

ALBERTA RULES OF COURT**SCHEDULES**

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SCHEDULE A
FORMS IN CIVIL ACTIONS

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Schedule A

Forms in Civil Actions

**FORM A.
(Rule 22)**

IN THE COURT OF QUEEN’S BENCH OF ALBERTA

JUDICIAL DISTRICT OF _____

BETWEEN:

_____ Plaintiff

- and -

_____ Defendant

I, _____ of _____
in the Province of Alberta _____

Make oath and say:

That I did on the _____ day of _____, 20____
serve _____ with a true copy of the _____
hereunto annexed by inserting such copy in an envelope addressed to _____
at _____
and posting the same by registered mail in the Post Office at _____

And hereunto annexed, marked Exhibit A, is the receipt from the Postmaster at _____
for such registered letter; and hereunto annexed marked
Exhibit B is the receipt of _____ for such registered letter.

SWORN before me at _____)
in the Province of Alberta this _____)
day of _____) _____
20____)
_____)
A Commissioner, Notary Public,)
or Justice of the Peace.)

AR 390/68 Sched. A Form A;338/83;85/2002

**FORM B.
(Rule 56)**

**FORM TO BE ENDORSED ON COPY OF ORDER
TO CARRY ON PROCEDURES**

Take notice that if you desire to seek to have this order discharged or varied you must apply to the court for that purpose within 10 days after the service hereof upon you (or as the case may be, within ten days of the appointment for you of a guardian ad litem). The statement of claim in this action is filed in the office of the _____.

Solicitor for the plaintiff.

(To the parties to be served with the order.)

**FORM C.
(Rule 66)****NOTICE TO THIRD PARTY**

You have been sued by the Defendant, _____. You are the Third Party. You have only 15 days to file and serve a Statement of Defence or Demand of Notice. You or your lawyer must file your Statement of Defence or Demand of Notice in the office of the Clerk of the Court of Queen's Bench in _____, Alberta. You or your lawyer must also leave a copy of your Statement of Defence or Demand of Notice at the address for service for the Defendant named above.

WARNING: If you do not do both things within 15 days, you may automatically lose the law suit. The Defendant named above may get a Court judgment against you if you do not file, or if you do not give a copy to the Defendant, or if you do either thing late.

If you file a Statement of Defence, it should say whether you deny that the Defendant is liable to the Plaintiff, and whether you deny that you are liable to the Defendant. You will automatically admit that the Defendant is liable to the Plaintiff if you do not deny that in your Statement of Defence. You will automatically admit that you are liable to the Defendant if you do not deny that in your Statement of Defence.

AR 390/68 Sched. A Form C;160/93

FORM D Repealed by AR 338/83 s43.

**FORM E.
(Rule 291)**

COMMISSION TO EXAMINE WITNESSES

IN THE COURT OF QUEEN’S BENCH OF ALBERTA

JUDICIAL DISTRICT OF _____

BETWEEN:

_____ Plaintiff

- and -

_____ Defendant

COMMISSION TO EXAMINE WITNESSES

ELIZABETH THE SECOND, BY THE GRACE OF GOD OF THE UNITED KINGDOM, CANADA AND HER OTHER REALMS AND TERRITORIES QUEEN, HEAD OF THE COMMONWEALTH, DEFENDER OF THE FAITH.

TO: _____, of _____ in the _____ of _____, in _____, of the _____ of the _____ of _____.

GREETING:

WHEREAS a certain action is now pending in (the Court of Queen’s Bench of Alberta, or other tribunal) between the above named Plaintiff and Defendant, wherein the Plaintiff claims (prays for) _____;

AND WHEREAS by an order made in this action by the Honourable _____ on the _____ day of _____ A.D. 20____, on the application of the _____, it was ordered that a commission issue out of our Court for the examination of _____ of _____ in the _____, as witnesses on behalf of the _____;

NOW KNOW YE that We, in confidence of your prudence and fidelity, have appointed and do by this Commission appoint you, and direct, authorize and give you power within thirty days after the receipt of this

Commission, or such longer time as may reasonably be required to take evidence in the above cause, to examine before you viva voce as herein mentioned the aforesaid witnesses, _____;

AND WE COMMAND YOU as follows:

1. Take an oath or affirmation which is considered by you to be binding on your conscience, which may be in the manner and form hereto attached, and which shall be taken before a person authorized to take affidavits outside of the province of Alberta for use within the province of Alberta, before you in any manner act in the execution hereof.
2. Take the examination viva voce of the said _____, at such time and place as may be appointed by you for that purpose, with power of adjournment from time to time to such other time and place as to you shall seem convenient. (In a divorce action the following addendum is added:

PROVIDED ALWAYS that the examination of witnesses shall be subject to section 7(1) of *The Alberta Evidence Act*, which reads as follows:

“7(1). No witness in any action, whether a party thereto or not, shall be liable to be asked or shall be bound to answer questions tending to show that he or she has been guilty of adultery unless he or she has already given evidence in the same action in disproof of the alleged adultery.”

3. For the purposes aforesaid cause the said witnesses to come before you and administer to them an oath or affirmation truly to answer such questions as shall be put to them, touching the question at issue; likewise administer to any reporter, shorthand writer or clerk appointed by you an oath or affirmation truly and faithfully to fulfil the duties devolving on him, which may be in the manner and form hereunto attached.
4. All viva voce questions and answers thereto, and any voluntary statement made by either witness, shall be reduced to writing, and for such purpose you may engage and appoint a reporter, shorthand writer, or clerk, if to you it should seem meet and convenient so to do.
5. In the event of said witnesses on such examination producing any books, documents, letters, papers or writing, and refusing for good cause (to be stated in their evidence) to part with the original thereof, then a copy thereof or an abstract therefrom, certified by you as Commissioner to be a true and correct copy or extract, shall be annexed to the deposition of such witnesses.

6. The deposition taken under this commission shall:
- (a) be read over to and signed by the witnesses, and
 - (b) signed by you as Commissioner;

provided, however, that if any witness shall refuse to sign the deposition, then you alone shall sign the deposition; but where the examination is taken in shorthand it is not necessary to read over the deposition to the witnesses or have them sign the same; in such case a copy of the depositions, typewritten or in longhand, certified by the shorthand writer as correct, shall be attached to the Commission and signed by you as Commissioner.

