Index

All references in this Index are to the British Columbia Supreme Civil Court Rules unless preceded by one of the following abbreviations:

"CAA" refers to sections of the Court of Appeal Act

"CAR" refers to the Court of Appeal Rules

ACCOUNTS

See Inquiries, Assessments and Accounts

ACT

Generally, COAR BCR NOTE [CAR 1]

ACTION

Defined, R 1-1 [1-1(1)]

ADMINISTRATION OF ESTATES

Application to court for estate grant or resealing

generally, R 25-9

application materials, R 25-9 [25-9(2)]

powers of court, **R 25-9 [25-9(3)]** registrar refuses to issue, **R 25-9** [25-9(1)]

registrar's duty after disposition for court, R 25-9 [25-9(4)]

Authorization to obtain estate information or resealing information, R 25-8

Citation

generally, R 25-11

alternate executors, **R 25-11 [25-11(2)]**

answer to, **R 25-11 [25-11(4)]**

failure to answer, **R 25-11 [25-11(6)]**

application for probate, **R 25-11** [25-11(1)]

deemed renunciation of executorship, **R 25-11 [25-11(5), (7)]**

ADMINISTRATION OF ESTATES

—Cont'd Citation—Cont'd

filing and service, **R 25-11 [25- 11(1), (4)]**

supporting documents and information, R 25-11 [25-11(3)]

to bring in will, R 25-12 [25-12(1), (3), (4)]

to propound alleged will, R 25-11 [25-11(4)]

Contentious estate matters

commencement of action, R 24-14 [24-14(1), (1.1), (1.2), 25-10(1), (3)]

parties to action, R 25-14 [25-14(5), (6)], R 25-15 [25-15(5)]

Costs, R 25-13 [25-13(7)], R 25-15 [25-15(4), (5)]

Court applications relating to grants generally, **R 25-14**

application for spousal home orders, **R 25-14 [25-14(2)]**

application for will deficiencies orders, **R 25-14 [25-14(2)]**

applications, R 25-14 [25-14(1)]

court may give direction as to procedure, R 25-14 [25-14(8)]

disputant to receive notice of proceeding, R 25-14 [25-14(7)]

proof of will in solemn form, **R 25-14** [**25-14**(4)]

ADMINISTRATION OF ESTATES ADMINISTRATION OF ESTATES -Cont'd —Cont'd Court applications relating to grants Estate grant—Cont'd -Cont'd notice of application—Cont'd service form of notice, R 25-2 [25-2(3)] address for service, **R 25-14** [25-14(3)], R 25-15 [25notice not required, R 25-2 15(2), (3)] [25-2(16)] personal representative to be notice to Public Guardian and served, R 25-14 [25-Trustee, R 25-2 [25-14(5)] 2(13), (15)] when personal service persons who must receive required, R 25-14 [25notice, R 25-2 [25-2(2)] 14(6)] procedure after filing application Definitions, R 25-1 [25-1(1)] materials, R 25-4, R 25-15 [25-15(2), (3)]**Documents** sealing of court file, R 21-3 [21delivery of, R 25-1 [25-1(3)] 3(13)] Estate documents Notice of dispute application to amend, R 25-5 generally, R 25-10 [25-5(3)]amendment of notice of dispute, application to correct, R 25-5 R 25-10 [25-10(4), (5)] [25-5(1)] registrar may correct, R 25-5 ceases to be in effect, R 25-10 [25-5(2)][25-10(12)] Estate grant contents of notice of dispute, R 25-10 [25-10(3)] generally, R 25-2 effect of notice of dispute, R application for grant or resealing 25-10 [25-10(8)] generally, R 25-2 [25-2(1)] filing of notice of dispute, R amendment of application, R 25-10 [25-10(1), (2)] 25-3.1 removal of notice of dispute, **R** when application made, R 25-2 25-10 [25-10(10)], (11) [25-2(2.1)] withdrawal of application, R renewal of notice of dispute, R 25-3.2 25-10 [25-10(6), (7)] delivery of documents, R 25-2 withdrawal of notice of dispute, [25-2(5) to (12)], R 25-3 R 25-10 [25-10(9)] [25-3(11) to (12)] Personal representative, death of, R documents to be filed, R 25-3 25-14 [25-14(1.2)] [25-3(2), (3), (5) to (10)] Petition, for order, R 25-14 [25more than one applicant, R 25-2 14(1.1)] [25-2(4)], R 25-3 [25-3(4)] Probate or letters of administration notice of application administration bonds, R 25-14 generally, **R 25-2** [25-2(1.1)] [25-14(1)] court may dispense with application generally, R 25-3, R notice, R 25-2 [25-2(14)] 25-14

ADMINISTRATION OF ESTATES ADMINISTRATION OF ESTATES -Cont'd -Cont'd Probate or letters of administration Resealing—Cont'd —Cont'd more than one applicant, R 25-6 approval by registrar, R 25-4 [25-[25-6(3)]4(1), (2)procedure after filing application materials, R 25-7 caveat where party opposing grant, R 25-10 [25-10(1)], Revocation applications (3), (8), (10), (12)generally, R 25-5 [25-5(5)] grants to guardians, R 25-15 [25granting leave, R 25-5 [25-5(6)] 15(1)] no revocation by default, R 25-5 hearing of application, R 25-4, R [25-5(7)]25-9 [25-4(6), 25-9(1)] Subpoena for testamentary docunotice to next of kin, R 25-2 [25ment or grant 2(2)] application, R 25-12 [25-12(1)] required attachments, R 25-4 certification of non-compliance, [25-4(1.1)]R 25-12 [25-12(5)] resealing grant, R 25-6 [25-6(2), failure of subpoenaed person to (4)], R 25-7 file documents, R 25-12 Remuneration on passing of [25-12(6)] accounts filings, R 25-12 [25-12(2)] generally, **R 25-13** issue of, R 25-12 [25-12(3)] affidavit required, R 25-13 [25release of apprehended person, R 13(6)] 25-12 [25-12(7)] application process, R 25-13 [25service of, R 25-12 [25-12(4)], R 13(2)] 25-15 [25-15(2), (3)] certification of results, R 25-13 setting aside subpoena, R 25-12 [25-13(5)][25-12(8)] costs, R 25-13 [25-13(7)] Substitution of personal representadirections and referrals, R 25-13 tive, R 25-14 [25-14(1.2)] [25-13(3), (4)]Transitional provisions who may apply, R 25-13 [25application for grant or resealing 13(1)] under former rule, R 25-16 [25-16(2)]Renunciations by executor or administrator caveat under former rule, R 25-16 [25-16(3)] generally, R 25-1 [25-1(4)], R 25-11 [25-11(5)] citation under former rule, R 25-16 [25-16(4)] Resealing court may decide procedure, R generally, **R 25-5** [25-5(5)] 25-16 [25-16(6)] delivery of documents to Public definitions, R 25-16 [25-16(1)] Guardian and Trustee, R 25-6 [25-6(9), (10)] probate action under former rule, R 25-16 [25-16(5)] documents to be filed, R 25-6 Will [25-6(2), (5) to (8)] domicile of deceased, R 25-6 affidavit of witness, R 25-3 [25-[25-6(4)] 3(16)], R 25-4 [25-4(2)]

ADMINISTRATION OF ESTATES **ADULTERY** —Cont'd See Family Law Proceedings Will—Cont'd ADVICE OF COURT alterations, R 25-3 [25-3(20) to Generally, **R 41 [41(26)]** (22)] document referred to, R 25-3 **AFFIDAVIT** [25-3(23)] See also Affidavit Evidence electronic wills, R 25-1 [25-Alterations, **R 22-2 [22-2(11)]** 1(7)], R 25-2 [25-2(1.2) to Contents, R 22-2 [22-2(12), (13)] (1.4)Defective affidavit, R 22-2 [22erasures and obliterations, R 25-3 2(14)] [25-3(21), (22)] Exhibits, R 22-2 [22-2(8) to (10)] International Wills Convention, Filing, R 22-2 [22-2(1)] R 25-3 [25-3(19)] Form and content, R 22-2 [22-2(2) other testamentary papers, R 25-3 to (4)] [25-3(22)] Interlocutory application, R 8-1 proof in solemn form, **R 25-1** [8-1(3) to (13)] [25-1(5)], R 25-9 [25-9(3)], Interpretation to non-English R 25-14 [25-14(4)] deponent, R 22-2 [22-2(7)] proof of execution, R 25-3 [25-Jurat where deponent unable to 3(15) to (17)] read, R 22-2 [22-2(6)] proof of search for, R 25-3 [25-Made before proceeding com-3(2), (6), (14)menced, R 22-2 [22-2(15)] proof of will-maker's knowledge Patient under Patients Property Act, of will, **R 25-3 [25-3(18)]** of, R 22-2 [22-2(16)] reference to judge or associate judge, R 25-3 [25-3(24)] AFFIDAVIT EVIDENCE search for will See also Affidavit generally, R 25-3 [25-3(14)], R Contents, R 12-5 [12-5(63)] 25-4 [25-4(11)] Copy furnished to each party, **R** copy attached, R 25-3 [25-12-5 [12-5(60)] 3(14.1)] Costs where attendance unneces-Wills, Estates and Succession Act sary, R 12-5 [12-5(65)] application of, **R 25-1 [25-1(2)]** Cross-examination on, R 12-5 [12-**ADMIRALTY** 5(61)] Generally, R 21-1 General, R 12-5 [12(59), (60)] Time to require attendance, R 12-5 **ADMISSIONS** [12-5(62)] Application for order, **R** 7-7 [7-7(6)] **AMENDMENT** Notice to admit Amended statement of defence, effect, **R 7-7 [7-7(2)]** failure to deliver, R 6-1 general, **R** 7-7 [7-7(1), (3)] [6-1(6)]Unreasonable refusal, R 7-7 Consequent amendments, R 6-1 [7-7(4)][6-1(5)]Withdrawal, **R** 7-7 [7-7(5)] How made, **R 6-1 [6-1(2), (3)]**

