

July 13, 2010

NOTICE TO THE BAR CRIMINAL PROCEEDINGS RULES AND FORMS

As you may be aware, the Advisory Committee on Criminal Trial Management has been working hard over the past couple years to develop criminal proceedings rules and forms. A preliminary draft was distributed to the Bar in November 2008 for comment. The Committee discussed all of the comments that were received and several changes were implemented. The decision to integrate certain suggestions and not others was based on the purposes, goals and objectives identified by the Committee as important to criminal procedure.

The Committee completed the rules in March 2010 and submitted them to the judges for approval. It was noted at this time that the process to translate and publish the rules in the *Canada Gazette* will likely take many months. Subsequent amendments will also take many months to implement. It was suggested that a better approach would be to put these rules and forms initially into practice as guidelines only. This approach would allow for these new and untested rules to be reviewed and any wrinkles to be ironed out before they are forwarded to the Federal government. The judges endorsed this approach and approved the rules and forms as presented with a few minor amendments.

As a result, starting October 4, 2010, the Criminal Proceedings Rules and Forms are to be used by all litigants. The rules and forms will be posted in the Practice Notes section on the court's website shortly so that you can familiarize yourself with them before the Fall.

This notice is simply to let you know in advance of the upcoming change in procedure. A practice note will be issued in September and it is anticipated that the forms will be posted on the court's website in both Word and PDF writable formats starting in late September.

A Continuing Legal Education program will be arranged to provide information about the new rules and forms. The Bar will be notified in due course of the dates and times of any programs.

You may forward any comments or concerns to the court's Legal Officer, Angela Whitehead, at angelawhitehead@supreme.court.nl.ca or (709) 729-4743.



Chief Justice