7. If any one or more of the witnesses do not understand the English language, then the examination shall be taken in the English language through the medium of an interpreter, or interpreters, to be nominated by the Commissioner, or Commissioners, present at the examination, and to be previously sworn by or before the Commissioner truly to interpret the questions and answers.

8. The deposition, together with this Commission and exhibits referred to therein - or certified copies thereof or extracts therefrom - shall be sealed in an envelope and forthwith transmitted to the Clerk of the Court of Queen's Bench of Alberta, Court House, _____, Alberta, as directed in the instructions hereto attached;

AND WE DO HEREBY GIVE YOU THE FULL POWER AND AUTHORITY to do all such acts, matters and things as may be necessary, lawful and expedient, for the due execution of this Our Commission, and you will have due regard to the instructions hereunto appended.

DATED at the _____ of _____, in the Province of Alberta, this _____ day of _____, A.D. 20____.

Clerk of the Court of Queen's Bench of Alberta.

INSTRUCTIONS AS TO THE EXECUTION OF THE WITHIN COMMISSION

1. Follow all the directions and requirements of the Commission strictly. Particular care should be taken to have the forms of oaths hereinafter attached properly sworn, and that the deposition is properly signed by the witness and Commissioner if taken in longhand; or that the transcript is

certified by the shorthand writer and signed by the Commissioner if taken in shorthand.

2. Write the style of cause on the back of the envelope containing the Commission, deposition, etc., and the word "COMMISSION", and address it to:

The Clerk of the Court of Queen's Bench,
The Court House,
_____, Alberta.

and mail the same by registered post, postage prepaid.

3. The Commissioner will take two oaths, as follows:

- (a) The Oath of Office in the form No. 1 attached. This is to be taken before entering upon the execution of the Commission.
- (b) An affidavit of execution of the Commission in the form No. 2 attached.

These two oaths should be made, affirmed or declared before _____ (here insert the appropriate officer or officers, who are to be those within the classes prescribed by Rule 285) under his hand and official seal (if he has one), and returned with the Commission.

4. The witnesses must swear and subscribe a Witness's Oath in the form marked No. 3 attached, and such oath must be duly completed, subscribed and sealed by the Commissioner. It is essential to return these oaths with the Commission.

5. The reporter, shorthand writer or clerk must subscribe and swear the Reporter's Oath marked No. 4 attached. This oath must be duly completed, subscribed and sealed by the Commissioner. It is essential to return this oath with the Commission.

CLERK OF THE COURT OF QUEEN'S BENCH OF ALBERTA

Court House,

_____,
Alberta

No. 1**COMMISSIONER'S OATH OF OFFICE**

I, _____ of _____ in the _____

MAKE OATH AND SAY:

THAT I will, according to the best of my skill and knowledge, truly and faithfully and without partiality to any or either of the parties in this cause, take the examinations and depositions of all and every witness and witnesses produced and examined by virtue of the Commission within written.

SO HELP ME GOD.

(or, in the case of a party who objects to taking an oath, I do so solemnly, sincerely, and truly affirm and declare)

SWORN before me at _____)
 in the ____ of _____) _____)
 _____)
 this ____ day of _____)
 A.D. 20 ____.)

 (Officer)

A person authorized to take affidavits for use in Alberta.

No. 2**COMMISSIONER'S AFFIDAVIT OF EXECUTION OF COMMISSION**

I, _____ of _____ in the _____

MAKE OATH AND SAY:

1. That I am the Commissioner duly appointed by and pursuant to the foregoing Commission to examine the witnesses therein named.
2. That before in any manner acting in the execution of the aforesaid Commission I did duly swear and subscribe an Oath of Office as such Commissioner, which said Oath has been enclosed with the aforesaid Commission and returned by me pursuant thereto.

3. That the names, residences and occupations, respectively, of the witnesses examined by me pursuant to the said Commission are as follows:

(a) _____

(b) _____

4. That before examining the said witnesses I did administer to them an oath or affirmation and declaration, which said oath or affirmation duly sworn and signed by said witnesses has been enclosed with the aforesaid Commission and returned by me pursuant thereto.

5. That for the purposes of taking and reducing to writing the viva voce questions and answers and the voluntary statements made by the said witnesses, I did appoint _____ of _____ in the _____, Shorthand Writer, and I did administer to the said _____ an oath or affirmation and declaration and which oath has been enclosed with the aforesaid Commission and returned by me pursuant thereto.

6. That the said _____ did duly take down all the viva voce questions and answers aforesaid in the course of the said examination and the same was truly and correctly done and I have examined the transcript of the same and I say that the same, as certified by the said Shorthand Writer and signed by me, is a true and correct transcript of all such questions and answers put to, asked, made and taken pursuant to the said Commission.

SWORN before me at _____)
in the _____)
of _____)
this _____ day of _____) _____
A.D. 20__)

A person authorized to take affidavits for use in Alberta.

No. 3

WITNESS'S OATH

I, _____, of _____ in the _____ of _____,

MAKE OATH AND SAY:

THAT I will truthfully answer all questions asked me, without fear or favour, or malice to any party, and I will speak the truth, the whole truth and nothing but the truth,

SO HELP ME GOD.

(or, in the case of a party who objects to taking an oath, I do so solemnly, sincerely and truly affirm and declare)

SWORN BEFORE ME at _____)
 in the _____ of _____)
 this ____ day of _____, _____) _____

 (The Commissioner)

No. 4

REPORTER'S OATH

I, _____ of _____ in the _____, of _____,

MAKE OATH AND SAY:

THAT I will truly, faithfully, and without partiality to any or either of the parties in this cause, take, write down, and transcribe all and every one of the questions and answers which shall be asked to put to, and answered by all and every such witness or witnesses produced before and examined by the said Commissioner named in the Commission, within written, so far as I am directed and employed by the Commissioner to take down and transcribe such questions and depositions.

SO HELP ME GOD.

(or, in the case of a party who objects to taking an oath, I do so solemnly, sincerely, and truly affirm and declare).

