FFP Guide

Court of King's Bench Family Focused Protocol

Court of King's Bench of Alberta

November 2026

Subject to updates

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Introduction to the Family Focused Protocol (FFP)

A New Approach to Family Matters in Alberta

On **January 2, 2026**, the Alberta Court of King's Bench introduced the **Family Focused Protocol (FFP)**, a new process for family law matters.

The Family Focused Protocol was developed to place greater emphasis on collaboration, problem-solving, and early resolution of family disputes. The goal is to help families resolve issues more effectively while reducing the amount of time spent in court.

Why Was the Family Focused Protocol Introduced?

The Court recognizes that traditional litigation is often not the most effective way to help families restructure after separation or divorce.

Although family relationships change, families continue to exist long after court proceedings have ended. Parents often remain connected through their children, and family members must continue building new relationships and routines following separation.

Traditional adversarial litigation can place family members in a win-or-lose environment that may increase conflict, prolong disputes, and negatively affect children. The Family Focused Protocol seeks to reduce these impacts by encouraging earlier collaboration and more meaningful efforts toward resolution.

KEY TAKEAWAY

The Family Focused Protocol encourages families to focus on resolution rather than conflict and supports a more child-focused approach to family litigation.

Goals of the Family Focused Protocol

The Court hopes the Family Focused Protocol will:

- ✅ Encourage parties to resolve issues collaboratively whenever possible
- ✅ Reduce conflict between family members
- ✅ Shorten the length of family disputes
- ✅ Reduce the emotional and financial costs associated with litigation
- ✅ Minimize the negative impact of prolonged court proceedings on children
- ✅ Address immediate concerns early while encouraging ongoing settlement efforts
- ✅ Reduce the need for multiple court applications
- ✅ Move unresolved matters to trial and final determination as efficiently as possible

What Has Not Changed?

Although the Family Focused Protocol introduces significant procedural changes, many aspects of family litigation remain the same.

The FFP **does not**:

- Change the Alberta Rules of Court
- Change the out-of-court resolution methods frequently used by families and family law lawyers, including exchanging disclosure and questioning procedures
- Affect how submit urgent applications
- Affect how submit desk applications

What Has Changed?

The Family Focused Protocol significantly changes how family matters enter and move through the court system.

The FFP:

- ✅ Changes the requirements parties must complete before accessing many court processes
- ✅ Changes how family matters are managed and handled by the Court
- ✅ Introduces a more structured case-management model designed to promote resolution and early intervention

Major Changes Under the FFP

1. Mandatory Requirements Before Court Attendance

All families in every Judicial District must complete required steps before scheduling most court appearances.

2. Resolution Efforts Are Expected

Parties are expected to make meaningful attempts to resolve **all outstanding family law issues** before appearing before a Justice.

When attending court, parties should be prepared to:

- Discuss unresolved issues;
- Explain settlement efforts already undertaken; and
- Consider additional steps that may help resolve the matter.

3. A Court Action Must Be Started

A Court Action must be commenced before a party can access the Court process.

4. Issues Must Be Properly Raised

Every issue a party wishes the Court to decide must:

- ✅ Be properly identified in the court documents
- ✅ Be supported by appropriate evidence
- ✅ Be properly served on the other party

5. Compliance With the Rules Is Essential

Parties must ensure:

- Court forms are completed correctly;
- Supporting evidence is filed;
- Filing requirements are met; and
- The Alberta Rules of Court are followed.

6. Enhanced Document Review

Before a matter proceeds to a Justice, Case Management Officers (CMOs) will review court materials to determine whether all required documents and information have been provided. This review helps ensure that meetings with a Justice are productive and that all necessary information is available.

7. Judicial Oversight

Each family entering the court system will be assigned a Justice.

The assigned Justice will:

- Oversee the matter's progress;
- Address interim issues when necessary;
- Help guide the parties through required steps; and
- Assist in moving the matter toward final resolution.
- The initial meeting with the assigned Justice is generally scheduled for one hour.

8. Settlement Conferences

Most families will attend a Settlement Conference before proceeding to trial.

Settlement Conferences provide an opportunity to:

- Explore settlement options;
- Narrow outstanding issues;
- Receive judicial guidance; and
- Work toward resolution without the need for trial.

Some Justices may conduct **Binding Settlement Conferences** where appropriate.

9. New Court Forms

The Family Focused Protocol introduces:

- 📝 New court forms
- 📝 Revised filing requirements
- 📝 Updates to several existing forms

Parties should ensure they are using the most current versions of all required forms.

Moving Toward a Fully Electronic Court Record

As part of the Family Focused Protocol, the Court is modernizing how family court records are maintained.

For old and new family matters:

- ✅ Electronic filing is available
- ✅ An electronic court file will be created
- ✅ Court records will be maintained digitally

Parties and counsel will be asked to upload important previously filed documents including:

- Claims
- Orders
- Other foundational court documents

The Court recognizes that this transition requires additional effort from parties, counsel, and legal assistants and appreciates everyone's assistance during implementation.

Looking Forward

Change can be challenging, particularly when introducing a new court process across the province.

The Court recognizes that adjustments will be required as the Family Focused Protocol evolves. Ongoing feedback from families, lawyers, legal assistants, and justice system participants will help improve the process over time.

The Court remains committed to creating a family justice system that:

- Promotes meaningful resolution;
- Reduces conflict;
- Supports children and families;
- Improves access to justice; and
- Resolves disputes more efficiently.

Questions, Feedback & Support

The Court intends to continue working with the Alberta Bar and Alberta families to refine and improve the Family Focused Protocol.

Before submitting a question, review this Guide to determine whether the answer is already provided.

Questions, comments, and feedback should be directed to the appropriate court email contact.

Not Sure Who to Contact?
Use this guide to direct your question or feedback to the appropriate team.

QUESTIONS, FEEDBACK & SUPPORT

FFP	**GENERAL FFP FEEDBACK & QUESTIONS** • General questions about the Family Focused Protocol • Comments, suggestions, or feedback about the FFP process **EMAIL** **kbexternalfeedback@albertacourts.ca** *Subject line: Include "FFP" in the subject line.*
KB	**PROCEDURAL GUIDANCE & FILING ISSUES** • Procedural guidance related to the FFP • Filing questions or issues for lawyers and legal assistants **EMAIL** **KBOFFPInquiries@just.gov.ab.ca**
IT	**TECHNICAL DIGITAL FILING ISSUES** • Technical issues with the Family & Divorce Filing Digital Service • System errors or problems submitting documents electronically **EMAIL** **JUST.FilingFamilySupport@gov.ab.ca** *Use this address for technical system issues, not procedural guidance.*
CMO	**CMO CERTIFICATION QUESTIONS** • Questions about a CMO Certification you received • Clarification about checklist deficiencies or required corrections **EMAIL** **CMOFFPInquiries@albertacourts.ca** *Subject line: Include the Court Action Number and the date and time of the email received from KBCMO@albertacourts.ca.* Example: FL01 12345 Tue 2026-03-24 9:30 AM

How To Use This Guide

TAKE NOTE
This guide **is not** intended to be read from front to back like a book.

While the FFP Guide is lengthy, it is not intended for users to read it all. The intent is to allow users to flip to the information they need using the Table of Contents as a Guide. The **Table of Contents** is hyperlinked to the sections within the Guide; you can simply click on the item in the Table of Contents, and you will be taken to the proper section in the Guide. At the bottom of each page, you can return to the Table of Contents by clicking on "Table of Contents" in the footer.

The section **"Regular Family Process - In a Nutshell"** is a quick reference guide that can be used like a checklist as you go through the process.

The section **"Regular Family Process – Detailed Guide"** provides an in-depth explanation of each step in the process and explains what must be done to complete the step. Each step is a separate section in the Guide.

When preparing an MIT Package, there are separate sections for the MIT Applicant and the MIT Respondent. If you are the MIT Applicant, there is no need to review the section for the MIT Respondent and vice versa.

There are high-level roadmaps that provide a visual guide through each step. These roadmaps are also included as a whole package at Appendix F.

Read as little or as much as you need to assist you as you move through the Court Process.

Your Guide to the Family Focused Protocol

This Guide is a **procedural guide** designed to help parties, lawyers, legal assistants, and court users understand the requirements and processes of the **Family Focused Protocol (FFP).**

This Guide:

- ✅ Explains the procedural requirements of the FFP
- ✅ Provides step-by-step guidance through each stage of the process
- ✅ Identifies required forms, documents, and filing requirements
- ✅ Helps users navigate the Court's family law process more efficiently

What This Guide Does Not Provide

⚠️ **This Guide does not provide legal advice or legal information.**

The information contained in this Guide is intended to explain Court procedures only.
If you require legal advice regarding your rights, responsibilities, or specific circumstances, you should seek independent legal advice.

When you enter the court process, either as a lawyer or a self-represented litigant, you are expected to be fully aware of the Rules of Court and to properly follow the rules and procedures established by the Court, as well as have knowledge of all the rules and legislation that apply to your specific legal matter.

"...there are not separate statutory regimes for persons who are represented by counsel and persons who are not. The Canadian Judicial Council has proclaimed that "[s]elf-represented persons are expected to familiarize themselves with relevant legal practices and procedures pertaining to their case". Nor are there two sets of court rules – one for persons who are represented by counsel and persons who are not. Rule 1.1(2) of the *Alberta Rules of Court* states that "[t]hese rules … govern all persons who come to the Court for resolution of a claim, whether the person is a self-represented litigant or is represented by a lawyer": *Blomer v WCB* 2020 ABCA 334 at paragraph 64

Self-represented litigants may want to review the Canadian Judicial Counsel's Family Law Handbook for Self-Represented Litigants, and please see Appendix E for various resources to assist self-represented litigants through the court process.

Keep This Guide Handy

The FFP process includes several stages, forms, deadlines, and procedural requirements.

📖 **Please familiarize yourself with this Guide before proceeding through the Family Focused Protocol.**

Many common questions can be answered by reviewing the relevant section of this Guide.

Throughout the guide you will find:

Resource Type	Purpose
✅ Checklists	Track mandatory requirements
🗺️ Roadmaps	Understand process flow
📋 Quick References	Find key information quickly
⚠️ Important Notices	Avoid common errors
💡 Practical Tips	Improve efficiency and compliance

Always Use the Most Current Version

🔄 **The Guide is updated regularly to reflect changes, clarifications, and improvements to the Family Focused Protocol.**

Users should ensure they are consulting the most current version available on the Court of King's Bench Family Focused Protocol webpage.

Accessing the Guide

A copy of this Guide is available on the Court of King's Bench Family Focused Protocol webpage.

📥 **Download and save a copy for future reference throughout your matter.**

Language Availability

🌐 **At this time, a French translation of the Guide is not available.**

Glossary

Action or Court Action: Also called a "lawsuit". A matter formally being dealt with in court, commenced with proper legal documents, is often referred to as an action or Court Action. A Family Court Action is the entire process that begins when one person files a document in Court asking the court to grant orders and/or enforce laws and continues up to trial and the Court granting a final judgment.

Alternative Dispute Resolution ("ADR"): ADR is a process used to resolve disputes as an alternate process to a trial or court application. ADR is a mandatory step parties must undertake on all issues before proceeding to most court processes, including a trial. Parties must try to resolve all outstanding issues by agreement. ADR can occur with a mediator, arbitrator, lawyers in a 4- way meeting, or, with the Court's permission, Resolution Counsel or a Justice. Even if parties are unable to resolve all their issues through ADR, the Court expects them to make their best efforts to resolve as many issues as possible.

Affidavit: A formal written statement of facts that is sworn or affirmed to be true. May be in a form, for example see **Form 49/CTS3819** and various *Family Law Act* Statements on the Court website under Family Law Forms.

Affidavit of Service: A formal written statement proving court documents were properly delivered to another party in the action, sworn or affirmed by person who provided the documents.

Applicant: The person/party who starts a Court Action or "applies" to the court requesting orders from the Court. For example, the Applicant is person who files a Claim under the *Family Law Act*. See also, Plaintiff.

Binding Settlement Conference: A Settlement Conference in which the parties and the Justice all agree that the Justice can make a FINAL, FULLY BINDING DECISION on all matters if an amicable resolution cannot be reached. A judicial decision would be reached based on the information the parties provide the Justice at the Settlement Conference.

Case Conference Justice: see MIT Justice. The assigned Justice in a family matter to assist the family throughout the Regular Family Process in the FFP.

Case Management Officer ("CMO"): A court officer who reviews documents, identifies deficiencies, certifies MIT Packages, and assists with procedural compliance under the Family Focused Protocol.

Clear Days: a full count of complete 24-hour days between two events, **excluding** both the day the period begins (such as when a notice is sent or served) and the date of the event (such as a meeting or court hearing date or deadline).

How to Calculate Clear Days

- **Exclude the start day:** Do not count the day the notice is given, delivered, or dispatched.
- **Exclude the end day:** Do not count the day the actual hearing, meeting, or deadline takes place.
- **Count full intervening days:** Only the complete days sitting between those two "bookend" dates count toward the required total.
- **Include holidays/weekends:** do not skip holidays and weekend when counting clear days.
- **If date of deadline lands on holiday/weekend:** deadline will be next business day.

Commencement Document: The document that formally starts a Family Court Action. Defined in the Alberta Rules of Court as:

a) a statement of claim,
b) an originating application,
c) a counterclaim,
d) a third-party claim, and
e) a claim under the *Family Law Act*,

and includes an amended commencement document;

Court Action: see Action, above.

Defendant: The party who has been served with a Commencement Document and must respond or defend their self in the Court Action. In family law matters, the person responding to a Statement of Claim for Divorce or a Statement of Claim for Division of Property is referred to as the Defendant. Also see, Respondent.

Family Focused Protocol ("FFP"): The court process governing most family law matters in Alberta, designed to encourage early resolution and efficient case management

Fiat: a direction or order granted by a Justice of the Court without a full hearing that allows something to be done despite not following all the rules.

Fiats granted under the Family Focus Protocol will primarily be orders allowing documents to be filed despite not meeting all the requirements set out in the Rules and/or Practice Notes. Most common Fiats will pertain to Practice Note 2 rules that set out page limits, deadlines and other requirements for affidavits and other documents to be filed in support of the parties' applications.

Financial Disclosure: Financial information exchanged between parties, such as income, expenses, assets and debts. It is mandatory for the parties to exchange financial disclosure when dealing with financial issues in family law such as support and division of property.

Justice Digital ("JD"): The Alberta Courts digital service used by lawyers to upload documents and manage court filings electronically. This is currently not available for self-represented litigants.

Litigation Plan: A plan or Order that outlines the steps and deadlines parties must follow to prepare for trial. It ensures the case progresses efficiently and fairly.

Mandatory Intake Triage ("MIT") Conference/Case Conference: The MIT Conference is the first court appearance/meeting under the FFP where the parties meet with a Justice to clarify issues, discuss resolution options, determine next steps and grant orders. A Case Conference is often a hearing that takes place after the initial MIT Conference and is designed to manage other issues that subsequently arise in the litigation, including resolving procedural issues or varying deadlines, hearing interim applications on new issues or where there has been a material change in circumstances, and directing next steps. Please also see Pre-Trial Conference and Settlement Conference.

- **MIT Applicant:** The party who made the request to attend an MIT Conference and enter the Regular Family Process in the FFP. May not be the Plaintiff or Applicant who commenced the Family Action in Court.
- **MIT Respondent:** The party who received a request to attend an MIT Conference and enter the Regular Family Process in the FFP. May not be the Respondent or Defendant in the Family Action in Court.
- **MIT Report:** The formal written report prepared by the MIT Justice at the conclusion of the MIT Conference outlining any agreements, directions and next steps for the parties.
- **MIT Justice/Case Conference Justice:** This will be the same Justice. In the FFP, each family matter will be assigned a Justice from the Family Roster of Justices to assist the

family throughout the Regular Family Process. At the first meeting, the MIT Conference, the Justice is referred to as the MIT Justice; at all following meetings, the Justice is referred to as the Case Conference Justice.

- **MIT Package:** The collection of documents that must be prepared, filed or uploaded, served and certified before the matter can be considered by the Court. Both the MIT Applicant and the MIT Respondent can prepare respective MIT Packages to provide to the other side and the Court.

Party, or Party to an Action: The person or person(s) named in a Court Action in the Commencement Document and other pleadings.

Plaintiff: The person who starts the Court Action by filing a Commencement Document. In Family Law matters, the person who filed a Statement of Claim for Divorce or Statement of Claim for Division of Property is the Plaintiff. See also, Applicant

Pleadings: The documents that start a court proceeding, or the documents that respond to the document(s) that start a court proceeding. The formal written documents filed with the court and served to the other party which set out each party's basic claims, defences, material facts and the relief/orders they are seeking from the Court. Pleadings outline what the party filing the document is asking for. For example, an action under the *Divorce Ac*t and/or the *Family Property Act* is started with a Statement of Claim and can be responded to with a Statement of Defence and possibly a Counterclaim. An action under the *Family Law Act* is started with a Claim (Form FL10) and can be responded to with a Response (Form FL-11) and Statements. Other types of pleadings can be found in the Alberta Rules of Court.

The Rules of Court define Pleading as:

"pleading" means

a) a statement of claim,
b) a statement of defence,
c) a counterclaim,

d) a defence to a counterclaim,
e) a reply to a statement of defence,
f) a reply to a statement of defence to a counterclaim,
g) a third-party claim,
h) a defence to a third-party claim,
i) a reply to a third-party's statement of defence, or
j) a response to a request for particulars or a response to an order for particulars;

Respondent: The person responding to a court action started by the Applicant. See also, Defendant.

Resolution Counsel ("RC"): A lawyer and experienced mediator employed by the Court who provides procedural or legal assistance to help parties understand issues and potentially resolve dispute in a mediation process.

Self-Represented Litigant ("SRL"): A person involved in a court proceeding who does not have a lawyer.

Service: Providing court documents to another party in accordance with the Alberta Rules of Court.

Settlement Conference: A hearing before a Justice where the goal is to resolve all outstanding issues between the parties. The parties may agree to have a binding or a non-binding Settlement Conference; however, only some judges will agree to conducting a binding Settlement Conference. Unless the parties and the MIT/Case Conference Justice agree, the MIT/Case Conference Justice will not conduct the Settlement Conference. If both parties consent, they may ask their MIT/Case Conference Justice to conduct the Settlement Conference. In any binding Settlement Conference, the presiding Justice will make final decisions if they

consider it appropriate to do so; this gives the parties final decisions without having to go to trial.

Streamlined Trial: This is a type of trial where the parties typically rely mostly or entirely on written sworn evidence in the form of an affidavit instead of oral evidence. With permission from the Court, limited oral evidence can be led in a Streamlined Trial. It is usually scheduled for fewer days than a trial. Not all issues are appropriate for a Streamlined Trial.

Acronyms Frequently Used in the FFP Guide

ABBREVIATION	MEANING
ADR	Alternative Dispute Resolution
CC	Case Conference
CGO	Court Generated Order
CMO	Case Management Officer
EPO	Emergency Protection Order
FCC	Family Court Counsellor
FDS	Financial Disclosure Statement
FFP	Family Focused Protocol
FJS	Family Justice Strategy
PNs	Family Practice Notes
MIT	Mandatory Intake Triage
MITA	Mandatory Intake Triage Applicant
MITR	Mandatory Intake Triage Respondent
MITJ	Mandatory Intake Triage Justice
MR	Mandatory Requirement
NTD	Notice to Disclose
NPP	Notice to Practice and Profession
PAS	Parenting After Separation
PTC	Pre-Trial Conference
RC	Resolution Counsel
SC	Settlement Conference

Updates

This Section will note any new rules or changes to old rules since the last updated version of the Guide, along with any amendments or additional information provided.

Since the June 2026 FFP Guide was issued, beyond the dramatic rewrite of the guide, the following updates have been added:

- RULE - NO AFFIDAVIT ALLOWED WITHOUT AN APPLICATION: while not a new rule, it has been made clear in numerous sections of this guide that a party may not file an Affidavit without also filing the accompanied Application/Claim/Response. MIT Respondents can file a Response Affidavit to MIT Applicant's Application. Affidavits in support of an MIT Summary are not permitted. See also, Family Practice Note 2.
- NEW LITIGATION GUIDE FOR SELF-REPRESENTED PARTIES: Reference has been made to the newly developed Litigation Guide for Self-Represented Litigants that was recently added to the Court website.
- FORM TO REQUEST A TRANSCRIPT: Reference has been made to the form on the Court website that is to be completed if a party wishes to request a transcript of a court hearing.
- NEW RULE – FINANCIAL DISCLOSURE REQUIRED WITH PARENTING APPLICATION: a party must provide Financial Disclosure if they are making a Claim/Application dealing with parenting that may result in child support also having to be ordered or changed, even when there is no Claim/Application made for child support.
- NEW RULE - IF CAN NOT AGREE ON DATE FOR MIT CONFERENCE/CASE CONFERENCE: Parties must make best efforts to agree on a date to schedule the MIT Conference/Case Conference however if one party is not responding or not cooperating, after 5 clear days of attempting to reach an agreement one party may schedule the conference on their own and must provide proper notice to the other party of the date.

- FIATS CAN NOW BE REQUESTED THROUGH DESK PROCESS – see details in Desk Process
- NEW PROCESS FOR ADJOURNMENTS:
    - Adjournment of MITs or Case Conference – If the adjournment request is 8 clear days or more prior to the parties' scheduled MIT Conference or Case Conference, party(s) can complete the Request for Advice and Direction or Meeting with Case Conference Justice (CTS15003) form requesting the adjournment and submit the request in Justice Digital if a lawyer and via email if self-represented, and the assigned Justice will either grant or deny the adjournment.
    - If within 7 clear days of the scheduled MIT Conference or Case Conference, the parties must appear and request the adjournment in person.

Which FFP Process Applies to Your Matter?

Before starting, determine which Family Focused Protocol (FFP) process applies to your situation.

The Court uses **three main processes** to help families resolve family law matters:

Process	When to Use It
🚨 **Urgent Process**	Your matter requires immediate court attention and cannot wait for the Regular Family Process.
📄 **Desk Process**	Your matter can be decided by a Justice based on documents only, without attending court.
⚖️ **Regular Family Process**	You need assistance from the Court, and your matter does not qualify for either the Urgent Process or Desk Process.

Urgent Process

Use the **Urgent Process** if your matter requires immediate Court intervention and cannot reasonably wait for the Regular Family Process.

How it Works

1. Submit an urgent request.
2. The request is reviewed by a **Family Desk Roster Justice**.
3. If the Justice determines that the matter is urgent, a hearing date will be scheduled.

> **TAKE NOTE**
> If your matter is already in the **Regular Family Process** and a **MIT/Case Conference Justice** has been assigned, any urgent request must be brought before that Justice by submitting an Urgent Request Form and identifying the name of your assigned Justice in the Urgent Request Form.

What Qualifies as an Urgent Matter?

The Court may consider a matter urgent if:

✅ There is a risk of harm or violence to a party or child

✅ There is a need for exclusive possession of the family home because of a risk of harm or violence

✅ There is a risk that a child may be removed from the jurisdiction

✅ There is an urgent parenting-time, contact, or communication issue involving a child that cannot reasonably be delayed

> 🚨 **URGENT DOES NOT MEAN IMPORTANT.**
> The matter must require immediate Court attention and be unable to wait for the Regular Family Process.

> 🕮 **For more information, see the Urgent Process section.**

Desk Process

Some matters can be decided by a Justice **without attending Court**.

Instead of appearing before a Justice, parties submit the required documents for review. After reviewing the materials, the Justice may:

✅ Grant the requested order

✅ Request additional information

❌ Refuse the request

Matters That May Use the Desk Process

Desk Process Matter	Description
Waiver or Deferral Requests	Requests to waive or defer Mandatory Requirements
Resolution Counsel Requests	Requests for a Resolution Counsel meeting
Consent Orders	Consent orders that require review and signature by a Justice
Notice to Disclose Applications	Requests for financial information or disclosure
Family Practice Note 2 Applications	Requests for leave, page-limit extensions, filing extensions, and similar procedural requests

📖 **For more information, see the Desk Process section.**

Regular Family Process

The **Regular Family Process** is the primary Court process for resolving family law matters.

Use this process if:

- ✅ You need assistance from the Court to resolve a family law issue
- ✅ You want your matter dealt with in the Court of King's Bench
- ✅ You already have an existing family matter in the Court of King's Bench
- ✅ Your matter does not qualify for the Urgent Process
- ✅ Your matter does not qualify for the Desk Process
- ✅ Your matter is not listed as an Excluded Process

Excluded Processes

Some family matters follow their own Court process and **do not proceed through the Regular Family Process**.

These include:

Excluded Processes

- ✅ Applications for Protection Orders (e.g. Restraining Orders, Emergency Protection Orders)
- ✅ Approved applications under the Urgent Process
- ✅ Applications for Surrogacy Orders
- ✅ Desk Divorce Applications
- ✅ Uncontested proceedings under the *Vital Statistics Act*
- ✅ Proceedings under the *International Child Abductions Act* (Hague Convention)
- ✅ Adoption proceedings

> 📋 **Need to confirm whether your matter is included or excluded?**
> Review the **Master List of Included and Excluded Matters** available on the Court of King's Bench Family Focused Protocol webpage.

This guide will describe and explain each of the Regular Family Process, Desk Process, and Urgent process. As the Regular Family Process applies to most family issues, the guide will explain that process first.

The Regular Family Process

The Regular Family Process is designed to ensure that parties are fully prepared to discuss all outstanding issues before meeting with a Justice.

Being prepared helps:

- ✅ Reduce the number of Court appearances
- ✅ Reduce conflict between parties
- ✅ Improve the quality of discussions and decision-making
- ✅ Ensure the necessary information and evidence have been gathered and exchanged
- ✅ Encourage parties to resolve issues without the need for a lengthy trial

As you move through the steps, parties will:

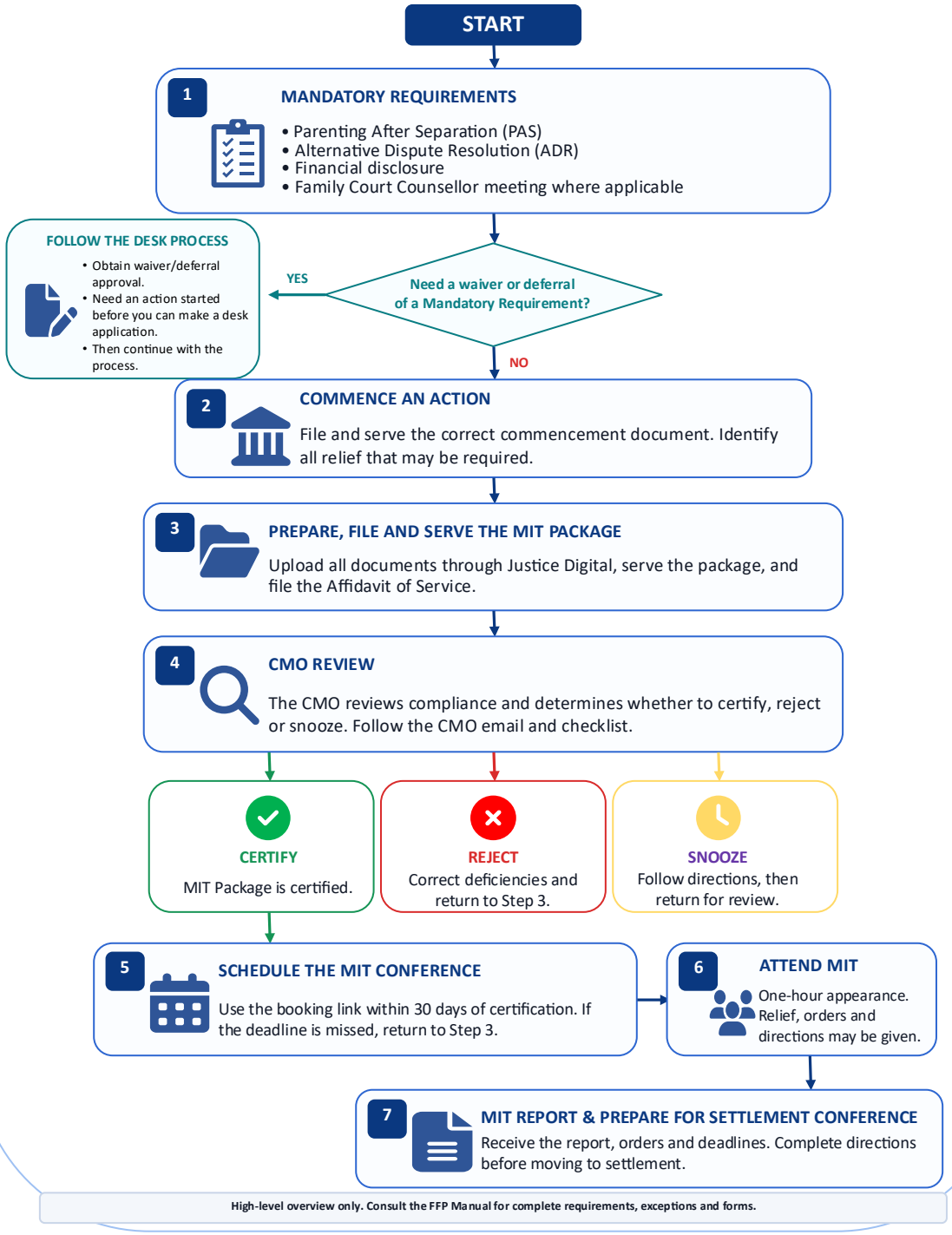
- Learn about the Court process
- Obtain basic legal information about family law
- Receive education regarding the effects of separation and conflict on children
- Exchange the information and documents needed to make informed decisions
- Participate in opportunities to resolve issues before trial

Regular Family Process Roadmap

Step	Stage	Purpose
Step 1	Mandatory Requirements	Complete required preparation steps
Step 2	Start an Action	Open a Court file and serve the other party
Step 3	MIT Package	Request an MIT Conference
Step 4	CMO Review	Review of compliance and completeness
Step 5	Schedule MIT Conference	Book conference with assigned Justice
Step 6	Attend MIT Conference	Discuss issues and determine next steps
Step 7	Request Settlement Conference	Schedule settlement discussions
Step 8	Attend Settlement Conference	Attempt to resolve outstanding issues
Step 9	Pre-Trial Steps	Prepare matter for trial
Step 10	Trial	Final Court determination of unresolved issues

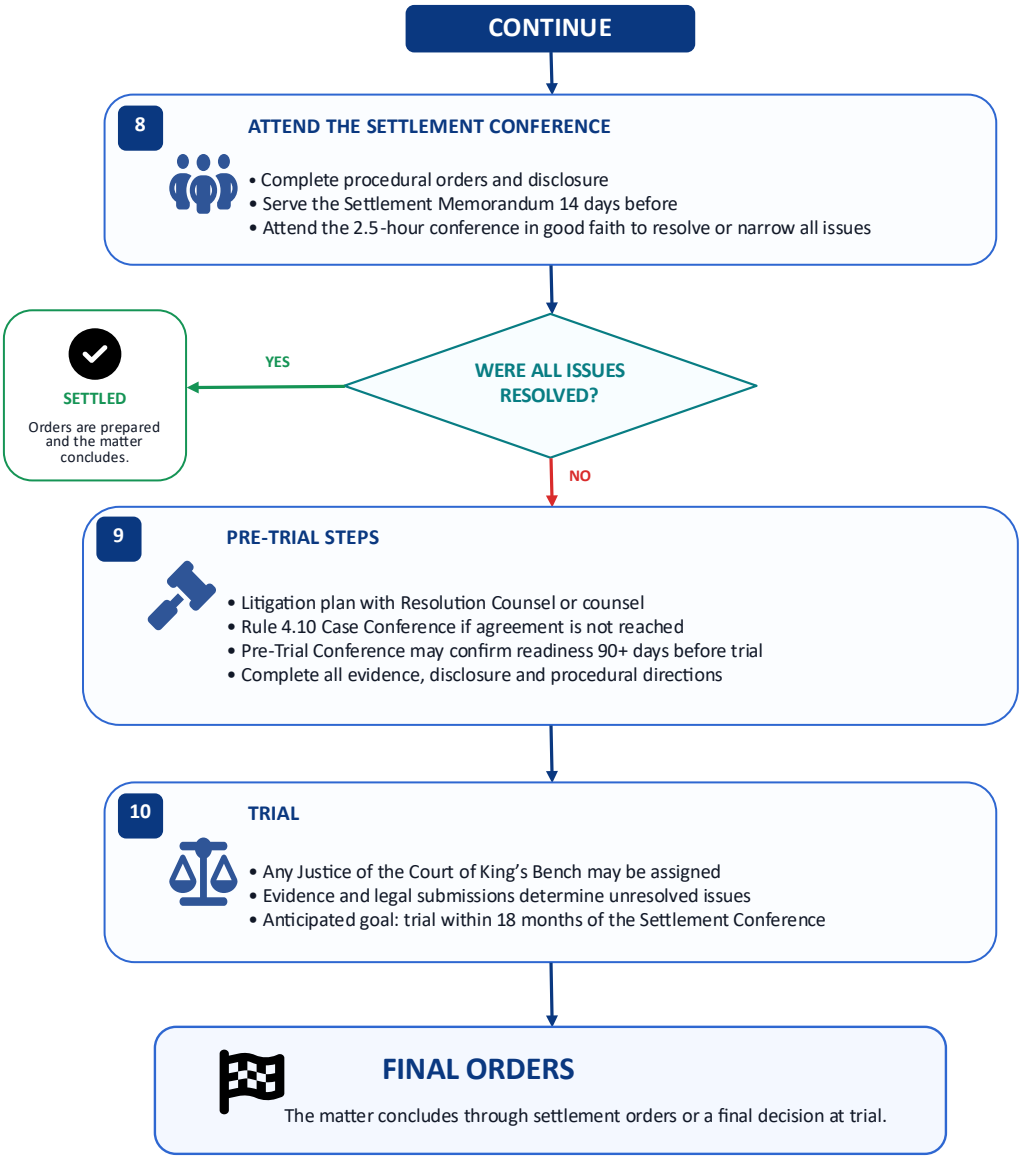
REGULAR FAMILY PROCESS ROADMAP

From Mandatory Requirements to MIT Directions



REGULAR FAMILY PROCESS ROADMAP

From Settlement Conference to Trial



This roadmap provides a high-level overview only. Please consult the FFP Manual for complete information, including details on each step and applicable exceptions.

The Regular Family Process - In a Nutshell

This section is intended to be a high level, quick reference guide providing an outline of each step in the Regular Family Process. For further details, the **Detailed Guide** follows.

Step 1: Mandatory Requirements

Before You Can Proceed

These requirements may be completed **before or after starting an action**, but they must be completed before filing an MIT Package.

> **TAKE NOTE**
> Some mandatory requirements have time limitations and may need to be updated before filing an MIT Package.

Mandatory Requirements

Parenting After Separation (PAS)

- Required if the family matter involves children under 18 years of age and parenting issues.
- Must have been completed within the last **2 years** before filing an MIT Package. If party completed PAS more than two year from filing an MIT Package, the party must take the course again and obtain a new Certificate of Completion.

Alternative Dispute Resolution (ADR)

- Must be attempted within **6 months** before filing an MIT Package.
- Must address **all issues** you want the Court to decide.

Financial Disclosure Statement (FDS)

1. Required if child support and/or spousal or partner support or property division is in issue; or, if an application for parenting may impact child support.
2. Must be filed and served on the other party.

3. Must include business disclosure if self-employed or involved in a business. (see, Appendix B)
4. Some supporting documents must be dated within **6 months** before filing an MIT Package.

Meeting with Family Court Counsellor (FCC)

- Required if:
    - You do not have a lawyer, and
    - Your matter involves children under 18 years of age or older dependent children.
- Must be completed if the service is available in your area (Currently, Edmonton, Calgary, Red Deer and Grande Prairie judicial centres)

Step 2: Start an Action or Expand Issues in an Action

Why This Step Is Important

Starting an action is mandatory if you want the Court to make an order or decision, as this is how a file gets opened in Court, and this is the document that provides legal notice to the other party.

The other party must also prepare documents that expand issues in an action if they want the Court to make an order or decision on matters not raised in the commencement document.

Step 2 Checklist

- Prepare the appropriate commencement document or response
- File the commencement document or response
- Serve the commencement document or response on the other party pursuant to the Rules of Court (see, for example, Rule 12.55)
- File proof of service

Acceptable Commencement Documents

Document Type	Use
Statement of Claim for Divorce	Starts a *Divorce Act* proceeding.
Statement of Claim for Division of Family Property	Starts a family/matrimonial property claim.
Family Law Claim (Form FL-10)	Starts a *Family Law Act* proceeding.
Originating Application	Starts certain applicable proceedings.
Divorce Judgment	Although not technically a commencement document, it will be required after divorce because divorce history remains relevant, including any issues involving a foreign divorce.
Family Law Application (Form FL-18)	Required to return matter to court after a Divorce Judgment has been granted and want to deal with issues under the *Divorce Act*. Not required if just issues of property remain outstanding after Divorce Judgment.
Any amended Claim, Counterclaim or other commencement document	Can add or remove issues being pled.

Important Notes

✅ Must be completed before requesting any Court decision (except urgent matters where can submit a draft commencement document if one not previously filed with your request, see Urgent Process)

✅ Must be completed before requesting a waiver or deferral of Mandatory Requirements

✅ Must be completed before proceeding to Step 3

If You Do Not Need Court Assistance Right Now

You may choose to:

- Start an action
- File the necessary documents
- Preserve limitation periods

...and then stop and take steps to negotiate a resolution outside of the court process.

