

Notice to the Profession

Re: Changes to the First Appearance Day; Ottawa Family Court

Effective February 1, 2016 the first appearance days for Family Fast Track cases will be held on Monday and Wednesday mornings.

Court Room Number 52 will open at 9:00 AM for all scheduled litigants to attend with the Court Clerk, LAO Duty Counsel and the Court Mediators. After a brief oral presentation litigants will be provided the opportunity to meet with Duty Counsel for advice if eligible for Legal Aid, and with Mediators, in an effort to resolve some or all of their issues.

At 9:30 AM the FCDC will commence to deal with individual cases in the Judicial Pre Trial Room located adjacent to Courtroom 54. After this attendance any litigants who wish to, may attend before the Judge or Master presiding in courtroom 52 commencing at 10 AM.

The assigned Judge or Master will commence sitting at 10 AM in courtroom 52. One case conference shall be scheduled for 10 AM. Thereafter, the presiding judicial officer shall receive cases from the FCDC and from the Mediators in order to conduct short case conferences, make orders on consent, address procedural issues, provide an opinion on legal issues, and other steps as may appear appropriate.

Short case conferences are considered to be less than 15 minutes in duration and supported by Briefs to be no more than 4 pages in length. Briefs should be served and filed in accordance with the Family Law Rules. If these requirements are met, and subject to the discretion of the presiding judicial officer, the case conference step is complete and the parties may proceed to the next step in their case, whether it is a motion or a settlement conference.

Courtroom 52 is equipped so that orders may be prepared and provided to litigants before they leave the courtroom. To facilitate this, counsel are encouraged to bring draft orders with them on USB keys.

At 2 PM the Judge or Master will resume hearing scheduled case conferences in the normal course. The practice of confirming a first appearance for the afternoon only, to proceed as a case conference is discontinued effective February 1, 2016.

Upon the filing of a written consent and ONLY at the point of issuance of an Application or Motion to Change, the first appearance date may be waived, if a case conference date is scheduled at that time.

Dated January 11, 2016

J Mackinnon J

LAJ Ottawa Family