

Motion

TYPICAL STEPS IN A MOTION WITH PERSONAL APPEARANCE AT A GENERAL SITTING

| Who | Does what | Rule and Form | When |
|------------------|--|---|---|
| Moving party | Serves and files motion record containing a notice of motion, affidavit(s) in support and written representations* | Rules 359 , 362 , 363 and 364 Form 359 (rules 34 and 35(1) for information on general sittings) | At least 3 days before the hearing (unless parties otherwise consent or if urgency can be demonstrated to the satisfaction of the court) |
| Responding party | Serves and files motion record containing affidavit(s) and written representations* | Rule 365 | 2 days before the hearing - no later than 2:00 PM on that day |
| Any party | May conduct cross-examinations on affidavits and file transcript of cross-examination (if any) | Rules 83 and 368 | Before the hearing of motion |

Court hears and decides the motion