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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | | | | | | | | |  | |  | | |
| **Court Name and Address** | | | | | | | | | | | |  |  |
|  | | | | | | | | | | | |  | Court File No. |
|  |
| Judge |
|  |
| Date |
| Re: |  | | | | | | | | | | | | |
| Order sought: | | | |  | | | | | | | | | |
| **Parties/counsel in court:** | | | | | | | | | | | | | |
| CAS counsel: | | | | |  | | | | | | | | |
| CAS worker: | | | | |  | | | | | | | | |
| Mother: | | | | |  | | | | | | | | |
| Mother’s Counsel: | | | | |  | | | | | | | | |
| Father: | | | | |  | | | | | | | | |
| Father’s Counsel: | | | | |  | | | | | | | | |
| Children’s Lawyer: | | | | |  | | | | | | | | |
| Other: | | | | |  | | | | | | | | |
| TRIAL SCHEDULING ENDORSEMENT FORM | | | | | | | | | | | | | |
| Type of application:  protection  status review | | | | | | | | | | | | | |
| 1. | | Are all parties participating?  Yes  No | | | | | | | | | | | |
|  | | If no, who is not participating? | | | | | |  | | | | | |
| 2. | | Has any party been noted in default?  Yes  No | | | | | | | | | | | |
|  | | Who? |  | | | | | | | | | | |
| 3. | | Do all parties have counsel?  Yes  No | | | | | | | | | | | |
| 4. | | Who does not have counsel? | | | | |  | | | | | | |
| 5. | | Does anyone plan to retain or change counsel?  Yes  No | | | | | | | | | | | |
|  | | Who? |  | | | | | | | | | | |
| 6. | | Are all counsel intending to represent their clients at trial?  Yes  No | | | | | | | | | | | |
| 7. | | If not, what is the plan for getting off the record? | | | | | | | |  | | | |
|  | |  | | | | | | | | | | | |
| 8. | | Is any judicial direction required?  Yes  No | | | | | | | | | | | |
|  | | Details: | | | | | | | | | | | |
|  | |  | | | | | | | | | | | |
|  | | | | | | | | | | | | | |
| **Preliminary Issues** | | | | | | | | | | | | | |
| 9. | | Is service complete?  Yes  No | | | | | | | | | | | |
|  | | If no, who has to be served? | | | |  | | | | | | | |
|  | | Details of plan for service: | | | | | | | | | | | |
|  | |  | | | | | | | | | | | |

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| --- | --- | --- | --- | --- | --- |
| 10. | Are disclosure issues outstanding?  Yes  No | | | | |
|  | a. | If yes, what are they and how will they be addressed? | | | |
|  |  |  | | | |
| 11. | Is anyone planning to bring a motion for records?  Yes  No | | | | |
|  | a. | If yes, who? |  | | |
|  | b. | Name of record keeper(s) | |  | |
|  | c. | Timing for bringing motion | | |  |
|  | d. | Is a *Wagg*/s. 74/rule 19 motion necessary?  Yes  No | | | |
|  |  | Details: | | | |
|  |  |  | | | |
|  | | | | | |
| **Assessments** | | | | | |
| 12. | Are all assessments completed?  Yes  No | | | | |
| 13. | Have they been shared with all parties?  Yes  No | | | | |
| 14. | If assessments are not completed, when will they be completed? | | | | |
|  |  | | | | |
| 15. | Timelines for completion and disclosure of reports: | | | | |
|  |  | | | | |
|  | | | | | |
| **Finding (if not already made)** | | | | | |
| 16. | Is there a dispute about finding?  Yes  No | | | | |
| 17. | Can the issue of finding be settled?  Yes  No | | | | |
| 18. | If no, is this an issue that could be dealt with by way of: | | | | |
|  | motion for summary judgment? | | | | |
|  | short hearing focused on finding? | | | | |
|  | Details: | | | | |
|  |  | | | | |
|  | | | | | |
| **Disposition** | | | | | |
| 19. | What are the issues in dispute? | | | | |
|  |  | | | | |
|  | | | | | |
| **Pleadings** | | | | | |
| 20. | Do the pleadings accurately reflect the parties’ positions?  Yes  No | | | | |
| 21. | Are all plans of care up to date?  Yes  No | | | | |
|  | Details: | | | | |
|  |  | | | | |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Admissions/Statement of Agreed Facts** | | | | | | | | | | |
| 22. | Has a request to admit been served?  Yes  No | | | | | | | | | |
| 23. | Has anyone filed a response to a request to admit?  Yes  No | | | | | | | | | |
| 24. | Have the parties prepared a statement of agreed facts?  Yes  No | | | | | | | | | |
| 25. | Will they?  Yes  No | | | | | | | | | |
|  | Directions for producing and filing statement of agreed facts: | | | | | | | | | |
|  |  | | | | | | | | | |
|  | | | | | | | | | | |
| **Exhibits** | | | | | | | | | | |
| 26. | All documentary evidence to be relied upon at trial will be served by the following dates: | | | | | | | | | |
|  | Applicant: |  | | | | Respondent: | |  | | |
| 27. | Are any parties intending to rely on reports or business records?  Yes  No | | | | | | | | | |
|  | If yes, can they be introduced without calling the record keeper?  Yes  No | | | | | | | | | |
|  | Details: | | | | | | | | | |
|  |  | | | | | | | | | |
| 28. | Has notice of intention to rely on medical reports been served?  Yes  No | | | | | | | | | |
| 29. | Has notice of intention to rely on business records been served?  Yes  No | | | | | | | | | |
|  | Directions for filing notices: | | | | | | | | | |
|  |  | | | | | | | | | |
|  | | | | | | | | | | |
| **Expert Witness (note qualification of witness as an expert is subject to trial judge’s approval)** | | | | | | | | | | |
| **Expert witnesses to be called by CAS** | | | | | | | | | | |
| **Expert’s name** | | | **Report and CV served?** | | **Area of expertise** | | **Qualifications admitted?** | | | **Time Estimate** |
|  | | | Yes  No | |  | | Yes  No | | |  |
| Date: |  | Advise by: | |  |
|  | | | Yes  No | |  | | Yes  No | | |  |
| Date: |  | Advise by: | |  |
|  | | | Yes  No | |  | | Yes  No | | |  |
| Date: |  | Advise by: | |  |
|  | | | Yes  No | |  | | Yes  No | | |  |
| Date: |  | Advise by: | |  |
|  | | | Yes  No | |  | | Yes  No | | |  |
| Date: |  | Advise by: | |  |

