

TABLE OF CONTENTS - VOLUMES 1, 2 AND 3

VOLUME 1

Editor's Note
Preface
Introduction
Precedent
Definitions

RULES OF COURT

PART 1: FOUNDATIONAL RULES	RULE #
DIVISION 1	
Purpose and Intention of These Rules	
What these rules do.....	1.1
Purpose and intention of these rules.....	1.2
DIVISION 2	
Authority of the Court	
General authority of the Court to provide remedies	1.3
Procedural orders	1.4
Rule contravention, non-compliance and irregularities.....	1.5
Changes to these rules.....	1.6
DIVISION 3	
Interpreting These Rules	
Interpreting these rules.....	1.7
<i>Interpretation Act</i>	1.8
Conflicts and inconsistencies with enactments	1.9
Where definitions are located.....	1.10
PART 2: THE PARTIES TO LITIGATION	
DIVISION 1	
Facilitating Legal Actions	
<i>Personal Representatives and Trustees</i>	
Actions by or against personal representatives and trustees	2.1
<i>Partnerships</i>	
Actions by or against partners and partnerships	2.2
Suing individual partners	2.3
Disclosure of partners	2.4
<i>Sole Proprietors and Other Entities</i>	
Actions by and against sole proprietors.....	2.5
Representative actions	2.6

TABLE OF CONTENTS - VOLUME 1

	RULE #
PART 2: THE PARTIES TO LITIGATION - Facilitating Legal Actions (Continued)	
<i>Class Proceedings Rules</i>	
Amendments to pleadings in class proceedings	2.7
Questioning of class and subclass members	2.8
Class proceedings practice and procedure	2.9
<i>Intervenors</i>	
Intervenor status	2.10
DIVISION 2	
Litigation Representatives	
Litigation representative required	2.11
Types of litigation representatives and service of documents	2.12
Automatic litigation representatives	2.13
Self-appointed litigation representatives	2.14
Court appointment in absence of self-appointment	2.15
Court-appointed litigation representatives in limited cases	2.16
Lawyer appointed as litigation representatives	2.17
Approval of settlement	2.18
Court approval of settlement, discontinuance, and abandonment of actions	2.19
Money received by litigation representative	2.20
Litigation representative: termination, replacement, terms and conditions	2.21
DIVISION 3	
Representation or Assistance Before the Court	
Self-represented litigants	2.22
Assistance before the Court	2.23
DIVISION 4	
Lawyer of Record	
Lawyer of record	2.24
Duties of lawyer of record	2.25
Verifying lawyer of record	2.26
Retaining lawyer for limited purposes	2.27
Change in lawyer of record or self-representation	2.28
Withdrawal of lawyer of record	2.29
Service after lawyer ceases to be lawyer of record	2.30
Withdrawal after trial date scheduled	2.31
Automatic termination of lawyer of record and resolving difficulties	2.32
PART 3: COURT ACTIONS	
DIVISION 1	
Court Actions and Their Venue	
Rules govern Court actions	3.1
How to start an action	3.2

TABLE OF CONTENTS - VOLUME 1

PART 3: COURT ACTIONS - Court Actions and Their Venue (Continued) RULE #

Determining the appropriate judicial centre.....3.3

Claim for possession of land3.4

Transfer of action3.5

Where an action is carried on.....3.6

Post-judgment transfer of action.....3.7

DIVISION 2

 Actions Started by Originating Application

SUBDIVISION 1

General Rules

 Originating applications and associated evidence.....3.8

 Service of originating application and evidence3.9

 Application of Part 4 and Part 5.....3.10

 Service and filing of affidavits and other evidence in reply
 and response.....3.11

 Application of statement of claim rules to originating
 applications.....3.12

 Questioning on affidavit and questioning witnesses.....3.13

 Originating application evidence (other than judicial review).....3.14

SUBDIVISION 2

*Additional Rules Specific to Originating Applications for
 Judicial Review*

 Originating application for judicial review.....3.15

 Originating application for judicial review: habeas corpus3.16

 Attorney General's right to be heard.....3.17

 Notice to obtain record of proceedings.....3.18

 Sending in certified record of proceedings3.19

 Other circumstances when record of proceedings may be
 required3.20

 Limit on questioning.....3.21

 Evidence on judicial review.....3.22

 Stay of decision3.23

 Additional remedies on judicial review3.24

DIVISION 3

 Actions Started by Statement of Claim

SUBDIVISION 1

Statement of Claim

 Contents of statement of claim3.25

SUBDIVISION 2

Time Limit for Service of Statement of Claim

 Time for service of statement of claim.....3.26

 Extension of time for service3.27

 Effect of not serving statement of claim in time3.28

 Notice of extension of time for service.....3.29

TABLE OF CONTENTS - VOLUME 1

PART 3: COURT ACTIONS - Started by Statement of Claim (Continued) RULE #

SUBDIVISION 3
Defence to Statement of Claim, Reply to Defence and Demand for Notice

Defendant's options3.30
Statement of defence3.31
Additional options for defendant who files defence3.32
Reply to defence.....3.33
Demand for notice by defendant.....3.34
Judgment or order by agreement3.35

SUBDIVISION 4
Failure to Defend

Judgment in default of defence and noting in default3.36
Application for judgment against defendant noted in default3.37
Judgment for recovery of property.....3.38
Judgment for debt or liquidated demand3.39
Continuation of action following judgment3.40
When no defence is filed in foreclosure action3.41
Limitation on when judgment or noting in default may occur.....3.42

