

MEMORANDUM

DATE: April 18, 2007

FROM: Justice Gordon

RE: Family Law Case Conferences

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We are experiencing an ongoing problem with lawyers and parties not filing conference briefs and not appearing on the scheduled date.

One particular situation involves case conferences booked at the time the application is issued.

Rule 17(1) provides that conferences are only held in defended cases “in which an answer is filed”.

Accordingly, I am requesting that a case conference date **not** be provided until the answer is filed. Similarly, in motions to vary a final order under Rule 15, no date should be provided until a responding affidavit is filed.

If no answer or responding affidavit is filed, the matter can proceed as an uncontested trial pursuant to Rule 10(5), often on an ex parte basis.

Thank you for your co-operation.

DJD