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| ONTARIO | | | | | | | | |
|  | | | | | | |  | Court File Number |
| (Name of court) | | | | | | | Binding Judicial Dispute Resolution (JDR) Hearing Request and Consent |
| **at** |  | | | | | |
|  | Court office address | | | | | |
| Applicant(s) | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | | |
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| Respondent(s) | | | | | | | | |
| Full legal name & address for service — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | |  | Lawyer’s name & address — street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any). | | | | |
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| RE: | |  | | | v. |  | | |
| A Binding JDR hearing is a party-initiated, consensual, and flexible process which allows parties to obtain final orders on their disputed issues without the need for a trial. The judge conducting the hearing will help the parties to try to resolve their issues on consent and then make orders about unresolved issues at the same hearing. The parties must provide written consent to the process and obtain the court’s approval in order to have a Binding JDR hearing. | | | | | | | | |
| Part A: Request and Consent | | | | | | | | |

1. I have read and understand the Binding JDR hearing process as set out in the [Practice Advisory Concerning the Superior Court of Justice’s Binding Judicial Dispute Resolution Pilot Projects](https://www.ontariocourts.ca/scj/practice/regional-practice-directions/).

2. I, , request the court conduct a Binding JDR hearing on the following issues:

*(Check off the issues that must still be resolved and provide a brief description. Note that only issues that were included in your pleadings and are approved by the Court may be addressed at the Binding JDR hearing unless the judge at the hearing orders otherwise.)*

Decision-making:

Parenting time or contact:

Child support:

Spousal support:

Division of property:

Other:

3. Provide a brief summary of why you believe a Binding JDR hearing would be an effective way to resolve the issues listed above:

4. I will serve on all parties and file with the Court the following documents according to the page limits and timelines set out in the Practice Advisory (section 6) unless otherwise directed by the court:

1. Affidavit (either Form 14A or the [Affidavit for Binding JDR Hearing](https://www.ontariocourts.ca/scj/files/forms/binding/affidavit-binding-jdr-en.docx))
2. Draft Final Orders
3. Current Financial Statement with all required attachments (if applicable)
4. Current Net Family Property Statement and Comparison of Net Family Property Statement (if applicable)

5. Here is a list of the types of additional documents that I intend to rely on at the Binding JDR hearing:

6. I will provide the other party(ies) with copies of the documents supporting my Financial Statement and the other issues in my case and file them with the court according to the timelines set out in the [Practice Advisory](https://www.ontariocourts.ca/scj/practice/regional-practice-directions/) (Part 6) unless otherwise directed by the Court. I understand that if I fail to produce these records, the information in them may not be relied on by the judge deciding my case.

7. I also understand that I should **only** submit evidence that is relevant and non-repetitive and that will assist the parties to settle the issues or help the judge to make a decision. I understand that the judge conducting the binding JDR hearing will not take into consideration irrelevant or repetitive documentation. If I submit too much information for the Binding JDR hearing to proceed, the judge may return the case to the regular track for a trial of the issues, and I may have to pay court costs to the other party.

8. I will upload to CaseLines all my documents for the Binding JDR hearing as soon as possible after receiving my invitation from the court and not later than **five (5)** days before the hearing.

9. According to subrule 21(e) of the Family Law Rules, parties have 30 days after receiving the report of the Children’s Lawyer to inform the other parties and the Court of any dispute they have with the report. If my case involves a report of the Children’s Lawyer and I schedule the Binding JDR hearing within 30 days of being served the report, I acknowledge that I am giving up my right to that time according to subrule 21 (e).

10. I am aware that, unless all parties agree or I have the Court’s permission, I may **not** withdraw my consent to participate in the Binding JDR hearing after filing my signed **Binding Judicial Dispute Resolution Request and Consent form**.

11. I am aware that if I fail to participate in the process after filing my signed **Binding Judicial Dispute Resolution Request and Consent form** without the Court’s permission to withdraw, the issues may be decided based on the evidence filed, or on the evidence of the other party(ies).

