



## RESEARCH GUIDE

# civil procedure

This research guide on civil procedure focuses on Alberta practice and also refers to some resources from other Canadian jurisdictions.

## legislation

### Alberta legislation governing the courts

*Court of Appeal Act*, R.S.A. 2000, c. C-30.

[http://www.qp.alberta.ca/574.cfm?page=C30.cfm&leg\\_type=Acts&isbncln=0779728246](http://www.qp.alberta.ca/574.cfm?page=C30.cfm&leg_type=Acts&isbncln=0779728246)

*Court of Queen's Bench Act*, R.S.A. 2000, c. C-31.

[http://www.qp.alberta.ca/574.cfm?page=C31.cfm&leg\\_type=Acts&isbncln=9780779736041](http://www.qp.alberta.ca/574.cfm?page=C31.cfm&leg_type=Acts&isbncln=9780779736041)

*Judicature Act*, R.S.A. 2000, c. J-2.

[http://www.qp.alberta.ca/574.cfm?page=J02.cfm&leg\\_type=Acts&isbncln=9780779736003](http://www.qp.alberta.ca/574.cfm?page=J02.cfm&leg_type=Acts&isbncln=9780779736003)

*Provincial Court Act*, R.S.A. 2000, c. P-31.

[http://www.qp.alberta.ca/574.cfm?page=P31.cfm&leg\\_type=Acts&isbncln=9780779728008](http://www.qp.alberta.ca/574.cfm?page=P31.cfm&leg_type=Acts&isbncln=9780779728008)

*Alberta Rules of Court*, Alta. Reg. 390/68.

[http://www.qp.alberta.ca/574.cfm?page=1968\\_390.cfm&leg\\_type=Regs&isbncln=9780779733378](http://www.qp.alberta.ca/574.cfm?page=1968_390.cfm&leg_type=Regs&isbncln=9780779733378)

### Annotations to the Alberta rules

Fradsham, Allan A. *Alberta rules of court annotated*. Carswell, 1994-

KF 8816 ZA3 A336 F72

This is published annually.

Stevenson, W.A. and Côté, J.E. *Alberta civil procedure handbook*. Juriliber, 1997-

KF 8816 ZA3 A336 S84

This is published annually and is a companion volume to the *Civil procedure encyclopedia*.

Stevenson, W.A. and Côté, J.E. *Civil procedure guide, 1996*. Juriliber, 1996.

KF 8816 ZA3 A336 S84 1996

This is supplemented by *Alberta civil procedure handbook 1997-2002*.

### Other

Alberta Law Reform Institute. *Alberta rules of court project*. The Institute, 2001-

KF 8816 ZA3 A25 A43

<http://www.law.ualberta.ca/alri/Publications/Rules-of-Court-Publications.php>

Commentary on the current rules is published in this series of consultation memorandum.

Parallel rules from other jurisdictions, and the case law decided under them, can be tracked using the [Rules Concordance] feature of LawSource.

For further assistance, call 403.297.6148 (Calgary) or 780.422.2342 (Edmonton) or contact your local ALSL branch.

## case law

*Canadian abridgment*. 3<sup>rd</sup> ed. Carswell, 2003-  
"Civil practice and procedure"

Digests of Canadian cases are organised under this classification in vol. 8 to vol. 20 in print and available electronically through LawSource.

CanLII (Canadian Legal Information Institute)

<http://www.canlii.org>

CanLII provides searchable full-text access to Canadian case law. The scope of coverage varies by jurisdiction and court. Boolean operators, proximity connectors, phrases and date restrictions can be incorporated into your query. Using the [Advanced Search] feature, you can select one or more jurisdictions to be searched, limit your search to appellate decisions, and restrict your search by type of tribunal. You can also use CanLII to retrieve cases by citation or name.

*Carswell's practice cases*. Carswell, 1976-

This topical report series provides national coverage though Alberta coverage is limited.

LawSource, LexisNexis *Quicklaw* and Maritime Law Book provide electronic subject search access to legislation, case law and topical material. LexisNexis *Quicklaw* groups topical information under the source [Civil Procedure Cases - Topical]. Maritime Law Book classifies case law under the topical heading "Practice".

