

SUPREME COURT OF YUKON

PRACTICE DIRECTION # 48

Rule 1(7) Mandatory Case Management

The purpose of mandatory case management is to ensure that all cases are either settled or set down for trial within one year of filing. Where this has not occurred, the parties will be required to appear to explain the delay of the proceeding under Rule 1(9) and be subject to the remedies set out in the Rule.

To assist counsel in preparing for mandatory case management, the following terms apply:

1. The time within which a mandatory case management conference shall be scheduled is changed from “60 days” to “90 days”.
2. A party or their counsel may attend a case management conference in person or by telephone. If the latter, they must provide to the trial coordinator, in advance of the case management conference, a telephone number where they can be reached.
3. A party or their counsel may apply in writing to the trial coordinator to adjourn a case management conference to a date certain in the following circumstances:
 - a) Proof of service of the statement of claim or petition has been filed;
 - b) Counsel for the defendant or respondent has only recently been retained; and
 - c) An appearance has been filed.

The trial coordinator will refer such applications to a judge, who may set a new date for the case management conference, not later than 90 days from the date of the previously scheduled date.

4. The parties to an action may apply by letter for an exemption to a mandatory case management conference by filing a Trial Plan as attached as Schedule “A”. If the exemption is granted, the terms of the Trial Plan shall be filed as a Case Management Order by the parties.
5. If a party, or their counsel, is unable to attend a case management conference, counsel for another party may appear as that party’s agent, if requested to do so, to either update the court on the status of the proceeding or to seek an adjournment.
6. Unless special time is required, all mandatory case management conferences will be scheduled at an Appearance Day, pursuant to Rule 1(10).

Veale J.
July 28, 2009

SCHEDULE A

SUPREME COURT OF YUKON

S.C. No. _____

Between:

Petitioner/Plaintiff

And

Respondent/Defendant

TRIAL PLAN

All original pleadings will be filed by _____.

Discovery of documents will be completed by _____.

Examinations for discovery, if required, will be completed by _____.

Within one year of the filing of the statement of claim, or upon completion of discoveries, whichever occurs first, a case management conference will be applied for to set a trial date.

Dated this _____ day of _____, 200__.

Petitioner/plaintiff or counsel for the
petitioner/plaintiff

Respondent/defendant or counsel for
the respondent/defendant