**Court of King's Bench of Alberta**

**Request for Appointment of a Case Management Justice
[under Rule 4.12(1)]**

**INSTRUCTIONS FOR COMPLETING THIS FORM:**

**Use this form to ask the Court to appoint a Case Management Justice to your case under Rule 4.12(1) of the *Alberta Rules of Court*.**

**If the Court appoints a Case Management Justice, he or she will have broad authority over your case and will hear all applications in your case unless the Chief Justice, Associate Chief Justice or Case Management Justice direct otherwise.**

**If you have not already had a trial in your case, your Case Management Justice will not be your Trial Justice unless all parties and the Case Management Justice agree otherwise.**

**Click** [**here**](http://www.qp.alberta.ca/documents/Regs/2010_124.pdf) **to learn more about case management by reading Rules 4.12 – 4.15 of the *Alberta Rules of Court*.**

**As the party completing this form, you are the “Applicant” and all other parties are “Respondents” for the purpose of this form.**

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| **NOTICE TO RESPONDENTS:** **The party who completed this form is the “Applicant” and all other parties are “Respondents” for the purpose of this form.** **The Applicant is asking the Court to appoint a Case Management Justice to your case.** **As a Respondent, you have the right to respond before the Court considers the Applicant’s request to appoint a Case Management Justice to your case. Go to the end of this form to see what you must do to respond and when you must do it.** |

**Answer the following questions:**

1. Judicial Centre: Click Here to Select
2. Style of Cause:

(Full Name of Party/Parties v. Full Name of Party/Parties)

1. Court of King’s Bench Action Number(s):

(List all related actions)

1. Full name of party completing this form:
2. Are you represented by a lawyer? [ ] Yes or [ ] No

If No:

|  |  |
| --- | --- |
| Your Current Mailing Address |       |
| Your Current Telephone Number |       |
| Your Current E-Mail Address |       |

If Yes:

Are you a lawyer completing this form on behalf of the Applicant? [ ] Yes or [ ] No

If No:

**If you are represented by a lawyer, your lawyer must complete and submit this form on your behalf.**

If Yes:

|  |  |
| --- | --- |
| Lawyer’s Name |       |
| Lawyer’s Current Mailing Address |       |
| Lawyer’s Current Telephone Number |       |
| Lawyer’s Current E-Mail Address |       |

1. Names and current contact information of all Respondents:

(If a Respondent is not represented by a lawyer, provide the Respondent’s mailing address, telephone number and e-mail address. If a Respondent is represented by a lawyer, provide their lawyer’s mailing address, telephone number and email address.)

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| Full Name of Respondent | Is this Respondent represented by a lawyer?  | Name of Lawyer (if represented) | Current Mailing Address | Current Telephone Number | CurrentE-Mail Address |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |
|       | [ ] Yes [ ] No |       |       |       |       |

1. When did your case start in the Court of King’s Bench? Click here to select a date
2. Was your case in the Court of Justice before it was in the Court of King’s Bench?

[ ] Yes or [ ] No

If Yes:

When did your case start in the Court of Justice? Click here to select a date

Court of Justice Action Number(s):

 (List all related actions)

**The rest of the questions on this form are about your case in the Court of King’s Bench only.**

1. Have you already had a trial in your case? [ ] Yes or [ ] No

If Yes:

 Name of the Trial Justice:

 When did the trial end? Click here to select a date

Did the Trial Justice recommend that case management be started or continued after the trial? [ ] Yes or [ ] No

If No:

**A Case Management Justice cannot be appointed to your case unless the Trial Justice recommended that case management be started or continued after the trial.**

1. Does the *Class Proceedings Act* apply to your case? [ ] Yes or [ ] No

**Click here to read the** [***Class Proceedings Act*.**](http://www.qp.alberta.ca/documents/Acts/C16P5.pdf)

If Yes:

**The Court is required to appoint a Case Management Justice to your case. You do not have to answer any more questions.**

1. Has the Court made an Order directing that the trial of your case be by jury? [ ] Yes or [ ] No

If Yes:

Name of the Justice who made the Order:

When was the Order made? Click here to select a date

**The Court is required to appoint a Case Management Justice to your case. You do not have to answer any more questions.**

1. Does your case involve Family Law Practice Note 5? [ ] Yes or [ ] No

**Click here to read** [**Family Law Practice Note 5**](https://albertacourts.ca/docs/default-source/Court-of-Queen%27s-Bench/fpn-5---allegations-of-sexual-abuse---revised-june-30-2011.pdf?sfvrsn=0)**.**

