

# Court of King's Bench Family Focused Protocol (FFP)



**FFP Manual**

**JUNE 2026**

*Subject to updates*

# Table of Contents

<b>A. INTRODUCTION.....</b>	<b>6</b>
<b>FFP Manual .....</b>	<b>6</b>
<b>Other FFP Resources.....</b>	<b>7</b>
<b>Feedback and Questions.....</b>	<b>7</b>
<b>JUNE 2026 UPDATE .....</b>	<b>8</b>
<b>B. OVERVIEW OF THE FAMILY FOCUSED PROTOCOL (FFP) .....</b>	<b>9</b>
<b>C. SIMPLE GUIDE TO THE REGULAR FAMILY PROCESS .....</b>	<b>10</b>
<b>D. DETAILED GUIDE TO THE REGULAR FAMILY PROCESS .....</b>	<b>12</b>
<b>Step 1: Mandatory Requirements.....</b>	<b>12</b>
Parenting After Separation (PAS) .....	13
Alternative Dispute Resolution (ADR).....	13
Disclosure .....	14
Meeting with a Family Court Counsellor (FCC).....	14
Additional Requirements in Grande Prairie.....	15
Requesting Waivers or Deferrals of the Mandatory Requirements .....	15
Family Focused Protocol (FFP) and the Family Justice Strategy (FJS) are not the same .....	15
<b>Step 2: Commencing an Action.....</b>	<b>16</b>
Family Law Claim (FL-10).....	17
Family Application (FL-18) .....	17
Application within course of proceeding.....	17
Application after order or judgment under Divorce Act (Canada).....	17
Variation of a Divorce Judgment.....	18
Variation of a Final Order under the Family Law Act .....	18
Exception to Requirement to Provide an FL-18.....	18
Affidavit of Service of Commencement Document Required for Step 3: Filing Documents in Justice Digital .....	19
What if I want to commence an action, but I am not seeking relief from the court? .....	19
What if I already have a Divorce Judgment. Do I need to commence a new action? .....	19
What if I have a Divorce Judgment but a severance order granted?.....	20
<b>Step 3: Filing of Documents in Justice Digital to request Mandatory Intake Triage (MIT) Conference.....</b>	<b>20</b>
Two Step Process for the MIT Package: File MIT Package & File Affidavit of Service of MIT Package .....	23
Where do I file the MIT Package? .....	24
Uploading Documents in Justice Digital – Filed and Previously Filed.....	24
King’s Bench Filing – Family & Divorce Lawyer and Legal Assistant User Guide .....	25
Email Address Used when Filing MIT Package in Justice Digital.....	25
Where the Opposing Party Does Not Have Email or Refuses to Provide their Email .....	25
Other Considerations for Filing in Justice Digital.....	25
Service of the MIT Package .....	26
What if I take issue with the content in a MIT Package that was served upon me/my client?.....	26
What about Case Management/Justice Seized matters? .....	26
<b>Step 4: CMO Review.....</b>	<b>27</b>
Role of the CMO .....	27
Purpose of the CMO Review and Possible Outcomes of CMO Review .....	27
Purpose of the CMO Review.....	27
How your materials move to the CMO Dashboard for review.....	28
Three Possible Outcomes from the CMO Review.....	29
<b>CERTIFY .....</b>	<b>29</b>

