

TRIAL MANAGEMENT CONFERENCES: ORDER PICKLIST (CIVIL AND FAMILY)

DOCUMENTS

Updated Lists of Documents

1. The parties will deliver updated lists of documents, and copies of any newly listed documents, to one another by 4:00 p.m. on <dd/mmm/yyyy>.

Index of Documents to be Used at Trial

2. By 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/plaintiff(s)> will provide to the <respondent(s)/defendant(s)>, a copy of the index of their anticipated exhibits at trial. The <respondent(s)/defendant(s)>, must reciprocate by 4:00 p.m. on <dd/mmm/yyyy>, eliminating any duplication.

Document Agreement

3. The parties will use their best efforts to reach a comprehensive document agreement. This should include an agreement between the parties as to the admissibility and use to which the documents may be put. To facilitate this, by 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/plaintiff(s)> will provide a draft document agreement to the <respondent(s)/defendant(s)>, and the <respondent(s)/defendant(s)>, will provide any proposed changes to the document agreement to the <claimant/plaintiff(s)> by 4:00 p.m. on <dd/mmm/yyyy>.
4. The parties will provide their document agreement to the court at the commencement of trial.

Objections to Admissibility of Documents

5. If a party anticipates a dispute about the admissibility of any documents proposed to be tendered as evidence at trial, they will particularize the issue(s) to be determined by the court. By 4:00 p.m. on <dd/mmm/yyyy>, a party must deliver the particulars of any objection, with reference to case authorities, to the party seeking to tender the document(s). By 4:00 p.m. on <dd/mmm/yyyy>, the party seeking to tender the document(s) must deliver the particulars of its response, with reference to case authorities, to the objecting party.

SPECIFIC FINANCIAL DOCUMENTS (FAMILY CASES ONLY)

Financial Statements

6. By 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/respondent(s)/parties> will file and serve updated Form F8 financial statements, including all attachments required by Rule 5-1 of the *Supreme Court Family Rules*.

Scott Schedules

7. By 4:00 p.m. on <dd/mmm/yyyy>, the claimant will provide the respondent a Scott Schedule listing all family property and family debt as at the date of separation and the date of trial.
8. By 4:00 p.m. on <dd/mmm/yyyy>, the respondent, having reference to the claimant's Scott Schedule, will provide the claimant a Scott Schedule listing all family property and family debt as at the date of separation and the date of trial.
9. The parties will use reasonable efforts to prepare a joint Scott Schedule. The parties will provide their respective Scott Schedules or their joint Scott Schedule, in electronic format, to the court at the commencement of the trial.

DivorceMate Calculation

10. By 4:00 p.m. on <dd/mmm/yyyy>, the parties will prepare and exchange DivorceMate calculations for all support scenarios (including imputed incomes) they wish to rely upon at trial.
11. The parties will each provide DivorceMate calculations, for all support scenarios (including imputed income) upon which they wish to rely, to the court with their submissions at trial.

Summary of Section 7 Expenses

12. By 4:00 p.m. on <dd/mmm/yyyy>, the parties will prepare and exchange summaries of claims for section 7 expenses relating to any children of the marriage.
13. The parties will provide a summary of claims for section 7 expenses relating to any children of the marriage to the court at the commencement of trial.

SURVEILLANCE EVIDENCE (CIVIL CASES ONLY)

14. By 4:00 p.m. on <dd/mmm/yyyy>, the defendant(s) will advise the plaintiff(s) if the defendant(s) intend to use any surveillance evidence at trial and make the surveillance evidence available for inspection by the plaintiff(s).

AGREED STATEMENT OF FACTS AND CHRONOLOGY

15. By 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/plaintiff(s)> will provide a draft agreed statement of facts and a draft agreed chronology of events to the <respondent(s)/defendant(s)>, and the <respondent(s)/defendant(s)>, will provide any proposed changes to those documents to the <claimant/plaintiff(s)> by 4:00 p.m. on <dd/mmm/yyyy>.
16. The parties will provide a finalized agreed statement of facts and agreed chronology of events to the court at the commencement of the trial.

LIST OF AUTHORITIES

17. By 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/plaintiff(s)> is to provide to all other parties an index of the authorities the <claimant/plaintiff(s)> intends to rely upon at trial, and the other parties are each to provide an index of the authorities they intend to rely upon at trial to the <claimant/plaintiff(s)> and all other parties by 4:00 p.m. on <dd/mmm/yyyy>.

WITNESSES

Witness Lists / Will-Say Statements

18. By 4:00 p.m. on <dd/mmm/yyyy>, the parties are to exchange summaries of the evidence that the parties expect their non-party, non-expert witnesses will give at trial, along with the witnesses' identification and contact information, including addresses and telephone numbers.

