



## **Court of Queen's Bench for Saskatchewan**

**September 30, 2020**

### **COURT INTRODUCES ADDITIONAL OPTION TO RESOLVE MATTERS WITHOUT TRIAL**

Saskatchewan's Court of Queen's Bench is amending its rules to provide an option for parties in civil and family disputes to resolve their case without going to trial.

Binding pre-trial conferences will allow parties that cannot reach agreement during their settlement pre-trial conference to leave the decision in the hands of the pre-trial judge. Chief Justice Martel D. Popescul explains that the newly introduced binding conference is an alternative form of the settlement pre-trial, which the Saskatchewan Court was one of the first in the country to implement.

"The settlement pre-trial conference that our Court pioneered almost 40 years ago remains a popular and effective process for resolving disputes short of trial," Popescul explains. "The introduction of binding pre-trial conferences is not meant to replace what is working well, but to supplement the existing process."

Opting into the process is completely voluntary. If both parties consent to a binding pre-trial conference and are unable to reach a mutually acceptable agreement during the settlement pre-trial conference, the judge makes the decision and it becomes final and binding. There is no need to proceed to trial, which can save the litigants time and money.

"The binding pre-trial conference process may not be suitable for all cases, but where it is, it offers another arrow in one's quiver, so to speak," Popescul notes.

The key components of binding pre-trial conferences include:

- Both parties must agree and sign a joint request and a written agreement;
- The local registrar will assign a judge and advise the parties of the assignment at least 30 days prior to the proceeding; either party may choose to opt out and the pre-trial will proceed as a standard settlement pre-trial conference;
- The process will be similar to settlement pre-trial conferences, with the judge attempting to help the parties arrive at a mutually acceptable agreement;
  - if the parties do come to an agreement the settlement is documented and the action is concluded;
  - if the parties can't reach an agreement, the judge may then go on to make a binding decision.

The amendment implementing the conferences takes effect Oct. 1, 2020.

The new rule can be found on the [Courts of Saskatchewan website](#).

-30-

For more information:

Dawn Blaus

Courts Communication Officer

306-533-1114