

RULES OF COURT and APPENDICES

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| Rule 1 | Introduction and Definitions | Rule 5 | Multiple claims and Parties |
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| (4) | Application | (2)-(5) | Multiple parties |
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| (9) | Additional address | | |
| (10) | Required address must be available for delivery of documents | Rule 8 | Statement of Claim |
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| | | (8) | Clerk's copy of statement of claim |

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| (10) | Lost statement of claim | |
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| (3) | Renewal of statement of claim | |
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| (2) | Application by consent or if notice not required | |
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| (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 | |
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| (10) | Applicable rules | |
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| (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 | |
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| (8) | Party does not submit to jurisdiction | |
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| (8)-(9) | [repealed, OIC 2022/168] | |
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| (1) | Change of lawyer | |
| (2) | Order that lawyer has ceased to act | |
| (3) | Order on application of lawyer | |
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| (9) | Procedure where objection filed | (11) Judge not seized of application | |
| (10) | Substituted service | (12) Judgment | |
| (11) | Delivery of copy of order | (13) No further application without leave | |
| | | (14) Directions | |
| | | (15) Right to vary or set aside order | |
| | | (16) Order if jury notice filed | |
| Rule 17 | Default of Appearance or Pleading | | |
| (1) | Default in filing of appearance | Rule 20 | Pleadings Generally |
| (2) | Filings required | (1)-(4) | Contents |
| (3) | Default in filing and delivering a statement of defence | (5) | Form |
| (4) | Filings required | (6) | Matters arising since commencement |
| (5)-(6) | Claim for debt or liquidated demand | (7) | Inconsistent allegations |
| (7) | Claim for unliquidated damages | (8) | Alternative allegations |
| (8) | Claim for detention of goods | (9) | Objection in point of law |
| (9) | Multiple claims | (10) | Pleading conclusions of law |
| (10) | Application to judge | (11) | Status admitted |
| (11) | No defence to part of claim | (12) | Where particulars necessary in pleading |
| (12) | No execution on default judgment where there is a counterclaim | (13) | [repealed, OIC 2022/168] |
| (13) | Judgment in other claims | (14) | Particulars in libel or slander |
| (14) | Default by one of several defendants | (15) | Set-off or counterclaim |
| (15) | Method of assessment | (16) | Filing and delivery of pleadings |
| (16) | Court may set aside or vary default judgment | (17) | Pleading after the statement of claim |
| (17) | Alternative methods of assessment | (18) | Order for particulars |
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| (1) | Application for summary judgment | (20) | Demand for particulars not a stay of proceedings |
| (2) | Order for summary judgment | (21) | Consequence if fact not responded to |
| (3) | Continuing proceedings after summary judgment | (22) | General denial sufficient except where proving different facts |
| (4) | Summary judgment on counterclaim or third party proceeding | (23) | Substance to be answered |
| (5) | Setting aside or varying summary judgment | (24) | Denial of contract |
| (6) | Summary judgment for defendant | (25)-(25.1) | Allegation of malice |
| (7) | Order for summary judgment for defendant | (26)-(29) | Scandalous, frivolous or vexatious matters |
| Rule 19 | Summary Trial | (30) | [repealed, OIC 2022/168] |
| (1) | Application for summary trial | (31) | General damages shall not be pleaded |
| (2) | When application must be heard | | |
| (3) | Setting application for hearing | Rule 21 | Statement of defence and counterclaim |
| (4) | Evidence on application | (1) | Form |
| (5) | Application of Rule 42 | (2) | Damages |
| (6) | Application of Rule 34 | (3) | Delivery |
| (7) | Filings with application | (4)-(5) | Counterclaim |
| (8) | Notice of evidence to be used on application | (6)-(9) | Counterclaim against plaintiff and another person |
| (9) | Preliminary orders | (10) | Defence to counterclaim |
| | | (11) | Separate trial of counterclaim |
| | | (12) | Where action stayed or discontinued |
| | | (13) | Judgment |

