

FAMILY LAW MATTERS

CONSENT THAT THE MOTION OR APPLICATION BE HEARD IN WRITING

MOTIONS THAT THE PARTIES AGREE CAN BE HEARD ON WRITTEN MATERIALS ALONE

(There will be no telephone call or video conference.)

THE JUDGE DOES NOT HAVE ACCESS TO THE EXISTING COURT FILES, MATERIALS FILED OR ORDERS MADE.

1. The parties are to agree on the timetable for the exchange of all of the materials. This means that there is a set/fixed date by which the materials are to be provided to the other side. These are the materials to be exchanged.
2. The person bringing the motion must provide their documents to the other side.
3. The opposing party shall provide their responding materials if any.
4. The party bringing the motion can provide a reply to the materials of the other side but may only address new issues raised by the responding party.
5. The parties are encouraged to avoid a duplication of the information provided in their materials.

MATERIALS TO BE FILED:

1. The information will be filed electronically, to sjtrialofficebrampton@ontario.ca
2. The materials filed can not exceed 10MB, unless permission has been given by the court to exceed the limit.
3. The body of the affidavits can be no longer than 15 pages in length.
4. The exhibits attached to the affidavits shall only include those excerpts that are necessary and relevant to the issues that are being determined.
5. Copies of all relevant orders that have been already made.
6. Factums are required and the maximum length is 20 pages. Factums explain how the law applies to the facts of the particular case.
7. Draft orders that set out what the terms of the order that a party is asking the court to make.
8. Written confirmation from each of the parties that there is an agreement that the matter may proceed on the basis of written materials only.
9. The parties email addresses.
10. An agreement that the written materials will be filed with the applicable fees when court operations resume.

The Judge will review the materials. The Judge may, at the Judge's discretion, request that the parties deal with additional issues in writing or may require that the parties attend a telephone or video conference.