

## RULES OF COURT and APPENDICES

### **RULE 1 Introduction and Definitions**

- (1)-(3) Citation
- (4) Application
- (5) Practice Directions
- (6) Object of rules
- (7) Mandatory Case Management
- (8) Case Management
- (9) Delay of Proceeding
- (10) Appearance Day
- (11) Interpretation
- (12) Titles and headings
- (13) Definitions
- (14) Waiver of rule
- (15) Orders on terms and conditions
- (16) Petitions and applications
- (17) Statute or regulation of Canada
- (18) Transition
- (19) Directions
- (20) Fees

### **RULE 2 Effect of Non-Compliance**

- (1)-(3) Non-compliance with rules
- (4) Application to set aside for irregularity
- (5)-(6) Consequences of certain non-compliance
- (7) Dismissal for want of prosecution
- (8)-(9) Want of prosecution

### **RULE 3 Time**

- (1) Computation of time
- (2)-(3) Extending or shortening time
- (4) Short notice applications
- (5) Form of applications
- (6) Notice of intention to proceed after delay of one year
- (7) Attendance

### **RULE 4 Forms and Address For Delivery**

- (1) Forms
- (2)-(3) Documents
- (4) Space for stamp
- (5) Style of proceeding
- (6) Signature and dating
- (7) Address for delivery
- (8) Required address
- (9) Additional address
- (10) Required address must be available for delivery of documents
- (11) Address must be in Yukon

- (12) Change of address for delivery
- (13) Failure to give address for service

### **RULE 5 Multiple Claims and Parties**

- (1) Multiple claims
- (2)-(5) Multiple parties
- (6)-(7) Separation
- (8) Consolidation
- (9) Misjoinder or nonjoinder of parties
- (10) *Carriage by Air Act (Canada)*
- (11)-(12) Representative proceeding
- (13) Enforcement of order made in representative proceeding
- (14)-(16) Representation of interested person who cannot be ascertained
- (17)-(18) Representation of beneficiaries by trustees
- (19)-(20) Representation of deceased person interested in a proceeding
- (21) Declaratory order
- (22) Conduct of a proceeding

### **RULE 6 Persons Under Disability**

- (1) Interpretation
- (2)-(4) Commencement of proceedings by person under disability
- (5) Litigation guardian
- (6) Consent of litigation guardian
- (7) Certificate of fitness
- (8) Party becoming incompetent
- (9) Removal of litigation guardian
- (10) Party attaining age of majority
- (11) Effect of filing affidavit
- (12)-(14) Step in default
- (15) Compromise by person under disability
- (16) Approval of compromise

### **RULE 7 Partnerships**

- (1) Partners may sue or be sued in firm name
- (2) Service on firm
- (3) Appearance
- (4)-(5) Affidavit naming partners
- (6)-(9) Execution against partnership or partners
- (10) Action against person carrying on business in a name other than the person's own

### **RULE 8 Statement of Claim**

- (1) Statement of claim
- (2) Form

- RULE 8 (cont'd)**
- (3) Specific relief
  - (4) Service
  - (5) Representative action
  - (6) Statement of claim to be signed
  - (7) Sealing of statement of claim
  - (8) Clerk's copy of statement of claim
  - (9) Procedure on filing statement of claim
  - (10) Lost statement of claim
  - (11) Application to petition
  - (12) Commencement of proceeding
- RULE 9 Renewal of Statement of Claim**
- (1) Renewal of original statement of claim
  - (2) Renewal of renewed statement of claim
  - (3) Renewal of statement of claim
  - (4) Application to petition
- RULE 10 Petition**
- (1) Petition
  - (2) Application by consent or if notice not required
  - (3) Service
  - (4) Setting down for case management and for hearing
  - (5) Response
  - (6) Time for response
  - (7) Reply by petitioner
  - (8) No additional affidavits
- RULE 11 Service and Delivery of Documents**
- (1) Service of statement of claim
  - (2) How service effected
  - (3) Date of deemed service
  - (4) Service on Government of Yukon
  - (5) Service on a party of record
  - (6) How to deliver a document
  - (7) When delivery by mail is effective
  - (8) When delivery by fax or email is effective
  - (9) If document does not reach person
  - (10) Proof of service or delivery
  - (11) Service or delivery acknowledged by lawyer
  - (12) Delivery where no address for delivery given
  - (13) Service on member of Canadian Armed Forces
- RULE 12 Substituted Service**
- (1) Court may order substituted service
- (2) How substituted service effected
  - (3) Service of order required
  - (4) Substituted service at residence without order
  - (5) Effective date of service
  - (6) Affidavit
  - (7) Substituted service by mail without order
  - (8) Effective date of service
  - (9) Affidavit
  - (10) Limits on substituted service without order
  - (11) If document does not reach person
- RULE 13 Service Outside Yukon**
- (1)-(2) Service outside Yukon without order
  - (3) Application for order to serve outside Yukon
  - (4) Applications may be made without notice
  - (5) Service of order, etc.
  - (6) Time for appearance
  - (7) Time for appearance may be shortened
  - (8) Where service without leave valid
  - (9)-(10) Contract containing terms for service
  - (11) Definition
  - (12) Manner of service abroad
  - (13) Proof of service abroad
  - (14) Forms
  - (15) Certificate
- RULE 14 Appearance**
- (1) Filing of appearance
  - (2) Time for appearance
  - (3) Appearance after time for appearance
  - (4) Disputed jurisdiction
  - (5) Application for stay
  - (6) Disputed process or service
  - (7) Powers of court pending resolution
  - (8) Party does not submit to jurisdiction
- RULE 15 Change of Parties**
- (1)-(2) Party's death, bankruptcy, etc.
  - (3) Assignment or conveyance of interest
  - (4) Change or transmission of interest or liability
  - (5) Removing, adding or substituting party
  - (6) Procedure where order made
  - (7) Effect of order
  - (8)-(9) Prosecution of action where plaintiff or petitioner dies