12. I am aware that unless I have the Court’s permission, I may **not** adjourn the date scheduled for my Binding JDR hearing even with the consent of the other side.

13. I am aware that if appropriate, the Court may award costs in accordance with Family Law Rules 18 and 24.

14. I understand that there is no right to the following at a Binding JDR hearing:

1. to have my case decided on a final basis at a trial;
2. to call and cross-examine witnesses at the hearing, unless otherwise ordered by the court in advance;
3. to insist that the judge conducting the hearing apply the formal rules of evidence and procedure;
4. to object because the judge deciding the unresolved issues has knowledge of settlement discussions and offers to settle or has provided an opinion about the same issues, (despite subrules 17(24) and 18 (8)(b) of the Family Law Rules).

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| Part B: Legal Advice |

**NOTE: YOU ARE STRONGLY ADVISED TO GET LEGAL ADVICE PRIOR TO COMPLETING THIS FORM.** The following services may help you access legal advice or retain counsel:

* The [Family Law Information Centre](https://www.ontario.ca/page/family-law-information-centres) (FLIC) at your local courthouse
* The Law Society of Ontario’s [Lawyer Referral Service](https://lso.ca/public-resources/finding-a-lawyer-or-paralegal/law-society-referral-service); (referrals and free 30-minute consultations)
* [Legal Aid Ontario](https://www.legalaid.on.ca/services/family-legal-issues/): 1- 800–668–8258 (free legal services for those who qualify)
* [JusticeNet](https://www.justicenet.ca/) (legal services at reduced fees for those who qualify)
* [Ontario Family Law Limited Scope Services Project](https://familylawlss.ca/) (unbundled legal services)
* [Pro Bono Students Canada Family Justice Centre](https://www.probonostudents.ca/family-justice-centre) (free unbundled legal services to self-represented litigants in Ontario by supervised law students)

The Notice to the Profession about Binding JDR in your region may include additional information about legal services in your area.

*Fill in the details of your legal representation and advice below.*

**Legal Representation**

I will be represented by *(name of lawyer)* at the hearing, **OR**

I will be representing myself at the hearing.

**Legal Advice (you must select one)**

I have received advice in relation to this request and consent form and the Binding JDR process from *(name of lawyer)* ; **OR**

While I have been advised to seek legal advice in relation to this request and consent, I do not wish to do so.

**Office of the Children’s Lawyer (OCL)**

The child(ren) is/are represented by a Children’s Lawyer in these proceedings *(name(s) of lawyer(s))*:

I understand that I must serve a copy of this completed Request and Consent form to the other counsel or party(ies) and the children’s lawyer named above, and then file it at court with an affidavit of service (form 6B).

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| Part C: Scheduling the Hearing |

I agree that any judge may hear the Binding JDR hearing.

I request that Justice  conduct this Binding JDR hearing. I acknowledge that this judge has presided over a prior step in this case and may have knowledge of settlement discussions and offers to settle or may have provided an opinion about the same issues;

I request that Justice not be scheduled to conduct this Binding JDR hearing because:

Subject to the discretion of the judge approving or conducting the case, I request that my hearing be scheduled

in person  virtually

for the following reasons:

I will file my **confirmation of Binding JDR** by 2:00 p.m. three (3) days before the hearing date updating the Court about whether a settlement has been reached on any issues, (see section 7 of the Practice Advisory.)

I will promptly advise the Court if the parties have settled the issues before the hearing date by contacting the Trial Coordinator.

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| Party name |  | Party signature |

Dated at *(municipality and province)* this  day of , 20

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| --- | --- | --- |
|  |  |  |
| Witness name |  | Witness signature |

Dated at *(municipality and province)* this  day of , 20

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| Lawyer name (if any) |  | Lawyer signature (if any) |

Dated at *(municipality and province)* this  day of , 20

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***To be completed by the Court***

This matter

is approved for a Binding JDR hearing

is not approved for a Binding JDR hearing

See the attached Binding Judicial Dispute Resolution Endorsement.

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|  |  |  |
| Date |  | Justice |