

COURT OF QUEEN'S BENCH OF ALBERTA

Q.B. CRIMINAL PRACTICE NOTE "5"

CHALLENGE FOR CAUSE

Where the prosecutor or the accused wishes to challenge jurors pursuant to section 638(1)(b) of the *Criminal Code*, for example a challenge based on the personal characteristics of the accused or the accused's witnesses, prejudice about the nature of the crime, or prejudice arising from pre-trial publicity, the following procedure will be followed:

1. Notification of such a challenge will be given to the prosecutor or the accused and to the Trial Coordinator in the Judicial District where the trial is scheduled to take place at least 60 days prior to the scheduled jury selection or, such shorter interval that the trial judge may allow in the interests of justice;
2. Notification must be in writing setting out the basis for the proposed challenge (See s.639 and Form 41 of the *Criminal Code*);
3. Upon receipt of the written notification, the Trial Coordinator in the Judicial District where the trial is scheduled will schedule a pre-trial conference with the trial judge, the prosecutor and the accused to resolve issues raised by the application.