**A. GENERAL PROCEDURE**

1. Overview
   1. While this Practice Direction covers a number of general areas applicable to criminal matters, lawyers and self-represented parties are reminded that other Practice Directions also apply where appropriate (for example, Practice Directions related to court procedure and decorum, and related to documents and authorities).
   2. In the absence of stand-alone Criminal Section rules of procedure in this province, directions and timelines set by the court, including through the criminal pre-trial conference regime and at arraignments, are intended to facilitate the orderly and timely consideration – and determination – of criminal matters.
   3. Unless the court directs otherwise, or unless specifically directed by the *Criminal Code*, the timelines set out below apply.
   4. Non-compliance with the directions and timelines set by the court, and in particular late filings, impacts scheduling, judicial resources, the administration of justice and access to justice. In situations where the directions and timelines set by the court are not complied with, consequences may follow, including potential adjournments.
   5. Lawyers, and self-represented parties, are reminded that forwarding or providing a document to a clerk or trial coordinator does not constitute filing with the Registrar.
2. Service and Filing - Applications
   1. *Rule* 38 of the *Rules of Civil Procedure* requires that a notice of application be issued by the court, as it is an originating process. However, for Criminal Section matters, the indictment is the originating process. Therefore, notices of application in the Criminal Section are not to be issued; rather, they are to be served, and then filed with the court, with proof of service.
   2. The materials in support of the application are to be served and filed no later than 14 days before the scheduled date of the application. The materials of the responding party are to be served and filed no later than seven days before the scheduled date of the application.
3. Service and Filing - Sentencing
   1. Generally, for sentencing hearings, the expectation is that written submissions shall be served and filed. The Crown’s written submissions are to be served and filed no later than 14 days before the scheduled date of the sentencing hearing. The responding materials of the accused, or defence counsel if applicable, are to be served and filed no later than seven days before the scheduled date of the sentencing hearing.
   2. Where lawyers intend to make a joint submission on sentence, the court should be advised no later than one week in advance of the scheduled sentencing hearing. Written submissions and case law on the joint submission should be filed no later than one week before the scheduled sentencing hearing.

Where there is an intention to call a witness to give expert opinion evidence at a sentencing hearing, timely notice is to be provided to the trial coordinator, and the court may provide direction.