**RULE 16 Change or Withdrawal of Lawyer**

- (1) Change of lawyer
- (2) Order that lawyer has ceased to act
- (3) Order on application of lawyer
- (4) Notice of withdrawal
- (5) Filing of objection
- (6) Procedure where no objection filed
- (7) Delivery of notice of withdrawal
- (8) Delivery of documents after withdrawal
- (9) Procedure where objection filed
- (10) Substituted service
- (11) Delivery of copy of order

**RULE 17 Default of Appearance or Pleading**

- (1) Default in filing of appearance
- (2) Filings required
- (3) Default in filing and delivering a statement of defence
- (4) Filings required
- (5)-(6) Claim for debt or liquidated demand
- (7) Claim for unliquidated damages
- (8) Claim for detention of goods
- (9) Multiple claims
- (10) Application to judge
- (11) No defence to part of claim
- (12) No execution on default judgment where there is a counterclaim
- (13) Judgment in other claims
- (14) Default by one of several defendants
- (15) Method of assessment
- (16) Court may set aside or vary default judgment
- (17) Alternative methods of assessment

**RULE 18 Summary Judgment**

- (1) Application for
- (2) Order for
- (3) Continuing proceedings after summary judgment
- (4) Summary judgment on counterclaim or third party proceeding
- (5) Setting aside or varying summary judgment
- (6) Summary judgment for defendant
- (7) Order for summary judgment for defendant

**RULE 19 Summary Trial**

- (1) Application
- (2) When application must be heard
- (3) Setting application for hearing
- (4) Evidence on application
- (5) Application of Rule 42
- (6) Application of Rule 34
- (7) Filings with application
- (8) Notice of evidence to be used on application
- (9) Preliminary orders
- (10) Timing of preliminary application
- (11) Judge not seized of application
- (12) Judgment
- (13) No further application without leave
- (14) Directions
- (15) Right to vary or set aside order
- (16) Order if jury notice filed

**RULE 20 Pleadings Generally**

- (1)-(4) Contents
- (5) Form
- (6) Matters arising since commencement
- (7) Inconsistent allegations
- (8) Alternative allegations
- (9) Objection in point of law
- (10) Pleading conclusions of law
- (11) Status admitted
- (12) Where particulars necessary
- (13) Further particulars
- (14) Particulars in libel or slander
- (15) Set-off or counterclaim
- (16) Filing and delivery of pleadings
- (17) Pleading after the statement of claim
- (18) Order for particulars
- (19) Demand for particulars
- (20) Demand for particulars not a stay of proceedings
- (21) Denial required if fact not admitted
- (22) General denial sufficient except where proving different facts
- (23) Substance to be answered
- (24) Denial of contract
- (25) Allegation of malice
- (26)-(29) Scandalous, frivolous or vexatious matters
- (30) Vexatious litigant
- (31) General damages shall not be pleaded