You can return later and continue through the remaining steps if Court assistance becomes necessary.

Continue to Step 3 If:

✅ You want the Court to make a decision

✅ You need Court assistance to move your matter forward

✅ You want to attend a Mandatory Intake Triage (MIT) Conference

✅ The other party has already requested an MIT Conference

Step 3: Prepare, File and Serve an MIT Package

Purpose

An MIT Applicant's MIT Package is used to request that the Court schedule a Mandatory Intake Triage (MIT) Conference.

The party requesting the MIT Conference is called the:

📌 **MIT Applicant**

MIT Applicant MIT Package Contents

Required Documents

- Proof that Mandatory Requirements have been completed OR a copy of a Waiver/Deferral for all or some of the mandatory requirements
- Commencement documents and pleadings or, copy of Divorce Judgment with Corollary Relief Order, or other Final Orders under the Divorce Act. If, post Divorce Judgment, other

issues requested in Divorce Commencement documents were not resolved, must provide both the Divorce Judgment AND the pleadings.

- Proof of service of commencement documents, other documents that add new issues to the action, and Statement of Defense, or FL-11 Response filed and served by the MIT Applicant.
- Mandatory Intake Triage Summary Form
- Request for Mandatory Intake Triage Conference Form (MIT Applicant only)
- Financial Disclosure Statement and supporting documents (if disclosure is required)
- Proof of service of disclosure (if disclosure was previously served)

Additional Documents If You Want the Court to make an Interim Decision and a Court Order at MIT Conference

- Application
- Supporting Affidavit or Family Law Act Statement(s) – you can only include this if you've also included an Application
- Supporting documents
- Proof of service of the Application

MIT Applicant Responsibilities

After Filing

- Serve the entire MIT Package on the other party (please see detailed guide as to what documents must be included in the MIT Package)
- File an Affidavit of Service of the MIT Package
- Ensure the Court knows the service date. The service date is important because it establishes the MIT Respondent's deadline. This date must be in the Affidavit of Service.

The responding party is called the:

📌 **MIT Respondent**

The MIT Respondent has **14 DAYS** from the date of service of the MIT package upon them to prepare, file and serve a response package, if they wish to respond.

A MIT Respondent's MIT Package is used to provide a response or defence to the MIT Applicant's MIT Package and/or to request the Court to make an interim decision on issues not raised by the MIT Applicant.

MIT Respondent MIT Package

Minimum Response Package

- Mandatory Intake Triage Summary Form
- Response materials (if responding to relief sought)
- Affidavit of Service of the MIT Package

If the MIT Respondent Also Wants Interim Decisions and Court Orders

The MIT Respondent must also provide:

- Proof that Mandatory Requirements have been completed OR a copy of a Waiver/Deferral for all or some of the mandatory requirements
- Proof of service of commencement documents or other documents filed and served by the MIT Respondent.
- Financial Disclosure Statement and supporting documents (if required)
- Proof of service of disclosure
- Application/Cross Application for Interim Decisions
- Supporting Affidavit or Family Law Act Statement(s) – you can only include this if you've included an Application/Cross-Application
- Supporting documents
- Affidavit of Service of the Application

MIT Respondent Responsibilities

After Filing

- Serve the entire MIT Package on the other party (please see detailed guide as to what documents must be included in the MIT Package)
- File an Affidavit of Service of MIT Package
- Ensure the Court knows the service date. The service date is important because it establishes any deadlines for the MIT Applicant if MIT Respondent filed an application or cross application. Date of service can trigger the clock for the CMO review if the MIT Respondent filed an Affidavit of Service before the MIT Applicant files their Affidavit of Service. This date should be in the Affidavit of Service.

Step 4: CMO Review

After the MIT Respondent's 14-day response period has expired:

📄 The MIT Package(s) are reviewed by a **Case Management Officer (CMO).**

The CMO reviews the package to ensure:

- Required documents are included
- Filing requirements have been met
- Service requirements have been met
- Mandatory Requirements have been completed
- Court procedures and Rules have been followed

Possible Outcomes

Outcome	Meaning
✅ Certified	You may proceed to book the MIT Conference
⏳ Snoozed (7 or 15 Days)	Additional information or corrections are required
❌ Rejected	The MIT process must be restarted

⚠ **If your package is rejected, you must return to Step 3 and prepare a new MIT Package.**

Step 5: Schedule the MIT Conference

Once the MIT Package has been certified:

You Must

✅ Book your MIT Conference within **30 days** of receiving the certification email.

Booking Checklist

☐ Review certification email

☐ Complete Booking Form

☐ Select available date (Coordinate with the other party where possible)

☐ Submit booking request within 30 days

> **TAKE NOTE**
> ⚠ The MIT Conference must be booked within 30 days.
> The actual conference date does **not** need to occur within 30 days.
> If the MIT Conference is not booked within 30 days of certification, you must return to Step 3 and submit for filing a new MIT Package.

Step 6: Attend the MIT Conference

The MIT Conference is:

- A one-hour meeting
- Facilitated by an assigned Court of King's Bench Justice
- Intended to discuss the family matter as a whole
- Used to determine next steps toward resolution

At the MIT Conference

The Justice may:

✅ Make orders

✅ Consider applications

✅ Discuss unresolved issues

✅ Establish future steps

✅ Encourage settlement

After the MIT Conference

The Court will prepare:

✅ MIT Report

✅ Any Court orders made at the conference if the parties are self-represented

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Possible Outcomes

Result	Next Step
All issues resolved	Matter may end
Some issues remain	Proceed to Step 7
Additional work required	Complete directions and continue through process

Step 7: File the Joint Request for Settlement Conference

If issues remain unresolved after the MIT Conference:

- Complete any directions from the MIT Justice
- Prepare for settlement discussions
- File a Joint Request for Settlement Conference Date
- Work with the other party to schedule the conference

Settlement Memorandum Requirement

Each party must:

✅ Submit to Court Coordinator a Settlement Memorandum

✅ Serve the Settlement Memorandum on the other party at least **14 days before** the Settlement Conference

Step 8: Attend the Settlement Conference

A Settlement Conference is:

- A meeting with a Settlement Conference Justice, who will be a different Justice than the MIT Justice
- A Justice-led settlement process
- Is a without prejudice process
- An opportunity to resolve some or all outstanding issues

Duration

⏰ Up to 2.5 hours

Possible Outcomes

Full Settlement

✅ Orders may be granted

✅ Matter may conclude

Partial or No Settlement

➞ Proceed to Step 9

Step 9: Pre-Trial Steps

If the matter does not settle, preparation for trial begins.

Common Pre-Trial Activities

☐ Additional disclosure

☐ Questioning

☐ Expert reports

☐ Witness preparation

☐ Litigation planning

Possible Next Steps

The Settlement Conference Justice may direct:

- Resolution Counsel Meeting
- Consent Litigation Plan
- Rule 4.10 Case Conference with your assigned Case Conference Justice
- Pre-Trial Conference with your assigned Case Conference Justice

Step 10: Trial

Once all pre-trial steps have been completed:

✅ The matter may be scheduled for trial.

Trial Information

Item	Information
Trial Length	May be multiple days
Presiding Justice	Any Court of King's Bench Justice, not including the MIT or Settlement Conference Justices
Goal	Trial within 18 months of the Settlement Conference
Purpose	Final decisions on unresolved family matters

End Result

📌 **The trial Judge will make the final decisions required to resolve outstanding family law issues.**

The Regular Family Process - Detailed Guide

Step 1: Mandatory Requirements

Mandatory Requirements must usually be completed before a party asks the Court to make a decision about their family matter. The MIT Applicant must complete the applicable requirements before filing a Request for Mandatory Intake Triage Conference and the rest of the MIT Package at Step 3. The MIT Respondent must complete the applicable requirements before filing an application or cross-application in their MIT Respondent MIT Package.

TAKE NOTE
These steps do **not** have to be completed before filing commencement documents, documents that start an action, documents that add issues to an action, or a Statement of Defence.

Exceptions: These steps also do **not** have to be completed if you are:

- Applying for a protection order
- Using the Urgent Process
- Using the Desk Process
- Applying for a consent order
- Applying for orders about serving court documents
- Applying for an interjurisdictional order
- Filing a Request for Divorce (without oral evidence) or Desk Divorce Package
- Appealing a decision by the Court of Justice

RECOMMENDATION
Even when the requirements are not mandatory right away, parties are strongly encouraged to complete them early. Doing so may help the parties understand the issues, exchange necessary information, and explore resolution before asking the Court to decide the matter.

Mandatory Requirements at a Glance

Use the chart below to identify which mandatory requirements apply to you before requesting a MIT Conference.

Situation	Mandatory Requirement
You have children under 18 and are asking the Court to make decisions that affect them.	**Parenting After Separation Course**
You do not have a lawyer, have dependent children, and are representing yourself in Court in Edmonton, Calgary, Red Deer or Grande Prairie	**Meet with FCC**
You are asking the Court to decide financial issues, such as child support, spousal or partner support, or division of family property; or, making a parenting application that will impact child support.	**Financial Disclosure Statement**
You are requesting a Mandatory Intake Triage Conference.	**Participation in ADR**

Parenting After Separation (PAS)

If you have dependent children under the age of 18 and one of the issues raised in the documents that start the action or add issues to the action deals with the children, such as parenting schedules or decision-making, you must complete the Parenting After Separation course. This course is free, offered online, and can be completed at your own pace.

You must complete this course within 2 years of the date you file your MIT Package.
After completing the course, you will receive a Parenting After Separation Certificate. Print and save the certificate. It must be filed with the Court to prove the course was completed and may be filed at the same time as your other documents.

Waiver or deferral: If you cannot complete this requirement or believe you should not have to complete it again, you may request that the requirement be waived or deferred. See the Desk Process section for details on requesting a waiver or deferral of mandatory requirements.

Alternative Dispute Resolution (ADR)

Anyone who wants to ask the Court to make a decision about a family matter is expected to first try an alternative way to resolve the matter outside of Court. ADR may help families reduce conflict, exchange information, narrow the issues, and reach agreements without needing a Court decision.

Approved forms of ADR may include:

- Settlement meeting with lawyers (exchange of offers or exchange of emails between lawyers is NOT sufficient)
- meet with a private, trained mediator
- attend with a mediator with Alberta Justice Family Mediation Program, if eligible
- attend with trained lawyer with the Alberta Justice Child Support Resolution Program, if only issue is child support
- attend with a trained expert with the Alberta Justice Brief Conflict Intervention Program, if eligible
- attend a Children Services Family Group Conference, if Children Services was or is involved with your family
- attend with Court of King's Bench Resolution Counsel, if eligible, by submitting a request and being granted permission by the Court

To meet the ADR requirement, you must:

- Participate in an approved form of ADR and attempt to resolve **all unresolved issues** listed in the commencement documents, documents that start the action, or documents that add issues to the action. It is not enough to address only the issues you want decided at the MIT Conference.
- Attendance at ADR must have been **within the last 6 months** from the date the MIT Applicant's MIT Package is filed.

- Make reasonable efforts to engage with the other party and try to resolve your family matters.
- If financial information is required to resolve your matter, such as issues about child support or partner support, you should exchange your financial information prior to attending the ADR. If financial information was not made available to discuss these issues, you may be directed by a Justice to attend another ADR.
- BOTH parties must complete a Participation in Alternative Dispute Resolution Form and both will have to submit their form with their MIT Package.

Waiver or deferral: If it is not reasonable or safe for the parties to attend ADR together, or if one party has made it too difficult to arrange ADR, you may request that the ADR requirement be waived or deferred. You may also want to consider requesting a short deferral if have the ADR booked but want to file MIT Package(s) in advance. See the Desk Process section for details.

If you attended ADR more than 6 months before filing the MIT Package, you should try ADR again or request a waiver or deferral of this requirement.

If ADR resources are limited in your region, you may consider requesting to meet with Court of King's Bench Resolution Counsel by videoconference. See the Desk Process section on the Court's website for details on how to request a Resolution Counsel Meeting. You may also request that the ADR requirement be waived or deferred. See the Desk Process section below in this guide for details on requesting a waiver or deferral of mandatory requirements.

TAKE NOTE
If one party has obtained a waiver or deferral of the ADR requirement, the other party is not expected to take further steps to complete ADR before proceeding.

Financial Disclosure Statement (FDS) and Supporting Documents

If you want the Court to make decisions about money, property, support, or other financial matters, the necessary financial information and documents must be filed with the Court and provided to the other party.

Financial Information must also be exchanged between the parties if the issue of parenting time or changing a parenting schedule is being raised by one or both of the parties and child support may be impacted by the parenting decision being made. For example, if a parent wants to change parenting from shared 50/50 to primary care, how much support is to be paid and who pays it will change if the parenting changes so disclosure should be exchanged so the support can be changed by the Court if parenting is changed by the Court.

You must complete the Financial Disclosure Statement (Form CTS13472, available on Court's website) unless a Justice has directed that the information be provided in a different form.

Documents must be recent. Some financial documents cannot be more than 6 months old from the date when the MIT Applicant's MIT Package is filed. Income tax or other income information must also be recent based on when filing your MIT Package – see section on Financial Disclosure in Step 3 for detailed information on Financial Disclosure Requirements.

The Financial Disclosure Statement (FDS) includes instructions outlining what must be completed based on the matters you want the Court to make decisions on. The form also outlines all the documents that must be provided under each area. Simply click on the checkbox for the specific item in the form and a list will appear below outlining what must be provided for that item.

You must strictly comply with ALL the instructions and provide ALL the necessary supporting documents to meet this requirement. See section on Financial Disclosure in Step 3 for more detailed information on Financial Disclosure Requirements.

Waiver or deferral: If you cannot provide all required documents, you may request a waiver or deferral for the requirement or for specific documents you cannot provide. You should still provide any documents that are available. See the Desk Process section for details.

Meet with a Family Court Counsellor (FCC)

In some areas of Alberta, Family Court Counsellors are available through Alberta Justice Family Justice Strategy to assist self-represented parties. There is no charge to meet with a Family Court Counsellor. Services may be available in English and French.

Family Court Counsellors can:

- provide information and resources about family matters and how the court operates
- Assist in organizing and preparing necessary documents for Court
- Hold Case Flow Conference with both parties to try to resolve issues

You must meet with a Family Court Counsellor if:

- You are not represented by a lawyer
- You reside in an area of the province that provides Family Court Counsellors at the Court Jurisdiction/Judicial District your family matter is involved (Currently, Edmonton, Calgary, Red Deer and Grande Prairie)
- You are asking the Court to make decisions about your children that are under the age of 18 or older but still dependent
- You will be filing a Family Application (Form FL-18) to ask the Court to make decisions right away in your MIT Package

Judicial Clerks working at Court of King's Bench locations and Case Management Officers who review documents for Mandatory Requirement compliance are aware of which areas of the province offer Family Court Counsellors. A party should not be rejected for failing to meet with a Family Court Counsellor if the service is not available in their area.

RECOMMENDATION

Even when meeting with a Family Court Counsellor is not mandatory, the Court recommends that self-represented parties meet with one where available for support.

In Grande Prairie

The Judicial Centre of Grande Prairie is participating in a project with Reforming Family Justice Initiative to find ways to reduce the toxic stress experienced by many families going through a separation and having to be part of the Court process.

Pursuant to the Notice to the Profession and Public: Grande Prairie Pilot Project - 2024-03, all parties will be expected to take the following steps:

> a) Identify the social, relationship, parenting, financial, and health challenges the family is experiencing;
> b) Obtain appropriate supports, including building necessary skills, to help families address their social, relationship, parenting, financial and health issues; and
> c) Work to reach appropriate agreements about their family matters including legal issues, with or without the assistance of resolution tools and Alternative Dispute Resolution (ADR) processes.

Parties are expected to seek assistance with their family challenges. In Grande Prairie, they can do so through the Family Resource Network Hub at this link:

https://www.familyeducationsociety.org/

If you are filing in Grande Prairie, you will be asked to confirm that you completed these requirements in your MIT Summary.

Step 1 Checklist & Roadmap: Mandatory Requirements

Use this checklist to confirm which mandatory requirements apply before filing a MIT Package or asking the Court to make a decision about your family matter.

Do note, while parties are encouraged to complete some or all of these requirements shortly after separation and well before commencing a court action as it may assist in resolution outside of court, a Court Action must be commenced before can file proof of completion of these requirements.

Grande Prairie Checklist Note

📌 If your matter will be heard in the Judicial Centre of Grande Prairie, or your court documents must be filed there, additional local requirements may apply.

If yes, complete the additional Grande Prairie requirements before taking the next steps in the court process. After completing the additional requirements, answer the Grande Prairie question in the Mandatory Intake Triage Summary to confirm whether the extra steps have been completed.

Mandatory Requirement	When It Applies	Checklist Items	Done
Parenting After Separation	You have children under 18 and are asking the Court to make decisions that affect them.	Complete online course within 2 years of filing MIT Package.	☐
		Print Certificate of Completion.	☐
		File certificate with court documents.	☐
		Serve certificate on the other side.	☐
Alternative Dispute Resolution (ADR)	You are filing court documents asking the Court to make a decision about your family matter.	Attempt ADR, unless a waiver or deferral may be appropriate.	☐
		Consider whether ADR is unsafe, unreasonable, unavailable, or impractical.	☐
		Make reasonable attempts to arrange ADR with the other side.	☐
		Confirm ADR was completed in an approved form.	☐
		Confirm ADR was completed within 6 months of filing the MIT Package.	☐
		Confirm all unresolved issues were discussed.	☐
		Complete and file the Participation in ADR Form.	☐
		Serve the Participation in ADR Form on the other side.	☐
		If waiver/deferral was granted, file the Justice's decision.	☐
Financial Disclosure Statement	Financial issues are involved, such as parenting and child support ,	Complete the FDS form.	☐

Mandatory Requirement	When It Applies	Checklist Items	Done
	spousal/partner support &/or division of property.		
		Gather and attach all required supporting documents.	☐
		Complete and attach any required schedules.	☐
		Confirm all financial documents are recent.	☐
		Organize documents in the same order as the FDS form.	☐
		Submit for filing the FDS and supporting documents together.	☐
		Serve the FDS and supporting documents on the other party.	☐
		File proof of service with the Court.	☐
Meet with Family Court Counsellor	You are self-represented, children under 18 or older but still dependent are involved, and FCCs are available in your area.	Arrange to meet with a Family Court Counsellor.	☐
		Obtain the certificate signed by the FCC.	☐
		Submit the certificate with your court documents.	☐

STEP 1 | MANDATORY REQUIREMENTS

Complete the requirements that apply before filing an MIT Package at Step 3.

They are not required before filing documents that start or respond to an action.

WHICH REQUIREMENTS APPLY TO YOU?

PAS
Parenting After Separation

Children under 18 are affected by parenting or decision-making issues.

Complete the free online course and file the completion certificate.

Complete within the last 2 years

ADR
Alternative Dispute Resolution

A party is requesting an MIT Conference.

Use an approved process, address all unresolved issues, and each party files a Participation in ADR Form.

Participate within the last 6 months

FDS
Financial Disclosure Statement

The Court is being asked to decide support, property, or other financial issues.

Complete CTS13472 and provide every required supporting document.

Some documents must be under 6 months old

FCC
Family Court Counsellor

You are self-represented, children under 18 are involved, FCC service is available, and an FL-18 application will be filed in the MIT Package.

Meet with FCC where the service is available

BEFORE FILING THE MIT PACKAGE

Complete each applicable requirement • save the proof • file and serve the required forms or certificates

NEED A WAIVER OR DEFERRAL?

Follow the Desk Process. Still provide any documents or information that are available.

COMMON EXCEPTIONS

Protection orders • Urgent Process • Desk Process • Consent orders
Service-related orders • Interjurisdictional orders • Desk divorce packages • Court of Justice appeals

GRANDE PRAIRIE: Additional local requirements may apply. Complete them before moving to the next step and answer the Grande Prairie question in the MIT Summary.

High-level overview only. Consult the FFP Manual for complete requirements, forms and exceptions.

Step 2: Start an Action or Expand Issues in an Action

Before anyone can have a matter dealt with in Court, one party MUST prepare a document to start the action. Documents that start the action are referred to as "**Commencement Documents."** These documents may be called a Claim, a Statement of Claim, or an Originating Application depending on what the party is requesting and what legislation is being used. This document, when filed in Court and then served to the other party will:

- **Start Action**: Open a court file at the courthouse and assign the matter a court file number or action number. A court file must be started before other documents can be filed and before a Justice can hear from the parties and make decisions.
- **Provide Notice**: Act to give notice to the other side that they are being sued and provide brief reasons why and outline what the person starting the action wants the Court to make decisions about.

📌 The person who filed the Commencement Document is referred to as the **Applicant** (if using the *Family Law Act*) **or Plaintiff** (if using the *Divorce Act* and/or *Family Property Act*).

After filing their Commencement Document, the Applicant must serve the document on the other party.

The other party then has a chance to provide a response as well as to ask the court to make decisions on other related issues.

📌 The person responding is referred to as the **Respondent** (if using the *Family Law Act*) **or Defendant** (if using the *Divorce Act* and/or *Family Property Act*).

If the other party wants to raise new issues and ask the Court to make decisions on matters not raised by the Applicant or Plaintiff, they must prepare a document to add or expand the issues. This document is called a Counterclaim (if using the *Divorce Act* and/or the *Family Property Act*) or Response (if using the *Family Law Act*).

Before the Respondent or the Defendant can take further steps to ask the Court to resolve these new issues they must file and serve the document that expands the issues in the action on the Applicant or Plaintiff.

Types of Commencement and Responding Documents

Commencement Document	Responding Document	Legislation	When to Use
Statement of Claim for Divorce	Statement of Defence; Counterclaim if additional issues are raised	*Divorce Act*	Used when parties are legally married and one party seeks a divorce and related parenting, decision-making, child support, or spousal support orders.
Statement of Claim for Division of Family Property	Statement of Defence; Counterclaim if additional property matters are raised	*Family Property Act*	Used when a party wants the Court to divide family property or matrimonial property.
Statement of Claim for Divorce and Division of Family Property	Statement of Defence; Counterclaim if additional related issues are raised	*Divorce Act; Family Property Act*	Used when married parties need divorce-related relief and division of matrimonial property addressed together.
Claim – Family Law Act (FL-10)	Response – Family Law Act (FL-11)	*Family Law Act*	Used for parenting, decision-making, child support, and partner support when divorce is not being requested.
Originating Application and Affidavit	Affidavit; application and affidavit if the responding party also seeks related relief	As required by applicable legislation	Used where specific legislation requires this form or where a party seeks specific relief such as permission to sell a family home or protection-related orders.

Important Filing Note

📌 If you are asking the Court to deal with parenting or support issues using a **Claim – Family Law Act** or **Response – Family Law Act**, and you also want the Court to make orders about division of property, you must file **two separate claims**: a **Statement of Claim for Division of Family Property** and a **Claim – Family Law Act**.

TAKE NOTE

📌 The Commencement Document plus the Responding Documents together are called the **Pleadings.**

You must ask for everything in documents

All the matters the Applicant and Respondent are pleading or requesting the Court to make decisions about **MUST** be listed in these documents.

The Claim and Counterclaim or Response **MUST** include a list of everything the parties hope to get in an Order from the Court.

In most situations, the Court can only make decisions on matters the party listed and told the other party about because the other party has to be made aware of the claim and be given a chance to provide a defence and to ask for any other matters to also be decided by the Court. The other party is given a chance to file a response and serve it.

Starting an action does not mean you must go to court

If a party wants to file their claim but does not want to seek relief from the Court, they will not be forced to move forward in the Regular Family Process. There are other reasons why a commencement document is filed to start an action.

For example:

- A party may file their commencement document to preserve a limitation date, but they do not want any relief from the Court.

- A party may file their commencement document, but they may have chosen to proceed with private negotiations.

If you need to add new issues

If you need to add new issues/requests for the Court after a Commencement Document has been filed:

- if a Statement of Claim for Divorce or Counterclaim was filed, you can file an amended Statement of Claim or amended Counterclaim, or you may need to make an application to amend the Statement of Claim or Counterclaim. That application to amend can be included in an application with the MIT Package and/or can be discussed at the MIT Conference.
- If a Claim – Family Law Act (FL-10) or Response – Family Law Act (FL-11) was filed, you must file a brand-new form listing the originally requested matters plus the issues wish to add as there is no ability to amend these documents.

No Court date set

While Commencement Documents and responses are necessary to start a Court Action, open a Court file and to provide a list of all the matters the parties want the Court to make decisions about, these documents DO NOT set any Court hearings or mean you must go to Court right away. While some forms like the Claim – Family Law Act (FL-10) has a spot to put a date, simply state "To be determined" or "TBD" in that space. You will serve the Claim on other party without a Court date. You will obtain a Court date later in the process.

Returning to Court after a divorce

After a Divorce Judgment has been granted by the Court based on a Statement of Claim for Divorce being filed, the rules change if you want to ask the Court to make decisions about other family matters or if you want to change the terms dealing with some family matters.

These new rules apply if:

a) you have obtained a Divorce Judgment but still have not received a final answer about the other family issues such as parenting and support; OR
b) you have obtained a Divorce Judgment and a Final Order, sometimes called Corollary Relief Order, with final decisions about the other family matters.

Pursuant to Rule 12.45(1) , where a party wishes to bring an application after an order or judgment under the *Divorce Act*, parties must file an FL-18 accompanied with an affidavit in support of the application in accordance with rule 12.44(1):

- To vary, suspend or rescind an order of the Court in a proceeding under the *Divorce Act*; (12.45(1)(a))
- For corollary relief after the Court has rendered a divorce judgment; (12.45(1)(b))
- For a parenting order or an interim parenting order; (12.45(1)(c))
- For a contact order or an interim contact order; (12.45(1)(d))
- For an order to vary, suspend or rescind a parenting order; (12.45(1)(e)) or
- For an order to vary, suspend or rescind a contact order made by a person referred to in s 17(1)(c) of the *Divorce Act*. (12.45(1)(f))

In this situation, you must file a **Family Application (FL-18) AND a supporting affidavit** to have the matter return to Court and ask the Court to make new decisions on past final decisions OR make decisions on matter not yet decided by the Court.

No Court date will be set in the Family Application, simply state "to be determined" or "TBD" in the spot on the form where a date is required. A Court date will be set later in the process.

All family issues being raised in the Family Application must have been raised in the original Statement of Claim for Divorce or a Counterclaim, if filed.

After preparing and filing documents, note Rule 12.55 states the documents must be personally served on the other party, not to the other party's lawyer or by email, unless there is a Court Order allowing you to serve it another way.

New issues raised after the Divorce Judgement was granted that were not raised in the original Commencement Documents for the divorce will require further steps or permission from the Court, you will need to seek legal advice before proceeding.

The response document filed by the Respondent or Defendant can be a Responding Affidavit or, if you want to raise other issues, you must file a Cross-Application using form FL-18 with a supporting affidavit.

If wish to return the matter to Court after a Divorce Judgment has been granted only to deal with issues under the Family Property Act, Rule 12.45 does not apply and you do not have to file an FL-18 Family Application to return the matter to court unless you want to ask the Court to make an interim decision dealing with family property at the MIT Conference.

Returning to Court after a final order under the Family Law Act

If you have a Final Order under a *Family Law Act* Claim and either party now wants to have the Court change that order, the party asking the Court to make the change must file a new Claim – Family Law Act (FL-10) listing the changes being requested and supporting documents [Rule 12.55]

The response document that a Respondent or Defendant can file is a Response – Family Law Act (FL-11) and supporting documents, may include a request for further changes to the previous order (cross-application) in the FL-11.

What is a Final Order? Some Orders will say Final Order, some won't. If the order was granted after a trial, it will be considered a Final Order even though it may not say so in the title. In the first few paragraphs of the order there will be a statement that the Order is being granted following a trial, which is an indicator that it is a Final Order.

Service of Commencement Documents and Other Documents that Expand Issues in Action

After you file your document to start an action or your documents to respond and add any new issues to the action in Court, you must provide a copy of those documents to the other party. It is important the other party receive proper notice. The other party has a right to know if someone is asking to make a decision that affects them and to respond, so they must be given enough notice to have time to prepare a response.

You must also provide proof that the other party was served with the documents you prepared and filed. An Affidavit of Service must be prepared and filed at Court to prove the other party was served.

PROOF OF SERVICE IS NEEDED BEFORE YOU PROCEED TO NEXT STEPS TO ASK COURT FOR ASSISTANCE

You must provide the Affidavit of Service of your Commencement Document at Step 3: when you file your documents to request a Mandatory Intake Triage (MIT) Conference.

The Affidavit of Service of your Commencement Document is the best document to provide and where it is available, this is the required document.

However, recognizing that in some situations an Affidavit of Service may not be available, the following options are available for the purposes of service acknowledgement:

- Joint Divorce Application – no proof of service is required as both parties filed jointly
- Counsel acceptance of service notification (service admitted, stamp is affixed)
- Divorce Judgments – if a Divorce Judgment has been granted, proof of service of the Commencement Documents is no longer required, see above RETURNING TO COURT AFTER A DIVORCE.
- Court order deeming service good and sufficient on the other party

Rules for serving documents on the Other Party

How to properly serve the other party (see Rule 12.55):

- ***Statement of Claim for Divorce and Statement of Claim for Divorce and Division of Property*** – this document must be served directly to the other party personally, not their lawyer; a third-party must serve the documents; the spouse cannot serve the Statement of Claim on the other spouse, it must be someone else but can be any adult.
- ***Statement of Defence*** – this must be served at the address of service listed on the Statement of Claim; service can be by email if an email address was provided on the Statement of Claim.
- ***Counterclaim*** – when making a counterclaim in a divorce and/or division of property matter, you must serve the other party at the address of service listed on the Statement of Claim; service can be by email if an email address was provided on the Statement of Claim.
- ***Claim – Family Law Act*** – this document must be served directly to the other party personally not their lawyer, either by yourself or another adult.
- ***Response – Family Law Act*** – this document must be served on the other party at the address of service listed on the Claim; service can be by email if an email address was provided on the Claim – Family Law Act.
- ***Post Divorce Application and Cross-Application (Form FL-18)*** – if the Application includes issues under the Divorce Act – parenting, child support, spousal support - this document must be served directly to the other party personally not their lawyer, either by yourself or another adult. If the only issues in the Application pertain to division of property, it does NOT need to be personally served.

NEXT STEPS

If you do not want to go to Court yet and do not want to ask the court to make any decisions when you start the action because you plan to attempt to resolve it together or because still need to take other steps before ready to go to Court, you can stop here.

If you want the Court to make some decisions about your matter and/or want to move your matter forward towards a trial in Court, proceed to the next step to request a Mandatory Intake Triage (MIT) Conference.

*Step 2 Checklist & Roadmap: Start an Action, Expand Issues

Use the checklist that follows to identify the correct document to file based on the person's role, the stage of the matter, and the issues being raised. Start with whether the person is an applicant, respondent, or returning to Court after a Divorce Judgment or Final Order. Then match the situation to the required filing or service step. In all cases, once documents are filed, you will need to confirm whether personal service is required and whether an Affidavit of Service must be filed.

If you are...	What is happening / what you are asking the Court to decide	File this document / confirm this step	DONE
Applicant No current action started	Divorce	Statement of Claim for Divorce	☐
	Divorce and other family issues including parenting, decision-making, child support and/or spousal support	Statement of Claim for Divorce	☐
	Divorce and/or other family issues AND division of property	Statement of Claim for Divorce and Division of Matrimonial Property	☐
	Division of property but not married or not requesting divorce	Statement of Claim for Division of Family Property	☐
	Not married or not wanting divorce, but dealing with parenting and support	Claim – Family Law Act (FL-10)	☐
	Other family issues, such as a protection order or sale of home	Originating Application and Affidavit	☐
Respondent After receiving a Statement of Claim, Claim, or Originating Application	Served with a Statement of Claim for Divorce	Statement of Defence	☐
	Asking the Court to decide issues not raised in the Statement of Claim	Counterclaim	☐
	Asking the Court to decide property issues	Statement of Claim for Division of Property	☐
	Served with a Statement of Claim for Divorce and Division of Property	Statement of Defence; Counterclaim if asking for issues not raised in the Claims	☐

If you are...	What is happening / what you are asking the Court to decide	File this document / confirm this step	DONE
	Served with a Statement of Claim for Division of Property	Statement of Defence; Counterclaim if asking for property issues not claimed	☐
	Served with a Claim – Family Law Act (FL-10)	Response – Family Law Act (FL-11)	☐
	Served with an Originating Application and Affidavit	Affidavit in Response	☐
After Divorce or Final Order Returning to Court or starting a new claim	Divorce Judgment and final Orders are in place for all issues raised	Family Application (FL-18) and supporting Affidavit to vary issues already included in the Orders	☐
	Divorce Judgment is in place, but other issues raised are not finalized	Family Application (FL-18) and supporting Affidavit to resolve outstanding issues previously raised	☐
	Respondent to a new Family Application after Divorce is raising other issues	Family Application/Cross Application and supporting documents	☐
	Respondent to a new Family Application after Divorce is not raising new issues	Responding Affidavit	☐
	After a Final Order under the Family Law Act	Either party may file a new Claim – Family Law Act (FL-10); responding party files Response – Family Law Act (FL-11)	☐
	Documents filed after Divorce or Final Order must be served	Confirm personal service where required; obtain service Order if needed; file Affidavit of Service	☐

STEP 2 | START OR EXPAND AN ACTION

Open the Court file, identify every issue, notify the other party, and prove service.

Applicant / Plaintiff
files the commencement document

Respondent / Defendant
files and serves the response

1 CHOOSE THE CORRECT COMMENCEMENT DOCUMENT OR RESPONSE

The document starts the action, opens a Court file, assigns an action number, and gives the other party notice of the issues and relief requested.

DIVORCE

Statement of Claim for Divorce. Add division of family property where property relief is also sought. Statement of Defence in Response.

FAMILY LAW ACT

FL-10 for parenting, decision-making, child support, or partner support when divorce is not requested. FL-11 in Response.

PROPERTY ONLY

Statement of Claim for Division of Family Property. A separate claim is required when FL-10 issues and property division are both sought. Statement of Defence in Response.

OTHER LEGISLATION

Originating Application and Affidavit where required by legislation or for specified relief. Affidavit in Response

2 ASK FOR EVERYTHING IN THE PLEADINGS

List every issue you want Court to decide. The Court will generally decide only matters raised in the Claim, Counterclaim, or Response and disclosed to the other party.

3 FILE, THEN SERVE THE OTHER PARTY

File the commencement or responding document. Provide proper notice by serving the filed documents. Personal service may be required and, for specified documents, a third party must serve.

4 FILE PROOF OF SERVICE

Prepare and file an Affidavit of Service. Upload proof of service in Justice Digital with the MIT Package at Step 3. Alternate acknowledgements may apply in limited situations.

ADDING NEW ISSUES

Divorce pleadings may require an amended pleading or permission. FL-10/FL-11 issues require a new form listing both original and added requests.

RETURNING AFTER A FINAL ORDER

After Divorce, use FL-18 plus an affidavit where the Rules require it. After a final Family Law Act Order, use a new FL-10; the response is FL-11.

NO COURT DATE YET: Enter "To be determined" or "TBD" where a date is requested. A Court date is obtained later.

STOP HERE if no Court assistance is needed yet.

GO TO STEP 3 to request an MIT Conference.

High-level overview only. Consult the FFP Manual and applicable Rules for complete filing and service requirements.

Step 3: Prepare, File, and Serve an MIT Package

Purpose of This Step

If you are unable to resolve all your family issues without the assistance of the Court, your first appearance in Court will be at a **Mandatory Intake Triage Conference** with a **Mandatory Intake Triage Justice**.

The MIT Conference may be up to **one hour** in length. Before the conference, the MIT Justice will have reviewed the documents submitted by the parties and will be prepared to discuss the outstanding issues that have not been resolved.

At the MIT Conference, the MIT Justice may:

- ✅ Discuss the outstanding issues with the parties
- ✅ Consider whether interim Orders are needed until final decisions can be made
- ✅ Help the parties identify agreements that may be turned into Orders
- ✅ Discuss what additional steps are required to move the matter forward
- ✅ Set deadlines or directions for next steps

What Is an MIT Package?

To request a Mandatory Intake Triage Conference, a party must file and upload several required documents and forms. Together, these documents are called the **MIT Package**.

The purpose of the MIT Package is to ensure that:

- ✅ The assigned MIT Justice has the documents needed to understand the issues
- ✅ Both parties know what documents are being relied on
- ✅ The matter can be reviewed efficiently before the MIT Conference
- ✅ The conference can focus on the information properly placed before the Court

TAKE NOTE

📌 At the MIT Conference, the MIT Justice is only reviewing the **MIT Packages** filed by the parties.

The Justice is **not** searching the paper Court file or the electronic Court file, also known as the **Casebox**. All documents that a party believes are important for the MIT Justice to review must be included in that party's MIT Package, in addition to any required documents.

Who May File the MIT Package and Request an MIT Conference?

Either party may take the first step to schedule an MIT Conference and ask the Court to make a decision about the matter.

It does not matter whether the party was the:

- ✅ **Applicant** or **Plaintiff** who started the action; or
- ✅ **Defendant** or **Respondent** who responded to the action.

If a party wants the family matter dealt with in Court and wants the Court to make decisions, that party may request an MIT Conference.

Party Names at the MIT Stage

The party names can become confusing at this stage because the person requesting the MIT Conference may not be the same person who originally started the Court Action.

