

NOTICE

COURT OF QUEEN'S BENCH OF MANITOBA

RE: AMENDMENTS TO COURT OF QUEEN'S BENCH RULES (CIVIL)

On August 6, 2019, the Court of Queen's Bench issued a Practice Direction/Notice respecting the "One-Judge Model". This new model came into effect on September 3, 2019. This Practice Direction can be located on the court's website at:

http://www.manitobacourts.mb.ca/site/assets/files/1152/practice_direction_notice_-_one_judge_model.pdf

The Queen's Bench Statutory Rules Committee met on September 5, 2019, reviewed the amendments to the Court of Queen's Bench Rules and unanimously approved the amendments. The full text of the amendments, Manitoba Reg. No. 121/2019, can be located at:

<http://web2.gov.mb.ca/laws/regs/annual/2019/121.pdf>

The highlights of the rule amendments and related scheduling issues are reviewed in the Practice Direction.

The one-judge model has now been fully implemented, and for purposes of transition, the following should be understood:

- Where there has already been a pre-trial conference (prior to September 3, 2019), the pre-trial judge will not be the trial judge unless the parties and the pre-trial judge agree and the rota is able to reasonably accommodate the assignment of the pre-trial judge as the trial judge for the scheduling of a trial date in accordance with the court's scheduling timelines.

- **Where any dispositive motion (summary judgment or otherwise) or an appeal from a master’s decision is already scheduled to proceed, there will be no change from the existing practice. Where a summary judgment conference has already been held or was scheduled to be held (prior to September 3, 2019), the motion will be subject to the summary judgment conference and related processes in effect prior to September 3, 2019.**
- **Where any dispositive motion (summary judgment or otherwise) has been filed prior to September 3, 2019, and no summary judgment conference has been held or was scheduled to be held (prior to September 3, 2019), the party filing the dispositive motion must proceed with a pre-trial conference.**

In addition to the one-judge model, the amendments address:

- **A repeal of sub-rule 50.02(2) regarding the payment of jury fees;**
- **Replacement of sub-rule 50.02(6) regarding the requirement of a responding party to file a pre-trial brief;**
- **Amendment of Rule 53.02 removing the reference to trial judge such that any judge may make an order to receive evidence other than by personal appearance;**
- **Minor amendments requested by the translators to ensure consistency in the French version of the rules regarding the term “pre-trial judge”.**

ISSUED BY:

“Original signed by”

**The Honourable Justice James Edmond
Chair, Queen’s Bench Rules Committee
(Manitoba)**

DATE: September 12, 2019