Service of amended document, R 6-1 [6-1(4)] Service of amended pleading, R 6-1 [6-1(4)]Time for appearance to amended writ, R 6-1 [6-1(7)] Trial, at, **R 6-1 [6-1(8)]** When made, **R 6-1 [6-1(1)]** APPEALS Abandonment of appeal, **R 18-3** [18-3(10)], COAR BCR PT 8 [CAR 46] Additional evidence, COAR BCR PT 9 [CAR 59] affidavit responding to application for leave, **COAR BCR** PT 9 [CAR 59(2)] notice of motion for leave, **COAR BCR PT 9 [CAR 59(1)**] Adjournments, COAR BCR PT 9 [CAR 65] Appeal book generally, COAR BCR PT 4 [CAR 26] filing, COAR BCR PT 4 [CAR 26(5)] joint appeal book, COAR BCR PT 4 [CAR 26(1), (4), (5)] respondent's supplementary appeal book, COAR BCR PT 4 [CAR 26(3)] service, COAR BCR PT 4 [CAR 26(2), (3), (5)]Appeal record, COAR BCR PT 4 [CAR 23] Applications, general general requirements, R 18-3(3), COAR BCR PT 9 [CAR 52 to 56] hearings by telephone or

videoconference, COAR

BCR PT 8 [CAR 42]

AMENDMENT—Cont'd

```
APPEALS—Cont'd
  Applications, specific
    generally, COAR BCR PT 9,
        COAR BCR PT 12 [CAR
        62, 85
    applications for indigent status,
         COAR BCR PT 12 [CAR
    applications for intervener status,
        COAR BCR PT 9 [CAR
    applications to review order or
        direction of registrar,
        COAR BCR PT 9 [CAR
    application to cross-examine on
        affidavits, COAR BCR PT
        [CAR 44]
    general requirements, COAR
        BCR PT 9, COAR BCR
        PT 10 [CAR 53 to 56]
    specific requirements applicable
        to applications to vary or
        cancel order of justice,
        COAR BCR PT 9 [CAR
        62]
  Applications for leave
    generally, COAA PT 4 [CAA
        23], COAR BCR PT 3
        [CAR 12, 13]
    amendment of notice of applica-
        tion, COAR BCR PT 12
        [CAR 82]
    application for stay pending hear-
        ing of leave application,
         COAR BCR PT 3 [CAR
    filing of notice of appearance by
        respondent, COAR BCR
        PT 3 CAR 7]
    if notice of appearance not filed,
        COAR BCR PT 3 [CAR
        7(2)]
```

limited appeal orders, COAR

BCR PT 3 [CAR 11],

COAA PT 3 [CAA 13(2)]

APPEALS—Cont'd APPEALS—Cont'd Applications for leave—Cont'd Costs—Cont'd notice of application, COAR special costs on lump sum basis, **BCR PT 3, COAR BCR** COAR BCR PT 11 [CAR PT 9 [CAR 13, 54] reply book, COAR BCR PT 3 unreasonably incurred, COAR [CAR 14] BCR PT 11 [CAR 78] service of application for leave to wasted, COAR BCR PT 11 appeal, COAR BCR PT 2 [CAR 78] [CAR 4(1), (2), (2.1)]Cross appeal Books of authorities, **COAR BCR** generally, COAR BCR PT 3 PT 4 [CAR 27] [CAR 8, 9, 10(2)]Case management, COAR BCR amended factum, COAR BCR PT 8 [CAR 47, 48] PT 12 [CAR 82(4), (5), (6), Conduct, R 18-3 [18-3(4)] Costs amendment of notice. COAR generally, COAR BCR PT 11 BCR PT 12 [CAR 82(3)] [CAR 69 to 75] filing of notice of appearance by appointment to assess, COAR respondent, COAR BCR BCR PT 7 [CAR 39] PT 3 [CAR 10] assessment of, COAR BCR PT if notice of appearance not filed, 11 [CAR 69] COAR BCR PT 3 [CAR certain duties of registrar, COAR 10(2)] BCR PT 11 [CAR 69, 70] notice, COAR BCR PT 3 [CAR certification of costs and enforce-8, 91 ment, COAA PT 7 [CAA Cross-examination on affidavits, 46(2)] COAR BCR PT 8 [CAR 44] discretion of registrar in specific Directions, **R 18-3** [18-3(3), (5)] circumstances, COAR BCR Document, electronic, Registrar's PT 11 [CAR 74] filing directive estates and, COAA PT 7 [CAA Document form (general), COAR **45], COAR BCR PT 7** BCR PT 12 [CAR 79] [CAR 39(3)] Electronic filing, Registrar's filing increased costs, COAR BCR PT directive 11 [CAR 70] Estimated hearing time, COAR order against solicitor, COAR BCR PT 5 [CAR 35(2)] BCR PT 11 [CAR 78] Evidence, further, COAR BCR PT particular portion of proceeding, 9 [CAR 59] **COAA PT 7 [CAA 45]** Factums on appeal registrar, powers of, COAA PT 7 generally, COAR BCR PT 4 [CAA 46] [CAR 25, 29] review of registrar's decision, **COAR BCR PT 9 [CAR** additional written material, **COAA PT 5 [CAA 26(2)]** special costs, COAR BCR PT 11 content, COAR BCR PT 4

[CAR 25(4)]

[CAR 71]

Factums on appeal—Cont'd discretion to allow argument omitted from factum, COAR BCR PT 6 [CAR 36] form, COAR BCR PT 4 [CAR 25(4)] reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] factums on cross appeal generally, COAR BCR PT 4 [CAR 25, 29] appellant's answer, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(2)] form crope at matters in factums on main appeal, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] factum required, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] Irregularities, effect of, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40], (3)] Leave to appeal, COAA PT 5 [CAA 13(2)(a)], COAR BCR PT 12 [CAR 79]	APPEALS—Cont'd	APPEALS—Cont'd
omitted from factum, COAR BCR PT 6 [CAR 36] form, COAR BCR PT 6 [CAR 25(4)] reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 25, 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(3), (4)] fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR PT 12 [CAR 40] Judgment filing, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 26] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	Factums on appeal—Cont'd	
COAR BCR PT 6 [CAR 36] form, COAR BCR PT 4 [CAR 25(4)] reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] inactive appeal list, defined, COAR BCR PT 9 [CAR 1(1)] Interveners generally, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61] applications for interveners for (1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(2), (3)] Leave to appeal, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 6 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 26] Leave 10 [CAR 61(1), (4)] applications for interveners cOAR BCR PT 9 [CAR 61(2), (2.		
COAR BCR PT 1 [CAR 25(4)] reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reactums on cross appeal generally, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] factum required, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] factum required, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 40] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR PT 12 [CAA 40(2), (3)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Leave to appeal, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
form, COAR BCR PT 4 [CAR 25(4)] reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(3), (4)] fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR PT 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] form, COAR BCR PT 12 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 41] Judgment delivery, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAR BCR PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 26] Location of, COAA PT 4 [CAA 17]		
reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Interveners generally, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	•	
reply if cross appeal filed, COAR BCR PT 4 [CAR 25, 29] reply if no cross appeal filed, COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] generally, COAR BCR PT 9 [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] filing of intervener status, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 40(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		, , –
Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR PT 4 [CAR 29(2)] order for non-payment of PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] BCR PT 4 [CAR 25, 29] [CAR 61] applications for intervener status, COAR BCR PT 9 [CAR 61(1), (2), (2.1)] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40] Judgment reserved, COAA PT 6 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 26] Location of, COAA PT 4 [CAA 17]	\ /=	
COAR BCR PT 4 [CAR 25, 29] Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] factum required, COAR BCR PT 9 [CAR 61(2), (2.1)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 26] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	BCR PT 4 [CAR 25, 29]	generally, COAR BCR PT 9 [CAR 61]
Exactums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 6 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		applications for intervener status,
Factums on cross appeal generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] defined, COAR BCR PT 1 [CAR 1(1)] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
generally, COAR BCR PT 4 [CAR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] dudment equired, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 40] Judgment reserved, COAA PT 6 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	/ =	
[CÁR 29] appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] factum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
appellant's answer, COAR BCR PT 4 [CAR 29(2)] form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Inactum required, COAR BCR PT 9 [CAR 61(3), (4)] notice of motion to intervene, COAR BCR PT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 4 [CAA 19] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		_ , , _
form, COAR BCR PT 4 [CAR 29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR PT 12 [CAR 40] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] form, COAR BCR PT 4 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAR 13(2)(a)], COAR BCR PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAA 26] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	appellant's answer, COAR BCR	PT 9 [CAR 61(3), (4)]
29(5)] not to repeat matters in factums on main appeal, COAR BCR PT 9 [CAR 61(2), (2.1)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] COAR BCR FT 9 [CAR 61(2), (2.1)] Irregularities, effect of, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
not to repeat matters in factums on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Irregularities, effect of, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAR 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	· · · · · · · · · · · · · · · · · · ·	
on main appeal, COAR BCR PT 4 [CAR 29(4)] Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Ifregularities, effect of, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	. /3	
Fees application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 41] Judgment filing, COAA PT 6 [CAA 41] Judgment delivery, COAA PT 6 [CAA 41] Judgment delivery, COAA PT 6 [CAA 41] Judgment delivery, COAA PT 6 [CAA 40] Judgment delivery, COAA PT 6 [CAA 40] Judgment delivery, COAA PT 6 [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment filing, COAA PT 6 [CAA 42] Judgment delivery, COAA PT 6 [CAA 41] Judgment filing, COAA PT 6 [CAA 42] Judgment filing, COAA PT 6 [CAA 40] Judgment filing, COAA		
application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] [CAA 40] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	BCR PT 4 [CAR 29(4)]	
application for non-payment of generally, COAR BCR PT 12 [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Judgment filing, COAA PT 6 [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	Fees	
[CAA 41] [CAR 85] affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] [CAA 41] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	application for non-payment of	
affidavit in support of, COAR BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Judgment reserved, COAA PT 6 [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
BCR FM 22 [CAR Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] [CAA 40(2), (3)] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	[CAR 85]	
DECK FM 22 [CAK Form 22] order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] Leave to appeal, COAA PT 3 [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
order for non-payment of, COAA PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] [CAA 13(2)(a)], COAR BCR PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
PT 5 [CAA 30(c)] Filing of documents generally, COAR BCR PT 12 [CAR 79] PT 3 [CAR 12, 13] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]	-	
Filing of documents generally, COAR BCR PT 12 [CAR 79] Limiting argument, COAA PT 5 [CAA 26] Location of, COAA PT 4 [CAA 17]		
generally, COAR BCR PT 12 [CAA 26] Location of, COAA PT 4 [CAA 17]		
[CAR 79] Location of, COAA PT 4 [CAA 17]		
electronic. Registrar's filing New hearing, COAA PT 5 [CAA	electronic, Registrar's filing	New hearing, COAA PT 5 [CAA
directive 27]		
Filing of documents generally, New trial, COAA PT 5 [CAA 27]	Filing of documents generally,	New trial, COAA PT 5 [CAA 27]
COAR BCR PT 12 [CAR 79] Non-compliance with Act/Rules,	COAR BCR PT 12 [CAR 79]	Non-compliance with Act/Rules,
Form, R 18-3 [18-3(2)] COAA PT 5 [CAA 36]	Form, R 18-3 [18-3(2)]	COÃA PT 5 [CAA 36]
From tribunals, COAA PT 3 [CAA Notice	From tribunals, COAA PT 3 [CAA	Notice
amended factum, COAR BCR		
Governing rule, R 18-3 [18-3(1)] PT 12 [CAR 82(4), (5), (6),	Governing rule, R 18-3 [18-3(1)]	
Hearings by telephone or (7)]		\ /=
videoconference, COAR BCR amendment of, COAR BCR PT		

