

Family Law Bulletin

November 2007

1. Case Conferences:

The judiciary of the Family Court in Newmarket have circulated a notice concerning Case Conferences in family law matters, a copy of which is attached to this newsletter. Counsel are directed to the expectations of the Court concerning Case Conferences, as set out in the notice.

2. Form 14C Confirmations:

When confirming a conference or Motion in Family Court, counsel are directed to the requirements of the Form 14C Confirmation form particularly:

- (1) Counsel should always make an attempt to contact opposing counsel in advance to confirm the matters set out in the Form 14C notice ie.) the issues that are proceeding, the time required, the material to be read, etc.
- (2) The Form 14C Confirmation should specifically identify the issues that are expected to proceed at the conference or Motion. It is unhelpful to check off “all issues” , without providing further elaboration, as this does not provide sufficient identification of the issues for the Court.
- (3) The Form 14C Confirmation must include reference to the tab numbers, in the continuing record, of the material to be read for the conference. It is not acceptable to direct the conference judge to read “all material”. If the tab numbers are not included, or if the Form 14C refers only to “all material”, the conference judge will not read any of the material.
- (4) The Form 14C Confirmation form is to be served on the opposing counsel or party, as well as being filed with the Court.
- (5) It would be appropriate and helpful to attach to the Form 14C Confirmation form a brief “roadmap” (one page or less) setting out the issues for the conference or Motion, a succinct statement of the position of each party and the relief sought on the issues in dispute. The roadmap should identify any urgent or emergency issues. The roadmap should not contain any factual allegations, evidence or argument. The purpose of the roadmap is to clarify the issues for the conference or Motion. If the specific details of the material to be read for the conference or Motion have not been provided on page 1 of Form 14C, these details should be included in the brief roadmap attached to the Form 14C.
- (6) The Form 14C should include a realistic time estimate for the conference or Motion.

Family Law Committee
York Region Law Association