



## THE COURT OF APPEAL FOR SASKATCHEWAN

December 12, 2024

### NOTICE TO COURT USERS

#### Proposed Civil Practice Directive

The Court of Appeal is considering issuing a new Civil Practice Directive related to property assessment appeals brought pursuant to s. 33.1 of *The Municipal Board Act*, SS 1988-89, c M-23.2. The proposed Practice Directive would:

- require a prospective appellant to file a draft comprehensive index of the proposed record along with the application for leave to appeal;
- clarify the process by which a notice of appeal is filed following the granting of leave; and,
- in lieu of filing an appeal book, require an appellant to file a condensed appeal record at the same time as its factum is filed and permit a respondent to file its own condensed appeal record when its factum is filed.

A copy of the proposed Practice Directive is included with this Notice to Court Users.

Members of the bar and those working in the area of property assessment law are invited to submit feedback and comments on the proposed Practice Directive to the Court's Registrar, Amy Groothuis by [email](#), no later than January 31, 2025.

*The Honourable Robert W. Leurer*  
*Chief Justice of Saskatchewan*

## DRAFT – For consideration and feedback

### CIVIL PRACTICE DIRECTIVE NO. X [DRAFT] PROPERTY TAX ASSESSMENT APPEALS

Effective [DATE]

#### **Application of Practice Directive**

**1** This Practice Directive applies to all appeals from decisions of the Assessment Appeals Committee of the Saskatchewan Municipal Board [Committee] commenced pursuant to s. 33.1 of *The Municipal Board Act* [Act].

#### **Application for Leave to Appeal Process**

**2** In addition to the requirements set out in Rule 49(b) of *The Court of Appeal Rules* [Rules], an application for leave to appeal filed pursuant to s. 33.2(1) of the *Act* shall be supported by a draft comprehensive index to the appellant's condensed appeal record.

**3** Notwithstanding Rule 11(2) of the *Rules*, where leave to appeal is granted pursuant to s. 33.2(2) of the *Act*, a notice of appeal shall be served and filed within 10 days after the date that the order granting leave to appeal is issued.

#### **Appellant's Condensed Appeal Record**

**4** In lieu of an appeal book, at the same time as the appellant's factum is served and filed, the appellant shall serve and file a condensed appeal book, which shall contain the following material in the following order:

- (a) A comprehensive index of the documents contained within it, with reference to the page in the condensed appeal record where each document is reproduced and cross-referenced to the page in the electronic copy of the record of the proceedings filed by the Committee with the Court where each document may be found;
- (b) The decisions of the Board of Revision and the Committee;
- (c) The notices of appeal filed with the Board of Revision and the Committee;
- (d) The Table of Contents included at the beginning of the Committee's record of proceedings;
- (e) Those portions of the record before the Board of Revision and the Committee that the appellant intends to refer to during the appeal hearing;
- (f) The order granting leave to appeal; and,
- (g) The notice of appeal.

#### **Respondent's Condensed Appeal Record**

**5** A party responding to an appeal may serve and file a condensed appeal record that includes the material from the record to which the respondent intends to refer, and

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which is not reproduced in the appellant’s condensed appeal record at the same time as the respondent’s factum is served and filed.

6. A respondent’s condensed appeal record shall include a comprehensive index of the documents contained within it, with reference to the page in the condensed appeal record where each document is reproduced and cross-referenced to the page in the electronic copy of the record of the proceedings filed by the Committee with the Court where each document may be found.

**NOTE: This Practice Directive is issued by the Court under the authority of *The Court of Appeal Act, 2000* and Rule 74 of *The Court of Appeal Rules*.**

Amy Groothuis, Registrar,  
Court of Appeal for Saskatchewan

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