The MIT Applicant may be the Defendant in the divorce action, or the MIT Respondent may have been the one to start the *Family Law Act* Claim. To ease the confusion, while preparing documents to attend the first Mandatory Intake Triage Conference, focus on the role in this process.

Term	Meaning
Applicant or Plaintiff	The person who started the Court Action.
Defendant or Respondent	The person who responded to the Court Action.
Cross-Applicant	A responding party who has added new issues to the action.
MIT Applicant	The party who files the Request for Mandatory Intake Triage Conference.
MIT Respondent	The party responding to the Request for Mandatory Intake Triage Conference.

HELPFUL REMINDER

💡 At the MIT stage, focus on the role the party has in relation to the MIT Conference request.

📌 The **MIT Applicant** is the party asking for the MIT Conference.

📌 The **MIT Respondent** is the party responding to that request.

Moving forward in this guide, reference will be the MIT Applicant and the MIT Respondent, regardless of whether they were Applicant/Plaintiff or Defendant/Respondent in the matter that started the Court Action.

What to include in the MIT Package

MIT Applicant

As the MIT Applicant, a request to meet with a Justice in a Mandatory Intake Triage Conference to deal with your family matter can be made based on 4 general scenarios. Depending on the scenario, what the MIT Applicant must provide in the MIT Applicant MIT Package will slightly vary.

MIT Respondent

As the MIT Respondent, you have options as to how you want to respond to the MIT Applicant's Request for a meeting and will be required to provide certain documents based on your option. Some of the documents you need to provide if you choose to respond will depend on the scenario in which the Applicant made their request for an MIT Conference.

In every scenario, the Respondent may choose to (1) do nothing; (2) respond; or (3) respond plus make own application to ask the Court to make immediate, short-term decisions.

Scenario One:

- You want your matter to be resolved by the Court under the *Divorce Act* or *Family Law Act* and/or *Family Property Act*.
- The court has not yet issued a Divorce Judgment or any Final Orders regarding your family matter
- You want the matter in Court, but you **do not** need the Justice to make any short term, immediate decisions at the Mandatory Intake Triage Conference

MIT Applicant MIT Package must include:

- Request for MIT Conference form
- MIT Summary form
- Proof of Completion of Mandatory Requirements and/or waiver/deferrals
- All pleadings/commencement document and filed documents that expand issues in the action filed by both parties
- Proof of service of pleadings/ commencement document and filed documents that expand issues in the action ONLY IF FILED and SERVED by MIT Applicant
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package

- After filing and serving MIT Package: Affidavit of Service of MIT Package

MIT Respondent MIT Package if just responding must include:

- MIT Summary form
- After filing and serving: Affidavit of Service of MIT Package

MIT Respondent MIT Package if responding and making own interim application must include:

- MIT Summary Form
- Proof of Completion of Mandatory Requirements and/or waivers/deferrals
- Proof of service of pleadings/ commencement document and filed documents that expand issues in the action ONLY IF FILED and SERVED by MIT Respondent
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package
- Family Application and affidavit, as well as proof of service of the Family Application and affidavit, which may be with proof of service of MIT Package
- After filing and serving: Affidavit of Service of MIT Package

Scenario Two:

- You want your matter to be resolved by the Court under the *Divorce Act* or *Family Law Act* and/or *Family Property Act*.
- The court has not yet issued a Divorce Judgment or any Final Orders regarding your family matter
- You want the matter in Court, and you **do** need the Justice to make short term, immediate decisions and grant interim orders at the Mandatory Intake Triage Conference

MIT Applicant MIT Package must include:

- Request for MIT Conference form
- MIT Summary form
- Proof of Completion of Mandatory Requirements and/or waiver/deferrals
- All pleadings/commencement document and filed documents that expand issues in the action filed by both parties
- Proof of service of pleadings/ commencement document and filed documents that expand issues in the action ONLY IF FILED and SERVED by MIT Applicant
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in Pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package
- Family Application and affidavit, as well as proof of service of the Family Application and affidavit, which may be with proof of service of MIT Package
- After filing and serving MIT Package: Affidavit of Service of MIT Package

MIT Respondent MIT Package if just responding must include:

- MIT Summary form
- A sworn/affirmed Affidavit or Statement in Response to the MIT Applicant's Family Application
- After filing and serving: Affidavit of Service of MIT Package

MIT Respondent MIT Package if responding and making own interim application must include:

- MIT Summary Form
- Proof of Completion of Mandatory Requirements and/or waivers/deferrals

- Proof of service of pleadings/ commencement document and filed documents that expand issues in the action ONLY IF FILED and SERVED by MIT Respondent
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package
- Family Cross-Application and affidavit, as well as proof of service of the Family Cross-Application and affidavit, which may be with proof of service of MIT Package
- After filing and serving: Affidavit of Service of MIT Package

Scenario Three:

- You want your matter to be resolved by the Court under the *Divorce Act* or *Family Law Act* and/or *Family Property Act*
- The Court has already issued a Divorce Judgment and Corollary Relief Order or other Final Orders dealing with your family matter or the Court has issued Final Orders under the *Family Law Act*
- You now want to return to Court to vary or change some or all the terms in the Corollary Relief Order or Final Order

MIT Applicant MIT Package must include:

- Request for MIT Conference form
- MIT Summary form
- Proof of Completion of Mandatory Requirements and/or waiver/deferrals
- Copy of filed Divorce Judgement and Corollary Relief Order/Final Orders OR Copy of Final Orders under *Family Law Act*

- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support being raised in new Application or Claim to vary/change the Final Orders, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package
- If under *Divorce Act*: Family Application (FL-18) and affidavit, as well as proof of service of the Family Application and affidavit. Personal service required. Must serve prior to MIT Package.
- If under the *Family Property Act* only (ie/not also include issues under the Divorce Act): Family Application (FL-18) and affidavit, as well as proof of service of the Family Application and affidavit. Personal service not required. Must serve prior to MIT Package.
- If under *Family Law Act*: Claim – Family Law Act (FL-10) and supporting Statements and/or affidavits, as well as proof of service of the Claim-Family Law Act and Statement or affidavit(s). Personal service required. Must serve prior to MIT Package.
- After filing and serving MIT Package: Affidavit of Service of MIT Package

MIT Respondent MIT Package if just responding must include:

- MIT Summary form
- A sworn/affirmed Affidavit or Statement in response to MIT Applicant's Family Application or Claim – Family Law Act.
- After filing and serving: Affidavit of Service of MIT Package

MIT Respondent MIT Package if responding and making own interim application must include:

- MIT Summary Form
- Proof of Completion of Mandatory Requirements and/or waivers/deferrals

- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package.
- If under *Divorce Act*: Family Cross – Application (FL-18) and affidavit, as well as proof of service of the Family Cross-Application and affidavit. Personal service required.
- If under the *Family Property Act* only (ie/not also include issues under the Divorce Act): Family Application (FL-18) and affidavit, as well as proof of service of the Family Application and affidavit. Personal service not required. Must serve prior to MIT Package.
- If under Family Law Act: Response – Family Law Act (FL-11) and supporting Statements and/or Affidavit. And proof of service of same.
- After filing and serving: Affidavit of Service of MIT Package

Scenario Four:

- You want your matter to be resolved by the Court under the *Divorce Act/Family Property Act*
- The Court has already issued a Divorce Judgment but HAS NOT issued Final Orders on any or all the other issues that were raised when the divorce action was started
- You now want to return to Court to resolve outstanding issues from your divorce action

MIT Applicant MIT Package must include:

- Request for MIT Conference form
- MIT Summary form
- Proof of Completion of Mandatory Requirements and/or waiver/deferrals
- Copy of Divorce Judgment

- All pleadings/commencement document and filed documents that expand issues in the action filed by both parties
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package.
- PLUS, if want interim decisions granted at MIT Conference: Family Application (FL-18) and affidavit, as well as proof of service of the Family Application and affidavit. Personal service required if Application addresses issues under Divorce Act (parenting, child support and/or spousal support); personal service not required if only raising issues of property. Must be served prior to MIT Package.
- After filing and serving MIT Package: Affidavit of Service of MIT Package

MIT Respondent MIT Package if just responding must include:

- MIT Summary form
- A sworn/affirmed Affidavit in response to MIT Applicant's Family Application
- After filing and serving: Affidavit of Service of MIT Package

MIT Respondent MIT Package if responding and making own interim application must include:

- MIT Summary Form
- Proof of Completion of Mandatory Requirements and/or waivers/deferrals
- Financial Disclosure Statement and supporting documents for ALL financial issues or parenting issues that may impact child support raised in pleadings/commencement document and filed documents that expand issues in the action filed by both parties, if applicable, as well as proof of service of the

Financial Disclosure Statement and supporting documents, which may be with proof of service of MIT Package.

- Family Cross - Application and affidavit, as well as proof of service of the Family Cross-Application and affidavit. Personal service required if raising issues under Divorce Act; personal service not required if only raising issues of property.
- After filing and serving: Affidavit of Service of MIT Package

Neither the MIT Applicant nor the MIT Respondent is permitted to file an affidavit without also filing a Family Application or responding to other party's Application. The Package will be rejected by the Clerks at filing if there is an affidavit without an Application including in the Package.

TAKE NOTE

The above only lists mandatory items for the MIT Packages. Other optional items can be included and, if not included, may prejudice the party. See detailed instructions for MIT Packages below

The next sections will explain in further detail each of the items that must be included in the MIT Packages. There is one section for MIT Applicants and another for MIT Respondents.

MIT APPLICANT'S MIT PACKAGE

What Must Be Included

The **MIT Applicant's MIT Package** must include the following documents.

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1. Request for Mandatory Intake Triage Conference

☐ Completed **Request for Mandatory Intake Triage (MIT) Conference Form**

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2. Mandatory Intake Triage Summary Form

☐ Completed **Mandatory Intake Triage (MIT) Summary Form**

The information in this form will be reviewed by a Case Management Officer to help determine what other documents must be included and reviewed in the MIT Package and is used by the MIT Justice to obtain all intake information for the triage.

Make sure the form is:

✅ fully completed

✅ accurate

✅ consistent with the documents being submitted in your MIT Package

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Do not attach documents to the MIT Summary Form.

All other documents for the MIT package should be **submitted or filed/uploaded** separately as part of the MIT Package.

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3. Proof of Completion of Mandatory Requirements

☐ Proof that all applicable **Mandatory Requirements** have been completed; or

☐ A waiver or deferral of one or more Mandatory Requirements signed by a Justice.

Review the **Mandatory Requirements** section to determine which requirements apply.

Before filing the MIT Package, confirm that:

✅ the correct Mandatory Requirements were completed

✅ any applicable time limits were met

✅ any waiver or deferral was signed by a Justice

✅ proof of completion is included in the MIT Package

Time Limits

Some Mandatory Requirements have time limits. These time limits are measured as of the date the **entire MIT Package** is filed with the Court.

Requirement	Time Limit
Parenting After Separation Certificate	Must be completed within 2 years of filing the MIT Package.
Participation in Alternative Dispute Resolution Form	ADR must have occurred within 6 months of filing the MIT Package.
Financial Disclosure Statement and Supporting Documents	Some supporting documents must be dated within 6 months of filing the MIT Package.

> Prior waivers granted before the Family Focused Protocol (prior to January 2, 2026) do **not** apply under the FFP unless they were granted in contemplation of the FFP.

Proof of Completion May Include

☐ Parenting After Separation Certificate completed within 2 years of filing the MIT Package

☐ Letter from a Family Court Counsellor

☐ Participation in Alternative Dispute Resolution Form completed within 6 months of filing the MIT Package

☐ Complete a Financial Disclosure Statement and include all required supporting documents

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ADR Form Reminder

The MIT Applicant and MIT Respondent must each complete their own individual **Participation in Alternative Dispute Resolution Form**.

This is required because parties may disagree about:

✅ whether ADR occurred in the proper form

✅ whether ADR addressed all required issues

✅ what issues were discussed during ADR

If there is a dispute about ADR, it will be addressed at the MIT Conference.

---

4. Filed and Served Pleadings

☐ Upload all filed documents that start the action or expand the issues in the action, filed by either party AND served.

☐ Upload any filed Statement of Defence or Response Form FL-11 filed and served by either party.

These documents are referred to as the **Pleadings** (see Step 2 and/or the Glossary for a list of documents considered Pleadings).

All Filed and Served Pleadings Must Be Included

The MIT Applicant should upload or submit only documents that have already been filed with the Court and served on the other party. This includes the documents filed and served on the MIT Applicant by the other side.

The MIT Applicant must ensure that all filed pleadings are listed in the **MIT Summary Form**.

Why the MIT Applicant Must Provide All the Filed and Served Pleadings

The Court asks the MIT Applicant to provide copies of filed and served Pleadings from both parties as the MIT Respondent may not file anything and all pleadings are necessary for three reasons:

Reason	Explanation
Electronic Casebox	To ensure pleadings filed before January 2026 are uploaded into the new electronic Casebox.
MIT Justice Review	To ensure all pleadings are available to the MIT Justice when preparing for and conducting the MIT Conference.
CMO Review	To allow the Case Management Officer to identify the issues raised by the parties, determine whether ADR was attempted on all issues, and confirm whether any interim applications only raise issues listed in the pleadings.

TAKE NOTE

📌 At the MIT Conference, the MIT Justice only relies on the documents filed in the **MIT Applicant's MIT Package** and the **MIT Respondent's MIT Package.**

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5. Proof of Service of Pleadings Filed by You

☐ This is necessary to ensure documents were properly served and parties have received proper notice of all claims against them.

☐ Upload proof of service for all documents that **you prepared, filed, and served** that start the action, expand the issues in the action, or respond to the action.

The MIT Applicant only needs to provide proof of service for documents they prepared and served. It is the MIT Respondent's responsibility to prove service of their own documents.

If Service Was Ordered in a Different Manner

If the documents were not served in accordance with the usual Rules, but there is a Court Order allowing service in a different manner, upload:

☐ the Court Order allowing alternative service; and

☐ the Affidavit of Service showing the document was served in the manner allowed by the Order.

Exceptions: When an Affidavit of Service May Not Be Required

An Affidavit of Service may not be required if:

✅ the commencement document is a filed **Joint Statement of Claim for Divorce**

✅ there is an Order dispensing with service under Rule 11.29, and that Order is uploaded with the MIT Package

✅ there is an Order validating service under Rule 11.27, and that Order is uploaded with the MIT Package

✅ a filed document from the other party directly responds to your document and shows they received it

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Example

If the MIT Applicant files a **Statement of Claim for Divorce** and the MIT Respondent files a **Statement of Defence for Divorce**, the MIT Applicant may upload both documents.

This will be sufficient to meet the requirement to prove service of the document.

> **TAKE NOTE**
> 📌 Even if a responding document appears to show that the other party received the document and this will satisfy the need to prove service at the CMO Review stage, the issue of proper service may still need to be addressed at the MIT Conference.

Alternative to Items 4 and 5: If There Is Already a Divorce Judgment or Final Order

In some cases, the MIT Applicant may not need to provide the commencement documents and proof of service listed in Items 4 and 5 above.

This depends on whether there is already:

✅ a **Divorce Judgment** under the *Divorce Act*; or

✅ a **Final Order** under the *Family Law Act*.

---

1. If You Already Have a Divorce Judgment and Final Orders Resolving All Issues

This applies if you already have:

✅ a **Divorce Judgment**; and

✅ a **Corollary Relief Order** or other Order that resolved all family issues raised in the Statement of Claim and Counterclaim, if a Counterclaim was filed.

In this situation:

✅ the commencement documents and documents that expanded the issues are no longer required to be provided; and

✅ proof of service of those documents is no longer required.

What You Must File Instead

You must file:

☐ a **Family Application Form FL-18**; and

☐ a supporting **affidavit**.

This is required to return the matter to Court under **Rule 12.45**.

☐ ensure your Application is to vary the issues already in the previous Orders. If raising new issues, you may need to commence a new action.

Important Filing Instructions

When completing the Family Application:

✅ do **not** set a hearing date;

✅ state "to be determined" or "TBD" for the hearing date;

✅ serve the Family Application and supporting affidavit on the other party before filing the MIT Package; and

✅ file the Affidavit of Service before starting the MIT Package.

Service Requirements

The Family Application and supporting affidavit must be served personally pursuant to **Rule 12.55** unless there is a Court Order allowing service in a different manner OR if only raising issues under the *Family Property Act,* must still serve documents but does not require personal service.

If service is permitted in a different manner:

☐ upload the Court Order; and

☐ upload the Affidavit of Service proving service was completed as allowed by the Order.

Include in the MIT Package

☐ **Family Application Form FL-18**

☐ A supporting **affidavit**

☐ Affidavit of Service of the Application and affidavit

☐ Any Order allowing service in a different manner, if applicable

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2. If You Have a Divorce Judgment but No Final Orders Resolving All Issues

This applies if you have a Divorce Judgment but do **not** have Final Orders or a Corollary Relief Order resolving all issues raised in the Statement of Claim and Counterclaim, if one was filed.

In this situation, you must still provide:

☐ copies of the Commencement Documents;

☐ copies of documents that expanded the issues in the action;

☐ any Statement of Defence.

This is required so the MIT Package contains a record of the outstanding issues that still need to be resolved.

If Want Interim Orders at MIT Conference You Must Also File

☐ a **Family Application Form FL-18**; and

☐ a supporting **affidavit**.

☐ ensure your Application is only for issues raised in the Commencement Document or other documents that expanded the issues.

Important Filing and Service Instructions

When completing the Family Application:

✅ do **not** set a hearing date;

✅ state "to be determined" or "TBD" for the hearing date;

✅ personally serve the Family Application and supporting affidavit under **Rule 12.55**, unless there is an Order allowing service in a different way; (If only Family Property Act issues, personal service not required)

✅ upload any Order allowing service in a different way;

✅ file the Affidavit of Service before starting the MIT Package; and

✅ include the Affidavit of Service in the MIT Package.

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3. If You Have a Final Order Under the Family Law Act

If you have a Final Order under the *Family Law Act*, confirm that the Order is actually final.

A Final Order may:

✅ state "Final" in the name of the Order; or

✅ state in the first few paragraphs that the Order was granted after a trial.

What You Must File

You must file:

☐ a new **Claim – Family Law Act Form FL-10**; and

☐ supporting Statements or affidavits.

Service Requirements

The **Claim – Family Law Act Form FL-10** and supporting Statements or affidavits must be served personally under **Rule 12.55**, unless there is an Order allowing service in a different way.

If service is permitted in a different way:

☐ upload the Court Order; and

☐ upload the Affidavit of Service proving service was completed as allowed by the Order.

Include in the MIT Package

☐ **Claim – Family Law Act Form FL-10**

☐ Supporting **Statements** or **affidavits**

☐ Affidavit of Service proving the Claim and supporting materials were served

☐ Any Order allowing service in a different way, if applicable

6. Financial Disclosure Statement and Supporting Documents

Additional Requirements if Financial Issues Are Raised

If one or more issues raised by either party involve financial matters, the MIT Package must also include financial disclosure.

> **TAKE NOTE**
> 📌 The party must provide all supporting documents required by the Financial Disclosure Statement for each financial issue raised in the commencement documents or documents that expanded the action unless the issue has already been finalized as indicated in the MIT Summary.
>
> It is **not sufficient** to provide financial disclosure only for the issue raised in an interim application. Parties are expected to be prepared to discuss **all outstanding financial issues** at the MIT Conference.

Financial matters may include:

- ✅ child support
- ✅ spousal support
- ✅ partner support
- ✅ division of family property
- ✅ matrimonial property
- ✅ section 7 expenses
- ✅ other claims like parenting that may have an impact on financial issues like child support

MIT Package must include if Financial Issues Raised

The MIT Package must include:

☐ a completed Financial Disclosure Statement (CTS13472)

☐ all required supporting documents.

TAKE NOTE

📌 The Financial Disclosure Statement must be used unless the party was specifically ordered to respond to a **Notice to Disclose**. If a Notice to Disclose was ordered, the other party must provide the Order or Endorsement.

Follow the Financial Disclosure Statement Instructions

The party must follow the instructions in the Financial Disclosure Statement and provide all required information and supporting documents based on the issues raised.

The supporting documents should be organized so they can be reviewed efficiently by:

✅ the MIT Justice;

✅ the Case Management Officer; and

✅ the other party.

How to Organize Financial Disclosure

To assist with review by the Justice, the CMO and the other party it would be helpful to submit the supporting documents in an organized manner.

Where possible:

✅ attach documents in the same order as listed in the Financial Disclosure Statement;

✅ use electronic tab; and/or

✅ add divider pages clearly identifying what document follows; and

✅ place statements in chronological order.

Service of Financial Disclosure

The Financial Disclosure Statement and supporting documents must be properly served on the other party.

Proof of service must be:

☐ filed with the Court; and

☐ uploaded as part of the MIT Package.

The Financial Disclosure Statement may be served with the rest of the MIT Package, and proof of service may be included in the Affidavit of Service for the MIT Package.

Strict Compliance Is Required

Strict compliance with the Financial Disclosure Statement is required.

All necessary supporting documents must be provided.

NOTE: it is not sufficient to provide an "update" if previous disclosure has been filed. You must provide all disclosure in one FDS.

Question 2 of FDS: Proof of Income

The material provided in response to Question 2 of the Financial Disclosure Statement must be current.

The party must provide:

- ☐ Proof of Income/Tax and Income Documentation (Section 2)
- ☐ When Taxes have been filed, BOTH Tax Return (T1 for personal income) AND Notice of Assessment is required.
- ☐ If T1 or other form of Tax Return is not available, the long-form assessment, or Proof of Income Statement available from the CRA website may satisfy this requirement. You must still also provide Notice of Assessment.
- ☐ For current-year information before July 1, T1, T4, Notice of Assessment, tax return, or similar current-year tax/income document may be accepted.
- ☐ If personal tax returns have not been filed, copies of all T-slips from the Canada Revenue Agency must be provided for each year.
- ☐ Documents for the 3 most recent taxation years required. Any formal document from the current year means you provided information for that year, therefore only need two other years of documents even if not provided ALL for current year. Example, if Party provides a T4 Slip for 2025 then Party only needs to also provide income information for 2024 and 2023.

TAKE NOTE

📌 Both of the following are required:

✅ Tax Returns or Proof of Income Statements from CRA; and

✅ Notices of Assessment or Reassessment

Timing and Tax-Year Requirements

Timing	Requirements
Filing date of MIT package	Determines which tax years are required.
Before July 1	Use the three most recent available tax years. For example, in 2026: early 2026 may use 2024, 2023, and 2022.
After July 1	Required years shift forward. For example, in 2026: 2025, 2024, and 2023.
Current-year document before July 1	If current-year tax return/T4/Notice of Assessment or similar current-year document is provided, it can count as one year and only two previous years are needed.
Year-end pay stub only	Does not count as tax information; three years of tax information are still needed.
No current-year document early in year	Up to April 1, last year-end pay statement is required; after April 1, T-slips are expected.
Originating Application and Affidavit	Affidavit; Application and affidavit if the responding party also seeks related relief

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Question 3 of FDS: Source of Income

The material provided in response to Question 3 of the Financial Disclosure Statement cannot be more than **6 months old**.

T4 Employees

For T4 employees, this means providing the three most recent paystubs.

The most recent paystub must not be more than **6 months old** from the date the MIT Applicant's MIT Package is filed.

Self-Employed Parties and Closely Held Corporations

For self-employed parties, and parties whose income is derived from a closely held private corporation, the party must provide:

☐ the information required under Question 2; and

☐ three years of financial statements.

If financial statements are not available:

✅ CRA Form T2125 filed as part of a personal income tax return may be accepted for self-employed individuals; and

✅ T2 corporate tax returns may be accepted for closely held corporations.

Cunningham Disclosure

If self-employed or earn income from a closely held corporation, the party must also provide **Cunningham disclosure**. (See Appendix B for further information on Cunningham disclosure.) This means the party must detail any expenses deducted for income tax purposes that have been paid to or on behalf of non-arm's-length persons or corporations, including any portion that may be a benefit to the taxpayer or non-arm's-length persons.

A **Business Expense Statement** template and instructions are available on the Court's Family Focused Protocol (FFP) webpage.

Question 4 of FDS: Section 7 Expenses

If section 7 special or extraordinary expenses are claimed:

☐ the required documents must be provided; and

☐ Schedule C must be completed.

Question 5 of FDS: Assets, Liabilities and Budget

If spousal support, partner support, family property, or matrimonial property are in issue, the documents required by Question 5 of the Financial Disclosure Statement must be provided. This includes:

☐ up-to-date Schedules A and B;

☐ bank statements for the most recent 6 months;

☐ credit card statements for the most recent 6 months;

☐ the most recent statements for all other financial assets the party owns or has an interest in, including RRSPs, GICs, stock accounts, and similar assets; and

☐ a list of property for which an exemption is claimed, if applicable.

Financial Disclosure Must Be Recent

Recency is measured as **6 months from the date the MIT Applicant's MIT Package is filed**. Many of the documents in financial disclosure in your MIT Package must be no more than 6 months old when you file your MIT package.

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*Recency Checklist

Disclosure Item	Recency Requirement
Question 2 – Proof of Income	During the first three months of the year, provide a paystub or other income documents showing year-end income. From April 1 onward, provide T-slips showing prior-year income, also include all required tax returns and notices of assessment.
Question 3 – T4 Employment Income	The most recent of the three paystubs must not be older than 6 months from the date the MIT Package is filed.
Question 3 – Other Income Sources	The most recent document showing monthly payment, such as social assistance or CPP, must not be older than 6 months from the date the MIT Package is filed.
Question 5 –	Schedules A and B must be up to date.

Disclosure Item	Recency Requirement
Schedules A and B	
Question 5 – Bank and Credit Card Statements	Statements must cover the most recent 6 months. The most recent statement must not be more than 6 months old.
Question 5 – Other Financial Assets	Most recent statements must not be more than 6 months old unless the institution only provides annual statements.

Additional Disclosure Ordered by the Court

If a Court Order or Endorsement requires additional disclosure, those documents must also be included.

Waiver or Deferral of Financial Disclosure

If there are valid reasons for not providing information required by the Financial Disclosure Statement, a party may apply for a waiver or deferral of those requirements.

This should be done through the **Request for Waiver or Deferral of Mandatory Requirements** under the Desk Process, below.

If granted, the waiver or deferral must be attached to the resubmission.

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7. Family Application and Supporting Affidavit

Additional Requirements if Making an Interim Application at MIT Conference

If No Interim Decision Is Requested

If you do **not** want the MIT Justice to make any interim decision at the MIT Conference, your MIT Package is complete once the required documents above have been included.

If You Want the MIT Justice to Make Interim Decisions

If you want the MIT Justice to make interim decisions and grant Orders on some family matters at the MIT Conference, you must also include application materials in your MIT Package.

MIT Package Must Include if Making an Interim Application

The MIT Package must include:

☐ a **Family Application**; and

☐ a supporting **affidavit**.

The application materials tell the MIT Justice what interim decisions or orders you are asking the Court to make at the MIT Conference.

Use the Proper Application Form

Use the correct form based on the legislation and documents already filed.

Situation	Form to Use
You are relying on the *Divorce Act* and/or the *Family Property Act,* and the commencement document is a Statement of Claim.	**Family Application Form FL-18**
You are relying on the *Family Law Act,* and you are the Applicant who filed a Claim – Family Law Act Form FL-10.	**Family Application Form FL-18**

Situation	Form to Use
You are relying on the *Family Law Act,* and you are the Respondent, you received a Claim – Family Law Act Form FL-10, and you have already filed a Response – Family Law Act Form FL-11.	**Family Application Form FL-18**
You are relying on the *Family Law Act,* and you are the Respondent, you received a Claim – Family Law Act Form FL-10, but you have not yet filed a Response – Family Law Act Form FL-11.	File your **Response – Family Law Act Form FL-11** & Applicable Statements and/or Affidavits to request interim decisions. You do **not** also need to file a Family Application Form FL-18 for the same interim request.

TAKE NOTE

📌 If your **Response – Family Law Act Form FL-11** is being filed at the same time as your request for interim relief, you do not also need to file a Family Application Form FL-18 for the same request. Filing both would duplicate the same request.

Make Sure the Issues Have Been Properly Raised

Before asking the MIT Justice to make interim decisions, confirm that all issues or family matters included in your application are already listed in the documents that:

✅ start the action; or

✅ expand the issues in the action.

If the issue has not been properly raised:

If Your Matter is Under the…	What You May Need to Do
Divorce Act	Request an amendment to your existing documents.
Family Law Act	File a new Form FL-10 or Form FL-11 that includes all issues.

Supporting Affidavit

You must include a new supporting affidavit.

Previously filed affidavits will not be relied on for new applications. All relevant information must be included in a new affidavit that deals with the issues you want the MIT Justice to consider at the MIT Conference.

Affidavit Writing Reminder

It is essential that affidavit be:

- ✅ clear
- ✅ concise
- ✅ focused on the issues in the Family Application
- ✅ limited to the necessary evidence needed for the MIT Justice to make interim decisions

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Family Practice Note 2

Family Practice Note 2 provides specific information about filing application documents, including:

- ✅ affidavit requirements
- ✅ page limits
- ✅ rules regarding any exhibits attached

Review Family Practice Note 2 before preparing the Family Application and supporting affidavit.

Proof of Service

You must include proof of service of the Family Application and supporting affidavit.

The Application and affidavit may be filed before you prepare your MIT Package and proof of service filed. Or, it may be served with the MIT Package and proof of service may be included in the **Affidavit of Service of the MIT Package**.

File and Serve the MIT Applicant's MIT Package

After the MIT Applicant has gathered and prepared all documents for the MIT Package, the documents must be filed or, if previously filed, uploaded or submitted to the Court as the MIT Package.

DO NOT SERVE ANY OTHER DOCUMENTS THAT WERE NOT INCLUDED AND FILED IN YOUR MIT PACKAGE.

Once filed, the full MIT Package must be served on the other party.

The MIT Applicant must then provide proof of service by filing an **Affidavit of Service** with the Court.

> **TAKE NOTE**
> 📌 The MIT Applicant must serve their MIT Package on the other party even if the other party has been Noted in Default.

To Move Your MIT Package to the CMO Review

To ensure the matter proceeds to the next step — **CMO Review** — the following must be completed.

Step 1: File the MIT Package

The MIT Package must first be filed in **Justice Digital** if you are a lawyer.

If you are a self-represented party, you must file by email or in person at the Courthouse. If a lawyer from out-of-province, file by email (see Filing section below).

Once the MIT Package is accepted by the clerk, it will be file stamped.

In some matters, certain documents required for the MIT Package may already have been filed. If that is the case, upload in Justice Digital or include a courtesy copy of the previously filed document when submitting the MIT Package.

If a lawyer, see the section **Uploading Documents in Justice Digital – Filed and Previously Filed** for more information about previously filed documents.

Step 2: Serve the Filed MIT Package

After filing the MIT Package, the filed MIT Package must be served on the opposing party.

You are required to serve the **entire MIT Package**, even if some documents were previously served. In most situations, you may serve the MIT Package on the other side by email.

Step 3: File the Affidavit of Service of the MIT Package

After serving the MIT Package, submit an **Affidavit of Service of the MIT Package** for filing.

The Affidavit of Service should:

- ✅ list only the documents that were part of the MIT Package
- ✅ clearly identify the documents served
- ✅ identify the filing dates of the documents
- ✅ confirm service of the entire MIT Package

> **TAKE NOTE**
> Do **not** attach the documents listed in the Affidavit of Service as exhibits.
>
> Do **not** upload the documents again as courtesy copies to the MIT Package.
>
> Do **not** upload the MIT Package as previously filed documents when submitting the Affidavit of Service through Justice Digital.

Affidavit of Service Example

Appendix C provides an example of the body of an Affidavit of Service of the MIT Package.

Use Appendix C to assist with preparing the Affidavit of Service.

If the Clerk Rejects the Submission for Incomplete Service

If your submission is rejected by the clerk because of incomplete service of documents in the MIT Package:

- ✅ review what was submitted
- ✅ confirm that all relevant documents were properly served

- ✅ list the served documents correctly in the Affidavit of Service of the MIT Package
- ✅ resubmit for filing the corrected materials as required

TAKE NOTE
📌 The clerk will not specify which documents were not served.

You must review the package and Affidavit of Service carefully to determine what needs to be corrected.

Service Directions

For directions on service of the MIT Package, see **Appendix A** to the Notice to the Profession and Public **NPP #2025-04**, dated December 10, 2025, titled:

New Processes in Family Law: Family Focused Protocol Effective January 2, 2026

Why the Affidavit of Service Matters

You must file the Affidavit of Service of your MIT Package to move the package forward to the **CMO Review** stage.

If you do not file an Affidavit of Service of the MIT Package, the package will remain in limbo and will not move forward to CMO Review.

TAKE NOTE
📌 There can only be **one active MIT Conference request** for an action number.

When the CMO Review Clock Starts

Once the MIT Applicant has:

✅ served the MIT Package on the other party; and

✅ files the Affidavit of Service showing the date the other party was served,

the Court sets the timeline for the matter to proceed to the next step: **CMO Review**.

MIT Respondent Response Period

The MIT Respondent has **14 days** after being served with the MIT Applicant's MIT Package to file any documents they wish to provide in response in their own **MIT Respondent MIT Package**.

On the **15th day** after the MIT Respondent was served, the matter will appear on the electronic CMO Dashboard for a Case Management Officer to accept and review.

> **TAKE NOTE**
> 📌 CMO Review may not be completed on the 15th day.

The 15th day is when the matter becomes available on the CMO Dashboard for review. See STEP 4 CMO Review, below. CMOs review new matters on a first come, first serve basis.

MIT Respondent Does Not Have to File a Response

The MIT Respondent does **not** have to file anything for the matter to move to CMO Review. The matter can proceed to CMO Review once the MIT Applicant has filed the Affidavit of Service of the MIT Package.

MIT RESPONDENT'S MIT PACKAGE

If you have been served with the **MIT Applicant's MIT Package**, you are the **MIT Respondent**.

The MIT Respondent has three options after being served with the MIT Applicant's MIT Package:

Option	What it Means
Option 1: Do Nothing	Do not file any response materials.
Option 2: File a Response	File response materials only, without asking the Court to make your own interim Orders.
Option 3: File an Application or Cross-Application	File response materials and ask the Court to make interim decisions or Orders at the MIT Conference.

Option 1: Do Nothing

One option is to do nothing.

If the MIT Applicant's MIT Package is certified by the CMO, the MIT Applicant, or their counsel, will contact you to obtain at least three mutually agreed dates for the MIT Conference so the conference can be booked.

If you choose **Option 1: Do Nothing**, the assigned MIT Justice will only have the **MIT Applicant's MIT Package** before them.

The MIT Respondent is **not permitted to rely on previously filed materials** unless those materials are included in an MIT Package.

If the MIT Applicant's Package Is Rejected

If you do nothing and the MIT Applicant's MIT Package is rejected by the CMO, the MIT process will be closed, and nothing further will happen unless a new MIT Package is filed.

WARNING

There may be consequences to doing nothing. If the MIT Respondent does not provide a Response or any supporting documents, the MIT Justice may not consider the MIT Respondent's position when making decisions or determinations at the MIT Conference.

This may negatively affect the MIT Respondent's position.

Option 2: MIT Respondent's MIT Package – Response Only

Use this option if you want to respond to the MIT Applicant's MIT Package, but you do **not** want to bring your own application or cross-application asking the Court to make decisions or grant Orders at the MIT Conference.

Filing a response means you want to argue that the relief requested by the MIT Applicant should not be granted or should be granted differently.

📌 If you want to file your own application or cross-application, see **Option 3** below.

When to Use Option 2

Choose **Option 2: Response Only** if:

- ✅ you have been served with the MIT Applicant's MIT Package;
- ✅ you want the CMO to review your response materials;
- ✅ you want the MIT Justice to have your position before them at the MIT Conference; and
- ✅ you are **not** asking the Court to make your own interim decisions or Orders.

What the MIT Respondent's Response Package Must Include

If you want to respond to the MIT Applicant's MIT Package, you must file and serve your own **MIT Respondent MIT Package** on the MIT Applicant.

Service may be by email or another method of service permitted by the **Alberta Rules of Court**.

What Must Be Included for Option 2

1. MIT Summary Form

☐ Completed **Mandatory Intake Triage (MIT) Summary Form CTS14868**

This form is required even if some of the information duplicates the MIT Applicant's MIT Summary Form.

The information in this form will be reviewed by a **Case Management Officer** to help determine what other documents must be included and reviewed in the MIT Package plus this document provides the MIT Justice with necessary intake information for the MIT Conference.

Make sure the form is:

✅ fully completed

✅ accurate

✅ consistent with the documents being submitted in your MIT Package

---

Do not attach documents to the MIT Summary Form.
All other documents for the MIT Package should be **submitted or filed/uploaded** separately as part of the MIT Package.

---

2. Response Evidence, If Applicable

This is only applicable if the MIT Applicant has filed a Family Application with their MIT Package. You may not file and Affidavit or Statement without an Application being filed by MIT Applicant or MIT Respondent.

☐ A sworn and filed **Affidavit** for a *Divorce Act* matter; or

☐ A filed **Statement/Affidavit** for a *Family Law Act* matter; and

☐ Any necessary exhibits.

This is required if:

✅ the MIT Applicant's MIT Package includes a **Family Application Form FL-18** requesting interim relief; and

✅ you want to respond and provide evidence at the MIT Conference.

