



THE COURT OF APPEAL FOR SASKATCHEWAN

August 12, 2022

NOTICE TO COURT USERS

Important Changes to Court of Appeal Rules (Civil and Criminal)

The Court of Appeal is amending its *Rules* and *Criminal Rules*, with most changes coming into effect on October 3, 2022. In addition, the Court of Appeal has repealed and replaced all Forms and two practice directives.

Links to the amendments and the new Forms can be found [here](#).

The most significant change is with respect to Rule 15 (stay of proceedings).

Effective January 1, 2023, filing a notice of appeal will *not* result in an automatic stay of execution or stay of proceedings. Instead, a party seeking a stay must apply either to the judge who made the order or judgment or to a judge of the Court of Appeal for that relief.

The change brings Saskatchewan into line with most other Canadian provinces and more properly reflects the notion that a trial-level judgment should be seen as presumptively correct.

Other changes to the *Rules* include authorizing the registrar to initiate vexatious litigant proceedings when appropriate; removing the requirement to estimate the time for a hearing; clarifying the procedure for scheduling and hearing of chambers matters, including providing more specific timelines for filing briefs; and confirming that all documents must be filed electronically through the Court's electronic filing system.

As well, amendments have been made to parallel the language used in the Court of Queen's Bench. For example, applications will be brought by notice of application rather than by notice of motion.

The modifications to the *Criminal Rules* have been made to reflect changes in the *Rules*, *The Queen's Bench Rules*, or the *Criminal Code*. They include providing the procedure for an offender to apply for court-appointed counsel and stipulating appropriate conditions for judicial interim release.

The Honourable Robert G. Richards
Chief Justice of Saskatchewan