

COURT COURT OF QUEEN'S BENCH OF ALBERTA

CENTRE JUDICIAL CENTRE OF EDMONTON

DOCUMENT MASTER ORDER #4
RELATING TO COURT'S RESPONSE TO THE COVID-19 VIRUS

ADDRESS FOR SERVICE Clerk of the Court of Queen's Bench of Alberta
AND CONTACT Judicial District of Edmonton
INFORMATION OF THE Law Courts Building, 1A Sir Winston Churchill Square
PARTY FILING THIS Edmonton, Alberta T5J 0R2
DOCUMENT

DATE ON WHICH ORDER WAS PRONOUNCED: May 13, 2020

LOCATION WHERE ORDER WAS PRONOUNCED: Edmonton Alberta

NAME OF JUSTICE WHO MADE THIS ORDER: Chief Justice M.T. Moreau

UPON the COURT'S own motion;

AND UPON it appearing that the WORLD HEALTH ORGANIZATION (WHO) has declared COVID-19 (also known as the "novel coronavirus") a public health emergency as an international pandemic;

AND UPON the Government of Alberta having declared a state of Public Health Emergency on March 17, 2020;

AND UPON it appearing that agencies of the Governments of Canada (CANADA) and Alberta (ALBERTA) have issued public health recommendations and directives, under their legislation and powers, in response to COVID-19, including restricted travel and periods of self-isolation in certain circumstances;

AND UPON the COURT determining that, in these exceptional circumstances, it must continue to alter its operations, policies and procedures in exercising its statutory, regulatory or inherent jurisdiction in face of and during the emergency arising from this international pandemic of COVID-19, with a view to helping to contain or prevent the spread of COVID-19 and minimizing the risk to, and taking reasonable steps to protect, the health and safety of persons working in or attending the Court in balance with maintaining, as much as possible, access to justice within the Court, under the rule of law;

AND UPON IT APPEARING that accused persons listed on the arraignment lists and detention review lists ("the Lists") in each of the Judicial Centres in which the Court of Queen's Bench holds sittings throughout

Alberta are required to appear before this Honourable Court on the dates and at the times set out in the Lists;

AND UPON IT APPEARING that pursuant to s. 715.23(1) of the *Criminal Code*, the Court may order the accused to appear by audioconference or videoconference if the Court considers it would be appropriate after considering all of the circumstances;

AND UPON it appearing that pursuant to s. 485(1.1) of the *Criminal Code*, jurisdiction over an accused is not lost if an accused does not appear personally, as long as the accused was permitted to appear remotely by a provision of the *Criminal Code* or a rule made under ss. 482 or 482.1;

AND UPON it appearing that this MASTER ORDER is necessary, in the exceptional circumstances of this emergency situation, for the proper administration of justice within the Court's jurisdiction within Alberta;

AND UPON the authority of the Court, pursuant to, *inter alia*: the *Court of Queen's Bench Act*, RSA 2000, c. C-31, including, but not limited to, s. 22; *Criminal Code*, RSC 1985, as amended, c. C-46 (CC), including, but not limited to, ss. 474, 485, 571, 645, 669.1, 715.23 and 824; *Alberta Rules of Court*, AR 124/10, as amended, including, but not limited to, Rules 1.3, 1.4, 1.8, 3.2 - 3, 3.26, 6.10 and 13.5; and the COURT'S inherent jurisdiction, under the authority of the *Judicature Act*, RSA 2000, c. J-2, including, but not limited to, ss. 2 and 5, and at common law;

IT IS HEREBY ORDERED THAT:

1. This Master Order is supplemental to Amended Master Order #3 of April 21, 2020. This Master Order #4 and Amended Master Order #3 shall remain in full force and effect until further Order of the Court.

Criminal Matters

2. All criminal matters, where the accused is not in custody, coming for hearing from June 1, 2020 to June 26, 2020, unless otherwise specified by a Justice presiding in an individual court proceeding, are adjourned to the locations and dates set out in Appendix A to this Order, with a warrant to hold in each case to the date set out in Appendix A. Subject to paragraph 4 of this Order, if the hearing date has been pre-booked by counsel, no appearance at the location and date set out in Appendix A will be required, and the warrant to hold shall continue until the pre-booked hearing date.
3. Where a designation of counsel has been filed, and upon the attendance of counsel at the location and on the date set out in Appendix A, the warrant to hold may then be canceled.
4. Where a designation of counsel has been filed, and the matter is proceeding by direct indictment, counsel may pre-book a hearing date but will be required to attend at the location and on the date set out in Appendix A to confirm the pre-booked hearing date, and the warrant to hold shall continue until the pre-booked hearing date.

5. In cases where no designation of counsel has been filed, the appearance of the accused at the location and on the date set out in Appendix A will be required, and the warrant to hold may then be canceled.
6. Unless otherwise specified by a Justice presiding in an individual court proceeding, all matters involving an accused in custody and set for hearing from June 1, 2020 to June 26, 2020 are further adjourned to the arraignment court dates and locations set out in Appendix A, with a warrant to hold in each case until their next appearance date in arraignment court.

