



THE SUPREME COURT OF THE NORTHWEST TERRITORIES

PRACTICE DIRECTION

Mandatory Pre-Trial Case Management in Family Cases

In the interest of effectively and efficiently dealing with family cases coming to trial, the judges of the Supreme Court are implementing a requirement for a case management meeting for every family case when a certificate of readiness for trial is filed. Prior to obtaining a trial date, counsel will be required to attend a case management meeting.

The meeting may be in the form of a settlement-oriented conference with a view to settlement of all or some of the issues. The phrase “settlement-oriented conference” includes the different varieties of such conferences, whether it be judicial mediation or a request for a non-binding opinion, that have as the aim the resolution of all or some of the issues in dispute. In such cases, it will normally be expected that the clients will be present or at least counsel will have instructions on potential settlement. Counsel will also be expected to file settlement briefs, outlining the issues and the positions of the parties, prior to such a meeting. The meeting may, on the other hand, be simply a meeting to organize the trial. But, in any and every case, a meeting will be held prior to setting the trial date.

This requirement applies as well in a case with a self-represented litigant, although in such case the conference will have a more formal structure and be on the record.

Henceforth, when counsel are submitting a certificate of readiness, in addition to the information required in the certificate, counsel must also:

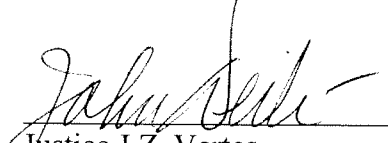
- (a) provide available dates for a case management meeting:

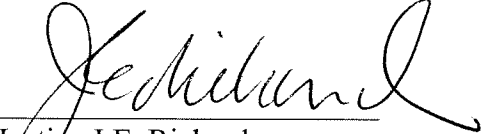
- (b) indicate the type of case management meeting contemplated by counsel; and,
- (c) indicate whether the parties will be present in person at such meeting.

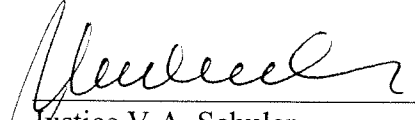
For general guidance on the court's case management practices, counsel are referred to the two Notices to the Profession on the subject issued in 1996 and 1999.


This Practice Direction takes effect as of April 1, 2010.

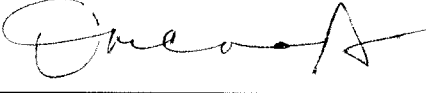
Issued this 17th day of February 2010, by direction of the judges of the Supreme Court of the Northwest Territories.


Justice J.Z. Vertes,
Senior Judge


Justice J.E. Richard


Justice V.A. Schuler


Justice L.A. Charbonneau


Justice D.M. Cooper