If Yes:

**The Court is required to appoint a Case Management Justice to your case. You do not have to answer any more questions.**

1. Did you ask all of the Respondents if they want a Case Management Justice?

 [ ] Yes or [ ] No

If No:

 **Before submitting this form, you must ask all of the Respondents if they want a Case Management Justice.**

1. Do all of the Respondents want a Case Management Justice? [ ] Yes or [ ] No

If No:

Provide the names of all Respondents who do not want a Case Management Justice:

If Yes:

Are you making a joint request for a Case Management Justice on behalf of all of the parties in your case? (You must have the written approval of all of the parties in your case to make a joint request.) [ ] Yes or [ ] No

1. Has your case previously been case managed by a Case Management Justice?

 [ ] Yes or [ ] No

If Yes:

 Name of your previous Case Management Justice:

When did case management end? Click here to select a date

Explain why case management ended:

1. Has any party previously asked the Court to appoint a Case Management Justice to your case? [ ] Yes or [ ] No

If Yes:

Provide details about the previous request for a Case Management Justice (include date of the request, name of the party who made the request and result of the request):

1. Has the Court made an Order in your case recommending that a Case Management Justice be appointed or directing the parties to ask for a Case Management Justice? [ ] Yes or [ ] No

If Yes:

Name of the Justice who made the Order:

When was the Order made? Click here to select a date

**You should submit a copy of the Order with this form.**

1. Have you considered whether a one-time case conference involving the parties and a representative of the Court under Rule 4.10 of the *Alberta Rules of Court* would be a better alternative than a Case Management Justice in your case? [ ] Yes or [ ] No

If No:

**Before submitting this form, you must consider whether a one-time case conference involving the parties and a representative of the Court under Rule 4.10 of the *Alberta Rules of Court* would be a better alternative than a Case Management Justice in your case.**

**Click** [**here**](http://www.qp.alberta.ca/documents/Regs/2010_124.pdf) **to learn more about a one-time case conference with a representative of the Court by reading Rule 4.10 of the *Alberta Rules of Court*.**

If Yes:

Explain why you think a one-time case conference involving the parties and a representative of the Court under Rule 4.10 of the *Alberta Rules of Court* would not be a better alternative than a Case Management Justice in your case:

1. How many applications have you (or the Applicant if you are a lawyer completing this form on behalf of the Applicant) filed in your case since it started? Click here to select
2. How many applications have you (or the Applicant if you are a lawyer completing this form on behalf of the Applicant) filed in your case in the last year? Click here to select
3. How many applications have the Respondents filed in your case since it started?

(If there is more than one other party in your case, count applications filed by all of them.)
Click here to select

1. How many applications have the Respondents filed in your case in the last year?

(If there is more than one other party in your case, count applications filed by all of them.)
 Click here to select

1. When was the last Court appearance in your case? Click here to select a date
2. Name of the Justice at the last Court appearance in your case:
3. Explain the reason for the last Court appearance in your case:
4. Are there any future Court appearances currently scheduled in your case? [ ] Yes or [ ] No

If Yes:

When is the next Court appearance scheduled in your case?

 Click here to select a date

Explain the reason for the next Court appearance in your case:

Is the next Court appearance in your case scheduled in front of a specific Justice? [ ] Yes or [ ] No

 If Yes:

 Name of the Justice:

Explain why the next Court appearance in your case is scheduled in front of a specific Justice:

1. Has the Court made an Order in your case restricting you or any of the Respondents from filing applications? [ ] Yes or [ ] No
(For example, an Order directing that a party needs permission from the Court to file an application or an Order directing that a party cannot file an application until they do something else that the Court has told them to do.)

If Yes:

Name of the Justice who made the Order:

When was the Order made? Click here to select a date

Explain how the Order restricts you or any of the Respondents from filing applications (include who is/was restricted from filing applications and what the restriction is/was):

1. Have you and the Respondent(s) tried to resolve your case? [ ] Yes or [ ] No
(For example through mediation, arbitration or Judicial Dispute Resolution.)

