**Settlement Conference Rules and Procedure**

1. The Settlement Conference is the next to last step before a trial. It is a final opportunity for a judicial review and discussion about the disputed issues in the case, and to try to resolve them, in whole or in part. It is a confidential process. The judge holding the conference will not be the trial judge, everything that is said by anyone is confidential, cannot be repeated in court or later presented at trial, and the settlement conference documents (briefs) which each party must file before the conference are returned or destroyed after the conference. In order for the judge to make meaningful settlement recommendations, the parties must prepare a number of important documents before the conference and file them with the court.
2. The ***Family Law Rules*** govern what is required and what happens at a settlement conference. There are consequences if these rules are not followed. What follows is a procedural guide (and some tips) to the settlement conference process. For additional information about family law rules and practice there may be a Practice Direction in your region which can be consulted. For the Central East Region that Direction is effective May 1, 2016 (amended December 1, 2017). It can be accessed online on the Superior Court of Justice website under “Practice and Procedure” for Central East (“Consolidated Practice Direction Concerning Family Law Cases in Central East Region”) or a copy obtained from the Family Law Information Centre (“FLIC”) at your local court. Reference can also be had to “A Guide to Process for Family Cases at the Superior Court of Justice” for self-represented litigants found on the Superior Court of Justice website (under the **Family** tab for “Other Resources”).

**Required Documents**

1. These are the documents that **MUST** be prepared, served and filed with the court before a settlement conference can proceed:
2. a **Net Family Property statement**, if the parties are married and there are property issues involved;
3. a **Comparison of Net Family Property** statements (if (a) applies);
4. a **Certificate of Financial Disclosure**;
5. an **updated financial statement**, **or an affidavit** saying that the information in a previous financial statement sworn more than 30 days before the conference has not changed and is still true;
6. an **expert report**;
7. a **settlement conference brief**;
8. an **Offer to Settle**, either in the settlement conference brief (where noted) or separately attached.
9. Appendix A is a suggested format for a Settlement Conference Record and Appendix B sets out when these documents must be served on the other party and filed with the court, along with the governing Rule. Some of these documents, such as (a) to (d) above, are filed in the court record (this is called the “Continuing Record”). The settlement conference brief and any Offer to Settle **do not** form part of the Continuing Record and are returned or destroyed after the conference (see “Confidentiality” below).
10. Failure to comply with the Rules wastes the time of the parties and the court. Non-compliance will usually result in costs being awarded against the offending party (see “Cost Consequences” below).

**Purpose**

1. The purposes of a settlement conference are set out in rule 17(5) of the *Family Law Rules,*

**PURPOSES OF SETTLEMENT CONFERENCE**

17[(5)](http://www.ontario.ca/fr/lois/reglement/990114#s17s5)  The purposes of a settlement conference include,

(a) exploring the chances of settling the case;

(b) settling or narrowing the issues in dispute;

(c) ensuring disclosure of the relevant evidence;

(c.1) settling or narrowing any issues relating to any expert evidence or reports on which the parties intend to rely at trial;

(d) noting admissions that may simplify the case;

(e) if possible, obtaining a view of how the court might decide the case;

(f) considering any other matter that may help in a quick and just conclusion of the case;

(g) if the case is not settled, identifying the witnesses and other evidence to be presented at trial, estimating the time needed for trial and scheduling the case for trial; and

(h) organizing a trial management conference, or holding one if appropriate.

**It is important to note what the settlement conference is not – it is NOT a repetition, or duplication, of the case conference, and it is not the place to reargue what may have happened, or been ordered, at earlier steps in the court proceeding like a case conference or a motion.**

**Orders at a Settlement Conference**

1. Rule 17(8) sets out the kind of orders that the judge can make at a settlement conference.

**ORDERS AT CONFERENCE**

17[(8)](http://www.ontario.ca/fr/lois/reglement/990114#s17s8)   At a … settlement conference … the judge may, if it is appropriate to do so,

(a) make an order for document disclosure (rule 19), questioning (rule 20) or filing of summaries of argument on a motion, set the times for events in the case or give directions for the next step or steps in the case;

(a.0.1) make an order about expert evidence, including hiring an expert for one or more parties, the use of an expert opinion and how and when experts’ reports are to be served, filed and the opinion admitted into evidence;

(a.1) make an order requiring the parties to file a trial management endorsement or trial scheduling endorsement in a form determined by the court;

