

PRACTICE DIRECTION

COURT OF QUEEN'S BENCH OF MANITOBA

RE: COMPLIANCE WITH TIMELINES, ORDERS AND DIRECTIONS OF A CASE CONFERENCE JUDGE IN A RULE 20A ACTION

Rule 20A(52) provides as follows:

Sanctions

20A(52) The case conference judge must

- (a) make an order for costs against a party; or
- (b) strike out the claim or defence of a party;

when the party, without reasonable excuse,

- (c) fails to obtain a case conference date from the trial coordinator, as required by this Rule;
- (d) fails to comply with a time limit imposed by this Rule; or
- (e) fails to abide by an order or direction of the case conference judge.

In order to best achieve consistency and to properly respect Rule 20A(52), parties are reminded that judges must enforce the sanction provisions set out in Rule 20A(52). That is, when a party, without reasonable excuse, fails to comply with a time limit imposed by Rule 20A or fails to abide by an order or direction of the case conference judge, it should be expected that the case conference judge will impose one of the prescribed sanctions.

Where all parties are in agreement that an otherwise applicable time limit will be extended by consent, they are still required to obtain leave of the case conference judge to extend this time limit.

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 Queen's Bench (Manitoba)**

DATE: November 17, 2015