

NOTICE

COURT OF QUEEN'S BENCH

RE: COMPLIANCE OF BRIEFS TO BE FILED ON CONTESTED MOTIONS WITH QUEEN'S BENCH RULE 37

The Court has noted that there has been an increase in the number of briefs filed on contested motions which do not comply with Queen's Bench Rules 37.08(3) and (4). Those rules set out what must be contained in the brief, including:

- (a) A list of documents to be relied upon;
- (b) A list of any cases and statutory provisions to be relied upon by the moving party, together with the statement as to the principle being relied upon in each case;
- (c) A list of points to be argued.

It is required that any statute referred to during the course of the motion be identified, including relevant sections. It is recommended that a copy of all relevant sections which will be referred to during the course of their arguments should form part of the parties' briefs.

The rules require that the list of documents specifically identify and provide their filing date. It is recommended that the court registry number assigned to the document be used. The provision of the court registry number assists the assigned judge in quickly identifying the document in the file while preparing for the hearing of the motion. The court registry document number can be obtained from the Court Registry System on the Manitoba web page at the following address: **www.crt.jus.gov.mb.ca/registry**.

Briefs which do not comply with the rule run the risk of being rejected by the Court, resulting in adjournments and delays to parties.

ISSUED BY:

Original signed by _____
The Honourable Marc M. Monnin
Chief Justice
Court of Queen's Bench of Manitoba

FEBRUARY 29, 2008