> **TAKE NOTE**
> If the MIT Applicant has not included a Family Application Form in their MIT Package, the MIT Respondent cannot file an affidavit or Statement unless they file their own Family Application. See option 3.

Family Practice Note 2 Reminder

Review **Family Practice Note 2** for rules about:

✅ affidavit length

✅ exhibit page limits

✅ application document requirements

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3. File, Serve, and Proof of Service of the MIT Package

After completing the MIT Summary Form and any response document you wish to rely on:

☐ file the documents with the Court;

☐ serve the MIT Respondent MIT Package on the MIT Applicant; and

☐ file an **Affidavit of Service** proving service of the MIT Respondent MIT Package.

It is necessary to file proof of service of the MIT Respondent MIT Package.

The proof of service must be in the form of an **Affidavit of Service** filed with the Court.

Optional Materials for Option 2

Although the following documents are not always required when you are only responding, you may want to file and serve them as part of your MIT Respondent MIT Package.

TAKE NOTE

📌 Although these additional documents are optional for a response-only package, the MIT Justice will not consider documents that are not included in the MIT Respondent's MIT Package.

If you do not include relevant documents, this may negatively affect your position at the MIT Conference.

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1. Proof of Completion of Mandatory Requirements

You may include:

☐ proof that the applicable **Mandatory Requirements** have been completed; or

☐ a waiver or deferral of one or more Mandatory Requirements signed by a Justice.

Review the **Mandatory Requirements** section to determine which requirements apply.

Before filing, confirm that:

✅ the correct Mandatory Requirements were completed

✅ any applicable time limits were met

✅ any waiver or deferral was signed by a Justice

✅ proof of completion is included in the MIT Respondent MIT Package

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Time Limits

Time limits are measured as of the date the **entire MIT Respondent MIT Package** is filed with the Court.

Requirement	Time Limit
Parenting After Separation Certificate	Must be completed within 2 years of filing the MIT Package.
Participation in Alternative Dispute Resolution Form	ADR must have occurred within 6 months of filing the MIT Package.

Requirement	Time Limit
Financial Disclosure Statement and Supporting Documents	Some supporting documents must be dated within 6 months of filing the MIT Package.

Proof of Completion May Include

☐ Parenting After Separation Certificate completed within 2 years of filing the MIT Package

☐ Letter from a Family Court Counsellor

☐ Participation in Alternative Dispute Resolution Form completed within 6 months of filing the MIT Package

☐ Complete Financial Disclosure Statement and include all required supporting documents

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ADR Form Reminder

The MIT Applicant and MIT Respondent must each complete their own individual **Participation in Alternative Dispute Resolution Form**.

This is required because parties may disagree about:

✅ whether ADR occurred in the proper form

✅ whether ADR addressed all required issues

✅ what issues were discussed during ADR

If there is a dispute about ADR, it will be addressed at the MIT Conference.

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2. Financial Disclosure Statement

See **Option 3** below for details about what a complete **Financial Disclosure Statement** must include.

TAKE NOTE

📌 If your Response Package does not include an up-to-date Financial Disclosure Statement or a waiver, and the MIT Applicant is asking the Court to make decisions about financial family matters, the Court may still make Orders without your financial information.

This may include matters involving:

✅ child support and parenting matters that impact child support
✅ partner support
✅ spousal support
✅ property division

The Court may:

⚠️ order costs;
⚠️ grant a support Order against you based on the information available to the Court; or
⚠️ grant any other remedies available to the Court.

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3. Other Optional Documents

You may also include:

☐ **Response – Family Law Act Form FL-11**, if you did not previously file one

☐ Affidavit of Service of your commencement documents, if applicable

This may include proof of service for:

✅ Statement of Claim

✅ Counterclaim

✅ Claim – Family Law Act

✅ Response – Family Law Act, if it raises new relief requested by the Respondent

✅ Reply Statements or affidavit, or Statements or affidavit, if your Response raises new relief requested by the Respondent.

When Must the MIT Respondent File the MIT Respondent MIT Package?

Under the FFP Process and **Family Practice Note 2**, the MIT Respondent should file and serve a response on the MIT Applicant within **14 days** of receiving the MIT Applicant's MIT Package.

The MIT Respondent may file a MIT Respondent MIT Package:

✅ within the 14-day period after service of the MIT Applicant's MIT Package; or

✅ any time before the MIT Conference.

Effect of Filing Within 14 Days

A response filed within the 14-day period:

✅ will be reviewed by the CMO; and

✅ will be before the assigned MIT Justice at the MIT Conference.

Effect of Filing After 14 Days

A response filed after the 14-day period:

⚠️ will not be reviewed by the CMO; and

⚠️ will only be reviewed or considered by the MIT Justice at the MIT Justice's discretion.

📌 See below for further explanation of the consequences of late filing.

Important Note About Response-Only Packages

If the MIT Respondent only files a response, whether the matter proceeds to an MIT Conference after CMO Review depends solely on the outcome of the **MIT Applicant's MIT Package**.

If the MIT Applicant's Package is...	Result
Certified	The matter proceeds to scheduling.
Rejected	The MIT Request is closed.

If the MIT Applicant's package is rejected, the MIT Respondent's materials will not be considered for future MIT Requests unless they are uploaded again if a new MIT Request is made by either party.

Option 3: MIT Respondent's MIT Package – With Application or Cross-Application

Use this option if you are the **MIT Respondent** and you want the MIT Justice to make interim decisions or grant Orders at the MIT Conference.

This may apply if:

✅ the MIT Applicant did **not** file a Family Application, but you want the Court to make interim decisions; or

✅ the MIT Applicant filed a Family Application, and you want to file a cross-application; or

✅ your requested interim relief is directly related to the MIT Applicant's application; or

✅ your requested interim relief raises a different family issue that should be addressed at the MIT Conference.

You must use **Family Application Form FL-18** unless you are a *Family Law Act* Respondent who has not yet filed a Response – Family Law Act Form FL-11. See the application form section below.

What Must Be Included for Option 3

The **MIT Respondent MIT Package with application or cross-application** must include the following documents.

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1. MIT Summary Form

☐ **Completed Mandatory Intake Triage Summary Form CTS14868**

This form is required even if some of the information duplicates the MIT Applicant's MIT Summary Form.

The information in the form will be reviewed by a Case Management Officer to help determine what other documents must be included and reviewed in the MIT Package plus will provide MIT Justice with necessary intake information for the MIT Conference.

Make sure the form is:

✅ fully completed

✅ accurate

✅ consistent with the documents being submitted in your MIT Package

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Important

Do not attach documents to the MIT Summary Form.

All other documents for the MIT Package should be **submitted or filed/uploaded** separately as part of the MIT Package.

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2. Proof of Completion of Mandatory Requirements

☐ Proof that all applicable **Mandatory Requirements** have been completed; or

☐ A waiver or deferral of one or more Mandatory Requirements signed by a Justice.

Review the **Mandatory Requirements** section to determine which requirements apply.

Before filing the MIT Respondent MIT Package, confirm that:

✅ the correct Mandatory Requirements were completed

✅ any applicable time limits were met

✅ any waiver or deferral was signed by a Justice

✅ proof of completion is included in the MIT Package

Time Limits

Time limits are measured as of the date the **entire MIT Respondent MIT Package** is filed with the Court.

Requirement	Time Limit
Parenting After Separation Certificate	Must be completed within 2 years of filing the MIT Package.

Requirement	Time Limit
Participation in Alternative Dispute Resolution Form	ADR must have occurred within 6 months of filing the MIT Package.
Financial Disclosure Statement and Supporting Documents	Some supporting documents must be dated within 6 months of filing the MIT Package.

Proof of Completion May Include

☐ Parenting After Separation Certificate completed within 2 years of filing the MIT Package

☐ Letter from a Family Court Counsellor

☐ Participation in Alternative Dispute Resolution Form completed within 6 months of filing the MIT Package

☐ Complete Financial Disclosure Statement and include all required supporting documents

---

ADR Form Reminder

The MIT Applicant and MIT Respondent must each complete their own individual **Participation in Alternative Dispute Resolution Form**.

This is required because parties may disagree about:

✅ whether ADR occurred in the proper form

✅ whether ADR addressed all required issues

✅ what issues were discussed during ADR

If there is a dispute about ADR, it will be addressed at the MIT Conference.

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3. Proof of Service of Pleadings Filed by You

☐ Upload proof of service for all documents that **you prepared, filed, and served** that start the action, expand the issues in the action, or respond to the action.

This includes filed Pleadings such as:

✅ Statement of Claim

✅ Counterclaim

✅ Claim – Family Law Act Form FL-10

✅ Response – Family Law Act Form FL-11, if it raises new relief requested by the Respondent

You only need to upload or submit proof of service for documents you prepared and served.

If Service Was Ordered in a Different Manner

If the documents were not served in accordance with the usual Rules, but there is a Court Order allowing service in a different manner, upload:

☐ the Court Order allowing alternative service; and

☐ the Affidavit of Service showing the document was served in the manner allowed by the Order.

Exceptions: When an Affidavit of Service May Not Be Required

An Affidavit of Service may not be required if:

✅ the commencement document is a filed **Joint Statement of Claim for Divorce**

✅ there is an Order dispensing with service under Rule 11.29, and that Order is uploaded with the MIT Package

✅ there is an Order validating service under Rule 11.27, and that Order is uploaded with the MIT Package

✅ a filed document from the other party directly responds to your document and shows they received it

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Example

If the MIT Applicant filed a **Statement of Claim for Divorce** and the MIT Respondent filed a **Statement of Defence for Divorce**, both documents may show that the parties had notice of the Pleadings.

This may be sufficient to allow the MIT Conference to be booked.

TAKE NOTE

📌 Even if a responding document appears to show that the other party received the document, the issue of proper service may still need to be addressed at the MIT Conference

Alternative to 3 if There Is Already a Divorce Judgment or Final Order

In some cases, the MIT Respondent may not need to provide proof of service of the Pleadings/Commencement Document and other documents that expand the issues.

This depends on whether there is already:

✅ a **Divorce Judgment** under the *Divorce Act*; or

✅ a **Final Order** under the *Family Law Act*.

---

1. If you already have a Divorce Judgment and Final Orders resolving all issues

This applies if you already have:

✅ a **Divorce Judgment**; and

✅ a **Corollary Relief Order** or other order that resolved all family issues raised in the Statement of Claim and Counterclaim, if a Counterclaim was filed.

In this situation:

✅ the commencement documents and documents that expanded the issues are no longer required to be provided; and

✅ proof of service of those documents is no longer required.

The MIT Applicant is not required to provide copies of all the Pleadings/Commencement Document and other documents that expand the issues nor proof of service.

The MIT Respondent is not required to provide proof of service of any of these documents filed and served by them.

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2. If you have a Divorce Judgment but no Final Orders resolving all issues

This applies if you have a Divorce Judgment but do not have Final Orders or a Corollary Relief Order resolving all issues raised in the Statement of Claim and Counterclaim, if one was filed.

In this situation, the MIT Applicant must still provide copies of the Commencement Document and all other documents that expand the issues in the action and Statement of Defence but proof of service is no longer required as service would have been confirmed prior to issuing the divorce.

MIT Respondent is also no longer required to provide proof of service of any of these documents filed and served by them.

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3. If you have a Final Order under the Family Law Act

If you have a Final Order under the *Family Law Act*, the MIT Applicant should have confirmed that the Order is actually final. Then MIT Applicant would have filed a new Claim – Family Law Act (FL-10).

As this is a new Claim, there are no old documents from the MIT Respondent that needed to be uploaded by the MIT Applicant and MIT Respondent is not required to provide proof of service of the old documents.

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4. Financial Disclosure Statement and Supporting Documents

Additional Requirements if Financial Issues Are Raised

If one or more issues raised by either party involve financial matters, the MIT Package must also include financial disclosure.

TAKE NOTE

📌 The party must provide all supporting documents required by the Financial Disclosure Statement for each financial issue raised in the commencement documents or documents that expanded the action unless the issue has already been finalized as indicated in the MIT Summary.

It is **not sufficient** to provide financial disclosure only for the issue raised in an interim application. Parties are expected to be prepared to discuss **all outstanding financial issues** at the MIT Conference.

Financial matters may include:

✅ child support

✅ spousal support

✅ partner support

✅ division of family property

✅ matrimonial property

✅ section 7 expenses

✅ other claims such as parenting that may have an impact on financial matters such as child support

MIT Package Must Include if Financial Issues Are Raised

The MIT Package must include:

☐ a completed Financial Disclosure Statement (CTS13472)

☐ all required supporting documents.

> **TAKE NOTE**
> 📌 The Financial Disclosure Statement must be used unless the party was specifically ordered to respond to a **Notice to Disclose**. If a Notice to Disclose was ordered, the other party must provide the Order or Endorsement.

Follow the Financial Disclosure Statement Instructions

The party must follow the instructions in the Financial Disclosure Statement and provide all required information and supporting documents based on the issues raised.

The supporting documents should be organized so they can be reviewed efficiently by:

✅ the MIT Justice;

✅ the Case Management Officer; and

✅ the other party.

How to Organize Financial Disclosure

To assist with review, submit the supporting documents in an organized manner.

Where possible:

✅ attach documents in the same order as listed in the Financial Disclosure Statement;

✅ use electronic tab; and/or

✅ add divider pages clearly identifying what document follows; and

✅ place statements in chronological order.

Service of Financial Disclosure

The Financial Disclosure Statement and supporting documents must be properly served on the other party.

Proof of service must be:

☐ filed with the Court; and

☐ uploaded as part of the MIT Package.

The Financial Disclosure Statement may be served with the rest of the MIT Package, and proof of service may be included in the Affidavit of Service for the MIT Package.

Strict Compliance Is Required

Strict compliance with the Financial Disclosure Statement is required.

All necessary supporting documents must be provided.

Note: it is not enough to provide an "update" if previous disclosure has been filed. You must provide all required disclosure in one FDS.

Question 2 of FDS: Proof of Income

The material provided in response to Question 2 of the Financial Disclosure Statement must be current.

The party must provide:

Proof of income/tax and income documentation (Section 2)

☐ When taxes have been filed, BOTH the Tax Return (T1 for personal income) AND Notice of Assessment is required.

☐ If T1 or other form of Tax Return is not available, the long-form assessment, or Proof of Income Statement available from the CRA website may satisfy this requirement. You must still also provide the Notice of Assessment.

☐ For current-year information before July 1, T1, T4, Notice of Assessment, tax return, or similar current-year tax/income document may be accepted with a note to the MIT Justice if the information is incomplete.

☐ If personal tax returns have not been filed, copies of all T-slips from the Canada Revenue Agency must be provided for each year.

☐ Documents for the 3 most recent taxation years are required. Any formal document from the current year means that you've provided information for that year, therefore you only need two other years of documents even if you've not provided ALL the documents for the current year. Example, if you provide a T4 Slip for 2025 then you only need to also provide income information for 2024 and 2023.

TAKE NOTE

📌 Both of the following are required:

✅ Tax Returns or Proof of Income Statements from CRA; and

✅ Notices of Assessment or Reassessment

Timing and Tax-Year Requirements

Timing	Requirements
Filing date of MIT package	Determines which tax years are required.
Before July 1	Use the three most recent available tax years. For example in 2026: early 2026 may use 2024, 2023, and 2022.
After July 1	Required years shift forward. For example in 2026: 2025, 2024, and 2023.

Timing	Requirements
Current-year document before July 1	If current-year tax return/T4/Notice of Assessment or similar current-year document is provided, it can count as one year and only two previous years are needed.
Year-end pay stub only	Does not count as tax information; three years of tax information are still needed.
No current-year document early in year	Up to April 1, last year-end pay statement is required; after April 1, T-slips are expected.
Originating Application and Affidavit	Affidavit; Application and affidavit if the responding party also seeks related relief

Question 3 of FDS: Source of Income

The material provided in response to Question 3 of the Financial Disclosure Statement cannot be more than **6 months old**.

T4 Employees

For T4 employees, this means providing the three most recent paystubs.

The most recent paystub must not be more than **6 months old** from the date the MIT Applicant's MIT Package is filed.

Self-Employed Parties and Closely Held Corporations

For self-employed parties, and parties whose income is derived from a closely held private corporation, the party must provide:

☐ the information required under Question 2; and

☐ three years of financial statements.

If financial statements are not available:

✅ CRA Form T2125 filed as part of a personal income tax return may be accepted for self-employed individuals; and

✅ T2 corporate tax returns may be accepted for closely held corporations.

Cunningham Disclosure

If self-employed or earn income from a closely held corporation, the party must also provide **Cunningham disclosure**.

This means the party must detail any expenses deducted for income tax purposes that have been paid to or on behalf of non-arm's-length persons or corporations, including any portion that may be a benefit to the taxpayer or non-arm's-length persons.

A **Business Expense Statement** template and instructions are available on the Court's Family Focused Protocol (FFP) webpage.

Question 4 of FDS: Section 7 Expenses

If section 7 special or extraordinary expenses are claimed:

☐ the required documents must be provided; and

☐ Schedule C must be completed.

Question 5 of FDS: Assets, Liabilities and Budget

If spousal support, partner support, family property, or matrimonial property are in issue, the documents required by Question 5 of the Financial Disclosure Statement must be provided.

This includes:

☐ up-to-date Schedules A and B;

☐ bank statements for the most recent 6 months;

☐ credit card statements for the most recent 6 months;

☐ the most recent statements for all other financial assets the party owns or has an interest in,

including RRSPs, GICs, stock accounts, and similar assets; and

☐ a list of property for which an exemption is claimed, if applicable.

Financial Disclosure Must Be Recent

Recency is measured as **6 months from the date the MIT Applicant's MIT Package is filed**.

Some of the documents in your financial disclosure must be **no more than 6 moths old when you file your MIT Package.**

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*Recency Checklist

Disclosure Item	Recency Requirement
Question 2 – Proof of Income	During the first three months of the year, provide a paystub or other income documents showing year-end income. From April 1 onward, provide T-slips showing prior-year income, also include all required tax returns and Notices of Assessment.
Question 3 – T4 Employment Income	The most recent of the three paystubs must not be older than 6 months from the date the MIT Package is filed.
Question 3 – Other Income Sources	The most recent document showing monthly payment, such as social assistance or CPP, must not be older than 6 months from the date the MIT Package is filed.
Question 5 – Schedules A and B	Schedules A and B must be up to date.
Question 5 – Bank and Credit Card Statements	Statements must cover the most recent 6 months. The most recent statement must not be more than 6 months old.
Question 5 – Other Financial Assets	Most recent statements must not be more than 6 months old unless the institution only provides annual statements.

Additional Disclosure Ordered by the Court

If a Court Order or Endorsement requires additional disclosure, those documents must also be included.

Waiver or Deferral of Financial Disclosure

If there are valid reasons for not providing information required by the Financial Disclosure Statement, a party may apply for a waiver or deferral of those requirements.

This should be done through the **Request for Waiver or Deferral of Mandatory Requirements** under the Desk Process.

If granted, the waiver or deferral should be attached to the resubmission.

5. Family Application or Cross-Application and Supporting Affidavit

Because you want the MIT Justice to make interim decisions or grant Orders at the MIT Conference, you must include:

☐ a **Family Application** or **Cross-Application**; and

☐ a supporting **affidavit**.

What Should I Use - Family Application or Cross-Application or Response?

The document the MIT Respondent should use to request interim decisions will depend on legislation used and what has been previously filed:

If Under the Divorce Act:

Situation	Document to File
No Divorce Judgment and Final Orders - The MIT Applicant **did not** file an Application.	MIT Respondent must file **Family Application Form FL-18 and Affidavit.**

Situation	Document to File
No Divorce Judgment and Final Orders – The MIT Applicant **did** file an Application.	MIT Respondent must file **Family Cross-Application Form FL-18 and Affidavit.**
Divorce Judgment already granted (with or without other issues in Final Orders or Corollary Relief Order).	MIT Applicant must file **Family Application Form FL-18 if want to vary Final Order or if want an Interim Order in situation where no final corollary relief ordered yet.** MIT Respondent must file **Family Cross-Application Form FL-18 and Affidavit or Family Application if MIT Applicant did not file an Application for Interim decision when no final corollary relief ordered yet.**

If Under the Family Law Act:

Situation	Document to File
No Final Orders – The MIT Applicant **did no**t file an Application.	If the MIT Respondent is the Applicant in the *Family Law Act* action, they filed the Claim – Family Law Act (FL-10) that commenced the action, **then the MIT Respondent must file Family Application Form FL-18 and affidavit or Statement.** If the MIT Respondent is the Respondent in the *Family Law Act* action that was served with an FL-10 by the MIT Applicant and they already filed a Response – Family Law Act Form FL-11, **then the MIT Respondent must file Family Application Form FL-18 and affidavit or Statement.** If the MIT Respondent is the Respondent in the *Family Law Act* action that was served with an FL-10 by the MIT Applicant but they have not yet filed a Response – Family Law Act (FL-11), **then the MIT Respondent must file a Response – Family Law Act (FL-11) and affidavit or Statement.** You do **not have to also file a Family Application (FL-18) for the same request.**

Situation	Document to File
No Final Orders – The MIT Applicant **did** file an Application.	If the MIT Respondent is the Applicant in the *Family Law Act* action as they filed the Claim – Family Law Act (FL-10) that commenced the action, **then the MIT Respondent must file Family Cross-Application Form FL-18 and affidavit or Statement.** If the MIT Respondent is the Respondent in the *Family Law Act* action that was served with an FL-10 by the MIT Applicant and they already filed a Response – Family Law Act (FL-11), **then the MIT Respondent must file Family Cross-Application FL-18 and Affidavit or Statement.** If the MIT Respondent is the Respondent in the *Family Law Act* action that was served with an FL-10 by the MIT Applicant but they have not yet filed a Response – Family Law Act (FL-11), **then the MIT Respondent must file a Response – Family Law Act FL-11 and affidavit or Statement. You do not also have to file a Family Cross Application FL-18 for the same request.**
Already a Final Order	**MIT Applicant must file a new Claim – Family Law Act FL-10 and Affidavit.** **MIT Respondent must file a new Response – Family Law Act FL-11 and Affidavit.**

TAKE NOTE

📌 If your Response – Family Law Act Form FL-11 is being filed at the same time as your request for interim relief, you do not also need to file a Family Application Form FL-18 for the same request.

Filing both would duplicate the same request.

Make Sure the Issues Have Been Properly Raised

Before asking the MIT Justice to make interim decisions, confirm that all issues or family matters included in your Application or Cross-Application are already listed in the documents that:

- ✅ start the action; or
- ✅ expand the issues in the action.

If the issue has not been properly raised:

If Your Matter is Under the...	What You May Need to Do
Divorce Act	Request an amendment to your existing documents.
Family Law Act	File a new Form FL-10 or Form FL-11 that includes all issues.

Supporting Affidavit

You must include a new supporting affidavit.

Previously filed affidavits will not be relied on for new Applications or Cross-Applications. All relevant information must be included in a new affidavit that deals with the issues you want the MIT Justice to consider at the MIT Conference.

Affidavit Writing Reminder

It is essential that the affidavit be:

- ✅ clear
- ✅ concise
- ✅ focused on the issues in the Family Application or Cross-Application
- ✅ limited to the necessary evidence needed for the MIT Justice to make interim decisions

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Family Practice Note 2

Family Practice Note 2 provides specific information about filing application documents, including:

- ✅ Affidavit requirements
- ✅ page limits
- ✅ application document requirements

Review Family Practice Note 2 before preparing the Family Application or Cross-Application and supporting affidavit.

Proof of Service

You must include proof of service of the Application or Cross-Application and supporting affidavit.

The Application or Cross-Application and affidavit may be filed and served with the MIT Package.

Proof of service may be included in the **Affidavit of Service of the MIT Package**.

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6. File and Serve the MIT Respondent's MIT Package

After the MIT Respondent has gathered and prepared all documents for the MIT Package, the documents must be filed or, if previously filed, uploaded or submitted to the Court as the MIT Package.

DO NOT SERVE ANY OTHER DOCUMENTS THAT WERE NOT INCLUDED AND FILED IN YOUR MIT PACKAGE.

Once filed, the full MIT Respondent MIT Package must be served on the other party.

The MIT Respondent must then provide proof of service by filing an **Affidavit of Service** with the Court.

When Must the MIT Respondent File the MIT Respondent MIT Package?

Under the FFP Process and **Family Practice Note 2**, the MIT Respondent should file and serve a response on the MIT Applicant within **14 days** of receiving the MIT Applicant's MIT Package.

The MIT Respondent may file the MIT Respondent MIT Package:

- ✅ within the 14-day period after service of the MIT Applicant's MIT Package; or
- ✅ anytime before the MIT Conference.

Consequences of Filing the MIT Respondent MIT Package Late

> **Warning**
> Late-filed documents will **not** be reviewed by the CMO.
>
> It will be at the discretion of the MIT Justice whether late-filed response materials, Applications, or Cross-Applications will be reviewed or considered at the MIT Conference.
>
> Failing to file on time may negatively affect the MIT Respondent's position.

If the MIT Respondent Package with Application or Cross-Application Is Filed After the 14-Day Period

If the MIT Respondent files an Application or Cross-Application after the 14-day response period, the outcome of the CMO Review may depend on what happens with the MIT Applicant's MIT Package.

If This Happens	Result
MIT Applicant's MIT Package is Certified	The matter may proceed to scheduling, but it will be up to the MIT Justice whether to review or consider the late-filed MIT Respondent materials.
MIT Applicant's MIT Package is Rejected	The MIT Respondent's late-filed application or cross-application will also be rejected. The MIT request will be closed, and nothing further will happen.

If This Happens	Result
MIT Respondent filed within the 14-day period and the MIT Applicant's package is Rejected.	The MIT Respondent's MIT Package may still be reviewed by the CMO. If certified, the MIT Respondent may proceed to schedule an MIT Conference on the issues raised in the Application or Cross-Application.

TAKE NOTE

📌 If the MIT Respondent files late:

⚠️ the CMO will not review the late-filed materials;
⚠️ the MIT Justice may decide not to review or consider the materials;
⚠️ application or cross-application may contain deficiencies that were not identified before the MIT Conference; and
⚠️ those deficiencies may negatively affect the MIT Respondent at the MIT Conference.

If the MIT Respondent Package with Application or Cross-Application Is Served Within the 14-Day Period

If the MIT Respondent serves a MIT Respondent MIT Package with an Application or Cross-Application within the 14-day response period:

✅ both the MIT Respondent's MIT Package and the MIT Applicant's MIT Package will appear on the CMO Dashboard for review;

✅ both parties' materials will be reviewed by the CMO; and

✅ both packages will be automatically snoozed for 15 days to allow response and reply materials to be filed, if required.

This occurs even if the CMO verifies that both parties have provided all necessary materials for their respective packages.

See Also

For more information about how the CMO review process works, see:

📌 **Step 4 – CMO Review**

What To Do After MIT Respondent Serves an MIT Package

Family Practice Note 2 allows parties to provide a response to documents filed by the other party.

The response and reply process depends on what the MIT Respondent files.

MIT Applicant May Reply to a Response Affidavit

After the MIT Respondent files and serves a response affidavit, the MIT Applicant may file further evidence in reply.

The reply evidence must be limited to evidence that:

- ✅ explains new evidence raised by the MIT Respondent;
- ✅ refutes new evidence raised by the MIT Respondent; or
- ✅ contradicts new evidence raised by the MIT Respondent.

The MIT Applicant has **7 days** to file and serve the reply.

This is based on **Family Practice Note 2, paragraph 43**.

MIT Applicant May Respond to an Application or Cross-Application and MIT Respondent May Reply

Where the MIT Respondent files an Application or Cross-Application, the MIT Applicant may file one additional response/reply document.

The MIT Respondent may then file one final reply document.

The permitted form of those materials depends on whether the matter is under the *Divorce Act* or the *Family Law Act*.

Divorce Act Cross-Application

Where the MIT Respondent files a Cross-Application under the *Divorce Act*:

✅ the MIT Applicant may file one additional affidavit that serves as both:

- a reply to the MIT Respondent's response on the initial application; and
- a response to the MIT Respondent's Cross-Application.

The MIT Applicant's reply should only address new evidence raised in the MIT Respondent's affidavit.

The MIT Respondent may then file one final affidavit in reply to the MIT Applicant's response on the Cross-Application.

The MIT Respondent's reply must be limited to addressing new evidence raised in the MIT Applicant's response.

Family Law Act Cross-Application

Where the MIT Respondent files a Cross-Application under the *Family Law Act*:

✅ the MIT Applicant may file one additional affidavit or one or more Reply Statements that serve as both:

- a reply to the MIT Respondent's response; and
- a response to the MIT Respondent's Cross-Application.

The MIT Applicant's reply should only address new evidence raised in the MIT Respondent's affidavit.

The MIT Respondent may then file one final affidavit or one or more reply statements.

The MIT Respondent's reply must be limited to addressing new evidence raised in the MIT Applicant's response.

Family Practice Note 2 Reminder

Review **Family Practice Note 2** for the rules about:

- ✅ the length of responses and replies;
- ✅ whether exhibits may be included;
- ✅ how many exhibits may be included; and
- ✅ applicable timelines for response and reply materials.

Timeline for Cross-Application Response and Reply

Party	Document	Deadline
MIT Applicant	Reply/response to MIT Respondent's materials	7 days
MIT Respondent	Reply to MIT Applicant's response	7 days after the MIT Applicant's reply/response.

This is based on **Family Practice Note 2, paragraph 43**.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 1 of 3 | Build the MIT Applicant's complete package

PURPOSE
The package equips the MIT Justice for a conference of up to one hour and focuses discussion on unresolved issues.

IMPORTANT
The Justice reviews only the parties' MIT Packages, not the paper Court file or Casebox. Include every important document.

MIT APPLICANT PACKAGE | REQUIRED DOCUMENTS

1 REQUEST FOR MIT CONFERENCE
Complete the Request for Mandatory Intake Triage Conference Form. Either party may be the MIT Applicant.

2 MIT SUMMARY
Complete it fully, accurately and consistently. Upload documents in the package. Do not attach them to the Summary.

3 MANDATORY REQUIREMENTS
Include proof of each applicable requirement or a Justice-signed waiver/deferral. Each party completes an individual ADR Form.

TIME LIMITS
PAS: 2 years | ADR: 6 months | Some financial documents: 6 months. Measure recency when the entire package is filed.

4 FILED PLEADINGS
Upload all filed documents that start or expand the action, plus filed Defence or FL-11 documents from either party.

5 PROOF OF SERVICE OF PLEADINGS FILED BY MIT APPLICANT
Upload proof for pleadings you prepared and served. Include any alternative-service Order and the related Affidavit of Service.

FINAL ORDER ALTERNATIVE
After a Divorce Judgment or Final Order, FL-18 plus an Affidavit, or a new FL-10, may replace original pleadings.

6 FINANCIAL DISCLOSURE
For financial issues, include CTS13472, every required supporting document and proof of service. Cover all outstanding financial issues.

7 INTERIM ORDERS, IF REQUESTED
Add the proper Application or Cross-Application and a new supporting Affidavit. All requested issues must already be raised.

STRICT COMPLIANCE
Incomplete or stale financial disclosure, including missing business/Cunningham disclosure, may cause snooze and rejection.

High-level overview only. Consult the FFP Manual, Practice Note 2 and applicable Rules.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 2 of 3 | File, serve and start the CMO Review timeline

MIT APPLICANT | FILE → SERVE → PROVE SERVICE

1 FILE THE MIT PACKAGE

Lawyers can submit the complete package in Justice Digital. Self-represented litigants can submit via email or at the counter at the Court house. Once accepted by the clerk, the package is filed-stamped.

2 DOWNLOAD AND SERVE

Download and serve the entire filed MIT Package, even where some documents were served previously.

3 FILE THE AFFIDAVIT OF SERVICE

Clearly list only the documents in the package and their filing dates. Do not attach them as exhibits or upload them again.

WHY THIS MATTERS

Without the Affidavit of Service, the package remains in limbo and does not move to CMO Review.

WHAT HAPPENS NEXT

14-DAY RESPONSE PERIOD

The MIT Respondent has 14 days after service to file a package. No response is required for the matter to move forward.

DAY 15: CMO DASHBOARD

On day 15 the matter becomes available for review. CMO Review is not necessarily completed that day.

LATE PROOF OF SERVICE

If filed more than 15 days after service, the matter appears on the Dashboard shortly after proof is filed.

ONE ACTIVE REQUEST

Only one active MIT Conference request may exist for an action number.

CLERK REJECTION

Review the full package and Affidavit, correct the service information and resubmit. The clerk will not identify the unserved documents.

High-level overview only. Consult the FFP Manual, Practice Note 2 and applicable Rules.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 3 of 3 | MIT Respondent options and filing consequences

MIT RESPONDENT | THREE OPTIONS

OPTION 1 | DO NOTHING
The Justice sees only the Applicant's package. Previously filed materials cannot be relied on unless included in an MIT Package.

OPTION 2 | RESPONSE ONLY
File the MIT Summary and response evidence, if needed. Do not request your own interim Orders. File, serve and prove service.

OPTION 3 | APPLICATION
Ask for interim Orders through an Application or Cross-Application. Include mandatory proofs, financial disclosure and evidence.

WARNING
Doing nothing or omitting relevant documents may prejudice the MIT Respondent's position.

RESPONDENT PACKAGE | CORE REQUIREMENTS

RESPONSE ONLY
CTS14868 MIT Summary; response Affidavit or Statement where needed; service on the Applicant; filed Affidavit of Service. Current mandatory proofs and FDS may also be important.

APPLICATION / CROSS-APPLICATION
MIT Summary; mandatory proofs; service of own pleadings; full FDS for financial issues; FL-18 or FL-11 as applicable; new supporting Affidavit.

FILE WITHIN 14 DAYS
The CMO reviews timely materials and the MIT Justice receives them.

FILED AFTER 14 DAYS
The CMO does not review late materials. Consideration is at the MIT Justice's discretion.

RESPONSE AND REPLY

RESPONSE / REPLY
A response affidavit permits one limited reply. A cross-application permits a response and then one final reply.

7 + 7 DAYS
Applicant response: within 7 days. Respondent reply: within 7 days after the response.

AUTOMATIC SNOOZE
A timely application or cross-application causes both packages to be automatically snoozed for 15 days for response and reply materials.

LATE-FILING CONSEQUENCE
If the Applicant package is rejected, a late Respondent application is also rejected.

Clerk Review versus CMO Review

When you submit your MIT Package for filing, whether in person, by email or through Justice Digital, your package will be reviewed by a Judicial Clerk to ensure you meet the Court requirements for filing. If you fail to meet those requirements your documents will be returned to be corrected. If you meet the filing requirements, your matter will be filed and then those same documents will be reviewed by a Case Management Office (CMO). While it may seem redundant, the clerk's role and the CMO's role are different; they are reviewing the documents for different things. You must ensure your documents in your MIT Package pass both the clerk review and the CMO review before you can schedule your MIT Conference. In brief, this chart shows what each is reviewing.

Area	Clerk Review	CMO Review
Commencement Documents	Checks whether a Commencement Document is attached.	Checks whether the Commencement Documents match the unresolved issues and relief sought.
Service of Commencement Documents	Checks for proof of service or an alternate service order.	Checks whether service appears proper, including personal service where required.
MIT Summary and Intake	Checks form limits and basic filing requirements.	Uses the summary to identify legislation, resolved and unresolved issues, requested interim decisions, and possible deficiencies.
ADR, PAS, FCC, Mandatory Requirements	Checks whether required proofs or waivers are attached, including whether PAS is current.	Checks ADR compliance and whether all unresolved issues were discussed. Does not review PAS or FCC meeting requirements.
Financial Disclosure	Checks whether disclosure, waiver, or deferral is attached.	Reviews disclosure in detail and confirms strict compliance if no waiver or deferral applies.

Step 4: Case Management Office (CMO) Review

This Step does not occur until either the MIT Applicant or the MIT Respondent file an Affidavit of Service proving their MIT Package was served on the other side.

RULE

An Affidavit of Service of the MIT Package MUST be filed in Court before a CMO review can occur. The date the other party was served the MIT Package is start time to determine when CMO review occurs. A Judicial Clerk sets that date AFTER Affidavit of Service is filed.

Once the Affidavit of Service of the MIT Package is filed, the date of service of the MIT Package will start a 14-day clock to permit the MIT Respondent to submit for filing their materials. It is not the date that the Affidavit of Service is filed that starts the 14-day clock.

On the fifteenth day after service of the MIT Package, the matter will move to the CMO dashboard for review on a first-come-first-served basis. For clarity, until the MIT Applicant or MIT Respondent files their Affidavit of Service of the MIT Package, any materials filed by the MIT Applicant or the MIT Respondent will not appear on CMO dashboard.

MIT Applicant or MIT Respondent can still file an Affidavit of Service of MIT Package past the 14 days. If more than 14 days past since MIT Package was served, as soon as Affidavit of Service is filed, all materials filed by the parties will appear on the CMO Dashboard almost immediately. Parties can continue filing further documents such as Responses and Replies even after 14 days have past and an Affidavit of Service has not been filed. All documents since filing of MIT Applicants MIT Package will appear on CMO Dashboard.

Role of the Case Management Officer (CMO)

As noted, the process and procedures under the Family Focused Protocol is, in part, to ensure the parties are fully and properly prepared and have taken all the necessary steps in accordance with the Rules of Court, all relevant legislation along with further notes and directions from the Court.

The Court of King's Bench of Alberta is a "Court of record." It is imperative the Court has all appropriate documents and evidence properly submitted, filed and served for a fair and just decision to be made.