APPEALS—Cont'd APPEALS—Cont'd Practice directives, COAR BCR Notice—Cont'd application for leave to appeal, PT 12 [CAR 89] COAR BCR PT 3 [CAR Preliminary objection, COAA PT 4 12, 13] [CAA 20] of abandonment, R 18-3 [18-Registries, COAA PT 2 [CAA 12], 3(10)], COAR BCR PT 8 COAR BCR PT 12 [CAR 83] [CAR 46] Respondent opposing, R 18-3 [18of appeal, **COAR BCR PT 3** [CAR 6] Response book, COAR BCR PT 3 of appearance, **COAR BCR PT** [CAR 14] 3 [CAR 7] Security for costs, COAA PT 5 of application, COAR BCR PT 3 [CAA 34] [CAR 13] Service of cross appeal, COAR BCR PT address for service required on all 3 [CAR 8, 9] documents, COAR BCR of hearing, **R 18-3 [18-3(9)]** PT 12 [CAR 80] of settlement, COAR BCR PT 8 methods of service, COAR BCR [CAR 46] PT 2 [CAR 4] Obtaining hearing date of application for leave to appeal. generally, COAR BCR PT 5 **COAR BCR PT 3 [CAR** [CAR 33] confirmation once hearing date of notice of abandonment, fixed, COAR BCR PT 5 **COAR BCR PT 8 [CAR** [CAR 33(2)] 46] registrar may fix date for hearing, of notice of appeal, R 18-3 [18-**COAR BCR PT 5 [CAR 3(6)1, COAR BCR PT 2** [CAR 4(1), 6, 80(2)]Orders of notice of application and generally, COAR BCR PT 10 application book, COAR **BCR PT 3 [CAR 13]** [CAR 66] consent orders, COAR BCR PT of notice of cross appeal, COAR 10 [CAR 67] BCR PT 3 [CAR 8, 9] correction of orders, COAA PT 5 of notice of settlement, COAR [CAA 43] **BCR PT 8 [CAR 46]** drawing and approving, **COAR** Services agreement, electronic, BCR PT 10 [CAR 66] Registrar's filing directive limited appeal orders, COAR Setting down hearing, COAR BCR BCR PT 3 [CAR 11], PT 5 [CAR 35] **COAA PT 3 [CAA 13(2)]** Settlement, COAR BCR PT 8 registrar to keep orders, COAR [CAR 46] BCR PT 10 [CAR 66(4)] Settlement of record, COAR BCR settlement of orders, COAR PT 4 [CAR 28] BCR PT 10 [CAR 68] Stay of proceeding, COAA PT 5 Payment of security, COAR BCR [CAA 33], COAR BCR PT 3

[CAR 20]

PT 9 [CAR 58]

APPEALS—Cont'd **APPLICATIONS** Time for bringing, COAA PT 3 Additional copy of filed notice of [CAA 15] application, R 8-1 [8-1(15.1)] Time for hearing appeal Affidavit in response, R 8-1 [8-1(9) obtaining, COAR BCR PT 5 to (12)] Affidavit in support, R 8-1 [8-1(3)] [CAR 33, 34] Chambers record registrar may change, COAR **BCR PT 5, COAR BCR** amended record, R 8-1, R 16-1 PT 9 [CAR 35, 56] [8-1(21), 16-1(16), (16.1)]Time limits, justice's discretion to return mandatory, R 8-1, R 16-1 vary, COAA PT 5 [CAA 32] [8-1(19), 16-1(14)] Transcript, COAR BCR PT 4 to be refiled, R 8-1, R 16-1 [CAR 24] [8-1(20), 16-1(15)] Consent application, R 8-3 [8-3(1)] Vexatious appeals, COAA PT 4 Date and time of hearing, R 8-1, R [CAA 22] 16-1 [8-1(5), (6), 16-1(9), (10)] **APPEARANCE** Documents required Address for delivery, **R 4-1 [4-1(1)** application by consent, R 8-3 to 4-1(3)] [8-3(1)] Default application over two hours, R 8-1, R 16-1 [8-1(15), application to judge or associate **16-1(11)**, (**12**)] judge, R 3-8 [3-8(8)] application without notice, R 8-4 assessment of damages, R 3-8 [8-4(1)] [3-8(12), (13)]opposed application, R 8-1, R claims for damages to be 16-1 [8-1(9), 16-1(7)] assessed, R 3-8 [3-8(5)] respondent's application heard at debt or liquidated demand claim, hearing, **R** 8-1, **R** 16-1 R 3-8 [3-8(3), (4)] [8-1(18), 16-1(13)] detention of goods, R 3-8 Form, **R 8-1 [8-1(3), (4)]** [3-8(6)]Form of application, R 8-1 filings required, **R 3-8 [3-8(2)]** [8-1(15.6)] plaintiff's right to proceed, R 3-8 No notice required, R 8-4 [8-4(1)] [3-8(1)] Notice of application Disputed jurisdiction, R 21-8 [21delivery, **R 8-1 [8-1(9)]** 8(1)] endorsement where leave Disputed process or service, R 21-8 granted, R 8-2 [8-2(5)] [21-8(2)]form, **R 8-1 [8-1(3), (4)]** Order declining jurisdiction, R 21-8 Notice of hearing [21-8(3)] delivery to respondents, R 8-1 Party does not submit to jursisdic-[8-1(7)] tion, R 21-8 [21-8(5)] filing mandatory, R 8-1, R 16-1 [8-1(2), 16-1(8)]Powers of court pending resolution of certain challenges to juristime for delivery, R 8-1, R 16-1 diction, R 21-8 [21-8(4)] [8-1(8), 16-1(8)] change of parties, **R 6-2 [6-2(8)]** Order for costs, **R 8-1 [8-1(15.5)]**

APPLICATIONS—Cont'd **CARRIAGE OF AIR ACT** Permit late filing of application rec-High contracting party, R 21-2 [21ord, R 8-1 [8-1(15.3)] Place of hearing CASE PLANNING CONFERENCE forwarding file materials, R 8-2 Application made by requisition, **R** [8-2(8)]5-1 [5-1(4)] more than one place, R 8-2 Case plan proposal, R 5-1 [5-1(5), [8-2(2)](6)must be stated, R 8-1, R 8-2 Conduct of conference, R 5-2 [8-1(4), 8-2(1), (2)]Non-compliance, R 5-3 [5-3(6)] other than where proceeding Notice, R 5-1 [5-1(3)] began, R 8-2 [8-2(3)] Order for, **R 5-1 [5-1(2)]** transfer of file, R 8-2 [8-2(7)] Order resulting from with leave of registrar, R 8-2 generally, R 5-3 [8-2(4) to (6)] amendments, **R 5-3 [5-3(8)]** Reinstate application to hearing list, Request for, **R 5-1** [5-1(1)] R 8-1 [8-1(15.4)] Removed from hearing list, R 8-1 **CAVEAT** [8-1(15.2)] Address for delivery, **R 4-1 [4-1(1)** Renewal, R 3-1 to (3)Response CHAMBERS APPLICATIONS address for delivery, R 8-1 [8-1(11)] Adjournment, R 22-1 [22-1(10)] contents, R 8-1, R 16-1 [8-1(13), "Application" defined, R 22-1 [22-16-1(6)] 1(1)] reply to, R 8-1, R 16-1 [8-1(13), Chambers record 16-1(6), (6.1)] amended record, R 8-1, R 16-1 timing, R 8-1 [8-1(9)] [8-1(21), 16-1(16), (16.1)]Setting down for hearing, R 8-1, R return mandatory, R 8-1, R 16-1 16-1 [8-1(3), (4), 16-1(8) [8-1(19), 16-1(14)] Without notice, **R 8-4 [8-4(1)]** to be refiled, R 8-1, R 16-1 Written submissions, **R 8-6 [8-6(1)]** [8-1(20), 16-1(15)] Evidence, R 22-1 [22-1(4)] **ASSESSMENTS** Failure to attend, R 22-1 [22-1(2), See Inquiries, Assessments and Accounts Hearing to be in public, R 22-1 [22-1(5)] ASSOCIATE JUDGES Notes of proceedings, R 22-1 [22-Appeal from, **R 23-6 [23-6(8.1) to** 1(11)] Powers of court Powers, R 23-6 [23-6(1)] generally, **R 22-1** [22-1(7)] Reference by registrar, R 23-6 [23where notice not given, R 8-5 [8(1) to (8)], R 22-1 [22-Registrar, as, R 23-6 [23-6(2)] 1(8)] **BUSINESS DAY** Returnable on holiday, R 22-1 [22-Defined, **R 1-1** [1-1(1)] 1(6)]

