____;

and the reason(s) that oral evidence is needed to determine this/these issue(s) is because: _____
_____;

(c) There may be no more than ____ witness(es) for the applicant(s), identified and limited as follows:

Witness(es): _____

Total Estimated Time - Chief: _____ min; Cross: _____ min

(d) There may be no more than ____ witness(es) for the respondent(s), identified and limited as follows:

Witness(es): _____

Total Estimated Time - Chief: _____ min; Cross: _____ min

(e) No other affidavits or records may be filed without leave of the Court;

(f) The Court is satisfied that the following justice(s) is/are disqualified from hearing this matter for good reason(s):

Justice (s) _____

(g) Other matters ordered are: _____

2. Except for emergencies, no other applications shall be brought by either party prior to the hearing date, without a Court Order.
3. The judicial determination of the issue(s) for which oral evidence is permitted by this Order may, in the discretion of the Justice presiding at the hearing, result in a final order of judgment on that/those issue(s).
4. If the parties reach an agreement on the issue(s) in dispute prior to the scheduled hearing date, they shall immediately advise the Court.

5. Nothing herein shall limit any other requirement under the Rules, Practice Notes or Notices to the Profession, unless specific in this Order.

**Justice of the Court of Queen's Bench of
Alberta**