

SUPREME COURT OF YUKON

PRACTICE DIRECTION
GENERAL-9

Incapacity of Judge

Incapacity of judge before judgment given

1. Where it is impossible or inconvenient for a judge who has heard or started to hear a matter to continue to act in the proceeding, the Senior Judge may make an order nominating another judge to act in that judge's place.
2. The Senior Judge may order that the proceeding be retried or reheard, and may direct that the evidence from the earlier proceeding be received in the retrial or rehearing. The Senior Judge may also make directions about the costs relating to the earlier proceeding.
3. No directions for a retrial or rehearing shall limit the power of the judge presiding at the retrial or rehearing to permit the recalling of any witness called at the original trial or hearing, or to receive additional evidence.

Veale J.
January 15, 2016