**RULE 21 Statement of Defence and Counterclaim**

- (1) Form
- (2) Damages

- RULE 21 (cont'd)**
- (3) Delivery
  - (4)-(5) Counterclaim
  - (6)-(9) Counterclaim against plaintiff and another person
  - (10) Defence to counterclaim
  - (11) Separate trial of counterclaim
  - (12) Where action stayed or discontinued
  - (13) Judgment
  - (14) Payment into court when tender pleaded
  - (15) Costs where defence of tender successful
  - (16) Acceptance of money paid into court
  - (17) Tender in defamation action
- RULE 22 Third Party Procedure**
- (1) Filing a third party notice
  - (2) Contents of a third party notice
  - (3) When leave is required
  - (4) Application for leave
  - (5) Service and delivery of a third party notice
  - (6) Application to set aside notice
  - (7) Appearance
  - (8) Statement of defence
  - (9) Reply
  - (10) Default of appearance
  - (11) Default of statement of defence
  - (12) Relief
  - (13) Statement of defence to statement of claim
  - (14) Contribution or indemnity claimed under the *Contributory Negligence Act*
  - (15) Apportionment of liability claimed under the *Contributory Negligence Act*
  - (16) When statement of defence to third party notice not required
  - (17) Application for directions
  - (18) Third party procedure not to prejudice the plaintiff
  - (19) Trial
- RULE 23 Reply and Subsequent Pleadings**
- (1) Form
  - (2) Delivery of reply
  - (3) Pleading subsequent to reply
  - (4) Statement of defence to counterclaim
  - (5) Close of pleadings
  - (6) Failure to reply

(7) No joinder of issue

- RULE 24 Amendment**
- (1) When amendment may be made
  - (2) How amendment made
  - (3) Service of amended pleading
  - (4) Amendment at trial
  - (5) Service or delivery of amended document
  - (6) Time for appearance to amended originating process
  - (7) Amendment consequent upon amendment
  - (8) Failure to deliver amended statement of defence

- RULE 25 Discovery of Documents**
- (1)-(2) Interpretation
  - (3) Disclosure
  - (4) Production for inspection
  - (5) Insurance policies
  - (6) Affidavit of documents
  - (7) Lawyer's certificate
  - (8) Affidavit not to be filed
  - (9)-(12) Inspection of documents
  - (13) Documents to be taken to examination and trial
  - (14) Court may order production
  - (15) Court may inspect to determine claim of privilege
  - (16) Court may excuse performance
  - (17) Copying of documents
  - (18) E-Discovery
  - (19) Delayed disclosure or production
  - (20) Disclosure or production not admission of relevance
  - (21) Where affidavit incomplete or privilege improperly claimed
  - (22) Documents or errors subsequently discovered
  - (23) Party may not use document
  - (24) Failure to deliver affidavit or produce document
  - (25)-(28) Production from non-parties with leave
  - (29) Document deposited for safe keeping

- RULE 26 Use of Evidence Outside the Proceeding**
- (1)-(2) Application
  - (3) Deemed undertaking
  - (4)-(6) Exceptions
  - (7) Order that undertaking does not apply

**RULE 27 Examination For Discovery**

- (1) Leave of the court not required
- (2) Oral examination on oath
- (3) Examination of party adverse in interest
- (4) Examination of director, etc.
- (5) Examination of employees, agents, etc.
- (6) Examination of corporation
- (7) Examination of partners
- (8) Examination of party for whose benefit action brought
- (9) Examination of assignor
- (10) Examination of person under a legal disability
- (11) Examination of bankrupt
- (12) Time
- (13) Place
- (14) Examination before reporter
- (15)-(16) Appointment
- (17) Delivery of notice
- (18) Production of documents
- (19) Examination and re-examination
- (20)-(21) Scope of examination
- (22) Objections
- (23) Refusal to answer
- (24) Failure to answer in accordance with request
- (25) Effect of counsel answering
- (26) Information subsequently obtained
- (27) How recorded
- (28) Application to persons outside Yukon
- (29) Insurance policies

**RULE 28 Pre-trial Examination of Witness**

- (1) Order for
- (2) Expert
- (3) Affidavit in support of application
- (4) Notice of application
- (5) Subpoena
- (6) Notice of examination
- (7) Mode of examination
- (8) Application of examination for discovery rules

**RULE 29 Discovery By Interrogatories**

- (1) Purpose
- (2) Service of and answer to interrogatories
- (3) Where a party is a body of persons
- (4) Time for service
- (5) Where more than one person to

- answer interrogatories
- (6) Objection to answer interrogatory
- (7) Insufficient answer to interrogatory
- (8) Application to strike out interrogatory
- (9)-(10) Delivery of interrogatories to lawyer
- (11) Continuing obligation to answer

