



SUPERIOR COURT OF JUSTICE
JUDGES' CHAMBERS
80 DUNDAS STREET, 12TH FLOOR, UNIT "K"
LONDON, ON N6A 6B2
519-660-3027 FAX 519-660-2288

Memorandum

To: Members of the Civil Bar and their clients
From: Justice D. A. Grace, Local Administrative Justice, London, Ontario
Date: March 13, 2015
Re: **Special Appointments**

This memorandum is intended to serve as a reminder to counsel, their clients, court staff and the judiciary concerning the scheduling of special appointments.

Available special appointment dates are provided by the Trial Coordinator weekly. Please note however, that available dates are formally allocated by the Registrar on a Tuesday attendance in motions court on a first come, first served basis.

Attached to the Consolidated Practice Direction for the Southwest Region ("Practice Direction") is the Certificate of Readiness of Special Appointment ("Certificate") that must be fully completed, signed and filed at the time a special appointment is scheduled. Please wait for notification from the Registrar of the special appointment date before inserting it into the Certificate.

The Certificate requires the parties to certify they are ready to proceed on the scheduled date and sets forth a timetable for the delivery of factums.

Often, a special appointment date is sought before the parties have filed all of the factual material on which they intend to rely. Frequently, therefore, the special appointment is scheduled before completion of cross-examinations on affidavits and/or examinations under rule 39.03.

Unless all preparatory steps have already been taken when the special appointment is scheduled, it is critical that the parties agree to a timetable for completion of all outstanding steps. The timetable should be stapled to the Certificate at the time of filing.

Except for the dates for delivery of factums, parties may amend the timetable by written agreement pursuant to rule 3.04(1) of the *Rules of Civil Procedure*. However, the parties and their counsel should bear in mind that adjournment requests should rarely be necessary. The Practice Direction (Part 1, Section 3, paragraph 13) deals with such requests.

Parties and their counsel are also reminded that special appointment dates must be confirmed in accordance with rule 37.10.1. The confirmation must be in Form 37B. Communication and

cooperation in completing all parts of the prescribed form is expected and appreciated. The material to which the presiding justice will be referred, whether by the moving or responding party/parties, should be fully described.

The parties and their counsel are asked to advise the trial coordinator as soon as possible if a matter resolves or if the time estimate provided at the time of scheduling changes. Special appointment dates are in high demand and it is in the interests of all that available court time be efficiently allocated and utilized.

Grace J.,
Local Administrative Justice, London, Ontario