CHAMBERS APPLICATIONS

-Cont'd

Which applications to be heard, **R** 22-1 [22-1(1)]

CITATION

See Administration of Estates

CLAIMS

Multiple, R 22-5 [22-5(1)]

CLASS PROCEEDING

Style of proceeding in documents, R 22-3 [22-3 (6)]

CONTEMPT OF COURT

Acts constituting contempt, R 22-8 [22-8(4)]

Apprehension of guilty party, R 22-8 [22-8(5) to (8)]

Commencement of proceeding, **R** 22-8 [22-8(11), (12)]

Corporation, R 22-8 [22-8(2)]

Defined, **R 22-8(1)**]

Discharge, R 22-8 [22-8(16)]

Hearing, R 22-8 [22-8(13)]

Power to punish, R 22-8 [22-8(1)]

Release upon undertaking, R 22-8 [22-8(9), (10)]

Security for good behaviour, R 22-8 [22-8(3)]

Suspension of punishment, R 22-8 [22-8(16)]

Weekly review of person in custody, R 22-8 [22-8(17)]

COSTS

Appeal, R 14-1 [14-1(29)]

Appointment to assess, R 14-1 [14-1(21), (25)]

Arising from improper act, R 14-1 [14-1(14)]

Assessment officer, R 14-1 [14-1(4), (7)

Between defendants, R 14-1 [14-1(18)]

Bill of costs, R 14-1 [14-1(20), (30)]

COSTS—Cont'd

Certificate of costs, R 14-1 [14-1(27)]

Certificate of fees, R 14-1 [14-1(28)]

Default judgment, R 14-1 [14-1(26)]

Expenses and disbursements, R 14-1 [14-1(5)]

Fees to experts, **R 14-1 [14-1(39)]**

How assessed generally, R 14-1 [14-1(1), (2)]

Lump sum costs

generally, R 14-1 [14-1(15), (30) to (32)

interlocutory application, R 14-1 [14-1(15)]

Motions, R 14-1 [14-1(12)]

Notice to person affected, R 14-1 [14-1(35)]

On appeal

assessment of, COAR BCR PT 7, COAR BCR PT 11 [CAR 39, 69]

certain duties of registrar, COAR BCR PT 11 [CAR 69 to 71]

certification of costs and enforcement, COAA PT 7 [CAA 46(2)]

discretion of registrar in certain circumstances, COAR BCR PT 11 [CAR 74]

estates and, COAA PT 7 [CAA **45], COAR BCR PT 7** [CAR 39(3)]

increased costs, COAR BCR PT 11 [CAR 70]

lump sum basis, COAR BCR PT 11 [CAR 71]

order against solicitor, COAR BCR PT 11 [CAR 78]

particular portion of proceeding, **COAA PT 7 [CAA 45], COAR BCR PT 6 [CAR** 39(3)]

COSTS—Cont'd COUNTERCLAIM—Cont'd On appeal—Cont'd Costs, R 3-3 [3-3(5), (6)] registrar, powers of, COAA PT 7 Defamation action, tender in, R 3-3 [CAA 46] [3-3(7)]review of registrar's decision, Defence to, R 3-3 [3-3(2)] **COAR BCR PT 9 [CAR** Delivery, **R 3-4 [3-4(4)]** Form, **R 3-4 [3-4(1)]** special, COAR BCR PT 11 Judgment for defendant, R 3-4 [CAR 71] [3-4(8)] unreasonably incurred, **COAR** Payment into court where tender BCR PT 11 [CAR 78] pleaded, R 3-3 [3-3(4)] wasted, COAR BCR PT 11 Reference to parties, R 3-4 [3-4(3)] [CAR 78] Stay of main action, **R 3-3 [3-3(2)]** Particulars, **R 14-1** [14-1(23)] Summary trial, **R 9-7 [9-7(2)]** Part of proceeding only, R 14-1 Transferred proceedings, R 19-1 [14-1(15)] [19-1(6)] Party represented by employee, R 14-1 [14-1(11)] **COURT** Payable from estate, R 14-1 [14-Defined, R 1-1 [1-1(1)], COAA PT 1(16)] 1 [CAA 1] Place for review or examination, R **COURT APPOINTED EXPERTS** 14-1 [14-1(22)] See Experts Refusal to procure assessment, R **COURT OF APPEAL ACT** 14-1 [14-1(38)] Constitution of, COAA PT 2 [CAA Security for see also Family Law Proceedings generally, COAA PT 5 [CAA 34] Jurisdiction, COAA PT 3 [CAA 13 Set-off between parties, R 14-1 [14to 16] 1(17)] Leave to appeal, COAA PT 5 Small claims cases, R 14-1 [14-[CAA 31] 1(10)] Powers of, COAA PT 5, COAA PT Solicitor client costs, disallowance, 6 [CAA 24 to 29, 40, 45], R 14-1 [14-1(33) to (37)] COAR BCR PT 11 [CAR 69, Special costs, **R 14-1** [14-1(3)] 70, 78] Tax payable Ouorum and divisions of, **COAA** disbursements, **R 14-1 [14-1(8)]** PT 2 [CAA 4] legal services, **R 14-1 [14-1(9)] CROWN PRACTICE IN CIVIL** To follow event, **R 14-1 [14-1(9)] MATTERS** Unnecessary expense after judg-Generally, R 21-3 ment, R 14-1 [14-1(19)] **DEATH** When costs payable, R 14-1 [14-Of personal representative, R 25-14 1(13)] [25-14(1.2)] Without assessment, R 14-1 [14-1(34)] **DEBTOR COUNTERCLAIM** Committal Against plaintiff and another failure to pay sheriff, R 13-3 [13person, R 3-4 [3-4(2), (3)] 3(26)]

DEBTOR—Cont'd	DEBTOR—Cont'd
Committal—Cont'd	Unreasonable refusal to pay, R 13-3
notice of application, R 13-3 [13-	[13-3(10)]
3(12)]	DEFAULT
order	
enforcement by creditor, R	See also Appearance
13-3 [13-3(17), (18)]	Application for default judgment
execution by sheriff, R 13-3	generally, R 3-8 [3-8(8)]
[13-3(19)]	Assessment of damages
general, R 13-3 [13-3(13) to	generally, R 3-8 [3-8(12)]
(16)]	alternative methods, R 3-8
setting aside, R 13-3 [13-	[3-8(13)]
3(20)]	Debt or liquidated demand, R 3-8
payment of debt, R 13-3 [13-	$[3-8(\hat{4}), (5)]$
3(20) to (24)]	Detention of goods, R 3-8 [3-8(6)]
praecipe for discharge, R 13-3	Filings required by plaintiff, R 3-8
[13-3(25)]	[3-8(2)]
Examination	Multiple claims, R 3-8 [3-8(7)]
adjournment, R 13-3 [13-3(7)]	Only one defendant, by, R 3-8
corporate debtor, R 13-2 [13-	[3-8(10)]
2(2)]	Setting aside judgment, R 3-8
costs, R 13-4 [13-4(9)]	[3-8(11)]
creditor failing to attend, R 13-3	Unliquidated damages, R 3-8
[13-3(9)]	[3-8(5)]
limitation upon, R 13-4 [13-4(4)]	
order for payment, R 13-3 [13-	DEFAULT JUDGMENT
3(11)]	Setting aside, R 3-8 [3-8(11)]
person other than debtor, R 13-4	
[13-4(5), (6)]	DELIVERY OF DOCUMENTS
production of documents, R 13-4 [13-4(11)]	Address for delivery, R 4-1 [4-1(1) to 4-1(3)]
refusal to attend, R 13-3 [13-	Address for delivery not given, R
3(8)]	4-2 [4-2(7)]
scope, R 13-3, 13-4 [13-3(4),	E-mail, R 4-2 [4-2(8)]
13-4(2)]	Transferred proceedings, R 19-1
service of notice, R 13-4 [13-4(10)]	[19-1(7)]
use of, R 13-4 [13-4(8)]	DEPOSITIONS
who may examine, R 13-3 [13-	See also Evidence, Witnesses
3(5)]	Evidence, as, R 12-5 [12-5(40)]
"Judgment creditor" defined, R	Examination of person, R 7-8
13-4 [13-4(1)]	[7-8(1), (2)]
"Judgment debtor" defined, R 13-4	Grounds for order, R 7-8 [7-8(3)]
[13-4(1)]	Letter of request, R 7-8 [7-8(11)]
Subpoena of, R 13-3 [13-3(1) to	Mode of examination, R 7-8
13-3(3)]	[7-8(14)]

DEPOSITIONS—Cont'd

Notice of examination, R 7-8 [7-8(13)]

Objection to question, **R 7-8** [7-8(15)]

Perpetuating testimony, **R 7-8** [7-8(17)]

Place of examination, **R 7-8** [7-8(16)]

Recording of evidence, **R 7-8** [7-8(16)]

Subpoena, service of, **R 7-8 [7-8(5)**, **(6)**]

Taken outside British Columbia, **R** 7-8 [7-8(8)]

Undertaking to pay expenses of party, **R 7-8 [7-8(12)]**

Willingness of person to testify, **R** 7-8 [7-8(9), (10)]

DETENTION, PRESERVATION OR RECOVERY OF PROPERTY

Compensation for wrongful recovery, **R 7-8 [7-8(9), (10)]**

Fund subject matter of proceeding, R 10-1 [10-1(2)]

Income from property, **R 10-1** [10-1(3)]

Property subject matter of proceeding, **R 10-1** [10-1(1)]

Recovery of specific property, **R** 10-1 [10-1(4)]

DIRECTIONS OF COURT

Generally, **R 13-1** [13-1(18)]

DISABILITY

See Persons under Disability

DISCONTINUANCE AND WITHDRAWAL

Application of rule, **R 9-8 [9-8(9)]**Costs and default procedure, **R 9-8**[9-8(4) to 9-8(7)]

Discontinuance by plaintiff, \mathbf{R} 9-8 [9-8(1), (2)]

DISCONTINUANCE AND

WITHDRAWAL—Cont'd

Not defence to subsequent proceeding, **R 9-8 [9-8(8)]**

Withdrawal by defendant, **R 9-8** [9-8(3)]