Schedule of Witnesses

19. The <claimant/plaintiff(s)> is to provide a schedule for witnesses at trial to the <respondent(s)/defendant(s)>, by 4:00 p.m. on <dd/mmm/yyyy>, and the <respondent(s)/defendant(s)>, is to provide a schedule for witnesses at trial to the <claimant/plaintiff(s)> by 4:00 p.m. on <dd/mmm/yyyy>. The witness schedules are to include updated time estimates for all listed witnesses.

Video Attendance

20. Leave is granted for <witness name> to testify via video-conference, subject to the discretion of the trial judge.
21. In the event that a witness testifies by videoconference, the party calling that witness is to advise the opposing party accordingly by 4:00 p.m. on <dd/mmm/yyyy>, so as to enable cross-examination materials to be delivered. No later than 7 days before trial, the parties must reach agreement regarding how documents will be shown to the witness testifying by video and how exhibits will be identified and marked.

Interpreters

22. If an interpreter is required for any witness at trial, the party presenting the witness will retain an independent certified or professionally qualified court interpreter for that purpose.

PROPOSED TRIAL SCHEDULE

23. By 4:00 p.m. on <dd/mmm/yyyy>, the <claimant/plaintiff(s)> is to provide to the <respondent(s)/defendant(s)> a proposed schedule of the <claimant/plaintiff(s)> case, and include time estimates for the opening statement, all listed witnesses, any read-ins of examination for discovery evidence, any anticipated applications and/or argument regarding

admissibility of evidence, and closing submissions. By 4:00 p.m. on <dd/mmm/yyyy>, the <respondent(s)/defendant(s)> is to provide the same to the <claimant/plaintiff(s)> in respect of the <respondent(s)/defendant(s)> case. The parties will make reasonable efforts to prepare a joint proposed trial schedule and provide it to the court at the commencement of trial.

EXPERTS

Objections to Expert Reports

24. If there are objections to expert reports, the objector will highlight, in yellow, those portions of the report objected to, and will provide margin notes identifying the legal basis for the objection. The highlighted report will be sent to the party intending to tender the report by 4:00 p.m. on <dd/mmm/yyyy>. By 4:00 p.m. on <dd/mmm/yyyy>, the party intending to tender the report will black out any agreed deletions from the report and return a copy to objecting party. If any highlighted portions remain, the highlighted and blacked out version will be provided to the trial judge when argument on admissibility is made.

Disclosure of Expert's File

25. By 4:00 p.m. on <dd/mmm/yyyy>, the parties are to provide to one another any expert file materials that they are required to produce pursuant to <Rule 11-6(8)(b) of the Supreme Court Civil Rules/Rule 13-6(8)(b) of the Supreme Court Family Rules>.

Summary of proposed expert witness qualifications

26. By 4:00 p.m. on <dd/mmm/yyyy>, with respect to every expert witness that a party may call to testify at trial, the parties are to provide to one another a short written statement setting out how the party proposes to have the witness qualified at trial. A party must provide a copy of the written statement to the court before calling the witness to testify.

Consent to Late Filing of Expert Reports (Family Cases Only)

27. By consent, the report of <expert> must be served on every party, along with written notice that the report is being served under Rule 13-6(3) of the *Supreme Court Family Rules*, by 4:00 p.m. on <dd/mmm/yyyy>.
28. The parties will provide an electronic copy of any section 211 report, in word format, to the trial judge, in addition to a printed copy.

ALTERNATIVE DISPUTE RESOLUTION (FAMILY CASES ONLY)

29. The parties attended / will attend mediation on <dd/mmm/yyyy> in an effort to resolve the following issues before trial:
- a. <child support / spousal support / parenting / property division / etc...>.

30. The parties agree that they could benefit from court assistance to try to resolve the dispute between them, and will schedule a Settlement Conference to settle the following issues before trial:

a. <child support / spousal support / parenting / property division / etc...>.

31. The <claimant/respondent/parties> do not wish to engage in mediation or other forms of alternative dispute resolution in advance of trial.

PRIOR COURT ORDERS (FAMILY CASES ONLY)

32. The parties will sign and enter all orders pronounced in this proceeding, which have not yet been finalized, prior to trial.

33. The parties will provide a joint book of prior court orders with respect to the file to the court, at the commencement of the trial. The joint book will be prepared by <party>.

ORDER PREPARATION

34. The <party> will forthwith prepare and file with the registry this trial management order, and thereafter provide all other parties with a filed copy of same.