## encyclopedia

Abrams, Linda S. et al. *Civil procedure*. (*Halsbury's laws of Canada*). LexisNexis, 2008.

*Canadian encyclopedic digest (Western)*. 3<sup>rd</sup> ed. Carswell, 1979-

Title 116 : "Practice"

In addition to "Practice" in vol. 28 (currently updated to 2002), civil procedure is covered under "Costs", "Actions", "Courts", "Discovery", "Judgments and Orders", "Parties", "Pleadings", "Time", and "Trials". The information is available in print and electronically through LawSource.

Stevenson, W.A. and Côté, J.E. *Civil procedure encyclopedia*. Juriliber, 2003.

[KF 8816 ZA2 S84 2003](#)

This encyclopedia covers all common-law Canada, and England, and all major practice topics. It is supplemented annually by *Alberta civil procedure handbook*.

## texts

### General

Adair, Geoffrey D.E. *On trial : advocacy skills, law and practice*. 2<sup>nd</sup> ed. Butterworths, 2004.

[KF 8915 A27 2004](#)

Abrams, Linda and McGuinness, Kevin. *Canadian civil procedure law*. LexisNexis, 2008.

[KF 8816 ZA2 Z73 2008](#)

*Annual review of civil litigation*. Carswell, 2002-

[KF 8816 A19 A25](#)

Bennett, Daniel R. and Cascadden, William E. *Procedural strategies for litigators in British Columbia and Alberta*. Butterworths, 2001.

[KF 8840 ZA2 B46 2001](#)

Bryant, Marian E. *Conducting a civil appeal 1995*. Carswell, 1995.

[KF 9050 B79 1995](#)

For further assistance, call 403.297.6148 (Calgary) or 780.422.2342 (Edmonton) or contact your local ALSL branch.

- Eizenga, Michael A. et al. *Class actions law and practice*. Butterworths, 1999-  
KF 8896 A6 E39 1999
- Fradsham, Allan A. *Chambers advocacy 1997*. Carswell, 1997.  
KF 8840 ZA2 F72 1997
- Kerans, Roger P. and Willey, Kim M. *Standards of review employed by appellate courts*. 2<sup>nd</sup> ed.  
Juriliber, 2006.  
KF 9058 ZA2 K39 2006
- Lange, Donald J. *The doctrine of res judicata in Canada*. 2<sup>nd</sup> ed. Butterworths, 2004.  
KF 8992 L36 2004
- Meagher, Arthur J. and Meagher, Ronald A. *Parties to an action*. Butterworths, 1988.  
KF 8890 M42
- Miller, Jeffrey. *The law of contempt in Canada*. Carswell, 1997.  
KF 9415 M544 1997
- Morton, James C. and Iacovelli, Michael J. *Procedural strategies for litigators*. 2<sup>nd</sup> ed. Butterworths,  
2007.  
KF 8840 ZB3 M67 2007
- Muldoon, Paul R. *Law of intervention : status and practice*. Canada Law Book, 1989.  
KF 8895 M84
- Olah, John A. *The art and science of advocacy*. Carswell, 1990-  
KF 8915 O42 1990
- Orkin, Mark M. *The law of costs*. 2<sup>nd</sup> ed. Canada Law Book, 1987-  
KF 8995 O77 1987
- Palmer, Kelly R. *The law of set-off in Canada*. Canada Law Book, 1993.  
KF 8885 P34 1993
- Renaud, Gilles. *Advocacy : a lawyer's playbook*. Carswell, 2006.  
KF 8915 R46 2006
- Rossiter, James. *Law of publication bans, private hearings and sealing orders*. Carswell, 2006-  
KF 8915 R67 2006
- Salhany, Roger E. *Cross-examination : the art of the advocate*. 3<sup>rd</sup> ed. Butterworths, 2006.  
KF 8920 S34 2006
- Salhany, Roger E. *The preparation and presentation of a civil action*. Butterworths, 2000.  
KF 8816 ZA2 S24 2000
- Sopinka, John and Gelowitz, Mark A. *The conduct of an appeal*. 2<sup>nd</sup> ed. Butterworths, 2000.  
KF 9050 S66 2000
- Sopinka, John et al. *The trial of an action*. 2<sup>nd</sup> ed. Butterworths, 1998.  
KF 8915 S57 1998
- Stockwood, David. *Civil litigation : a practical handbook*. 5<sup>th</sup> ed. Carswell, 2004.  
KF 8836 S66 2004
- Stuesser, Lee. *An advocacy primer*. 3<sup>rd</sup> ed. Carswell, 2005.  
KF 8915 Z9 S78 2005
- White, Robert B. and Stratton, Joseph J. *The appeal book*. Canada Law Book, 1999.  
KF 9050 ZA2 W44 1999
- White, Robert B. *The art of trial*. Canada Law Book, 1993.  
KF 8915 W538 1993