DISCOVERY OF DOCUMENTS

Affidavit verifying list of documents

cross-examination on, **R 12-5** [12-5(61)]

general, R 7-1 [7-1(8)]

Copies, R 7-1 [7-1(16)]

Delivery of and answer to demand, R 7-1 [7-1(10) to (12)]

Determination of issue before discovery, **R 7-1 [7-1(22)]**

Enumeration of documents where no objection, **R 7-1 [7-1(2)]**

Excuse performance, court may, **R** 7-1 [7-1(14)]

Failure to produce, effect, **R 7-1** [7-1(21)]

In control of person not party, **R 7-1** [7-1(18), (19)]

Information not to be disclosed, **R** 7-1 [7-1(4)]

Inspection

by court, **R 7-1 [7-1(20)]**

by party, **R 7-1 [7-1(15)]**

Insurance policy, **R 7-1 [7-1(3), (5)]**

Order to produce, **R 7-1 [7-1(17)]**

Privilege claims, **R 7-1** [7-1(6)]

Proportionality, **R 7-1**

Referred to in pleadings, **R 3-7** [3-7(2)]

Specific documents, demand for, **R** 7-1 [7-1(10)]

Supplementary list, **R 7-1 [7-1(9)]**

DISMISSAL FOR WANT OF PROSECUTION

Death of plaintiff, R 6-2 [6-2(5)] General, R 22-4, R 22-7 [22-4(5), 22-7(7)]

DIVORCE PROCEEDINGS

See Family Law Proceedings

DOCUMENT

See also Discovery of Documents
Completion instructions, defined,
COAR BCR PT 1 [CAR 1(1)]

Copy filed in registry, **R 23-1 [23- 1(1)]**

Defined, R 1-1 [1-1(1)], COAR BCR PT 1 [CAR 1(1)]

Form required, R 22-3 [22-3(2)]

Space for stamp, R 22-3 [22-3(4)] Style of proceeding

generally, **R 22-3 [22-3(5)]**

class proceedings, R 22-3 [22-3(5)]

ELECTRONIC FILING AND DOCUMENTS

Acceptance, R 23-3 [23-3(14)]

Affidavits, R 23-3 [23-3(6)]

Application of rules, **R 23-3 [23- 3(5), (11)]**

Conflict of laws, R 23-3 [23-3(2)]

Conversion of documents, R 21-3 [21-3(8)]

Deemed signature, R 23-3 [23-3(12)]

Delivery

generally, **R 23-3 [23-3(17)]**

effective, whether, **R 4-2 [4-2(6)**, 23-3(18)]

e-mail, R 4-2 [4-2(6), (8)]

"Electronic document" defined, R
23-3 [23-3(1), Registrar's
filing directive]

Electronic services agreement

generally, R 23-3 [23-3(3)]

defined, R 23-3 [23-3(1)]

E-mail address for delivery, **R 4-2** [4-2(6), (8)]

Filing, generally, **R 23-3 [23-3(13)]**

Inspection of original documents, **R** 23-3 [23-3(9)]

ELECTRONIC FILING AND DOCUMENTS—Cont'd

Original document

inspection of, R 23-3 [23-3(9)]

Public access, R 23-3 [23-3(16)]

"Registered user" defined, **R 23-3** [23-3(1)]

Requisition, R 23-3 [23-3(5)]

Retention of documents, **R 23-3** [23-3(7)]

Sealing of notice of civil claim, R 23-3 [23-3(7)]

Signed documents, R 23-3 [23-3(6)] Transmission, R 23-3 [23-3(4)]

ENFORCEMENT OF ORDERS

See also Debtor

Acknowledgment of payment, **R** 13-2 [13-2(29)]

Application for directions, **R 13-2** [13-2(34)]

Appointment of receiver, **R 13-2** [13-2(5)]

Certificate, enforcement of, R 13-3 [13-3(28)]

Costs of enforcement, R 13-2 [13-2(22) to (27)]

Execution

change of parties, **R 13-2 [13-2(10)]**

conditional order, on, R 13-2 [13-2(8) to 13-2(9)]

endorsement of writ, **R 13-2 [13- 2(12)]**

general, R 13-2 [13-2(6)]

issue of writ, **R 13-2 [13-2(15) to** (17)]

order to pay money within

period, R 13-2 [13-2(14)]

production of order necessary, **R** 13-2 [13-2(11)]

stay, R 13-2 [13-2(31) to (33)]

term and renewal of writ, **R 13-2** [13-2(18) to (21)]

Money order, R 13-2 [13-2(1), (2)]

ENFORCEMENT OF ORDERS EVIDENCE—Cont'd Exhibit—Cont'd —Cont'd Non-compliance with mandatory notice respecting disposal of order, R 13-2 [13-2(7)] exhibits, R 12-5 [12-5(15), Order that judgment has been paid, (18)] R 13-2 [13-2(30)] numbering of pages, R 12-5 [12-Recovery of land, R 13-2 [13-2(3)] 5(9)] Recovery of property other than registry to take charge, R 12-5 [12-5(11)] land, R 13-2 [13-2(4), (28)] return, R 12-5 [12-5(12), (13)] Writ of sequestration, possession or delivery, **R 13-2** [13-2(13)] Insufficient evidence motion. **R** 12-5 [12-5(6), (7)] **ESTATES** Interrogatories, use at trial, R 12-5 See Administration of Estates [12-5(58)] **EVIDENCE** Material fact, failure to prove, **R** 12-5 [12-5(3)] See also Affidavit Evidence, Depo-Mode of proving fact, R 12-5 [12sitions, Interrogatories, Wit-5(71)] nesses No evidence motion, R 12-5 [12-Addresses, order of, R 12-5 [12-5(4), (5)] 5(72)] Notice to produce, **R 12-5** [12-5(8)] Application of rule, R 12-5 [12-Objections to transcript evidence, R 5(1)] Deposition evidence 12-5 [12-5(56)] Pre-trial examination of witness, R at trial, R 7-8 12-5 [12-5(52), (53)] full presentation required, R 12-5 [12-5 (40)] Production of document or object, R 12-5 [12-5(36)] general, R 12-5 [12-5(40)] Recording device, use by counsel, proof of, R 12-5 [12-5(42) to R 12-5 [12-5(70)] videotape of at trial, R 12-5 [12-Submissions of counsel, R 12-5 [12-5(73)] 5(41)] Discovery evidence Transcript of evidence, R 12-5 [12person under disability, R 12-5 5(55)] [12-5(50)]Transcript of other proceedings, R 12-5 [12-5(54)] transcript, R 12-5 [12-5(51)] use of at trial, R 12-5 [12-5(46)] **EXAMINATION FOR** to (49)] DISCOVERY Exhibit See also Interrogatories, Witnesses amendment of exhibit list, R 12-5 Appointment, R 7-2 [7-2(13), (14)] [12-5(17)] Assignor, R 7-2 [7-2(7)] destruction, R 12-5 [12-5(20)] Bankrupt, R 7-2 [7-2(10)] disposal after final disposition, R 12-5 [12-5(14)] Corporate party, **R 7-2** [7-2(5)] disposal before final disposition, Director, **R** 7-2 [7-2(5)] R 12-5 [12-5(16)] Employees and agents, R 7-2

[7-2(5)]

inspection of, R 12-5 [12-5(10)]

EXAMINATION FOR DISCOVERY—Cont'd Fast track litigation, R 15-1 [15-1(11) to (17)] Infant or guardian, R 7-2 [7-2(8)] Information not to be disclosed, R 7-2 [7-2(20)] Insurance, R 7-2 [7-2(19) to (22)] Leave not required, R 7-2 [7-2(2)] Mentally incompetent person, R 7-2 [7-2(9)] Nature of, R 7-2 [7-2(4), (17)] Notice, R 7-2 [7-2(13), (15)] Objection to questions, R 7-2 [7-2(25)] Partners, R 7-2 [7-2(5)] Party for whose benefit action brought, R 7-2 [7-2(6)] Persons outside British Columbia, R 7-2 [7-2(27), (28)] Place, R 7-2 [7-2(11)] Production of documents, R 7-2 [7-2(16)] Recording, R 7-2 [7-2(26)]	EXPERTS—Cont'd Notice of objection, R 11-6 [11-6(10), (11)] Notice of trial date, R 11-6 [11-6(9)] Oral testimony admissibility, R 11-7 [11-7(5)] Qualification, proof of, R 11-6 [11-6(2)] Vehicle actions additional experts, R 11-8 [11-8(4), (5)] allowable reports, R 11-8 [11-8(6), (7)] appointment of experts on court initiative, R 11-8 [11-8(9)] conflict between rules, R 11-8 [11-8(2)] definitions, R 11-8 [11-8(1)] disbursement for reports, R 11-8 [11-8(8)] limitation on, R 11-8 [11-8(3)] transition, R 11-8 [11-8(11)] Written statements
Reporter, R 7-2 [7-2(12)] Scope, R 7-2 [7-2(18) to (22)] Who may be examined, R 7-2 [7-2(1)]	admissibility, R 11-6 , R 11-7 [11-6(3), 11-7(1)] dispensing with delivery, R 11-7 [11-7(6)] form, R 11-6 [11-6(1)]
EXPERTS Appointment by court contents of order, R 11-5 [11-5(8)] cross-examination, R 11-5 [11-5(6)] directions to, R 11-5 [11-5(7)] general, R 11-5 [11-5(1) to 11-5(3)] remuneration, R 11-5 [11-5(9), (10)] reports, R 11-5 [11-5(11), (12)] Costs of cross-examination, R 11-7 [11-7(4)] Demand to cross-examine, R 11-7 [11-7(2), (3)]	FAST TRACK LITIGATION Generally, R 15-1 Application of rules, R 15-1 [15-1(1)] Case management conferences, R 15-1 [15-1(7)] Conflict of laws, R 15-1 [15-1(5)] Costs, R 15-1 [15-1(15)] Court powers granting relief, R 15-1 [15-1(9)] production, ordering, R 15-1 [15-1(14)] Document disclosure generally, R 15-1 [15-1(12)] Duration of, R 15-1 [15-1(1)]

FAST TRACK LITIGATION —Cont'd

Examination for discovery

duration of, **R 15-1** [15-1(11)] extension of time for, **R 15-1**

[15-1(12)]