SUBDIVISION 5
Claims Against Co-defendants

How to make claim against co-defendant.....3.43

SUBDIVISION 6
Third Party Claims

When third party claim may be filed3.44
Form of third party claim.....3.45
Third party defendant becomes party.....3.46
Third party defendant's options3.47
Plaintiff's options.....3.48
Third party statement of defence.....3.49
Demand for notice by third party defendant.....3.50
Effect of demand for notice3.51
Consequences of not filing third party statement of defence.....3.52
Judgment against third party defendant3.53
Plaintiff's reply to third party defence.....3.54
Application of rules to third party claims.....3.55

SUBDIVISION 7
Counterclaims

Right to counterclaim.....3.56
Contents of counterclaim.....3.57
Status of counterclaim3.58
Claiming set-off.....3.59
Application of rules to counterclaims3.60

TABLE OF CONTENTS - VOLUME 1

PART 3: COURT ACTIONS (Continued) RULE #

DIVISION 4

Request for Particulars, Amendments to Pleadings
and Close of Pleadings

Request for particulars3.61

Amending pleading.....3.62

Identifying amendments to pleadings3.63

Time limit for application to disallow amendment to pleading.....3.64

Permission of Court to amendment before or after close
of pleadings3.65

Costs3.66

Close of pleadings3.67

DIVISION 5

Significant Deficiencies in Claims

Court options to deal with significant deficiencies3.68

DIVISION 6

Refining Claims and Changing Parties

SUBDIVISION 1

Joining and Separating Claims and Parties

Joining claims3.69

Parties joining to bring action3.70

Separating claims3.71

Consolidation or separation of claims and actions3.72

Incorrect parties not fatal to actions.....3.73

SUBDIVISION 2

Changes to Parties

Adding, removing or substituting parties after close of
pleadings3.74

Adding, removing or substituting parties to originating
application3.75

Action to be taken when defendant or respondent added3.76

Subsequent encumbrancers not parties in foreclosure
action3.77

PART 4: MANAGING LITIGATION

DIVISION 1

Responsibilities of the Parties

Responsibilities of parties to manage litigation4.1

What the responsibility includes4.2

Categories of court action4.3

Standard case obligations4.4

Complex case obligations4.5

Setting disputes about complex case litigation plans4.6

Monitoring and adjusting dates.....4.7

Court may categorize actions4.8

TABLE OF CONTENTS - VOLUME 1

PART 4: MANAGING LITIGATION (Continued)	RULE #
DIVISION 2	
Court Assistance in Managing Litigation	
Orders to facilitate proceedings	4.9
Assistance by the Court	4.10
Ways the Court may manage action.....	4.11
Request for case management	4.12
Appointment of case management judge	4.13
Authority of case management judge	4.14
Case management judge presiding at summary trial and trial	4.15
DIVISION 3	
Dispute Resolution by Agreement	
<i>SUBDIVISION 1</i>	
<i>Dispute Resolution Processes</i>	
Dispute resolution processes	4.16
<i>SUBDIVISION 2</i>	
<i>Judicial Dispute Resolution</i>	
Purpose of judicial dispute resolution	4.17
Judicial dispute resolution process	4.18
Documents resulting from judicial dispute resolution	4.19
Confidentiality and use of information	4.20
Involvement of judge after process concludes.....	4.21
DIVISION 4	
Security for Payment of Costs Award	
Considerations for security for costs order	4.22
Contents of security for costs order	4.23
DIVISION 5	
Settlement Using Court Process	
Formal offers to settle	4.24
Acceptance of formal offer to settle	4.25
If costs are not dealt with in formal offer to settle	4.26
Status of formal offer to settle and acceptance	4.27
Confidentiality of formal offer to settle	4.28
Costs consequences of formal offer to settle.....	4.29
When this Division does not apply.....	4.30
DIVISION 6	
Delay in an Action	
Application to deal with delay	4.31
Agreement about delay.....	4.32
Dismissal for long delay.....	4.33

TABLE OF CONTENTS - VOLUME 1

PART 4: MANAGING LITIGATION (Continued)	RULE #
DIVISION 7	
Transfer and Transmission of Interest	
Stay of proceedings on transfer or transmission of interest.....	4.34
Death has no effect on action after evidence heard	4.35
DIVISION 8	
Discontinuance	
Discontinuance of claim.....	4.36
Discontinuance of defence	4.37
PART 5: DISCLOSURE OF INFORMATION	
Purpose of this Part	5.1
DIVISION 1	
How Information is Disclosed	
<i>SUBDIVISION 1</i>	
<i>Introductory Matters</i>	
When something is relevant and material.....	5.2
Modification or waiver of this Part.....	5.3
Appointment of corporate representatives.....	5.4
<i>SUBDIVISION 2</i>	
<i>Disclosing and Identifying Relevant and Material Records</i>	
When affidavit of records must be served	5.5
Form and content of affidavit of records	5.6
Producible records.....	5.7
Records for which there is an objection to produce.....	5.8
Who makes affidavit of records	5.9
Subsequent disclosure of records	5.10
Order for record to be produced	5.11
Penalty for not serving affidavit of records.....	5.12
Obtaining records from others	5.13
Inspection and copying of records.....	5.14
Admissions of authenticity of records	5.15
Undisclosed records not to be used without permission	5.16
<i>SUBDIVISION 3</i>	
<i>Questions to Discover Relevant and Material Records and</i>	
<i>Relevant and Material Information</i>	
People who may be questioned.....	5.17
Persons providing services to corporation.....	5.18
Limit or cancellation of questioning	5.19
When questioning is to take place.....	5.20
Appointment for questioning.....	5.21
Questioning options.....	5.22
Preparation for questioning.....	5.23
Oral and written questioning limitations.....	5.24