If Yes:

Provide details of how you and the Respondent(s) tried to resolve your case (include names, dates, places and results) and explain why your case was not resolved:

1. Has the Court made an Order in your case under Family Law Practice Notes 7 or 8?

 [ ] Yes or [ ] No

**Click here to read** [**Family Law Practice Note 7**](https://albertacourts.ca/docs/default-source/Court-of-Queen%27s-Bench/practicenote7-interventions---final.pdf?sfvrsn=0) **and** [**Family Law Practice Note 8.**](https://albertacourts.ca/docs/default-source/Court-of-Queen%27s-Bench/pn8-bi-lateral-assessment---final.pdf?sfvrsn=0)

If Yes:

Name of the Justice who made the Order:

When was the Order made? Click here to select a date

1. Has the Court made a Restraining Order, Emergency Protection Order (EPO) or King’s Bench Protection Order in your case? [ ] Yes or [ ] No

If Yes:

Name of the Justice who made the last Restraining Order, Emergency Protection Order (EPO) or King’s Bench Protection Order in your case:

When was the last Restraining Order, Emergency Protection Order (EPO) or King’s Bench Protection Order made in your case? Click here to select a date

1. Do you have safety concerns about any of the Respondents? [ ] Yes or [ ] No

If Yes:

Explain why you have safety concerns (include names, dates and places):

1. Explain why the Court should appoint a Case Management Justice to your case:

1. List any Justices who you suggest the Court should appoint as the Case Management Justice on your case and explain why you suggest they be appointed:

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| --- | --- |
| Name of Justice | Reason Justice Should Be Appointed |
|       |       |
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|       |       |
|       |       |

1. List any Justices who you believe may be disqualified from being the Case Management Justice on your case and explain why you think they may be disqualified:

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| --- | --- |
| Name of Justice | Reason Justice May Be Disqualified |
|       |       |
|       |       |
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|       |       |

**DO NOT submit any documents with this form except Orders recommending that a Case Management Justice be appointed or directing the parties to ask for a Case Management Justice. The Court will ask you for additional documents if required.**

**You must submit this form as follows:**

If your case is in the **Judicial Centre of Edmonton or a Judicial Centre north of Edmonton**, to Acting Chief Justice Ken Nielsen by facsimile transmission to 780-427-0334, or by regular postal mail or courier to the following address: Edmonton Law Courts, 1A Sir Winston Churchill Square, Edmonton AB T5J 0R2.

If your case is in the **Judicial Centre of** **Red Deer or Wetaskiwin,** to Justice Marilyn Slawinsky by facsimile transmission to 403-340-7984, or by regular postal mail or courier to the following address: Court House, 4909 48 Ave., Red Deer, AB T4N 3T5. If, in her view, the assignment of a non-resident Justice is required, Justice Slawinsky will re-direct the request to the Chief Justice.

If your case is in the **Judicial Centre of** **Calgary or** **Drumheller**, to Associate Chief Justice Blair Nixon by facsimile transmission to 403-297-3819, or by regular postal mail or courier to the following address: Calgary Courts Centre, Suite 2401-N, 601 – 5 Street SW, Calgary, Alberta, T2P 5P7.

If your case is in the **Judicial Centre of Lethbridge or Medicine Hat**, to Justice Johnna Kubik, by facsimile transmission to 403-381-5128, or by regular postal mail or courier to the following address: Court House, 320 4 Street S., Lethbridge, AB T1J 1Z8. If, in his view, the assignment of a non-resident Justice is required, Justice Kubik will re-direct the request to the Associate Chief Justice.

**You must print this form and serve a copy of it on all of the other parties in your case.**

**You must immediately notify the Court of any changes to your contact information by filing your new contact information with the Court. You must also provide your new contact information to the following Court staff:**

If your case is in Calgary, to the Case Management Coordinator by facsimile transmission to 403-297-3819;

If your case is in Edmonton or Hinton, to the Case Management Coordinator by facsimile transmission to 780-427-0334;

If your case is in any other Judicial Centre, to the Trial Coordinator in that location by facsimile transmission:

 Drumheller: 403-823-6073

Fort McMurray: 780-743-7135

Grande Prairie: 780-538-5493

Lethbridge: 403-381-5128

Medicine Hat: 403-529-8607

Peace River/High Level: 780-624-7101

Red Deer: 403-340-7984

St. Paul: 780-645-6273

Wetaskiwin: 780-361-1319

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| **WARNING TO RESPONDENTS:** **You only have 20 days to respond to this request for a Case Management Justice. To respond, you must complete a Response to Request for Appointment of a Case Management Justice and you must do so whether you agree with or object to the request for a Case Management Justice.** **You must submit your Response to the Court and serve a copy of it on all of the other parties in your case.** **If you do not submit your Response to the Court and serve a copy of it on all of the other parties in your case within 20 days after you receive this form, the Court may decide whether or not a Case Management Justice should be appointed to your case without your side being heard.** |