Civil and Family Matters

7. All civil and family matters scheduled for hearing from June 1, 2020 to June 26, 2020 are adjourned *sine die*, unless otherwise directed by the Court.
8. All Family Special Justice Chambers Applications that were scheduled prior to March 16, 2020 to be heard on or after June 29, 2020 will proceed as scheduled. Where filing deadlines fell between the period of March 16 to June 1, 2020, Civil Practice Note 2 will apply, unless a Justice orders otherwise. Civil Practice Note 2 deadlines are:
 - (a) Applicant's materials must be filed and served at or before 4 pm on the third Friday before the week in which the assigned hearing date falls;
 - (b) Respondent's materials must be filed and served at or before 4 pm on the second Friday before the week in which the assigned hearing date falls.
9. All Civil Special Justice Chambers and Special Masters Chambers Applications that were scheduled prior to March 16, 2020 to be heard on or after June 29, 2020 will proceed as scheduled. Where filing deadlines fell between the period of March 16 to June 1, 2020, Civil Practice Note 2 will apply, unless a Justice or Master, as the case may be, orders otherwise. Civil Practice Note 2 deadlines are:
 - (a) Applicant's materials must be filed and served at or before 4 pm on the third Friday before the week in which the assigned hearing date falls;
 - (b) Respondent's materials must be filed and served at or before 4 pm on the second Friday before the week in which the assigned hearing date falls.
10. All filing deadlines under the *Alberta Rules of Court*, including Rule 13.41(4) are suspended until June 26, 2020, with the exception of those Rules applicable to the commencement of proceedings, including originating applications.



Chief Justice M.T. Moreau
Court of Queen's Bench of Alberta

APPENDIX A

Regional Criminal Appearance Court Adjournment Guidelines				
All OUT OF CUSTODY Matters				
Hearing location does NOT change, however the Justice will be appearing remotely				
RED DEER				
Original CAC Date	Original CAC Location		NEW CAC Date	NEW CAC Location
June 1, 2020	Red Deer	-	August 10, 2020	Red Deer
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 – 26, 2020	Red Deer	-	August 10, 2020	Red Deer
WETASKIWIN				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 2, 2020	Wetaskiwin	-	August 17, 2020	Red Deer
June 9, 2020	Wetaskiwin	-	August 17, 2020	Red Deer
June 16, 2020	Wetaskiwin	-	August 17, 2020	Red Deer
June 23, 2020	Wetaskiwin	-	August 17, 2020	Red Deer
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Wetaskiwin	-	August 17, 2020	Red Deer
LETHBRIDGE				
Original CAC Date	Original CAC Location		NEW CAC Date	NEW CAC Location
June 8, 2020	Lethbridge	-	August 10, 2020	Lethbridge
June 22, 2020	Lethbridge	-	August 10, 2020	Lethbridge
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Lethbridge	-	August 10, 2020	Lethbridge
MEDICINE HAT				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 12, 2020	Medicine Hat	-	August 24, 2020	Lethbridge
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Medicine Hat	-	August 24, 2020	Lethbridge
DRUMHELLER				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 4, 2020	Drumheller	-	August 21, 2020	Calgary
June 25, 2020	Drumheller	-	August 21, 2020	Calgary
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Drumheller	-	August 21, 2020	Calgary

GRANDE PRAIRIE				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 1, 2020	Grande Prairie	-	August 7, 2020	Calgary
June 15, 2020	Grande Prairie	-	August 7, 2020	Calgary
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Grande Prairie	-	August 7, 2020	Calgary
ST. PAUL				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 1, 2020	St. Paul	-	August 21, 2020	Edmonton
June 22, 2020	St. Paul	-	August 21, 2020	Edmonton
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	St. Paul	-	August 21, 2020	Edmonton
HINTON				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 19, 2020	Hinton	-	August 7, 2020	Edmonton
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Hinton	-	August 7, 2020	Edmonton
PEACE RIVER				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 1, 2020	Peace River	-	September 4, 2020	Edmonton
June 22, 2020	Peace River	-	September 4, 2020	Edmonton
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Peace River	-	September 4, 2020	Edmonton
HIGH LEVEL				
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	High Level	-	September 4, 2020	Edmonton
FORT McMURRAY				
Original CAC Date	Original CAC Location		NEW CAC Date	Justice Appearing Remotely From:
June 9, 2020	Fort McMurray	-	August 7, 2020	Edmonton
June 19, 2020	Fort McMurray	-	August 7, 2020	Edmonton
June 23, 2020	Fort McMurray	-	August 7, 2020	Edmonton
June 26, 2020	Fort McMurray	-	August 7, 2020	Edmonton
Original Hearing Date	Original Location		Adjourned to CAC Date	
June 1 - 26, 2020	Fort McMurray	-	August 7, 2020	Edmonton

Edmonton Criminal Appearance Court Adjourment Guideline		
All OUT OF CUSTODY Matters		
Scheduled for the Week of:		Adjourned to QBAC on:
Weeks of June 1 & 8, 2020	-	August 21, 2020
Weeks of June 15 & 22, 2020	-	September 4, 2020
Calgary Criminal Appearance Court Adjourment Guideline		
All OUT OF CUSTODY Matters		
Scheduled for the Week of:		Adjourned to CAC on:
Weeks of June 1 & 8, 2020	-	August 21, 2020
Weeks of June 15 & 22, 2020	-	September 4, 2020