(b) make an order requiring one or more parties to attend,

(i) a mandatory information program,

(ii) a … settlement conference conducted by a non-judge who is a current or retired lawyer or a retired judicial officer of the Ontario Superior Court approved for that purpose by the regional senior judge;

(iii) an intake meeting with a court-affiliated mediation service, or

(iv) a program offered through any other available community service or resource;

(b.1) if notice has been served, make a final order or any temporary order, including any of the following temporary orders to facilitate the preservation of the rights of the parties until a further agreement or order is made:

(i) an order relating to the designation of beneficiaries under a policy of life insurance, registered retirement savings plan, trust, pension, annuity or a similar financial instrument,

(ii) an order preserving assets generally or particularly,

(iii) an order prohibiting the concealment or destruction of documents or property,

(iv) an order requiring an accounting of funds under the control of one of the parties,

(v) an order preserving the health and medical insurance coverage for one of the parties and the children of the relationship, and

(vi) an order continuing the payment of periodic amounts required to preserve an asset or a benefit to one of the parties and the children;

 (c) make an unopposed order or an order on consent; and

 (d) on consent, refer any issue for alternative dispute resolution.

1. While the rule is worded to include case and trial management conferences, each of those has a different purpose than the settlement conference, although there will be some overlap. Some of the Rule’s provisions, like sub-paragraphs (a), (a.0.1), (b) and (b.1) above, should have already been ordered at the case conference, or even motion **– a settlement conference is not the place to raise for the first time, for example, issues about disclosure or questioning.** If you have a complaint about failure by the other party to comply with an Order made at the case conference for disclosure or if you think that the disclosure provided is inadequate, bring a motion well before the settlement conference.

**Settlement Conference Briefs**

1. There is a group of rules that governs what documents must be served and filed by each party before a settlement conference can be held, and when those must be served and filed. These rules include expert opinion evidence (see “Expert Evidence” below). There is a prescribed Form 17C for a settlement conference brief not involving protection of children.
2. Rules 17(13), (13.1), (14.1) and (14.2) set out the requirements for settlement conference briefs and their contents.

**PARTIES TO SERVE BRIEFS**

17[(13)](http://www.ontario.ca/fr/lois/reglement/990114#s17s13)  …[E]ach party shall serve and file a … settlement conference brief (Form 17C)

**TIME FOR SERVICE OF BRIEFS**

17[(13.1)](http://www.ontario.ca/fr/lois/reglement/990114#s17s13p1)  **The party requesting the conference** (or, if the conference is not requested by a party, the applicant or party making the motion) **shall serve and file a brief not later than six days before the date scheduled for the** **conference** and **the other party shall do so not later than four days before that date.**

**NO LATE BRIEFS**

17[(14.1)](http://www.ontario.ca/fr/lois/reglement/990114#s17s14p1)  No brief or other document for use at the conference that is required to be served or filed may be served or filed after 2 p.m. two days before the date scheduled for the conference.

**REQUIREMENT TO BRING DOCUMENTS TO SETTLEMENT
 CONFERENCE**

17[(14.2)](http://www.ontario.ca/fr/lois/reglement/990114#s17s14p2)  The following documents shall be brought to a settlement conference:

1. Any document that supports a party’s position in respect of a dispute regarding the value of property or regarding the amount of a debt, in the case of a property claim under Part I of the *Family Law Act*.

2. Any document required to be served under rule 13 (financial disclosure), if there is a dispute as to whether it was served.

1. An offer to settle must be included in, or accompany, the brief (see “Offers to Settle” below). See Appendix A for a suggested outline for a settlement conference Record which includes the brief.

**Expert Evidence**

1. Rule 20.2 deals with expert opinion evidence. A party can hire their own expert or the court can make an order that an expert be hired by or for one or more of the parties. There are several kinds of experts described in Rule 20.2(1). Regardless whether the expert is hired by a party or an order has been made, the expert report must be served and filed with the court **at least 6 days before the settlement conference**. There are minimum requirements that must be met if you want to call an expert as a witness at trial (a “litigation” or “joint litigation” expert) or if you only want to file an expert’s written opinion (a “participation expert”). These requirements include listing the documents or other sources of information relied on by the expert and serving copies of the documents on the other party or parties unless they have already been served.
2. **It is a good idea to serve a copy of the expert report well in advance of the conference and to include a copy of any expert report in the settlement conference brief**

**Financial Disclosure**

1. Financial disclosure already made must be updated for the settlement conference. Rules 13(12), (12.1) and (12.2) 1. and 2. provide as follows:

**UPDATING FINANCIAL STATEMENT**

13[(12)](http://www.ontario.ca/fr/lois/reglement/990114#s13s12)  **Before any … settlement conference … each party shall update the information in any financial statement that is more than 30 days old by serving and filing,**

(a) a new financial statement; or

(b) an affidavit saying that the information in the last statement has not changed and is still true.

