



THE CANADIAN
BAR ASSOCIATION
Saskatchewan Branch

November 16, 2023

The Honourable Chief Justice M.D. Popescul
Chief Justice of the Court of King's Bench
Court House, 2425 Victoria Avenue
Regina SK S4P 4W6

Via Email: mpopescul@skkb.ca

Dear Sir:

**RE: Law Reform Proposal from CBA Saskatchewan
Chambers Appearance Memos in Foreclosure Proceedings**

I write to you in my capacity as Director of Legislation and Law Reform, for CBA Saskatchewan ("CBA-SK"). This letter is to advance a proposal on behalf of the CBA-SK.

The proposal asks that the Court of King's Bench consider an amendment to Civil Practice Directive No. 6, which would exempt parties from the requirement of preparing and filing Civil Chambers Appearance memos in foreclosure proceedings.

This letter proposes that the below wording be added as a new clause to Civil Practice Directive No. 6:

This practice directive does not apply to any proceeding dealt with under Part 10, Division 5 of the King's Bench Rules and any ancillary sale of land ordered under Part 10 Division 6 of the King's Bench Rules, unless there has been a defence to the action served and filed.

The grounds which are offered in support of this change, include:

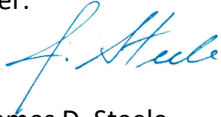
1. Foreclosure matters often only have a few standard materials that are filed nearly every single time. The materials are generally a single package sent in without any response or reply materials being filed;
2. Given the above, the Court will typically know what materials are before them, given that the materials are the same each time;
3. To avoid a Civil Chambers Appearance memo will reduce legal cost to all concerned, thus increasing the efficiency of resolving foreclosure matters. It will also simplify the materials on the Court file.

CBA-SK canvassed its members for any feedback on this issue. All of the feedback received was strongly and unanimously supportive of the above proposal. As such, the CBA-SK wishes to respectfully raise the above proposal for the consideration of the Court of King's Bench.

We very much appreciate your time to consider this proposal. Please by all means let us know if you wish to discuss this issue further.

Sincerely,

Per:



James D. Steele

Director of Legislation and Law Reform
Canadian Bar Association, Saskatchewan Branch

Cc:

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