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| COURT FILE NUMBER | [*File Number*] |
| COURT | COURT OF KING’S BENCH OF ALBERTA |
| JUDICIAL CENTRE | *Select a Judicial Centre* |
| PLAINTIFF/APPLICANT  (PARTY 1) | [*Plaintiff Name*] |
| DEFENDANT/RESPONDENT  (PARTY 2) | [*Defendant Name*] |
| DOCUMENT | **STREAMLINED TRIAL ORDER (FAMILY)** |
| ADDRESS FOR SERVICE AND CONTACT INFORMATION OF PARTY FILING THIS DOCUMENT | [*Address for Service and Contact Information of Party Filing this Document*] |

Clerk’s Stamp

**DATE ON WHICH ORDER WAS PRONOUNCED:** *Click to select a date*

**NAME OF JUDGE WHO MADE THIS ORDER:** *Enter name of presiding Justice*

**HEARD AT:** *Select a Judicial Centre***, ALBERTA**

**UPON** the application by *Select from drop-down* for a Streamlined Trial pursuant to Part 8 Division 5 of the Alberta Rules of Court;

**AND UPON HEARING** the submissions by or on behalf of the parties;

**AND UPON IT APPEARING** to the Court that:

1. the issue or question raised on the claim is suitable for a Streamlined Trial;
2. the claim generally is suitable for a Streamlined Trial
3. the Streamlined Trial will facilitate resolution of the claim or a part of it;

**AND UPON THE COURT BEING SATISFIED THAT** a Streamlined Trial:

1. is necessary for the purpose of the action to be fairly and justly resolved,

And

1. is proportionate to the importance and complexity of the issues, the amounts involved and the resources that can reasonably be allocated to resolving the dispute

**AND UPON IT APPEARING** that a procedural order pursuant to Rule 4.11 will assist with managing the action until the Streamlined Trial and with the procedures to be used at the Streamlined Trial (subject to the discretion of the Trial Judge);

**IT IS HEREBY ORDERED THAT:**

1. **This matter shall proceed to a** *Enter length of trial* **day Streamlined Trial,** on a date to be scheduled by the Court Coordinator for Family Trials by not later than *Click to select a date***;**
2. Upon providing the designated Court Coordinator for Family Trials with:
3. A copy of this Family Streamlined Trial Order;
4. The required fee; and,
5. A Form 36 (unless this requirement is dispensed with)

the Court Coordinator shall schedule this matter for a *Enter length of trial* day Streamlined Trial. The Court Coordinator shall also provide the parties with a date for a second Rule 4.10 Case Conference at least 3 months before the Streamlined Trial date.

**ISSUES**

1. The issues to be determined (questions that the Court must answer) at the Streamlined Trial shall be [*be as specific as possible, even where “all issues” are to be decided*]:

**TRIAL READINESS**

*[Note: Here set out any preparatory matters that need to be completed such as questioning, compliance with undertakings, disclosure, provision of expert reports, interlocutory applications.]*

1. PARTY 1 shall: *Click to enter all preparatory matters here* on or before*Click to select a date* **.**
2. PARTY 2 shall: *Click to enter all preparatory matters here* on or before *Click to select a date* **.**
3. Both parties shall: *Click to enter all preparatory matters here* on or before *Click to select a date* **.**
4. Form 36 [*Request to Schedule a Trial Date*] shall be filed by *Click to enter Name of Party filing this Order* on or before *Click to select a date* **.** *(Specify if dispensing with need for Form 36 Click to specify here )*

1. The parties must attend a second R. 4.10 conference no later than three months before the scheduled trial date to confirm that the parties have complied with the pre-trial requirements contained in the Streamlined Trial Order and will be ready to proceed to trial. A date for the second Rule 4.10 Case Conference will be provided by the Court Coordinator when the date for the Streamlined Trial is provided.

1. One week prior to attending the second R.4.10 Case Conference the parties must provide a Family Pre-Trial Conference Summary confirming compliance with the Streamlined Trial Order and readiness for trial.
2. The parties must provide confirmation in writing to the designated Court Coordinator for Family Trials, that the second R.4.10 Case Conference has been completed. This confirmation must be provided no later than seven (7) days after the second R. 4.10 Case Conference, failing which the Streamlined Trial date will be cancelled by the Court Coordinator

**EVIDENCE**

1. PARTY 1 / the Plaintiff’s evidence at trial will be provided by the Plaintiff and:
   * + 1. *Click to enter number of* lay witnesses;
       2. *Click to enter number of* expert witnesses;

1. PARTY 2 / the Defendant’s evidence at trial will be provided by the Defendant and:
   * + 1. *Click to enter number of* lay witnesses;
       2. *Click to enter number of* expert witnesses;
2. A Trial Schedule will be prepared by the parties for the second Case Conference pursuant to paragraph 8 of this Order.
3. Each party shall file one single concise affidavit, based upon that party’s personal knowledge and containing all the evidence, including admissible records/documents, which that party intends to rely on at the Streamlined Trial.

