

NAVIGATING MASTERS CHAMBERS ELECTRONICALLY (in Edmonton)

A Few Helpful Tips on:

1. Desk Applications (Without Notice Applications)
2. With Notice Applications
3. Special Applications

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October 7, 2020

Without Notice Applications (aka Desk Applications)

Much slower process now than pre-Covid as Masters must review entire
electronic submission rather than hear from counsel. Pay
attention to detail!

**Consequence: Application with flawed written materials
gets bounced (to the bottom)!**

Follow Guidelines on QB website

See *COVID19 Announcements and Guidelines for Documents Filed by
Email or Digital Upload*

under Court of Queen's Bench of Alberta "Court Operations &
Schedules"

<https://albertacourts.ca/qb/court-operations-schedules/pandemic-operations/COVID19-Announcements/new-email-filing-procedure>

and

<https://albertacourts.ca/qb/court-operations-schedules/guidelines-for-documents-filed-by-email-or-digital-upload>

Look at these websites for answers before calling the Clerks. Updated frequently.

Some Important Basics for Masters' Desk Applications

Documents to be downloaded separately in pdf format—descriptively named in accordance with convention (see July 27, 2020 Announcement on QB website).

Documents not to be password protected.

If any submissions, put in Application document. Do not download blank Application documents if no submissions. (Remember that submissions are not evidence).

Where more than one Affidavit, download chronologically or in logical fashion and descriptively name.

Very long Affidavits (over 100MB), download exhibits separately (and bookmark).

Orders must be downloaded with pdf program that allows editing. Leave date blank as Masters have autofill.

Common Mistakes on Desk Applications

- Fax filing form has been omitted.
- Indicate whether Master or Justice. Not “Justice/Master”.
- Efiling and naming protocols not followed.
- Errors in preamble: rather than “having heard” use “having read”; date of Affidavit left in blank;
- Do not send in duplicate orders;

When can you expect return of your Desk Application?

- Currently, several weeks delay between date of submission of Desk application and return of order or receipt of Reasons for Rejection (sometimes in Endorsement and sometimes just from Clerk).
- **DO NOT RESUBMIT A DUPLICATE APPLICATION, THINKING THE FIRST MAY BE LOST AS IT CREATES CONFUSION AND MORE WORK FOR CLERKS AND MASTERS.**
- **DO NOT CONTACT MASTERS’ ASSISTANT.**

What if a deadline looms and the Desk Application has not been returned?

First Stage: Send a letter marked urgent to a Civil Supervisor at Qbfiling.Edmonton@just.gov.ab.ca.

Second Stage: If a Civil Supervisor has not been able to deal with the urgent matter in a timely fashion, then send an email to one of the following two Court managers:

James.Stroeder@csadm.just.gov.ab.ca

Jolene.Pon@csadm.just.gov.ab.ca

Urgent Desk Applications

What Qualifies?

Anything where time is about to expire: eg One year deadline for service of Statement of Claim or six month deadline for Garagekeeper's Lien registrations.

(but note effect of Ministerial Order 27/2020).

Potential of imminent harm or danger (egs Preservation Order or time sensitive Builder's Lien discharge by consent).

Provide explanation in Application document as to why the application needs to be treated with urgency. The need for urgency must also be shown in evidence.

How to Submit an Urgent Desk Application

- Follow the naming convention in the July 27, 2020 Announcement:
- “EMERGENCY – CIVIL – FILE NUMBER – EDMONTON – MASTER”

How to handle rejection.

The Masters try and provide cogent reasons for rejection. For continuity the Masters try and ensure that the rejected applications get returned to the same Master.

A rejected application has no priority. It just gets returned back to the queue.

Address squarely the issue that the Master has asked to be addressed— with evidence where it was lacking.

Follow Naming Convention but add “**Previously Rejected**”— and ensure Master’s name is specified [both in square brackets].

With Notice Applications

Follow guidelines on QB Website—News and
Announcements

“Instructions and Etiquette Guide for Online Hearings
for Counsel, Parties, Media and the Public”

See

<https://albertacourts.ca/qb/court-operations-schedules/remote-hearings-protocol-troubleshooting>

Scheduling for Morning Chambers

See QB Website –Scheduling—Masters
Click on appropriate Chambers Availability

<https://albertacourts.ca/qb/court-operations-schedules/scheduling/masters>

We suggest picking a range of dates at least three weeks out to make sure that the date you select is still available since daily limit is 15.

Repeated adjournments are to be avoided.

Be patient in finding out return date on Application:

There is a backup in getting the filed applications back to counsel.

Service of unfiled documents to give notice may be necessary.

Urgent With Notice Applications

Same two stage process for Urgent Desk Applications:

First Stage: Send a letter marked urgent to an Edmonton Civil Supervisor at Qbfiling.Edmonton@just.gov.ab.ca.

Second Stage: If a Civil Supervisor has not been able to deal with the urgent matter in a timely fashion, then send an email to one of the following two Court managers:

James.Stroeder@csadm.just.gov.ab.ca

Jolene.Pon@csadm.just.gov.ab.ca

PARTICULAR TIPS ON MORNING CHAMBERS

Check in with Clerk 15 minutes prior to application;

Mute your microphone except when speaking;

Only have one connection to the courtroom as multiple connections create interference;

Use headphones and microphone as they improve the quality of communication;

Make sure that every document that the Master needs to see has been downloaded.

DOWNLOAD DRAFT ORDER WITH APPLICATION

No order—application will not proceed.

In pdf format unless a number of variables expected, then in Word.

If a draft order has to be submitted after the Chambers Hearing

Follow Naming Convention but add at the end in square brackets:
[Chambers Order] and [Master's name]

Make sure everything filled in that can be: Date of hearing, name of Master, attendance notation marked and date of Affidavit in preamble (and preamble is accurate).

Problems encountered in Foreclosure Applications

Multiple draft Redemption Orders submitted (eg. Where second draft is submitted once return date on application is known). Rather, submit draft order with application with date and amount blank. (note: calculation of debt in RO does not have to be the date of the application)

Upon return to Court after Redemption Order Posting at Courthouse, Applicant does not have response from Court as to whether offer submitted. Court may grant order on undertaking to hold order until result back.

Naming of Affidavits for Assessment Clerk—*Affidavit re Property Management* and *Affidavit of Accounting*

SPECIALS BEFORE A MASTER

Follow guidelines on QB Website—Scheduling -- Masters -- Masters' Specials

<https://albertacourts.ca/qb/court-operations-schedules/scheduling/masters>

Trigger Date

Notwithstanding Edmonton has had in place for two years a procedure requiring materials to be filed within two weeks of a “trigger date” for the Applicant and within four weeks for the Respondent, counsel still book (thereby setting the “trigger date”) before they are ready.

DO NOT BOOK UNTIL ALL EVIDENCE HAS BEEN FILED AND YOU KNOW BRIEFS WILL BE READY BY DEADLINES.

Particular tips on Specials

Download all materials upon which you rely and the Master needs to see through QBfiling—not through the Master’s office (Include pleadings and affidavits, if relevant)

ie. Not piecemeal.

Do not password protect folders.

Put voluminous materials in zipped folders with tabs or bookmarks as it makes navigation easier.

Long briefs—break up.

A couple of general thoughts

- New world as far as timing—do not leave to the last minute.
- Do not submit multiple times in multiple ways (eg efile and paper or multiple efile), looking to get it back faster. It is clogging the system.
- Avoid scanning errors.
- Increase law firm's size of server for returns from the Court.