

COURT OF QUEEN'S BENCH OF ALBERTA

CIVIL PRACTICE NOTE 1

APPLICATIONS WITHOUT PERSONAL APPEARANCE

**A. Applications without Personal Appearance and Consent Applications**

As contemplated by R. 6.9(1)(c), a party may apply for applications without notice or Consent Orders without personal appearance. Applications so made will be placed before a Judge by the Clerk and returned by the Clerk to the party with the Order signed or a note setting forth the grounds for rejection. The following practice rules will apply to such applications:

1. In this Practice Note, "Duty Judge" means a judge designated by the Chief Justice as a duty judge for the appropriate day or week as the case may be.
2. Where in this Practice Note reference is made to a Judge, such reference includes a Master with respect to any matter that is within his or her jurisdiction.
3. The parties will file the usual material in support of the application, together with the application form and any other materials that the parties wish to put before the Court, with the Clerk or his or her designate in the Judicial Centre in which the application should be made according to the Rules.
4. The materials should be securely bound together.
5. When the application is made at a Judicial Centre at which a Judge is not then sitting, the Clerk will, on request of the party, forward the material to a Duty Judge sitting in another Judicial Centre.

**B. Contested Electronic Applications**

A party may apply to a Duty Judge, or another judge as may be arranged by the Clerk, on notice for an application to be dealt with at an electronic hearing in accordance with R. 6.10.

The following practice will apply:

6. The appropriate Judicial Centre for these applications is the Judicial Centre in which the application should be made according to the Rules.
7. All material normally filed in respect of an application shall be filed in the usual way. Material filed will, unless otherwise directed by the hearing Judge, be faxed by the Clerk to the Judge to be available for the hearing.
8. The Clerk shall originate the telephone call at the appointed time.