

PRACTICE NOTE

RE: Rules of the Supreme Court, 1986
Rule 40
Place and Mode of Trial and Setting Down
Pre-Trial Conference following Certificate of Readiness

Rule 40.05(2) of the Rules of the Supreme Court, 1986, as amended, requires that, upon receipt and filing of a Certificate of Readiness, the Registrar shall place the proceeding on the Pre-Trial List. Rule 40.07(1) provides that no trial date shall be given until a pre-trial conference has been held. However, when a Certificate of Readiness is filed in circumstances where a pre-trial conference or settlement conference previously had been held in accordance with the Rules prior to January 1, 1995, the Certificate of Readiness shall so state and, unless requested by either of the parties to the proceeding, it shall not be necessary for a further pre-trial conference to be held. Such proceeding need not be placed on the Pre-Trial List but may be placed on the General List.

DATED at St. John's, Newfoundland, this 16th day of March, 1995.

Sgd. T. Alex Hickman
Chief Justice