|  |  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Expert witnesses to be called by parent(s)** | | | | | | | | | | | |
| **Expert’s name** | | **Report and CV served?** | | | **Area of expertise** | **Qualifications admitted?** | | | | | **Time Estimate** |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | |  | Advise by: | |  | | |  |
| **Expert witnesses to be called by children’s lawyer** | | | | | | | | | | | |
| **Expert’s name** | | **Report and CV served?** | | | **Area of expertise** | **Qualifications admitted?** | | | | | **Time Estimate** |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | | Advise by: | |  | | |
|  | | Yes  No | | |  | Yes  No | | | | |  |
| Date: |  | |  | Advise by: | |  | | |  |
|  | | | | | | | | | | | |
| **Children’s Evidence** | | | | | | | | | | | |
| 30. | Is there any evidence being sought from a child?  Yes  No | | | | | | Age: | |  |  | |
| 31. | How will the evidence be introduced? | | | | | | | | | | |
|  | Statement of Agreed Facts | | | | | | | | | | |
|  | Through Children’s Lawyer | | | | | | | | | | |
|  | *Khan voir dire* | | | | | | | | | | |
|  | Other (specify) | | |  | | | | | | | |
|  | | | | | | | | | | | |
| **Witnesses** | | | | | | | | | | | |
| 32. | Is voir dire evidence anticipated?  Yes  No | | | | | | | | | | |
|  | If yes, what directions are necessary? | | | | | | | | | | |
|  |  | | | | | | | | | | |

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| --- | --- | --- | --- |
| **CAS Witnesses** | | | |
| **Name of witness** | **How will evidence  be presented?** | **Is witness’s  presence required?** | **Time Estimate** |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
| **Parents’ Witnesses** | | | |
| **Name of witness** | **How will evidence  be presented?** | **Is witness’s  presence required?** | **Time Estimate** |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |
|  | viva voce |  |  |
| affidavit | Yes  No |
| report |  |

|  |  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Children’s Lawyer’s Witnesses** | | | | | | | | | | |
| **Name of witness** | | | | **How will evidence  be presented?** | | | | | **Is witness’s  presence required?** | **Time Estimate** |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
|  | | | | viva voce | | | | |  |  |
| affidavit | | | | | Yes  No |
| report | | | | |  |
| 33. | Order for affidavit evidence?  Yes  No | | | | | | | | | |
|  | Details: | | | | | | | | | |
|  |  | | | | | | | | | |
| 34. | Affidavits to be served by applicant by | | | |  | | | | | |
|  | Applicant’s affidavits to be vetted by respondent(s) by | | | | | |  | | | |
| 35. | Affidavits to be served by respondent by | | | | |  | | | | |
|  | Respondent(s)’ affidavits to be vetted by applicant(s) by | | | | | | |  | | |
| 36. | Any dates when witnesses unavailable? | | | | | | | | | |
|  |  | | | | | | | | | |
| 37. | Have the parties produced a witness schedule?  Yes  No | | | | | | | | | |
|  | Details: | | | | | | | | | |
|  |  | | | | | | | | | |
| 38. | Do any parties, witnesses or counsel require special accommodations such as: | | | | | | | | | |
|  | Amplification devices: |  | | | | | | | | |
|  | Interpreters – language(s): | |  | | | | | | | |
|  | Accommodations for child witness(es) – Details: | | | | | | | | | |
|  |  | | | | | | | | | |

