



COURT OF KING'S BENCH FOR  
SASKATCHEWAN

## **Protocol for Complaints Against the Registrar in Bankruptcy**

**Effective: May 1, 2023**

### **BACKGROUND**

1. This Protocol outlines the process by which members of the public can report concerns about the conduct of a Registrar in Bankruptcy, appointed pursuant to section 184 of the *Bankruptcy and Insolvency Act*, RSC 1985, c B-3. The underlying purpose of this Protocol is to outline a means by which complaints can be justly resolved in a timely manner.

### **SCOPE OF PROTOCOL**

2. This Protocol applies to complaints relating to the conduct of the Registrar in Bankruptcy, including the manner in which registry services were provided.
3. Complaints about a decision rendered by a Registrar in Bankruptcy, the outcome of a bankruptcy proceeding, suspected bias, reasonable apprehension of bias, or the bankruptcy system generally cannot be addressed through the complaint process outlined in this Protocol. These issues may be dealt with by way of an appeal to the Court of King's Bench for Saskatchewan.

### **SUBMITTING A COMPLAINT**

4. All complaints must be submitted in writing by letter to the Executive Legal Officer of the Court of King's Bench for Saskatchewan. Complaints can be sent to:  
  
Stephanie Ens  
Executive Legal Officer  
Court of King's Bench for Saskatchewan  
520 Spadina Crescent East  
Saskatoon, Saskatchewan S7K 3G7
5. To be considered by the Executive Legal Officer, the written complaint must include the following:
  - a) The full name of the complainant;
  - b) The contact information of the complainant, including a phone number, mailing

- address, and an email address (if possible);
- c) The name of the Registrar in Bankruptcy;
- d) A detailed description of the conduct that is the subject of the complaint. The description of the conduct must be as specific as possible, and whenever possible, include the date(s) and time(s) of the alleged misconduct; and
- e) Information as to whether there is an ongoing bankruptcy matter before the Registrar in Bankruptcy, including any outstanding appeals.

## **COMPLAINT HANDLING PROCESS**

6. When the Executive Legal Office receives a complaint, it will be reviewed to determine whether the complaint falls within the confines of this Protocol. Complaints that are properly the subject of an appeal to the Court of King's Bench for Saskatchewan or are self-evidently without merit, including complaints that are trivial, vexatious, manifestly lacking in merit or otherwise not warranting further inquiry, will be dismissed. In such cases, the Executive Legal Officer will notify the complainant in writing that the complaint has been dismissed, and the reason for that dismissal.
7. If the Executive Legal Officer determines that the complaint concerns the conduct of the Registrar in Bankruptcy, the complaint will be forwarded to the Chief Justice of the Court of King's Bench for Saskatchewan for review and consideration.
8. After review and consideration, the Chief Justice of the Court of King's Bench may dismiss the complaint without further action if it is determined that the complaint is without merit or falls outside the confines of this Protocol.
9. If the Chief Justice of the Court of King's Bench determines that further investigation is warranted, a copy of the complaint will be provided to the Registrar in Bankruptcy. The Registrar in Bankruptcy will be asked to provide a written response to the complaint within 14 days, unless otherwise directed.
10. The Chief Justice of the Court of King's Bench will review the response provided by the Registrar in Bankruptcy. If additional information is required, the Registrar in Bankruptcy's written response may be provided to the complainant along with a request for additional written submissions.
11. The Chief Justice of the Court of King's Bench will review and consider the initial complaint, the response provided by the Registrar in Bankruptcy and any additional information provided by the complainant.

12. If, after review of the written information, the Chief Justice of the Court of King's Bench determines that additional information is required, the Chief Justice will direct the Executive Legal Officer to undertake further investigations, including holding interviews with the complainant, the Registrar in Bankruptcy, and/or any other person who may have information relevant to the allegations contained in the complaint. After the investigation is completed, the Executive Legal Officer will submit a written report to the Chief Justice of the Court of King's Bench.
13. After all of the relevant information is received by the Chief Justice of the Court of King's Bench, the Chief Justice of the Court of King's Bench will either:
  - a) Dismiss the complaint;
  - b) Reprimand the Registrar in Bankruptcy;
  - c) Warn the Registrar in Bankruptcy;
  - d) Decide that the Registrar in Bankruptcy is no longer fit to execute their duties and recommend their removal from office; or
  - e) Recommend any other remedial action that the Chief Justice of the Court of King's Bench for Saskatchewan deems appropriate.
14. The complainant will be notified in writing of the decision of the Chief Justice of the Court of King's Bench.

## **CONTACT INFORMATION**

Questions relating to the application of this Protocol can be directed to the Executive Legal Officer as follows:

Stephanie Ens  
Executive Legal Officer  
Court of King's Bench for Saskatchewan  
520 Spadina Crescent East  
Saskatoon, Saskatchewan S7K 3G7  
306-933-6506  
sens@skkb.ca