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Title:

Practice Direction

Communicating with the Court

Summary:

The appropriate way to communicate with the Court is through its formal processes. Parties and counsel should refrain from sending letters, emails or other forms of direct or indirect communication to the Court unless such is authorized by the *Supreme Court Civil Rules* or the *Supreme Court Family Rules*, the Court has given leave to do so, or there are exceptional circumstances. This Practice Direction sets out guidelines that parties and counsel should follow in the limited circumstances when corresponding with the Court is permitted.

Direction:

Communicate with the Court through its formal processes

1. In most instances, the appropriate way to communicate with the Court is on the record and through its formal processes (for example, request that a hearing or conference be scheduled, file written materials with the Court as provided for in the *Supreme Court Civil Rules* or the *Supreme Court Family Rules* or as directed by the Court, or communicate orally during the proceedings).

Refrain from sending letters and/or emails to the Court unless authorized or the circumstances are exceptional

2. Parties and counsel should refrain from sending letters, emails or other forms of direct or indirect communication to the Court unless the *Supreme Court Civil Rules* or the *Supreme Court Family Rules* permit it, the Court has given leave to do so, or the circumstances are exceptional.

Guidelines for correspondence

3. In the rare circumstance in which a party or their counsel is writing to the Court, follow these guidelines:

a. Address the correspondence to the Scheduling Manager

Letters should be addressed to the Scheduling Manager and not to a particular judge, associate judge or registrar even if they are seized of a matter.

b. Include the court file number and style of proceedings

Correspondence should include the court file number and style of proceedings to which the matter pertains.

c. Refer to the basis or authority for writing to the Court

Correspondence should include the basis or authority pursuant to which a party or counsel is writing to the Court (i.e., cite the applicable rule, note that the Court has given leave to do so, or describe the exceptional circumstances that exist).

d. Consult opposing parties/counsel first

In general, parties or counsel should not write to the Court without first having conferred with the opposing parties or counsel. The correspondence sent to the Court should state the views of opposing parties or counsel if different from the writer's view. If the purpose of a letter to the Court is to correct an error made by a party or counsel, it is permissible to send a letter to the Court without first conferring with opposing parties or counsel.

e. Copy the correspondence to opposing parties/counsel

Correspondence to the Court must be copied to opposing parties and/or counsel.

f. Do not include argument or submissions

Correspondence to the Court should not include argument. In general, unless leave has been given, a party and/or counsel is not permitted to submit written argument subsequent to the completion of oral argument.

Inquiries concerning reasons for judgment

4. Unless special circumstances have arisen after a trial or hearing which make early delivery of reasons for judgment necessary, inquiries about the issuance of reasons for judgment are discouraged. In no event should an inquiry concerning the issuance of reasons for judgment be made directly to a judge, associate judge or registrar, or their administrative assistant.

Christopher E. Hinkson
Chief Justice