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
|  | Wheel chair access | | | | | | | | |
|  | Captioning equipment | | | | | | | | |
|  | Support persons | | | | | | | | |
|  | Environmental accommodations | | | | | | | | |
|  | Judge’s order to have an incarcerated witness/party brought to court | | | | | | | | |
|  | Other: | | | | | | | | |
|  |  | | | | | | | | |
|  | If any participant requires accommodation, s/he can contact the accessibility coordinator at | | | | | | | | |
|  |  | | | | | | | | |
|  | | | | | | | | | |
| **Trial Directions** | | | | | | | | | |
| 39. | In what order will the parties present their evidence? | | | | | | | | |
|  | i. |  | | | | | | | |
|  | ii. |  | | | | | | | |
|  | iii. |  | | | | | | | |
|  | iv. |  | | | | | | | |
| 40. | Opening statements:  Written  Oral | | | | | | | | |
|  | a. | If written, to be served by: | | Applicant | | |  | | |
|  |  |  | | Respondent | | | |  | |
| 41. | Will written opening statements be put into the trial record?  Yes  No | | | | | | | | |
| 42. | If not, when will they be provided to the judge? | | | | |  | | | |
| 43. | Has the trial record been produced?  Yes  No | | | | | | | | |
| 44. | Are the parties in agreement about what will be included in the trial record?  Yes  No | | | | | | | | |
| 45. | Will the parties produce a joint trial brief?  Yes  No | | | | | | | | |
| 46. | Directions re joint trial brief (timelines for delivery of documents, indicating objections to content etc. and method for resolving disputes): | | | | | | | | |
|  |  | | | | | | | | |
| 47. | Number of copies of briefs etc. needed: | | | |  | | | | |
| 48. | Date for service of trial record | |  | | | | | |  |
| 49. | Directions re trial (start times, how long breaks will be, accommodations necessary, expectations regarding time court will end for the day, etc.) | | | | | | | | |
|  |  | | | | | | | | |
| 50. | Will any special equipment (audio visual, screens, real time reporting etc.) be needed?  Yes  No | | | | | | | | |
|  |  | | | | | | | | |

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| 51. | Would a further settlement conference be useful?  Yes  No | | | | | | | | | | |
|  | Date for further settlement conference | | | | | | |  | | |  |
| 52. | Should there be a further trial management conference?  Yes  No | | | | | | | | | | |
|  | Date for trial management conference | | | | | | |  | | |  |
| 53. | Are there any possible issues to be flagged for the trial judge? | | | | | | | | | | |
|  | Evidentiary issues | | | |  | | | | | | |
|  | Legal issues | | |  | | | | | | | |
|  | Other |  | | | | | | | | | |
| 54. | Total trial time necessary? | | | | |  | | | | | |
| 55. | Are there any issues that must be heard urgently?  Yes  No | | | | | | | | | | |
|  | Why are they urgent? | | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | Follow-up conference (if necessary): | | | | | |  | | | | |
|  | in person  by teleconference | | | | | | | | | | |
|  | Trial dates: | |  | | | | | | | | |
|  | | | | | | | | | | | |
| **Orders** | | | | | | | | | | | |
| 56. | It is ordered that: | | | | | | | | | | |
|  | The parties shall comply with the directions and dates set out above. Consent changes may be requested by Form 14B: Motion form. | | | | | | | | | | |
|  | There shall be no further motions without permission from | | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | No exhibits may be relied on at the trial other than those described above **without a court order** obtained from | | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | No witnesses shall be called other than the witnesses on the witness list as outlined above unless a court order is obtained from | | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | Any requests regarding the scheduling of the trial or an increased allocation of trial time shall be made as follows: | | | | | | | | | | |
|  |  | | | | | | | | | | |
|  | A copy of this endorsement shall be included in the trial record (rule 23 (1) par. 6). | | | | | | | | | | |
|  | The following endorsements shall also be included in the trial record: | | | | | | | | | | |
|  |  | | | | | | | | | | |
| The parties are aware that: | | | | | | | | | | | |
| * They must inform the trial coordinator and each other of any changes in address, telephone number(s) or representation; * If a party does not attend the trial, an order may be made in his or her absence; and * Failure to comply with the terms of this endorsement could result in cost consequences. | | | | | | | | | | | |
|  | | | | | | | | |  |  | |
| Date | | | | | | | | |  | Judge’s Signature | |
|  | | | | | | | | |  |  | |