



THE SUPREME COURT OF THE NORTHWEST TERRITORIES

AMENDED 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 certificate of readiness and a case management meeting for every family case when a trial date is sought. Family cases include cases under the *Divorce Act*, the *Children's Law Act* and the *Family Law Act*. Trial means any proceeding, including one for interim relief, in which *viva voce* evidence will be presented. Prior to obtaining a trial date, counsel will be required to file a certificate of readiness and 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 settling the trial date.

These requirements apply 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:

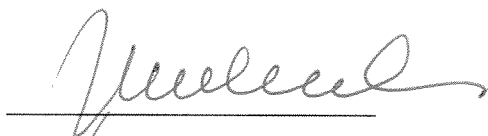
- (a) provide available dates for a case management meeting;
- (b) indicate the type of case management meeting contemplated by counsel; and,
- (c) indicate whether the parties will be present in person at such meeting.

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.

Certificates of Readiness shall be in Form 18 of the Rules of the Supreme Court of the Northwest Territories, adapted to suit the case.

This Practice Direction takes effect as of May 31, 2015.

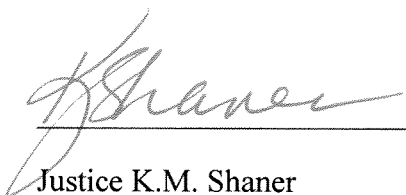
Issued this 2nd day of April 2015, by direction of the judges of the Supreme Court of the Northwest Territories



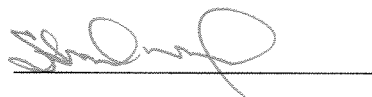
Justice V. A. Schuler,
Senior Judge



Justice L.A. Charbonneau



Justice K.M. Shaner



Justice S.H. Smallwood