**MINOR CHANGES**

13[(12.1)](http://www.ontario.ca/fr/lois/reglement/990114#s13s12p1)  If there have been minor changes but no major changes to the information in a party’s past statement, the party may serve and file, instead of a new financial statement, an affidavit with details of the changes.

**TIME FOR UPDATING**

13[(12.2)](http://www.ontario.ca/fr/lois/reglement/990114#s13s12p2)  The material described in subrules (12) and (12.1) shall be served and filed as follows:

1. For a … settlement conference requested by a party, the requesting party shall serve and file at least **seven days** before the conference date and the other party shall serve and file at least **four days** before that date.

2. For a … settlement conference that is not requested by a party, the applicant shall serve and file at least **seven days** before the conference date and the respondent shall serve and file at least **four days** before that date.

1. If there is any document earlier served as required by the Rules which has been corrected, updated or is a new version, an updated Certificate of Financial Disclosure must be served and filed in the Continuing Record. Rule 13(13.1) governs this,

**Updating Certificate of financial disclosure**

13[(13.1)](http://www.ontario.ca/fr/lois/reglement/990114#s13s13p1)  Before any settlement conference … a party who has served a corrected, updated or new version of a document referred to in subrule (3.1), (3.3), (3.4) or (5.0.1) in accordance with subrule (15), or additional documents in accordance with subrule (16), shall serve and file an updated certificate of financial disclosure (Form 13A), no later than,

(a) seven days before the conference, in the case of the party requesting the conference or, if the conference is not requested by a party, the applicant or the party making the motion, as the case may be; and

(b) four days before the conference, in the case of the other party.

1. Rule 13(17) provides,

**Duty to address omissions in Financial Disclosure**

13[(16)](http://www.ontario.ca/fr/lois/reglement/990114#s13s16)  As soon as a party discovers that he or she failed to serve a document required to be served under subrule (3.1), (3.3), (3.4) or (5.0.1), the party shall serve the document on the other party.

**Property Claims**

1. Where the case involves property claims between married (not common-law) spouses, two important documents must be prepared. The first is a **Net Family Property statement** (Form 13B): this must be prepared and filed not less than 30 days before the settlement conference. The other document is a **Comparison of Net Family Property Statements** (Form 13C) which must be prepared and filed with the settlement conference brief.
2. Rule 13(14) (a) requires,

**NET FAMILY PROPERTY STATEMENT**

13[(14)](http://www.ontario.ca/fr/lois/reglement/990114#s13s14)  Each party to a property claim under Part I of the *Family Law Act* shall serve and file a net family property statement (Form 13B) or, if the party has already served a net family property statement, an affidavit saying that the information in that statement has not changed and is still true,

1. **not less than 30 days before a settlement conference**
2. In addition to a Net Family Property Statement, the parties must prepare a document comparing their net family properties. Rules 13(14.2) and (14.3) deal with Form 13C where parties either can, or cannot, agree on a joint comparison of net family property statements.

**Comparison of Net Family Properties, Joint**

13[(14.2)](http://www.ontario.ca/fr/lois/reglement/990114#s13s14p2)  Parties who have served and filed net family property statements in accordance with subrule (14) shall file a joint comparison of net family property statements (Form 13C) **no later than seven days before a settlement conference**, subject to subrule (14.3).

**Comparison of Net Family Properties, Separate**

13[(14.3)](http://www.ontario.ca/fr/lois/reglement/990114#s13s14p3)  If the parties fail to agree on a joint comparison of net family properties, each party shall serve and file his or her own comparison of net family property statements (Form 13C) no later than,

(a) **seven days** **before a settlement conference**, in the case of the party requesting the conference or, if the settlement conference is not requested by a party, the applicant or the party making the motion, as the case may be; and

(b) **four days before the settlement conference**, in the case of the other party.

