



Effective Date: 2010/07/01

Number: PD - 4

Title:

Practice Direction

Case Planning and Judicial Management of Actions

Summary:

Effective July 1, 2010, the practice of automatically assigning civil actions with an estimated trial length of 20 days or more (20+ cases) to a trial judge for case management will cease. In addition, cases will not be assigned to a trial judge for case management simply on the making of request by a party or counsel. Cases, including 20+ cases, which were assigned prior to July 1, 2010 to a trial judge for case management, will remain assigned to that judge. After July 1, 2010, the extent to which a particular action will require case planning will be assessed on a case by case basis.

Direction:

No automatic assignments of 20+ cases, other cases, to trial judges for case management

1. Effective July 1, 2010, the practice of automatically assigning civil actions with an estimated trial length of 20 days or more to a trial judge for case management will cease. In addition, cases will not be assigned to a trial judge for case management upon the making of a request by a party or counsel.
2. Cases, including 20+ cases which were assigned prior to July 1, 2010, to a trial judge for case management will remain assigned to that judge.

Case planning and judicial management of cases

3. After July 1, 2010, the extent to which a case will require judicial management will be assessed on a case by case basis by a judge or master at a case planning conference.

Procedure for requesting assignment of trial judge at case planning conference

4. A party or counsel wishing to make a request for the early assignment of a trial judge must do so in Form 19 and at the case planning conference, and must provide an explanation to the case planning judge or master of the specific reasons why the early assignment of a trial judge is warranted.

5. Where the case planning judge or master is satisfied that the early assignment of a trial judge is warranted, the case planning judge or master may request that the Chief Justice direct the early assignment of a trial judge in the action.

Procedure where Chief Justice directs early assignment of trial judge

6. Where the Chief Justice directs the early assignment of a trial judge:
 - a. The assigned judge will preside at the trial unless unavailable or disqualified
 - b. The assigned judge may conduct all further case planning conferences
 - c. The assigned judge may hear applications as directed by the assigned judge.

Removal of action from judicial assignment

7. Where the assigned judge is of the view that a case does not require ongoing management by the trial judge, the assignment may be revoked.

Robert J. Bauman
Chief Justice