REJECT .....	29
SNOOZE .....	30
Example Scenarios .....	30
When the snooze period ends .....	31
Seeking a Waiver or Deferral of a Mandatory Requirement .....	32
Where should I send updated documents in response to a CMO snooze? .....	32
Two Most Common Issues Preventing CMO Outcome of Certify .....	33
Understanding CMO Review from Initial Filing of Commencement Document to CMO Review Outcome.....	35
RESPONDING TO A MIT PACKAGE SERVED UPON YOU .....	36
Option 1: Do Nothing.....	36
Option 2: File a response.....	36
Materials you <i>must</i> file as part of your Response Package for Option 2: File a Response .....	37
Optional materials you <i>may</i> file as part of your Response Package for Option 2: File a response.....	37
MIT Applicant May Reply to a Response Affidavit to the Applicant’s MIT Package.....	38
Option 3: File an application or a cross-application .....	38
Materials you must file as part of your Response Package for Option 3: File an application or cross-application .....	39
MIT Applicant may Respond to a Cross-Application and Respondent may Reply .....	40
Consequences of filing your application or cross-application after the 14-day period.....	41
If you file your application or cross-application within the 14-day period .....	41
If you file your application or cross-application within the 14-day period, and the Applicant’s MIT Package is rejected but yours is certified .....	41
Where you file your application or cross-application within the 14-day period and both the Applicant’s MIT Package and your application or cross-application are certified.....	42
<b>Step 5: Confirmation from CMO that MIT Package is Certified and Scheduling a MIT Conference.....</b>	<b>42</b>
<b>Step 6: Attending the MIT Conference .....</b>	<b>42</b>
What is an initial MIT Conference?.....	42
Purpose of an initial MIT Conference .....	43
Where EPOs or Criminal Proceedings Exist .....	43
<b>Step 7: After the MIT Conference .....</b>	<b>44</b>
Request for Meeting with Case Conference Justice .....	44
The MIT Report grants permission or directs a Case Conference .....	45
You want to request a meeting with your Case Conference Justice after the initial MIT Conference .....	45
Where the Matter is Urgent.....	45
Where an Urgent Matter Requiring Viva Voce Evidence is Required .....	45
<b>Step 8: Attending the Settlement Conference.....</b>	<b>45</b>
Booking a Settlement Conference .....	46
Timing and Who Conducts the Settlement Conference .....	46
Materials for the Settlement Conference – Settlement Memorandum .....	46
What is the Settlement Memorandum? .....	47
Where to submit the Settlement Memorandum.....	47
Accommodations for the Settlement Conference.....	47
Where the Intention is a Binding Settlement Conference .....	47
Including the Child’s Voice.....	48
Once the Settlement Conference is Complete.....	48
Where all issues are resolved at the Settlement Conference.....	48
Where not all of the issues are resolved at the Settlement Conference.....	48
<b>Step 9: Final Steps Before Trial: Litigation Plans, Rule 4.10 Case Conference and Pre-Trial Conferences.....</b>	<b>48</b>

Where there is a Self-Represented Litigant.....	48
Where parties are represented by Counsel.....	49
Pre-Trial Conferences (PTC) .....	49
<b>Step 10: Trial.....</b>	<b>49</b>
<b>E. DESK PROCESS .....</b>	<b>50</b>
Matters going before a Family Roster Justice under the Desk Process .....	50
Matters going before any Justice under the Regular Desk Process .....	50
<b>Request for Waiver or Deferral of Mandatory Requirements .....</b>	<b>50</b>
Steps for Requesting Waiver or Deferral of the Mandatory Requirements .....	51
Responding to a Request to Waive or Defer a Mandatory Requirement .....	53
<b>Request for Resolution Counsel (RC) .....</b>	<b>53</b>
Eligibility for a Meeting with Resolution Counsel.....	53
How to Request a Resolution Counsel Meeting.....	54
How to Schedule a Resolution Counsel Meeting.....	54
<b>Time-Sensitive Consent Orders .....</b>	<b>55</b>
<b>Consent Orders and Desk Divorce Applications.....</b>	<b>55</b>
<b>Notice to Disclose Applications .....</b>	<b>55</b>
<b>Requests for Child’s Counsel .....</b>	<b>56</b>
Where parties disagree whether child’s counsel should be appointed .....	56
Where Child’s Counsel appointed at initial MIT Conference .....	56
<b>F. URGENT PROCESS.....</b>	<b>57</b>
What is an Urgent Matter.....	57
Are the Mandatory Requirements necessary to bring an urgent request? .....	58
Does an action have to be commenced prior to bringing an urgent request?.....	58
What if my urgent request is rejected by the Court?.....	58
<b>G. INCLUDED AND EXCLUDED PROCESSES IN THE FFP .....</b>	<b>58</b>
Master List of Included and Excluded Matters under the FFP, date issued June 1, 2026.....	58
<b>H. OTHER CONSIDERATIONS UNDER THE FFP .....</b>	<b>59</b>
<b>Service .....</b>	<b>59</b>
Substitutional Service, Service Ex Juris and Hague Convention Service.....	59
All Other Service Matters .....	59
<b>Disclosure: What does “strict compliance” mean for the purposes of Financial Disclosure as part of the MIT Package? .....</b>	<b>59</b>
<b>Consolidation Applications .....</b>	<b>61</b>
<b>Purely Procedural Applications in the FFP .....</b>	<b>61</b>
<b>Contempt Applications .....</b>	<b>62</b>
<b>Matters Filed Before January 2, 2026 .....</b>	<b>62</b>
<b>Default is In Person for Hearings in the FFP .....</b>	<b>62</b>
<b>Requesting Transcripts, Clerk Notes, Audio .....</b>	<b>62</b>
<b>Bookmarking PDFs.....</b>	<b>62</b>
<b>Notice of Change of Representation.....</b>	<b>62</b>
<b>Self-Represented Litigants Navigating the FFP .....</b>	<b>63</b>
<b>Tort of Intimate Partner Violence (<i>Ahluwalia v Ahluwalia</i>, 2026 SCC 16) .....</b>	<b>63</b>
<b>French-language Rights .....</b>	<b>63</b>
<b>I. FORMS.....</b>	<b>65</b>
<b>J. UPDATED FAMILY PRACTICE NOTES AND NOTICES TO THE PROFESSION AND PUBLIC .....</b>	<b>65</b>
Practice Notes.....	65
Application of Pages Limits under Family Practice Note 2.....	66
Notices to the Profession and Public.....	66

**K. CONCLUSION..... 66**

**APPENDIX A - ACRONYMS USED IN THE FFP MANUAL.....**

**APPENDIX B - REGULAR FAMILY PROCESS SIMPLE GUIDE AND CHECKLIST.....**

**APPENDIX C - DISCLOSURE .....**

**APPENDIX D - SAMPLE CONTENT FOR AFFIDAVIT OF SERVICE OF MIT PACKAGE.....**

**APPENDIX E - CMO MIT CERTIFICATION CHECKLIST.....**

**APPENDIX F - SETTLEMENT MEMORANDUM.....**

**APPENDIX G - HYPOTHETICAL EXAMPLE SCENARIOS .....**

## A. INTRODUCTION

Effective January 2, 2026, the Alberta Court of King's Bench is launching a project that implements a series of new processes focused on a family-centered, resolution-oriented, and streamlined approach to family matters. It is called the *Family Focused Protocol (FFP)*.

The FFP changes how the Court has structured and handled family litigation. It is rooted in the societal realization that the toxicity of adversarial litigation around the dissolution of family relationships causes significant physical and psychological damage to families. The changes implemented focus on minimizing the damaging and long-term impacts arising from high conflict litigation, especially to children. Such children will typically do less well in school, are less likely to acquire a post secondary education, more likely to endure poverty in their adulthood, and more susceptible to mental illness than others. The need to change the approach to family dysfunction is manifest.

The Court of King's Bench has a roster of dedicated Justices who have agreed to focus a significant portion of their time on helping families resolve matters expeditiously and compassionately.

We recognize that this is a significant shift in the way that family matters have been handled at the court level. A considerable amount of time and effort have been put into creating this process, including consultation with the members of the Alberta Bar. Feedback from members has been carefully considered and incorporated where possible or appropriate.