TABLE OF CONTENTS - VOLUME 1

PART 5 - DISCLOSURE OF INFORMATION (Continued)	RULE #
<i>SUBDIVISION 3</i>	
<i>Questions to Discover Relevant and Material Records and Relevant and Material Information (Continued)</i>	
Appropriate questions and objections	5.25
Transcript of oral questioning.....	5.26
Continuing duty to disclose.....	5.27
Written questions.....	5.28
Acknowledgment of corporate witness's evidence	5.29
Undertakings	5.30
Use of transcript and answers to written questions	5.31
When information may be used	5.32
Confidentiality and use of information	5.33
DIVISION 2	
Experts and Expert Reports	
Service of expert's report	5.34
Sequence of exchange of experts' reports	5.35
Objection to expert's report	5.36
Questioning experts before trial.....	5.37
Continuing obligation on expert	5.38
Use of expert's report at trial without expert.....	5.39
Expert's attendance at trial	5.40
DIVISION 3	
Medical Examinations by Health Care Professionals	
Medical examinations	5.41
Options during medical examination	5.42
Payment of costs of medical examinations.....	5.43
Conduct of examination.....	5.44
PART 6: RESOLVING ISSUES AND PRESERVING RIGHTS	
DIVISION 1	
Applications to the Court	
What this Division applies to.....	6.1
Application to the Court to exercise its authority	6.2
<i>SUBDIVISION 1</i>	
<i>Application Process Generally</i>	
Applications generally.....	6.3
Applications without notice	6.4
<i>SUBDIVISION 2</i>	
<i>Application in Foreclosure Action</i>	
Notice of application in foreclosure action	6.5
<i>SUBDIVISION 3</i>	
<i>Responses, Replies and Decisions on Applications</i>	
Response and reply to application	6.6
Questioning on affidavit in support, response and reply to applications.....	6.7

	RULE #
PART 6: RESOLVING ISSUES AND PRESERVING RIGHTS - Applications (Continued)	
<i>SUBDIVISION 3</i>	
<i>Responses, Replies and Decisions on Applications (Continued)</i>	
Questioning witness before hearing	6.8
How the Court considers applications	6.9
Electronic hearing.....	6.10
Evidence at application hearings.....	6.11
If person does not get notice of application	6.12
Recording hearings when only one party present	6.13
<i>SUBDIVISION 4</i>	
<i>Appeal from Master's Judgment or Order</i>	
Appeal from master's judgment or order	6.14
<i>SUBDIVISION 5</i>	
<i>Procedure for Questioning</i>	
Appointment for questioning under this Part	6.15
Contents of appointment notice.....	6.16
Payment of allowance.....	6.17
Lawyer's responsibilities	6.18
Interpreter	6.19
Form of questioning and transcript.....	6.20
DIVISION 2	
Preserving Evidence and Obtaining Evidence Outside Alberta	
Preserving evidence for future use	6.21
Obtaining evidence outside Alberta.....	6.22
Duties of person authorized to take evidence.....	6.23
Assistance to judicial authorities outside Alberta	6.24
DIVISION 3	
Preserving and Protecting Property or its Value and	
Inspection of Property	
Preserving or protecting property or its value.....	6.25
Inspection or examination of property	6.26
Notice before disposing of anything held by the Court	6.27
DIVISION 4	
Restriction on Media Reporting and Public Access	
to Court Proceedings	
Application of this Division.....	6.28
Restricted court access applications and orders.....	6.29
When restricted court access application may be filed.....	6.30
Timing of application and service	6.31
Notice to media.....	6.32
Judge assigned to application	6.33
Application to seal or unseal Court files	6.34
Persons having standing at application	6.35
Confidentiality of information	6.36

TABLE OF CONTENTS - VOLUME 1

PART 6: RESOLVING ISSUES AND PRESERVING RIGHTS (Continued) RULE #

DIVISION 5

Facilitating Proceedings

Notice to admit.....	6.37
Requiring attendance for questioning.....	6.38
Order to produce prisoner	6.39

DIVISION 6

Resources to Assist the Court

SUBDIVISION 1

Court Experts

Appointment of Court experts.....	6.40
Instructions or questions to court expert	6.41
Application to question court expert	6.42
Costs of court experts	6.43

SUBDIVISION 2

Referees

Persons who are referees.....	6.44
References to referee	6.45
Referee's report.....	6.46

DIVISION 7

Court-appointed Receiver

Court-appointed receiver.....	6.47
-------------------------------	------

DIVISION 8

Replevin

Application of this Division.....	6.48
Application for replevin order	6.49
Replevin order	6.50
Enforcement of replevin order	6.51
Respondent may apply for remedy.....	6.52
Expiry of replevin order.....	6.53

DIVISION 9

Interpleader

Definitions.....	6.54
Nature of application for interpleader order	6.55
Application for interpleader order	6.56
Interpleader applicant not disentitled.....	6.57
Interpleader order.....	6.58
Civil enforcement agency applications	6.59
Several claims combined.....	6.60
Enforcement from different courts	6.61

	RULE #
PART 6: RESOLVING ISSUES AND PRESERVING RIGHTS - Interpleader	
(Continued)	
Claims by third person.....	6.62
Notice by civil enforcement agency	6.63
Security interest.....	6.64
Expeditious sale	6.65
PART 7: RESOLVING CLAIMS WITHOUT A FULL TRIAL	
DIVISION 1	
Trial of Particular Questions or Issues	
Application to resolve particular questions or issues.....	7.1
DIVISION 2	
Summary Judgment	
Application for judgment	7.2
Application and decision.....	7.3
Proceedings after summary judgment against party	7.4
DIVISION 3	
Summary Trials	
Application for judgment by way of summary trial	7.5
Response to application	7.6
Application of other rules.....	7.7
Objection to application for judgment by way of summary trial.....	7.8
Decision after summary trial.....	7.9
Judge remains seized of action	7.10
Order for trial	7.11
PART 8: TRIAL	
DIVISION 1	
Mode of Trial	
Trial without jury.....	8.1
Request for jury trial	8.2
Deposit for jury	8.3
DIVISION 2	
Scheduling of Trial Dates	
Trial date: scheduled by court clerk.....	8.4
Trial date: scheduled by the Court.....	8.5
Notice of trial date.....	8.6
Confirmation of trial date	8.7
DIVISION 3	
Attendance of Witnesses at Trial	
Notice to attend as witness at trial.....	8.8
Requiring attendance of witnesses.....	8.9