1. These documents must be filed in the Continuing Record.

**Service and Filing of Briefs**

1. There are different rules for the applicant and respondent for serving their Briefs: the applicant must **serve and file** their Brief on the respondent at least **six days** before the conference date, and the respondent **must serve and file** their brief **four days** before the conference date.

|  |  |
| --- | --- |
| ***Filing of Brief with Court (by 2 p.m.) by applicant (deadline for respondent is in brackets)*** | ***For Conference date for the following week*** |
| Monday (Wednesday) | Tuesday |
| Tuesday (Thursday) | Thursday |
| Wednesday (Friday) | Friday |
| Thursday (Monday) | Monday the second week afterwards |
| Conferences are not held on Wednesdays in Newmarket. |

1. Where the deadline for filing falls on a statutory holiday, add a day. For example, if Monday would ordinarily be the deadline for filing Briefs in time for a Tuesday Case Conference the next week, and the Monday is a statutory holiday, then the Briefs must be filed with the court by no later than 2:00 p.m. on the preceding Friday**. Always remember to serve and file your Brief as soon after service on the other side as possible to ensure that you comply with this rule.**
2. See Appendix B for service and filing deadlines.

**Offers to Settle**

1. An offer to settle must be made as part of the settlement conference process. An offer to settle is confidential and cannot be mentioned in any document which is filed in the Continuing Record or until after a judge has made a decision dealing with the subject matter of the offer. **Rule 18** of the *Family Law Rules* deals with offers to settle, who must sign them, the consequences of withdrawing an offer, and accepting or failing to accept an offer.
2. The settlement conference form, requires (at paragraph 19) that a party include the terms of their offer to settle. Please remember that while the Form requires the party to set out the terms on which they are prepared to settle the issues in the case, the settlement conference process and all documents associated with it are considered confidential. In other words, the offer referenced in the settlement conference Brief will **not** qualify as a Rule 18 Offer which a party will be allowed to mention after a trial when dealing with the issue of costs. The best practice is to refer to the terms of an offer in the Brief or separately attach an offer to settle. **In every case an offer to settle must be served and accompanied by an affidavit proving its service on the other party**. These documents are **never** filed with the court until after a trial has finished and then only as directed by the judge.

**Confirmation**

1. Even though the court, or either or both of the parties, have scheduled a case conference date, **each** party must still confirm with the other side and file with the court a confirmation that the conference will proceed. Rule 17(14) states:

**PARTIES TO CONFIRM ATTENDANCE**

(14) Each party shall,

(a) confer or attempt to confer orally or in writing with every other party about the issues that are in dispute, subject to a party being prohibited from such communication by court order;

(b) before giving the clerk confirmation of the conference in Form 17F under clause (c), **give a copy of the confirmation of conference to every other party** **using** **mail, fax, email or any other method**, except in a child protection case; and

(c) not later than 2 p.m. **three days before the conference date**, give the clerk the confirmation of conference (Form 17F) by,

 (i) delivering it to the court office, or

(ii) if available in the court office, sending it by fax or by email. O. Reg. 298/18, s. 12 (3)

1. See also “Service and Filing of Briefs” above (paragraphs [20] and [21]).
2. The Form 17F confirmation is a filing requirement **in addition to** the deadline for filing Briefs. **In other words, the filing of the Brief does not relieve a party from serving and filing their confirmation**.
3. Form 17F requires the parties to discuss with each other beforehand what are the important issues for the conference and how much time each party expects will be needed to tell the judge what is needed for their case. **It is required that each party list what they think are the important** **issues for that conference**. This list is like an **Agenda** and will enable the judge, who will have read the Briefs beforehand, to focus on the issues and consider how to handle them. Paragraphs 1-6 of the Practice Direction contain further information about what is expected of the parties when confirming the conference.
4. If no Confirmation is filed, the conference will be struck from the list and not heard unless the court orders otherwise. Rule 17(14.1) states:

**EFFECT OF FAILURE TO CONFIRM**

(14.1) Unless the court orders otherwise, a conference shall not be held if confirmation of the conference is not given to the clerk in accordance with clause (14) (c). O. Reg. 298/18, s. 12 (3).

1. If the conference is not confirmed, the Registrar will endorse the Record that no further steps in the case may be taken without the parties obtaining from the court an Order pursuant to Form 14B supported by an affidavit satisfactorily explaining the reason why the conference was not confirmed.
2. In the event that there should be any change to the confirmation sent (such as certain issues being settled, or inadvertently omitted) the parties should let the court know right away.

**PARTIES TO UPDATE CONFIRMATION**

(14.1.1) If a party who has given a confirmation of conference determines at any time before the conference is held that the confirmation is no longer correct, the party shall, if possible, immediately,

(a) give a copy of the corrected confirmation of conference in Form 17F to every other party using a method listed in clause (14) (b) and subsequently give the clerk the corrected confirmation of conference by a method listed in clause (14) (c); or

(b) in a child protection case, give the clerk a corrected confirmation of conference in Form 17F by a method listed in clause (14) (c). O. Reg. 298/18, s. 12 (3).