SWORN before me at _____)

in the _____)
of _____)
this ____ day of _____)
A.D. 20____.) _____

(The Commissioner herein)

AR 390/68 Sched. A Form E;338/83;152/98;85/2002

Financing Statement

Writ of Enforcement
Civil Enforcement Act

Form F

Filed

COURT LOCATION _____

COURT FILE NUMBER _____

TYPE OF JUDGMENT CROWN EMPLOYMENT STANDARDS OTHER

This Writ authorizes enforcement proceedings in accordance with the Civil Enforcement Act. The particulars of the Writ are as follows:

DEBTOR INDIVIDUAL Male OTHER OCCUPATION _____
 Female DATE OF BIRTH _____

Business Name or Last Name First Name Middle Name

Address City Province Postal Code

CREDITOR INDIVIDUAL OTHER P.P.R. PARTY CODE _____

Business Name or Last Name First Name Middle Name

Address City Province Postal Code

Additional Debtors and Creditors and/or other information listed on attached addendum.

If claiming priority based on an Attachment Order or partial Assignment, indicate previous P.P.R. Registration Number. _____

Date of Judgment (or date Judgment effective, if different) _____ day of _____,

Original Judgment	\$		This Writ is issued for the amount of the judgment plus costs and interest. ISSUED this _____ day of _____,
Post Judgment Interest	\$		
Costs	\$		
Current Amount Owing	\$		

CLERK OF THE COURT

SOLICITOR / AGENT P.P.R. PARTY CODE _____

Name in Full

Address City Province Postal Code

Area Code & Telephone Number Fax Number Call Box Your Reference Number

TO REGISTER AGAINST SERIAL # GOODS AT PERSONAL PROPERTY REGISTRY, COMPLETE THE FOLLOWING:

SERIAL NUMBER (Only Applicable to serial number goods, e.g. motor vehicles.)	YEAR	MAKE AND MODEL	CATEGORY

Authorized Signature Print Name Control Number Page 1 Of

AR 390/68 Sched A Form F;338/83;277/95

SCHEDULE

FORM F.1

Financial Statement

**Writ of Enforcement
Addendum**

(If adding an alias indicate Debtor's Block No. (_____)
Court File Number

DEBTOR

INDIVIDUAL _____ Male OTHER
_____ Female

OCCUPATION _____

DATE OF BIRTH _____

Business Name or Last Name First name Middle Name

Address City Province Postal Code

(If adding an alias indicate Debtor's Block No. _____)

DEBTOR

INDIVIDUAL _____ Male OTHER
_____ Female

OCCUPATION _____

DATE OF BIRTH _____

Business Name or Last Name First name Middle Name

Address City Province Postal Code

CREDITOR

INDIVIDUAL OTHER P.P.R. PARTY CODE _____

Business Name or Last Name First name Middle Name

Address City Province Postal Code

CREDITOR

INDIVIDUAL OTHER P.P.R. PARTY CODE _____

Business Name or Last Name First name Middle Name

Address City Province Postal Code

ADDITIONAL INFORMATION

Control Number Page of

AR 277/95 s47;258/96

**FORM G.
(Rule 405)**

ORIGINATING NOTICE

IN THE COURT OF QUEEN’S BENCH OF ALBERTA

JUDICIAL DISTRICT OF _____

BETWEEN:

_____ Applicant

- and -

_____ Respondent

TO: (the person or persons on whom service is to be made)

TAKE NOTICE that a motion will be made on behalf of (person’s name) of the _____ of _____ in the Province of _____, _____ (occupation), the above-named applicant, before the presiding Judge in Chambers at the Court House in the City of _____ on _____ day, the _____ day of _____ 20____ at the hour of _____ o’clock in the _____ noon or so soon thereafter as counsel may be heard for an Order that:

(here set out a concise statement of the claim made and of the relief or remedy claimed with sufficient particulars to identify the cause or causes of action in respect of which the applicant claims that relief or remedy).

OR

for the determination of the following questions (or as the case may be);

AND FURTHER TAKE NOTICE that in support of the application will be read (the affidavit or affidavits of _____ to be used), copies of which are served herewith;

Dated at the _____ of _____, in the Province of Alberta, the _____ day of _____, 20_____.

Clerk of the Court (SEAL)

This originating notice was taken out by _____ solicitor for the applicant whose address for service is _____.

(OR - if the applicant sues in person)

This originating notice was taken out by the applicant whose address for service is _____.

AR 390/68 Sched. A Form G;244/69;338/83;85/2002

FORM H.**NOTICE OF JUDGMENT (OR ORDER)
(Rule 417)**

(Heading as in the Cause or Matter)

TAKE NOTICE THAT A Judgment (or Order) of this Court was given (or made) on the ___ day of _____, 19__, a copy of which is hereto attached.

AND ALSO TAKE NOTICE that from the time of service of this notice you (or the infant _____, or the person of unsound mind _____ as may be) will be bound by the said Judgment (or Order) to the same extent as you (or he) would have been if you (or he) had originally been made a party.

AND ALSO TAKE NOTICE that you (or the said infant or person of unsound mind) may within 14 days after the service of this notice apply to the Court to discharge, vary or add to the said Judgment (or Order). And also that you (or the said infant or person of unsound mind) may, upon service upon the plaintiff of a notice of your desire so to do, attend the proceedings under the within Judgment (or Order).

DATED the ___ day of _____, 19_____.

Signed
Solicitors for the plaintiff.

TO: _____
(the person upon whom
service is to be made)

FORM I

**Statutory Declaration
Financial Statement of Debtor
(Individual Debtor)**

_____ File Number

In accordance with the Alberta Rules of Court, you must, within 15 days of being served with this form, provide the completed form to the enforcement creditor.

A. Debtor Information *(Please Print)*

I, _____
Full Name Telephone Number

Aliases, Nicknames, or previous names _____

of _____
Present Address: Street Address City Province Postal Code

solemnly declare that the contents of this document are true and accurate.

How long have you lived at this address?

<small>Day</small>	<small>Month</small>	<small>Year</small>	

Birthdate Social Insurance No.