**RULE 30 Physical Examination and Inspection**

- (1) Order for medical examination
- (2) Multi-disciplinary examinations
- (3) Subsequent examinations
- (4) Questions by examiner
- (5) Order for inspection and preservation of property
- (6) Entry upon land or buildings
- (7) Application to persons outside Yukon

**RULE 31 Admissions**

- (1) Notice to admit
- (2) Effect of notice to admit
- (3) Copy of document to be attached
- (4) Unreasonable refusal to admit
- (5) Withdrawal of admission
- (6) Application for order on admissions

**RULE 32 Inquiries, Assessments and Accounts**

- (1) Direction for inquiries, assessments or accounts
- (2) Certificate as to result
- (3) Report and recommendation
- (4) Application to vary or confirm recommendation
- (5) Time and place of hearing
- (6) Appointment
- (7) Witnesses
- (8) Certificate or recommendation to be filed and served
- (9) Party may file certificate
- (10) Opinion of the court
- (11) Accounts of executor, trustee, etc.
- (12) Special directions
- (13) Varying directions
- (14) Form of account
- (15) Particulars of errors in account
- (16) Notice of order
- (17) Dispensing with service
- (18) Person may apply to vary or rescind
- (19) Person may enter appearance

**RULE 33 Court Appointed Experts**

- (1)-(2) Appointment by court
- (3) Directions to expert

- RULE 33 (cont'd)**
- (4) Duty of expert
  - (5) Contents of order appointing expert
  - (6) Remuneration of expert
  - (7) Security for remuneration
  - (8) Report
  - (9) Report filed as evidence
  - (10) Further reports
  - (11) Cross-examination of expert

- RULE 34 Evidence of Own Experts**
- (1) Application
  - (2)-(3) Admissibility of written reports of expert opinion
  - (4) Admissibility of oral testimony of expert opinion
  - (5) Form of report
  - (6) Court may order production of documents
  - (7) Proof of qualifications
  - (8) Admissibility of evidence
  - (9) Notice of trial date to expert
  - (10)-(11) Demand to cross-examine
  - (12) Costs of cross-examination
  - (13)-(14) Notice of objection to expert evidence
  - (15)-(16) Dispensing with statement
  - (17) Time
  - (18) Experts to confer
  - (19) Lawyers not to attend
  - (20) Court may make directions
  - (21) Delivery of statement
  - (22) Privilege
  - (23) Duty of expert
  - (24) Advice and certification

- RULE 35 Stated Case**
- (1) On consent
  - (2) By order
  - (3)-(4) Stated case from tribunal
  - (5) Notice of hearing of stated case
  - (6) Hearing
  - (7) Powers of court
  - (8) Order after hearing

- RULE 36 Case Management Conference**
- (1) Mandatory
  - (2) By request
  - (3) By order
  - (4) Agenda
  - (5) Applications
  - (6) Order following conference
  - (7) Case management judge may preside

- RULE 37 Judicial Settlement Conference**
- (1) By order
  - (2) Agenda
  - (3)-(4) Procedure
  - (5) Disclosure of settlement offers
  - (6) Without prejudice
  - (7) Recording
  - (8) Settlement conference judge
  - (9) Documents and briefs

- RULE 38 Discontinuance and Withdrawal**
- (1) Discontinuance by plaintiff
  - (2)-(3) Application
  - (4) Withdrawal by defendant
  - (5)-(8) Costs and default procedure on discontinuance or withdrawal
  - (9) Discontinuance not a defence

- RULE 39 Offer to Settle**
- (1) Definitions
  - (2) Where available
  - (3) Money settlement
  - (4)-(5) Application
  - (6)-(7) Time for making offer
  - (8) Withdrawal of offer
  - (9) Expiry of offer
  - (10) Counter offer
  - (11) No disclosure to court
  - (12) Offer not admission
  - (13)-(14) Acceptance of offer
  - (15) Acceptance must be unconditional
  - (16) Stay of proceedings
  - (17)-(18) Payment into court as condition of offer or acceptance
  - (19) Payment out of court
  - (20) Failure to comply with conditions
  - (21) Order on acceptance
  - (22) Costs on acceptance
  - (23) Costs on acceptance of offer in family law proceeding
  - (24) Consequences of failure to accept plaintiff's offer to settle a monetary claim
  - (25) Consequences of failure to accept defendant's offer for monetary relief
  - (26) Consequences of failure to accept plaintiff's offer for non-monetary relief
  - (27) Consequences of failure to accept defendant's offer for non-monetary relief
  - (28) Consequences of failure to accept offer in family law proceeding
  - (29) Exception
  - (30) Interpretation
  - (31) Burden of proof