TABLE OF CONTENTS - VOLUME 1

PART 8: TRIAL (Continued)	RULE #
DIVISION 4	
Procedure at Trial	
Order of presentation.....	8.10
Absence of witnesses at trial.....	8.11
Exclusion of witnesses.....	8.12
No communication with excluded witnesses.....	8.13
Unavailable or unwilling witness.....	8.14
Notice of persons not intended to be called as witnesses.....	8.15
Number of experts.....	8.16
Proving facts.....	8.17
Trial conducted by electronic hearings.....	8.18
Use of trial evidence in subsequent proceedings.....	8.19
Application for dismissal at close of plaintiff's case.....	8.20
Retrials.....	8.21
Continuing trial without jury.....	8.22
Judgment after jury trial.....	8.23
Accidents and mistakes.....	8.24
PART 9: JUDGMENTS AND ORDERS	
DIVISION 1	
Preparation and Entry of Judgments and Orders	
Form of judgments and orders.....	9.1
Preparation of judgments and orders.....	9.2
Dispute over contents of judgment or order.....	9.3
Signing judgments and orders.....	9.4
Entry of judgments and orders.....	9.5
Effective date of judgments and orders.....	9.6
Certified copies.....	9.7
Service of judgments and orders.....	9.8
DIVISION 2	
Determination of Damages, Judgment in Counterclaims and Judgment Against Beneficiaries	
Determining damages.....	9.9
Judgment for balance on counterclaim.....	9.10
Judgment against beneficiaries.....	9.11
DIVISION 3	
Corrections, Further Orders, Setting Aside, Varying and Discharging Judgments and Orders	
Correcting mistakes or errors.....	9.12
Re-opening case.....	9.13
Further or other order after judgment or order entered.....	9.14
Setting aside, varying and discharging judgments and orders.....	9.15
By whom applications are to be decided.....	9.16

PART 9: JUDGMENTS AND ORDERS (Continued)	RULE #
DIVISION 4	
Enforcement of Judgments and Orders	
Enforcement: orders for payment and judgments for	
payment into Court	9.17
Judgments and orders subject to conditions	9.18
Persons who are not parties	9.19
Time writ remains in force	9.20
Application for new judgment or order	9.21
Application that judgment or order has been satisfied.....	9.22
Enforcement against partners' and partnership property	9.23
Fraudulent preferences and fraudulent conveyances	9.24
Order of possession of land.....	9.25
Authority to evict occupants.....	9.26
Removal, storage and sale of personal property.....	9.27
Abandoned goods	9.28
Questioning person to assist in enforcement	9.29
DIVISION 5	
Foreclosure Actions	
When affidavit of value must be filed	9.30
Other material to be filed	9.31
Offer for sale of secured property	9.32
Sale to plaintiff	9.33
Order confirming sale	9.34
Checking calculations: assessment of costs and corrections.....	9.35
Service of certified bill of costs	9.36
DIVISION 6	
Sale and Disposition of Land Other than by Foreclosure Action	
Application of this Division.....	9.37
Sale and disposition of land.....	9.38
Terms, conditions and limitations on orders	9.39
DIVISION 7	
Reciprocal Enforcement of United Kingdom Judgments	
Definitions	9.40
Scope	9.41
Application to Court	9.42
Affidavit in support of application for order to register	
a convention judgment.....	9.43
When application may be filed without notice.....	9.44
Order to register convention judgment	9.45
Convention judgment debtor's application to set aside	9.46
Convention judgment creditor's appeal	9.47
Appeal when order is made on notice	9.48
Factors to be considered	9.49

TABLE OF CONTENTS - VOLUME 1

PART 9: JUDGMENTS AND ORDERS (Continued)	RULE #
DIVISION 8	
Registration of Judgments under <i>Reciprocal Enforcement of Judgments Act</i>	
Originating application to register judgment from reciprocating jurisdiction	9.50
Notice of registration.....	9.51
Originating application to set aside registration.....	9.52
PART 10: LAWYERS' CHARGES, RECOVERABLE COSTS OF LITIGATION, AND SANCTIONS	
DIVISION 1	
Lawyers' Charges, Retainer Agreements, and Right of Review	
Definitions	10.1
SUBDIVISION 1	
<i>Lawyers' Charges</i>	
Payment for lawyers' services and contents of lawyer's account...	10.2
Lawyer acting in representative capacity.....	10.3
Charging order for payment of lawyer's charges	10.4
SUBDIVISION 2	
<i>Retainer Agreements</i>	
Retainer agreements.....	10.5
Void provisions.....	10.6
SUBDIVISION 3	
<i>Contingency Fee Agreements</i>	
Contingency fee agreement requirements.....	10.7
Lawyers' non-compliance with contingency fee agreement.....	10.8
SUBDIVISION 4	
<i>Right of Review</i>	
Reasonableness of retainer agreements and charges subject to review	10.9
Time limitation on reviewing retainer agreements and charges.....	10.10
Who may request review of lawyer's charges.....	10.11
Location of review.....	10.12
Appointment for review	10.13
Client-obtained appointment: lawyer's responsibility	10.14
Retainer agreement confidentiality	10.15
Absence of person at appointment for review	10.16
Review officer's authority.....	10.17
Reference to Court	10.18
Review officer's decision	10.19
Enforcement of review officer's decision.....	10.20
Repayment of charges	10.21