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call  
403.297.6148  
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780.422.2342  
(Edmonton) or  
contact your  
local ALSL  
branch.

Zuckerman, Adrian. *Zuckerman on civil procedure : principles of practice*. 2<sup>nd</sup> ed. Sweet & Maxwell, 2006.

[KF 8840 ZC3 Z82 2006](#)

## Discovery

Archibald, Todd L. and Morton, James C. *Discovery : principles in practice*. CCH Canadian, 2004.

[KF 8900 A78 2004](#)

Cudmore, Gordon D. *Choate on discovery*. 2<sup>nd</sup> ed. Carswell, 1993-

[KF 8900 C56 1993](#)

Ross, Stuart J. *Conducting an examination for discovery*. Carswell, 1995.

[KF 8900 R68 1995](#)

White, Robert B. *The art of discovery*. Canada Law Book, 1990.

[KF 8900 W45](#)

## Forms and precedents

Brennan, Lord and Blair, William eds. *Bullen & Leake & Jacobs's precedents of pleadings*. 16<sup>th</sup> ed. Sweet & Maxwell (U.K.), 2008.

[KF 8868.1 B8 2008](#)

Corry, David J. *Alberta court forms*. Legal Education Society of Alberta, 1993-

[KF 8836 C67 1993](#)

Irvine, Fred et al. *British Columbia court forms*. 2<sup>nd</sup> ed. Butterworths, 2005-

[KF 8836 M35 2005](#)

Rose, William M. *Pleadings without tears : a guide to legal drafting under the civil procedure rules*. 7<sup>th</sup> ed. Oxford University Press, 2007.

[KF 8870 R67 2007](#)

## Limitations

*Alberta limitations manual*. 2<sup>nd</sup> ed. Butterworths, 2007-

[KF 450 L55 A53 2007](#)

*Federal limitations manual*. 2<sup>nd</sup> ed. Butterworths, 2006-

[KF 450 L55 F42 2006](#)

Mew, Graeme. *The law of limitations*. 2<sup>nd</sup> ed. Butterworths, 2004.

[KF 450 L55 M48 2004](#)

## journals

*Advocates quarterly : a Canadian journal for the practitioners of civil litigation*. Canada Law Book, 1977-

This journal contains significant articles on practice issues and is self-indexed.

*The Canadian class action review*. Irwin Law, 2004-

Search the *Index to Canadian legal literature* in print or electronically on LawSource using the headings "Civil procedure" and "Court rules" to identify relevant articles. More specific headings such as "Costs", "Discovery" and "Evidence" will retrieve appropriate results.

Additional full-text articles are available electronically through

- HeinOnline, a database providing full-text access to Canadian and international law reviews and legal journals which may be searched at no charge in ALSL branches;
- LawSource, which contains a collection of Canadian journals and law reviews, as well as all articles and case comments appearing in Carswell law reports; and

For further assistance, call 403.297.6148 (Calgary) or 780.422.2342 (Edmonton) or contact your local ALSL branch.

- LexisNexis *Quicklaw's* [Civil Procedure Commentary - Topical], a collection of journal articles, research papers and newsletters.

## seminars

Legal Education Society of Alberta (LESA) seminar materials and papers from the Canadian Bar Association meetings and the Alberta Civil Trial Lawyers Association conferences are searchable by [Keyword] through the ALSL catalogue, [www.lawlibrary.ab.ca](http://www.lawlibrary.ab.ca). Detailed information on the Table of Contents is found under the [Table of Contents] display option.

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