

NOTICE TO THE PROFESSION

RE: MOTIONS BEFORE MASTERS UNDER QUEEN'S BENCH RULE 20A

In expedited actions under Rule 20A, no motion is to be heard by a Master without the direction of the case conference judge, once the case conference regime becomes operative. That occurs under Rules 20A:

1. at any time the action is commenced, upon the request of any party to the litigation;
or
2. upon filing a Statement of Defence.

Once a Statement of Defence is filed, the parties must schedule a case conference. This requirement exists so that, in a contested action, there will be a case conference judge involved to assist the parties to move the action along in a timely and cost efficient way. Accordingly, until the case conference regime becomes operative, motions may be made to a Master. Thereafter, they are not to be made to a Master unless pursuant to the direction of the case conference judge.

J.J. Oliphant, Associate Chief Justice
Court of Queen's Bench of Manitoba

December 1999