**Attendance**

1. Rule 17(15) deals with the mandatory attendance of parties and their lawyers at the settlement conference,

[(15)](http://www.ontario.ca/fr/lois/reglement/990114#s17s15) The following shall come to each conference:

1. The parties, unless the court orders otherwise.

2. For each represented party, the lawyer with full knowledge of and authority in the case.

1. The lawyer, or lawyer’s agent, who appears for a party must not only be familiar with the issues in the case but also have the authority to give recommendations to, and receive settlement instructions from, the client.
2. Sometimes either or both the party and their lawyer cannot attend the conference. Reasons may include a party being out of the jurisdiction or a compelling medical condition which prevents personal attendance. Rules 17(16) and (17) deal with this:

[(16)](http://www.ontario.ca/fr/lois/reglement/990114#s17s16) With permission obtained in advance from the judge who is to conduct a conference, a party or lawyer may participate in the conference by telephone or video conference.

[(17)](http://www.ontario.ca/fr/lois/reglement/990114#s17s17) A party or lawyer who has permission to participate by telephone or video conference shall,

(a) make the necessary arrangements;

(b) serve a notice of the arrangements on all other parties and file it; and

(c) participate in the conference as the notice specifies.

1. It is the responsibility of a party’s lawyer, or the party if they are representing themselves, to request from the court at the earliest available opportunity its permission so that the party and/or lawyer may participate by telephone or video conference. This should be done by a Form 14B motion on notice to the other party at least three weeks before the date scheduled for the conference. The request must be accompanied by an affidavit that provides good reason[s] why the party and/or lawyer is unable to personally attend. If it is known that a party or their lawyer will be unable to personally attend the conference, consideration should be given to make that request at the case conference.

**Confidentiality**

1. The settlement conference is confidential. These are the rules that were mentioned at the beginning of this summary,

 **CONTINUING RECORD, SETTLEMENT CONFERENCE BRIEFS**

17[(22.2)](http://www.ontario.ca/fr/lois/reglement/990114#s17s22p2) Settlement conference briefs do not form part of the continuing record and shall be returned at the end of the conference to the parties who filed them or be destroyed by the court staff immediately after the conference.

 **CONFIDENTIALITY OF SETTLEMENT CONFERENCE**

17[(23)](http://www.ontario.ca/fr/lois/reglement/990114#s17s23) No brief or evidence prepared for a settlement conference and no statement made at a settlement conference shall be disclosed to any other judge, except in,

(a) an agreement reached at a settlement conference; or

(b) an order.

**SETTLEMENT CONFERENCE JUDGE CANNOT HEAR ISSUE**

17[(24)](http://www.ontario.ca/fr/lois/reglement/990114#s17s24) A judge who conducts a settlement conference about an issue shall not hear the issue, except as subrule (25) provides.

**The Conference**

1. The Conference will proceed on the date and at the time scheduled. The parties and their lawyers can locate the courtroom where the conference will be held on a Notice board outside the court and speak to a Court Services Officer who will record their presence. If you do not have a lawyer, you should consider arriving at court well before the scheduled time for the conference to speak to duty counsel who may be able to assist.
2. The parties and their lawyers will attend before the judge when their case is called. If the parties have complied with the Rules, properly identified the important issues and made an offer to settle, the judge will discuss with them what can, or should, be done to settle the issues in the case, and make settlement recommendations. Most often the parties and their lawyers will be directed by the judge to discuss outside of the courtroom what was discussed to determine whether any of the outstanding issues can be settled. The judge can make an Order that the judge considers is appropriate (see “Orders at a Settlement Conference” above). The judge can also make a final order settling those issues on which the parties have been able to agree.
3. When the conference has ended, the judge will make an endorsement in the court file that the settlement conference has been held and note whether any Orders are being made. A copy of that endorsement will be given to the parties and their lawyers by the Court Services Officer afterwards.
4. Briefs are to be returned at the end of the conference or they will be destroyed by court staff.

**Costs Consequences**

1. There are costs consequences where a party fails to obey the settlement conference rules. These can apply before, and at, a settlement conference.

**Order, if document not provided**

13[(17)](http://www.ontario.ca/fr/lois/reglement/990114#s13s17)  If a party has not served or filed a document in accordance with the requirements of this rule or an Act or regulation, the court may on motion order the party to serve or file the document and, if the court makes that order, it shall also order the party to pay costs.