PART 10: LAWYERS' CHARGES, RECOVERABLE COSTS OF LITIGATION, AND SANCTIONS - Charges, Agreements, Review (Continued)	RULE #
<i>SUBDIVISION 4</i>	
<i>Right of Review (Continued)</i>	
Action for payment of lawyer's charges	10.22
Costs of review	10.23
Reviewing lawyer's charges: incomplete services and particular events	10.24
Order to return records	10.25
<i>SUBDIVISION 5</i>	
<i>Appeal from Review Officer's Decision</i>	
Appeal to judge.....	10.26
Decision of judge	10.27
DIVISION 2	
Recoverable Costs of Litigation	
<i>SUBDIVISION 1</i>	
<i>General Rule, Considerations and Court Authority</i>	
Definition of "party"	10.28
General rule for payment of litigation costs	10.29
When costs award may be made	10.30
Court-ordered costs award	10.31
Costs in class proceeding.....	10.32
Court considerations in making costs award	10.33
Court-ordered assessment of costs	10.34
<i>SUBDIVISION 2</i>	
<i>Assessment of Costs by Assessment Officer</i>	
Preparation of bill of costs	10.35
Assessment of bill of costs	10.36
Appointment for assessment	10.37
Assessment officer's authority	10.38
Reference to Court	10.39
Absence of person served with notice of appointment for assessment	10.40
Assessment officer's decision	10.41
Actions within Provincial Court jurisdiction	10.42
Certification of costs payable.....	10.43
<i>SUBDIVISION 3</i>	
<i>Appeal from Assessment Officer's Decision</i>	
Appeal to judge.....	10.44
Decision of the judge	10.45
DIVISION 3	
Other Matters Related to Lawyers' Charges and Litigation Costs	
Review and assessment under enactments	10.46
Liability of litigation representative for costs	10.47
Recovery of goods and services tax.....	10.48

TABLE OF CONTENTS - VOLUME 1

PART 10: LAWYERS' CHARGES, RECOVERABLE COSTS OF LITIGATION, AND SANCTIONS (Continued)	RULE #
DIVISION 4	
Sanctions	
<i>SUBDIVISION 1</i>	
<i>Penalty</i>	
Penalty for contravening rules	10.49
Costs imposed on lawyer.....	10.50
<i>SUBDIVISION 2</i>	
<i>Civil Contempt of Court</i>	
Order to appear	10.51
Declaration of civil contempt.....	10.52
Punishment for civil contempt of Court.....	10.53
DIVISION 5	
Medical Examination	
Mental disorder	10.54
DIVISION 6	
Inherent Jurisdiction	
Inherent jurisdiction	10.55
PART 11: SERVICE OF DOCUMENTS	
DIVISION 1	
General Provisions	
Service of original documents and copies.....	11.1
Service not invalid	11.2
DIVISION 2	
Service of Commencement Documents in Alberta	
Agreement between parties	11.3
Methods of service in Alberta.....	11.4
Service on individuals.....	11.5
Service on trustees and personal representatives	11.6
Service on litigation representatives.....	11.7
Missing persons.....	11.8
Service on corporations.....	11.9
Service on limited partnerships	11.10
Service on partnerships other than limited partnerships	11.11
Service on individuals using another name.....	11.12
Service on a corporation using another name.....	11.13
Service on statutory and other entities.....	11.14
Service on person providing an address for service.....	11.15
Service on lawyer	11.16
Service on lawyer of record	11.17
Service on self-represented litigants	11.18
Service on business representatives of absent parties	11.19

PART 11: SERVICE OF DOCUMENTS (Continued)	RULE #
DIVISION 3	
Service of Documents, Other than Commencement Documents, in Alberta	
Service of documents, other than commencement documents, in Alberta.....	11.20
Service by electronic method	11.21
Recorded mail service	11.22
DIVISION 4	
Service of Documents, Other than Commencement Documents, in Foreclosure Actions	
Additional service options in foreclosure actions.....	11.23
Notice of address for service in foreclosure actions	11.24
DIVISION 5	
Service of Documents Outside Alberta	
Real and substantial connection.....	11.25
Methods of service outside Alberta	11.26
DIVISION 6	
Validating, Substituting, Dispensing with and Setting Aside Service	
Validating service.....	11.27
Substitutional service	11.28
Dispensing with service	11.29
Proving service of documents	11.30
Setting aside service	11.31
DIVISION 7	
Service of Foreign Process	
Procedure for service	11.32
PART 12: FAMILY LAW RULES	
DIVISION 1	
Foundational Rules	
Definitions.....	12.1
What this Part applies to.....	12.2
Application of other Parts	12.3
Forms	12.4
DIVISION 2	
The Parties to Litigation	
Requirement that parties be spouses.....	12.5
Exception to rule 2.11(a)	12.6

