FORM 1

(QR&O Articles 112.03 and 112.04)

Application for Hearing of a Preliminary Proceeding

QR&O Articles 112.03 and 112.04

[TYPE OF COURT MARTIAL] of [NAME AND PARTICULARS OF ACCUSED PERSON][[1]](#footnote-1)

Between:

**[APPLICANT]**

and

**[RESPONDENT]**

**Notice of Application**

The [APPLICANT] will make an application pursuant to article 112.03 of Queen’s Regulations and Orders for the Canadian Forces before the military judge assigned to the court martial of [NAME AND PARTICULARS OF THE ACCUSED PERSON] on [CLICK HERE TO ENTER A DATE] at [HOUR] or as soon after that time as the application can be heard, at [PLACE, TOWN/CITY, PROVINCE][[2]](#footnote-2).

The application is for:

1. An order [NATURE OF RELIEF SOUGHT]
2. Such further and other relief as the military judge deems just.

Proposed method of hearing:

Videoconference connections within [LOCATIONS][[3]](#footnote-3) will be required.

The grounds for this application are:

[LIST THE GROUNDS IN SEQUENCE…

1…

2…

3…]

The following evidence will be submitted during the hearing of this application:

[LIST THE EVIDENCE (list of affidavits, documents, number of witnesses etc.) IN SEQUENCE…

1…

2…

3…]

The following law will be relied upon during the hearing of this application[[4]](#footnote-4):

[LIST THE CASE LAW IN SEQUENCE. THIS MAY BE SUPPLIED AS ATTACHEMENTS.

1…

2…

3…]

Estimated time to complete the hearing:

[HOURS]

Date: [CLICK HERE TO ENTER A DATE]

Signature of [COUNSEL OR PARTY]

To:

[ENTER NAME]

And to:

[ENTER NAME]

1. This information is included in the charge sheet, pursuant to QR&O article 110.06. [↑](#footnote-ref-1)
2. Place in this context is the location where the military judge assigned to preside at the court martial will be sitting to hear the application. [↑](#footnote-ref-2)
3. Applicant should indicate all locations where videoconference connections are required. QR & O article 112.64 permits preliminary proceedings to be conducted through video link where the parties agree and the military judge so orders. [↑](#footnote-ref-3)
4. It is customary to provide the entire case while highlighting portions relevant to the submissions. When a number of cases will be relied upon, it is helpful if the cases are bound in some way (circolox or three ring binder are most common), tabbed with a table of contents page listing the case and citations included. [↑](#footnote-ref-4)