

COURT FILE NUMBER **Q.B.G.** _____ of 20__

COURT OF QUEEN'S BENCH FOR SASKATCHEWAN

JUDICIAL CENTRE _____

APPLICANT(S) _____
(your name)

RESPONDENT(S) _____
(name of lawyer)

IN THE MATTER OF _____

(name of lawyer)

BARRISTER & SOLICITOR OF _____, **SASKATCHEWAN**
(name of City/Town)

AND IN THE MATTER OF A BILL FOR PROFESSIONAL SERVICES

RENDERED BY THE SAID _____ **to**
(name of lawyer)

(your name)

REQUEST TO LOCAL REGISTRAR FOR ASSESSMENT OF ACCOUNTS

The undersigned hereby request that the bill and demand delivered to the Applicant by the Respondent dated _____, copies of which are attached, be assessed by the Local Registrar of the Court of Queen's Bench, Judicial Centre of _____ or his deputy, pursuant to s. 67 of *The Legal Profession Act, 1990*.

The undersigned further request that the costs in this matter be assessed and the amount due to or from each party with respect to the bill and the costs of assessment be certified by the Local Registrar pursuant to s. 69 of *The Legal Profession Act, 1990*.

DATED at _____, Saskatchewan, this ____ day of _____, 20__.
(name of City or Town)

(your signature)

DATED at _____, Saskatchewan, this ____ day of _____, 20____.
(name of City or Town)

(Lawyer/Law Firm Representative)

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JUDICIAL CENTRE _____

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RESPONDENT(S) _____
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IN THE MATTER OF _____
(name of lawyer)

BARRISTER & SOLICITOR OF _____, **SASKATCHEWAN**
(name of City/Town)

AND IN THE MATTER OF A BILL FOR PROFESSIONAL SERVICES

RENDERED BY THE SAID _____ **to**
(name of lawyer)

(your name)

NOTICE OF APPLICATION

NOTICE TO RESPONDENT(S)

This application is made against you. You are a respondent. You have the right to state your side of this matter before the Court.

To do so, you must be in Court when the application is heard as shown below:

Where _____

Date _____

Time _____

(Read the Notice at the end of this document to see what else you can do and when you must do it.)

Remedy claimed or sought:

1. Pursuant to Section 67 of *The Legal Profession Act, 1990*, the bill and demand delivered to the Applicant by the Respondent be referred for assessment by a proper officer of the Court;
2. Any action by the Respondent on the said bill and demand be restrained pending the completion of such assessment; and
3. The assessment officer assess the costs in this matter and certify what they find to be due to or from either party in respect of the bill and the costs of the reference.

Grounds for making this application:

- 4.

Material or evidence to be relied on:

5. the Affidavit of _____;
(your name)
6. Draft Order; and
7. such other material as this Honorable Court may allow.

Applicable Act:

8. From the Legal Profession Act, 1990:

67(1) A bill of fees or disbursements with respect to services performed by a member may be assessed:

(a) on application to the court:

(i) by the person charged with the bill, within 30 days after the day on which the person received the bill;

(ii) by the member, if no application is made pursuant to subclause (i);
or

(iii) by the person charged with the bill, after the expiration of the time set out in subclause (i), if the court is satisfied that it is in the interests of justice to do so; or

(b) on application to the local registrar described in subsection (2), at the request of both the member and the person charged with the bill, at any time.

(2) An application pursuant to clause (1)(a) shall be referred by the court to the local registrar of the court at the judicial centre nearest to which the member who performed the services carries on the member's practice.

(3) The court may restrain the bringing of an action with respect to that bill pending a reference pursuant to subsection (2).

(4) On an assessment of a bill pursuant to this Act, the local registrar may order any further particulars or details of the services for which the bill was ordered.

DATED at _____, Saskatchewan, this ____ day of _____, 20____.
(name of City or Town)

(your signature)

NOTICE

If you do not come to Court either in person or by your lawyer, the Court may give the applicant(s) what they want in your absence. You will be bound by any order that the Court makes. If you want to take part in this application, you or your lawyer must attend in Court on the date and at the time shown at the beginning of the form. If you intend to rely on an affidavit or other evidence when the application is heard or considered, you must reply by giving reasonable notice of the material to the applicant.

CONTACT INFORMATION AND ADDRESS FOR SERVICE

Name: _____

Address: _____

Telephone #: _____

Whose address for service is: _____

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JUDICIAL CENTRE _____

APPLICANT(S) _____
(your name)

RESPONDENT(S) _____
(name of lawyer)

IN THE MATTER OF _____
(name of lawyer)

BARRISTER & SOLICITOR OF _____, **SASKATCHEWAN**
(name of City/Town)

AND IN THE MATTER OF A BILL FOR PROFESSIONAL SERVICES

RENDERED BY THE SAID _____ **to**
(name of lawyer)

(your name)

AFFIDAVIT OF _____
(your name)

I, _____ MAKE OATH AND SAY:
(your name)

1. THAT I am the Applicant herein and as such have personal knowledge of the facts herein deposed to except where stated to be on information and belief.
2. On or about _____ I engaged _____, barrister
(date) (name of lawyer)
and solicitor to act as counsel on my behalf and provide me with professional services and advice respecting a matter of _____ law.
3. On or about _____ a bill was delivered to me by _____
(date) (name of lawyer)

in the amount of _____, which bill is attached hereto and marked as Exhibit A to this my affidavit.

4. I dispute the amount of the said bill.
5. I make this affidavit in support of an application for an order referring the said bill to be assessed pursuant to Section 67 of *The Legal Profession Act, 1990*.

SWORN BEFORE ME at the _____ of)
_____, in the Province of Saskatchewan)
this _____ day of _____, 20____.)

) (your signature)
)
)

A COMMISSIONER FOR OATHS in and
for the Province of Saskatchewan.

My Commission Expires:

-OR- Being a Solicitor

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APPLICANT(S) _____
(your name)

RESPONDENT(S) _____
(name of lawyer)

IN THE MATTER OF _____
(name of lawyer)

BARRISTER & SOLICITOR OF _____, **SASKATCHEWAN**
(name of City/Town)

AND IN THE MATTER OF A BILL FOR PROFESSIONAL SERVICES

RENDERED BY THE SAID _____ **to**
(name of lawyer)

(your name)

BEFORE THE HONOURABLE) IN CHAMBERS ON
M____. JUSTICE) _____, THE ____ DAY
) OF _____, 20__

DRAFT ORDER

UPON THE APPLICATION of the Applicant and having read the materials filed herein:

IT IS HEREBY ORDERED that:

1. Pursuant to s. 67 of *The Legal Profession Act, 1990*, the within bill and the demand thereon be assessed by the Local Registrar of the Court of Queen's Bench at the Judicial Centre of _____ or his deputy at a time and place to be fixed by him;

2. No action shall be brought on the bill or the demand thereon until the bill has been assessed and the amount thereon has been certified due by the assessment officer; and
3. The assessment officer shall assess the costs in this matter and certify what he finds to be due to or from either party in respect of the bill and the costs of the reference.

ISSUED at the City of Regina, in the Province of Saskatchewan, this ____ day of _____, 20__.

LOCAL REGISTRAR

C A N A D A)
)
PROVINCE OF SASKATCHEWAN)
)
T O W I T :)

IN THE MATTER OF _____
(name of lawyer)
BARRISTER & SOLICITOR OF _____, SASKATCHEWAN
(name of City/Town)
AND IN THE MATTER OF A BILL FOR PROFESSIONAL SERVICES
RENDERED BY THE SAID _____ to
(name of lawyer)

(your name)

ACKNOWLEDGEMENT OF SERVICE

You are asked to fill out and sign this form without delay and to return it by fax or regular mail to:

If you do not return this signed and completed Acknowledgement of Service without delay, you may not receive notice of any further proceedings or any documents may be personally served on you and you will be required to pay the costs of service.

I ACKNOWLEDGE SERVICE on me of a copy of the following document(s):

1. Notice of Application;
2. Affidavit of _____; and
3. Draft Order.

Signature

Date of Service

My name is: _____

My address for service is: _____

My telephone number is: _____

My fax number is: _____

My e-mail address is: (optional) _____

NOTICE

1. YOU MUST INCLUDE AN ADDRESS IN SASKATCHEWAN WHERE DOCUMENTS MAY BE MAILED TO OR LEFT FOR YOU IF YOU WISH TO RECEIVE NOTICE OF SUBSEQUENT PROCEEDINGS IN THIS MATTER.

2. It is optional to include your fax number and e-mail address. If you include your fax number or e-mail address, documents may be served on you by fax or electronic transmission.

3. The address, fax number or e-mail address that you give on this form will be used to serve you with documents until you serve on the other parties and file with the court written notice of a new address for service.

Name of party: _____
(your name)

Address for service: _____
(your address for service)

Telephone number: _____
(your telephone number)