

PUBLICATION

New Financial Limits and Cost Recovery in Alberta Court of Justice

Spencer T. Chimuk

September 18, 2023

On August 1, 2023, new legislation came into effect which increased the financial limit of claims in the Alberta Court of Justice (small claims Court) from \$50,000 to \$100,000. On the same date, the Alberta Court of Justice also released a new tariff of recoverable costs which sets out the amounts that a successful party can anticipate recovering after trial. The amount of costs that is recoverable has increased with the new financial limits of the Court, though there is still a sizeable sunken cost to any lawsuit.

These two changes represent a seismic shift in the litigation landscape. Generally speaking, the litigation process in the Court of Justice is much cheaper and faster than in the higher levels of Court. However, with larger and more complicated claims being dealt with in a small claims setting, it will also increase the pressure on the judiciary to make the resources available to process these cases. Judges will also have to cope with an influx of files dealing with expert evidence or which include requests for some pre-trial discovery (which is typically very limited in the Court of Justice).

For these reasons, it is essential that claimants and defendants are receiving the right legal advice about their files. Understanding how to manage the Court procedures and having a strong advocate for trial are essential to ensuring the best chance of success in any lawsuit. With larger and more complicated claims being dealt with in the Court of Justice, it is more important than ever to ensure you are receiving the right advice for your dispute.

If you have any questions, please do not hesitate to contact [Spencer Chimuk](#) or any of our Business Litigation & Dispute Resolution lawyers.