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| (15) | Costs where defence of tender successful | (7) Amendment consequent upon amendment |
| (16) | Acceptance of money paid into court | (8) Failure to deliver Amended Statement of Defence |
| (17) | Tender in defamation action | |
| Rule 22 | Third Party Procedure | |
| (1) | Filing a third party notice | Rule 25 Discovery of Documents |
| (2) | Contents of a third party notice | (1)-(2) Interpretation |
| (3) | When leave is required | (3) Disclosure |
| (4) | Application for leave | (4) Production for inspection |
| (5) | Service and delivery of a third party notice | (5) Insurance policies |
| (6) | Application to set aside notice | (6)-(6.1) Affidavit or list of documents |
| (7) | Appearance | (7) Lawyer's certificate |
| (8) | Statement of defence | (8) Affidavit not to be filed |
| (9) | Reply | (9)-(12) Inspection of documents |
| (10) | Default of appearance | (13) Documents to be taken to examination and trial |
| (11) | Default of statement of defence | (14) Court may order production |
| (12) | Relief | (15) Court may inspect to determine claim of privilege |
| (13) | Statement of defence to statement of claim | (16) Court may excuse compliance |
| (14) | Contribution or indemnity claimed under the <i>Contributory Negligence Act</i> | (17) Copying of documents |
| (15) | Apportionment of liability claimed under the <i>Contributory Negligence Act</i> | (18) E-Discovery |
| (16) | When statement of defence to third party notice not required | (19) Delayed disclosure or production |
| (17) | Application for directions | (20) Disclosure or production not admission of relevance |
| (18) | Third party procedure not to prejudice the plaintiff | (21) Where affidavit incomplete or privilege improperly claimed |
| (19) | Trial | (22) Documents or errors subsequently discovered |
| Rule 23 | Reply and Subsequent Pleadings | (23) Party may not use document |
| (1) | Form | (24) Failure to deliver affidavit or produce document |
| (2) | Delivery of reply | (25)-(28) Production from non-parties with leave |
| (3) | Pleading subsequent to reply | (29) Document deposited for safe-keeping |
| (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 | Rule 26 Use of Evidence Outside the Proceeding |
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| (3) | Service of amended pleading | (3) Deemed undertaking |
| (4) | Amendment at trial | (4)-(6) Exceptions |
| (5) | Service or delivery of amended document | (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)-(3.1) Examination of party adverse in interest |
| | | (4) Examination of party that is not an individual |
| | | (5)-(6) [repealed, OIC 2022/168] |
| | | (7) Examination of partners |

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| Rule 27 | (cont'd) | |
| (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 | |
| (13.1) | Time limitation | |
| (13.2) | Considerations of the court | |
| (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 | |
| (3.1) | Powers of court | |
| (4) | Timing of answer to interrogatories | |
| (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 | |
| (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 | |