TABLE OF CONTENTS - VOLUME 1

PART 12: FAMILY LAW RULES (Continued)	RULE #
DIVISION 3	
Court Actions	
<i>SUBDIVISION 1</i>	
<i>Actions Relating to Proceedings under the Divorce Act</i>	
<i>(Canada) and Proceedings under the Matrimonial Property Act</i>	
Starting proceeding under <i>Divorce Act</i> (Canada).....	12.7
Starting proceeding under <i>Matrimonial Property Act</i>	12.8
Starting combined proceeding.....	12.9
Action for unjust enrichment.....	12.10
Statement of defence, counterclaim and demand for notice	12.11
Time for service of documents filed under rule 12.11.....	12.12
Joint proceeding under the <i>Divorce Act</i> (Canada).....	12.13
Transfer of divorce proceedings under <i>Divorce Act</i>	
(Canada) from court outside Alberta	12.14
Central Divorce Registry.....	12.15
 <i>SUBDIVISION 2</i>	
<i>Actions Relating to Proceedings under the Family Law Act</i>	
Starting proceeding under <i>Family Law Act</i>	12.16
Service of documents filed under rule 12.16	12.17
Response to proceeding under <i>Family Law Act</i>	12.18
Service of documents filed under rule 12.18	12.19
Response to respondent's request for additional order	12.20
Service of documents filed under rule 12.20	12.21
New evidence	12.22
Questioning on statement, reply statement or affidavit	12.23
Certificate of lawyer	12.24
 <i>SUBDIVISION 3</i>	
<i>Actions Commenced by Originating Application</i>	
Exception to rule 3.13(5)	12.25
Application respecting order made by court outside	
Alberta under <i>Divorce Act</i> (Canada).....	12.26
Applications under <i>Extra-provincial Enforcement of</i>	
<i>Custody Orders Act</i>	12.27
 <i>SUBDIVISION 4</i>	
<i>Actions Relating to Proceedings under the Protection Against</i>	
<i>Family Violence Act</i>	
Application of Part 3, Division 2.....	12.28
Affidavit of evidence for review	12.29
Application for Queen's Bench protection order	12.30
Alternative to affidavit	12.31
Actual notice of protection order.....	12.32

PART 12: FAMILY LAW RULES - Court Actions (Continued)	RULE #
<i>SUBDIVISION 5</i>	
<i>Actions Relating to Restraining Orders</i>	
Application for restraining order.....	12.33
DIVISION 4	
Managing Litigation	
Application of Part 4	12.34
Operation of rule 4.34 under this Part	12.35
Advance payment of costs.....	12.36
DIVISION 5	
Disclosure of Information	
Application of Part 5	12.37
Affidavit of records.....	12.38
Oral and written questioning.....	12.39
Written interrogatories	12.40
Notice to disclose documents.....	12.41
Request for financial information	12.42
DIVISION 6	
Resolving Issues and Preserving Rights	
Application of Part 6, Division 1	12.43
Application within course of proceeding	12.44
Application after order or judgment under the <i>Divorce Act</i> (Canada).....	12.45
Provisional order to vary a support order under <i>Divorce Act</i> (Canada)	12.46
Confirmation hearing	12.47
DIVISION 7	
Resolving Claims Without Full Trial	
Availability of application for summary judgment.....	12.48
Evidence in summary trials	12.49
Divorce without appearance by parties or counsel.....	12.50
DIVISION 8	
Trial	
Appearance before the Court	12.51
DIVISION 9	
Judgments and Orders	
Enforcement of order made by court outside Alberta under <i>Divorce Act</i> (Canada)	12.52
Form of orders.....	12.53
Certificate of divorce.....	12.54

TABLE OF CONTENTS - VOLUME 1

PART 12: FAMILY LAW RULES (Continued)	RULE #
DIVISION 10	
Service of Documents	
Service of documents	12.55
Address for service	12.56
Proof of service	12.57
Rules that do not apply	12.58
DIVISION 11	
Appeals	
<i>SUBDIVISION 1</i>	
<i>Appeal from Divorce Judgment</i>	
Appeal from divorce judgment	12.59
<i>SUBDIVISION 2</i>	
<i>Appeals under the Family Law Act</i>	
Appeal from decision of Court of Queen's Bench sitting as original court	12.60
Appeal from Provincial Court order to Court of Queen's Bench	12.61
Duty of court clerks	12.62
Transcript	12.63
Filing of affidavits of service	12.64
Non compliance by appellant	12.65
Speaking to list	12.66
Scheduling appeal	12.67
Evidence	12.68
Appeal memoranda	12.69
Powers of Court on appeal	12.70
Appeal from decision of Court of Queen's Bench sitting as appeal court	12.71
PART 13: TECHNICAL RULES	
DIVISION 1	
Judge Unable to Continue	
When one judge may act in place of or replace another	13.1
DIVISION 2	
Calculating Time	
Application of these rules for calculating time	13.2
Counting days	13.3
Counting months and years	13.4
Variation of time periods	13.5

PART 13: TECHNICAL RULES (Continued)	RULE #
DIVISION 3	
Pleadings	
Pleadings: general requirements	13.6
Pleadings: other requirements.....	13.7
Pleadings: other contents	13.8
Defence of tender	13.9
Pleadings: specific requirements for replies	13.10
Pleadings: specific requirements for class proceedings	13.11
Pleadings: denial of facts	13.12
DIVISION 4	
Filed Documents	
<i>SUBDIVISION 1</i>	
<i>Content and Filing</i>	
Requirements for all filed documents	13.13
Endorsements on documents.....	13.14
When document is filed	13.15
Deviations from and changes to prescribed forms	13.16
Amendments to records other than commencement documents, pleadings or affidavits	13.17
<i>SUBDIVISION 2</i>	
<i>Form and Contents of Affidavits and Exhibits</i>	
Types of affidavit	13.18
Requirements for affidavits	13.19
Changes in affidavits	13.20
Requirements for exhibits to affidavit.....	13.21
Affidavits by visually impaired or those unable to read.....	13.22
Understanding affidavit.....	13.23
More than one individual swearing affidavit.....	13.24
Use of filed affidavits	13.25
Exhibits: filing and return	13.26
<i>SUBDIVISION 3</i>	
<i>Lost and Concurrent Documents, Certified Copies, Authenticated Photographs and Video Recordings</i>	
Lost documents	13.27
Concurrent document.....	13.28
Certified copies of original records.....	13.29
Authenticated photographs of personal property.....	13.30
Video recordings in place of transcripts.....	13.31