Affidavit shall be limited to *Enter maximum number of pages*pages.

Exhibits shall be limited to *Enter maximum number of pages*pages.

1. PARTY 1’s affidavit shall be due on or before *Click to select a date*.
2. PARTY 2’s affidavit shall be due on or before *Click to select a date*.

Any rebuttal affidavit shall be filed by PARTY 1 on or before *Click to select a date*.

Where PARTY 2 has a counterclaim or cross-application, PARTY 2 shall file any rebuttal affidavit on or before *Click to select a date*.

1. Each party may question the other on the affidavits but must complete that questioning on or before *Click to select a date* .
2. Each party is permitted to provide direct testimony for a total maximum of *Enter maximum number of minutes* minutes only for the purpose of supplementing what is in the affidavit to update any new circumstances since the affidavit(s) were filed. Each party shall be subject to cross-examination generally, as in a full trial, but the total maximum time for cross-examination of each party shall be *Enter maximum number of minutes* minutes.

*[Direct testimony of party, witness or expert should be limited to discrete topics, with non-controversial topics being addressed by affidavit.]*

***Expert Witnesses***

1. Parties may file an affidavit deposed to by an expert witness, attaching the expert witness’ expert report and his/her/their qualifications to provide expert testimony on a particular topic.
2. PARTY 1/Plaintiff’s affidavits from expert witnesses:

*CLICK to specify EACH witness. Indicate their NAME; their QUALIFICATIONS; their AREA OF EXPERTISE; the DEADLINE on or before which the affidavit must be filed*

1. PARTY 2/Defendant’s affidavits from expert witnesses:

*CLICK to specify EACH witness. Indicate their NAME; their QUALIFICATIONS; their AREA OF EXPERTISE; the DEADLINE on or before which the affidavit must be filed*

***Lay Witnesses***

1. PARTY 1/Plaintiff may provide concise affidavit evidence from *NAME of Witness(s)* based upon personal knowledge and attaching admissible records/documents.

PARTY 2/Defendant may provide concise affidavit evidence from *NAME of Witness(s)* based upon personal knowledge and attaching admissible records/documents.

The deadlines for the filing of these affidavits and rebuttal evidence from each party are the same as in Paragraph 7.

***Questioning of Third Parties***

1. Each witness shall be subject to cross-examination generally, as in a full trial, but the total maximum time for cross-examination of each witness shall be *Enter maximum number of minutes* minutes. If a witness is not made available for cross-examination then the affidavit of that witness shall not be considered as evidence in the Streamlined Trial.
2. Each party may file those portions of transcripts from questioning of the other party for use as evidence (read-ins). The deadline for filing any such transcripts shall be *Click to select a date*.

***Agreed Statement of Facts***

1. The parties shall exchange proposals for an Agreed Statement of Facts on or before *Click to select a date*, and upon review of respective proposals, *Click to select a PARTY* shall file the resulting Agreed Statement of Facts with the Court on or before *Click to select a date*.

**OPENING STATEMENTS AND ARGUMENT**

1. The parties will each be limited to 15 minutes for an opening statement.
2. Each party shall file a brief limited to *Enter maximum number of pages* pages, including the facts relied on, reasons for the relief requested, and any legal or other arguments. PARTY 1 shall file by *Click to select a date*and the PARTY 2 shall file by *Click to select a date*.
3. The parties will each be limited to *Enter maximum number of minutes* minutes for closing arguments. Counsel for the party to give the first closing argument will be allowed a maximum *Enter maximum number of minutes* minute response to the closing argument of the other party.

**CONCLUSION**

1. The judicial determination of the issues at the Streamlined Trial shall be a final judgment, not an interim judgment, with respect to those issues.
2. If the parties reach agreement on some or all the foregoing issues, the Court shall be immediately advised.
3. Except for emergencies and the applications contemplated by paragraphs 4-6 of this Order, no other applications shall be brought by either party prior to the Streamlined Trial date without leave of the Court.

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Justice of the Court of King’s Bench of Alberta