



**Effective Date:** 2010/07/01

**Number:** PD - 5

**Title:**

## **Practice Direction**

### **Class Proceedings**

#### **Summary:**

This Practice Direction describes the procedure for requesting the assignment of a judge in a proceeding under the *Class Proceedings Act*, and also sets out the requirements for submission of originating process and other documents to the National Class Action Database.

#### **Direction:**

##### **Assignment of judge**

1. The request for the assignment of a judge under the *Class Proceedings Act* should be made by filing with the Manager, Supreme Court Scheduling in the registry where the action is commenced:
  - a. an original and a copy of a Request for Assignment of Judge, attached as Schedule A to this direction, and
  - b. either:
    - i. one copy of the Notice of Civil Claim and all Responses to Civil Claim, or
    - ii. one copy of the Petition and all Responses to Petition filed in the proceeding.
2. The Request for Assignment of Judge must not be filed until:
  - a. the delivery of the last Response to Civil Claim, if the Response is delivered by the date set out in the Rules of Court for delivery, or the date set out in the Rules of Court for delivery of the last Response to Civil Claim, or

- b. the delivery of the last Response to Petition if the Response is delivered by the date set out in the Rules of Court for delivery, or the date set out in the Rules of Court for delivery of the last Response to Petition.

**Filing with the National Class Action Database**

3. The plaintiff must submit a copy of the following documents to the National Class Action Database of the Canadian Bar Association within 10 days of service or filing, whichever is earlier:
  - a. Notice of Civil Claim or Petition
  - b. application for certification
  - c. any amendment to the foregoing.
4. Documents submitted to the National Class Action Database of the Canadian Bar Association under paragraph 3 of this direction must be submitted electronically along with the registration form attached as Schedule B to this direction.

**Robert J. Bauman**  
**Chief Justice**

Schedule A

IN THE SUPREME COURT OF BRITISH COLUMBIA

No. \_\_\_\_\_  
Registry \_\_\_\_\_

**BETWEEN:**

**AND:**

**Request for Assignment of Judge**

***Class Proceedings Act***

I/We request that a judge be assigned to this action.

Place of Hearing/Trial \_\_\_\_\_

All parties estimate the length of the certification hearing as \_\_\_\_\_ days.

The following is a list of all parties, their counsel, and contact information for each counsel:

| <b>Name of Party</b>        | <b>Name of Counsel</b>                                | <b>Contact Information of Counsel</b>    |
|-----------------------------|---|--|
| <i>[...party's name...]</i> | <i>[...name of counsel representing the party...]</i> | Address:<br>Telephone:<br>Fax:<br>Email: |
| <i>[...party's name...]</i> | <i>[...name of counsel representing the party...]</i> | Address:<br>Telephone:<br>Fax:<br>Email: |

|                                    |  |   |
|------------------------------------|--|---|
| <p><i>[...party's name...]</i></p> | <p><i>[...name of counsel representing the party...]</i></p> | <p>Address:<br/> Telephone:<br/> Fax:<br/> Email:</p> |
|------------------------------------|--|---|

Date: \_\_\_\_\_

\_\_\_\_\_

Signature of  filing party  counsel for filing party(ies)

*[type or print name]*

Schedule B

**NATIONAL CLASS ACTION DATABASE REGISTRATION FORM**

**RÉPERTOIRE NATIONAL DES RECOURS COLLECTIFS**

**FORMULAIRE D'ENREGISTREMENT**

**Jurisdiction / Jurisdiction :**

**Filing Date / Date de dépôt :**

- (a) Originating Process / Demande introductive d'instance :
- (b) Certification Application / Requête en autorisation<sup>1</sup> :

**Class Action Style of Cause / Intitulé de la cause<sup>2</sup>:**

**Description of the Proposed Class / Description du groupe proposé :**

**Subject Matter of Class Action / Objet du recours collectif:**

(Check all that apply / Cochez tout ce qui s'applique)

- Negligence / Responsabilité extra-contractuelle
- Product Liability / Responsabilité du fabricant
- Environment / Environnement
- Securities / Valeurs mobilières
- Consumer Protection / Protection du consommateur
- Competition / Concurrence
- Crown Liability / Responsabilité de l'État
- Other / Autre :

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<sup>1</sup> In Quebec, only the date of filing of the motion for authorization need be filed. Au Québec, seule la date de dépôt de la requête en autorisation doit être communiquée.

<sup>2</sup> Include the names of all parties in this description. Inscrire le nom de toutes les parties à la procédure.

**Has the class action been certified? / Le recours collectif a-t-il été autorisé?**

Yes / Oui

No / Non

**Is this an update of a previous submission to the Registry? / La présente demande d'enregistrement est-elle une mise à jour d'une demande précédente?**

Yes / Oui

No / Non

**Class Counsel / Procureur en demande:**

Name / Nom :

Telephone Number / Numéro de téléphone :

Address / Adresse :

Email / Courriel :

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Please send this form to/ S.V.P. Faire parvenir ce formulaire à :

**National Class Action Database/  
Répertoire national des recours collectifs  
Canadian Bar Association  
Association du Barreau canadien  
Attn / À l'attention de : Kerri Froc  
Email / Courriel : [classaction@cba.org](mailto:classaction@cba.org)**

Please attach original pleadings and certification motion in PDF (preferred) or Word to this Registration Form. Do not send any exhibits attached to these documents. Please verify the accuracy of the information once it has been posted to the CBA website (CBA.ORG). We encourage you to advise us of any changes to information in this form, such as whether the matter has been certified.

Prière de transmettre ce formulaire avec la requête en autorisation et, le cas échéant, la demande introductive d'instance, en format PDF (de préférence) ou Word. Veuillez ne pas envoyer les pièces jointes à ces procédures. Nous vous conseillons de vérifier l'exactitude des informations une fois disponibles sur le site de l'ABC (CBA.ORG). Nous vous prions de nous communiquer tout changement aux informations contenues dans le formulaire d'enregistrement, notamment si le recours est autorisé ou non.