

**SUPREME COURT OF NEWFOUNDLAND AND LABRADOR
TRIAL DIVISION**

Rules of the Supreme Court, 1986

**PRACTICE NOTE
P.N. (TD) No. 2017-02**

DATE ISSUED: February 24, 2017

RULES AFFECTED: Rules 29 of the *Rules of the Supreme Court, 1986*
Rules 12-20 of the *Criminal Proceedings Guidelines*

EFFECTIVE DATE: Upon Publication

PREVIOUS PRACTICE
NOTES REVISED: P.N. (TD) No. 2012-01

The following Practice Note is published pursuant to Rule 4.04 of the *Rules of the Supreme Court, 1986*.

APPLICATIONS

Background and Purpose

1. Late filing of documents for applications may lead to requests for the adjournment of proceedings; on occasion, administrative delays in processing filed documents may result in the material not being included in the file brought to the judge. This Practice Note addresses filing and format requirements.
2. This Practice Note applies to all civil and criminal applications in the General Division unless otherwise noted.

Practice Note

3. All civil and criminal applications and related documents should be filed in accordance with the Rules 29 of the *Rules of the Supreme Court, 1986* and the Rules 12-20 of *Criminal Proceedings Guidelines*, as applicable. The deadlines in particular should be noted. Failure to meet a deadline for filing materials for an application may result in adverse cost consequences or delay of the proceeding.
4. Your attention is drawn to the requirement under the rules that an information box like the one below is required on all documents for civil and criminal applications.

SUMMARY OF CURRENT DOCUMENT

Court File Numbers(s):

Date of Filing of Document:

Name of Filing Party or Person:

Application to which Document
being filed relates:

Statement of purpose in filing:

Court Sub-File Number, if any

5. Applications and all documents to be used in applications in the General Division in St. John's must be filed in the Applications Registry on the third floor of the Court House.
6. Starting immediately, when filing documents for applications that will be heard in the **next three sitting days of the Court**, you must advise Registry staff of the date of the hearing. You may do this either verbally when the documents are dropped off or in writing on the envelope containing the documents. It would be helpful to provide this information for all applications; however, it is only mandatory for those applications that will be heard in the next three sitting days of Court.
7. Where documents are brought to the Registry for filing after the deadline required by the Rules, Registry staff will take the document but **it will not be filed**. Late documents will be brought to the attention of the judge who will be hearing the application but a decision with respect to whether it will be filed will not be made until the hearing of the application. Parties who file documents late should expect to be asked to make submissions at the hearing on why the Court should permit filing of the document. If the document is not filed, it will be returned during the hearing. If the judge allows the document to be filed, it will be entered accordingly.
8. P.N. (TD) No. 2012-01 is repealed.

Authorized by:

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REGISTRAR OF THE SUPREME COURT
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