SUPREME COURT OF BRITISH COLUMBIA

Effective Date: 2015/12/15

Number: PD - 49

Title:

Practice Direction

Applications Made by Requisition

Rules 5-1(3), 5-2(3)(a), 5-2(3)(b), 12-2(4) and 23-5(4)

Summary:

A Requisition in Form 17 varied as set out in Schedule A to this Practice Direction may be filed by the applicant in the referenced Supreme Court Civil Rules in place of a separate letter setting out the reasons why the order is sought. The party filing the Requisition must indicate the position of the other party(ies) on the application.

Direction:

1. This Practice Direction replaces PD-3 (*July 1, 2010*) which is rescinded.

2. The following applications may be made by filing a Requisition in Form 17 in the form attached as Schedule A , in place of a separate letter setting out the reasons why the order is sought:

    a. an application pursuant to Supreme Court Civil Rule 5-1(3) to shorten the service period applicable to a notice of case planning conference

    b. an application pursuant to Supreme Court Civil Rule 5-2(3)(a) exempting a person from attending a case planning conference

    c. an application pursuant to Supreme Court Civil Rule 5-2(3)(b) respecting the method of attendance at a case planning conference

    d. an application pursuant to Supreme Court Civil Rule 12-2(4) for an order respecting the manner in which a person is to attend a trial management conference or exempting or exempting a person from attending a trial management conference

e. an application pursuant to Supreme Court Civil Rule 23-5(4) for directions that an application be heard by way of telephone, video conference or other communication medium and the manner in which the application is to be conducted

3. The party filing the Requisition must note on the Requisition the position of the other party(ies) on the application.

Chief Justice C. E. Hinkson

Schedule A

Form 17

No. .....

..... Registry

In the Supreme Court of British Columbia

Between

Plaintiff(s)

and

Defendant(s)

REQUISITION – GENERAL

Filed by: .....[*party(ies)*].....

Required:

1. □ Application pursuant to Supreme Court Civil Rule 5-1(3) to shorten the service period applicable to a notice of case planning conference.
2. □ Application pursuant to Supreme Court Civil Rule 5-2(3)(a) exempting a person from attending a case planning conference.
3. □ Application pursuant to Supreme Court Rule 5-2(3)(b) respecting the method of attendance at a case planning conference.
4. □ Application pursuant to Supreme Court Civil Rule 12-2(4) for an order respecting the manner a person is to attend a trial management conference or exempting a person from attending a trial management conference.
5. □ Application pursuant to Supreme Civil Rule 23-5(4) for directions that an application be heard by way of telephone, video conference or other communication medium and the manner in which the application is to be conducted.

Term of order sought:

1. □ The notice of case planning conference must be served on the .....[*name of party*]..... by .....[*set out date*]..... .
2. □ .....[*name of lawyer or party*]..... is exempted from attending the case planning conference in person and may attend by .....[*set out method of attendance*].... .
3. □ .....[*name of lawyer or party*]..... may attend the case planning conference by .....[*set out manner of attendance*]..... .

4. □ .....[*name of lawyer or party*]..... may attend the trial management conference by .....[*set out manner of attendance*]..... .

or

……[*name of lawyer of party*]….. is exempt from attending the trial management conference.

5. □ The application of .....[*name of party*]..... be heard by .....[*set out method of hearing*]..... . *(If required)* The application be heard in the following manner; .....[*set out manner of hearing*]..... .

This requisition is supported by the following: [*include reasons why the order is sought*]

_____

_____

_____

Position of the other party(ies):

_____

_____

_____

Date: ....

Signature of

□ filing party □ lawyer for filing party(ies)

_____
[*type or print name*]

Address of applicant:
_____

Phone number: _____

Order granted □

or

Application denied □

_____ Date: _____
Judge/Master of the Supreme Court