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| Rule 33 | (cont'd) | | |
| (11) | Cross-examination of expert | (8) | Settlement conference judge |
| | | (9) | Documents and briefs |
| Rule 34 | Evidence of own experts | | |
| (1) | Application | (1) | Discontinuance by plaintiff |
| (2)-(3) | Admissibility of written reports of expert opinion | (2)-(3) | Application |
| (4) | Admissibility of oral testimony of expert opinion | (4) | Withdrawal by defendant |
| (5) | Form of report | (5)-(8) | Costs and default procedure on discontinuance or withdrawal |
| (6) | Production of documents | (9) | Discontinuance not a defence |
| (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 | (19) | Payment out of court |
| (2) | By order | (20) | Failure to comply with conditions |
| (3)-(4) | Stated case from tribunal | (21) | Order on acceptance |
| (5) | Notice of hearing of stated case | (22) | Costs on acceptance |
| (6) | Hearing | (23) | Costs on acceptance of offer in family law proceeding |
| (7) | Powers of Court | (24) | Consequences of failure to accept plaintiff's offer to settle a monetary claim |
| (8) | Order after hearing | (25) | Consequences of failure to accept defendant's offer for monetary relief |
| Rule 36 | Case Management Conference | | |
| (1) | Mandatory for self-represented plaintiffs/petitioners | (26) | Consequences of failure to accept plaintiff's offer for non-monetary relief |
| (2)-(2.1) | By request | (27) | Consequences of failure to accept defendant's offer for non-monetary relief |
| (3) | By order | (28) | Consequences of failure to accept offer in family law proceeding |
| (4) | Agenda | (29) | Exception |
| (5) | Applications | (30) | Interpretation |
| (6)-(6.2) | Order following conference | (31) | Burden of proof |
| (7) | Case management judge may preside | (32) | Multiple plaintiffs |
| | | (33) | Multiple defendants |
| Rule 37 | Judicial Settlement Conference | | |
| (1) | By order | (34) | Counter claims and third party claims |
| (2) | Agenda | (35) | Parties under disability |
| (3)-(4) | Procedure | (36) | <i>Fatal Accidents Act</i> |
| (5) | Disclosure of settlement offers | (37)-(38) | Defamation actions |
| (6) | Without prejudice | | |
| (7) | Recording | | |
| (7.1) | Orders | | |

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| Rule 39 | (cont'd) | |
| (39)-(40) | Costs in cases within small claims jurisdiction | (5) Transcript for the court |
| (41)-(42) | Settlement offer may be delivered | (6) Use of recording device |
| (43) | Application of subrules (10 to (12) | (7) Failure to prove a material fact |
| | | (8)-(9) No evidence application |
| | | (10)-(11) Insufficient evidence application |
| | | (12) Notice to produce |
| | | (13) Numbering exhibit pages |
| Rule 40 | Depositions | (14) Opportunity to inspect exhibit |
| (1) | Examination of person | (15) Registry to take charge of exhibits |
| (2) | Grounds for order | (16) Adverse party as witness |
| (3) | Subpoena | (17) Notice to call adverse party as witness |
| (4) | Place of examination | (18) Exceptions |
| (5) | Application of rule outside Yukon | (19) Application to set notice aside |
| (6) | Where person willing to testify | (20) Court may make order |
| (7) | Where person not willing to testify | (21) "Adverse party" defined |
| (8) | Letter of request | (22) Refusal to comply with notice |
| (9) | Filing of undertaking | (23) Adverse party as witness may be cross-examined |
| (10) | Notice of examination | (24) Examination of witnesses |
| (11) | Mode of examination | (25) Any party may contradict testimony |
| (12) | Objection to question | (26) Use of deposition evidence |
| (13) | Recording of deposition evidence | (27) Proof of deposition evidence |
| (14) | Perpetuating testimony | (28) Deposition to be given in full |
| Rule 41 | Trial | (29) Use of discovery evidence |
| (1) | Application | (30) Discovery evidence of person under legal disability |
| (2) | Request for trial date | (31) Transcript of discovery evidence |
| (3)-(5) | Notice of trial | (32) Use of pre-trial examination of a witness |
| (6) | Place of trial | (33) Objection to transcript evidence at trial |
| (7) | Time of trial | (34) Custody of transcripts |
| (8) | Court may adjourn trial date, etc. | (35) Use of interrogatories at trial |
| (9) | Duty to inform trial coordinator | (36) Form of subpoena |
| (10)-(10.1) | Trial record for the court | (37) Party may prepare and serve subpoena |
| (11) | Powers of clerk respecting trial records | (38) Subpoena not to be filed or sealed |
| (12) | Trial record documents to be marked | (39) Service of subpoena |
| (13) | Filing and delivery of trial record | (40) Fees to accompany subpoena |
| (14) | Amended trial record | (41) Production of documents and physical objects |
| (15) | Direction as to trial record | (42) Order for attendance of witness in custody |
| (16) | Failure to file | (43) Failure of witness to attend, etc. |
| (17) | Trial without jury generally | (44) Order setting aside subpoena |
| (18) | Trial of one question before others | (45) Clerk to note time of trial |
| (19) | Trial by different modes of trial | (46) Affidavit evidence |
| (20) | Calculation of amount by officer of the court | (47) Copy of affidavit must be furnished |
| (21) | Failure of all parties to appear at trial | (48) Cross-examination |
| (22) | Failure of one party to appear at trial | (49) Court may extend or abridge time to require witness attendance |
| (23) | Court may set aside judgment | (50)-(51) Contents |
| Rule 42 | Evidence and Procedure at Trial | (52) Costs where attendance unnecessary |
| (1) | Application | (53) Evidence of particular facts |
| (2) | Witness to testify orally | |
| (3) | Court may vary order | |
| (4) | Use of transcript of other proceedings | |

