



COURT OF QUEEN'S BENCH OF ALBERTA

NOTICE TO THE PROFESSION AND PUBLIC

**COLLABORATIVE LAW PROCESS
AND CASE MANAGEMENT/RESOLUTION COUNSEL MEETINGS
AS QUALIFYING FORMS OF ALTERNATIVE DISPUTE RESOLUTION**

Rule 4.16(1)(d) of the Alberta Rules of Court permits the Court to designate a program or process a “dispute resolution process” for the purpose of Rules 8.4(3)(a) and 8.5(1)(a) (“the Mandatory ADR Rules”).


A Collaborative Law Process is hereby designated a dispute resolution process for the purpose of Rule 4.16(1) and the Mandatory ADR Rules if it meets the following criteria:

- Each party must be represented by a lawyer who has agreed to conduct a Collaborative Process meeting the standards established by the Collaborative Divorce Alberta Association (“CDAA”) and whose representation terminates upon the undertaking of any contested court proceeding;
- The parties have signed a Participation Agreement in a form approved by the CDAA and/or a Regional Association of Collaborative Divorce Professionals recognized by the CDAA;
- The parties have agreed, in the Participation Agreement, that they will attempt to resolve all outstanding family law issues through the collaborative process.

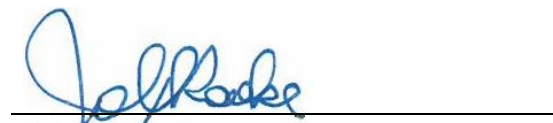
Rule 8.4(3)(a)(i) requires that parties requesting a trial date must provide a certificate that the parties have participated in at least one of the dispute resolution processes described in Rule 4.16(1). For the purpose of Rule 8.4(3)(a)(i), it will be sufficient for parties to provide a letter from the lawyers engaged in the collaborative law process, certifying that the parties have engaged in a process that meets the foregoing criteria, and have used good-faith efforts in their negotiations to reach a mutually acceptable settlement.

In appropriate circumstances, a meeting or series of meetings with the Court of Queen’s Bench Case Management/Resolution Counsel may also be a “dispute resolution process” for the

purpose of Rules 8.4(3)(a) and 8.5(1)(a). The parties may, by consent, request Case Management/Resolution Counsel to certify by letter that the parties have demonstrated the necessary good-faith efforts to reach a mutually acceptable settlement of all outstanding family law issues and have thereby met the requirement for Mandatory ADR.



Mary T. Moreau, Chief Justice



John D. Rooke, Associate Chief Justice



Kenneth G. Nielsen, Associate Chief Justice