- RULE 42 (cont'd)**
- (45) Clerk to note time of trial
  - (46) Affidavit evidence
  - (47) Copy of affidavit must be furnished
  - (48) Cross-examination
  - (49) Court may extend or abridge time to require witness attendance
  - (50)-(51) Contents
  - (52) Costs where attendance unnecessary
  - (53) Evidence of particular facts
  - (54) Order of speeches
  - (55) Court may make order respecting submissions
  - (56) Return of exhibits
  - (57) Disposal of exhibits after final disposition
  - (58) Notice respecting disposal of exhibits before final disposition
  - (59) Disposal of exhibits before final disposition
  - (60) If exhibit disposed of
  - (61) If exhibit destroyed

- RULE 43 Orders**
- (1) No application for judgment necessary
  - (2) Drawing and approving orders
  - (3) Form of order
  - (4) Endorsement of order on application sufficient in certain cases
  - (5) Order granted conditionally on document to be filed
  - (6) Waiver of order obtained upon condition
  - (7) Effect and form of orders
  - (8) Date of order
  - (9) Requirement of consent order
  - (10) Application by consent
  - (11) Application by consent if party under a legal disability
  - (12) Consent order
  - (13) Application of which notice is not required
  - (14) Referral by clerk
  - (15) Disposition of referred applications
  - (16) Settlement of orders
  - (17) Appointment to settle
  - (18) Party failing to attend on appointment to settle
  - (19) Review of settlement
  - (20) Clerk may draw order
  - (21) Special directions for carriage, entry or service

- (22) Correction of orders
- (23) Case file to be kept by clerk

- RULE 44 Enforcement of Orders**
- (1) Order to pay money
  - (2) Order for recovery of personal property or land
  - (3) Appointment of receiver
  - (4) Production of order before execution
  - (5) Endorsement of writ
  - (6) Issue of writ of execution where order to pay money within a period
  - (7) Issue of writ of execution
  - (8) Term and renewal of writ of execution
  - (9) Enforcement costs
  - (10) Separate writ for costs
  - (11) Judgment for recovery of property other than land
  - (12) Acknowledgement of payment
  - (13) Order that judgment has been paid
  - (14) Stay of execution
  - (15) Application for directions
  - (16) Judgment summons
  - (17) Order of commitment
  - (18) Debtor to be brought before court
  - (19) Application to set aside or vary order
  - (20) Payment of debt
  - (21) Requisition for discharge
  - (22) Liability imposed by order

- RULE 45 Examination in Aid of Execution**
- (1) Examination of debtor
  - (2) Examination of corporate, partnership or firm debtor
  - (3) Limitation
  - (4) Examination of person other than debtor
  - (5) Order in certain cases
  - (6) Application of examination for discovery rules
  - (7) Use of examination
  - (8) Costs

- RULE 46 Sales By The Court**
- (1) Court may order sale
  - (2) Sale in debenture holder's proceeding
  - (3) Conduct of sale
  - (4) Directions for sale
  - (5) Application for directions
  - (6) Certificate of sale
  - (7) Vesting order



**RULE 47 Applications**

- (1) How an application must be brought
- (2) An application by consent or if notice not required
- (3) Notice of application
- (4) More than one matter may be included
- (5) Service or delivery
- (6) Response
- (7) Reply by applicant
- (8) No additional affidavits
- (9) Place of hearing of application
- (10) Appearance at hearing
- (11) Application for directions

**RULE 48 Setting Down Applications For Hearing**

- (1) Application of this rule
- (2) Definitions
- (3) Setting application for hearing
- (4) Date and time of hearing
- (5) Date and time if hearing time more than 30 minutes
- (6) Time for filing and delivery of notice of hearing
- (7) Documents to be filed with the notice of hearing if application is without notice
- (8) Documents to be filed with the notice of hearing if application is by consent, unopposed or estimated to take not more than 30 minutes
- (9) Documents to be filed by respondent if application is opposed
- (10) Procedure if the application is estimated to take more than 30 minutes
- (11) If respondent's application is to be heard at the hearing
- (12) Chambers record to be returned
- (13) Respondent may apply for directions

**RULE 49 Affidavits**

- (1) Affidavit to be filed
- (2) Form and content of affidavit
- (3) Identifying affidavits
- (4) Making affidavit
- (5) Reference to oath in affidavit or exhibit
- (6) Jurat where deponent unable to read
- (7) Interpretation to deponent who

- (8) does not understand English
- (8) Exhibit to be marked
- (9) Copies of documentary exhibits
- (10) Numbering exhibit pages
- (11) Alterations to be initialled
- (12) Contents of affidavit
- (13) Use of defective affidavit
- (14) Affidavit sworn before proceeding commenced
- (15) Affidavit of patient under legal disability

**RULE 50 Chambers**

- (1) Applications to be heard in chambers
- (2) Particular applications to be heard in chambers
- (3) Definition of "application"
- (4) Failure of party to attend
- (5) Reconsideration of proceeding
- (6) Adjourned hearing of application
- (7)-(8) Chambers list
- (9) Evidence on an application
- (10) Hearing of application in public
- (11) Adjournment of application returnable on a holiday
- (12) Power of the court
- (13) Powers of court if notice not given
- (14) Orders without notice
- (15) Service of orders required
- (16) Setting aside orders made without notice
- (17) Adjournment
- (18) Notes of proceedings

**RULE 51 Injunctions**

- (1) Applications for pre-trial injunctions
- (2) Applications for pre-trial injunctions before proceeding commenced
- (3) Application for pre-trial injunctions without notice
- (4) Injunction by court order
- (5) Undertaking as to damages
- (6) Application for injunction after judgment

**RULE 52 Detention, Preservation and Recovery of Property**

- (1) Property which is the subject matter of a proceeding
- (2) Fund which is the subject matter of a proceeding
- (3) Allowance of income from property
- (4) Recovery of specific property
- (5) Compensation for wrongful recovery

- RULE 53 Appeals**
- (1) Application
  - (2) Form
  - (3) Directions
  - (4) Application for direction
  - (5) Service of notice of appeal
  - (6) Powers of court
  - (7) Respondent to enter appearance
  - (8) Notice of hearing of appeal
  - (9) Notice of abandonment of appeal
- RULE 54 Application for Judicial Review**
- (1) Application of rule
  - (2) Writs abolished
  - (3) Form of application for judicial review
  - (4) Limited to single order
  - (5) Respondents
  - (6) Service of notice of application
  - (7) Person affected may take part in proceeding
  - (8)-(9) Case management
  - (10) Appearance and response
  - (11) Applicant's affidavits
  - (12) Respondent's affidavits
  - (13) Cross-examinations
  - (14) Setting the application down for hearing
  - (15) Preparation by decision-maker
  - (16) Additional steps
  - (17) Requirement to file additional material
  - (18) Testimony regarding issue of fact
  - (19) Material from tribunal
  - (20) Request in petition
  - (21) Service of request
  - (22) Material to be transmitted
  - (23) Objection by decision-maker
  - (24) Directions as to procedure
  - (25) Order
  - (26) Return of material
- RULE 55 Interpleader**
- (1) Entitlement to relief by way of interpleader
  - (2) Claim to real or personal property taken by sheriff
  - (3) Sheriff to deliver notice
  - (4) Where claim admitted
  - (5) Sheriff may apply for interpleader relief
  - (6) Mode of application
  - (7) Affidavit
  - (8) Application for interpleader relief
- (9) Powers of court on hearing application
- RULE 56 Receivers**
- (1) Appointment of
  - (2) Form of security
  - (3) Remuneration of
  - (4) Accounts of
- RULE 57 Foreclosure and Cancellation**
- (1) Commencement
  - (2) Service
  - (3) Joinder of claim or party
  - (4) Person filing interest after certificate of pending litigation
  - (5) Powers of the court
  - (6) Final order
  - (7) Order for sale
  - (8) Inquiry to settle terms of sale
  - (9) Order confirming sale
  - (10) Notice to assess costs
  - (11) Agreement for sale
- RULE 58 Reciprocal Enforcement of Judgments**
- (1)-(3) Applications
- RULE 59 Contempt of Court**
- (1) Non-compliance with order
  - (2) Power of court to punish
  - (3) Corporation in contempt
  - (4) Special costs
  - (5) Certain acts as contempt
  - (6)-(7) Apprehension of person
  - (8) Release of apprehended person
  - (9) Order for release
  - (10)-(11) Proceeding for contempt Hearing
  - (12) Service of order not necessary
  - (14) Suspension of punishment
  - (15) Discharge of person
  - (16) Weekly review of person in custody
- RULE 60 Costs**
- (1) How costs assessed generally
  - (2) Costs to be reasonable
  - (3) Review of an assessment
  - (4) Expenses and disbursements
  - (5) *Estate Administration Act*
  - (6) Assessment officer
  - (7) Assessment before clerk
  - (8) Tax in respect of legal services and disbursements
  - (9) Costs to follow event
  - (10) Costs in cases within small claims jurisdiction