1. If a settlement conference must be adjourned because a party has not complied with the rules, a judge is required to order that party to pay costs. Rule 17(18) provides as follows,

**COSTS OF ADJOURNED CONFERENCE**

COSTS

[(18)](http://www.ontario.ca/fr/lois/reglement/990114#s17s18) Costs shall not be awarded at a conference unless a party to the conference was not prepared, did not serve a required brief, did not make any required disclosure, otherwise contributed to the conference being unproductive or otherwise did not follow these rules, in which case the judge shall, despite subrule 24 (10)[[1]](#footnote-1),

(a) order the party to pay the costs of the conference immediately;

(b) decide the amount of the costs; and

(c) give any directions that are needed. O. Reg. 114/99, r. 17 (18); O. Reg. 235/16, s. 3.

COSTS MAY BE AWARDED LATER

(18.1) Subrule (18) does not prevent the court from awarding costs in relation to the conference at a later stage in the case, if costs are not awarded at the conference. O. Reg. 298/18, s. 12 (5).

1. This rule expresses how important is the settlement conference. Parties who have not followed the preceding rules can be held financially responsible to the other party by an award of costs immediately payable or at some later time or event as the settlement conference judge should decide.

**Summary**

1. The settlement conference is the best, and likely the last, chance to get a judge’s opinion about each party’s case before trial. Settlement options are discussed and recommendations will be given. Compliance with the settlement conference rules and preparation of the documents required are essential. As already noted, some or all of the disputed issues can be finally settled and made into an Order. An expensive trial can be avoided or shortened, along with its costs to the parties, by following these rules.

Effective September 12, 2019

**APPENDIX A**

**Settlement Conference Record**

There are other rules that apply to motions, case and trial management conferences. Some, like updating financial disclosure and correcting mistakes in documents, apply at all steps in a family law case. Ideally, the documents that form part of what is given to a judge for a settlement conference should be bound together to form a “Record”, they should be tabbed for easy reference and should include the following (this is a suggested format only):

1. An Index;
2. Form 17C Settlement Conference Brief;
3. Copies of the following (some of the following should have already been filed in the Continuing Record, but including copies in the Brief is often helpful to the judge):
4. a new financial Statement or an affidavit saying that the information in the last statement has not changed and is still true;
5. if the parties are married and property claims have been made, a Net Family Property Statement or an affidavit saying that the information in an earlier served Net Family Property Statement has not changed and is still true AND a joint comparison of net family properties or, if the parties fail to agree, the filing party’s Comparison of Net Family Property Statement form;
6. any document that supports a party’s position in respect of a dispute regarding the value of property or the amount of a debt (where there is a property claim) or a document that should have been served with a party’s financial statement where there is a dispute whether it was served;
7. an expert report;
8. if not already set out under Part IV of the prescribed settlement conference brief Form 17C (paragraph 19) an Offer to Settle, dated and signed by the party and, if represented by a lawyer, his or her lawyer.

All documents used at the settlement conference are returned to the parties after the conference or are destroyed by court staff afterwards. They do not form part of the Continuing Record.

**APPENDIX B**

**DOCUMENTS THAT HAVE TO BE SERVED AND FILED WITH THE COURT BEFORE A SETTLEMENT CONFERENCE (and which will form part of the continuing record, excepting the Brief)**

|  |  |  |  |
| --- | --- | --- | --- |
| **Name of Document** | **Form** | **Deadline (not later than)** | **Rule** |
| Net Family Property Statement | 13B | 30 days before the conference | 13(14) |
| Comparison of Net Family Property Statements | 13C | 7 days before the conference | 13(14.2) and 13(14.3) |
| Updated Financial Statements [or affidavit confirming financial information is the same] | 13 or 13.1[14A] | 7 days before the conference (4 days for the other side) | 13(12.2) |
| Updated Certificate of Financial Disclosure | 13A | 7 days before the conference (4 days for the other side) | 13(13.1) |
| Settlement Conference Brief (with enclosed or attached Offer to Settle) | 17C | 7 days before the conference (4 days for the other side) | 17(13.1) |
| Expert report | Report must comply with Rule 20.2(2) | 6 days before the conference | 20.2(2) |
| Confirmation | 17F | 3 days before the conference (both parties) by 2:00p.m. | 17(14) |

1. Rule 24(10) provides that the court should deal with costs of each step in a case promptly. [↑](#footnote-ref-1)