



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: March 1, 2018

1. Pre-trial conferences will be held for all criminal cases in all judicial centres.
2. Section 625.1(1) of the *Criminal Code* applies to both jury and non-jury pre-trial conferences. The judge who conducts a pre-trial conference is expected to read the transcript of the preliminary inquiry or the Crown summary as prepared pursuant to paragraph 6. The pre-trial judge will not preside at the trial of the matter but with the consent of both parties may accept a plea of guilty and sentence the accused.
3. The Crown shall promptly file the indictment and witness list in advance of the pre-trial conference, and any summary prepared pursuant to paragraph 6 if applicable.
4. Where an accused is representing himself/herself at the pre-trial conference, the pre-trial conference should be limited to setting dates for pre-trial motions and trial and for addressing the question of whether the accused will engage counsel for the trial.
5. A pre-trial conference report should be completed by the pre-trial judge when the matter is expected to proceed to trial. This report will identify undertakings, admissions, motions to be brought, *voir dire*s to be held, etc. The report will be placed on the file and will be available to counsel and the accused, if self-represented. Other discussions at the pre-trial are confidential and shall not be raised by either party at the trial.
6. In the event that the preliminary inquiry has been waived, there has been consent to committal for trial without evidence being called or the Crown

has filed a direct or preferred indictment, the Crown shall prepare and provide a written summary of the evidence expected to be presented by the Crown at trial, to the pre-trial judge and defence counsel as soon as possible, but no later than two weeks before the first date set for the pre-trial conference. This summary shall be sealed at the conclusion of the pre-trial conference and kept by the pre-trial judge in the event the case is set for trial. In the event the matter proceeds to a jury trial a copy of the Crown's written summary of its case shall be provided to the trial judge.

7. The Queen's Bench judge who commences the pre-trial conference will manage all issues that may arise until the commencement of the trial or thereafter, as necessary, with the consent of the parties.
8. In **Regina, Saskatoon, Prince Albert, Melfort and Battleford** special days are set aside for pre-trial conferences. At these judicial centres, if an accused has waived his/her preliminary inquiry, the Provincial Court will fix the date on which the accused must appear in the Court of Queen's Bench to the next special day scheduled for pre-trial conferences. If there has been a preliminary inquiry at which evidence has been called, and in all other cases, the local registrar will set the case for pre-trial conference to the next regularly scheduled day for pre-trial conferences. In the event the transcript of evidence from the preliminary inquiry has not been received, the matter will be set to the next pre-trial conference date immediately following the receipt of the transcript.
9. In **Estevan, Moose Jaw, Swift Current and Yorkton** there are no special days set aside for pre-trial conferences. At these judicial centres, if an accused has waived his/her preliminary inquiry, the Provincial Court will fix the date on which the accused must appear in the Court of Queen's Bench to the next regularly scheduled Chambers date. At that time the presiding Queen's Bench judge will set a date for a pre-trial conference in consultation with the local registrar and the parties. Unless otherwise ordered, the parties may appear by telephone if a written request is made. If there has been a preliminary inquiry at which evidence has been called, and in all other cases, the local registrar will set the case for a pre-trial conference forthwith in consultation with the parties.

Chief Justice M.D. Popescul  
Court of Queen's Bench for Saskatchewan