



COURT OF APPEAL OF ALBERTA

Style of Cause:

Appeal No:

Trial Court File No:

Appeal Conference Summary

IMPORTANT NOTE

To facilitate meaningful discussion at the Appeal Conference, each party must complete this form and submit it no later than 1 week prior to the scheduled Appeal Conference date.

Section 21 of this form asks for parties to provide a without prejudice offer to settle. It is expected that a good faith offer be made, one that provides some degree of compromise.

Appeal Conferences will be conducted by a single appeal judge in an informal process similar to a mediation or Judicial Dispute Resolution. Appeal Conferences will include two components: a settlement discussion component, which is led by the judge and held without prejudice and a procedural component, which could result in an order if both parties agree. It is important to note that an Appeal Conference appearance is not simply procedural or cursory in nature. Substantive issues will be discussed. The discussion is not limited to the issues that are under appeal; additional issues in the underlying action may also be addressed.

Both counsel and the parties play an important role in the Appeal Conference process. Counsel should have meaningful discussions with their client in advance of the Appeal Conference and prepare their clients to engage in substantive resolution discussions.

ACKNOWLEDGEMENT

All counsel and self-represented parties must complete the following acknowledgment by checking off the box below:

I, _____, acknowledge that I have read the above note and the Appeal Conference Scheduling Letter received from the Case Management Officer on _____.

All counsel must complete the following acknowledgment by checking off the box below:

I, _____, understand the Court's expectation that all counsel will have meaningful discussions with their client in advance of the Appeal Conference and will come to the Appeal Conference prepared to engage in settlement discussions.

Appeal No.

Appeal Conference Summary

Date of Appeal Conference:

Name of Party filing this Summary:

Appellant (person who filed the appeal)
Full legal name & address for service – street & number, municipality, postal code, telephone and email address

Appellant's Lawyer
Lawyer's name, address, telephone/fax numbers and email address

Respondent
Full legal name & address for service – street & number, municipality, postal code, telephone and email address

Respondent's Lawyer
Lawyer's name, address, telephone/fax numbers and email address

Name & address of lawyer for children (if applicable) street & number, municipality, postal code, telephone & fax numbers and e-mail address and name of person represented.

Name & address of other parties/lawyers (if applicable, e.g. Director of Maintenance Enforcement, Director of Child and Family Services) street & number, municipality, postal code, telephone & fax numbers and e-mail address and name of person represented.

PART 1 – FAMILY FACTS

1. APPELLANT		
Age:	Birthdate:	
Status in the QB Action:	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant
2. RESPONDENT		
Age:	Birthdate:	
Status in the QB Action:	<input type="checkbox"/> Plaintiff	<input type="checkbox"/> Defendant

RELATIONSHIP DATES	
Started living together on	
Married on	
Separated on	Divorced on
Never lived together <input type="checkbox"/>	
Other (<i>Explain</i>)	

3. The basic information about the child(ren) is as follows:				
Child's full legal name	Age	Birthdate (<i>d, m, y</i>)	Grade/Year and School	Now living with

PART 2 – ISSUES

4. What are the issues in this case that HAVE been settled?		
<input type="checkbox"/> parenting	<input type="checkbox"/> spousal support	<input type="checkbox"/> possession of home
<input type="checkbox"/> guardianship	<input type="checkbox"/> child support	<input type="checkbox"/> division of property
<input type="checkbox"/> protection order	<input type="checkbox"/> other (<i>specify</i>)	

5. Have any of these settled issues turned into a court order or a written agreement?
<input type="checkbox"/> No
<input type="checkbox"/> Yes (Please attach) <ul style="list-style-type: none"> <input type="checkbox"/> an order dated <input type="checkbox"/> an agreement dated

6. What are the issues in this appeal?		
<input type="checkbox"/> parenting	<input type="checkbox"/> spousal support	<input type="checkbox"/> possession of home
<input type="checkbox"/> guardianship	<input type="checkbox"/> child support	<input type="checkbox"/> division of property
<input type="checkbox"/> protection order	<input type="checkbox"/> other (<i>specify</i>)	

7. Are any issues in this appeal urgent?
<input type="checkbox"/> No
<input type="checkbox"/> Yes (<i>Identify the issues and give details of why the issues are urgent</i>)

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8. Aside from the issues in this appeal, what issues remain to be resolved in the action?

<input type="checkbox"/> parenting	<input type="checkbox"/> spousal support	<input type="checkbox"/> possession of home
<input type="checkbox"/> guardianship	<input type="checkbox"/> child support	<input type="checkbox"/> division of property
<input type="checkbox"/> protection order	<input type="checkbox"/> other (<i>specify</i>)	

9. If child or spousal support is in issue, give the line 150 income of the parties

Appellant:	\$	for the year 20
Respondent:	\$	for the year 20

10. Do you want the court to make an interim (temporary) or final order on any matters that are agreed upon at the appeal conference?

Yes No

PART 2 – HISTORY OF CASE/ACTION

11. When was the action commenced?

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12. What efforts have been made to reach agreement on the issues that have not been settled (e.g. mediation, Judicial Dispute Resolution, Child Support Resolution Meeting, Case conference, settlement meetings)?

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13. Have you attended an Early Intervention Case Conference in Queen's Bench?

No
 Yes (*If so, when?*)

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14. Is a trial, Special Chambers Application or Oral Hearing Scheduled?

- No
 Yes (*If so, when?*)

15. Have there been other appeals?

- No
 Yes (*If so, provide the appeal numbers and any details.*)

16. Has a PN7 intervention been ordered?

- No
 Yes (*If yes, on a separate page, provide type of intervention, date of order and name of parenting expert*)

17. Has a PN8 Parenting Assessment been ordered??

- No
 Yes (*If yes, on a separate page provide details such as: the type of expert evidence; whether the parties will be retaining a joint expert; who the expert will be; who will be paying the expert; how long it will take to obtain a report, etc.*)

18. Are there other issues that may require expert evidence or a report?

- No
 Yes (*If yes, on a separate page provide details such as: the type of expert evidence; whether the parties will be retaining a joint expert; who the expert will be; who will be paying the expert; how long it will take to obtain a report, etc.*)

19. Are there any interim applications outstanding or contemplated?

No

Yes (*Explain what is outstanding or contemplated.*)

20. Are there any orders needed to move this matter forward? No Yes (*Explain.*)**PART 4 – OFFER TO SETTLE
(WITHOUT PREJUDICE)****21. The following is my offer to settle with regards to the appeal:** Offer to settle all issues on appeal Offer to settle some of the issues on appeal

NOTE: *If you have already made an offer and it is still open for acceptance, attach a copy to this Summary. If you have not made an offer to settle, **you must make one here**. If you do not have enough information about all the issues, make a partial offer on those issues for which you do have enough information.*

The other side can accept your offer. And if the other side does accept it, the accepted offer becomes a binding contract and can be turned into a court order that can be enforced against you. The other side can make a counter-offer.

In your offer for child support, give detailed calculations for any claim for special expenses or for undue hardship. If your offer deals with spousal support, it will be helpful to your case if you attach the Spousal Support Advisory Guideline calculations and show the effect of income tax on any proposed support order. If your offer deals with property issues, please attach a property statement listing all of the property being considered.

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22. The following is my offer to settle the action as a whole:

- Offer to settle all issues in the action as a whole
- Offer to settle some of the issues in the action as a whole

Additional Comments

If additional space is needed, extra pages may be attached. (limit of 2 extra pages)

Date of party's signature

Signature of party

Date of lawyer's signature

Signature of lawyer