Exceptions, R 15-1 [15-1(8)]

Fast track action defined, **R 1-1** [1-1(1)]

Maximum recovery, whether, **R** 15-1 [15-1(3)]

Relief, R 15-1 [15-1(9)]

Trial without jury, **R 15-1** [15-1(10)]

FAX FILING

Application of rule, **R 23-2 [23- 2(4)]**

Confirmation of filing, **R 23-2 [23-2(5), (6)]**

General, R 23-2 [23-2(2)]

Geographical application of rule, R 23-2 [23-2(1)]

Means of transmission, **R 23-2 [23-2(3)]**

Original may be required, **R 23-2** [23-2(9)]

When document is filed, **R 23-2** [23-2(5)]

When faxed record is an original, R 23-2 [23-2(8)]

FILE

Defined, R 1-1 [1-1(1)], COAR BCR PT 1 [CAR 1]

FORECLOSURE

Commencement, R 21-7 [21-7(1)]

Filing interest after certificate of pending litigation, R 21-7 [21-7(4)]

Final order, R 21-7 [21-7(6)]

Information must accompany petition, R 21-7 [21-7(4.1)]

Inquiry re terms of sale, R 21-7 [21-7(8)]

FORECLOSURE—Cont'd

Joinder of claim or party, **R 21-7** [21-7(3)]

Notice to assess costs, **R 21-7 [21-7(10)]**

Powers of court, **R 21-7 [21-7(5)]**

Sale, order for, **R 21-7 [21-7(7)]**

Service on interested parties, R 21-7 [21-7(2)]

FOREIGN JUDGMENTS

"Convention" defined, **R 19-3** [19-3(1)]

Court Order Enforcement Act application

affidavit in support, **R 19-3** [19-3(3)]

general, R 19-3 [19-3(2)]

notice need not be given, R 19-3 [19-3(4)]

Form of order to register, **R 19-3** [19-3(5)]

Notice of registration, **R 19-3** [19-3(6)]

"Reciprocally enforceable judgment" defined, R 19-3 [19-3(1)]

Setting aside registration of judgment, **R 19-3** [19-3(7)]

Stay of enforcement, **R 19-3** [19-3(8)]

Stay of proceeding in action on foreign judgment, **R 19-3** [19-3(9)]

FORMS

Use, R 22-3 [22-3(1)]

GUARDIAN AD LITEM

See Persons under Disability

INJUNCTIONS

After judgment, R 10-4 [10-4(6)]

Before proceeding commences, R 10-4 [10-4(2)]

Court order, by, **R 10-4** [10-4(4)] General, **R 10-4** [10-4(1)]

INJUNCTIONS—Cont'd **INTERROGATORIES** Interim injunctions without notice, Application to strike out, **R** 7-3 R 10-4 [10-4(3)] [7-3(8)]Undertaking as to damages, R 10-4 Body of persons as party, R 7-3 [10-4(5)][7-3(2)]Continuing obligation to answer, R INQUIRIES, ASSESSMENTS AND 7-3 [7-3(11)] **ACCOUNTS** Insufficient answer, R 7-3 [7-3(7)] Accounts More than one person to answer, \mathbf{R} executor's, **R 18-1** [18-1(11)] 7-3 [7-3(5)] form, **R 18-1 [18-1(15), (16)]** Objections to answering, R 7-3 particulars of errors, R 18-1 [18-**[7-3(6)]** 1(17)] Service and answer, **R** 7-3 [7-3(1), Certificate of result, R 18-1 [18-1(2)] Solicitor, delivery to, R 7-3 [7-3(9), (10)Direction for, **R 18-1** [18-1(1)] Hearing **IRREGULARITY** appearance of person served with See also Non-compliance notice, R 18-1 [18-1(22)] Application to set aside proceeding appointment, R 18-1 [18-1(6)] for, R 22-7 [22-7(2) to general, R 18-1 [18-1(5)] 22-7(4)] opinion of court, R 18-1 [18-**JUDGE** 1(10)Incapacity before judgment given, special directions of court, R R 23-1 [23-1(10) to (12)] 18-1 [18-1(12) to (14)] witnesses, R 18-1 [18-1(7)] **JUDGMENT** Filing, COAA PT 6 [CAA 41(1)] notice of, R 18-1 [18-1(18), (19)] Proceeding on, COAA PT 6 [CAA service, dispensing with, R 18-1 41(2)] [18-1(20)] **JUSTICE** variation, R 18-1 [18-1(14)] Chief, COAA PT 2 [CAA 6, 6(3)] Report and recommendation, R Defined, COAA PT 1 [CAA 1] 18-1 [18-1(3), (4)] Powers of, COAA PT 5 [CAA 26, 30 to 36], COAR BCR PT 11 **INTERPLEADER** [CAR 69, 70, 78] Affidavit in support, R 10-3 [10-3(7)] **LAWYER** Application Change of without notice, **R 10-3 [10-3(8)]** notice of withdrawal, R 22-6 [22-Claim to property taken by sheriff 6(4), (6) to (8)claim admitted, **R 10-3 [10-3(4)]** notice to other parties, R 22-6 written notice, R 10-3 [10-3(2), [22-6(1)]

(3)

Entitlement, **R 10-3** [10-3(1)]

objection, R 22-6 [22-6(5), (9)]

order, R 22-6 [22-6(2), (3), (11)]

LAWYER-Cont'd

Change of—Cont'd procedure where no objection, **R** 22-6 [22-6(6)]

LIMITATION PERIOD

Demonstration of prejudice, R 6-2

LITIGATION GUARDIAN

See Persons under Disability

LITIGATION REPRESENTATIVE

See Persons under Disability

MANDAMUS, PROHIBITION, CERTIORARI

Generally, R 21-3

MARRIAGE CERTIFICATE

See Family Law Proceedings

MONEY IN COURT

Funds, R 23-4 [23-4(1), (2)] Infant, R 23-4 [23-4(16), (17)] Interest, R 23-4 [23-4(6) to 23-4(8)] Investment of funds, R 23-4 [23-4(10)]

Minister's account, **R 23-4 [23-4(9)]**

Other money paid into court, R 23-4 [23-4(12)]

Payment out, **R 23-4 [23-4(5), (11),** (15)]

Person under disability, for, R 23-4 [23-4(14)]

Securities, R 23-4 [23-4(3), (4)]

NON-COMPLIANCE WITH RULES

Court options

exceptions, R 22-7 [22-7(3)]

general, R 22-7 [22-7(2)]

limits upon, **R 22-7** [22-7(4)]

Effect generally, **R 22-7 [22-7(1)]**

Particular non-compliance

refusal to be sworn or answer question, R 22-7 [22-7(5)(b)]

NON-COMPLIANCE WITH RULES—Cont'd

Particular non-compliance—Cont'd refusal to comply with direction of court, **R 22-7 [22-7(6)]**

refusal to make discovery of documents, **R 22-7 [22-7(5)(d)]**

refusal to obey subpoena, R 22-7 [22-7(5)(a)]

refusal to produce documents, **R** 22-7 [22-7(5)(c)]

refusal to submit to medical examination, R 22-7 [22-7(5)(e)]

want of prosecution, **R 22-7** [22-7(7)]

NOTICE OF CIVIL CLAIM

Commencement of proceeding by, R 3-1 [3-1(1)]

Form, R 3-1 [3-1(2)]

Place of trial, R 3-1 [3-1(2)]

Relief sought, R 3-1 [3-1(2)]

Renewal, **R 3-2 [3-2(1)]**

Representative action, **R 3-1** [3-1(2)]

Sealing, R 23-3 [23-3(15)]

Service

agent, upon, R 4-3 [4-3(3)]

Attorney General, upon, **R 4-3** [4-3(6)]

deemed, R 4-2 [4-2(3), (4)], R 4-3 [4-3(7), (8)]

general, R 4-3 [4-3(1)]

how effected, R 4-3 [4-3 2)]

party giving address for delivery,

R 4-1 [4-1(1), (1.1)]

proof, R 4-6 [4-6(1)]

Transferred proceedings, **R 19-1** [19-1(4), (5)]

Wills Variation Act proceedings, applicability in, R 21-6 [21-6(1)] to (4)]

NOTICE OF EXAMINATION

Address for delivery, **R 4-1 [4-1(1)** to **4-1(3)**]

Terms and conditions, R 13-1 [13-Costs for settlement in small claims cases, R 9-1 [9-1(7)] 1(19)] Counter offer, R 9-1 [9-1(8)] Transfer order, **R 19-1** [19-1(1)] Definitions, **R 9-1 [9-1(1)]** ORIGINATING PLEADING May be taken into account in Address for delivery, **R 4-1 [4-1(1)** awarding costs, **R 9-1 [9-1(4)]** to (3)considerations of court, R 9-1 Defined, R 1-1 [1-1(1)] [9-1(6)]cost options, **R 9-1 [9-1(6)] PARTICULARS** Non-disclosure to court, R 9-1 See Pleadings [9-1(2)]**PARTIES** Not constituting admission, R 9-1 Carriage of Air Act, R 21-2 [21-[9-1(3)] 2(1)] OPINIONS, ADVICE AND Changes **DIRECTIONS OF COURT** assignment or conveyance of Generally, **R 13-1** [13-1(18)] interest, **R 6-2 [6-2(3)]** change of interest or liability, R **ORDER** 6-2 [6-2(4)] See also Judgment, Enforcement of death or bankruptcy, R 6-2 Orders [6-2(1), 6-2(5), (6), (9)]Application where notice not removing, adding or substituting, required, R 8-4, 17-1 [8-4(1), R 6-2 [6-2(7), (9), (9.1)] 17-1(4)] Misjoinder or nonjoinder, R 22-5 Conditional on document to be [22-5(9)]filed, R 13-1 [13-1(5), (6)] Multiple Consent order requirements, R 13-1 joint defendants, R 22-5 [22-[13-1(10)] 5(4)] Correction, R 13-1 [13-1(17)] joint plaintiffs, R 22-5 [22-5(3)] Date, R 13-1 [13-1(8)] relief from attendance, R 22-5 Declaratory, R 20-4 [20-4(1)] [22-5(5)]Defined, R 1-1 [1-1(1)], COAA PT when inappropriate, R 22-5 5 [CAA 1] [22(6), (7)]Drawing and approving, R 13-1 when permitted, R 22-5 [22-5(2)] [13-1(1), (1.1) to (1.4)] Naming of respondents, **COAR** Endorsement on application, R 13-1 BCR PT 2 [CAR 6(1), 18] [13-1(4)]Partnership, as, R 20-1 Entry, **R 13-1** [13-1(1.4)] Person carrying on business in Form, **R 13-1** [13-1(3), (7), (9)] name other than own, R 20-1 Opinions, advice and directions of [20-1(10)]court, R 13-1 [13-1(18)] Registrar may draw, R 13-1 [13-**PARTNERSHIP** 1(15)] Affidavit naming partners, R 20-1 Settlement, R 41 [41(19) to (21)] [20-1(4), (5)]Special directions, **R 13-1** [13(12) Appearance by partnership, R 20-1 to (14)] [20-1(3)]