**RULE 60 (cont'd)**

- (11) Costs where party represented by an employee
- (12) Costs of applications
- (13) When costs payable
- (14) Lump sum costs
- (15) Costs arising from improper act or omission
- (16) Costs of part of proceeding
- (17) Costs payable from estate or property
- (18) Set-off of costs
- (19) Costs of one defendant payable by another
- (20) Unnecessary expense after judgment
- (21) Form of bill of costs
- (22) Appointment to review a bill, examine an agreement or assess costs
- (23) Place for review or examination
- (24) Further particulars
- (25) Assessment of sheriff's fees
- (26) Service of appointment
- (27) Costs on default judgment
- (28) Notice to person affected
- (29) Certificate of costs
- (30) Certificate of fees
- (31) Certificate deemed to be an order
- (32) Review of an assessment
- (33) Form of bill in certain cases
- (34) Description of services
- (35) Evidence of lawyer
- (36) Disallowance of lawyer's fees and disbursements
- (37) Costs may be ordered without assessment
- (38)-(39) Notice
- (40) Limitation
- (41) Refusal or neglect to procure assessment
- (42)-(43) Referrals

**RULE 61 Money In Court**

- (1) Interpretation
- (2) Deposit of funds
- (3) Payment out of court
- (4)-(5) Interest
- (6) Calculation of interest
- (7) Investments
- (8) Direction for payment out
- (9)-(10) Deposit of other money paid into court
- (11) Money for person under disability
- (12) Payment out of money or security
- (13) Payment in for infant

- (14) Payment out of money held for infant

**RULE 62 Sittings and Hearings**

- (1) Under direction of Senior Judge
- (2) Urgency
- (3) Urgency or convenience
- (4) Video conferencing

**RULE 63 Divorce and Family Law**

- (1) Definition
- (2) Application
- Commencement of Proceeding**
- (3) Commencement by statement of claim
- (4)-(5) Claim for relief after divorce granted
- (6) Application to vary, suspend or rescind
- (7) Procedural step after long delay
- Pleadings**
- (8) Form of pleadings
- (9) Appearance
- (10) Person allegedly involved in adultery
- (11) Withdrawal of pleading
- Financial Disclosure**
- (12) Financial disclosure
- Family Law Case Conference**
- (13)-(16) Family law case conference
- Marriage Certificate**
- (17)-(18) Certificate to be filed
- Addition of Claims and Parties**
- (19)-(21) Addition of claims and parties
- Minors**
- (22) Party who is a minor
- (23) Appointment of litigation guardian
- Service**
- (24) Service
- (25) Affidavit of service
- Security for Costs**
- (26) Security for costs
- Uncontested Proceedings**
- (27) Proceedings in default
- (28) Uncontested divorce proceeding
- (29) Application for judgment in uncontested family law proceeding
- (30)-(31) Application by requisition
- (32) Powers of court on application
- Divorce Judgments and Orders**
- (33) Pending prior divorce proceedings
- (34) Claim for divorce joined with other claims
- (35) Form of divorce order
- (36) Form of certificate of divorce
- (37) Delivery of divorce order

<b>RULE 63 (cont'd)</b>		
	<b>Consent Orders</b>	(17) statement
(38)	Consent orders	(17) Endorsement of notice
	<b>Restraining Orders</b>	<b>Particulars of Financial Statements</b>
(39)	Restraining Orders	(18) Particulars may be demanded
	<b>Appeals</b>	(19) Court may order particulars
(40)	No stay on appeal	(20) Cross-examination on financial statements
	<b>Provisional and Extra-provincial Orders</b>	<b>Changes in Financial Circumstances</b>
(41)	Provisional orders made in Yukon	(21) Information must be kept current
(42)	Provisional orders made in another territory or province	(22) Additional documents
(43)	Duty of clerk	(23) If written statement or particulars provided
(44)	Registration of orders	(24) Updated statements
(45)	Exchange of orders between territories and provinces	<b>Disclosure of Business Interests</b>
(46)	Enforcement in Territorial Court	(25) Production of documents
	<b>Searches</b>	(26) Responding to demand
(47)	Search of files	(27) Request to corporation, partnership or proprietorship
(48)	Search of exhibits	(28) Production required
<b>RULE 63A Family Law Proceeding</b>		(29) Application to court for directions
	<b>Financial Disclosure</b>	(30) Application to court for exemption
(1)	Interpretation	(31) Application by person authorized
(2)	Application of this rule	(32) Court may order exemption
	<b>Applications for Child Support</b>	(33) Costs
(3)	Who must provide Part 1 of a financial statement	(34) When costs are payable
(4)	Numbering applicable income documents	<b>Enforcement of this Rule</b>
(5)	Who must provide Parts 2 and 3 of a financial statement	(35) Relief
(6)	If special or extraordinary expenses are claimed	<b>Confidentiality of Information</b>
(7)	If undue hardship is claimed	(36) Confidentiality
(8)	When party must serve documents	(37) Sealing of financial information
(9)	Agreement instead of documents	<b>Conflict With Guidelines</b>
	<b>Applications for Spousal or Parental Support</b>	(38) Child support guidelines prevail
(10)	Who must provide income documents	(39) No conflict
(11)	When party must serve documents	<b>RULE 64 Administration of Estates (Non-contentious)</b>
	<b>Applications for Division of Assets</b>	(1) Interpretation and application
(12)	Who must provide Part 3 of a financial statement	(2) Application for grant of probate or administration
(13)	When parties must serve documents	(3) Notice of application
	<b>Financial Statement</b>	(4) Time of issuing grant
(14)	Assessment notice to be included	(5) Proof of death
(15)	When documents must be filed	(6) Self-Government Agreement
	<b>Notice to File a Financial Statement</b>	(7) <i>Indian Act</i>
(16)	Service of notice to file financial	(8) Approval by court
		(9) Hearing of application
		(10) Proof of execution where no attestation clause
		(11) Affidavit of witness
		(12) Proof where no affidavit of witness
		(13) Proof of date of execution
		(14) Proof of will
		(15)-(16) Petition
		(17) Interlineations and alterations

