

PRACTICE DIRECTION

COURT OF QUEEN'S BENCH OF MANITOBA

RE: CIVIL UNCONTESTED LIST – URGENT MATTERS

Civil applications and motions which are considered by a moving party to be urgent should be set at first instance on the Civil Uncontested List. When the matter is called on the List, the first issue for the moving party to address will be urgency. If the presiding judge concludes that the matter is in fact urgent, the judge will adjudicate the merits of the matter at that time or schedule an appropriate time before him or herself to adjudicate the merits. If the presiding judge concludes that the matter is not urgent, the matter will be adjourned to the Contested List in the ordinary course.

In those situations where the nature of the potential immediate harm suggests some demonstrable merit to the moving party's position that the matter is urgent, but the matter cannot be adjudicated at that time, the presiding judge may grant interim relief and/or set early timelines for the filing of further material, with the matter next returnable on the Civil Uncontested List. When the matter next appears, the moving party will need to address the issue of urgency as a preliminary issue.

In those rare and exceptional circumstances where it is the moving party's position that a matter is of such urgency it cannot wait until the next sitting of the Civil Uncontested List, counsel may contact the Civil Motion Coordinator and/or the Trial Coordinator to discuss the possibility of alternative arrangements.

Coming into effect

This Practice Direction comes into effect immediately.

ISSUED BY:

"Original signed by Chief Justice Joyal"

**The Honourable Chief Justice Glenn D. Joyal
Court of Queen's Bench (Manitoba)**

DATE: December 7, 2015