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| Rule 42 | (cont'd) | |
| (54) | Order of speeches | (6) Issue of writ of execution where order to pay money within a period |
| (55) | Court may make order respecting submissions | (7) Issue of writ of execution |
| (56) | Return of Exhibits | (8) Term and renewal of writ of execution |
| (57) | Disposal of exhibits after final disposition | (9) Enforcement costs |
| (58) | Notice respecting disposal of exhibits before final disposition | (10) Separate writs for costs |
| (59) | Disposal of exhibits before final disposition | (11) Judgment for recover of property other than land |
| (60) | If exhibit disposed of | (12) Acknowledgment of payment |
| (61) | If exhibit destroyed | (13) Order that judgment has been paid |
| Rule 43 | Orders | (14) Stay of execution |
| (1) | No application for judgment necessary | (15) Application for directions |
| (2) | Drawing and approving orders | (16) Judgment summons |
| (3) | Form of order | (17) Order of commitment |
| (4) | Endorsement of order on application sufficient in certain cases | (18) Debtor to be brought before court |
| (5) | Order granted conditionally on document to be filed | (19) Application to set aside or vary order |
| (6) | Waiver of order obtained upon condition | (20) Payment of debt |
| (7) | Effect and form of orders | (21) Requisition for discharge |
| (8) | Date of order | (22) Liability imposed by order |
| (9)-(9.1) | Requirement of consent order | |
| (10) | Application by consent | Rule 45 Examination in aid of execution |
| (11) | Application by consent if party under a legal disability | (1) Examination of debtor |
| (12) | Consent order | (2) Examination of corporate, partnership or firm debtor |
| (13) | Application of which notice is not required | (3) Limitation |
| (14) | Referral by clerk | (4) Examination of person other than debtor |
| (15) | Disposition of referred applications | (5) Order in certain cases |
| (16) | Settlement of orders | (6) Application of examination for discovery rules |
| (17) | Appointment to settle | (7) Use of examination |
| (18) | Party failing to attend on appointment to settle | (8) Costs |
| (19) | Review of settlement | |
| (20) | Clerk may draw order | Rule 46 Sales by the Court |
| (21) | Special directions for carriage, entry or service | (1) Court may order sale |
| (22) | Correction of orders | (2) Sale in debenture holder's proceeding |
| (23) | Case file to be kept by clerk | (3) Conduct of sale |
| Rule 44 | Enforcement of Orders | (4) Directions for sale |
| (1) | Order to pay money | (5) Application for directions |
| (2) | Order for recovery of personal property or land | (6) Certificate of sale |
| (3) | Appointment of receiver | (7) Vesting order |
| (4) | Production of order before execution | |
| (5) | Endorsement of writ | Rule 47 Applications |
| (1)-(1.1) | How an application must be brought | (1) An application by consent or if notice not required |
| (2) | | (3) Notice of application |
| (3) | | (4) More than one matter may be included |
| (4) | | (5) Service or delivery |
| (5) | | (6)-(6.1) Response |
| | | (7) Reply by applicant |