TABLE OF CONTENTS - VOLUME 1

PART 13: TECHNICAL RULES (Continued)	RULE #
DIVISION 5	
Payment of Fees and Allowances, and Waivers of Fees	
Fees and allowances	13.32
Uncertainty of amount of fees and allowances	13.33
Fee accounts	13.34
Fee exemption	13.35
Fee waiver: legal aid	13.36
Fee waiver: restraining orders	13.37
DIVISION 6	
Judge's Fiat, Court Officers and Court Reporters	
Judge's fiat	13.38
Court officers	13.39
Court officers may delegate authority	13.40
Authority of court clerk	13.41
Absence of court clerk	13.42
Seal	13.43
Duties of court clerk	13.44
Notice to be given to court officers	13.45
Official court reporters	13.46
Proof of official court reporter's signature not required	13.47
DIVISION 7	
Payment Into Court and Payment out of Court	
When money may be paid into Court	13.48
How money is paid into Court	13.49
Tender on judicial sale	13.50
Litigant's account	13.51
Payments into Court under Trustee Act	13.52
Payments out of Court	13.53
Investments and payment earnings	13.54
Disposition of money in accounts	13.55
PART 14: APPEALS	
DIVISION 1	
The Right to Appeal	
<i>SUBDIVISION 1</i>	
<i>Interpretation and Application</i>	
Definitions	14.1
Application of general rules	14.2
When these rules apply	14.3
<i>SUBDIVISION 2</i>	
<i>Appeals as of Right</i>	
Right to appeal	14.4

PART 14: APPEALS - Right to Appeal (Continued)	RULE #
<i>SUBDIVISION 3</i>	
<i>Appeal With Permission</i>	
Appeals only with permission	14.5
<i>SUBDIVISION 4</i>	
<i>Cross Appeals</i>	
Cross appeals.....	14.6
DIVISION 2	
The Appeal Process	
<i>SUBDIVISION 1</i>	
<i>Starting an Appeal or Cross Appeal</i>	
How to start an appeal	14.7
Filing a notice of appeal	14.8
Appeals from several decisions	14.9
Notice to Court of Queen’s Bench	14.10
How to start a cross appeal.....	14.11
<i>SUBDIVISION 2</i>	
<i>Notice of Appeal and Cross Appeal</i>	
Contents and format of notices of appeal and cross appeal	14.12
<i>SUBDIVISION 3</i>	
<i>Types of Appeals</i>	
Standard appeals	14.13
Fast track appeals	14.14
<i>SUBDIVISION 4</i>	
<i>Appeal Record</i>	
Ordering the appeal record.....	14.15
Filing the appeal record – standard appeals	14.16
Filing the appeal record – fast track appeals	14.17
Contents of appeal record – standard appeals.....	14.18
Contents of appeal record – fast track appeals	14.19
Contents of appeal record – appeals from tribunals.....	14.20
Format of appeal record – standard appeals.....	14.21
Format of appeal record – fast track appeals	14.22
DIVISION 3	
Preparing Written Argument and Scheduling Oral Argument of Appeals	
<i>SUBDIVISION 1</i>	
<i>Factums</i>	
Filing factums – standard appeals.....	14.23
Filing factums – fast track appeals.....	14.24
Contents of factums.....	14.25
Format of factums.....	14.26

TABLE OF CONTENTS - VOLUME 1

PART 14: APPEALS - Written and Oral Argument (Continued)	RULE #
DIVISION 3 (Continued)	
Preparing Written Argument and Scheduling Oral Argument of Appeals (Continued)	
<i>SUBDIVISION 2</i>	
<i>Extracts of Key Evidence</i>	
Filing extracts of key evidence	14.27
Record before the Court	14.28
Format of extracts of key evidence	14.29
<i>SUBDIVISION 3</i>	
<i>Books of Authorities</i>	
Filing books of authorities	14.30
Format of books of authorities	14.31
<i>SUBDIVISION 4</i>	
<i>Scheduling Oral Argument</i>	
Oral argument	14.32
Scheduling standard appeals	14.33
Scheduling fast track appeals	14.34
Rescheduling appeals	14.35
DIVISION 4	
Applications	
<i>SUBDIVISION 1</i>	
<i>Deciding Applications</i>	
Case management officers	14.36
Single appeal judges	14.37
Court of Appeal panels	14.38
<i>SUBDIVISION 2</i>	
<i>How to Apply</i>	
Case management officers	14.39
Applications to single appeal judges	14.40
Responses to applications to single appeal judges	14.41
Applications to court of appeal panels	14.42
Responses to applications to court of appeal panels	14.43
<i>SUBDIVISION 3</i>	
<i>Rules for Specific Applications</i>	
Application for permission to appeal	14.44
Application to admit new evidence	14.45
Application to reconsider a previous decision	14.46
Application to restore an appeal	14.47
Stay pending appeal	14.48
<i>SUBDIVISION 4</i>	
<i>Deciding Applications</i>	
Failure to respond	14.49
Time limits for oral argument	14.50

