



The Provincial Court of Saskatchewan

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## **PRACTICE DIRECTIVE II**

## **Briefs of Law**

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Briefs of Law may provide assistance to the Court in determining the issues being litigated in proceedings before the Court.

Crown counsel or Defence counsel may file a Brief of Law if they believe it will assist the court proceedings. It should not approach the extent of a Factum, but rather should notify the Court and opposing party, in a concise manner, of the issues to be raised and the applicable law.

Counsel may file Briefs of Law electronically, with leave of the Court. Briefs of Law filed electronically may also include electronic links to the cases and authorities relied upon in the Brief. Counsel filing a Brief of Law electronically must also file a paper copy of the Brief of Law with the Court.

Regardless of the manner of filing, counsel must provide a copy of any Brief of Law filed with the Court to opposing counsel.

The Brief of Law should contain the following:

1. Cover page with the style of cause of the proceeding.
2. Concise statement of the issues and the related law.
3. List of authorities to be cited.
4. Copies of pertinent portions of cases to be referenced. The filing of copies of landmark decisions such as *R. v. Grant*, or of lengthy decisions, is discouraged. In particular, counsel should not file the entire case being referred to, and should instead include only as much of the text as is necessary to provide a full understanding of the passage or passages relied upon. Cases included should contain a copy of the headnote, if relevant.
5. The passages in the authorities which are relied upon by counsel should be marked either by coloured highlighting, underlining, marginal bars or similar technique.