

IN THE SUPREME COURT OF THE YUKON TERRITORY

PRACTICE DIRECTION # 43

French Language

This practice direction is based upon the Reasons for Judgment in *Kilrich Industries Ltd. v. Halotier*, 2007 YKCA 12, and the *Languages Act*, R.S.Y. 2002, c. 133.

Every person has the right to:

1. file documents with the Court registry in English or French;
2. obtain the *Rules of Court*, forms and practice directions from the Court registry in English or French;
3. communicate with a clerk or designated staff person who speaks and understands English or French at each stage of the Court's administrative processes;
4. speak in English or French and produce documents in English or French in a trial or hearing;
5. request a transcript that includes the evidence given in English and French; and
6. have word for word translation, if an interpreter is present.

The Senior Judge has the power to assign judges. There is no positive obligation to provide a bilingual judge, clerk or officer of the court or an interpreter. However, there are bilingual deputy judges who may be available from their home court for assignment to French or bilingual trials in Yukon.

The trial judge assigned has the obligation to conduct a fair trial. This may require interpretation and a transcript that includes interpretation of the original French and English voices. It may also require that filed documents be translated, so that no party is disadvantaged in the trial process. Directions of this nature will be made to the Trial Coordinator or Court Clerk.

Any indication that French will be used in court should be communicated in writing as soon as reasonably possible to the Senior Judge, the Trial Coordinator and all parties. Any party may apply for directions or pre-trial conference.

It will be the practice of the Court to issue judgments in both official languages when trials, hearings or applications are conducted in both official languages.

Veale J.
November 6, 2007