



THE NUNAVUT COURT OF JUSTICE

PRACTICE DIRECTIVE #17

LIST OF AUTHORITIES – CIVIL AND CRIMINAL CHAMBERS

Explanatory Note:

For circuit work, the Court continues to rely upon the assistance of Deputy Judges of the Court who are drawn from the superior courts of other jurisdictions. Some of these judges may have limited familiarity with territorial legislation and local jurisprudence. Deputy Judges presiding in chambers at a circuit location may have little or no opportunity to review the applicable territorial legislation or research local jurisprudence bearing on the issues raised on circuit. These judges are at a considerable disadvantage when counsel do not comply with Rule 390.

Effective February 1st 2010, Counsel must file a List of Statutes and authorities referenced in their application as required by Rule 390 for any regularly scheduled civil or criminal Chambers matter set for hearing at a location outside Iqaluit. This must be done no later than three clear business days before the scheduled hearing date. If Counsel for the moving party fails to do so, the Registrar is directed to strike the matter from the list. The matter will be rescheduled for hearing upon proof of compliance with Rule 390.

On a civil matter, the Court may, in its discretion, assess costs against a defaulting party where an adjournment is necessitated by a failure to comply with Rule 390 and this practice directive.

The Court is prepared to waive the application of Rule 390 with respect to any matter set for hearing in Iqaluit.

Issued this 21st day of December 2009 at the direction of the Judges of the Nunavut Court of Justice.

Mr. Justice R. Kilpatrick

Mr. Justice E. Johnson

Mr. Justice N. Sharkey