

This page does not contain legal advice.

► Applications for judicial review				
Narrative	Who	Does what	When	Source
Applicant prepares the notice of application	Applicant	Prepares the notice of application for issuance, includes the necessary details and names the right respondent. Once it is prepared, it should be filed with the Registry with any requisite fee under Tariff A.	"within 30 days after the time the decision or order was first communicated by the federal board, commission or other tribunal [...] or within any further time that a judge [...] may fix or allow".	Rules 63(1)(d) , 301 , 303 ; Tariff A ; Form 301 ; <i>Federal Courts Act</i> sections 18.1(2) and 28 . For formatting court documents, see also Rules 65 – 68 and Consolidated Practice Direction 5-12
Registry issues the notice of application	Registry	Issues the notice of application	After the applicant pays a Tariff A fee and presents the notice of application to the Registry for issuance.	Rules 2 "issued" , 62 ; Tariff A
Applicant serves the notice of application on the respondent and other recipients, and files proof of service	Applicant	Serves the notice of application to the recipients included in Rule 304(1), and files proof of service	proof of service must be filed within 10 days after the service of the notice of application.	Rules 304(1) , 304(3) , 63(1)(d) ; for service, see Rules 126.1-148.1 . See also Consolidated Practice Direction 6 , 20-24
After receiving the notice of application, the Respondent serves and files the notice of appearance with proof of service	Respondent	Serves and files notice of appearance	within 10 days of being served with the notice of application.	Rules 73 , 305 ; Form 305
Any party may make a written request for material in possession of the tribunal whose decision or order is being reviewed that is not already in the party's possession	Any party	May serve and file a written request for material in the possession of the tribunal (but not already in the possession of the party), on the tribunal and other parties, with proof of service. The applicant may include its request in the notice of application.	there is no strict deadline, but parties often do this as early in the proceeding as possible; the request may be included within the notice of application.	Rules 73 , 317
Where a request for material has been made, the Tribunal generally responds by transmitting a copy of the requested material to the	Tribunal	Transmits a copy of requested material to the Registry and to the requesting party. If the Tribunal or another party objects, it informs all parties and the Registry in writing.	within 20 days of being served the request.	Rule 318

Registry and to the requesting party, as long as there is no objection				
After serving its notice of application, the Applicant serves the Applicant's affidavits and documentary exhibits and files proof of service	Applicant	Serves its supporting affidavits and documentary exhibits and files proof of service	within 30 days of issuance of the notice of application.	Rule 306 . For guidance on filing documents, see Consolidated Practice Direction 5-13
Once it receives the Applicant's affidavits, the Respondent serves the Respondent's affidavits and documentary exhibits and files proof of service	Respondent	Serves its supporting affidavits and documentary exhibits and file proof of service	within 30 days after service of the applicant's affidavits.	Rule 307
Any party who wants to conduct cross-examinations on affidavits must complete those cross-examinations	All parties	If they choose to, complete any cross-examinations on affidavits	within 20 days after the filing of respondent's affidavits or the expiration of the time for doing so, whichever is earlier.	Rule 308
All parties must retain original affidavits that were not filed as part of the respective record	All parties	Retain original affidavits not filed as part of record. When filing affidavits in electronic format (whether separately or in a record) using the electronic filing system, parties are required to retain the original in their possession until 30 days following the later of the expiry of all appeal periods or the issuance of any final decision of the Supreme Court of Canada in the matter.	until after expiry of all appeal periods; for electronic documents filed using the electronic filing system, until 30 days 30 days following the later of the expiry of all appeal periods or the issuance of any final decision of the Supreme Court of Canada in the matter.	Rules 309(3) , 310(3) , Consolidated Practice Direction paragraph 11
The Applicant serves and files its record with proof of service	Applicant	Serves and files the applicant's record, which includes the memorandum of fact and law, and the other the information required in Rule 309(2)	within 20 days after the day on which the parties' cross-examinations are completed or within 20 days after the day on which the time for those cross-examinations is expired, whichever day is earlier.	Rules 70 , 73 , 309

After receiving the Applicant's record, the Respondent serves and files the Respondent's record with proof of service	Respondent	Serves and files the respondent's record, which includes the memorandum of fact and law, and the other the information required in Rule 310(2)	within 20 days after service of the applicant's record.	Rules 70 , 73 , 310(1) , 310(1.1)
Once it receives the Respondent's record, the Applicant serves and files the requisition for a hearing date. The requisition must include an estimate of time needed for the hearing.	Applicant	Serves and files a requisition in Form 314 requesting that a date be set for the hearing of the application. The contents of the requisition must include the material listed in Rule 314(2).	within 10 days after service of the respondent's record or the expiration of the time for doing so, whichever is earlier.	Rules 73 , 314 ; see also Consolidated Practice Direction 34
After the application has been heard, the Registry returns to the tribunal any original material it received from it under Rule 318	The Registry	Returns to the tribunal any original material received from the tribunal under rule 318	after an application has been heard.	Rule 319