B. Dependents

Present Marital Status Single Married

Other

If other, specify.

	<small>Day</small>	<small>Month</small>	<small>Year</small>

Name of Spouse or Adult Interdependent Partner Birthdate of Spouse or Adult Interdependent Partner

Do you have any children living with you who are legally dependent upon you for financial support?

No Yes

If YES, provide the full name of the dependent, age, and relationship to you.

Full Name of Dependent	Age	Relationship to You

Do you have any other dependents who are dependent on your financial support?

No Yes

If YES, provide the full name, address, age, and relationship to you, and reason for dependency.

Full Name	Age	Relationship to you
Address	Reason for dependency	
Full Name	Age	Relationship to you
Address	Reason for dependency	

C. Employment

Full Name of Current Employer	Telephone No.	Fax No.	
Present Address of Employer	City	Province	Postal Code
Nature of Business	Position Occupied		

Place of Employment if different from employer's address.	How frequently are you paid?	If you are paid by the hour, what is your hourly wage?

If you are paid monthly, what is your gross monthly wage or salary?	What is your net monthly wage or salary?

What deductions are made from your salary? Provide complete listing.

Are you qualified as a tradesman, professional or otherwise?

<input type="checkbox"/>	<input type="checkbox"/>
No	Yes

If YES, state nature of qualifications or special training.

Do you receive bonuses from your employer?

<input type="checkbox"/>	<input type="checkbox"/>
No	Yes

If YES, when did you receive your last bonus?

--

On what basis are bonuses paid?

Do you expect to receive another bonus in the near future? No Yes If YES, when and for how much?

Do you receive money in the form of commission? No Yes

If YES, state type of work, amount of income received, and the most recent commission received.

Do you receive money from any part-time employment? No Yes

If YES, give employer's name, full address and telephone number, and the amount of income.

Do you have any income-producing hobbies? No Yes

If YES, state type of hobby and amount of income received per year.

List all other income not set out above (e.g. dividends, rental income, annuities, pensions, etc.)

Have you received any income tax refunds in the past year? No Yes Do you expect to receive any Income Tax refunds in the near future? No Yes

If YES, when and for how much?

Are you a veteran? No Yes

If YES, specify any veteran's benefits and allowances to which you are entitled.

What is the total income of your dependants from all sources?

--

D. Income from Business or Self Employment

If you are self employed or your business is a proprietorship or partnership, list the names, addresses and telephone numbers of any partners, principals or participants.

Name	Address	Telephone No.

--	--	--

Type of Business	Name of Business	Telephone No.

Business Location	Street Address

City	Province	Postal Code

Is this business a proprietorship partnership corporation

What percentage of the business is owned by you? What is the net book value of the business? What is the estimated market value of the business?

Itemize your yearly income: Salary, bonuses, dividends, and other

Salary	\$
Bonuses	\$
Dividends	\$
Other (automobile allowances, expense etc. Provide details.)	\$
	\$
	\$

Itemize other benefits (e.g. company car, house, loans, saving plans, share purchase options, etc.)

	\$
	\$
	\$
	\$

	\$
	\$
	\$
	\$
	\$
	\$

If business is a corporation, complete the following:

Are you an Officer or Director? No Yes Title

Total number of shares issued by the corporation and outstanding (describe type and class of share:) Total number of shares of each class held by you:

Class	Number	Net Book Value	Class	Number	Net Book Value

Total amount of all loans payable to you by the corporation: Terms of repayment:

Amount \$

Interest earned (if any) \$

Attach a Copy of Most Recent Financial Statement

E. Monthly Expenses

List all your monthly debt payments (loans, credit cards, personal debts, etc.), specifying the following:

Type of Debt	To Whom Payable	Amount Outstanding	Monthly Payment

List other personal liabilities, (personal guarantees, encumbrances and debts specifically attached to personal property, etc.), specifying name and address of creditor, and amount of liability.

Name of Creditor	Address of Creditor	Amount

List and give details regarding any other debts

F. Assets

Real Estate. List all real estate (homes, rental properties, cottages, condominiums, etc.) both within and outside the Province of Alberta in which you own an interest, including municipal address, legal description, purchase price, balance owing, and current market value.

	Municipal Address	Legal Description	Purchase Price	Balance Owing	Current Market Value
1.					
2.					
3.					

4.				
5.				
6.				

List the name and address of any mortgagee for each property described above, as well as the date the mortgage was granted, and the amount outstanding on the mortgage.

	Name of Mortgagee	Address of Mortgagee	Date of Mortgage Granted	Amount Outstanding on Mortgage
1.				
2.				
3.				
4.				
5.				
6.				

Motor Vehicles

List all motor vehicles including cars, trucks, farm machinery, construction equipment, recreational vehicles, aircraft, etc. in which you own an interest.

	Type - Make - Model - Year	Serial No.	Purchase Price	Current Market Value
1.				
2.				
3.				
4.				
5.				
6.				

Are any of the above vehicles subject to any liens or encumbrances. If YES, specify:

	Holder of Lien or Encumbrance	Date of Lien / Encumbrance	Balance Owing on Lien / Encumbrance
1.			
2.			
3.			
4.			
5.			
6.			

Bank Accounts, etc.

List all chequing and savings accounts, term deposits, RRSP's, annuities, etc., specifying the following:

	Type of Deposit	Name of Institution	Account No.	Branch Address	Amount
1.					
2.					
3.					
4.					

Also, specify whether there are any conditions attached to redemption of the account, and, if applicable, any expiry date.

	Conditions Attached to Redemption	Expiry date, If Applicable
1.		
2.		
3.		
4.		
5.		

Shares and Securities If you have holdings in a Corporation, complete the following:

List all shares, options, warrants, etc., and their current market value below.

	Name of Corporation	Type	Number	Current Market Value	Dividends Payable (if any)	Date Payable
1.						
2.						
3.						
4.						
5.						

List all bonds and debentures held and their current market value below:

	Name of Issuer	Class or Series	Quantity Held	Total Market Value
1.				
2.				
3.				
4.				
5.				