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| Rule 47 (cont'd) <ul style="list-style-type: none"> (8) No additional affidavits (9) Place of hearing of application (10) Appearance at hearing (11)-(12) Application for directions | <ul style="list-style-type: none"> (15) Affidavit of patient under legal disability |
| Rule 48 Setting down application for hearing <ul style="list-style-type: none"> (1) Application of this rule (2) Definitions (3) Setting application for hearing (4) Date and time if hearing time less than 30 minutes (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) May apply for directions | <ul style="list-style-type: none"> (15) 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) [repealed, OIC 2022/168] (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 49 Affidavits <ul style="list-style-type: none"> (1) Affidavit to be filed (1) Form and content of affidavit (3) Identifying affidavits (4) Making affidavit (4.1)-(4.2) Identification of notary public or other person receiving an affidavit (5) Reference to oath in affidavit or exhibit (6) Jurat where deponent unable to read (7) Interpretation to deponent who 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 | <ul style="list-style-type: none"> (1) Injunctions (2) Applications for pre-trial injunctions (2) Applications for pre-trial injunctions before proceeding commenced (3) Applications 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 <ul style="list-style-type: none"> (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 | <ul style="list-style-type: none"> (1) 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 |

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| Rule 53 (Cont'd) <ul style="list-style-type: none"> (8) Notice of hearing of appeal (9) Notice of abandonment of appeal | <ul style="list-style-type: none"> (2) Form of Security (3) Remuneration (4) Accounts |
| Rule 54 Application for Judicial Review <ul style="list-style-type: none"> (1) Application of rule (2) Writs abolished (3) Form of application for judicial review (4) Limited to single decision (5)-(5.1) Respondents (5.2) Filing of Application for Judicial Review and Affidavits (6) Service of application for judicial review (6.1) Appearance and response (7) Person affected may take part in proceeding (8)-(10) Case management (11) Applicant's affidavits (12) Respondent's affidavits (13) Cross-examination on affidavits (14) Additional steps (15) Preparation by decision-maker (16) Requirement to file additional material (17) Setting the application down for hearing (18) Testimony regarding issue of fact (19) Material from tribunal (20) Request in application for judicial review (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 57 Foreclosure and cancellation <ul style="list-style-type: none"> (1) Commencement (2) Service (3) Joinder of claim or party (4)-(4.1) 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 55 Interpleader <ul style="list-style-type: none"> (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 58 Reciprocal enforcement of judgments <ul style="list-style-type: none"> (1)-(3) Applications |
| Rule 56 Receivers <ul style="list-style-type: none"> (1) Appointment | Rule 59 Contempt of Court <ul style="list-style-type: none"> (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 (12) Hearing (13) Service of order not necessary (14) Suspension of punishment (15) Discharge of person (16) Weekly review of person in custody |
| | Rule 60 Costs <ul style="list-style-type: none"> (1) How costs assessed generally (1.1) Special costs (1.2) Increased costs (1.3) Lump sum costs (2) Costs to be reasonable (3) Review of an assessment (4) Expenses and disbursements (5) <i>Estate Administration Act</i> (6) Judge to assess costs (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 (11) Costs where party represented by an employee |