TABLE OF CONTENTS - VOLUME 1

PART 14: APPEALS - Applications (Continued)	RULE #
Applications without oral argument.....	14.51
Applications not heard within 3 months.....	14.52
<i>SUBDIVISION 5</i>	
<i>Format of Applications and Responses</i>	
Format of applications	14.53
Format of memoranda	14.54
DIVISION 5	
Managing the Appeal Process	
<i>SUBDIVISION 1</i>	
<i>Responsibilities of the Parties and Court Assistance</i>	
Responsibility of parties to manage an appeal.....	14.55
Orders to facilitate appeal.....	14.56
<i>SUBDIVISION 2</i>	
<i>Parties to an Appeal</i>	
Adding, removing or substituting parties to an appeal	14.57
Intervenor status on appeal.....	14.58
<i>SUBDIVISION 3</i>	
<i>Settlement Using Court Process</i>	
Formal offers to settle	14.59
<i>SUBDIVISION 4</i>	
<i>Judicial Dispute Resolution on Appeal</i>	
Judicial dispute resolution of an appeal.....	14.60
Suspension of time periods	14.61
<i>SUBDIVISION 5</i>	
<i>Delay in Advancing Appeals</i>	
Dismissal for delay.....	14.62
Powers of a single appeal judge.....	14.63
Failure to meet deadlines	14.64
Restoring appeals.....	14.65
<i>SUBDIVISION 6</i>	
<i>Discontinuing an Appeal</i>	
Discontinuance	14.66
<i>SUBDIVISION 7</i>	
<i>Security for Costs</i>	
Security for costs	14.67

TABLE OF CONTENTS - VOLUME 1

PART 14: APPEALS (Continued)	RULE #
DIVISION 6	
Deciding Appeals and Applications	
<i>SUBDIVISION 1</i>	
<i>Effect of Filing an Appeal</i>	
No stay of enforcement.....	14.68
Intermediate acts valid.....	14.69
<i>SUBDIVISION 2</i>	
<i>Basis on Which Appeals Are Decided</i>	
No new evidence without order	14.70
Interlocutory decisions.....	14.71
Binding precedents.....	14.72
<i>SUBDIVISION 3</i>	
<i>Powers of the Court</i>	
Procedural powers.....	14.73
Application to dismiss an appeal	14.74
Disposing of appeals	14.75
Judgment by consent.....	14.76
<i>SUBDIVISION 4</i>	
<i>Judgments and Orders</i>	
Preparation and signature of judgments and orders	14.77
Entry of judgments and orders	14.78
Supreme Court of Canada judgments.....	14.79
Interest on judgments	14.80
DIVISION 7	
General Rules for Appeals	
<i>SUBDIVISION 1</i>	
<i>Service of Appeal Documents and Representation</i>	
Service of appeal documents	14.81
Lawyer of record and litigation representative	14.82
<i>SUBDIVISION 2</i>	
<i>Restricted Access Orders</i>	
Orders restricting access to appeal proceedings	14.83
<i>SUBDIVISION 3</i>	
<i>Rules for All Filed Materials</i>	
Place of filing	14.84
Method of filing	14.85
Non-compliant appeal materials	14.86
Requirements for all documents	14.87
<i>SUBDIVISION 4</i>	
<i>Costs of Appeals</i>	
Cost awards.....	14.88

TABLE OF CONTENTS - VOLUME 1

PART 14: APPEALS - General Rules (Continued)	RULE #
<i>SUBDIVISION 5</i>	
<i>Fees on Appeals</i>	
Fees and allowances	14.89
<i>SUBDIVISION 6</i>	
<i>Sanctions</i>	
Sanctions.....	14.90
<i>SUBDIVISION 7</i>	
<i>The Registrar</i>	
Duties of a Registrar	14.91
Authority of the Registrar	14.92
	PAGE
INDEX	1-48

VOLUME 2

RULES OF COURT

PART 15: TRANSITIONAL PROVISIONS AND COMING INTO FORCE
PART 16: CRIMINAL APPEALS TO THE COURT OF APPEAL
SCHEDULE OF CRIMINAL APPEAL FORMS
PART 57: WINDING UP ACT [Repealed]
PART 60: JUDICIAL REVIEW IN CRIMINAL MATTERS
PART 61.1: SUMMARY CONVICTION APPEALS

RULES OF COURT SCHEDULES

SCHEDULE A
DIVISION 1: FORMS FOR PARTS 2-11, 13 AND 14

DIVISION 2: FAMILY LAW FORMS
FORMS FOR PART 12

DIVISION 3: FORMS FOR PART 14

SCHEDULE B
COURT FEES AND WITNESS AND OTHER ALLOWANCES

SCHEDULE C
TARIFF OF RECOVERABLE FEES

COURT OF APPEAL

CRIMINAL APPEAL RULES
PRACTICE DIRECTIONS
SCHEDULE OF CRIMINAL APPEAL FORMS
NOTICES TO PROFESSION
PUBLICATION ERRORS/REASONS FOR REJECTION MARCH 20, 2009

COURT OF QUEEN'S BENCH

CIVIL PRACTICE NOTES
CIVIL PRACTICE NOTICES
FAMILY PRACTICE NOTES
FAMILY PRACTICE NOTICES
COMMERCIAL PRACTICE NOTE
COMMERCIAL PRACTICE NOTICES
CRIMINAL PRACTICE NOTES
CRIMINAL PRACTICE NOTICES
GENERAL PRACTICE NOTICES

VOLUME 3

COURT OF QUEEN'S BENCH (SURROGATE MATTERS)

SURROGATE RULES AND FORMS

RULES AND FORMS

USER NOTES

NOTICES TO PROFESSION

PROVINCIAL COURT

STATUTES

CIVIL ENFORCEMENT ACT

JUDGMENT INTEREST ACT

JURY ACT

LANGUAGES ACT

PROTECTION AGAINST FAMILY VIOLENCE ACT

RESIDENTIAL TENANCIES ACT

CONCORDANCE

TABLE OF CASES