Case Management Officers are senior lawyers employed by the Court of King's Bench familiar with the Family Focused Protocol, the Mandatory Requirements and disclosure requirements in family law matters. Currently, the Case Management Officers are also Resolution Counsel at the Court of King's Bench. The CMO assists the Court by reviewing the filed documents submitted by the parties in their respective MIT Packages to ensure all necessary documents have been filed and all rules and procedures have been properly followed.

Purpose of CMO Review

CMO review confirms whether a package is procedurally ready to proceed to a Mandatory Intake Triage conference. The review is conducted as one complete review. If the CMO discovers any deficiencies in the parties' MIT package(s), the CMO can snooze the matter to allow the party to correct their deficiencies.

The CMO Review will include:

- Confirm compliance with the mandatory requirements or confirm that a Justice has granted a waiver or deferral and that proof has been uploaded with the MIT package.
- Confirm that Commencement Documents were personally served where required, or served according to a service Order, and that the relevant documents were uploaded with the MIT Applicant's MIT package.

- Confirm that any required Family Application, supporting affidavit, or supporting Statement is complete enough for CMO review purposes.
- Confirm compliance with the Financial Disclosure Statement requirements or a Court-ordered Notice to Disclose, and Cunningham disclosure where applicable.

CMO and Justice Digital: The CMO Dashboard

Case Management Officers have a designated page on Justice Digital, the CMO Dashboard.

No Family Law matter appears on the CMO Dashboard for review until the initial 14 days after service expires or until the set snooze period expires. A matter will appear for the first time on the CMO Dashboard, on the 15th day after MIT Package was served according to the date in the Affidavit of Service or immediately if the Affidavit of Service was filed past 14 days after service of the MIT Package.

Matters appear on the CMO Dashboard in chronological order based on the 15th date after service. CMOs review new matters on a first come, first serve basis. After the CMO review is complete, the CMO will enter whether the matter has been snoozed, certified or rejected. As soon as the result is entered, the matter leaves the CMO Dashboard and is not easily accessible to the CMO again.

> **TAKE NOTE**
> 📌 CMO Review may not be completed on the 15th day.

Snoozed matters do not return to the CMO Dashboard until the expiry of the snooze period. Snoozed matters do not appear on the CMO Dashboard as soon as a party submits new

documents to correct deficiencies in the package. CMOs have no way of tracking a snoozed matter during the snooze period. At the end of the snooze period, the matter returns to the CMO Dashboard clearly marked as a previously snoozed matter and already clearly assigned to the CMO who completed the initial review. Each day, snoozed matters that return to the CMO Dashboard are reviewed first, before CMO begins reviewing any new matters.

The materials CMOs can access on the CMO Dashboard are:

- All documents filed or uploaded by the MIT Applicant in the MIT Applicant MIT Package
- All documents filed or uploaded by the MIT Applicant and the MIT Respondent from date the MIT Applicant MIT Package was filed up to date of CMO Review.
- Some documents filed after the MIT Applicant MIT Package was filed may not be relevant to the CMO Review or be part of either parties' MIT Package. All documents are included as a "safety measure" to ensure documents are not missed due to an accidental error of uploading to the wrong place. If the documents were uploaded for a Desk Application or Urgent Application, the documents are also being loaded at that destination on Justice Digital. CMOs **will not** review any irrelevant documents included in the CMO Dashboard.
- This means that CMOs will see if a MIT Respondent has filed materials later than the required 14 days after service of the MIT Applicant MIT Package as they may appear in dashboard at end of a MIT Applicant's snooze, but CMO **will not** review late filed documents. See consequence of late filing, above at Step 3.

What Materials CMO's Review:

- Each matter can be reviewed twice by the CMO. There is the **initial review** when matter first appears on CMO Dashboard and then a second review after the Snooze Period.
- CMOs will review all materials submitted in MIT Applicant's MIT Package plus any documents submitted in MIT Respondent's MIT Package, if filed on time, and on the CMO Dashboard for Initial Review of the matter.

- If the matter is snoozed, CMO will review new documents on the CMO Dashboard provided by the party or parties that were snoozed. If an MIT Respondent has submitted documents late, during the snooze period, those documents are not reviewed by the CMO.
- Late filed documents by the MIT Respondent cannot affect the final result of the matter; documents filed on time by the MIT Respondent may affect the final result of the matter.

Scenario	Review Approach
MIT Respondent files within 14 days and serves a cross-application	CMO Reviews may be reviewed even if the applicant is deficient. May proceed to MIT Conference if the MIT Respondent has all verified requirements in the MIT Package, even if the MIT Applicant MIT Package is deficient.
MIT Respondent files within 14 days but no cross-application	Reviewed at initial review if the MIT Applicant MIT Package is Snoozed or can be Certified. Not reviewed if the MIT Applicant MIT Package is Rejected. Result of matter solely based on MIT Applicant.
MIT Respondent files after 14 days and materials include a cross-application	Must reject if the MIT Applicant MIT Package is rejected.
MIT Respondent files after 14 days with no cross-application	Must reject if the MIT Applicant MIT Package is rejected.
MIT Respondent files response only within 14 days but not other MIT Package documents and seeks no new relief	Review limited MIT Respondent materials where applicable.

CMO Review

*Core CMO Checklist Review Areas

Review Category	What to Check
Pre-Court Mandatory Requirements	ADR, and disclosure requirements or justice-granted waiver/deferral.
Commencement Documents	Applicable commencement documents are filed and match the issues/relief being advanced.
Proof of Service of Commencement Documents	Affidavit of Service or acceptable service order shows required service
MIT Documents	Request for Mandatory Intake Conference, MIT Summary
Financial Disclosure	Required Financial Disclosure Statement sections, schedules, supporting documents, and Affidavit of Service.
Interim Relief (if requested)	FL-18 where required, supporting affidavit or statement, and proof of service
Proof of Service of MIT Documents and Supporting Materials	Affidavit of Service showing all documents were served

After CMOs review a matter, they will provide results to the parties. Unless a matter has been Certified, the parties will receive a Checklist for each MIT Package reviewed in the matter (Applicant and Respondent). There are three different checklists based on the MIT Package being reviewed:

1. DIVORCE ACT (Pre-Judgment) and FAMILY LAW ACT for MIT APPLICANT or MIT RESPONDENT, With Application / Cross-Application
2. DIVORCE ACT (post-judgment) and Family Law Act (after a Final Order) MIT APPLICANT or MIT RESPONDENT with Application / Cross-Application
3. MIT Respondent without Application or Cross-Application

Under each category on the Checklist, CMO will either note the matter was "Verified" or "Deficient". When deficient, a further explanation can be provided by the CMO. If the matter has been Snoozed, review the Checklist's carefully to determine how to correct a deficient MIT

Package to ensure it can be certified after the snooze period. Make sure to review the entire Checklist to see if there is more than one deficiency to correct.

CMO Results: CERTIFY, SNOOZE, OR REJECT

> There are three possible CMO review outcomes: Certify, Snooze, or Reject

Following the initial review and final review after a snooze period, if any, the CMO will enter results in the CMO Dashboard, and an email will be sent to the parties and/or their counsel providing the results. If Snoozed or Rejected, reasons will be provided in attached checklist(s) from the CMO Review.

CMO will rarely reject outright after an initial review. It is more common to snooze the matter and allow the party an opportunity to correct any deficiencies.

There can only be one result recorded at a time. If a matter is SNOOZED, it is snoozed for all parties. If a matter is CERTIFIED, it is certified for all parties (if one party still has deficiencies, those deficiencies are noted and party will have an opportunity to correct until the MIT Conference is booked). If a matter is REJECTED, it is rejected for all parties.

The intent of FFP is to not hold back a party who has everything correct while having to wait for other party to file proper documents. If a party, MITA or MITR with Application or Cross-Application, can be certified while other party cannot, the matter is CERTIFIED.

However, the CMO must SNOOZE a matter, even if party can be certified, if time is needed for one of the parties to file a Response or reply. For example, if the MIT Applicant files a MIT Package with an Interim Application and the MIT Respondent files a MIT Package with a Cross Application, the matter must be SNOOZED to allow the MIT Applicant an opportunity to file a

Response to the Cross Application and for MIT Respondent to file a Reply (15-day Snooze). The CMO will make a note in the Checklist that documents are verified, and the matter is only snoozed for an opportunity to file a Response or Reply if the party wishes. Even if the party does not file any further documents, the matter is CERTIFIED at the end of the snooze period.

CMO can snooze a matter for either 7 days or 15 days. Usually, a 15-day Snooze is granted to allow parties or their counsel an opportunity to prepare, sign, file and serve any new documents to correct deficiencies. The short 7-day snooze is often limited to situations where correction may be quick and easy such as uploading a previously filed document which counsel should have in file.

CMO RULE: Result Status Rule
A matter can only have one status at a time. While an MIT Applicant MIT Package and an MIT Respondent MIT Package may have different individual results, the matter as a whole can only have one result: Certify, Snooze, or Reject.

CERTIFIED

Certification means the reviewed materials are complete enough to proceed. The CMO advises the parties that the MIT Applicant and/or the MIT Respondent has been certified and provides the booking link to schedule the MIT Conference. The MIT Conference must be scheduled within 30 days of certification, or the certification expires and the process must be restarted.

If one party still has a deficient MIT Package, they will be notified and they may still take steps to correct any deficiencies up to date of the MIT Conference. It will be at the discretion of the MIT Justice whether late-filed response materials, Applications, or Cross-Applications will be reviewed or considered at the MIT Conference.

Failing to file on time may negatively affect the party's position.

SNOOZED

A snooze pauses the review for 7 or 15 days so a party can respond, reply, or correct deficiencies. The deficiencies are identified in the CMO MIT Certification Checklist sent to the parties.

- CMO MUST snooze to allow a reply to an Application or Cross-Application where the MIT Respondent's materials were filed within the required response period. A 7-day snooze occurs if only one party still able to file a Reply, while a 15-day snooze occurs if one party can file a Response and other party can file a Reply (if Response filed).
- CMO MUST snooze after the initial review to allow the parties whose materials are under review to correct identified deficiencies.
- As a general rule, matters will only be snoozed once. If deficiencies remain after the snooze period, the result will be Reject or Not Certified.

AFTER SNOOZE PERIOD:

When the snooze period ends, the updated MIT Package automatically reappears on the CMO Dashboard for a final review. This includes all materials filed by either party since the MIT number was assigned, including anything filed after the MIT Package initially appeared on the CMO dashboard.

At this stage, the CMO assesses whether the MIT Applicant's MIT Package and/or the MIT Respondent's MIT Package now comply with the necessary requirements. If they do comply, the CMO will advise the parties via email that one or both have been certified and the parties can proceed to schedule the MIT Conference. If still do not comply with requirements, matter will be Rejected.

Parties are **not required** to file any Response or Reply during the Snooze period. Parties have a right to do so under Family Practice Note 2, so they are given the opportunity to do so. CMO will not review the documents if they are filed. CMO will not consider failure to provide a

Response or Reply a new deficiency. If a matter is Snoozed ONLY to provide an opportunity to file a Response or Reply, the matter will be Certified and allowed to move forward at end of the Snooze period.

If the MIT Respondent files their materials outside of the 14-day period from the date that service of the MIT Package but were filed during the Snooze period, their materials will be visible on the CMO Dashboard but the CMO **will not** be reviewing the materials, and it will be within the MIT Justice's discretion as to whether to consider them or not. Late materials will not have any impact on the final CMO Review Result.

REJECTED

Rejection closes the MIT Package or relevant materials at the CMO review stage. The parties are advised of the deficiencies through the CMO MIT Checklist. To proceed, a party must restart the MIT Package process, correct the deficiencies, complete a new Request for Mandatory Intake Conference and MIT Summary, serve the new package, and upload on JD if counsel, or file by email or at the counter if self-represented, the Affidavit of Service.

OTHER INDIVIDUAL PARTY RESULTS MAY RECEIVE FROM CMO WITH FINAL RESULT

As noted above, each family matter can only receive ONE result from the CMO. However, if both parties have submitted documents, it is possible a matter will be Certified and the matter allowed to move forward while the other party has different individual results from the CMO review.

Then, in the CMO Result email that each party receives after a CMO review, you may see under an individual party's results:

NOT CERTIFIED:

- If the individual party's CMO Review finds there are still deficiencies outstanding, but matter has been Certified and a CMO Conference can be booked, the CMO cannot reject or snooze the other party.
- The other party will be notified that their MIT Package remains "Not Certified".
- Party with deficiencies will also be advised they can still attempt to correct their deficiencies and file new material up until the MIT Conference.
- Any new materials filed will not be reviewed by CMO.
- It will be at the discretion of the MIT Justice whether late-filed response materials, applications, or cross-applications will be reviewed or considered at the MIT Conference.

NOT REVIEWED:

- If a party, usually the MIT Respondent, files documents late and are not reviewed by the CMO, they will not receive a checklist. They will simply be told their matter was late, so it was not reviewed.

Correcting deficiencies during Snooze period

If your matter is snoozed, you will receive a CMO Checklist that outlines the deficiencies in your MIT Package. During the snooze period, you can take steps to correct the various deficiencies.

You will have to file and/or upload new or previously missing materials to the MIT Package plus ensure the other party is properly served with the new or previously missing documents and provide proof of service, usually by way of a filed Affidavit of Service, during the snooze period.

How File Documents during the Snooze period?

If you are a lawyer using the Justice Digital portal to submit documents and are required to submit only *previously* filed documents (already stamped), you must submit them by email in your Judicial District with the subject line "Action # [Insert] - CMO Request". If you are required to submit previously unfiled documents (or a combination of filed and unfiled documents), please use the "New Filing Request" option and select "Mandatory Intake Triage". If you are a self-represented party, you may submit your documents by email as described above or you may attend in person at the court counter to where you filed your original documents, advising the clerk that the documents are intended to correct deficiencies in your MIT application.

TAKE NOTE

📌 Newly prepared documents must be SWORN, FILED AND SERVED During the Snooze Period.

If you prepare new court documents such as a new Financial Disclosure Statement or a new Participation in ADR Form, you must ensure the new documents have been properly signed and sworn (if necessary), then filed in Court, then served on the other side and submit or upload proof the other side was served with the newly filed document, usually by filing an Affidavit of Service.

If service of new documents is required, it is not necessary to serve the entire MIT Package on the other side again; you only need to serve the new documents.

Common Deficiencies and how to correct

1. Financial Disclosure Statement and Supporting Documents

- failure to provide "recent' paystubs and/or bank statements

- failure to provide BOTH Tax Return and Notice of Assessment for each year

- failure to provide disclosure information for all outstanding issues in the family matter

To correct:

- A new complete Financial Disclosure Statement with supporting documents will need to be prepared. The new Financial Disclosure Statement must include all the old and new documents together; it is not enough to file an Update Financial Disclosure Statement with just the previously missing documents.
- Once the new FDS is completed, party must swear the new document.
- New, sworn document must be filed in court
- Filed FDS must then be served on the other party. Note: Just the new FDS and supporting documents need to be served; a complete MIT package does not need to be reserved.
- Proof of service, usually by way of an Affidavit of Service, must be filed.

2. Participation in ADR

- failure to address all outstanding issues in the family matter at the ADR

To correct:

- Parties must attend ADR to address the outstanding issues not previously addressed
- Prepare a new Participation in ADR form and have party sign
- File the new, signed Participation in ADR form in court
- Serve filed Participation in ADR form on other side
- Proof of service not required for this form

3. Document not properly served on the other side

- failure to personally serve an FL18 Family Application post Divorce Judgment
- failure to provide any proof of service of a commencement document or Application
- failure to personally serve a document that requires personal service

To correct:

- Take steps to personally serve the document on the other side
- Prepare a new Affidavit of Service sworn by person who served documents to the party
- File new Affidavit of Service in court

OR

- Obtain an Order from Applications Judge stating service if the documents are deemed good and sufficient despite not personally served
- Submit or upload the Order

4. Commencement Documents/Documents that Start the Action or Expand the Issues in the Action

- failure of MIT Applicant to provide all of the documents that have been filed and served by both the MIT Applicant and the MIT Respondent

To correct:

- Submit or upload a copy of the missing documents

No proof of service required

CMO Decision Matrix: CERTIFY / SNOOZE/ REJECT

This table is a quick reference. It does not replace the detailed chapter guidance or Justice direction, but it helps reviewers choose the likely result pathway.

Situation	Certify	Snooze	Reject	Notes
Missing Commencement Documents and All Other Documents Expanding Issues	No	Yes	If not corrected after snooze	May be only a 7-day snooze if just need to upload previously
Service of Commencement Documents	No	Yes	If not corrected after snooze	May be only a 7-day snooze if just missing a previously filed document that can be easily uploaded.
Missing Proof of Service for Commencement Documents	No, unless accepted substitute applies	Yes	If not corrected after snooze	A specific response to the document may be a valid substitute and service can be verified without Affidavit of Service.
Technical Service Deficiency with Effective Notice Apparent	Possible	Sometimes	Usually No	CMO will flag for the MIT Justice when proceeding despite a technical defect.
Missing Financial Disclosure Statement at First Review	No	Usually	Not usually at first review	Snooze allows a party to provide a complete sworn/affirmed statement and service proof.
Deficient Financial Disclosure Statement after Snooze	No, unless waiver/ Justice direction applies	No	Usually	May be rare opportunity to snooze a second time when FDS was missed due to clerk or CMO error in first instance OR if party was not required to provide disclosure until other party made an application/cross application

Situation	Certify	Snooze	Reject	Notes
				and FDS provided with new Response during Snooze period.
MIT Respondent Raised New Issues such as Financial / Property Issue	Usually No	Usually	No	Applicant may need an opportunity to respond and provide ADR or disclosure materials.
ADR Not on All Issues as Listed in Commencement Documents / Pleadings	No	Yes	If not corrected/ no new waiver/ deferral uploaded	
Respondent Materials Filed but No Application	No	Only if MIT Applicant also snoozed	Depends on Applicant/ file status	

See Appendix D, for various scenarios that may further assist in determining when a matter is snoozed, rejected or certified.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

Page 1 of 3 | How a matter reaches CMO Review

GATEKEEPER RULE
An Affidavit of Service of the MIT Package must be filed before any party materials appear on the CMO Dashboard.

THE CMO REVIEW CLOCK

1 SERVE THE MIT PACKAGE
The date the other party is served starts the timing calculation.

2 FILE AFFIDAVIT OF SERVICE
The lawyer must record the service date in Justice Digital. For self-represented litigants, the Clerk will record the service date. The filing date does not start the 14-day clock.

3 14 -DAY RESPONSE PERIOD
The respondent may submit materials during the 14 days following service.

4 DAY 15: DASHBOARD
On the 15th day after service, the matter appears on the CMO Dashboard in chronological order for first-come, first-served review.

LATE AFFIDAVIT
If proof of service is filed after the 14 days have passed, all filed materials appear on the CMO Dashboard almost immediatel y.

ROLE AND PURPOSE OF THE CMO

WHO IS THE CMO?
A senior Court lawyer familiar with the FFP, Mandatory Requirements, family disclosure, Rules and Court procedures.

WHAT DOES THE CMO DO?
Reviews the filed MIT Package materials to determine whether the matter is procedurally ready for an MIT Conference.

WHY REVIEW IS REQUIRED
The Court is a court of record. Appropriate documents and evidence must be properly filed and served so decisions can be made fairly.

THE CENTRAL QUESTION
Is at least one party's MIT Package complete enough to proceed to a Justice?

DASHBOARD LIMIT
Once a result is entered, the matter leaves the Dashboard. Snoozed matters return only when the snooze period expires.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

CORE CMO CHECKLIST AREAS

MANDATORY REQUIREMENTS

ADR and disclosure requirements, or a Justice-granted waiver or deferral, with proof uploaded.

COMMENCEMENT DOCUMENTS

Correct filed pleadings match the unresolved issues and relief being advanced.

SERVICE OF PLEADINGS

Personal service where required, or service under an Order, with acceptable proof.

MIT FORMS

Request for MIT Conference, MIT Summary, and complete-enough application materials where interim relief is requested.

FINANCIAL DISCLOSURE

FDS sections, schedules, supporting records, service proof, Notice to Disclose material and Cunningham disclosure where applicable.

INTERIM RELIEF

FL-18 where required, a new supporting Affidavit or Statement, and proof of service.

INITIAL REVIEW → SNOOZE REVIEW

INITIAL REVIEW

The CMO reviews the Applicant's package and timely Respondent materials. Each item is marked Verified or Deficient, with reasons for deficiencies.

FINAL REVIEW AFTER SNOOZE

At expiry, the matter automatically returns to the assigned CMO. New correction documents from the snoozed party are reviewed. Late Respondent materials are visible but not reviewed.

THREE CMO CHECKLIST STREAMS

PRE-JUDGMENT / FLA

Applicant packages and Respondent packages with an Application or Cross-Application.

POST-JUDGMENT / FINAL ORDER

Applications after Divorce Judgment, final Family Law Act Order, or property judgment.

RESPONDENT RESPONSE ONLY

Respondent materials without an Application or Cross-Application.

LATE MATERIALS

Late Respondent documents may appear on the Dashboard but are not reviewed by the CMO and do not affect the final CMO result.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

Page 3 of 3 | Certify, Snooze or Reject

ONE MATTER | ONE OVERALL STATUS

STATUS RULE

The matter as a whole can have only one result at a time, even if the parties have different individual package results.

CERTIFY

Complete enough to proceed. A booking link is issued. The MIT Conference must be scheduled within 30 days or certification expires. A deficient party may continue correcting until the conference, but new material is not CMO-reviewed.

SNOOZE | 7 OR 15 DAYS

Pauses review to correct deficiencies or permit a response/reply. Usually one snooze. Returning snoozed matters are reviewed before new matters. No response or reply is required merely because the opportunity was provided.

REJECT

Closes the MIT request. To continue, restart with corrected materials, a new MIT Request and Summary, service of the new package, and a new Affidavit of Service.

COMMON RESULT PATHWAYS

MISSING PLEADINGS OR SERVICE

Usually Snooze first. Reject if not corrected after the snooze, unless an accepted service substitute applies.

MISSING OR DEFICIENT FDS

Usually Snooze at initial review. Deficient disclosure after snooze usually leads to rejection unless a waiver or Justice direction applies.

ADR NOT ON ALL ISSUES

Snooze to correct or upload a waiver/deferral. Reject if the deficiency remains.

TIMELY CROSS-APPLICATION

Review may proceed independently. A complete Respondent application can support certification even if the Applicant package is deficient.

MANDATORY RESPONSE / REPLY SNOOZE

15-DAY SNOOZE

When a timely Cross-Application permits an Applicant response and Respondent reply, the matter must be snoozed for 15 days.

7-DAY SNOOZE

When only one reply remains available, a 7-day snooze may be used.

ADDITIONAL INDIVIDUAL PARTY RESULTS

UNCERTIFIED The matter is certified, but one party still has deficiencies. That party may correct before the MIT Conference; consideratio n is at the Justice's discretion.

NOT REVIEWED Late-filed materials were not reviewed by the CMO and no checklist is issued for those materials.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

Step 5: Schedule a Mandatory Triage Intake Conference

🎉 YOU DID IT!! 🎉

Your MIT Package was certified by the Case Management Officer (CMO). Now, you are all set to book your Mandatory Triage Intake Conference to meet your Justice.

If your matter has been certified, you will have received an email from the Case Management Officer advising one or both of the parties have been certified.

Recall, a family matter will have only one (1) final result, while each party can have different results for their respective MIT Package. If you receive a CMO email stating your matter is Certified, the certified party can book the MIT Conference even if the other party has a result of "Not Certified" or "Not Reviewed."

A link will be included that sends you to an on-line booking request form to book your MIT Conference. Complete this form and submit to the appropriate Court Coordinator.

You, the parties, are expected to work together and find a date for the MIT Conference that is agreeable to both of you as both of you are expected to attend the MIT Conference. If you are unable to agree on a date or if the other party is not responding to your requests and you have made reasonable efforts to reach an agreeable date, after 5 clear days, you may book the date without consent of the other party and provide the other party with reasonable notice of the scheduled date.

You MUST book the MIT Conference **within 30 days** of receiving your certification email from the Case Management Officer. If you do not submit the booking request form within the 30-day period, the confirmation from the CMO that your MIT Package was certified becomes void, and

you must start over at Step 3, and resubmit for filing your MIT Package, re-serve it and upload the Affidavit of Service to restart the CMO review.

TAKE NOTE
You must BOOK the MIT Conference within 30 days of receiving email, but you do not have to ATTEND the MIT Conference with 30 days. The date of your MIT Conference can be more than 30 days after receiving your certification email from CMO.

After submitting the booking request form, your matter will be assigned to a 1-hour initial MIT Conference with a Family Roster Justice. The Justice assigned to your matter will be your MIT Justice/Case Conference Justice who will work with your family until the matter is resolved or goes to trial.

If need to adjourn the MIT Conference or Case Conference to a new date

If the adjournment request is 8 clear days or more prior to the parties scheduled MIT Conference or Case Conference, party(s) can complete the Request for Advice and Direction or Meeting with Case Conference Justice CTS15003 form requesting the adjournment and submit the request in Justice Digital if a lawyer and via email if self-represented, and the assigned Justice will either grant or deny the adjournment.

If within 7 clear days of the scheduled MIT Conference or Case Conference, the parties must appear and request the adjournment in person.

STEP 5 | SCHEDULE THE MIT CONFERENCE

Your MIT Package has been certified. You are ready to schedule the first conference with your assigned Justice.

1 CERTIFICATION EMAIL RECEIVED

The CMO email confirms that the matter is Certified and includes the online booking-request link. A certified party may book even if the other party's individual result is Uncertified or Not Reviewed.

2 COMPLETE THE ONLINE BOOKING REQUEST

Use the link in the CMO email. Work together to identify dates agreeable to both parties, because both parties are expected to attend. Submit the completed request to the Court Coordinator.

3 SUBMIT THE REQUEST WITHIN 30 DAYS

The booking request form must be submitted within 30 days of receiving the CMO certification email. If the request is not submitted within 30 days, the certification becomes void.

BOOK WITHIN 30 DAYS ≠ ATTEND WITHIN 30 DAYS

The booking request must be submitted within 30 days. The actual MIT Conference may take place more than 30 days after certification.

IF CERTIFICATION EXPIRES

Return to Step 3:
- resubmit the MIT Package in Justice Digital
- serve the new package
- file the Affidavit of Service
- restart CMO Review

AFTER THE REQUEST IS SUBMITTED

The matter is assigned to a one-hour initial MIT Conference with a Family Roster Justice. The assigned Justice becomes the MIT Justice / Case Conference Justice.

THE ASSIGNED JUSTICE The MIT Justice / Case Conference Justice will generally work with the family until the matter is resolved or proceeds to trial.

NEXT: STEP 6 | ATTEND THE MANDATORY INTAKE TRIAGE CONFERENCE

High-level overview only. Consult the certification email and FFP Manual for complete booking directions.

Step 6: Attend the MIT Conference

When the day arrives, you and the other party will have the opportunity to attend the MIT Conference with your assigned Justice.

Your MIT Justice/Case Conference Justice is a member of the Family Roster. Justices on the Family Roster have special training and experience in Family Law and are dedicated to assist parties in family matters. While your Justice can make legal decisions about your matter and will, if necessary, your Justice will also still try to ease the conflict and help you find amicable resolutions for your family whenever possible.

The MIT Conference is scheduled to be a one-hour session. It will take place in a courtroom at your local courthouse. A Court Clerk will be present, and your conference will be "on the record," which means that everything said will be recorded and saved.

Parties and their lawyers, if represented, are expected to attend the MIT Conference in person. Remote hearings will be permitted only when approved in advance by the Justice in appropriate circumstances (parties seeking a remote hearing may make a request by completing the Hearing Mode Request Form).

Purpose of an Initial MIT Conference

The purpose of the MIT Conference is for the parties and their counsel, if have lawyers, and the MIT Justice to fully discuss and "triage" the family matter to better understand all of the outstanding issues that need to be resolved and to determine the best steps towards resolving each issue. You will discuss every issue at the MIT Conference, this is why you were expected to have already attended an ADR on all issues and provide disclosure for all issues.

The MIT Conference is set to grant relief (including interim, post-divorce judgment relief, procedural, some types of final relief) and prepare the parties for the Settlement Conference or to move forward in the process. For example, the MIT Justice at the MIT Conference may:

- Grant interim relief based on the applications brought by the parties, for example: interim orders for child support, spousal support, parenting, decision-making, or advance costs, etc.
- Set procedural orders to outline steps to be taken with deadlines to move the matter toward a final resolution
- Grant orders with the consent of both parties
- Order Practice Note 7 or Practice Note 8 reports
- Appoint counsel for the children
- Assist parties in determining the need for: appraisals, valuations, other professional assistance, further disclosure, etc.
- Refer matters directly to meet with a Resolution Counsel to prepare a litigation plan or get set for trial
- Mediate (usually where no interim relief is sought)

This list is provided as an example. It is not exhaustive.

The MIT Justice will also assess accommodations or special needs for the Settlement Conference. For example, the MIT Justice will assess:

- Security needs;
- The needs associated with any domestic violence;
- Accommodations such as wheelchair accessibility, hearing aids, etc.;
- The need for a culturally specific approach (e.g., Elder, smudging, pastor);
- The need for the child(ren)'s voice, including the possibility of a judicial interview of a child;

- The need for a binding or non-binding Settlement Conference

This list is provided as an example. It is not exhaustive.

Preparation for MIT Conference

Both parties and their lawyers, if represented, are expected to be prepared to discuss all unresolved issues for the family at the MIT Conference. Have relevant information with you and be prepared to answer questions about the various issues.

If asking the Court to make decisions and orders with a filed Application or Cross Application, you must have all documents with you and appropriate evidence to present to the MIT Justice.

Be prepared to make proper legal arguments as to why or why not the requests should be granted by the MIT Justice.

For issues where you are not asking the Court to make an order, you do not need to be as prepared as you would be for a trial or hearing. However, you should still know whether any further information or evidence is needed to help resolve the matter, and what steps may still need to be taken, such as obtaining expert reports or appraisals.

If possible, also be prepared to discuss or negotiate settlement on some or all the issues as the MIT Justice can also grant Orders both parties agree to at the MIT Conference.

Where EPOs, Restraining Orders, or Criminal Proceedings Exist

Parties or their lawyers, if represented, are expected to keep their MIT Justice apprised of any protection orders or criminal proceedings that occur during the process. This includes providing the MIT Justice with information about trial dates and release conditions in any criminal matter or the date for a *viva voce* hearing in a protection order matter.

Please upload the original EPO granted and the final order on the matter, or other form of Restraining Order, in your MIT Package.

STEP 6 | ATTEND THE MIT CONFERENCE

Meet with your assigned MIT Justice and move your family matter toward resolution.

1 ATTEND THE MIT CONFERENCE

The conference is scheduled for one hour at the local courthouse. Parties and lawyers are expected to attend in person unless remote attendance is approved in advance through a Hearing Mode Request.

YOUR ASSIGNED JUSTICE

A Family Roster Justice with specialized family-law training and experience. The Justice may make legal decisions while also encouraging amicable resolution and reducing conflict.

COURTROOM & RECORD

A Court Clerk is present. The conference is on the record, meaning everything said is recorded and saved.

THE JUSTICE MAY

- Grant interim, procedural, consent or some final relief
- Set deadlines and directions
- Order Practice Note 7 or 8 reports
- Appoint Child's Counsel
- Direct disclosure, appraisals or valuations
- Refer to Resolution Counsel or mediate

PREPARE TO DISCUSS

Be ready to discuss every unresolved issue, answer questions, identify missing evidence or professional assistance, and explore settlement. Bring all materials needed for any Application or Cross-Application.

IF ASKING FOR ORDERS

Bring the filed Application or Cross-Application, supporting documents and appropriate evidence. Be prepared to make legal arguments about why the requested relief should or should not be granted.

ACCOMMODATIONS & SPECIAL NEEDS

The Justice may assess safety and domestic violence concerns, accessibility, cultural or restorative supports, the child's voice, and whether the Settlement Conference should be binding or non-binding.

EPOs, RESTRAINING ORDERS & CRIMINAL PROCEEDINGS

Keep the MIT Justice informed about protection orders, criminal proceedings, trial dates, release conditions and viva voce hearing dates. Upload the original EPO and final Order, or another Restraining Order, in the MIT Package.

NEXT: STEP 7 | FOLLOW THE MIT REPORT, ORDERS AND DIRECTIONS

Examples are not exhaustive. Consult the FFP Manual and the MIT Justice's directions for complete requirements.

Step 7: After the MIT Conference

The primary goal of the new Family Focused Protocol is resolution. If resolution is not possible, then the goal is to proceed to trial as soon as possible.

At the MIT Conference, if final resolution was not reached, the parties and the MIT Justice would discuss what the parties may need and what further steps should be taken to proceed to a further attempt at resolution and/or a trial. The MIT Justice may have made an order or orders, with deadlines, setting out some of the next steps that need to be taken. For example, parties may be directed to provide more financial documents or to hire an expert to appraise the value of some of the property. It may have been decided an expert was to be hired to prepare a report about the children before can deal further with parenting matters.

After the MIT Conference, the Justice will prepare a **Mandatory Intake Triage (MIT) Conference Report**. Orders made at the MIT Conference will be prepared by the lawyer(s) or, if both parties are self-represented, a CGO Clerk will prepare the orders. The MIT Conference Report and orders will provide guidance for next steps to be taken and may grant leave to schedule further meetings such as a Case Conference meeting with your MIT Justice or a Settlement Conference with a new Justice.

Possible Next Steps

Situation	What the Parties Must Do
No deadlines were set and the parties are ready to proceed	Complete the Joint Request for Settlement Conference Date form and submit for filing using the booking request form.
Deadlines were set	After all deadlines have been met, complete the Joint Request for Settlement Conference Date form and submit for filing using the booking request form.
A party is in default and in not participating	The MIT Justice may set the matter down for a streamlined trial.

Further Meetings with Your Assigned Justice

The Justice you met with at the MIT Conference (MIT Justice) will continue to be your assigned Justice throughout the Family Focused Protocol **Regular Family Process** to help move your matter to resolution or, if a resolution cannot be reached, to trial. Your assigned Justice will now be referred to as your **Case Conference Justice**.

Multiple interim applications will be discouraged.

When You Will Have Further Meetings with Case Conference Justice

There are two ways you may set another meeting with your Case Conference Justice:

1. A follow up meeting was planned at your MIT Conference, and permission was granted to book a second meeting in the MIT Report or Order.

   If permission is granted in the MIT Report, you need to complete the booking request form, and the Case Conference will be scheduled.

2. A new issue arises and you need a decision made that cannot wait until trial.

   Parties may also request a Case Conference with their assigned Justice. You must fill out the **Request for Advice and Direction or Meeting with Case Conference Justice** (Form CTS15003) form and submit it as a desk application via e-mail (or can also submit in person if self-represented). The **Request for Advice and Direction or Meeting with Case Conference Justice** will go to your MIT/Case Conference Justice for review and determination and an endorsement will be issued with the Court's decision.

   If the endorsement grants you leave to attend a court hearing, you must fill out the booking request form, and the hearing will be scheduled. You must follow any directions or deadlines in the endorsement.

If Your Matter is URGENT

Where the Matter is URGENT

If an urgent matter arises *after* you have been assigned a MIT/Case Conference Justice or after the initial MIT Conference, parties need to have urgent matters dealt with by your assigned Justice. Complete the Urgent Request Form but ensure you answer the question asking if you have an assigned MIT Justice and enter the name of your assigned Justice. The MIT/Case Conference Justice will determine whether the request is urgent, whether they are able to respond to the urgent request, or whether it should be sent to urgent matters chambers if it cannot be heard by the MIT/Case Conference Justice.

Where an Urgent Matter Requiring Viva Voce Evidence is Required

If an urgent matter requiring *viva voce* (verbal) evidence is required after your initial MIT Conference, approval from the Chief Justice or the Associate Chief Justice must be sought by the parties.

> *Example:*
>
> You have had your initial MIT Conference and been assigned a MIT/Case Conference Justice, but you require an expedited trial for mobility. You must make the request to the CJ or ACJ.

STEP 7 | AFTER THE MIT CONFERENCE

Follow the MIT Report, Orders, deadlines and directions for the next stage.

MIT REPORT & ORDERS

The MIT Justice completes the MIT Report, signs Interim or Procedural Orders, and sends the Report by email. Review all deadlines and scheduling leave.

CHOOSE THE NEXT PATH

READY FOR SETTLEMENT

If no deadlines were set, complete the Joint Request for Settlement Conference Date and submit the booking request.

DEADLINES WERE SET

Complete every deadline first, then submit the Joint Request and booking request. Upload the Scheduling Confirmation in Justice Digital.

PARTY IN DEFAULT

The MIT Justice may set the matter down for a streamlined trial.

CASE CONFERENCE

The MIT Justice becomes the Case Conference Justice. Attend if directed in the MIT Report or if leave is granted after a request.

INTERIM APPLICATIONS

Multiple interim applications are discouraged unless justified and the relief cannot wait until trial. The primary goal is re solution.

REQUESTING A MEETING AFTER MIT

REQUEST FORM

File the Request for Meeting with Case Conference Justice in Justice Digital, or by email filing if self-represented. Follow the endorsement and any deadlines.

URGENT MATTER

Use the same request form. The assigned Justice decides urgency and whether the matter can be heard or should go to Urgent Matters Chambers.

