

Court of Queen's Bench (Family Division)
Winnipeg Centre
Case Management Practice Directives

Scheduling Case Conference Hearings:

1. Please contact the Family Trial Coordinator at 204-945-2539 if calling:
 - to set time for a seized case conference, or
 - to adjourn a seized case conference hearing.
2. Please contact the Case Management Coordinator at 204-945-7853 if calling:
 - to schedule an initial case conference hearing date where no judge is seized.
 - to adjourn an initial case conference.
 - for general case management inquiries.
3. If the case conference is to be held by teleconference, counsel must advise the coordinator when the case conference date is set.
4. First case conferences are scheduled for one hour at 10:00, 11:00, 2:00 and 3:00 Tuesday through Thursday.

Contested Family Motions:

1. Please contact the Family Motion Coordinator at 204-945-4209 if calling to set time for all contested family motion (including seized)
2. When a Notice of Motion is filed, it is not to be direct dated to a previously arranged case conference time, but must appear on the Tuesday Uncontested Family Motions List. The exception is on a Notice of Motion where counsel is withdrawing.
3. Anytime a case conference date is set, a contested motion date can be set simultaneously, but the motion takes place **after** the case conference except in cases of urgency or hardship with leave of a judge. At the case conference, the need for the motion will be reviewed.

Documents to be filed:

1. Case Management Information Statements are to be filed by 2:00 p.m. at least seven days prior to the case conference hearing date. *Faxes are not accepted.*
2. The party requesting a case conference hearing must file a requisition and serve the other party at least 14 days before the date of the case conference unless the parties agree to a shorter period of notice. The requisition must include the date and time of the case conference hearing, opt-in clause if applicable and the teleconference phone number if applicable. Requisitions must be filed upon setting of **every** case conference date (including those by consent).

Requests for Adjournment:

More than 14 days

1. The Request for Adjournment Form 70T is used when adjourning all case conference hearing dates.
 - Both parties must consent to the adjournment.
 - If initial case conference date to be adjourned, an alternate hearing date must be obtained.
 - If subsequent case conference date to be adjourned, an alternate hearing date may not be required.
2. Prior to filing a Request, counsel is to call the case management coordinator to obtain alternate hearing dates and times. After receiving consent of the other party, counsel must file a Request (fax accepted) including current and alternate case conference hearing dates, and the reason for the adjournment, 14 days prior to the current case conference date. The

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Court will grant or deny the request and notify the party. ***Party requesting the adjournment is responsible for advising the other party of the decision.***

3. When a case conference date is set by Requisition **without consent** of other party Rule 70.24(12) at least 14 days before the date of hearing, and counsel are unable to agree to the adjournment, both counsel are to fax to the Court their positions and each copied respectively. The duty judge or case conference judge will determine whether the case conference date is adjourned.

Less than 14 days

4. In the event a Request for Adjournment is received less than 14 days from the case conference date, the Court may grant the adjournment if any of the following circumstances apply:
 - illness, death
 - Assessment reports not ready
 - Appraisal reports not ready
 - Matter is close to settlement
 - New counsel
5. When canceling a case conference hearing date, correspondence is required. (i.e. settlements)

Miscellaneous:

1. When a Notice of Motion to Vary (Form 70H) is filed, the matter is heard by the original case conference judge as a case conference, if available.
2. Counsel will prepare orders made under Rule 70.24(25) (Failure to Follow Rules).
3. Counsel is reminded to file a Record when trial dates are set.
4. To view available first case conference dates go to Manitoba Courts' web site at www.manitobacourts.mb.ca to *Accessing Case Information from the Court Registry System*. When considering dates, choose several possible options in the event the first choice is not available. Please note the web site is updated at the end of the business day and changes are not automatically updated throughout the day.

▪ **Opt-in - Regional Files**

Counsel may opt-in by consent by the following process:

- a) call the case management coordinator for case conference dates;
- b) file a Requisition at the court office where the file is located and include the following on the Requisition:
 - to transmit to Winnipeg Centre
 - to opt-in to case management pursuant to Q.B. Rule 70.24(5)(b) and indicate the case conference date and time

ISSUED BY:

The Honourable Associate Chief Justice Marianne Rivoalen
Court of Queen's Bench (Family Division)

REVISED DATE: May 30, 2017