

QUINTE COURT HOUSE
15 BRIDGE STREET WEST
BELLEVILLE, ON K8P 0C7



QUINTE PALAIS DE JUSTICE
15, RUE BRIDGE OUEST
BELLEVILLE, ON K8P 0C7

SCJ Family Branch Belleville/ Picton: Local Scheduling Directive, November 2024

First Appearance Court

Due to the significant increase in parties who cannot secure representation, all matters scheduled for First Appearance Court, shall have two first appearance dates before the court registrar will note default and place the matter on the Short Matter List, to schedule a date for an uncontested trial. The second date will be scheduled for two weeks out if the responding party has e-mail and three weeks out if the endorsement needs to be sent by regular mail. For Picton matters, this may be a longer period.

Short Matter List (SML)

This list runs weekly on Wednesdays from 10 AM to 1PM. It is intended for shorter and time sensitive matters and the scheduling of uncontested trials. All parties and counsel must check in at 10:00 AM when the presiding judge will vet the list. Since the order of the list is not determined until that morning and another SML may be running simultaneously, counsel should not double book themselves.

The materials required are:

- (a) an Enhanced Confirmation Form, using the [Form 17E](#), no more than 5 pages in length, plus any necessary attachments, unless otherwise ordered by the court; and
- (b) a draft Order in MS Word format, unless the purpose is to set a date for an uncontested trial.

Failure to comply will result in the matter being struck from the list.

Uncontested Trials

Uncontested trials are in-person events. A matter cannot proceed to an uncontested trial unless the responding party has been noted in default either by the registrar at the Rule 39/First Appearance Court or by Requisition using [Form 4E](#) under *Rules of Civil Procedure* or by a judge, on motion.

The First Appearance Court registrar, trial coordinator or a judge will place all undefended matters on the Short Matter List, to schedule the uncontested trial and provide additional direction, if necessary. If you have filed a requisition to note default, it will be your responsibility to contact the trial coordinator to get on the SML for scheduling.

The materials for an uncontested trial must include:

- (a) an affidavit that includes a history of the prior proceedings (with dates of attendances and non-attendance and service) and admissible hearsay supported by exhibits, where appropriate. The party may file this affidavit using the [Form 23C](#) affidavit or the general affidavit [Form 14A](#);
- (b) an updated [Form 35.1](#) affidavit for decision-making and parenting time and an updated [Form 35.1A](#) child protection affidavit, if applicable;
- (c) an updated financial statement, if applicable;
- (d) a factum, with case law hyperlinked; and
- (e) a draft order for the pleaded relief sought in MS Word format, using the regular [Form 25](#) Order.

The party who has been noted in default shall be served with all materials for the uncontested trial, 30 days in advance of the hearing date.

Parties should be prepared to give oral evidence at the hearing.

Child Protection TBST Events

In preparation for a Child Protection TBST event all parties must file an Enhanced Confirmation Form ([Form 17F](#)), no more than 5 pages in length, plus any necessary attachments.

This document must include:

- (a) a summary of the *status quo*, including which appearance this is (1st 2nd 3rd etc.), how long the children have been in care and the nature of the order under review;
- (b) a fulsome description of the issues; and

- (c) a proposal for resolution, with a companion draft order in MS Word format.

Urgent Motions

All urgent motions materials shall be submitted in writing to: Belleville.SCJ.Courts@ontario.ca, with the subject line: Urgent Motion, and shall also include the case management judge, if applicable. The notice of motion must stipulate whether the moving party wishes the matter to proceed without notice, on short notice, in writing or in person. A judge will determine whether the motion can proceed in writing or whether a hearing is required. The parties will be advised how and when their matter will be proceeding.

Contempt Motions

To obtain a date for a contempt motion the moving party must submit their draft notice of contempt motion, [Form 31](#), and supporting affidavit evidence to the trial coordinator at BellevilleSCJ.TC.Office@ontario.ca for a preliminary review by a judge, with the subject line: Contempt Motion Request and shall also include the court file number, the parties' last names and the case management judge, if applicable. A judge will review the motion and assign a motion date. The trial coordinator will advise the moving party of the date for the contempt motion and the notice of motion will then be served and filed in compliance with the *Family Law Rules*.

Case Center Filings: Materials for the following matters must be uploaded to the Case Center: case conferences, settlement conferences, motions, uncontested trials and trials.

***Facta* are required for the following proceedings:**

- (a) long motions, namely motions that are one hour or longer;
- (b) [Rule 16](#) summary judgment motions;
- (c) uncontested trials; and
- (d) as otherwise directed by the court.

Draft orders, in MS Word format, are required for the following proceedings:

- (a) the Child Protection TBST list, if appropriate
- (b) all matters on the Short Matter List, except for matters where only a date is being sought for an uncontested trial;
- (c) case conferences and settlement conferences

- (d) long motions and summary judgment motions; and
- (e) uncontested trials and trials.