VIVA VOCE / EXPEDITED TRIAL

Urgent matters requiring viva voce evidence require approval from the Chief Justice or Associate Chief Justice. This includes a request for an expedited mobility trial.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

Step 8: Attend Settlement Conference

After the MIT Conference, if the parties are ready to move forward and some issues remain unresolved, most matters will be expected to make another attempt at resolution. This usually happens through a Settlement Conference. A new Justice will meet with the parties for up to 2.5 hours and help guide a formal dispute resolution process aimed at reaching an agreement.

Sometimes you won't have to attend a Settlement Conference:

- If your assigned Justice determines the parties are too far apart and the matter should go straight to trial; or,
- If one of the parties in not involved

A Settlement Conference occurs only after all procedural orders have been complied with and full disclosure has been exchanged. This ensures the parties have narrowed the issues and can focus on the crux of the dispute. It also allows the Settlement Conference Justice to provide judicial guidance to encourage settlement of all issues. When prepared, the parties will be instructed to book the Settlement Conference.

The Settlement Conference will usually be conducted by a different Family Roster Justice to allow the parties a fresh set of eyes on their matter and to avoid potential conflict between adjudicative and mediation functions of a Justice previously involved with a family.

If no conflict exists and the parties provide consent for the MIT Justice to conduct the Settlement Conference, the MIT Justice may agree to conduct the Settlement Conference.

Booking a Settlement Conference

- You must have permission from your assigned Justice to book a Settlement Conference. Permission will be in a Report from your assigned Justice or in a procedural order. If you do not have permission, you can ask for permission using the Request for Advice and Direction or Meet with Case Conference Justice form (CTS 15003).

- Complete the **Joint Request for Settlement Conference Date Form.**

- Upload it to Justice Digital for filing or submit it by email filing if self-represented.

- Once filed, complete the booking request form using the link in the Joint Request form.

GOOD FAITH REQUIRED

Parties are expected to attend in good faith. Using the process as a "dry run" for trial is discouraged. Parties should be ready to provide settlement offers on all outstanding issues.

Unable to Agree on the Joint Request Form?

If the parties cannot agree and therefore cannot complete the Joint Request for Settlement Conference Date form, the parties will have to return to their assigned Case Conference Justice for a Case Conference where the Justice may pick the date for the parties. To arrange a Case Conference, submit a **Request for Meeting with Case Conference Justice form** to seek direction from the assigned Case Conference Justice.

Preparation For Settlement Conference

Parties are expected to be fully prepared in advance of the Settlement Conference. A different Justice will meet with the parties at the Settlement Conference; they will not be familiar with your matter.

Settlement Memorandum

The Settlement Memorandum must be sent to the Case Conference Coordinator and served on the opposing party 14 days before the scheduled Settlement Conference. Review the instructions on the Court's FFP webpage and **NPP #2025-04**.

No other documents may be submitted for the Settlement Conference. Parties are not permitted to attach affidavits to the Settlement Memorandum or file/upload affidavits or other documents in addition to the Settlement Memorandum.

What the Settlement Memorandum Must Include

- A detailed list of the issues and sub-issues in dispute.
- The party's position on each issue or sub-issue.
- A brief overview of the facts and evidence relied on for each issue.
- ChildView or DivorceMate calculations for child or spousal support, and/or a property distribution spreadsheet.
- Any case law relied on, with no more than two cases for each issue.
- The Settlement Memorandum must be in letter form and must not exceed 8 pages, plus permitted attachments.

Permitted Attachment	Requirement
ChildView or DivorceMate Calculations	For child and/or spousal support
Property Distribution Spreadsheet	Attach where property is in issue
Case Law	Provide links only. Do not provide copies of each case.

Where to Submit the Settlement Memorandum

Region	Email
Red Deer and all locations south of Red Deer, including Calgary	CaseConferenceCoordinator.KBJCalgary@albertacourts.ca
Wetaskiwin and all locations north of Wetaskiwin, including Edmonton	CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca

Accommodations and other requirements for Settlement Conference

The parties and their Justice will have discussed in advance any and all requirements for the Settlement Conference to run smoothly and arrangements will be made in advance. You may need to consider and plan in advance:

- The need for an interpreter
- Need for support worker, pastor, or Elder to attend
- Ways to include voice of the child at the Settlement Conference

Binding Settlement Conference

If the parties are agreeable, they can request a Binding Settlement Conference with a Justice who is also agreeable to conduct a Binding Settlement Conference. Arrangements must be made, in advance, with your Case Conference Justice.

A **Binding Settlement Conference** is when the parties and the Settlement Conference Justice all agree that the Justice can make a final fully binding decision on all matters if an amicable resolution cannot be reached. This means your family matter would end here without a trial. A judicial decision would be reached based on the information the parties provide the Settlement Conference Justice at the Settlement Conference.

If arrangements are made to attend a Binding Settlement Conference, the assigned Settlement Conference Justice may want to hold a short Pre-Settlement Conference meeting with the parties to discuss and agree upon the process in detail prior to attending the Binding Settlement Conference. If the assigned Settlement Conference wants a pre-meeting, the court will contact the parties/counsel to make arrangements; do not contact the court.

After the Settlement Conference

Once the Settlement Conference Is Complete

The Settlement Conference Justice will complete the Settlement Conference (SC) Report. It will be emailed to the parties and placed on the Court file. The terms of any settlement agreement reached will be included. If all issues are not settled, the report will not include the settlement discussions.

Outcome	Next Step
All Issues Resolved	Counsel will prepare orders, or the Court Generated Orders (CGO) Clerk will prepare them where both parties are self-represented. The Justice will sign the orders, and they will be filed and provided to the parties.
All Issues NOT Resolved	Prepare for trial. Represented parties will be referred to a Rule 4.10 Case Conference with the assigned MIT/Case Conference Justice. Where there is a self-represented litigant, parties will be referred to Resolution Counsel for a Litigation Plan.

STEP 8 | SETTLEMENT CONFERENCE

Page 1 of 2 | Book, prepare and participate in good faith

BOOK THE CONFERENCE

Complete and file the Joint Request for Settlement Conference Date, then use its booking link. If parties cannot agree, request direction from the Case Conference Justice.

BEFORE BOOKING

Procedural Orders must be complied with and full disclosure exchanged so the issues are narrowed.

GOOD FAITH REQUIRED

Attend to pursue settlement, not as a dry run for trial. Be ready to provide settlement offers on all outstanding issues.

WHO CONDUCTS IT

Usually a different Family Roster Justice. If no conflict exists and all parties consent, the MIT Justice may conduct it.

LENGTH

The Settlement Conference is booked for 2.5 hours.

ACCOMMODATIONS

Directions may address interpreters, accessibility, cultural or restorative supports, and the child's voice.

SETTLEMENT MEMORANDUM | 14 DAYS BEFORE

CONTENT

List issues and sub-issues, position on each, concise facts and evidence, calculations or property spreadsheet, and no more than two cases per issue.

FORMAT & ATTACHMENTS

Letter form, maximum 8 pages plus permitted attachments: ChildView or DivorceMate calculations, property spreadsheet, and links to case law only.

CALGARY / SOUTH

Send to CaseConferenceCoordinator.KBJCalgary@albertacourts.ca

EDMONTON / NORTH

Send to CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca

SERVICE

Send the Memorandum to the Coordinator and serve the opposing party 14 days before the conference.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

STEP 8 | SETTLEMENT CONFERENCE

Page 2 of 2 | Conference options, report and outcomes

BINDING CONFERENCE

The Justice must consent and the parties must sign the Binding Settlement Conference Agreement provided by the Justice.

CHILD'S VOICE

The MIT Justice canvasses how the child's voice will be heard. A judicial interview remains at the Justice's discretion.

SETTLEMENT CONFERENCE REPORT

The Justice completes the SC Report, emails it to the parties and places it on the Court file. Any agreement terms are included; unsuccessful settlement discussions are not.

OUTCOME

ALL ISSUES RESOLVED

Counsel prepares Orders, or the Court Generated Orders Clerk does so if both parties are self-represented. The Justice signs the Orders and they are filed and provided to the parties.

ISSUES REMAIN

Represented parties go to a Rule 4.10 Case Conference. Where there is a self-represented litigant, parties are referred to Resolution Counsel for a Litigation Plan.

NEXT PATH

Resolved matters move to final Orders. Unresolved matters move to Step 9 for Litigation Planning, a Rule 4.10 Case Conference or Pre-Trial preparation.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

Step 9: Prepare For Trial

If resolution cannot be reached, then it is time to prepare for trial. There are steps to be taken to ensure everyone is ready for a trial before dates can be scheduled. What steps must be taken will depend on what issues need to be resolved at trial. Some steps will include:

- Exchange additional disclosure and/or updated disclosure
- Complete any further Questioning
- Exchange expert reports
- Determine witnesses and prepare witness briefs
- Attempt to agree on some facts and exhibits

You will need to prepare a **Litigation Plan.** A template Litigation Plan Order can be found on the Court's website under Family Law Forms.

There is also a Guide to Drafting a Litigation Plan Order (Family) for Self-Represented Family Law Litigants on the Court's website, on the Family Focused Protocol page.

Where There is a Self-Represented Litigant

Where an issue remains unresolved after the Settlement Conference, or where the MIT/Case Conference Justice determines that a Settlement Conference would be futile, the parties may be referred to Resolution Counsel to create a Litigation Plan.

- If a Litigation Plan is consented to with Resolution Counsel's help, it can be sent to the assigned MIT/Case Conference Justice for approval.
- If there is no consent, a Rule 4.10 Case Conference will be scheduled to finalize the Litigation Plan and move the parties toward trial. Parties can request this using the Request for Advice and Direction or Meeting with Case Conference Justice form (Form CTS15003)

Where Parties Are Represented by Counsel

- Counsel may be instructed to draft a Litigation Plan Order and provide it to the MIT/Case Conference Justice for approval.
- If both counsel agree, they may submit the designated form and proposed consent Litigation Plan Order. The Court must still approve it and may need to meet with counsel.
- If counsel cannot agree, the MIT/Case Conference Justice may hold a Rule 4.10 Case Conference to settle the terms. Parties can request this using the Request for Advice and Direction or Meeting with Case Conference Justice form (Form CTS15003)

Pre-Trial Conference (PTC)

After a trial date is set, the assigned MIT/Case Conference Justice may hold a PTC 90 days or more before the scheduled trial date to ensure trial readiness.

STEP 9 | FINAL STEPS BEFORE TRIAL

Use Litigation Plans, Rule 4.10 Case Conferences and Pre-Trial Conferences to ensure readiness.

CHOOSE THE LITIGATION-PLANNING PATH

SELF-REPRESENTED LITIGANT

Resolution Counsel may help create a Litigation Plan. A consent plan goes to the MIT/Case Conference Justice for approval. If no consent, a Rule 4.10 Case Conference finalizes the plan.

PARTIES REPRESENTED

Counsel may draft a Litigation Plan Order. If agreed, submit it for Court approval. If not agreed, the Justice may hold a Rule 4.10 Case Conference to settle the terms.

COURT APPROVAL REQUIRED

Even a consent Litigation Plan requires approval by the MIT/Case Conference Justice, who may need to meet with counsel.

PRE-TRIAL CONFERENCE

The assigned MIT/Case Conference Justice may hold a PTC 90 days or more before trial to ensure trial readiness.

READY FOR TRIAL

Complete the Litigation Plan, required disclosure, evidence preparation and procedural directions before the scheduled trial.

NEXT: STEP 10 | TRIAL AND FINAL DETERMINATION

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

Step 10: Trial

The anticipated goal is to have parties at trial within 18 months from the date of the Settlement Conference. Many factors may affect lead times, including issues that arise between the parties during the process.

Any Justice, other than your MIT/Case Conference Justice, Settlement Conference Justice, of the Court of King's Bench may be assigned to hear a family Streamlined Trial or Trial.

STEP 10 | TRIAL

FINAL DETERMINATION OF UNRESOLVED ISSUES

TRIAL

Any Justice of the Court of King's Bench may be assigned to a family Streamlined Trial or Trial.

ANTICIPATED GOAL

The anticipated goal is trial within 18 months from the Settlement Conference. Lead times may be affected by issues arising during the process.

PURPOSE

The trial Justice makes final decisions on unresolved family-law issues.

FROM SETTLEMENT CONFERENCE TO FINAL DECISION

LITIGATION PLAN

Complete the ordered steps, disclosure and evidence preparation.

TRIAL READINESS

Attend any Rule 4.10 or Pre-Trial Conference and comply with directions.

TRIAL

Present the unresolved issues for final determination.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

Filing Documents in Court

Where do I file the MIT Package?

All lawyers in Alberta must use their "My Justice Digital Account" to submit the MIT Package.

All out-of-province lawyers must use email filing.

Self-represented litigants are encouraged to use email filing and should use the email addresses in the section titled "Where to send your Filing" found here. Self-represented litigants can also file at the counter of the appropriate Court of King's Bench location.

How file Documents during the Snooze period?

If you are a lawyer using the Justice Digital portal to submit documents and are required to submit only *previously* filed documents (already stamped), you must submit them by email in your Judicial District with the subject line "Action # [Insert] - CMO Request". If you are required to submit previously unfiled documents (or a combination of filed and unfiled documents), please use the "New Filing Request" option and select "Mandatory Intake Triage". If you are a self-represented party, you may submit your documents by email as described above or you may attend in person at the court counter to where you filed your original documents, advising the clerk that the documents are intended to correct deficiencies in your MIT application.

Using the Date Picker in Justice Digital

When filing or uploading documents in Justice Digital that must be filed quickly as there is an upcoming deadline, lawyers are able to note the deadline date in the Date Picker. This will alert clerks to review and make best efforts to ensure documents are filed and available before the deadline entered by the lawyer. Only use the Date Picker if there is a true upcoming deadline such as a hearing date or end of a CMO Snooze period.

Uploading Documents in Justice Digital – Filed and Previously Filed

Step 3 Filing of Documents in Justice Digital to request an MIT Conference requires you to upload the required documents for the MIT Package. Justice Digital will prompt you to select "Previously Filed [Document]" or "[Document] To Be Filed".

Example: Mandatory Requirements

Justice Digital will prompt you for each Mandatory Requirement, and you have the option of selecting "Previously Filed [Document]," "[Document] To Be Filed," or "Previously Filed Waiver/Deferral" for each Mandatory Document.

If you have previously filed the document, upload it as "Previously Filed" which will show your documents as "courtesy copies" in the MIT Package in Justice Digital.

"To Be Filed" means you are submitting a document for the first time with your MIT Package, and it must be filed by the Clerk.

Each document must be uploaded separately when you are prompted to upload it.

DO NOT merge or combine "previously filed" or "to be filed" documents with your Request for MIT form or your MIT Summary document.

Example: PAS Certificate

If you have previously filed your PAS Certificate in Justice Digital (and completed PAS within the last 2 years) or it is on the Court's paper file, your PAS Certificate must be uploaded as part of your MIT Package. When you are logged in to Justice Digital and going through the steps to upload the documents for your MIT Package, you will select "Previously Filed PAS" and upload a courtesy copy of the previously filed PAS Certificate.

If you have never filed your PAS Certificate (and it was completed within the past 2 years), you must select the option "PAS to be filed" and upload the unfiled PAS Certificate.

Email Address Used when Filing MIT Package in Justice Digital

When filing your MIT Package, you will be prompted to enter an email address for the Applicant.

> **TAKE NOTE**
> **The email address you enter when filing your MIT Package is the email address that will be used for all CMO correspondence**

Ensure that you enter the email address that you want to receive all communications from the CMO, including the CMO MIT Checklist.

At this time, only one email address per party can be entered into Justice Digital. However, we are working to allow for an additional email to be entered, for example, an email for a legal assistant.

Where the Opposing Party Does Not Have Email or Refuses to Provide their Email

If the opposing party does not have an email address, or refuses to provide their email address to you, you need to obtain a substitutional service order. Once granted, you will upload the order into Justice Digital. In Justice Digital, you will enter the email contact for the Applicant in the boxes set up for the Respondent email; Applicant will then be responsible for serving all communication form the Case Management Officer (CMO) on the Respondent in accordance with the substitutional service order.

Other Considerations for Filing in Justice Digital

A file uploaded cannot exceed 100 MB. Documents larger than 100 MB can be filed in parts. Each part will be filed/uploaded separately so ensure to include a cover page for each part.

PN2 page limits apply to any files uploaded to Justice Digital.

Each document must be uploaded individually, as prompted in Justice Digital.

There is currently no KB Filing Digital Service (Family & Divorce) for self-represented litigants. There is interest in extending the service in the future to self-represented litigants, but there is no timeline for such functionality to be added.

Please note that Justice Digital is a filing service only. You are able to see the documents that you have filed under your own personal account. It does not store filed documents for parties to access and review. For example, you will not be able to see what a Respondent has filed in your action. Similarly, if you are a new lawyer to the file, you will not be able to see what a prior lawyer has filed.

Where To Submit the Settlement Memorandum

Per NPP#2025-04, the Settlement Memorandum materials must be sent by email to the following addresses:

- Red Deer and all locations south of Red Deer, including Calgary - CaseConferenceCoordinator.KBJCalgary@albertacourts.ca
- Wetaskiwin and all locations north of Wetaskiwin, including Edmonton - CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca

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King's Bench Filing – Family & Divorce Lawyer and Legal Assistant User Guide

In addition to this guide, please also see the **Lawyer and Legal Assistant User Guide, the Screencast tutorials with an example submission and the FAQs** available on the King's Bench Filing – Family & Divorce webpage.

The Desk Process

The Desk Process deals with procedural matters or time sensitive matters that can be resolved by a Justice without a MIT Conference or Case Conference. Under the Desk Process, parties only have to provide the required forms and documents for a Justice to review. Under the FFP, certain matters are handled by a Family Roster Justice while others are handled by any Justice of the Court of King's Bench.

Matters Before a Family Roster Justice

- Waiver or Deferral Requests for Mandatory Requirements
- Request for further Case Conference
- Request for Resolution Counsel Meeting
- Consent Orders
- Fiats where no MIT/Case Conference Justice has been assigned, applications under Family Practice Note 2 that require leave, such as exceeding page limits, extending filing deadlines

Matters Before Any Justice Under the Regular Desk Process

- Desk Divorce Applications
- Notice to Disclose Applications
- Non-Urgent or Non-Time-Sensitive Consent Orders
- Other Desk Applications, for example pension division orders

REMINDER

📌 Filing for Desk Process matters has not changed. Consult the Master List of Included/Excluded Matters on the Court's FFP webpage for further clarification.

Types of Desk Process Applications

Request for Waiver or Deferral of Mandatory Requirements

If required, the parties should seek a waiver or deferral of Mandatory Requirements before filing their MIT Package. If an MIT Package is snoozed or rejected because of non-compliance, a party may seek a waiver or deferral through the Desk Process. Without an approved waiver or deferral, the parties may not move forward in the FFP process.

TAKE NOTE

⚠️ The revised process is set out in Appendix B to the Notice to the Profession and Public: New Processes in Family Law – Family Focused Protocol. All forms are available on the Court's FFP webpage and Family Law Forms webpage.

Steps for Requesting a Waiver or Deferral

Step	Required Action
1	Confirm that a Commencement Document has been filed and served.
2	Consider whether the matter may qualify, including severe economic harm, refusal or inability to participate, a no-contact order, or other circumstances the Justice considers sufficient.
3	Complete Request to Waive / Defer Mandatory Requirements (CTS 13474), Desk Application to Waive Mandatory Requirements (KB233), and Notice to Respond to Waive Request (KB234).These documents are not filed at this stage.
4	Serve the opposing party with the unfiled Request to Waive / Defer Mandatory Requirements (CTS 13474), Notice to Respond to Waive Request (KB234), Response to Request to Waive / Defer Mandatory Requirements (KB235) in accordance with Appendix B of the Notice to Profession and Public.
5	Allow the Respondent 5 clear days to complete and return Response to Request to Waive / Defer Mandatory Requirements (KB235) directly to the Applicant or Applicant's counsel.

Step	Required Action
6	After 5 clear days, file the request, desk application, notice, and either the completed response or an Affidavit of Service.
7	Include any service order if service was dispensed with or completed under a service order.
8	A Family Roster Justice reviews the request. The Applicant **must serve** the resulting order on the Respondent whether the waiver/deferral was granted or denied.

Responding to a Waiver or Deferral Request

A Respondent has 5 clear days from service on them of the Waiver or Deferral Request to complete and return the Response to Request to Waive Mandatory Requirements directly to the Applicant or Applicant's counsel. If it is not returned within 5 clear days, the request will proceed to a Family Roster Justice for determination.

> **5 Clear Days** = 5 days, including weekends and holidays, not including day served. If the day lands on a weekend or holiday, must serve next business day after weekend or holiday.

Request for Resolution Counsel

A meeting with Resolution Counsel satisfies the ADR Mandatory Requirement.

Eligibility for a Meeting with Resolution Counsel

Where other mediation resources are unavailable, one party earns less than $90,000 per year, and one or both parties are self-represented, they may request Resolution Counsel mediation before proceeding under the Regular Family Process.

Generally, matters with two counsel are not eligible. However, a Family Roster Desk Justice retains discretion. In the request, you must clearly demonstrate:

1) There has been a good-faith four-way counsel settlement meeting; and,
2) The financial circumstances of the parties would create a financial hardship if they had to pay for private dispute resolution.

How to Request and Schedule

- Complete the Request for Meeting with **Resolution Counsel (RC) Desk Application, Form CTS14866**, and submit it through the email filing process, or if counsel can submit through Justice Digital.
- A Family Roster Justice determines whether to grant the request.
- If granted, you will be asked to provide mutually agreeable dates for the meeting. The meeting is scheduled for 2 hours and focuses on resolution of all major issues.
- Resolution Counsel meetings are province-wide, first-come, first-served, and held online via Webex.

For additional information about Resolution Counsel, please see the **Tips About Mediation with the King's Bench Resolution Counsel** document available on the Court of King's Bench FFP webpage.

Time-Sensitive Consent Orders

Time-sensitive consent orders fall under the Desk Process and are handled by a Family Roster Justice. These requests will follow the current FJS process. Please see the **Joint Announcement: Family Justice Strategy Desk Consent Order Process**.

An action must be started before a time-sensitive consent order can be submitted.

Consent Orders and Desk Divorce Applications

All other consent orders, except consent orders to appoint counsel for child(ren), and desk divorce applications will proceed through the Regular Desk Process. See below on how to request a consent order to appoint counsel for child(ren).

For example, where Minutes of Settlement are in place and parties wish to simply enter a consent order regarding parenting time and support, the usual Desk Process for consent orders and desk divorces applies.

For example, where a party wishes to bring an application to set aside a noting in default regarding a divorce action, if it is by consent, the usual Desk Process applies. However, if it is contested, the parties must enter the Regular Family Process of the FFP, and the application will come before the MIT Justice at the MIT Conference.

Notice to Disclose Applications

The Notice to the Profession and Public of May 8, 2020, NP 2020-05 sets out the criteria for desk applications for Notices to Disclose. A summary of the steps outlined in the NPP are outlined below but please consult the full Notice to the Profession and Public here.

1. The Applicant must file and serve a Notice to Disclose (Desk Application), and a blank form of Response to Request for Disclosure on the Respondent;
2. Within 1 month of being served, the Respondent must complete, file and serve on the Applicant:
    a) a Financial Disclosure Statement. This form is on the Court's website at https://cfr.forms.gov.ab.ca/Form/CTS13472.pdf; and
    b) only in those cases where complete disclosure is not provided, the completed Response to Request for Disclosure document to explain why the Respondent is not able to provide full disclosure (*this document must not include the disclosure documents, which are to be provided with the Disclosure Statement*).
3. Where the Respondent has not provided complete disclosure, and failing any agreement between the parties with respect to extensions of time or a consent order, the Applicant may submit a desk application to the Court by email to the locations and email addresses below, without further notice to the Respondent.

Request for Child's Counsel

There is a Special Process for Consent Counsel for Child(ren) Orders.

This applies where both parties have consented to an order appointing counsel for a child and you have *not* entered the Regular Family Process.

If requesting Legal Aid Alberta to assign counsel for the child(ren), you must prepare a joint letter of reasons to appoint child's counsel as well as the Legal Aid referral form. Do not submit a consent order. All requests must be sent to the designated Justice. Currently, Red Deer and South locations are sent directly to Justice Kachur, while Edmonton and North locations are sent directly to Justice Loparco.

If approved, the CGO clerk will prepare the order and send it directly to Legal Aid, copying the parties. Legal Aid will then contact the parties to arrange a meeting. This process will speed up and streamline the appointment of child's counsel. It is anticipated that child's counsel will be appointed within 30 days.

It is within the Court's *parens patriae* powers and sole discretion to determine whether counsel will be appointed for a child. Variations of the standard order clauses are not permitted except if the parties agree to a cost sharing arrangement that differs from the usual 50-50.

If both parties have consented to privately retain a lawyer to act as counsel for the child(ren), a draft consent order appointing the specific lawyer can be submitted for a Roster Justice to review. It remains in the Court's *parens patriae* powers and sole discretion to determine whether counsel will be appointed for a child.

Where Parties Disagree Whether Child's Counsel Should be Appointed.

Where parties disagree whether child's counsel should be appointed, they must proceed under the Regular Family Process. If they have already been assigned a MIT/Case Conference Justice, they shall contact their MIT/Case Conference Justice using the designated form.

Where Child's Counsel is Appointed at an Initial MIT Conference.

Where child's counsel is appointed at an initial MIT Conference, the ability to ask for a subsequent Case Conference with your MIT/Case Conference Justice to share the child's views and preferences and request interim relief will be determined on a case-by-case basis by the MIT/Case Conference Justice, depending on the circumstances. Any such requests will be made to the assigned MIT/Case Conference Justice using the designated form.

Fiats

What is a Fiat?

A Fiat is a direction or order granted by a Justice of the Court without a full hearing that allows something to be done despite not following all the rules.

Fiats granted under the Family Focus Protocol will primarily be orders allowing documents to be filed or submitted despite not meeting all the requirements set out in the Rules and/or Practice Notes. Most common Fiats will pertain to Practice Note 2 rules that set out page limits, deadlines and other requirements for affidavits and other documents to be filed in support of the parties' applications. Other common types of Fiats include a request to submit a draft Order more than 3 months after it was granted; or, permission to file an improperly formatted form.

Requesting a Fiat through Desk Process

Party/counsel MUST notify or attempt to notify the opposing party that they are going to request a Fiat and obtain their position.

Party/counsel must complete the Fiat Template - Family Practice Note 2 (KB027) and submit via email filing or upload through Justice Digital, if a lawyer, with the document the Fiat request is regarding. Submit document you need the Fiat for together with the Fiat as a "cover page" with your document; it will be filed/uploaded as one document. NOTE: While the title of this form states it is for Family Practice Note 2, this form can be used to request any Fiat in the Desk Process.

On Fiat form, explain what you are requesting and why your document should be allowed to be filed despite not following the orders or Rules. Also, include a note stating the opposing party's position or, if could not obtain the opposing party's position, outline what attempts were made to obtain the opposing party's position.

Urgent Fiats

For urgent Fiats, parties/counsel can attend Chambers to request a Fiat. Party/counsel must also notify opposing party, in advance, they are attending for an urgent Fiat. You should be prepared to advise the Justice whether the opposing party is consenting, not consenting or taking no position regarding your Fiat request. If no response from opposing party is obtained, party/counsel should be prepared to advise Chambers Justice what steps were taken to notify the opposing party.

DESK PROCESS

Matters decided through document-based processes

WHO HANDLES DESK MATTERS

FAMILY ROSTER JUSTICE

Waiver/deferral requests, Resolution Counsel requests, time-sensitive consent Orders, Notice to Disclose applications, and Practice Note 2 leave requests where no Justice is assigned.

ANY JUSTICE

Desk Divorce Applications, non-urgent or non-time-sensitive consent Orders, and other desk applications such as pension division Orders.

REMINDER

Desk Process filing has not changed. Consult the Master List of Included and Excluded Matters.

WAIVER OR DEFERRAL | KEY STEPS

PREPARE & SERVE

Confirm commencement documents were filed and served. Complete CTS13474, KB233 and KB234. Serve the unfiled request, notice and KB235 response form.

5 CLEAR DAYS

Allow 5 clear days for the response. Then file the request, desk application, notice, response or Affidavit of Service, and any relevant service Order.

ADR WAIVER

Reasonable ADR efforts are required. A single unanswered email and settlement correspondence are not ADR.

RESOLUTION COUNSEL

REQUEST & SCHEDULING

CTS14866 may be used where eligibility requirements are met. If granted, provide mutually agreeable dates. The two-hour meeting is online by Webex and focuses on resolution.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

The Urgent Process

What is an Urgent Matter?

Urgent matters are defined as:

- Risk of violence or immediate harm to a party or child, including exclusive possession applications where those criteria are met.
- Risk of removal of a child from the jurisdiction.
- Emergency Protection Order reviews.
- Urgent parenting-time, contact, or communication orders that cannot reasonably be delayed.

How it Works

4. Submit an urgent request.
5. The request is reviewed by a **Family Desk Roster Justice**.
6. If the Justice determines that the matter is urgent, a hearing date will be schedule.

Regardless of location, parties seeking an urgent hearing must file the **Urgent Request Form** with their unfiled draft application and supporting documents.

All urgent matters province-wide are vetted by a Family Desk Roster Justice.

If the Justice determines the matter is urgent, it will proceed to Urgent Matters Chambers or Family Chambers on a designated date.

After the urgent issue is addressed, any further relief must be sought through the Regular Family Process.

Already Assigned a Justice?

⚠️ **If an urgent matter arises after your matter has been assigned a MIT/Case Conference Justice, complete the regular Urgent Request Form and check box stating you have been assigned a Justice and name the Justice then submit it to Justice Digital, or by email filing if self-represented.**

Frequently Asked Questions

Question	Answer
Must Mandatory Requirements be completed first?	No. After the urgent or time-sensitive issue is addressed, the parties are expected to complete the Mandatory Requirements.
Must an action already be commenced?	No. Draft commencement documents must accompany the urgent request. The Court will file the draft commencement document. They can then be served with the urgent request if approved.
What if the urgent request is rejected?	The parties must enter the Regular Family Process.

URGENT PROCESS

Requests requiring immediate Court attention

SUBMIT THE URGENT REQUEST

File the Urgent Request Form with the unfiled draft application and supporting documents. A Family Desk Roster Justice vets urgent matters province-wide.

IF APPROVED

The matter proceeds to Urgent Matters Chambers or Family Chambers on a designated date. Further relief must then proceed through the Regular Family Process.

ALREADY ASSIGNED A JUSTICE

After the initial MIT Conference, use the Request for Meeting with Case Conference Justice in Justice Digital, or email filing if self-represented.

WHAT MAY QUALIFY AS URGENT

SAFETY / HARM

Risk of violence or immediate harm, including qualifying exclusive-possession requests; or Emergency Protection Order reviews.

CHILD-RELATED URGENCY

Risk of removal from the jurisdiction, or parenting-time, contact or communication issues that cannot reasonably be delayed.

FREQUENTLY ASKED QUESTIONS

MANDATORY REQUIREMENTS FIRST?

No. After the urgent issue is addressed, the parties are expected to complete the Mandatory Requirements.

ACTION ALREADY STARTED?

No. Draft commencement documents accompany the urgent request. If approved, the Court files the draft commencement document.

IF THE REQUEST IS REJECTED

The parties must enter the Regular Family Process.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

Frequently Asked Questions

What if I want to commence an action but I am not seeking relief from the Court?

If a party wants to file their claim but does not want to seek relief from the court, they will not be forced to move forward in the Regular Family Process.

For example:

- A party may file their Commencement Document to preserve a limitation date, but they do not want any relief from the Court.
- A party may file their Commencement Document, but they may have chosen to proceed with private negotiations.

What if I already have a Divorce Judgment? Do I need to commence a new action?

If you already have a Divorce Judgment, you do not need to commence a new action. You need to file the Divorce Judgment in Justice Digital to confirm that an action was previously commenced.

To move forward in the Regular Family Process, you need to file a Family Application (FL-18) in accordance with Rule 12.45(1) of the Alberta Rules of Court. In this scenario, where a Divorce Judgment has already been granted, the FL-18 is the proper form you use to seek variation of the Divorce Judgment. It acts like a Commencement Document.

Please see above in this guide for further information about the FL-18 post divorce judgment.

What if I have a Divorce Judgment but a severance order has been granted?

If a severance order was granted in the action because the Divorce Judgment did not finally address the corollary relief issues claimed in the Statement of Claim for Divorce, or property claims set out in the Statement of Claim for Divorce and Division of Family or Matrimonial

Property remained outstanding, you must upload the Statement of Claim or the Statement of Claim for Divorce, or the Statement of Claim for Divorce and Division of Family or Matrimonial Property and identify the outstanding relief in the documents you prepare for your MIT Package.

How Do I Serve My Documents?

Information regarding service of materials under the Regular Family Process is explained at Appendix A to the Notice to the Profession and Public NPP#2025-04 on December 10, 2025 titled *New Processes in Family Law: Family Focused Protocol Effective January 2, 2026*.

Service of other documents that must be filed and served separately then included with the MIT Package, such as Commencement Documents, must be served in accordance with the Rules of Court. See, for example, Rule 12.55 of Alberta Rules of Court. Also see section on service under above section on Start An Action

Where a third-party needs to be involved, for example the Maintenance Enforcement Program (MEP), when trying to vary child support, the current requirements to serve MEP remain in place and counsel for the Director will have an opportunity to attend the MIT Conference.

RECOMMENDATION
Become familiar with any need to serve third parties in your matter in accordance with Rules and specific legislation.

What if I Cannot Serve Documents to the Other Party in Accordance with the Rules?

Orders for Service:

Substitutional Service, Service *Ex Juris* and Hague Convention Service

You are to proceed to Applications Justice Chambers if you are seeking:

- substitutional service,
- service *ex juris*,
- or if your matter relates to Hague Convention service.

All Other Service Matters

In the interim, for all other service matters (including but not limited to, deeming service good and sufficient, dispensing with service, setting aside service), you are to proceed to Family Chambers.

What if There is More Than One Action Started for Our Family Matter?

You should take steps to consolidate or join the two matters.

If the consolidation is by consent, you may proceed via the Desk Process.

If the consolidation is contested, or if you have received no response from the opposing party, you must enter the Regular Family Process. You must file and serve a Family Application (FL-18) seeking consolidation, and the application will come before the MIT Justice at the MIT Conference.

Example:

If you obtained an FL file number during COVID-19 for parenting, and now you have a 48 file number because you have filed a Statement of Claim for Divorce, and you need to consolidate these actions, you must enter the Regular Family Process. You should proceed under the 480 number. You must submit an MIT Package in accordance with the steps outlined in this guide,

an FL-18 seeking consolidation of the actions, and when uploading the documents as part of your MIT Package you will include the documents related to the FL number action.

If My Issue is Purely Procedural, Must I Make a Request for MIT Conference to Resolve the Procedural Issue?

No. The Court is in the process of assigning Application Judges – Family to deal with procedural issues under the Family Focused Protocol. When the Application Judges are appointed and set up to hear matters, you will go through their process to resolve procedural issues.

Until Application Judges - Family are appointed who can handle strictly procedural applications, in the interim, if you have a one-off purely procedural application that you believe is premature for the FFP or should not go through the FFP, please write to KB External Feedback (KBexternalfeedback@albertacourts.ca) with the file number, style of cause, region, detailed explanation of the nature of the purely procedural application you wish to bring and your reasons why you believe your purely procedural application is inappropriate for the FFP. The Court will get back to you regarding process.

The subject line of the email to KBExternalFeedback@albertacourts.ca must be as follows:
Subject: Purely Procedural Application Request - File number - Style of Cause

Example:

Subject: Purely Procedural Application Request - 4801-xxxx - John Doe v Jane Doe

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How Do I Make a Contempt Application in the New FFP Process?

For contempt applications relating to family law, you must proceed through the Regular Family Process as set out above in this guide, unless the matter is urgent in which case you may proceed under Urgent Process and a Justice will determine whether to grant the urgent request.

What If I Take Issue with the Content in a MIT Package That Was Served Upon Me/My Client?

If you are served with an MIT Package (as counsel for the MIT Respondent to that MIT Package), and you take issue with the content of something in the package, you must respond to the MIT package. Please see *Responding to a MIT Package served upon you* below in this guide.

All communications regarding the MIT package must be on the record at the MIT Conference.

If you:

- take issue with something in the Applicant's MIT package (e.g., you disagree that the Participation in ADR form submitted by the MIT applicant is compliant);
- oppose the relief sought, or
- wish to also seek relief (cross-application), you must file and serve your materials as required, upload proof of service into Justice Digital and be prepared to discuss it at the MIT Conference.

What If I Had a Matter Already Started in Court Before the FFP Process Started on January 2, 2026?

Court files that existed prior to January 2, 2026, where parties require Court assistance, must enter the FFP process and follow all the requirements of the FFP. This includes where you have been directed to an oral hearing, but a date was not set, or where you have a Litigation Plan but there is no trial date set.

If you were granted an order to book a trial prior to January 2, 2026, you may contact the Court Coordinator to book the trial before the deadline set out in the order. If you missed the deadline set out in the order to book a trial, you must enter the FFP Regular Family Process because you will need the Court's assistance to vary the terms of that order.

Where trial dates have already been scheduled and no interim relief (procedural or otherwise) is required, and only a Rule 4.10 Case Conference or a PTC is needed before trial, entering the FFP is not necessary. To book your Rule 4.10 Case Conference or PTC, you must contact the Court Coordinator.

