

**NOTICE OF APPLICATION TO TRANSFER CHARGES
WITH THE CONSENT OF THE CROWN
INSTRUCTIONS FOR COUNSEL**

The application may be submitted:

1. in a courtroom, on the record;
2. at a Court Office by email by submitting the form, "Notice of Application to Transfer Charges with the Consent of the Crown"; or
3. at a Court Office in person, by submitting the form "Notice of Application to Transfer Charges with the Consent of the Crown".

1. Application submitted in a Courtroom

- Make submissions in favour of your application, with Crown consent.
- Presiding Judge will grant or deny the application.

Note: If the application is granted, the charges will remain on a docket in the originating court centre until a date has been arranged by counsel with the trial coordinator for the office where the charges are to be transferred, if the trial coordinator is involved in setting dates in the receiving jurisdiction.

2. Application submitted by way of email at pcj@gov.mb.ca

- Email: pcj@gov.mb.ca. The subject line must include: TRANSFER REQUEST- Name of Accused (Originating Court Centre).
- Presiding Judge will review and will grant or deny the application.
- Judicial assistant will send an email to Counsel with a scanned copy of the Notice of Application advising whether the application was approved or denied.

Note: If the application is granted, the charges will remain on a docket in the originating court centre until a date has been arranged by counsel with the trial coordinator for the office where the charges are to be transferred, if the trial coordinator is involved in setting dates in the receiving jurisdiction.

3. Application submitted at the Court Office in person

- Submit the application at the front counter at the originating Court Centre. The form will be forwarded to Judges' chambers for review by the presiding judge.
- Presiding Judge will grant or deny the application.
- Judicial assistant will send an email to Counsel with a scanned copy of the Notice of Application advising whether the application was approved or denied.

Note: If the application is granted, the charges will remain on a docket in the originating court centre until a date has been arranged by counsel with the

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trial coordinator for the office where the charges are to be transferred, if the trial coordinator is involved in setting dates in the receiving jurisdiction.

Application Granted

If the application has been granted, the charges to be transferred must be brought forward or adjourned by counsel to the receiving Court Centre once a date has been arranged with a trial coordinator, if the trial coordinator is involved in setting dates in the receiving jurisdiction.

Transfers Granted from a Regional Court Office or Circuit to Winnipeg

Matters Transferred to Winnipeg for a Bail Hearing

- Counsel will adjourn or the Crown will bring forward the charges from a future date to a 301AC or 301DV docket which commences at 9:30 a.m. Monday to Friday.
- Counsel will provide the presiding Staff Justice of the Peace (PTC) with a copy of the approved form or provide the date, location and name of the Judge who approved the transfer.

Matters Transferred to Winnipeg for Disposition

- For out-of-custody matters, counsel will obtain a date for the Waive-In docket from the Manitoba Court website. Counsel will then contact the DCD to confirm the scheduling of the disposition.
- For in-custody matters, once the application has been granted, counsel will contact the DCD and arrange a date/time and location for the disposition. This should be by way of email, either attaching the authorized form or advising the DCD of the date/time and location where the order was granted.

Transfers Granted from a Circuit Location or Regional Court Office to a Regional Office other than Winnipeg

Counsel will contact the Trial Coordinator for the court office where charges are transferred to in order to arrange for a date, if the trial coordinator is involved in setting dates in the receiving jurisdiction. They will either provide the trial coordinator with a copy of the approved form or advise the trial coordinator of the date, time, location and name of the judge who granted the application.

Note: The Crown is responsible for bringing forward the charges from a future date once the application has been granted.