RULES OF COURT and APPENDICES

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| Rule 60 | (cont'd) | Rule 62 | Sittings and Hearings |
| (12) | Costs of applications | (1) | Under direction of Chief Justice |
| (13)-(14) | When costs payable | (2) | Urgency |
| (15) | Costs arising from improper act or omission | (3) | Urgency or convenience |
| (16) | Costs of part of proceeding | (4) | Video conferencing |
| (17) | Costs payable from estate or property | Rule 63 | Divorce and Family Law |
| (18) | Set-off of costs | (1) | Definitions |
| (19) | Costs of one defendant payable by another | (2) | Application |
| (20) | Unnecessary expense after judgment | (3) | Commencement by statement of claim |
| (21) | Form of bill of costs | (4)-(5) | Claim for relief after divorce granted |
| (22) | Appointment to review a bill, examine an agreement or assess costs | (6) | Application to vary, suspend or rescind |
| (23) | Place for review or examination | (7) | Procedural step after long delay |
| (24) | Further particulars | (8) | Form of pleadings |
| (25) | Assessment of sheriff's fees | (9) | Appearance |
| (26) | Service of appointment | (10) | Person allegedly involved in adultery in a divorce proceeding |
| (27) | Costs on default judgment | (11) | Withdrawal of pleading |
| (28) | Notice to person affected | (12) | Financial disclosure |
| (29) | Certificate of costs | (13)-(17) | Family Law Case Conference |
| (30) | Certificate of fees | (18)-(19) | Certificate to be filed |
| (31) | Certificate deemed to be an order | (20)-(22) | Addition of claims and parties |
| (32) | Review of the clerk's assessment | (23) | Party who is a minor |
| (33) | Form of bill in certain cases | (24) | Appointment of litigation guardian |
| (34) | Description of services | (25) | Service |
| (35) | Evidence of lawyer | (26) | Affidavit of service |
| (36) | Disallowance of lawyer's fees and disbursements | (27) | Security for costs |
| (37) | Costs may be ordered without assessment | (28) | Proceedings in default |
| (38)-(39) | Notice | (29) | Uncontested divorce proceeding |
| (40) | Limitation | (30) | Application for judgment in uncontested family law proceeding |
| (41) | Refusal or neglect to procure assessment | (31)-(32) | Application by requisition |
| (42)-(43) | Referrals | (33) | Powers of court on application |
| (44)-(49) | Security for Costs | (34)-(35) | Judgment on Consent |
| Rule 61 | Money in Court | (36) | Powers of court on application |
| (1) | Interpretation | (37) | Pending prior divorce proceedings |
| (2) | Deposit of funds | (38) | Claim for divorce joined with other claims |
| (3) | Payment out of court | (39) | Form of divorce order |
| (4)-(5) | Interest | (40) | Form of certificate of divorce |
| (6) | Calculation of interest | (41) | Delivery of divorce order |
| (7) | Investments | (42) | Consent Orders |
| (8) | Direction for payment out | (43) | Notice of Relocation |
| (9)-(10) | Deposit of other money paid into court | (44) | Objection |
| (11) | Money for person under disability | (45) | Notice of Application |
| (12) | Payment out of money or security | (46) | Restraining Orders |
| (13) | Payment in for infant | (47) | No stay on appeal |
| (14) | Payment out of money held for infant | (48) | Application |
| | | (49) | Receipt of Application |

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| Rule 63 | (cont'd) | |
| (50) | Service on Respondent | (34) Cost |
| (51)-(52) | Conversion of Applications | (35) When costs are payable |
| (53) | Service not Possible | (36) Relief |
| (54) | Registration of orders | (37) Confidentiality |
| (55) | Exchange of orders between territories and provinces | (38) Sealing of financial information |
| (56) | Enforcement in Territorial Court | (39) Child support guidelines prevail |
| (57) | Search of files | (40) No conflict |
| (58) | Search of exhibits | |
| Rule 63A | Family Law Proceeding | |
| (1) | Interpretation | (1) Interpretation and application |
| (2) | Application of this rule | (2) Application for grant of probate or administration |
| (3) | Who must provide Financial Statement (Family Law – Simplified) | (3) Notice of application |
| (4) | Numbering applicable income documents | (4) Time of issuing grant |
| (5) | If special or extraordinary expenses are claimed | (5) Proof of death |
| (6) | If special or extraordinary expenses are claimed | (6) Self-Government Agreement |
| (7)-(8) | If undue hardship is claimed | (7) <i>Indian Act</i> |
| (9) | When party must serve documents | (8) Approval by court |
| (10) | Agreement instead of documents | (9) Hearing of application |
| (11) | Who must provide income documents | (10) Proof of execution where no attestation clause |
| (12) | When party must serve documents | (11) Affidavit of witness |
| (13) | Who must provide Part 4 of a financial statement | (12) Proof where no affidavit of witness |
| (14) | When parties must serve documents | (13) Proof of date of execution |
| (15) | Assessment notice to be included | (14) Proof of will |
| (16) | When documents must be filed | (15)-(16) Petition |
| (17) | Service of notice to file financial statement | (17) Interlineations and alterations |
| (18) | Endorsement of notice | (18) Erasures and obliterations |
| (19) | Particulars may be demanded | (19) Affidavit explaining |
| (20) | Court may order particulars | (20)-(21) Document referred to in a will |
| (21) | Cross-examination on financial statements | (22) Appearance of the paper |
| (22) | Information must be kept current | (23) Notice to next of kin |
| (23) | Additional documents | (24)-(25) Limited administrations |
| (24) | If written statement or particulars provided | (26) Grants to an attorney |
| (25) | Updated statements | (27) Grants of administration to guardians |
| (26) | Production of documents | (28) Administration bonds |
| (27) | Responding to demand | (29) Affidavit of surety |
| (28) | Request to corporation, partnership or proprietorship | (30) Required surety |
| (29) | Production required | (31) Delay in application |
| (30) | Application to court for directions | (32) Identity of parties |
| (31) | Application to court for exemption | (33) Proof of search for will |
| (32) | Application by person authorized | (34) Search of will |
| (33) | Court may order exemption | (35) Renunciations |

