



COURT OF QUEEN'S BENCH FOR
SASKATCHEWAN

CRIMINAL PRACTICE DIRECTIVE #1

CRIMINAL PRE-TRIAL CONFERENCES

REFERENCE: CRIM-PD #1

Former Reference: Practice Directive #2 issued January 1, 1989

Effective: July 1, 2013

1. Pre-trial conferences are held for all criminal cases in all judicial centres.
2. Section 625.1 of the Criminal Code applies to both jury and non-jury pre-trial conferences. The judge who conducts a pre-trial conference will read the transcript of the preliminary hearing and will not preside at the trial of the matter if the election is judge alone.
3. The Crown shall file the indictment and witness list in advance of the pre-trial conference.
4. Where an accused is representing himself/herself at the pre-trial conference, the pre-trial conference is generally limited to setting dates for pre-trial motions and trial and for addressing the issue of whether the accused will engage counsel for the trial.
5. A pre-trial conference report is completed by the pre-trial judge when the matter is proceeding to trial. This report will identify undertakings, admissions, motions to be brought, voir dices to be held etc. The report will be placed on the file and is available to counsel and the accused, if self represented. Other discussions at the pre-trial are confidential and will not be raised by either party at the trial.
6. In **Regina, Saskatoon, Prince Albert, Melfort and Battleford** special days are set aside for pre-trial conferences. In these judicial centres, if an accused has waived his/her preliminary hearing or has consented to committal for trial to the Court of Queen's Bench without evidence being heard the case will be set for pre-trial on the next regularly scheduled day for pre-trial conferences.

If there has been a preliminary hearing at which evidence has been called, the case will be set for pre-trial conference on the next regularly scheduled day for pre-trial conferences after the receipt of the transcript of the preliminary hearing.

7. In all judicial centres, other than Regina, Saskatoon, Prince Albert, Melfort and Battleford, where there was no request for a preliminary hearing, the Provincial Court Justice shall set the matter to be spoken to on a regular Chambers day, 30 minutes prior to the commencement of Chambers. At that time the presiding Queen's Bench Judge will set a date for a criminal pre-trial in consultation with the Local Registrar and the parties. The parties may appear by telephone if a written request is made.
8. Where there has been a consent committal at the preliminary hearing or where evidence has been called at the preliminary hearing, the Local Registrar will contact counsel for the accused, or the accused if self represented and the Crown to set a date for a pre-trial conference. This contact will be initiated immediately if the accused has consented to committal for trial to the Court of Queen's Bench without evidence being heard. If evidence has been called at a preliminary hearing this contact will be initiated immediately following the receipt of the transcript of the preliminary hearing. In the event the Local Registrar is unable to obtain an agreed date for a criminal pre-trial conference the Local Registrar will send a letter to counsel for the accused, or the accused if self-represented and the Crown directing them to appear before a judge of the Court of Queen's Bench in order to set a date for a pre-trial conference. These appearances will generally be set on regularly scheduled chambers days, approximately 30 minutes prior to the start of Chambers. Appearances may be made by telephone at the written request of either of the parties.
9. In the event that the preliminary hearing has been waived or there has been consent to committal for trial without evidence being called, the Crown shall provide a written summary of its case to the pre-trial judge. This summary shall be sealed at the conclusion of the pre-trial conference in the event the case is set for trial.
10. The Queen's Bench Judge who commences the pre-trial conference will 'manage' the file until a trial date is set.

Chief Justice M. D. Popescul