What about Case Management/Justice Seized Matters?

All case management ended as of January 31, 2026. If your matter was in Case Management or was seized by a Justice, and this Justice is on the FFP Family Roster, after being certified by the CMO and using the link to the booking request form provided by the CMO, a party can request that this Justice be assigned to their matter.

Continuation with the Case Management Justice or a seized Justice is *not* guaranteed.

Do I Have to Attend in Person for MIT Conference and Other Hearings in the FFP?

Yes. All processes by Family Roster Justices shall be conducted in person. The FFP process works best when people attend in person, where direct communication and discussion can happen. It is difficult to achieve the same result through a remote appearance.

However, in certain situations, a remote hearing may be necessary. If a party believes that their situations calls for a remote hearing, they can make the request here.

Can I Change the Date of a MIT Conference or Case Conference after it has been booked if I can no longer attend on that date?

YES. If the adjournment request is 8 clear days or more prior to the parties scheduled MIT Conference or Case Conference, party(s) can complete the Request for Advice and Direction or Meeting with Case Conference Justice CTS15003 form requesting the adjournment and submit the request in Justice Digital if a lawyer and via email if self-represented, and the assigned Justice will either grant or deny the adjournment.

If within 7 clear days of the scheduled MIT Conference or Case Conference, the parties must appear and request the adjournment in person.

Can I Get a Copy of a Transcript, Clerk Notes or Audio Recording of Matters I Attended in the FFP Process?

Leave from the Justice is required to obtain transcripts, clerk notes or audio for any MIT Conferences, Case Conference or any Settlement Conferences heard on the record. Requests can be made using Request for Exhibit or Private Hearing Record form (CTS3712) available on the Court website.

Please forward the completed form to the appropriate judicial centre where the MIT hearing took place for the clerk's office to process it. Also, attach an Email Filing Request form (CTS 1717). There is $25 search fee associated with such requests.

Once approved, or not, by the Justice who presided at the hearing, you will be notified of the outcome.

Should We Add Tabs and Bookmarks to our Filed PDF Documents?

It is beneficial to all if you make it as easy as possible for your documents to be found. Please bookmark all PDFs, including your Financial Disclosure Statement.

What if I Retain a Lawyer or Change Lawyers?

Please ensure to file the Notice of Change of Representation, where applicable, and Affidavit of Service of the Notice, where applicable.

Can I start a new Court Action dealing with Tort of Intimate Partner Violence (*Ahluwalia v Ahluwalia*, 2026 SCC 16) in the FFP Process?

NO. On June 1, 2026, the Court of King's Bench posted a new announcement:

Notice to the Profession and Public: Claims for Damages for Intimate Partner Violence, NPP2026-03

> Further to the decision of the Supreme Court of Canada in *Ahluwalia v Ahluwalia*, 2026 SCC 16:
>
> A claim in tort for damages for intimate partner violence is a civil claim that must be pleaded separately from any *Divorce Act* or *Family Law Act* action, by way of Statement of Claim, under Part 3, Division 3 of the *Alberta Rules of Court*. The separate civil claim for intimate partner violence will not prevent the issues of intimate partner violence and/or coercive control from also being raised in any separate *Divorce Act* or *Family Law Act* action when required.
>
> Where a separate civil action for intimate partner violence has been filed, in addition to *a Family Law Act* or *Divorce Act* action, parties will be expected to so indicate on the Request for Mandatory Intake Triage (MIT) Conference Form.

Can I Have My Matter Dealt with in French?

YES. In Alberta, there are multiple sources of language rights. In the family law context, they include section 4 of the *Languages Act*, RSA 2000, c L-6 and section 23.2 of the *Divorce Act* (expected soon to be in force in Alberta). In addition, the Court of King's Bench adopted a policy to facilitate the use of French before the Court, below

If someone requests a French or bilingual proceeding (English-French), they need to let the Court know by completing the Avis et Demande d'Audience en Français / French Language Notice and Request so that the matter can be scheduled before a bilingual justice.

Example 1:

Party 1 and Party 2 wish to proceed with a French or bilingual proceeding. They will indicate their choice on the **Request for Mandatory Intake Conference Form** and fill out the Avis et Demande d'Audience en Français / French Language Notice and Request. They will be assigned to a French speaking Family Roster Justice.

Example 2:

Party 1 is Francophone but is completely bilingual. They fill out their initial documents. They choose to proceed in English and so do not complete the French Language Notice and Request form online. Party 2 is Francophone. They do not want to proceed in English and want to proceed in French. They fill out the online form the Avis et Demande d'Audience en Français / French Language Notice and Request, requesting a French or bilingual proceeding.

Example 3

Party 1 is Anglophone and Party 2 is Francophone. They wish to proceed with a bilingual process. They will fill out the online form the Avis et Demande d'Audience en Français / French Language Notice and Request, requesting a bilingual proceeding.

Example 4

Party 1 and Party 2 have complied with all the requirements and have been assigned to a MIT Justice. They did not realize they could choose a process in French. At the initial MIT Justice meeting, Party 1 asks if they can proceed in French moving forward. In this scenario, the MIT Justice will adjourn the MIT, advise the parties to fill out the Avis et Demande d'Audience en Français / French Language Notice and Request, and the matter will be flagged in the system and reassigned to a French speaking Family Roster Justice.

I Do Not Have a Lawyer, Where Can I Get More Information?

Resources to assist self-represented litigants in navigating the FFP include the **Notice to the Profession and Public** NPP#2025-04. Further resources to assist self-represented litigants in navigating the FFP are available on the Court's Family Focused Protocol webpage and the Family Resolution Hub.

Legal Aid Alberta will continue to support parties who qualify for legal aid services. Service and financial eligibility criteria can be found on the Legal Aid Alberta website Home - Legal Aid Alberta.

Also see Appendix E.

Frequently Used Forms in FFP

You will need to get acquainted with several new forms. They will be made available on the Court of King's Bench website in advance of January 2, 2026.

- Request for Mandatory Intake Conference CTS14867
- Mandatory Intake Triage Summary CTS14868
- Request for Advice and Direction or Meeting with Case Conference Justice CTS15003
- Joint Request for Settlement Conference Date CTS14869
- Request for Meeting with Resolution Counsel (RC) Desk Application CTS14866
- Request to Waive/Defer Mandatory Requirements CTS13474
- Desk Application to Waive/Defer Mandatory Requirements KB233
- Notice to Respond to Waiver Request KB234
- Response to Request to Waive Mandatory Requirements KB235

Please also note that there is a new **Business Expense Disclosure Statement** form, that is available in both printable and fillable formats on the Court of King's Bench Family Focused Protocol webpage. **Using this Business Expense Disclosure Statement form is not mandatory** but it may assist you with preparing *Cunningham* disclosure.

- Business Expense Statement – Instructions KB222IN
- Business Expense Statement KB222A
- Business Expense Statement (Printable) KB222B

Note! If you choose to use the Business Expense Disclosure Statement form (which is not mandatory), it is filed as part of your Financial Disclosure Statement. It does not get filed separately.

Updated Family Practice Notes and Notices to the Profession and Public

Practice Notes

Changes have been made to the Family Practice Notes (FPNs) 1,2,3,4, 5 and 8 to align with the new FFP process. They will be made available on the Court of King's Bench Website in advance of January 2, 2026.

An announcement was made by KB regarding the new FFP.

Application of Pages Limits Under Family Practice Note 2

Please note that PN2 applies in family matters all regions for protection orders and restraining orders. PN2 does not apply to civil matters, including civil restraining orders.

Notices to the Profession and Public

A number of NPPs have been repealed. An announcement was made by KB recently to this effect.

The Court of King's Bench released a **Notice to the Profession and Public** NPP#2025-04 on December 10, 2025 titled New Processes in family Law: Family Focused Protocol Effective January 2, 2026. It can also be accessed on the on the Court of King's Bench Family Focused Protocol webpage.This NPP outlines the process for the FFP at the Court of King`s Bench that applies to the entire Province of Alberta with respect to family matters.

An announcement was made on March 12, 2026 and on June 11, 2026 regarding revisions to the NPP#2025-04.

The Court of King's Bench released a revised **Notice to the Profession and Public NPP#2026-01** on January 12, 2026 titled Family Pre-Court Mandatory Requirements. This NPP focuses on the FJS Pre-Court Mandatory Requirements. It can also be accessed on the Court of King's Bench Notices to the Profession and Public webpage.

Conclusion

The Family Focused Protocol establishes a structured and consistent framework for managing family law cases, encompassing pre-court services through to resolution. Adherence to these procedures enables legal practitioners and judges to enhance outcomes, increase efficiency, and promote fairness within the justice system.

We hope this guide provide insight and assistance on the new Family Focused Protocol. If you still have questions, please reach out to the appropriate contacts as listed at the beginning of this guide.

Appendices

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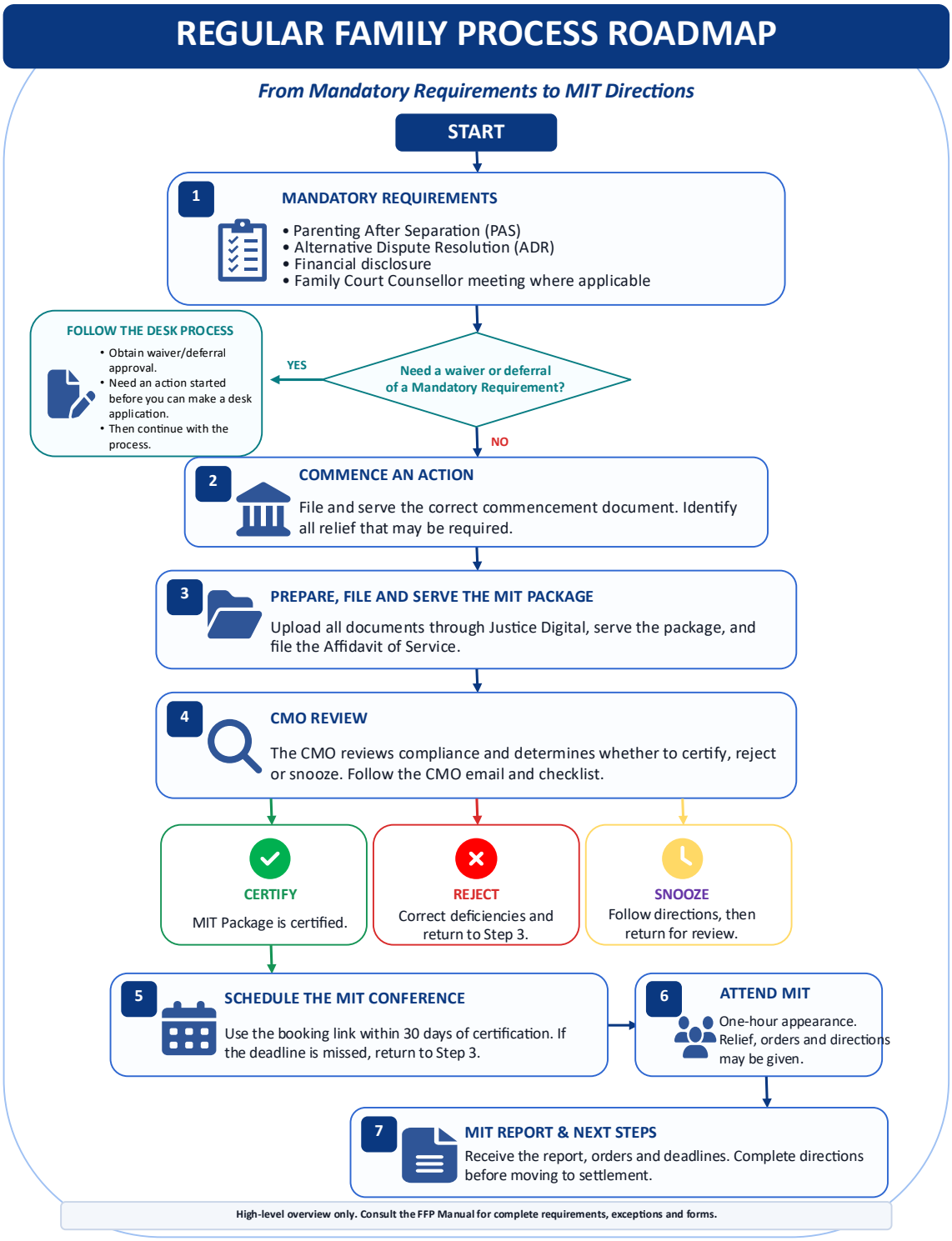
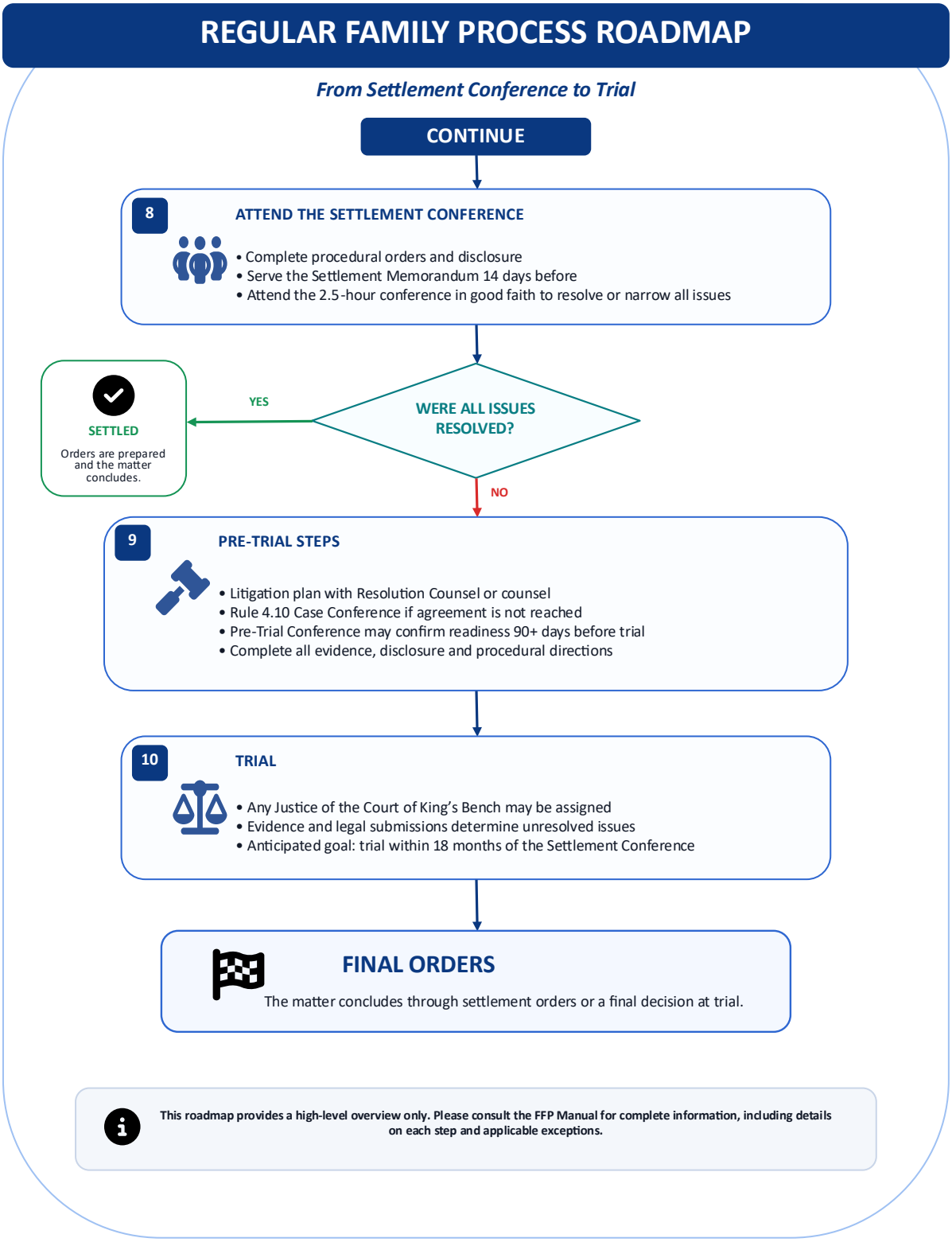
APPENDIX A – Regular Family Process Simple Guide and Checklist




REGULAR FAMILY PROCESS ROADMAP
From Settlement Conference to Trial
CONTINUE
8
ATTEND THE SETTLEMENT CONFERENCE
• Complete procedural orders and disclosure
• Serve the Settlement Memorandum 14 days before
• Attend the 2.5-hour conference in good faith to resolve or narrow all issues
WERE ALL ISSUES RESOLVED?
YES
SETTLED
Orders are prepared and the matter concludes.
NO
9
PRE-TRIAL STEPS
• Litigation plan with Resolution Counsel or counsel
• Rule 4.10 Case Conference if agreement is not reached
• Pre-Trial Conference may confirm readiness 90+ days before trial
• Complete all evidence, disclosure and procedural directions
10
TRIAL
• Any Justice of the Court of King's Bench may be assigned
• Evidence and legal submissions determine unresolved issues
• Anticipated goal: trial within 18 months of the Settlement Conference
FINAL ORDERS
The matter concludes through settlement orders or a final decision at trial.
This roadmap provides a high-level overview only. Please consult the FFP Manual for complete information, including details on each step and applicable exceptions.

Regular Family Process Checklist

START HERE: Follow these steps to enter the Regular Family Process

Note! This checklist provides a condensed step-by-step guide to enter the Regular Family Process. It is not intended as a standalone document. Please also review the Detailed Guide to the Regular Family Process in this guide and detailed checklists provided with some of the steps included in the Detailed Guide.

Also see CMO Checklists for guidance at Appendix E.

STEP 1: MANDATORY REQUIREMENTS

Have you completed the Mandatory Requirements?

(a) **YES** → move to Step 2

(b) **NO** → Do you need a waiver or deferral of any of the Mandatory Requirements?

(A) YES → Follow Desk Process to request a waiver or deferral of the Mandatory Requirements Must commence action before request the waiver or deferral.

(B) NO → You are required to complete the Mandatory Requirements to enter the Regular Family Process. Complete any outstanding Mandatory Requirements.

STEP 2: COMMENCE AN ACTION AND SERVE

Have you commenced an action? If you already have a Divorce Judgment, have you filed an FL-18?

(a) **YES** → move to Step 3

(b) **NO** → You are required to commence an action to enter the Regular Family Process, or to file an FL-18 where a Divorce Judgment has been granted. File and serve your documents in accordance with the Alberta *Rules of Court*.

STEP 3: FILE AND SERVE YOUR MIT PACKAGE

***Step 3(a)*: Log into Justice Digital and file your MIT Package**

The **MIT Package** documents you may need to file in order to schedule an MIT Conference may consist of:

[1] Proof of Mandatory Requirements (or a waiver or deferral of the Mandatory Requirements granted by a Justice)

Prior waivers granted do not apply under the FFP, *unless* they were specifically granted in contemplation of the FFP

[2] Commencement Document & Other Pleadings
[3] Request for Mandatory Intake Conference Form
[4] Mandatory Intake Triage (MIT) Summary Form

[5] Financial Disclosure Statement (strict compliance required)

[6] Any application documents where parties are seeking any relief by way of a Regular Family Process Application.

A Family Application (FI-18) is required when seeking interim relief, for all post-divorce judgment relief, for some types of procedural relief, and for some types of final relief (e.g., dismissal for long delay).

Any filed application documents must comply with the Alberta *Rules of Court* and any applicable Practice Notes.

Family Practice Note 2 provides specific information with respect to filing application documents, including affidavit and page limits.

Previously filed affidavits will not be relied upon for new applications. All relevant information must be included in a fresh affidavit that deals with issues you wish to put before the MIT Justice.

[7] Affidavits of Service

Affidavits of Service will be needed for:

(a) commencement documents and other pleadings;

(b) your filed MIT Package; and,

(c) your Financial Disclosure Statement, if it was served separately from your MIT Package.

You only need to upload the Affidavit of Service of a commencement document/pleading that you have served on the opposing party.

Affidavits of Service must be uploaded into Justice Digital.

Step 3(b): **Have you downloaded your filed MIT Package and served it on the Respondent?**

(i) **YES** → move to Step 3(c)

(ii) **NO** → You must serve your filed MIT Package on the Respondent in order to move forward in the Regular Family Process. Serve your filed MIT Package.

***Step 3(c)*: Have you filed the Affidavit of Service of your MIT Package?**

(i) **YES** → Your documents will be reviewed by a CMO. Move to step 4.

(ii) **NO** → You **must** upload the Affidavit of Service of the MIT Package. Log in to Justice Digital and upload your Affidavit of Service.

STEP 4: CMO WILL REVIEW YOUR MIT PACKAGE

Have you received confirmation via email from the CMO that your MIT Package is certified and the booking form link to schedule your MIT Conference?

(c) **YES** → move to step 5

(d) **NO** → Review the direction provided by the CMO and correct any deficiencies in your MIT Package before the end of the snooze period *before* you can move to Step 5.

STEP 5: SCHEDULE YOUR MIT CONFERENCE WITHIN 30 DAYS OF RECEIVING CONFIRMATION FROM THE CMO THAT YOUR MIT PACKAGE IS CERTIFIED

Did you schedule your MIT Conference within 30 days of receiving confirmation from the CMO that your MIT Package is certified?

(e) **YES** → move to Step 6

(f) **NO** → If you did not schedule your MIT Conference within 30 days from receiving confirmation from the CMO that your MIT Package was certified, you must go back to Step 3 and resubmit for filing your MIT Package for review by a CMO.

STEP 6: ATTEND YOUR MIT CONFERENCE

You must attend your scheduled MIT Conference. Your MIT Justice will deal with any relief being sought and provide procedural directions to ensure readiness for a Settlement Conference.

STEP 7: SUBMIT FOR FILING A JOINT REQUEST FOR SETTLEMENT CONFERENCE

***Step 7(a)*: Have you followed the directions of your MIT Justice and are you ready to schedule your Settlement Conference?**

(i) **YES** → Submit for filing your Joint Request for Settlement Conference Form and complete the booking request form and move to Step 7(b).

(ii) **NO** → When you are ready to attend the Settlement Conference, submit for filing your Joint Request for Settlement Conference form and the booking request form.

***Step 7(b):* You must submit and serve your Settlement Memorandum 14 days <u>before</u> the scheduled Settlement Conference.**

(a) **Have you prepared your Settlement Memorandum in accordance with the requirements?**

(g) **YES** → Submit your Settlement Memorandum to the Case Conference Coordinator and serve your Settlement Memorandum.

(h) **NO** → Prepare your Settlement Memorandum in accordance with the requirements.

(A) The Settlement Memorandum shall include:

(1) A detailed list of the issues (and sub-issues) in dispute;

(2) A statement of the position the party takes on each issue (or sub-issue);

(3) A brief overview of the facts and evidence on which the party intends to rely to support their position on each issue;

(4) Childview or Divorcemate calculations for child and/or spousal support and/or Property distribution spreadsheet;

(5) Any case law you rely upon to support your position, with no more than two cases for each issue.

(B) The Settlement Memorandum shall be submitted in letter form, not to exceed 8 pages, plus attachments. Attachments permitted are:

(1) Childview or Divorcemate calculations for child and/or spousal support;

(2) Property distribution spreadsheet

(3) Links to case law you are relying upon. Do not provide copies of each case.

(a) **Have you submitted and served your Settlement Memorandum 14 days <u>before</u> the scheduled Settlement Conference?**

(i) **YES** → move to step 8

(j) **NO** → You must submit your Settlement Memorandum to the Case Conference Coordinator and serve your Settlement Memorandum 14 days <u>before</u> the scheduled Settlement Conference.

STEP 8: ATTEND YOUR SETTLEMENT CONFERENCE

Did you resolve all the issues at your Settlement Conference?

(k) **YES** → Congratulations!

(A) The Settlement Conference Report will be prepared by the Settlement Conference Justice and provided to the parties.

(B) Where parties are represented by counsel, counsel shall prepare the Orders which will be signed by the Settlement Conference Justice, filed and provided to the parties.

(C) Where both parties are self-represented, the Orders will be prepared by Court Generated Orders Clerk and signed by the Settlement Conference Justice, filed and provided to the parties.

(l) **NO** → If there are issues that were not resolved, the Settlement Conference Justice and Settlement Conference Report will provide further direction to move you on towards trial.

STEP 9: FINAL STEPS BEFORE TRIAL

Your Settlement Conference Justice and the Settlement Conference Report will direct you to one of the following:

I. Meeting with Resolution Counsel to prepare Litigation Plan

A. Where one or both of the parties are self-represented litigants.

II. Provide your MIT/Case Conference Justice with the Consent Litigation Plan using the designated form

A. Where counsel have consented to a litigation plan.

III. Rule 4.10 Case Conference

A. Where counsel are unable to agree on a litigation plan.

You may be required to attend a Pre-Trial Conference with your MIT/Case Conference Justice 90 days before trial.

(a) Attend your scheduled PTC.

STEP 10: GO TO TRIAL

Attend your trial where a final decision on all outstanding issues will be provided.

APPENDIX B - Disclosure

Cunningham Disclosure

If you are required to provide financial disclosure for the purposes of determining your Guideline Income for Child support or Spousal Support, a lawyer may request or the Court may direct that you provide "Cunningham Disclosure." Unless you practice family law, it is completely understandable how this term could be confusing. "Cunningham Disclosure" is just a short form term used by lawyers to refer to specific financial information that must be provided if a parent or spouse owns or partially owns their own business or corporation. The term refers to a Court decision, *Cunningham v Seveny*, 2017 ABCA 4, in which the Court of Appeal clarified rules regarding what should be disclosed and who should disclose it.

Section 21 of both the Alberta Child Support Guidelines and the Federal Child Support Guidelines, outlines all that must be provided by a parent or spouse when their income is relevant in determining support payable. When a parent is self-employed or has control or partial control of a partnership or corporation that they receive income from, it is not enough to provide tax returns and show the income paid in accordance with relevant tax laws. It is understood that a business or company will often hold back money plus owners are legally entitled to claim many benefits and expenses that reduce their income for tax purposes. While legitimate for purposes of taxes, the Court and the other parent are entitled to review these benefits and deductions and holdbacks to determine an appropriate Guideline Income for support purposes.

The Court in *Cunningham v Seveny* held that the parent who controls the business or company must provide as part of their financial disclosure a statement of all payments or benefits, PLUS a sufficient explanation to allow the Court or other parent to assess the reasonableness of the payment or benefit and determine if all or a portion of the payment of benefit was for the parent's personal benefit rather than business benefit. If for a personal benefit, the portion of

the payment or benefit can be added back to income for the purposes of determining support.

Some of the more common expenses and benefits reviewed are:

- Personal use of a company vehicle;
- Computers provided by company;
- Cellphones provided by company;
- Personal benefits associated with travel;
- Entertainment expenses; and
- Meal expenses.

All this financial information and the explanations of benefits/expenses from the business is what is referred to as **"Cunningham Disclosure."**

Financial Disclosure from a parent's business may include:

- Financial Statements for last 3 taxation years of the business
- General Ledger statements for last 3 and current taxation year
- Property, Plant and Equipment Amortization Schedule
- Business expense statement, outlining all expenses and purpose of expense to determine if any portion was for personal use. Supporting receipts, invoices, and other documents also recommended
- Any forms provided to accountant setting out personal expenses for the last 3 taxation years
- If a corporation, copies of the Corporations Tax Returns for last three years
- If a corporation, record of last 12 months of your shareholder's loan transactions
- If unincorporated, copies of each cheque issued to you during the last 6 weeks from your business or corporation, or from any person or business to which you have rendered service
- If partnership, confirmation of your income and draws from, and capital in, the partnership for the partnership's last 3 taxation years

You may wish to obtain legal advice and/or speak with an accountant to obtain assistance in what you should provide for your specific business.

To assist in compliance with ***Cunningham v Seveny***, 2017 ABCA 4 and ***Sweezey v Sweezey***, 2016 ABQB 131, there is a new **Business Expense Statement** available on the Court's Family Focused Protocol webpage. It is also available on the Family Law Forms webpage. You can

access both a fillable Word format, and a printable format. There is an accompanying **Business Expense Statement - Instructions** document that explains how to fill out the form.

- **Business Expense Statement – Instructions** KB222IN
- **Business Expense Statement** KB222A
- **Business Expense Statement (Printable)** KB222B

The intent of this Business Expense Statement is to provide a sample template that parties can use to help them with preparing their disclosure.

It is <u>not</u> mandatory that parties use this Business Expense Statement, however it may be particularly helpful, and parties are encouraged to use it.

APPENDIX C – Sample Content for Affidavit of Service of MIT Package

Below is an **example** of the content for an Affidavit of Service of the MIT Package that may assist you. You must adapt this suggested content as necessary for your own file.

DO NOT SERVE ANY OTHER DOCUMENTS THAT WERE NOT INCLUDED AND FILED IN YOUR MIT PACKAGE.

For the purposes of the Affidavit of Service of the MIT Package, **do not** attach the documents listed in the body of the Affidavit of Service of the MIT Package as exhibits or upload them as courtesy copies.

Affidavit of Service of the MIT Package

I, Name, of City, Alberta SWEAR THAT:

1) I have personal knowledge of the following information except where I state that it is based on information from another person in which case I believe that information to be true.
2) I am 18 years of age or older.
3) On Date, I served Name, [counsel for Name or party Name], with a copy of the following documents which are filed with the Court (examples only):
    - Commencement Documents and Corresponding Affidavits of Service
        i. Statement of Claim for Divorce and Division of Family Property, filed DATE
        ii. Claim - Family Law Act, filed DATE
        iii. Affidavit of Service of Statement of Claim for Divorce and Division of Family Property, filed DATE
        iv. Affidavit of Service of Claim – Family Law Act, filed DATE
    - Documents filed for the purposes of this Request for Mandatory Intake Conference (MIT) - I provided by email copies of all the documents submitted in support of my application. The documents are in the list below (examples only):
        i. Request for Mandatory Intake Conference, filed DATE
        ii. Mandatory Intake Triage Summary, filed DATE
        iii. Participation in Alternative Dispute Resolution, filed DATE

iv. Waiver of _____, granted DATE, filed DATE

v. Parenting After Separation (unless previously filed, in which case list it below)

vi. Financial Disclosure (unless previously filed, in which case list it below)

- In addition to the commencement documents and the documents filed for this MIT Intake, I also provided by email copies of all the documents filed previously which I intend to rely on at the MIT hearing. These documents are listed below (examples only).

i. Financial Disclosure Statement, filed DATE (unless filed for the first time, in which case list it above)

ii. Affidavit of Service, filed DATE

iii. Child Support Order, filed DATE

iv. Family Law Application (FL18), filed DATE

v. Statement(s) of NAME in support of Family Law Application, (*Family Law Act* matter), filed DATE

vi. Affidavit of NAME in support of Family Law Application (*Divorce Act* matter), filed DATE

vii. etc.

4) I served the documents listed above by sending electronic (scanned) copies of the documents to EMAIL ADDRESS in accordance with Notice to the Profession NPP-2025-04 Appendix A – Service of Materials Under the Regular Family Process

5) Service was effected on DATE and delivery confirmation as evidence of the successfully completed transmission is attached and marked as Exhibit A to this Affidavit as required by r. 11.21(2) of the *Alberta Rules of Court*.

Action Number: **Style of Cause:**

Review of [INSERT MITA/R NAME] Submission ("MIT Respondent")

Date of this CMO Review: Click or tap to enter a date. **Review Type**: Choose an item.

MIT Status: Choose an item.

A. If th

Was completed within the last six months?	Choose an item.
Used a process recognized by the Court of King's Bench?	Choose an item.
Addressed all unsettled issues or attended RC mediation?	Choose an item.
Was waived or deferred by Justice of the Court of King's Bench and filed endorsement uploaded?	Choose an item.

Explanation of Deficiencies, if required:

2. Proof of Service of Commencement Document or Joint Statement of Claim for Divorce Did the MIT Respondent provide proof of service of their filed commencement documents (Statement of Claim, Counterclaim, Claim -Family Law Act (FL-10), or Response – Family Law Act (FL-11)?	Choose an item.

Delete this instruction and the sub-questions below unless you selected "DEFICIENT – See below" above

Did the **MIT Respondent** provide proof that **their** commencement document:

Was personally served on the individual and not on the individual's lawyer (see court rule 12.55 of the *Alberta Rules of Court*)?	Choose an item.
Was responded to by a filed Statement of Defence, Demand for Notice, Counterclaim, Response – Family Law Act (FL-11), or Statement of Defence to Counterclaim	Choose an item.

If the document did not need to be personally served, was it served on the person at the address of service they previously provided, by recorded mail to that address or on their lawyer of record or otherwise in accordance with Part 11 of the *Alberta Rules of Court*?	Choose an item.
Was it served pursuant to an uploaded and filed court order permitting the party to serve the other party another way or not at all or declared that service was good and sufficient?	Choose an item.
Had the other party's lawyer's "Service Acknowledged" stamp or upload an email acknowledging service?	Choose an item.

Explanation of Deficiencies, if required:

3. Financial Disclosure Statement (Form CTS13472) Review Did *Financial Disclosure Statement* including the required supporting documents uploaded by the **MIT Respondent** satisfy the minimum requirements set out in the Financial Disclosure Statement instructions?	Choose an item.

Delete everything in the FDS section unless you answered "DEFICIENT" above

NOTE: if your Financial Disclosure Statement is deficient, you must correct the deficiencies by filing a new Financial Disclosure Statement that contains ALL documents (those already provided and those that were identified as a deficiency), serve it and file and upload a further Affidavit of Service.

Child support and **spousal/partner support or property**

If n/a, delete this option, including table below

Section 2 (Proof of Income)	Choose an item.
Section 3 (Source of Income)	Choose an item.
Section 4 and Schedule C (Special or Extraordinary Expenses, section 7) if claimed	Choose an item.

Section 5 (Statements) and Schedules A (Statement of Assets and Liabilities) and B (Budget)	Choose an item.
Section 6 Additional disclosure ordered	Choose an item.

Explanation of Deficiencies, if required:

Child support

If n/a, delete this option, including table below

Section 2 (Proof of Income)	Choose an item.
Section 3 (Source of Income)	Choose an item.
Section 4 and Schedule C (Special or Extraordinary Expenses, section 7) if claimed	Choose an item.
Section 6 Additional disclosure ordered	Choose an item.

Explanation of Deficiencies, if required:

Spousal/partner support and/or property

If n/a, delete this option, including table below

Section 2 (Proof of Income)	Choose an item.
Section 3 (Source of Income)	Choose an item.
Section 5 (Statements) and Schedules A (Statement of Assets and Liabilities) and B (Budget)	Choose an item.
Section 6 Additional disclosure ordered	Choose an item.

Explanation of Deficiencies, if required:

4. Affidavit of Service of Financial Disclosure Statement ("FDS")	Choose an item.

Explanation of Deficiencies, if required:

5. Additional Notes (if applicable):

APPENDIX D – Sample Scenarios of CMO Review Results

Scenario 1 - A cross-application is filed and both parties' material are ready for certification

The Applicant files a MIT Package including a Family Application and serves it upon the Respondent. The Respondent files a cross-application within the 14-day period from the date that service of the MIT Package was effected. The Applicant may need time to respond to the cross-application, and the Respondent may need time to reply.

In this situation and in accordance with paragraph 43 of Family Practice Note 2, the CMO will snooze the matter for 15 days during which the Applicant may respond within 7 days, and the Respondent may reply within a further 7 days. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

Scenario 2 - Deficiencies in either Applicant's MIT Package or the Respondent's Response to the MIT Package which includes a cross-application

The Applicant files a MIT Package including a Family Application and serves it upon the Respondent. The Respondent files a cross-application within the 14-day period from the date that service of the MIT Package was effected.

In this situation, the CMO will snooze the matter for 15 days during which the Applicant and/or the Respondent must correct their deficiencies. During this period, the Applicant may also respond to the cross-application but must do so within 7 days in accordance with paragraph 43 of Family Practice Note 2, and the Respondent may reply within a further 7 days.

If either or both parties' deficiencies are corrected, the CMO will certify the party who has corrected their materials and the certified party is permitted to book the MIT Conference. If neither parties' materials are certified, the MIT Package will be rejected.

Scenario 3 – No Application Filed by the Applicant but Respondent Files Application and materials are ready for certification

If the Respondent, during the 14-day period from the date that service of the MIT Package was effected filed an application to which the Applicant has not yet responded, the CMO will snooze the MIT Package for 15 days to allow the Applicant time to respond within the 7 days as required by Family Practice Note 2 para 43 and the Respondent to reply within a further 7 days. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

Scenario 4 – Application Filed by the Applicant and no Cross-Application Filed by the Respondent and the Applicant's materials are ready for certification

If the Respondent, during the 14-day period from the date that service of the MIT Package was effected, filed a response affidavit but the Applicant has not yet filed a reply, the CMO will snooze the MIT Package for 7 days to permit the Applicant to reply. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

APPENDIX E – Resources for Self Represented Litigants

Resources to assist self-represented litigants in navigating the FFP include the **Notice to the Profession and Public** NPP#2025-04. Further resources to assist self-represented litigants in navigating the FFP are available on the Court's Family Focused Protocol webpage and the Family Resolution Hub.