Guidelines Regarding Mode of Appearance

Events will proceed presumptively as set out in the Court’s Guidelines below. Requests for Virtual Hearings shall be submitted for the Court’s consideration on 14 days’ notice to the other party, prior to the event. These will only be granted in exceptional circumstances. The accommodation, if granted, will apply to the person requesting it, not all counsel, parties or witnesses.

Family Court

First appearances	Virtual
Early or urgent case conference requests	In writing
Contempt or Urgent motion requests	In writing
Early or urgent case conferences/Urgent motions	As directed by the court
Case conferences	In person
Settlement conferences	In person
Motions for procedural relief and simple motions on consent	In writing
Short Matter List	In person
Contempt motions	In person
Long motions	In person
FRO matters	In person
Adoptions	In writing or virtual unless parties request an in-person appearance
Trial scheduling conferences / Trial management conferences	In person
Uncontested trials	In person
Trials	In person, with discretion for witnesses to appear virtually

Child Protection

First hearing (place of safety) 5-day return/ first appearance	Virtual
TBST lists	Virtual
Case conferences	In person with discretion for child protection workers to appear virtually
Settlement Conferences	In person
Motions for procedural relief and motions on consent	In writing or as directed by the court
Complex procedural motions	In person
Substantive regular/ short motions	In person
Long motions, including Summary Judgment Motions and Temporary Care & Custody Hearings	In person
Trial scheduling conferences / Trial management conferences	In person with discretion for child protection workers to appear virtually
Trials	In person with discretion for witnesses to appear virtually

Attached is the court's current weekly schedule.

A Request for Virtual Hearing Form is attached and must be emailed to the Trial Coordinator at BellevilleSCJ.TC.Office@Ontario.ca.



Justice N. Tellier
Local Administrative Judge, SCJ Family Branch

UFC: Belleville / *Picton Scheduling	
Monday	<p>Family Law Conferences</p> <p>*Picton: usually every other Monday (Child Protection and Family Law conferences, motions, uncontested trials, FRO Defaults)</p>
Tuesday	<p>Child Protection (TBST's AM, conferences PM)</p> <p>Family Law Conferences : Running only in one courtroom</p>
Wednesday	<p>AM Domestic short matter list: focussed conferences and uncontested trial check – ins. A short matter list may run in more than one courtroom</p> <p>PM: motions, uncontested trials, FRO Defaults, basket motions for Belleville and Picton</p>
Thursday	<p>Child Protection (TBST's AM, conferences PM)</p> <p>Family Law Conferences: Running only in one courtroom</p> <p><u>First Appearances</u></p> <p>Belleville: Every Thursday in tiers 9 / 10 / 11 / 12 / 2 (First Thursday of the month NO 9 am or 10am tier)</p> <p>Picton: First Thursday of the month 9 / 10 only</p>
Friday	<p>AM: conferences</p> <p>PM: *Scheduled by Judge only – long settlement conferences, long motions, POSH, Judicial Interviews</p>

TRIAL WEEKS

Approximately one trial week per month = 12 trial weeks per year

Set by Case Managing Judge at Settlement Conference or by Trial Judge at the Trial Scheduling Conference

Superior Court of Justice, Family Court

 (Name of Court)

at _____
 (Court office address)

Request for a Virtual Hearing

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).

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).

Children's Lawyer

Name & address of Children's Lawyer's agent for service (street & number, municipality, postal code, telephone & fax numbers and e-mail address (if any)) and name of person represented.

1. In accordance with the Court's **Guidelines Regarding Mode of Proceedings** which take effect on April 19, 2022, the appearances listed in paragraph 3 below are presumptively to be held in person for Family cases.

2. This form is filed by the:

- Applicant only [insert name] _____
- Respondent 1 [insert name] _____
- Respondent 2 [insert name] _____
- Other party or counsel [insert name] _____

3. I request permission from the Court to attend the following appearance(s) virtually rather than in person:

Note: If an event has already been scheduled, include the date and time of the appearance.

- Case conference Scheduled for: _____
- Settlement conference Scheduled for: _____
- Trial Management Conference Scheduled for: _____
- Long motion/Summary Judgment motion Scheduled for: _____
- Temporary care and custody hearing Scheduled for: _____
- Other Scheduled for: _____

- 4. I have advised the other parties of this request; OR,
 I have sent a copy of this request to the other parties.
- 5. I request such permission for the following reasons [*Please provide a brief explanation only. Supporting documentation is not to be attached*]:

- 6. This request is being made with the consent of all parties [*Check this box only if you have already confirmed that all parties agree to the request*].
- 7. I will arrange for access to the necessary technology to participate in a virtual hearing.
- 8. I confirm that this request is being made no less than 14 days before the event in question.

Signature of party or counsel

Date

To be Completed by Judge

Permission granted to attend virtually Yes No

Permission applies to the following attendance(s):

- Case conference
- Settlement Conference
- Trial Management Conference
- Long motion/ Summary judgment motion
- Temporary care hearing
- Other

Request approved by Justice _____

Date _____

Counsel and self-represented parties will be notified by email of the Court’s decision in relation to this request.