

PROVINCIAL COURT

BETWEEN:

HER MAJESTY THE QUEEN

(applicant or respondent)

-and-

(applicant or respondent)

CASE MANAGEMENT CONFERENCE REPORT

*(set out name and address, phone number,
fax number and/or e-mail address if applicable)*

PROVINCIAL COURT

BETWEEN:

HER MAJESTY THE QUEEN

(applicant or respondent)

-and-

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CASE MANAGEMENT CONFERENCE REPORT

1. **Presiding Judge:**

2. **Date of Conference:**

3. **Name of Accused:**

4. **Name of Defence Counsel:**

Name of Crown Counsel:

5. **Charges:**

6. Elections made and pleas entered:

Crown election -

Defence election -

This is a Youth Court matter.

An adult sentence is being sought.

Proceeding on one or more Informations?

Any objection?

7. Disclosure:

Outstanding disclosure:

Deadline for disclosure:

8. Preliminary Matters:

By prosecution:

Canvass potential for resolution; amendments, new Information; problems re admissibility of evidence

By defence:

Motion for *Charter* relief: delay, abuse of process

Motion to quash information

Severance of accused or counts

Any constitutional challenge to legislation (notice)

Problems re admissibility of evidence

Competence of accused

Other

9. Admitted facts or agreements:**(a) Identify type of admission/agreement:**

Admission/agreement reached pursuant to Code s. 655 – trial for an Indictable offence: [Note: admissions and agreements reached are not binding on counsel; R. v. Derksen (1999), 140 C.C.C. (3d) 184 Sask. C.A.]

Admission/agreement reached pursuant to Code s. 536.4(2) – preliminary inquiry: [Note: the presiding judge must record any admissions of fact or agreements reached by the parties. The significance of a 536.4 agreement/admission is that per s. 537(1)(i), the preliminary inquiry judge may regulate the course of the inquiry in accordance with any admission of fact or agreement recorded under subsection 536.4(2).]

Agreement between prosecutor and accused to limit scope of preliminary inquiry pursuant to Code s. 536.5 – preliminary inquiry:

[Note: this box will be checked when counsel have i) reached an agreement to limit the scope of the preliminary hearing, with no 536.4 hearing having taken place i.e. in the course of a case management conference. AND ii) want that agreement recorded pursuant to s. 536.5.

A 536.5 agreement must be filed with the court. The filing of the agreement will normally be accomplished by counsel completing Form 'B' at the resolution conference; the original will be placed on the court pocket by support staff, and a copy forwarded to the preliminary inquiry judge along with the case management conference memo. The significance of a 536.5 agreement is that per s. 537(1)(i), the preliminary inquiry judge may regulate the course of the inquiry in accordance with any agreement under s. 536.5.

(b) Identify Agreements/Admissions of Fact

- Jurisdiction
- Continuity of exhibits
- Identity of accused
- Ownership and/or value of property/amount of damage
- Validity of court documents (recognizance, probation order)
- Documentary evidence/notice
- Medical evidence
- Agreement to limit scope of preliminary inquiry _____
- s. 540(7) evidence to be tendered, including any witness statements
 - By consent subject to ruling of preliminary hearing inquiry judge. Nature of evidence:
 - Contested motion to be held prior to preliminary hearing
 - Contested motion materials to be filed by _____ (date)
 - Other:

Copy of statement(s) re proposed s. 540(7) evidence disclosed?

- yes
- No – Deadline for disclosure _____

10.

If matter is a preliminary inquiry and Forms A and B have not been filed:

List of issues on which the accused wants evidence to be given at the inquiry (s. 536.3(a) of the Code):

List of witnesses that the accused wants to hear at the inquiry (s. 536.3(b) of the Code):

- 11. Issue of criminal responsibility:
 - NCR hearing to be held
 - NCR hearing not to be held

- 12. Victim Impact:
 - The complainant has been advised of the opportunity to prepare a s. 722(1) statement
 - A s. 722(1) impact statement has been prepared
 - A s. 722(1) impact statement has not been prepared
 - A s. 722(1) statement has been disclosed
 - A s. 722(1) statement will be disclosed by _____
 - A s. 486(3) publication ban will be sought?

13. Issues in Dispute (factual and legal):

Defences:

- Drunkenness
- Provocation
- Alibi
- Lack of intent
- Self-defence
- Automatism
- Accident

14. Are there any confessions and/or oral statements to be tendered in evidence?

Will a voir dire be necessary?

On what basis:

- Voluntariness
- Charter breach
- Other

Will evidence be called by the defence on voir dire?

Number of witnesses and/or estimate of time:

15. Will a voir dire be required for any other evidentiary issues?

- s. 8 search and seizure
- other *Charter* application
- similar acts
- hearsay
- third party records
- privilege
 - will any claim of privilege be asserted in respect of any evidence proposed for introduction?
 - by the prosecutor
 - by the defence
 - upon what basis
- will a list of authorities be provided?

16. Any child witnesses or witnesses whose competency is challenged?

Any witness who requires an interpreter?

- No
- Yes

If yes, for what language? _____

Language of trial:

- English
- French

Expert witnesses:

Number of expert witnesses:

The opinion of a qualified expert will be tendered for admission:

- by prosecutor
- by defence

Upon what issue(s) will such evidence be tendered?

Is the admissibility of the proposed evidence contested?

- No
- Yes

If yes, upon what basis? _____

Admission to the qualifications of the expert to be called:

- by prosecutor
- by defence

17. Estimated number of Crown witnesses/time:**Estimated number of defence witnesses, if defence is called/time:****18. Special Needs:**

- Special security requirements
- Size of courtroom
- Computer needs
- Special equipment (i.e. video equipment) Please note if counsel are intending to use equipment in the courtroom, it is counsel's responsibility to ensure that the equipment is available for use in this case.
- Interpreter (to be arranged by counsel)
- French language services
- Nature of exhibits

19. Is the case ready to be set for preliminary inquiry or trial?

- No
- Yes

If yes, number of days approved by Judge _____

20. Hearing dates set or reserved to be confirmed by counsel with the Trial Coordinator's Office:**21. Has the matter been resolved?**

- No
- Yes
- Case Management Judge **cannot** preside at the sentencing.

22. Is a further Case Management Conference required?

- No
- Yes, a further Conference has been scheduled for

23. Is a remand authorized when the matter next appears in two weeks?

- No
- Yes

Please indicate the purpose of the remand and the date by which the purpose must be fulfilled for tracking by the Case Management Coordinator

24. Additional comments?

Judge

Copy to: