

OPENING SOLICITOR'S FILES

INTRODUCTION

This section describes how to open a solicitor's file and what steps are necessary to complete the process. This section describes:

- when to open a file;
- how to make and process the judicial review matter;
- where to keep the files.

WHEN TO OPEN A FILE

Upon the issuance of a Labour Relations Board decision, either party or the Board may apply to the Court of Queen's Bench to have the decision overturned. They do this by filing an Originating Notice with the Court of Queen's Bench in Calgary or Edmonton. Opening a solicitor's file starts with the receipt of the Notice.

HOW TO MAKE THE FILE AND PROCESS THE JUDICIAL REVIEW

All solicitor's files are green. Create a file number for the new judicial review in G:\admin\filing.sys\files board only.doc. All solicitor's files fall under number 8118. Type the parties' names, process file number(s), and action number as found on the Originating Notice. Put the same information onto a label and attach it to the file. If the judicial review is taking place in Calgary, color the label yellow with a highlighter.

Locate the hearing package and exhibits for each process file involved in this matter. Usually the package(s) are filed in the back storage room (in the 8117 series). Renumber the 8117 files to match the new 8118 solicitor file number and file with the court documents outside the solicitor's office.

Because the Originating Notice arrived from a Board decision, make a copy of the Board's decision and place it on the file. Give a copy of the Originating Notice to the database entry clerk who will post it on the process file.

A Diarization sheet is attached to the inside front cover of the file. Fill in as much of the information as you know at this time. Print out a the database report "Supporting documents" for each process file involved and attach the report(s) to the file.

Set up a new directory/folder for the file under G:/court. All letters and correspondence sent on this file will be saved in this directory. Prepare the acknowledgement letter for receipt of the Originating Notice.

Enter this new appeal in the database. Enter this new appeal into G:/publish/reports/2005/_challenge.doc for updating the Alberta Labour Relations Board Reports.

Send an email to Board staff advising them that a judicial review matter has been received.

Upon completion of the above steps, give the new file to the solicitor.

WHERE TO KEEP THE FILES

The solicitors' files get filed in the top shelf of the filing cabinet located by the Legal Counsel's office. Keep all files until completion of a Court matter. All solicitor files remain open and active in the filing cabinet until a solicitor directs you to close it. For directions on closing solicitor's files, see [[Closing Solicitor's Files, Chapter 36\(f\)](#)].