

## SUPREME COURT OF YUKON

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PRACTICE DIRECTION  
GENERAL-9

*Incapacity of Judge*

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Where it is impossible or inconvenient for a judge who has heard or started to hear a proceeding to continue the proceeding, the Chief Justice may order another judge to complete the proceeding.

The Chief Justice 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 Chief Justice may also make directions about the costs relating to the earlier proceeding.

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.

Duncan C.J.  
September 3, 2021