

NOTICE

PROVINCIAL COURT OF MANITOBA

RE: ADMINISTRATIVE COURT

Absent exigent circumstances, when a matter is set “for plea”, or “peremptory for plea” in The Provincial Court, it means that the Court expects a plea to be entered on the date specified. Only when exigent circumstances have been set out by counsel and, in these limited cases accepted by the Court, will the matter be adjourned to a further date without a plea being entered.

Provincial Court Judges expect counsel to be fully prepared and briefed and informed when attending Court on matters that are marked in this fashion.

In the event that someone other than counsel of record have attended on behalf of the counsel of record on a matter so marked for plea, the Court may order counsel of record for either the Crown or the accused to appear if the Court is not satisfied that the agent has been properly provided with full instructions on the matter.

Please also note, according to the Law Society Rules, that an articling student must be fully informed and briefed and given instructions when appearing on a matter by a Principal. Failure to do so can result in the matter being reported to the Law Society. The relevant rule 4(e) is as follows:

The Principal shall:

- (e) ensure that in each case where the Articling Student is instructed to appear before a court or tribunal or where the Articling Student is given conduct of a file, that:
 - (i) except in routine matters, the client understands and agrees that the Articling Student will be handling the matter;
 - (ii) the interests of the client will not be harmed or compromised;
 - (iii) the Articling Student has been briefed on all matters and is properly prepared;
 - (iv) the matter is appropriate for the Articling Student's training, experience and ability;
 - (v) the Principal is completely satisfied that the Articling Student is competent to handle the matter; and
 - (vi) the Articling Student has been instructed to advise the judge or presiding official of his or her name and that he or she is an Articling Student and articulated to the Principal.

Issued by:

“Original signed by:”

Chief Judge Raymond E. Wyant
(Manitoba)

DATE: October 28, 2008