List location of all certificates for all corporate holdings and the name(s) and address(es)

Location of Security Certificates or Other Evidence of Ownership of Securities Name and Address of Broker(s)

1.		
2.		
3.		
4.		
5.		

Trust Properties

List all properties or interests held by a Trustee on your behalf.

Description of Assets Held Location of Assets Name and Address of Trustee

1.			
2.			
3.			
4.			

Other Assets

List all other assets, specifying kind, value and location, and whether solely or jointly owned below:

Type of Asset	Description	Sole Owner		Location	Value
		Yes	No		
■ Interests in Other Businesses					
■ promissory notes, judgment debts					
■ Loans and mortgages receivable					
■ pension plans, registered pension plans, self-administered pension plans, life insurance policies, (cash surrender value)					

List all other assets, specifying kind, value and location, and whether solely or jointly owned below:

e.g. art, jewellery, bullion, coins, cameras, household furniture and appliances (stereos, T.V.'s, computers, crystal, dishwashers, etc.)

Description of Asset	Sole Owner		Location	Value
	Yes	No		

G. Transfer of Property

Have you given away, sold, assigned or otherwise transferred any property (land, buildings, vehicles, money, household furnishings, etc.) to anyone within the past year? Specify details below.

Description of Property	To Whom Transferred	Date of Transfer	How Much Money, if any, was recovered by you?

H. Insurance

List all insurance policies in which you are a named beneficiary, including the insurance company granting the policy, the policy number, the amount, the person insured, the premium, and its cash surrender value.

Insurance Company	Policy No.	Amount	Person Insured	Premium	Cash Surrender Value

I. Parties Who Owe You Money

List all parties who owe you money:

Name	Address	Reason for Debt	Amount Owing	Status of Court Action, if any

J. Inheritances

List all estates in which you are the beneficiary of an inheritance.

Deceased's Name	Address	Value of Inheritance

K Additional Income and Assets

List all income and assets not itemized above. (e.g. legal action claims under insurance policies, etc.)

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME at

Alberta, on

A Commissioner for Oaths / Notary Public

Print Name and Expiry Date

AR 390/68 Sched. A Form I;277/95;200/2003

FORM I.1

**Statutory Declaration
Financial Statement of Debtor
(Corporate Debtor)**

File Number

In accordance with the Alberta Rules of Court, the Corporation must, within 15 days of being served with this form, provide the completed form to the enforcement creditor.

A. Debtor Information *(Please Print)*

Full Name of Deponent

of _____
Address of Deponent Telephone Number of Deponent

am the _____ of the _____
Position with Corporate Debtor Name of Corporate Debtor

of _____
Address of Corporate Debtor Telephone Number of Corporate Debtor

and I solemnly declare that the contents of this document are true and accurate.

B. Assets

Real Estate. List all real estate (homes, rental properties, cottages, condominiums, etc.) both within and outside the Province of Alberta in which the corporation owns an interest, including municipal address, legal description, purchase price, balance owing, and current market value.

	Municipal Address	Legal Description	Purchase Price	Balance Owing	Current Market
1.					
2.					
3.					
4.					
5.					
6.					

List the name and address of any mortgagee for each property described above, as well as the date the mortgage was granted, and the amount outstanding on the mortgage.

	Name of Mortgagee	Address of Mortgagee	Date of Mortgage Granted	Amount Outstanding on Mortgage
1.				
2.				
3.				
4.				

5.

Motor Vehicles

List all motor vehicles including cars, trucks, farm machinery, construction equipment, recreational vehicles, aircraft, etc. in which the Corporation owns an interest.

	Type - Make - Model - Year	Serial No.	Purchase Price	Current Market Value
1.				
2.				
3.				

Are any of the above vehicles subject to any liens or encumbrances. If YES, specify:

	Holder of Lien or Encumbrance	Date of Lien or Encumbrance	Balance owing on Lien or Encumbrance
1.			
2.			
3.			

List all fixtures, equipment and inventory:

	Type, Make, Model, Year	Serial Number, if Applicable	Purchase Price	Current Market Value

Bank Accounts

List all deposit accounts, term deposits, annuities, etc., specifying the following:

	Type of Deposit	Name of Institution	Account No.	Branch Address	Amount
1.					
2.					
3.					
4.					

Also, specify whether there are any conditions attached to redemption of the account, and, if applicable, any expiry date.

	Conditions Attached to Redemption	Expiry date, If Applicable
1.		
2.		
3.		
4.		
5.		

Receivables and Ongoing Contracts

List all receivables and ongoing contracts:

Name	Address	Amount Owing

Shares and Securities If the Corporation has holdings in a Corporation, complete the following:

List all shares, options, warrants, etc., and their current market value below.

	Name of Corporation	Type	Number	Current Market Value	Dividends Payable (if any)	Date Payable
1.						
2.						
3.						
4.						
5.						

List all bonds and debentures held and their current market value below:

	Name of Issuer	Class or Series	Quantity Held	Total Market Value
1.				
2.				
3.				

4.				
5.				

List location of all certificates for all corporate holdings and the name(s) and address(es)
 Location of Security Certificates or Other Evidence of
 Ownership of Securities

	Ownership of Securities	Name and Address of Broker(s)
1.		
2.		
3.		
4.		
5.		

Trust Properties

List all properties or interests held by a Trustee on the Corporation's behalf.

	Description of Assets Held	Location of Assets	Name and Address of Trustee
1.			
2.			
3.			
4.			

Other Assets

List all other assets, specifying kind, value and location, and whether solely or jointly owned below:

Type of Asset	Description	Sole Owner		Location	Value
		Yes	No		
■ Interests in Other Businesses					
■ promissory notes, judgment debts					
■ Loans and mortgages receivable					

List all other assets, specifying kind, value and location, and whether solely or jointly owned below:
 e.g. art, jewellery, bullion

Description of Asset	Sole Owner		Location	Value
	Yes	No		

C. Transfer of Property

Has the Corporation given away, sold, assigned or otherwise transferred any property (land, buildings, vehicles, money, equipment, inventory, etc.), outside the ordinary course of business within the past year? Specify details below.

Description of Property	To Whom Transferred	Date of Transfer	How Much Money, if any, was recovered by the Corporation?