<b>RULE 64 (cont'd)</b>	(5)	Action for revocation of grant
(18) Erasures and obliterations	(6)	Failure to lodge grant on action for revocation
(19) Affidavit explaining	(7)	Failure to enter appearance
(20)-(21) Document referred to in a will	(8)	Counterclaim
(22) Appearance of the paper	(9)	Failure to serve statement of claim
(23) Notice to next of kin	(10)	Defence limited to proof of will
(24)-(25) Limited administrations	(11)	Order for discontinuance or dismissal
(26) Grants to an attorney	(12)	Compromise
(27) Grants of administration to guardians		
(28) Administration bonds		
(29) Affidavit of surety	<b>RULE 66</b>	<b>Transfer of Proceedings To and From Territorial Court</b>
(30) Required surety	(1)	Definition
(31) Delay in application	(2)	Transfer order to Supreme Court
(32) Identity of parties	(3)	Pleadings
(33) Proof of search for will	(4)	Case Management Meeting
(34) Search of will	(5)	Filing fees
(35) Renunciations	(6)	Transfer order to Territorial Court
(36) Caveats		
(37) Contents of caveat	<b>APPENDIX A</b>	<b>Forms</b>
(38) Time caveat in force		(Separate Binder)
(39) No grant while caveat in force	<b>APPENDIX B</b>	<b>Party and Party Costs</b>
(40) Notice to caveator	(1)	Interpretation
(41) Contents of notice	(2)	Scale of costs
(42) Appearance to notice	(3)	Value of units
(43) Effect of failure to appear to notice	(4)	Per diem rates
(44) Subpoena to accept executorship	(5)	Uncontested family law proceedings
(45) Form of subpoena and answer	(6)	Uncontested foreclosure proceedings
(46) Subpoena to apply	(7)	Default judgment and process for execution
(47)-(48) Subpoena to bring in a will, document or asset	(8)	Apportionment where proceedings tried together
(49) Filing and service of subpoena and answer	(9)	Offer to settle bill of costs
(50)-(51) Foreign grants	(10)	Transitional
(52) Foreign wills	Items (1)-(3)	<b>Schedule 1</b>
(53)-(54) Application to reseal grant	Items (1)-(3)	<b>Schedule 2</b>
(55) Affidavit on resealing	Items (1)-(3)	<b>Schedule 3</b>
(56) Domicile of deceased on resealing	Items (1)-(35)	<b>Tariff</b>
(57) Application of other rules on resealing		
(58) Grant to be resealed	<b>APPENDIX C</b>	<b>Fees</b>
(59)-(60) Notice of resealing		<b>Schedule 1</b>
(61)-(62) Remuneration and passing of accounts	(1)-(21)	Fees payable to Territorial Treasurer
(63) Affidavit required for passing of accounts and remuneration		<b>Schedule 2</b>
	(1)-(7)	Fees payable to the Sheriff
<b>RULE 65 Administration of Estates (Contentious)</b>		<b>Schedule 3</b>
(1) Interpretation	(1)-(4)	Fees payable to witnesses
(2) Dispute as to the validity of a testamentary paper		
(3) Commencement of action		
(4) Parties		