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| Rule 64 | (cont'd) | |
| (47)-(48) | Subpoena to bring in a will, document or asset | (5) Uncontested family law proceedings |
| (49) | Filing and service of subpoena and answer | (6) [repealed by O.I.C. 2022/168] |
| (50)-(51) | Foreign grants | (7) Default judgment and process for execution |
| (52) | Foreign wills | (8) Apportionment where proceedings tried together |
| (53)-(54) | Application to reseal grant | (9) Offer to settle bill of costs |
| (55) | Affidavit on resealing | (10) Transitional - orders, settlements and costs before the coming into force of updated Rules |
| (56) | Domicile of deceased on resealing | (11) Transitional - orders, settlements and costs on or after coming into force of updated Rules |
| (57) | Application of other rules on resealing | Schedule 1 [repealed by O.I.C. 2022/168] |
| (58) | Grant to be resealed | Schedule 2 [repealed by O.I.C. 2022/168] |
| (59)-(60) | Notice of resealing | Schedule 3 [repealed by O.I.C. 2022/168] |
| (61)-(62) | Remuneration and passing of accounts | (1)-(35) Tariff |
| (63) | Affidavit required for passing of accounts and remuneration | |

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| Rule 65 | Administration of Estates (Contentious) |
| (1) | Interpretation |
| (2) | Dispute as to the validity of a testamentary paper |
| (3) | Commencement of action |
| (4) | Parties |
| (5) | Action for revocation of grant |
| (6) | Failure to lodge grant on action for revocation |
| (7) | Failure to enter appearance |
| (8) | Counterclaim |
| (9) | Failure to serve statement of claim |
| (10) | Defence limited to proof of will |
| (11) | Order for discontinuance or dismissal |
| (12) | Compromise |

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| Rule 66 | Transfer of proceedings to and from Small Claims Court |
| (1) | Definition |
| (2) | Transfer order to Supreme Court |
| (3) | Pleadings |
| (4) | Case Management Conference |
| (5) | Filing fees |
| (6) | Transfer order to Small Claims Court of Yukon |

APPENDIX A **Forms** (Separate Binder)

APPENDIX B **Party and Party Costs**

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| (1) | Interpretation |
| (2) | Scale of costs |
| (3) | Value of units |
| (4) | Per diem rates |

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| APPENDIX C | Fees |
| (1)-(19) | Schedule 1 Fees payable to Territorial Treasurer Indigency status |
| (S1) | Schedule 2 Fees payable to the Sheriff |
| (1)-(7) | Schedule 3 Fees payable to witnesses |
| (1)-(4) | |