

PRACTICE DIRECTION
COURT OF KING'S BENCH OF MANITOBA

RE: SERVICE OF MOTION FOR DEFAULT JUDGMENT

King's Bench Rule 19.02(4) (as modified by Rule 19.09) provides that a party who has been noted in default need not be served with any document in the action, except where the court orders otherwise. Where a party has been noted in default and another party moves before a judge for judgment against the party in default, it should be anticipated that service of the motion for default judgment will be required in most circumstances where the claim is not for a liquidated amount. Where a liquidated amount is claimed, the presiding judge may still exercise their discretion to require service depending on the nature of the claim and evidence in support of damages. It is anticipated that related rule changes may result.

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 King's Bench (Manitoba)

DATE: June 21, 2024