Other resources available include:

Canadian Judicial Counsel Family Law Handbook for Self-Represented Litigants:
https://cjc-ccm.ca/sites/default/files/documents/2021/Family%20Handbook%20-%20EN%20MASTER%20rev1%202021-06-03.pdf

Court and Justice Services Contact Centre

The Contact Centre assists Albertans with specific inquiries related to their court matters, available services through Resolution Services and referrals to community service providers. Assistance is available by phone and email Monday-Friday 8:15-4pm, except for statutory holidays.

The Court and Justice Services (CJS) Contact Centre can help answer questions about:

- Specific questions related to court matters.
- CJS Programs and Services
- Referrals to appropriate external agencies and offices.

For more information visit: https://www.alberta.ca/contact-court-and-justice-services OR call the Contact Centre directly at: 1-855-738-4747

Information Services

Information Coordinators are available in many locations and can answer questions about topics including:

- Family matters – divorce and family issues

- Civil matters – bankruptcy, residential tenancy, wills and estates
- General court procedures, alternatives to court
- Traffic and criminal matters
- Legal tools – options for advice and/or other community resources
- Information Coordinators can help locate forms, provide information, and instructions on how to complete them
- Services are provided by phone, in-person, and email
- Information Coordinators cannot give legal advice

Services are available free of charge, Monday-Friday 8:15 AM-4:00 PM, in-person, telephone and by email, except for statutory holidays.

For more information visit: https://www.alberta.ca/support-preparing-court-forms OR contact Information Services in your area.

Family Court Counsellors

Family Court Counsellors help people with resolving family law disputes, accessing the court system and preparing for court. Their services are for people who don't have a lawyer; they are not lawyers and cannot provide legal advice. They are a neutral third person who assists everyone involved in the matter, fairly and equally. Accessing family court counsellor services have no cost.

During a meeting with a Family Court Counsellor, you will talk about your situation and the issues you are trying to resolve. They will explain the services and options available to help you and your family, such as mediation, dispute resolution programs, and community supports. They may also refer you to other resources that could help.

Family Court Counsellors will complete a safety screening and, if needed, help you create a safety plan to support the safety of you and your child(ren).

Centre for Public Legal Education Alberta (CPLEA)

The Centre for Public Legal Education Alberta (CPLEA) provides helpful information about family law issues.

For more information visit https://www.cplea.ca/familyandrelationships/

Legal Aid Alberta

Legal Aid Alberta will continue to support parties who qualify for legal aid services. Service and financial eligibility criteria can be found on the Legal Aid Alberta website Home - Legal Aid Alberta.

Item	Information
Calgary and Area Resource List	Calgary and Area Resource List 2026.p
Edmonton and Area Resource List	Edmonton and Area List - Final (1).p
Lethbridge Family Law Resources List	Lethbridge Family Law Resource List.pd
Red Deer Family Law Resources List	Red Deer Family Law Resource List.pd
FJS – Filing a Family Law Application	FJS - Filing a Family Law Application.pdf
FJS – Information Package	FJS - Information Package.pdf

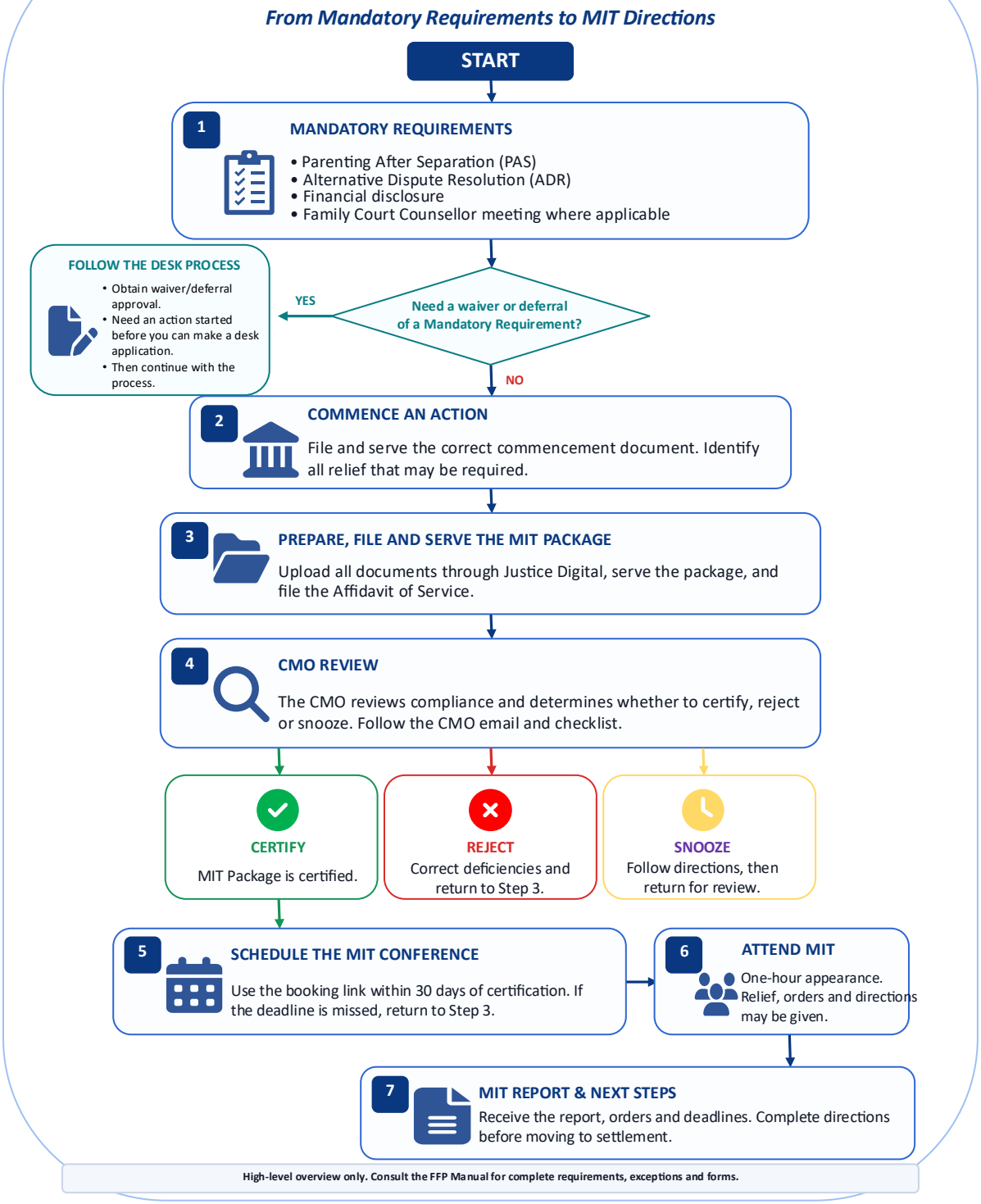
APPENDIX F – Roadmaps

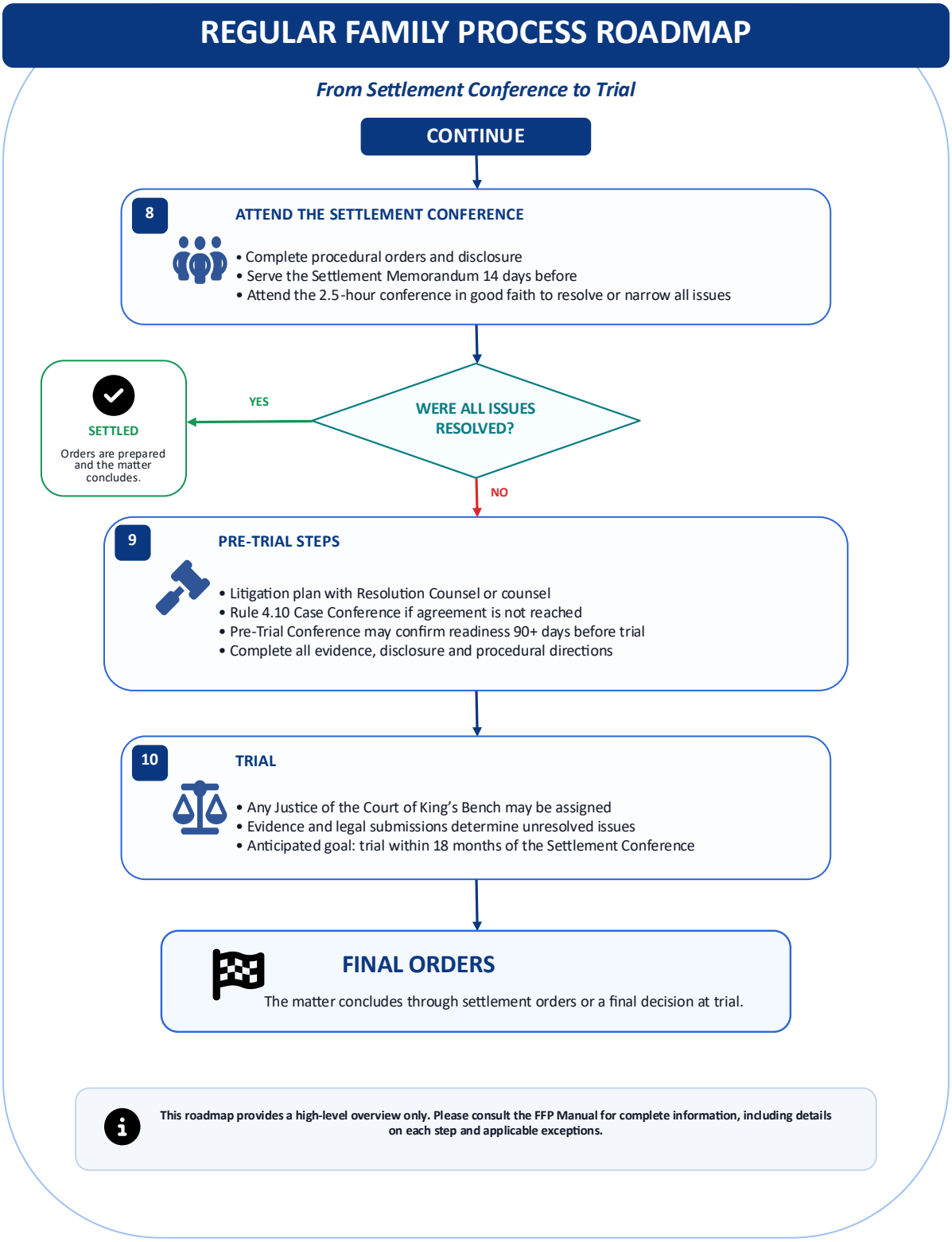
These roadmaps in this appendix are high-level visual guides that help users identify the appropriate court process, understand key steps and responsibilities, and determine what happens next.

You may wish to print them and keep them handy for quick reference throughout the process.

They supplement—**but do not replace**—the FFP Guide, forms, Notices, Court directions, or legal advice.

REGULAR FAMILY PROCESS ROADMAP




REGULAR FAMILY PROCESS ROADMAP
From Settlement Conference to Trial
CONTINUE
8
ATTEND THE SETTLEMENT CONFERENCE
• Complete procedural orders and disclosure
• Serve the Settlement Memorandum 14 days before
• Attend the 2.5-hour conference in good faith to resolve or narrow all issues
WERE ALL ISSUES RESOLVED?
YES
SETTLED
Orders are prepared and the matter concludes.
NO
9
PRE-TRIAL STEPS
• Litigation plan with Resolution Counsel or counsel
• Rule 4.10 Case Conference if agreement is not reached
• Pre-Trial Conference may confirm readiness 90+ days before trial
• Complete all evidence, disclosure and procedural directions
10
TRIAL
• Any Justice of the Court of King's Bench may be assigned
• Evidence and legal submissions determine unresolved issues
• Anticipated goal: trial within 18 months of the Settlement Conference
FINAL ORDERS
The matter concludes through settlement orders or a final decision at trial.
This roadmap provides a high-level overview only. Please consult the FFP Manual for complete information, including details on each step and applicable exceptions.

STEP 1 | MANDATORY REQUIREMENTS

Complete the requirements that apply before filing an MIT Package at Step 3.

They are not required before filing documents that start or respond to an action.

WHICH REQUIREMENTS APPLY TO YOU?

PAS
Parenting After Separation

Children under 18 are affected by parenting or decision-making issues.

Complete the free online course and file the completion certificate.

Complete within the last 2 years

ADR
Alternative Dispute Resolution

A party is requesting an MIT Conference.

Use an approved process, address all unresolved issues, and each party files a Participation in ADR Form.

Participate within the last 6 months

FDS
Financial Disclosure Statement

The Court is being asked to decide support, property, or other financial issues.

Complete CTS13472 and provide every required supporting document.

Some documents must be under 6 months old

FCC
Family Court Counsellor

You are self-represented, children under 18 are involved, FCC service is available, and an FL-18 application will be filed in the MIT Package.

Meet with FCC where the service is available

BEFORE FILING THE MIT PACKAGE

Complete each applicable requirement • save the proof • file and serve the required forms or certificates

NEED A WAIVER OR DEFERRAL?

Follow the Desk Process. Still provide any documents or information that are available.

COMMON EXCEPTIONS

Protection orders • Urgent Process • Desk Process • Consent orders
Service-related orders • Interjurisdictional orders • Desk divorce packages • Court of Justice appeals

GRANDE PRAIRIE: Additional local requirements may apply. Complete them before moving to the next step and answer the Grande Prairie question in the MIT Summary.

High-level overview only. Consult the FFP Manual for complete requirements, forms and exceptions.

STEP 2 | START OR EXPAND AN ACTION

Open the Court file, identify every issue, notify the other party, and prove service.

Applicant / Plaintiff
files the commencement document

Respondent / Defendant
files and serves the response

1

CHOOSE THE CORRECT COMMENCEMENT DOCUMENT OR RESPONSE

The document starts the action, opens a Court file, assigns an action number, and gives the other party notice of the issues and relief requested.

DIVORCE

Statement of Claim for Divorce. Add division of family property where property relief is also sought. Statement of Defence in Response.

FAMILY LAW ACT

FL-10 for parenting, decision-making, child support, or partner support when divorce is not requested. FL-11 in Response.

PROPERTY ONLY

Statement of Claim for Division of Family Property. A separate claim is required when FL-10 issues and property division are both sought. Statement of Defence in Response.

OTHER LEGISLATION

Originating Application and Affidavit where required by legislation or for specified relief. Affidavit in Response

2

ASK FOR EVERYTHING IN THE PLEADINGS

List every issue you want Court to decide. The Court will generally decide only matters raised in the Claim, Counterclaim, or Response and disclosed to the other party.

3

FILE, THEN SERVE THE OTHER PARTY

File the commencement or responding document. Provide proper notice by serving the filed documents. Personal service may be required and, for specified documents, a third party must serve.

4

FILE PROOF OF SERVICE

Prepare and file an Affidavit of Service. Upload proof of service in Justice Digital with the MIT Package at Step 3. Alternate acknowledgements may apply in limited situations.

ADDING NEW ISSUES

Divorce pleadings may require an amended pleading or permission. FL-10/FL-11 issues require a new form listing both original and added requests.

RETURNING AFTER A FINAL ORDER

After Divorce, use FL-18 plus an affidavit where the Rules require it. After a final Family Law Act Order, use a new FL-10; the response is FL-11.

NO COURT DATE YET: Enter "To be determined" or "TBD" where a date is requested. A Court date is obtained later.

STOP HERE if no Court assistance is needed yet.

GO TO STEP 3 to request an MIT Conference.

High-level overview only. Consult the FFP Manual and applicable Rules for complete filing and service requirements.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 1 of 3 | Build the MIT Applicant's complete package

PURPOSE
The package equips the MIT Justice for a conference of up to one hour and focuses discussion on unresolved issues.

IMPORTANT
The Justice reviews only the parties' MIT Packages, not the paper Court file or Casebox. Include every important document.

MIT APPLICANT PACKAGE | REQUIRED DOCUMENTS

1 REQUEST FOR MIT CONFERENCE
Complete the Request for Mandatory Intake Triage Conference Form. Either party may be the MIT Applicant.

2 MIT SUMMARY
Complete it fully, accurately and consistently. Upload documents in the package. Do not attach them to the Summary.

3 MANDATORY REQUIREMENTS
Include proof of each applicable requirement or a Justice-signed waiver/deferral. Each party completes an individual ADR Form.

TIME LIMITS
PAS: 2 years | ADR: 6 months | Some financial documents: 6 months. Measure recency when the entire package is filed.

4 FILED PLEADINGS
Upload all filed documents that start or expand the action, plus filed Defence or FL-11 documents from either party.

5 PROOF OF SERVICE OF PLEADINGS FILED BY MIT APPLICANT
Upload proof for pleadings you prepared and served. Include any alternative-service Order and the related Affidavit of Service.

FINAL ORDER ALTERNATIVE
After a Divorce Judgment or Final Order, FL-18 plus an Affidavit, or a new FL-10, may replace original pleadings.

6 FINANCIAL DISCLOSURE
For financial issues, include CTS13472, every required supporting document and proof of service. Cover all outstanding financial issues.

7 INTERIM ORDERS, IF REQUESTED
Add the proper Application or Cross-Application and a new supporting Affidavit. All requested issues must already be raised.

STRICT COMPLIANCE
Incomplete or stale financial disclosure, including missing business/Cunningham disclosure, may cause snooze and rejection.

High-level overview only. Consult the FFP Manual, Practice Note 2 and applicable Rules.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 2 of 3 | File, serve and start the CMO Review timeline

MIT APPLICANT | FILE → SERVE → PROVE SERVICE

1 FILE THE MIT PACKAGE

Lawyers can submit the complete package in Justice Digital. Self-represented litigants can submit via email or at the counter at the Court house. Once accepted by the clerk, the package is filed-stamped.

2 DOWNLOAD AND SERVE

Download and serve the entire filed MIT Package, even where some documents were served previously.

3 FILE THE AFFIDAVIT OF SERVICE

Clearly list only the documents in the package and their filing dates. Do not attach them as exhibits or upload them again.

WHY THIS MATTERS

Without the Affidavit of Service, the package remains in limbo and does not move to CMO Review.

WHAT HAPPENS NEXT

14-DAY RESPONSE PERIOD

The MIT Respondent has 14 days after service to file a package. No response is required for the matter to move forward.

DAY 15: CMO DASHBOARD

On day 15 the matter becomes available for review. CMO Review is not necessarily completed that day.

LATE PROOF OF SERVICE

If filed more than 15 days after service, the matter appears on the Dashboard shortly after proof is filed.

ONE ACTIVE REQUEST

Only one active MIT Conference request may exist for an action number.

CLERK REJECTION

Review the full package and Affidavit, correct the service information and resubmit. The clerk will not identify the unserved documents.

High-level overview only. Consult the FFP Manual, Practice Note 2 and applicable Rules.

STEP 3 | PREPARE, FILE & SERVE AN MIT PACKAGE

Page 3 of 3 | MIT Respondent options and filing consequences

MIT RESPONDENT | THREE OPTIONS

OPTION 1 | DO NOTHING

The Justice sees only the Applicant's package. Previously filed materials cannot be relied on unless included in an MIT Package.

OPTION 2 | RESPONSE ONLY

File the MIT Summary and response evidence, if needed. Do not request your own interim Orders. File, serve and prove service.

OPTION 3 | APPLICATION

Ask for interim Orders through an Application or Cross-Application. Include mandatory proofs, financial disclosure and evidence.

WARNING

Doing nothing or omitting relevant documents may prejudice the MIT Respondent's position.

RESPONDENT PACKAGE | CORE REQUIREMENTS

RESPONSE ONLY

CTS14868 MIT Summary; response Affidavit or Statement where needed; service on the Applicant; filed Affidavit of Service. Current mandatory proofs and FDS may also be important.

APPLICATION / CROSS-APPLICATION

MIT Summary; mandatory proofs; service of own pleadings; full FDS for financial issues; FL-18 or FL-11 as applicable; new supporting Affidavit.

FILE WITHIN 14 DAYS

The CMO reviews timely materials and the MIT Justice receives them.

FILED AFTER 14 DAYS

The CMO does not review late materials. Consideration is at the MIT Justice's discretion.

RESPONSE AND REPLY

RESPONSE / REPLY

A response affidavit permits one limited reply. A cross-application permits a response and then one final reply.

7 + 7 DAYS

Applicant response: within 7 days. Respondent reply: within 7 days after the response.

AUTOMATIC SNOOZE

A timely application or cross-application causes both packages to be automatically snoozed for 15 days for response and reply materials.

LATE-FILING CONSEQUENCE

If the Applicant package is rejected, a late Respondent application is also rejected.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

Page 1 of 3 | How a matter reaches CMO Review

GATEKEEPER RULE
An Affidavit of Service of the MIT Package must be filed before any party materials appear on the CMO Dashboard.

THE CMO REVIEW CLOCK

1 SERVE THE MIT PACKAGE
The date the other party is served starts the timing calculation.

2 FILE AFFIDAVIT OF SERVICE
The lawyer must record the service date in Justice Digital. For self-represented litigants, the Clerk will record the service date. The filing date does not start the 14-day clock.

3 14 -DAY RESPONSE PERIOD
The respondent may submit materials during the 14 days following service.

4 DAY 15: DASHBOARD
On the 15th day after service, the matter appears on the CMO Dashboard in chronological order for first-come, first-served review.

LATE AFFIDAVIT
If proof of service is filed after the 14 days have passed, all filed materials appear on the CMO Dashboard almost immediatel y.

ROLE AND PURPOSE OF THE CMO

WHO IS THE CMO?
A senior Court lawyer familiar with the FFP, Mandatory Requirements, family disclosure, Rules and Court procedures.

WHAT DOES THE CMO DO?
Reviews the filed MIT Package materials to determine whether the matter is procedurally ready for an MIT Conference.

WHY REVIEW IS REQUIRED
The Court is a court of record. Appropriate documents and evidence must be properly filed and served so decisions can be made fairly.

THE CENTRAL QUESTION
Is at least one party's MIT Package complete enough to proceed to a Justice?

DASHBOARD LIMIT
Once a result is entered, the matter leaves the Dashboard. Snoozed matters return only when the snooze period expires.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

Page 2 of 3 | What the CMO reviews

CORE CMO CHECKLIST AREAS

MANDATORY REQUIREMENTS

ADR and disclosure requirements, or a Justice-granted waiver or deferral, with proof uploaded.

COMMENCEMENT DOCUMENTS

Correct filed pleadings match the unresolved issues and relief being advanced.

SERVICE OF PLEADINGS

Personal service where required, or service under an Order, with acceptable proof.

MIT FORMS

Request for MIT Conference, MIT Summary, and complete-enough application materials where interim relief is requested.

FINANCIAL DISCLOSURE

FDS sections, schedules, supporting records, service proof, Notice to Disclose material and Cunningham disclosure where applicable.

INTERIM RELIEF

FL-18 where required, a new supporting Affidavit or Statement, and proof of service.

INITIAL REVIEW → SNOOZE REVIEW

INITIAL REVIEW

The CMO reviews the Applicant's package and timely Respondent materials. Each item is marked Verified or Deficient, with reasons for deficiencies.

FINAL REVIEW AFTER SNOOZE

At expiry, the matter automatically returns to the assigned CMO. New correction documents from the snoozed party are reviewed. Late Respondent materials are visible but not reviewed.

THREE CMO CHECKLIST STREAMS

PRE-JUDGMENT / FLA

Applicant packages and Respondent packages with an Application or Cross-Application.

POST-JUDGMENT / FINAL ORDER

Applications after Divorce Judgment, final Family Law Act Order, or property judgment.

RESPONDENT RESPONSE ONLY

Respondent materials without an Application or Cross-Application.

LATE MATERIALS

Late Respondent documents may appear on the Dashboard but are not reviewed by the CMO and do not affect the final CMO result.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

STEP 4 | CASE MANAGEMENT OFFICER REVIEW

Page 3 of 3 | Certify, Snooze or Reject

ONE MATTER | ONE OVERALL STATUS

STATUS RULE

The matter as a whole can have only one result at a time, even if the parties have different individual package results.

CERTIFY

Complete enough to proceed. A booking link is issued. The MIT Conference must be scheduled within 30 days or certification expires. A deficient party may continue correcting until the conference, but new material is not CMO-reviewed.

SNOOZE | 7 OR 15 DAYS

Pauses review to correct deficiencies or permit a response/reply. Usually one snooze. Returning snoozed matters are reviewed before new matters. No response or reply is required merely because the opportunity was provided.

REJECT

Closes the MIT request. To continue, restart with corrected materials, a new MIT Request and Summary, service of the new package, and a new Affidavit of Service.

COMMON RESULT PATHWAYS

MISSING PLEADINGS OR SERVICE

Usually Snooze first. Reject if not corrected after the snooze, unless an accepted service substitute applies.

MISSING OR DEFICIENT FDS

Usually Snooze at initial review. Deficient disclosure after snooze usually leads to rejection unless a waiver or Justice direction applies.

ADR NOT ON ALL ISSUES

Snooze to correct or upload a waiver/deferral. Reject if the deficiency remains.

TIMELY CROSS-APPLICATION

Review may proceed independently. A complete Respondent application can support certification even if the Applicant package is deficient.

MANDATORY RESPONSE / REPLY SNOOZE

15-DAY SNOOZE

When a timely Cross-Application permits an Applicant response and Respondent reply, the matter must be snoozed for 15 days.

7-DAY SNOOZE

When only one reply remains available, a 7-day snooze may be used.

ADDITIONAL INDIVIDUAL PARTY RESULTS

UNCERTIFIED The matter is certified, but one party still has deficiencies. That party may correct before the MIT Conference; consideratio n is at the Justice's discretion.

NOT REVIEWED Late-filed materials were not reviewed by the CMO and no checklist is issued for those materials.

High-level overview only. Consult the FFP Manual and current CMO certification checklists for complete guidance.

STEP 5 | SCHEDULE THE MIT CONFERENCE

Your MIT Package has been certified. You are ready to schedule the first conference with your assigned Justice.

1 CERTIFICATION EMAIL RECEIVED

The CMO email confirms that the matter is Certified and includes the online booking-request link. A certified party may book even if the other party's individual result is Uncertified or Not Reviewed.

2 COMPLETE THE ONLINE BOOKING REQUEST

Use the link in the CMO email. Work together to identify dates agreeable to both parties, because both parties are expected to attend. Submit the completed request to the Court Coordinator.

3 SUBMIT THE REQUEST WITHIN 30 DAYS

The booking request form must be submitted within 30 days of receiving the CMO certification email. If the request is not submitted within 30 days, the certification becomes void.

BOOK WITHIN 30 DAYS ≠ ATTEND WITHIN 30 DAYS

The booking request must be submitted within 30 days. The actual MIT Conference may take place more than 30 days after certification.

IF CERTIFICATION EXPIRES

Return to Step 3:
- resubmit the MIT Package in Justice Digital
- serve the new package
- file the Affidavit of Service
- restart CMO Review

AFTER THE REQUEST IS SUBMITTED

The matter is assigned to a one-hour initial MIT Conference with a Family Roster Justice. The assigned Justice becomes the MIT Justice / Case Conference Justice.

THE ASSIGNED JUSTICE The MIT Justice / Case Conference Justice will generally work with the family until the matter is resolved or proceeds to trial.

NEXT: STEP 6 | ATTEND THE MANDATORY INTAKE TRIAGE CONFERENCE

High-level overview only. Consult the certification email and FFP Manual for complete booking directions.

STEP 6 | ATTEND THE MIT CONFERENCE

Meet with your assigned MIT Justice and move your family matter toward resolution.

1 ATTEND THE MIT CONFERENCE

The conference is scheduled for one hour at the local courthouse. Parties and lawyers are expected to attend in person unless remote attendance is approved in advance through a Hearing Mode Request.

YOUR ASSIGNED JUSTICE

A Family Roster Justice with specialized family-law training and experience. The Justice may make legal decisions while also encouraging amicable resolution and reducing conflict.

COURTROOM & RECORD

A Court Clerk is present. The conference is on the record, meaning everything said is recorded and saved.

THE JUSTICE MAY

- Grant interim, procedural, consent or some final relief
- Set deadlines and directions
- Order Practice Note 7 or 8 reports
- Appoint Child's Counsel
- Direct disclosure, appraisals or valuations
- Refer to Resolution Counsel or mediate

PREPARE TO DISCUSS

Be ready to discuss every unresolved issue, answer questions, identify missing evidence or professional assistance, and explore settlement. Bring all materials needed for any Application or Cross-Application.

IF ASKING FOR ORDERS

Bring the filed Application or Cross-Application, supporting documents and appropriate evidence. Be prepared to make legal arguments about why the requested relief should or should not be granted.

ACCOMMODATIONS & SPECIAL NEEDS

The Justice may assess safety and domestic violence concerns, accessibility, cultural or restorative supports, the child's voice, and whether the Settlement Conference should be binding or non-binding.

EPOs, RESTRAINING ORDERS & CRIMINAL PROCEEDINGS

Keep the MIT Justice informed about protection orders, criminal proceedings, trial dates, release conditions and viva voce hearing dates. Upload the original EPO and final Order, or another Restraining Order, in the MIT Package.

→ NEXT: STEP 7 | FOLLOW THE MIT REPORT, ORDERS AND DIRECTIONS

Examples are not exhaustive. Consult the FFP Manual and the MIT Justice's directions for complete requirements.

STEP 7 | AFTER THE MIT CONFERENCE

Follow the MIT Report, Orders, deadlines and directions for the next stage.

MIT REPORT & ORDERS

The MIT Justice completes the MIT Report, signs Interim or Procedural Orders, and sends the Report by email. Review all deadlines and scheduling leave.

CHOOSE THE NEXT PATH

READY FOR SETTLEMENT

If no deadlines were set, complete the Joint Request for Settlement Conference Date and submit the booking request.

DEADLINES WERE SET

Complete every deadline first, then submit the Joint Request and booking request. Upload the Scheduling Confirmation in Justice Digital.

PARTY IN DEFAULT

The MIT Justice may set the matter down for a streamlined trial.

CASE CONFERENCE

The MIT Justice becomes the Case Conference Justice. Attend if directed in the MIT Report or if leave is granted after a request.

INTERIM APPLICATIONS

Multiple interim applications are discouraged unless justified and the relief cannot wait until trial. The primary goal is re solution.

REQUESTING A MEETING AFTER MIT

REQUEST FORM

File the Request for Meeting with Case Conference Justice in Justice Digital, or by email filing if self-represented. Follow the endorsement and any deadlines.

URGENT MATTER

Use the same request form. The assigned Justice decides urgency and whether the matter can be heard or should go to Urgent Matters Chambers.

VIVA VOCE / EXPEDITED TRIAL

Urgent matters requiring viva voce evidence require approval from the Chief Justice or Associate Chief Justice. This includes a request for an expedited mobility trial.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

STEP 8 | SETTLEMENT CONFERENCE

Page 1 of 2 | Book, prepare and participate in good faith

BOOK THE CONFERENCE

Complete and file the Joint Request for Settlement Conference Date, then use its booking link. If parties cannot agree, request direction from the Case Conference Justice.

BEFORE BOOKING

Procedural Orders must be complied with and full disclosure exchanged so the issues are narrowed.

GOOD FAITH REQUIRED

Attend to pursue settlement, not as a dry run for trial. Be ready to provide settlement offers on all outstanding issues.

WHO CONDUCTS IT

Usually a different Family Roster Justice. If no conflict exists and all parties consent, the MIT Justice may conduct it.

LENGTH

The Settlement Conference is booked for 2.5 hours.

ACCOMMODATIONS

Directions may address interpreters, accessibility, cultural or restorative supports, and the child's voice.

SETTLEMENT MEMORANDUM | 14 DAYS BEFORE

CONTENT

List issues and sub-issues, position on each, concise facts and evidence, calculations or property spreadsheet, and no more than two cases per issue.

FORMAT & ATTACHMENTS

Letter form, maximum 8 pages plus permitted attachments: ChildView or DivorceMate calculations, property spreadsheet, and links to case law only.

CALGARY / SOUTH

Send to CaseConferenceCoordinator.KBJCalgary@albertacourts.ca

EDMONTON / NORTH

Send to CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca

SERVICE

Send the Memorandum to the Coordinator and serve the opposing party 14 days before the conference.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

STEP 8 | SETTLEMENT CONFERENCE

Page 2 of 2 | Conference options, report and outcomes

BINDING CONFERENCE

The Justice must consent and the parties must sign the Binding Settlement Conference Agreement provided by the Justice.

CHILD'S VOICE

The MIT Justice canvasses how the child's voice will be heard. A judicial interview remains at the Justice's discretion.

SETTLEMENT CONFERENCE REPORT

The Justice completes the SC Report, emails it to the parties and places it on the Court file. Any agreement terms are included; unsuccessful settlement discussions are not.

OUTCOME

ALL ISSUES RESOLVED

Counsel prepares Orders, or the Court Generated Orders Clerk does so if both parties are self-represented. The Justice signs the Orders and they are filed and provided to the parties.

ISSUES REMAIN

Represented parties go to a Rule 4.10 Case Conference. Where there is a self-represented litigant, parties are referred to Resolution Counsel for a Litigation Plan.

NEXT PATH

Resolved matters move to final Orders. Unresolved matters move to Step 9 for Litigation Planning, a Rule 4.10 Case Conference or Pre-Trial preparation.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

STEP 9 | FINAL STEPS BEFORE TRIAL

Use Litigation Plans, Rule 4.10 Case Conferences and Pre-Trial Conferences to ensure readiness.

CHOOSE THE LITIGATION-PLANNING PATH

SELF-REPRESENTED LITIGANT

Resolution Counsel may help create a Litigation Plan. A consent plan goes to the MIT/Case Conference Justice for approval. If no consent, a Rule 4.10 Case Conference finalizes the plan.

PARTIES REPRESENTED

Counsel may draft a Litigation Plan Order. If agreed, submit it for Court approval. If not agreed, the Justice may hold a Rule 4.10 Case Conference to settle the terms.

COURT APPROVAL REQUIRED

Even a consent Litigation Plan requires approval by the MIT/Case Conference Justice, who may need to meet with counsel.

PRE-TRIAL CONFERENCE

The assigned MIT/Case Conference Justice may hold a PTC 90 days or more before trial to ensure trial readiness.

READY FOR TRIAL

Complete the Litigation Plan, required disclosure, evidence preparation and procedural directions before the scheduled trial.

NEXT: STEP 10 | TRIAL AND FINAL DETERMINATION

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

STEP 10 | TRIAL

FINAL DETERMINATION OF UNRESOLVED ISSUES

TRIAL

Any Justice of the Court of King's Bench may be assigned to a family Streamlined Trial or Trial.

ANTICIPATED GOAL

The anticipated goal is trial within 18 months from the Settlement Conference. Lead times may be affected by issues arising during the process.

PURPOSE

The trial Justice makes final decisions on unresolved family-law issues.

FROM SETTLEMENT CONFERENCE TO FINAL DECISION

LITIGATION PLAN

Complete the ordered steps, disclosure and evidence preparation.

TRIAL READINESS

Attend any Rule 4.10 or Pre-Trial Conference and comply with directions.

TRIAL

Present the unresolved issues for final determination.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

DESK PROCESS

Matters decided through document-based processes

WHO HANDLES DESK MATTERS

FAMILY ROSTER JUSTICE

Waiver/deferral requests, Resolution Counsel requests, time-sensitive consent Orders, Notice to Disclose applications, and Practice Note 2 leave requests where no Justice is assigned.

ANY JUSTICE

Desk Divorce Applications, non-urgent or non-time-sensitive consent Orders, and other desk applications such as pension division Orders.

REMINDER

Desk Process filing has not changed. Consult the Master List of Included and Excluded Matters.

WAIVER OR DEFERRAL | KEY STEPS

PREPARE & SERVE

Confirm commencement documents were filed and served. Complete CTS13474, KB233 and KB234. Serve the unfiled request, notice and KB235 response form.

5 CLEAR DAYS

Allow 5 clear days for the response. Then file the request, desk application, notice, response or Affidavit of Service, and any relevant service Order.

ADR WAIVER

Reasonable ADR efforts are required. A single unanswered email and settlement correspondence are not ADR.

RESOLUTION COUNSEL

REQUEST & SCHEDULING

CTS14866 may be used where eligibility requirements are met. If granted, provide mutually agreeable dates. The two-hour meeting is online by Webex and focuses on resolution.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.

URGENT PROCESS

Requests requiring immediate Court attention

SUBMIT THE URGENT REQUEST

File the Urgent Request Form with the unfiled draft application and supporting documents. A Family Desk Roster Justice vets urgent matters province-wide.

IF APPROVED

The matter proceeds to Urgent Matters Chambers or Family Chambers on a designated date. Further relief must then proceed through the Regular Family Process.

ALREADY ASSIGNED A JUSTICE

After the initial MIT Conference, use the Request for Meeting with Case Conference Justice in Justice Digital, or email filing if self-represented.

WHAT MAY QUALIFY AS URGENT

SAFETY / HARM

Risk of violence or immediate harm, including qualifying exclusive-possession requests; or Emergency Protection Order reviews.

CHILD-RELATED URGENCY

Risk of removal from the jurisdiction, or parenting-time, contact or communication issues that cannot reasonably be delayed.

FREQUENTLY ASKED QUESTIONS

MANDATORY REQUIREMENTS FIRST?

No. After the urgent issue is addressed, the parties are expected to complete the Mandatory Requirements.

ACTION ALREADY STARTED?

No. Draft commencement documents accompany the urgent request. If approved, the Court files the draft commencement document.

IF THE REQUEST IS REJECTED

The parties must enter the Regular Family Process.

High-level overview only. Consult the FFP Manual, applicable forms, Notices and Court directions.