ORDER-Cont'd

OFFER TO SETTLE

PARTNERSHIP—Cont'd Execution against, R 20-1 [20-1(7) to (9)] Party to action, as, **R 20-1 [20-1(1)]** Service on firm, **R 20-1 [20-1(2)]** PARTY OF RECORD See also Parties Defined, R 1-1 [1-1(1)] PERSONAL REPRESENTATIVE Death of, R 25-14 [25-14(1.2)] PERSONS UNDER DISABILITY Commencement of proceeding by, R 20-2 [20-2(2)] Litigation guardian acting on behalf of person under disability, **R 20-2 [20-2(2)** to 20-2(4)] certificate for a litigation guardian, R 20-2 [20-2(9)] certificate of fitness, R 20-2 [20-2(8)committee as, R 20-2 [20-2(6)] consent required, R 20-2 [20-2(7)removal, R 20-2 [20-2(10)] who may act, R 20-2 [20-2(5)] Litigation representative application of rule, R 20-6 [20-6(2)as party to proceeding, R 20-6 [20-6(7)]definition, R 20-6 [20-6(1)] distribution of proceeds, R 20-6 [20-6(7)]when personal representative is appointed, R 20-6 [20-6(8)] where no personal representative for deceased's estate, R 20-6 [20-6(3)]

applications, R 20-6 [20-6(4),

Party attaining age of majority, R

20-2 [20-2(12), (13)]

(5)

```
PERSONS UNDER DISABILITY
     -Cont'd
  Party becoming incompetent, R
       20-2 [20-2(10)]
  Settlement requiring court approval,
       R 20-2 [20-2(17), (18)]
  Step in default against, R 20-2 [20-
       2(14) to (16)]
PETITION
  Additional copy of filed petition, R
       16-1 [16-1(11.1)]
  Affidavit of respondent, R 16-1
       [16-1(4)]
  Application of writ of summons
       procedure to, R 16-1 [16-1(20)
       to (23)]
  Expert opinion evidence, R 16-1
       [16-1(6.1)]
  Originating application by, R 16-1
       [16-1(2), (3)]
  Procedure, R 1-2 [1-2(4)]
  Removed from hearing list, R 16-1
       [16-1(11.2)]
  Service, deemed, R 4-3 [4-3(8)]
  Service of, R 16-1 [16-1(6.2), (12)]
PHYSICAL EXAMINATION
  Inspection and preservation of prop-
       erty
     entry upon land or building, R
         7-6 [7-6(5)]
     order for, R 7-6 [7-6(4)]
  Medical examination
     order for, R 7-6 [7-6(1)]
    questions by examiner, R 7-6
         [7-6(3)]
     subsequent examination, R 7-6
         [7-6(2)]
  Persons outside British Columbia,
       R 7-6 [7-6(6)]
PLAINTIFF
```

Defined, R 1-1 [1-1(1)]

See also Amendment, Default,

Notice of Civil Claim,

PLEADINGS

PLEADINGS—Cont'd PRE-TRIAL EXAMINATION Response to a Civil Claim, See Witnesses Counterclaim, Reply **PROBATE** Allegations See Administration of Estates alternative, R 3-7 [3-7(7)] **PROCEEDING** denial Conduct of, R 20-3 [20-3(15)] contract, **R 3-7 [3-7(16)]** nature of, **R 3-7 [3-7(15)]** Consolidation, R 22-5 [22-5(6)] inconsistent, **R 3-7 [3-7(6)]** Defined, **R 1-1 [1-1(1)]** Relator, person used as, R 20-3 [20malice, R 3-7 [3-7(17)] 3(14)] Amendments of, R 6-1 Contents **PROPERTY** generally, **R 3-7 [3-7(1), (4)]** See Detention, Preservation and conclusions of law, R 3-7 Recovery of Property [3-7(9)]**PROPORTIONALITY** objection in point of law, R 3-7 Generally, R 1-3 [1-3(2)] [3-7(8)]status of party deemed admitted, **RECEIVER** R 3-7 [3-7(10)] Accounts, filing, R 10-2 [10-2(4)] Defined, **R 1-1** [1-1(1)] Appointment, **R 10-2** [10-2(1)] Delivered after statement of claim, Defined, R 1-1 [1-1(1)] R 3-7 [3-7(12)] Remuneration, R 10-2 [10-2(3)] General damages, R 3-7 [3-7(14)] Security, provision of, R 10-2 [10-Matters arising since start of 2(2)] proceeding, **R 3-7** [3-7(5)] REGISTRAR **Particulars** Appeal from, R 23-6 [23-6(8.1), demand for, R 3-7 [3-7(23), (24)] (11)further particulars, R 3-7 Defined, R 1-1 [1-1(1)], COAA PT [3-7(20)]1 [CAA 1] libel or slander, **R 3-7 [3-7(21)]** Powers, R 23-6 [23-6(4)] order for, R 3-7 [3-7(22)] Pre-trial conference, R 23-6 [23-6(5)where necessary, R 3-7 [3-7(18), (19)] Reference by registrar, R 23-6 [23-6(7)Relief sought, **R 3-7 [3-7(13)]** Registrar, as, R 23-6 [23-6(2)] Scandalous, frivolous or vexatious striking or amending, R 9-5 **REGISTRAR'S HEARING** [9-5(1)] Defined, R 1-1 [1-1(1)] Set-off or counterclaim, R 3-7 Powers at, **R 23-6 [23-6(4)]** [3-7(11)] Reference by registrar, R 23-6 [23-Transferred proceedings, R 19-1 **6**(7)] [19-1(4), (6)] REGISTRY POINT OF LAW Defined, R 1-1 [1-1(1)], COAA PT Proceedings on, R 9-4 1 [CAA 1]

RELIEF

Defined, **R 1-1 [1-1(1)]**

RENEWAL APPLICATION

Limitations defence and, R 3-1

REPLY

Delivery, **R 3-6 [3-6(1)]**

Failure to reply, **R 3-6 [3-6(3)]**

Form, **R 3-6 [3-6(1)]**

Joinder of issue not permitted, **R** 3-6 [3-6(4)]

Response to counterclaim, **R 3-4** [3-4(5)]

Subsequent pleadings, **R 3-6** [3-6(2)]

REPRESENTATIVE PROCEEDING

Appointment of defendant or respondent, **R 20-3 [20-3(2)]**

Beneficiary represented by trustee, R 20-3 [20-3(10), (11)]

Commencement, R 20-3 [20-3(1)]

Deceased person interested in proceeding, R 20-3 [20-3(12), (13)]

Deceased person's estate, R 20-6
Enforcement of order made in
proceeding, R 20-3 [20-3(3) to
20-3(5)]

Interested person who cannot be ascertained, R 20-3 [20-3(6)]

RESPONDENT

Defined, APP B [CAA 1]

RESPONSE TO A CIVIL CLAIM

See also Counterclaim

Damages disputed, **R 3-3 [3-3(2)]**

Form, R 3-3 [3-3(2)]

Transferred proceedings, **R 19-1** [19-1(6)]

SALE BY COURT

Certificate of sale, **R 13-5** [**13-5(6)**] Conduct, **R 13-5** [**13-5(3)**]

SALE BY COURT—Cont'd

Debenture holder's proceeding, R 13-5 [13-5(2)]

Directions, R 13-5 [13(4), (5)]

General, R 13-5 [13-5(1)]

Vesting order, **R 13-5** [13-5(7)]

SERVICE

Abroad

manner, R 4-5 [4-5(10), (13)]

proof, R 4-5 [4-5(11)]

Agent, upon, R 4-3 [4-3(3) to (5)]

Application for leave to appeal,

COAR BCR PT 3 [CAR 13(a)]

Attorney General, upon, **R 4-3** [4-3(6)]

Contractual terms regarding, R 4-5 [4-5(7), (8)]

Deemed, R 4-3 [4-3(8)]

E-mail, R 4-2 [4-2(8)]

General, **R 4-5** [4-5(1)]

How effected, **R 4-3 [4-3(2)]**

Lawyer, upon, R 4-2 [4-2(7)]

Member of armed forces, upon, **R** 4-6 [4-6(3)]

Notice of appeal, R 18-3 [18-3(6)], COAR BCR PT 3 [CAR 6]

Notice of cross appeal, COAR BCR PT 3 [CAR 9]

Outside British Columbia

time for appearance, R 3-3, R 16-1 [3-3(3), 16-1(4)]

with leave, **R 4-5 [4-5(3), (5)]**

without notice, **R 4-5 [4-5(4)]**

without order, R 4-5 [4-5(1), (2), (6)]

Party giving address for delivery, **R** 4-2 [4-2(2)]

Proof

general, **R 4-2**, **R 4-6** [4-6(1)]

sheriff, by, **R 4-6 [4-6(2)]**

Substituted

how effected, **R 4-4 [4-4(2), (3)]** service of order for substituted service, **R 4-4 [4-4(2)]**