D. Insurance

List all insurance policies in which the Corporation is named beneficiary, including the insurance company granting the policy, the policy number, the amount, the person insured, the premium, and its cash surrender value.

Insurance Company	Policy No.	Amount	Person Insured	Premium	Cash Surrender Value

E. Additional Income and Assets

List all income and assets not itemized above. (e.g. legal action claims under insurance policies, etc.)

And I make this solemn declaration conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED BEFORE ME at

Alberta, on _____, _____

A Commissioner for Oaths / Notary Public

Print Name and Expiry Date

AR 277/90 s47FORM J

FORM J

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____

BETWEEN:

Plaintiff

– and –

Defendant

Replevin Bond

UPON THE APPLICATION of the Plaintiff, the Court ordered on
_____, 20____ that _____

(Defendant)

replevy to _____ the following personal
property: (Plaintiff)

Description of

Personal Property

–

–

–

–

AND IT WAS FURTHER ORDERED that the Plaintiff and the Plaintiff's
heirs, executors and administrators be firmly held and bound to _____

(Defendant)

in the sum of \$ _____ to be paid to the Defendant or his solicitor /
agent upon order of the Court.

THIS BOND shall be held by the Clerk of the Court until the Court orders otherwise.

Dated at _____, Alberta, on _____, 20____.

Signature

Print name

Witness

Print Name

Number _____

IN THE COURT OF QUEEN'S BENCH IN THE
JUDICIAL DISTRICT OF _____

BETWEEN:

Plaintiff

- and -

Defendant

Replevin Bond

(SOLICITORS NAME, ADDRESS, TELEPHONE AND FAX
NUMBERS)

File Number _____

AR 390/68 Sched. A Form J;338/83;277/95;38/2003

FORM K

Action number _____

IN THE COURT OF QUEEN'S BENCH OF ALBERTA
JUDICIAL DISTRICT OF _____

IN THE MATTER OF SECTION 127 OF THE
WORKERS' COMPENSATION ACT

BETWEEN:

THE WORKERS' COMPENSATION BOARD

Plaintiff

– and –

Defendant

Certificate

The Workers' Compensation Board, (the "WCB"), pursuant to section 127 of the *Workers' Compensation Act*, hereby certifies that:

- a. there is payable by the above defendant to the WCB the amount of \$ _____;
- b. the basis of the payment is _____
_____.

The WCB hereby directs the above defendant to make payment to the WCB of the said amount.

This certificate is filed pursuant to the Alberta Rules of Court.

Dated at _____, Alberta, this ___ day of _____, 20__.

THE WORKERS' COMPENSATION BOARD

Per: SECRETARY

Account No: _____

AR 390/68 Sched. A Form K;338/83;277/95;38/2003;314/2003

FORM L**Garnishee Summons****Court of Queen's Bench of Alberta**

JUDICIAL DISTRICT OF _____

Creditor _____

Debtor _____

Garnishee _____

This Garnishee Summons is issued on _____ (date) for \$ _____ (total amount).
(The Creditor may adjust the amount by serving a Notice on the Garnishee.)

The Creditor intends to garnish the Debtor's

- employment earnings
- deposit accounts
- money owing from other sources

Clerk of the Court

The judgment is for alimony or maintenance.

When employment earnings are garnished for alimony or maintenance,
Maintenance Enforcement Act employment exemptions apply. Refer to
Maintenance Enforcement Regulation for more information

- This summons expires
1. in the case of a deposit account, 60 days from the date it was issued, unless it is a joint account, in which case this is only a one-time obligation.
 2. in all other cases, one year from the date it was issued, unless it has been renewed.

Supporting Affidavit

1. I am the creditor or an agent/lawyer for the creditor.
2. According to the judgment or Attachment Order, a Writ of Enforcement or Attachment Order has/has not been registered at the Personal Property Registry.
3. I believe that the proposed Garnishee owes the debtor money now or will owe the debtor money in the future.

4. The proposed Garnishee is in Alberta, or does business in Alberta notwithstanding that its payroll office is outside Alberta.

Creditor or Agent/Lawyer Occupation

Sworn in _____ (Town or city), Alberta on _____ (Date).

Commissioner for Oaths in Alberta

Commissioner's name and commission's expiry date (please print)

Instructions for Garnishee

These instructions will help you to comply with the Garnishee Summons. They are taken from the following pieces of legislation:

- Civil Enforcement Act*, RSA 2000, cC-15
- Civil Enforcement Regulation*, (AR 276/95) sections 39 and 40
- Alberta Rules of Court*, Rules 470 to 481.1

Make cheques payable to the Minister of Finance and Enterprise and send, along with the required documents, to:

Future payments to the clerk under this Garnishee Summons should be accompanied by a copy of the back page of this Garnishee Summons and an accounting.

**Garnishee
Summons
(which does
not attach
employment
earnings)**

Within 15 days from being served with the Garnishee Summons in triplicate with a \$25 compensation fee, you must do the following:

1. Serve a copy of the Garnishee Summons on the debtor (personally or by ordinary mail).
2. Deliver to the Clerk of the Court a Garnishee's Response. See below for what this must contain.
3. Pay to the Clerk the lesser of
 - (a) the amount indicated on the first page of the Garnishee Summons, or
 - (b) the amount payable by you to the Debtor according to your obligation to the Debtor.

minus \$10 as a Garnishee compensation.

Where the Garnishee Summons seeks to affect a joint entitlement, you must pay to the Clerk, unless a court orders otherwise, an amount equal to the total amount of the fund divided equally amongst all the people with the joint entitlement. A Garnishee Summons which seeks to attach a joint deposit account only attaches a current obligation as defined in the *Civil Enforcement Act*.

**Garnishee
Summons
(which does
not attach
employment
earnings)
continued**

The Garnishee's Response must contain as much of the following as is applicable:

1. (a) A Certificate of Service on the Debtor (found on the back of this document) stating that you have delivered a copy of the Garnishee Summons to the Debtor, or
 - (b) A statement setting out why you could not serve the Garnishee Summons on the Debtor.

Note: Send the original Certificate of Service to the Clerk.

