

## Halton OCJ Family Practice Directive – Early Case Conferences (November 12, 2019)

The following is the process for requesting, scheduling, and proceeding with, an early case conference date, and the conditions that apply:

- 1) Early case conference dates are only available by order of the court;
  - 2) The court has fixed days each month set for the hearing of early case conferences, however, other dates may also become available. Counsel or parties should be aware of the fixed dates and give their preference in the 14B Motion form or responding materials with respect to the fixed dates as well as any other dates on which they are available.
  - 3) A party may obtain an early case conference date by bringing a 14B motion made in writing and requesting that the judge schedule an early case conference. The 14B motion must be made on notice to the other party;
  - 4) A party who brings a 14B motion for an early case conference date shall attach to their 14B Motion form a copy of their case conference brief. No Affidavit General (14A) is required.
  - 5) A party seeking to obtain and schedule an early case conferences date shall ensure that these conditions are met:
    - i. Counsel or the party has attempted to negotiate the resolution of the issue with the opposing party or counsel;
    - ii. The conference will deal with one issue only;
    - iii. The issue must be capable of being addressed in 15 minutes;
    - iv. The issue must be urgent and pressing and would otherwise be or shortly become one that would meet the test for urgency set out in rule 14(4.2) of the *Family Law Rules*.
- 2) The 14B Motion Form is to be marked by the Administration Office as urgent with a red cover and sent up to chambers (it shall not be held for a response from the opposing party).
  - 3) If and when the 14B Motion is granted the Justice will provide the Early Case Conference date and time, or, where the Justice directs, the Administration Office will assign a date and time. Depending on the degree of urgency, the court may not wait for a response from the other party before deciding the request and setting the early case conference date;
  - 4) Immediately after obtaining an order fixing a date for an early case conference date, the party who requested the early case conference date shall serve a copy of the endorsement or order made on the 14B Motion on every other party, along with a Completed Case Conference Notice (Form 17) and shall file proof of service with the court.

- 5) A party who is served with an early case conference notice and supporting case conference brief, shall serve and file a case conference brief of their own. This shall be done within two days of the date they are served with the Case Conference Notice, or, where this is not possible due to the date of service, as soon thereafter as is practicable.
- 6) No party's case conference brief for use at an early case conference, shall not exceed a total of 5 pages;
- 7) A 17F must be filed for the early case conference date.