STATED CASES—Cont'd

Application, R 18-2 [18-2(2)] Substituted—Cont'd solicitor's notice of intention to Contents, R 18-2 [18-2(5)] withdraw, **R 22-6 [22-6(10)]** Court powers, R 18-2 [18-2(7)] when ordered, **R 4-4 [4-4(1)]** Definitions, R 18-2 [18-2(1)] Delivery of notice, R 18-2 [18-2(6)] SETTLEMENT CONFERENCES Filing materials, **R 18-2** [18-2(3)] Generally, R 9-2 Hearing of, R 18-2 [18-2(9)] SHORT NOTICE APPLICATIONS Materials to be filed, R 18-2 [18-In case of urgency 2(3)generally, R 8-5 [8-5(1)] Notice form applications, **R 8-5 [8-5(2)]** delivery of, **R 18-2 [18-2(6)]** time limits, **R 8-5** [8-5(3)] hearing, of, **R 18-2 [18-2(9)]** Parties, identification of, R 18-2 SITTINGS AND HEARINGS [18-2(4)]Direction of Chief Justice, R 23-5 Powers of court, **R 18-2** [18-2(7)] [23-5(1)] SUMMARY JUDGMENT Direct method of attendance, R 23-5 [23-5(4), (4.1)] Answering party, for, **R 9-6 [9-6(4)]** Electronic transmission of applica-Application, **R 9-6 [9-6(2)]** tion record, **R 23.1-2** Continuing proceedings after, R 9-6 Method of attendance (Pilot Proj-[9-6(6)]ect), R 23.1-1 Order, R 9-6 [9-6(5)] application by requisition, R **SUMMARY TRIAL** 23.1-1 [23.1-1(4)] Ancillary orders and directions application to change method of generally, **R 9-7 [9-7(13)]** application, R 23.1-1 [23.1judge not seized, **R 9-7 [9-7(14)]** 1(3)] when may be made, R 9-7 directions may be different, R [9-7(13)] 23.1-1 [23.1-1(2)] Application Telephone, by, R 23-5 [23-5(3)] adjournment, **R 9-7 [9-7(11)]** Urgent cases, R 23-5 [23-5(2)] directions, **R 9-7 [9-7(17)]** SPECIAL CASE evidence Court order for, **R 9-3 [9-3(2)]** form, **R 9-7 [9-7(5)]** Form, R 9-3 [9-3(3)] notice of evidence to be used, Hearing, R 9-3 [9-3(4)] R 9-7 [9-7(9), (10)] Order after hearing, **R 9-3 [9-3(5)]** filings, R 9-7 [9-7(8)] Statement, **R 9-3 [9-3(1)]** preliminary directions, R 9-7 [9-7(12)]SPECIAL REFEREE set for hearing, **R 9-7 [9-7(4)]** Defined, R 1-1 [1-1(1)] timing of, **R 9-7 [9-7(3)]** when appropriate, **R 9-7 [9-7(2)]** STATED CASES Judgment, R 9-7 [9-7(15)] Generally, R 18-2 Appearance, requirement of, R 18-2 [18-2(8)] setting aside, **R 9-7 [9-7(18)]**

SERVICE—Cont'd

SUMMARY TRIAL—Cont'd TIME—Cont'd Order-Cont'd Computation, R 4-2, R 22-4 where jury notice filed, **R 9-7** [4-2(3), 22-4(1)] [9-7(19)] Delay of one year, notice of inten-Rule 11-6 application, R 9-7 tion to proceed, R 22-4 [22-[9-7(7)] 4(4)] Rule 12-5 application, **R 9-7** Extending or shortening, R 22-4 [9-7(7)][22-4(2), (3)]Short notice applications, R 8-5 SUPREME COURT RULES [8-5(1), (2), (4)]Application, **R 1-2 [1-2(2)]** Citation, **R 1-2** [1-2(1)] TRANSCRIPTS Definitions generally, **R 1-1 [1-1(1)]** Form and style required, R 22-3 Interpretation, **R 1-1 [1-1(2)]** [22-3(2), (3), (4)]Object, R 1-3 [1-3(1)] TRANSFER OF PROCEEDINGS THIRD PARTY PROCEDURE FROM FOREIGN COURTS Application for directions, **R 3-5** Generally, R 19-4 [3-5(13)] Disbursements, R 19-4 [19-4(3)] Negligence Act Entry, need for security before, R apportionment of liability, R 21-9 19-4 [19-4(2)] [21-9(2)]Expenses, R 19-4 [19-4(3)] contribution or indemnity, R 21-9 Security [21-9(1)]as condition to entry, R 19-4 [19-Prejudice to plaintiff, avoidance, R 4(2)] 3-5 [3-5(14)] expenses, R 19-4 [19-4(3)] Relief claimed, R 3-5 [3-5(17)] Translation Response to third party notice court may require, R 19-4 [19default, R 3-5 [3-5(16)] 4(1)] general, R 3-5 [3-5(9), (12)] expenses, R 19-4 [19-4(3)] when not required, R 3-5 TRANSFER ORDER [3-5(10)]Third party notice Defined, R 19-1 [19-1(1)] filing, R 3-5 [3-5(1) to 3-5(3)] **TRIAL** leave See also Case Management, Eviapplication, **R** 3-5 [3-5(6)] dence, Pre-trial Conference when required, \mathbf{R} 3-5 [3-5(4)] Adjournment, R 12-1 [12-1(9)] pleading, as, **R 1-1 [1-1(1)]** service and delivery, **R 3-5** Application of rule, R 12-1 [12-[3-5(7)]setting aside, R 3-5 [3-5(8)] Assessor, use of, **R 12-5** [12-5(66)] Trial, R 3-5 [3-5(15)] Calculation of amount recovered, R summary trial, **R 9-7 [9-7(2)]** 12-5 [12-5(69)] Different modes of, R 12-5 [12-TIME Attendance at appointment before 5(68)] official reporter, R 22-4 [22-Failure to attend, R 12-5 [12-5(75), 4(6)] (76)]

TRIAL—Cont'd TRIAL BRIEF—Cont'd Fast track litigation, R 15-1 [15-Plaintiff, R 12-1.1 [12-1.1(1)] 1(13), (14)] Plaintiff may file amended trial period between September 28, brief, R 12-1.1 [12-1.1(3)] 2020 and October 7 2022 Trial removed from trial list, **R** Notice of trial 12-1.1 [12-1.1(5)] delivery, R 12-1 [12-1(6)] Witness list must be amended, **R** issuance, R 12-1 [12-1(4)] 12-1.1 [12-1.1(6)] One question tried before others, R TRIAL MANAGEMENT 12-5 [12-5(67)] **CONFERENCE** Place of trial, R 12-1 [12-1(5)] Absent parties, R 12-2 [12-2(5)] Registry, duty to inform, R 12-1 Application for, **R 12-2** [12-2(6)] [12-1(10)]Attendance at, **R 12-2** [12-2(4)] Setting down action, R 12-1 [12-Date and place of, R 12-2 [12-2(1), 1(3)] (1.1)Time of trial, **R 12-1** [12-1(9)] Judge required, R 12-2 [12-2(2)] Trial certificate Non-attendance at, R 12-2 [12-2(7)] contents, R 12-4 [12-4(3)] Orders, R 12-2 [12-2(9)] failure to file, **R 12-4 [12-4(5)]** prohibited order, R 12-2 [12filing by each party, R 12-4 [12-4(1), (2)] 2(11)] service, R 12-4 [12-4(4)] Recording of, **R 12-2 [12-2(8)]** Written approval of lawyer, when Trial date, obtaining, R 12-1 [12-1(3)] not required, R 12-2 [12-2(10)] Trial record TRIBUNAL AWARDS amended, R 12-3 [12-3(4)] Definition, R 2-2 [2-2(1)] contents, R 12-3 [12-3(1)] Filing of award, R 2-2 [2-2(2), (3)] direction as to, **R 12-3** [12-3(5)] filing and delivery, R 12-3 [12-**VEXATIOUS LITIGANTS** 3(3)] Leave to file pleading, application powers of registrar, R 12-3 [12or other document, R 22-9 3(3)] [22-9(1)]Without jury Powers of the court, R 22-9 [22fast track litigation, R 15-1 [15-9(3)] 1(10)Requisition need not be served, **R** 22-9 [22-9(2)] TRIAL BRIEF Failure to file or serve trial brief, **R** WAIVER 12-1.1 [12-1.1(4)] Provision of rule, by agreement, R New trial briefs required if trial 1-2 [1-2(3)] rescheduled, R 12-1.1 [12-WILLS VARIATION ACT 1.1(8)] **PROCEEDING** Other parties, **R 12-1.1** [12-1.1(2)] Governed by rules, R 21-6 [21-Person named in witness list need 6(4)not testify, R 12-1.1 [12-1.1(7)] Parties, R 21-6 [21-6(2)]

WILLS VARIATION ACT WITNESSES—Cont'd Pre-trial examination—Cont'd PROCEEDING—Cont'd Statement of defence, R 21-6 [21discovery rules, application of, R 7-5 [7-5(10)] Writ of summons, R 21-6 [21-6(1)] experts, R 7-5 [7-5(2)] mode of examination, R 7-5 WITNESSES [7-5(8)]See also Evidence notice of application, R 7-5 Adverse party [7-5(4)]cross-examination, R 12-5 [12notice of examination, R 7-5 5(26)] defined, R 12-5 [12-5(19)] [7-5(7)]general, R 12-5 [12-5(20)] order, R 7-5 [7-5(1)] notice to call, R 12-5 [12-5(21)] subpoena, R 7-5 [7-5(5)] refusal to comply with notice, R Subpoena 12-5 [12-5(25)] fees, R 12-5 [12-5(35)] Contradiction of testimony, R 12-5 form, R 12-5 [12-5(32)] [12-5(30)] service, R 12-5 [12-5(34)] Deposition evidence, R 12-5 [12setting aside, R 12-5 [12-5(39)] 5(40)] who may be subpoenaed, R 12-5 Examination generally, R 12-5 [12-[12-5(31)] Witness in custody, R 12-5 [12-Failure to attend, **R 12-5** [12-5(38)] 5(37)] Oral testimony unless otherwise agreed, \hat{R} 12-5 [12-5(27)] WRIT OF EXECUTION Pre-trial examination See also Debtor affidavit supporting application, R 7-5 [7-5(3)] Defined, R 1-1 [1-1(1)]