

NOTICE

COURT OF QUEEN'S BENCH OF MANITOBA

RE: CRIMINAL TRIAL COURT SCHEDULING REFORM FOR WINNIPEG

The Court of Queen's Bench has undertaken a review of its criminal trial court scheduling processes with the view to making the scheduling of criminal matters more efficient and to providing a better service to the profession and the public.

As a result the Court is implementing a number of scheduling reforms such that trial dates will be obtained from the Court.

Effective September 8, 2010, all criminal matters in Winnipeg will require a pre-trial before the setting of trial dates.

Trial dates will be set by the pre-trial judge during the pre-trial conference. The expectation is for counsel to attend at the pre-trial conference prepared to set trial dates.

Setting of Pre-trial Dates:

All pre-trial dates will be set through the Queen's Bench Trial Coordinator's Office. Pre-trial dates will be available on the Internet via the Manitoba Courts' website http://www.manitobacourts.mb.ca/unavailable_date_message.html. The pre-trial dates posted on the Courts' website will be effective as of 8:00 a.m. the day of posting.

The expectation is that counsel will agree to at least 2 pre-trial dates within 90 days of committal. In order to set a pre-trial date, counsel will e-mail the Trial Coordinator's Office via a general e-mail address: qbtrialcoordinators@gov.mb.ca. The date chosen by the Trial Coordinator will be confirmed by return e-mail.

Setting of Guilty Plea Dates:

If counsel wish to set a guilty plea, they will e-mail the Queen's Bench Trial Coordinator's Office and request available dates.

Once pre-trial or guilty plea dates are set, they will be fixed at the next Queen's Bench Assignment Court List.

Designation of Counsel Form:

The Court is implementing a *Designation of Counsel* form which is available in the Canadian Criminal Code and a copy of which can be downloaded at http://www.manitobacourts.mb.ca/pdf/designation_of_counsel.pdf. Pursuant to s. 650.01 of the Criminal Code, the accused may file this form designating counsel to appear on their behalf unless the Court orders otherwise.

The Provincial Court has incorporated the *Designation of Counsel* into its *Notice to Appear* form used at time of committal. If signed by counsel when the accused is committed to stand trial, the Court does not require counsel to file a *Consent and Acknowledgement of Trial Date(s)* form for the trial dates that have been fixed by the pre-trial judge.

The *Consent form and Acknowledgement of Trial Date(s)* form have been amalgamated and the new form is available for download at http://www.manitobacourts.mb.ca/pdf/consent_and_acknowledgement_of_trial_date.pdf. If no *Designation of Counsel* form is filed, a *Consent and Acknowledgement of Trial Date(s)* form will be required for the trial dates set by the pre-trial judge to be fixed.

Assignment Court will continue to be held monthly. If counsel are unable to agree on a date to be fixed, they may attend Assignment Court in order to speak to the matter. The purpose of the Assignment Court List will be solely to fix pre-trial and guilty plea dates and/or deal with preliminary issues counsel may have.

Counsel are expected to fix a pre-trial date at the first Assignment Court appearance unless there are extraordinary reasons why this cannot be done.

ISSUED BY:

Original signed by

"M.M. Monnin"

**The Honourable Chief Justice Monnin
Court of Queen's Bench
(Manitoba)**

DATE: July 7, 2010