2. The amount that you owe under your obligation to the Debtor.
3. The amount that you are paying to the Clerk.
4. If you don't think that you have an obligation to pay the Debtor that can be affected by the Garnishee Summons, please explain why.
5. If you believe that the obligation that the Garnishee Summons is trying to affect is (or may be) owed to someone other than the Debtor, give the reasons for your belief and the name and address of that other person.
6. If you have already received another Garnishee Summons regarding the same obligation and that Garnishee Summons is still in effect, let the Clerk's Office know in writing and give the QB Action Number of the other Garnishee Summons. The QB Action Number is on the upper right of the back of the Garnishee Summons.
7. Where the Garnishee Summons seeks to affect a joint entitlement, the Garnishee's Response must contain the name of each person who has the joint obligation with the Debtor and either
 - (a) the address of each person who has the joint obligation with the Debtor, or
 - (b) a completed Certificate of Service (found on the back of this document) stating that you have served a copy of this Garnishee Summons on each person who has the joint obligation with the Debtor.

Note: If it is a joint account, it is a one-time obligation.

8. Where the Garnishee Summons has attached a future obligation, that is, there is an amount that you must pay the Debtor in the future, the Garnishee's Response must contain the following, if known:

- (a) the date or dates on which the future obligation, or any part of it, is expected to become payable,
- (b) the amount expected to be payable on each date set out above, and
- (c) any conditions that must be met before the future obligation will become payable.

When the future obligation becomes payable, the Garnishee's Response must set out

- (a) the amount that is now payable, and
- (b) the amount that you are paying to the Clerk.

**Garnishee
Summons
(which
attaches
employment
earnings)**

Within 15 days from being served with the Garnishee Summons in triplicate with a \$25 compensation fee, you must do the following:

1. Serve a copy of the Garnishee Summons on the Debtor (personally or by ordinary mail).
2. Deliver to the Clerk of the Court a Garnishee's Response. See below for what this must contain.
3. Within 5 days after the end of the Debtor's last pay period for months affected by the Garnishee Summons, pay to the Clerk the Debtor's net pay less
 - (a) the Debtor's employment earnings exemption (see Employment Earnings Exemptions listed below), and
 - (b) \$10 as a Garnishee compensation.

Net pay means the Debtor's total earnings minus any amounts you are required to deduct for income tax, Canada Pension contributions, and employment insurance premiums. Any other deductions are taken from the debtor's exemption.

The Garnishee's Response must contain as much of the following as applicable:

1. Whether or not you employ the Debtor.
 2. How often you pay the Debtor.
 3. Either
 - (a) a Certificate of Service on the Debtor (found on the back of this document) stating that you have delivered a copy of the Garnishee Summons to the Debtor,
- OR
- (b) a statement setting out why you could not serve the Garnishee Summons on the Debtor.

Note: Send the original Certificate of Service to the Clerk.

4. If you have already received another Garnishee Summons against the Debtor's employment earnings and that Garnishee Summons is still in effect, let the Clerk's Office know in writing and give the QB Action Number of the other Garnishee Summons. The QB Action Number is on the upper right of the back of the Garnishee Summons.

At the end of the Debtor's last pay period for each month during which the Garnishee Summons is in effect, you must deliver to the Clerk a written statement setting out:

1. the Debtor's total employment earnings for the pay periods that ended during the month,
2. the amounts deducted from total earnings to calculate the Debtor's net pay for the month, and,
3. the number of the Debtor's dependants.

Employment Earnings Exemptions Calculate the Debtor's monthly employment earnings exemption by adding together:

1. the Debtor's minimum exemption, and
2. half the amount by which the Debtor's net pay exceeds this minimum exemption.

For a Debtor with no dependants, the minimum employment earnings exemption is \$800 and the maximum is \$2400. The minimum and maximum employment earnings exemption increases by \$200 for each dependant.

A dependant is:

1. a person identified as a dependant by Court Order,
2. the spouse or adult interdependent partner of the Debtor,
3. any child of the Debtor under 18 who lives with the Debtor, or
4. any relative of the Debtor (or of the Debtor's spouse/adult interdependent partner) who lives with the Debtor and, because of mental or physical infirmity, depends financially on the Debtor.

You are entitled to reply on, and act in accordance with, the Debtor's written statement of the number of dependants he or she has.

You can get a worksheet from the Clerk's Office to help you calculate the Debtor's employment earnings exemption.

When employment earnings are garnished for alimony or maintenance, *Maintenance Enforcement Act* employment exemptions apply. Refer to *Maintenance Enforcement Regulation* for more information.

If you pay the Debtor's salary/wage more often than monthly, you can pay the Clerk of the Court at the end of each pay period instead of at the end of each month. In this case, calculate the minimum and maximum employment exemption for each pay period as follows:

1. multiply the monthly exemption by the number of days in the pay period, and
2. divide this number by 30.

To the Clerk

The Creditor has a Judgment/Attachment Order against the Debtor, and a Writ of Enforcement/Attachment Order has been registered at Personal Property Registry

QB Action No. _____

Court of
Queen's Bench
of Alberta

Judicial
District of

as _____
(11 – digit PPR Registration No.)

The amount specified in the Writ of Enforcement/Attachment Order is \$ _____
of which the present balance owing is \$ _____
plus related writs \$ _____
(according to attached search results)
plus probable costs \$ _____
Total _____ total amount)

Between:
Creditor _____

Address _____

(Postal Code)

Phone _____

Fax _____

Certificate of Service on the Debtor/Joint Oblige

I, _____ (print name of person who served the Garnishee Summons

- am the Garnishee/Agent for the Garnishee.
- Creditor/Agent for the Creditor.

Debtor _____

Address _____

(Postal Code)

Phone _____

Fax _____

I certify that on _____ (Date of service of Garnishee Summons)

Garnishee _____

Address _____

(Postal Code)

Phone _____

Fax _____

I served _____ (Name of Debtor/Joint Oblige

- personally

- by ordinary mail with a true copy of the Garnishee Summons according to the *Alberta Rules of Court and the Civil Enforcement Act*.

