



COURT OF QUEEN'S BENCH FOR
SASKATCHEWAN

FAMILY PRACTICE DIRECTIVE #1

FAMILY PRE-TRIAL CONFERENCES

REFERENCE: FAM-PD #1

Former Reference: Practice Directive #5

Created: May 1, 2009

Revised: July 1, 2013; December 1, 2018

Effective: February 1, 2019

1. This practice directive supplements but does not alter or replace the requirements of Queen's Bench Rules 4-13 and 15-37(2)(b).
2. The pre-trial brief that parties in a family law proceeding are required to serve and file shall be in Form 1 attached to this practice directive and shall contain the following information:
 - a) **Part 1 – Summary of Facts:** A summary of relevant facts including:
 - i. the names and birth dates of the parties and any children of the relationship;
 - ii. the date the parties commenced cohabitation and/or were married;
 - iii. the date of separation;
 - iv. the date the petition was issued; and
 - v. the dates and details in point form of any interim court orders or agreements of the parties.
 - b) **Part 2 – Facts in Detail:** A detailed discussion of the relevant facts including:

- i. where the parties resided, the respective roles adopted by the parties during the relationship, employment, training and educational background of the parties and parenting responsibilities towards any children of the relationship;
 - ii. information regarding the condition, means, needs and circumstances of the parties and of any children of the relationship;
 - iii. information regarding any anticipated change in the condition, means, needs and circumstances of the parties and any children of the relationship;
 - iv. information regarding family property exemptions claimed, any change in the value of family property that is relevant to the matter, the position taken regarding the appropriate valuation date of family property and the basis for the value attributed where same is not agreed to; and
 - v. information regarding the most recent settlement offers and counter offers that have been exchanged between the parties.
- c) **Part 3 – Summary of the Issues:** Identify the outstanding issues for which relief is being requested from the Court and for which no resolution has been reached prior to the pre-trial settlement conference.
- d) **Part 4 – Argument:** In detail, set out the party's position or argument with respect to the issues identified including:
- i. a detailed discussion of the relevant facts and points of law to be argued in support of the relief being requested from the Court; and
 - ii. where any statute, rule of court, case authority or other jurisprudence is cited or relied upon, only the relevant portions of the statute, rule of court, case authority or other jurisprudence shall be included in the pre-trial brief as may be necessary to support the party's argument.
- e) **Part 5 – Conclusion:** Set out a concise summary of the relief requested.

- f) **Part 6 – Index to Tabs:** List sequentially the documents attached to the pre-trial brief and the tab under which they may be found.
- g) **Schedule A:** Where division of family property is in issue, the pre-trial brief Form 1 shall attach as the first tab a property schedule in the form attached to this practice directive as Schedule A. Schedule A shall list:
- i. each item of property;
 - ii. the value of each item of property and the date of that value if not using the date of application;
 - iii. the value of any exemption being claimed in respect to an item of property;
 - iv. the distribution proposed of each item of property, including exemptions and liabilities of each party and their allocation in the division of family property;
 - v. if applicable, identifying any income tax consequences or other anticipated disposition costs associated with the proposed distribution of family property; and
 - vi. where the value of an item of property, any exemption claimed or any debt or liability to be allocated is not agreed to, the party shall attach to Schedule A, under separate tabs, the source from which the indicated value is derived including copies of any statements and any appraisal reports which support the values indicated.

Chief Justice M.D. Popescul
Court of Queen's Bench for Saskatchewan