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Ministry of the Attorney General	Superior Court of Justice Family Court	Regional Municipality of Hamilton-Wentworth	Court House 55 Main Street West Hamilton Ontario L8P 1H4	Tel/Tél.: (905) 645-6250
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Ministère du Procureur general	Cour de la famille	Municipalité régionale de Hamilton- Wentworth	Palais de justice 55, rue Main ouest Hamilton Ontario L8P 1H4	Fax/Télec.: (905) 645-6264
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### **Memorandum**

**TO:** The Profession and Self-Represented Litigants

**FROM:** Regional Senior Justice Glithero  
Local Administrative Justice C. Lafreniere

**RE:** Family Court Schedule

**DATE:** December 14, 2011

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1. TRIAL LIST

If a case is on the trial list and you have not filed a trial record or factum (for motions) you need to appear in Purge Court.

If a case is on the trial list and disclosure has been ordered, but not been provided, you must appear in Purge Court.

Please do not book vacation within a sitting when you have agreed to a trial list. You will not be accommodated.

2. AMENDED TRIAL SCHEDULE

Attached please find an amended trial schedule for 2012. You will note that there are slight changes. If you have any trials already set in 2012 and will have a problem because of the changes, please contact the trial office and your trial can be rearranged.

3. JUDICIAL CONFERENCES

The conference dates for 2012 are:

May 9<sup>th</sup> – 11, 2012

June 6<sup>th</sup> – 8<sup>th</sup>, 2012

November 7<sup>th</sup> – 9<sup>th</sup>, 2012

Subsequently motions on these weeks will be held on the Tuesday of the week instead of Friday and the child protection administrative list will also be heard on Tuesday, instead of Wednesday.

4. EASTER

Motions will be held on Thursday, April 5 instead of April 6, which is Good Friday.

5. MOTIONS TO CHANGE

When a motion to change is adjourned to the trial list, even for multiple days, it is expected to be heard based on affidavit material with facta required. Viva voce evidence is only permitted if there is an order allowing it.

6. AFFIDAVIT OF SERVICE

When a document is delivered in person to a litigant's residence and the only person there will not show identification to show that they are an adult and prove they live at that residence, service is **not effected**. The Affidavit of Service should not be changed to say that the document was left with a person who would not show identification and the document cannot be filed into the Continuing Record. The server may complete an affidavit of attempted service which would be filed in support of a motion for sub service and only when service is effected pursuant to that order may the document be added to the file.

7. MANDATORY INFORMATION PROGRAM

As of April 1, 2011 the Axis Mediation Centre started presenting the Mandatory Information Programs which are run weekly. All clients on contested matters must attend a MIP prior to the hearing of a case conference. If the client has not attended a MIP prior to the case conference there may be sanctions ordered by the judge. Once they have attended, if they file a motion to change in the future, they do not need to attend another one.

8. 14B MOTIONS

Motions filed using Form 14B do not require an affidavit. They are either on consent, which should be attached, or are uncomplicated or procedural in nature. If they are not on consent they must be served for a regular motions day and confirmed and filed in the normal course, ie by 2:00 p.m. two days prior to the hearing.

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Regional Senior Justice Glitheroe

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Local Administrative Justice Lafreniere