Garnishee Summons	
Before judgment	<input type="checkbox"/>
after judgment	<input type="checkbox"/>

Note: only the Garnishee may serve a Garnishee Summons on a Debtor/Joint Oblige by ordinary mail unless otherwise ordered by the Court.

Filed by _____

Address _____

_____ (Postal Code)

Phone _____

Dated _____
(signature of person who served the Summons)

Fax _____

File No. _____

(If there is more than one Debtor/Joint Oblige, please complete an additional Certificate of Service for each Debtor/Joint Oblige.)

AR 390/68 Sched. A Form L;338/83;277/95;258/96;52/2001;27/2002;38/2003;200/2003;68/2008

Form M

**In the Court of Queen's Bench of Alberta
Judicial District of _____**

BETWEEN:

_____ Creditor

_____ Address, Telephone Number and Fax Number

and

_____ Debtor

_____ Address, Telephone Number and Fax Number

and

_____ Garnishee

_____ Address, Telephone Number and Fax Number

Garnishee Summons Renewal Statement

TO THE ABOVE NAMED GARNISHEE:

The Garnishee Summons in Queen's Bench Action Number _____
issued _____, _____ involving the above noted parties expires
_____, _____. An Attachment Order / Writ of Enforcement has been
registered at the Personal Property Registry as Registration No. _____

**This Renewal Statement renews the Garnishee Summons for 1 year from the date
the expiring Garnishee Summons expires.**

The updated amounts owing are as follows:

Balance owing is	\$ _____
Plus related writs in effect against the Debtor (as per attached search results)	\$ _____
Plus probable costs	\$ _____
T O T A L	\$ _____

Within 15 days from receiving this Garnishee Summons Renewal Statement you must
update the status of any contingency referred to in your response to the expiring
Garnishee Summons.

ISSUED at _____ on _____, _____.

Clerk of the Court

Any subsequent monies paid into Court pursuant to this Garnishee Summons Renewal Statement should be accompanied by an accounting and a copy of the Garnishee Summons Renewal Statement.

**Make cheques payable to THE MINISTER OF FINANCE AND ENTERPRISE:
send to the Clerk of the Court of Queen's Bench at:**

AR 390/68 Sched. A Form M;338/83;277/95;27/2002;68/2008

FORM N**CLERK'S CERTIFICATE**

I certify to the Registrar of the Court of Appeal of Alberta that

- (a) the foregoing appeal record contains true copies of all material as set by
 - (i) Rules 530 to 530.6 of the *Alberta Rules of Court*, or
 - (ii) a Justice of the Court of Appeal,

and

- (b) the copies of the materials in the appeal record are
 - (i) as taken from the court file,
 - (ii) as furnished to me by counsel for the parties, or
 - (iii) as furnished to me by the appellant.

Dated _____, 20 ____

Clerk of the Court of Queen's Bench of Alberta

AR 152/98 s24;172/99;16/2002;97/2008

FORM O

LAWYER'S CERTIFICATE

I certify to the Court that

1 I am a Barrister and Solicitor on the active roll of The Law Society of Alberta;

OR

I am a Barrister and Solicitor on the active roll of the Law Society of the Province of _____ and, pursuant to the *Legal Profession Act*, have been authorized to act in the Province of Alberta. My agent (if applicable) in Alberta is _____ (name, address and telephone number of agent) _____;

2 I have personally checked the contents of this Appeal Digest and found them to be complete;

3 there are no recorded reasons for the decision appealed from, except for those stated in this Appeal Digest.

Name of Lawyer: _____
 Address: _____

Dated _____, 20____. _____ (Lawyer's Signature)

AR 152/98 s24;172/99; 314/2003;97/2008;221/2009

FORM P Repealed AR 16/2002 s12.

FORM Q Repealed AR 16/2002 s12.

FORM R

Appeal Number:
Trial Court Number:
E-File Number:

IN THE COURT OF APPEAL OF ALBERTA

Between:

A.B.

Appellant/Respondent (Plaintiff)

and

C.D.

Appellant/Respondent (Defendant)

Appeal from the Judgment/Order of
The Honourable Mr./Madam Justice _____

Dated the ____ day of _____, 20 ____.

Filed the ____ day of _____, 20 ____.

Title of volume, volume number, brief description of contents
and page numbers included in volume

Counsel's name for the Appellant
address, telephone and fax number

Counsel's name for the Respondent
address, telephone and fax number

Name, address, telephone and fax numbers of the
individual or organization that prepared the appeal record

The appeal record has been prepared in _____ electronic format

_____ document format

AR 172/99 s19;152/2000;16/2002;200/2003;97/2008;190/2009

Form S**Certificate of Preparer**

I certify to the Registrar of the Court of Appeal of Alberta that

(a) I prepared the foregoing appeal record and it contains true copies of all material as set by¹

- Rules 530 to 530.6 of the *Alberta Rules of Court*,
- Part J.6 of the Consolidated Practice Directions, or
- a Justice of the Court of Appeal,

and

(b) the copies of the materials in the Appeal Record are¹

- as taken from the court file,
- as furnished to me by counsel for the parties, or
- as furnished by me.

Dated: _____

Transcript Management Services - Edmonton
Name of Person Who Prepared the Appeal Record

¹ Mark the appropriate check boxes.

Form T

Lawyer's Certificate of No Oral Record

I certify to the Court that

1 I am an active member of The Law Society of Alberta;

OR

I am a barrister and solicitor on the active roll of (name of law society) and, pursuant to section 48 of the *Legal Profession Act*, I am authorized to act in this matter;

2 Except as otherwise specified in this appeal record, no oral record as provided for in Rule 530.1(1)(a) of the *Alberta Rules of Court* exists.

Dated _____, 20__.

Lawyer's Signature

Name of Lawyer: _____

Address: _____

AR 97/2008 s15

Form U

Clerk's/Tribunal's Certificate of No Oral Record

I certify to the Registrar of the Court of Appeal of Alberta that

Except as otherwise specified in this appeal record, no oral record as provided for in Rule 530.1(1)(a) of the *Alberta Rules of Court* exists.

Dated _____, 20__.

Clerk of the Court of Queen's Bench
or the tribunal

Name: _____

Title: _____

AR 97/2008 s15