Various acronyms are used in this FFP Manual. Attached as **Appendix A** is a list of the acronyms used for easy reference.

### FFP Manual

This Manual is a **procedural guide** to assist in understanding the procedural requirements for the FFP. This Manual does not provide any legal advice or legal information.

A copy of this Manual is available on the [Court of King's Bench FFP webpage](#).

**It is updated regularly** in an effort to ensure up-to-date information about the FFP processes is available.

**Please familiarize yourself with this Manual as it provides step by step instructions and information about each stage of the FFP.**

**At this present time, there is no French translation of the Manual.**

## Other FFP Resources

The Court of King's Bench website has a dedicated [Family Focused Protocol webpage](#). This is where the most up to date information will be provided on the FFP.

## Feedback and Questions

**Feedback is encouraged throughout the entire process. Please direct your feedback or questions to the appropriate email. See the [Family Focused Protocol webpage](#).**

Before submitting a question, please review this Manual to see if your question is already answered.

### → General Feedback and Questions about the FFP Process:

We welcome feedback and questions about the FFP through our KB External Feedback email, identifying FFP in the subject line:  
[kbexternalfeedback@albertacourts.ca](mailto:kbexternalfeedback@albertacourts.ca)

### → Procedural Guidance and Filing Issues Feedback:

For lawyers and legal assistants with procedural guidance or filing issues related to the new FFP, please contact King's Bench Operations:  
[KBOFFPInquiries@just.gov.ab.ca](mailto:KBOFFPInquiries@just.gov.ab.ca)

### → Technical Issues with Digital Filing Service Feedback:

For feedback on technical issues with the Family & Divorce Filing Digital Service:  
[JSG.filingfamilySupport@gov.ab.ca](mailto:JSG.filingfamilySupport@gov.ab.ca)

### → Questions about a CMO Certification Checklist:

For questions about a **CMO Certification Checklist** that you received, please email [CMOFFPInquiries@albertacourts.ca](mailto:CMOFFPInquiries@albertacourts.ca), identifying in the subject line the Action Number and date and time of the email you received from [KBCMO@albertacourts.ca](mailto:KBCMO@albertacourts.ca) (for example: FL01-12345 Tue 2026-03-24 9:30 AM)

## JUNE 2026 UPDATE

This section identifies key updates the Manual.

Several important updates are in this JUNE 2026 Update. All substantive changes are highlighted in yellow.

Below is a brief summary of the key updates in this June 2026 Update:

- Detailed Table of Contents to assist with navigating this Manual
- Simple Guide to the Regular Family Process of the FFP
- Update to the CMO Review under Regular Family Process
- Revised process and forms to request a waiver or deferral of Mandatory Requirements
- Update to eligibility for a request for a meeting with Resolution Counsel;
- Update to Service matters
- Update to One-Off Purely Procedural Applications
- Update regarding bookmarking of PDFs
- Update to Appendices
- KB Announcement: [Save the Date: Family Focused Protocol Refresher Workshop - JUNE 12, 2026](#)
- KB Announcement: [Notice to the Profession and Public: Claims for Damages for Intimate Partner Violence, NPP2026-03](#)

## B. OVERVIEW OF THE FAMILY FOCUSED PROTOCOL (FFP)

Under the FFP, there are three main streams for families wishing to access the Court to assist in resolution of their family matters:

(1) **Regular Family Process**

(2) **Desk Process**

(3) **Urgent Process**

This Manual describes and explains the processes under each of these ways to access the Court.

The **Regular Family Process** is the route to take if you have a regular family matter where you require assistance from the court. This is explained in detail in the next section.

The **Desk Process** is only for matters that do not require an appearance before a Justice. This is explained under the Desk Process section of this Manual.

The **Urgent Process** is only for urgent matters. This is explained under the Urgent Process section of this Manual.

## C. SIMPLE GUIDE TO THE REGULAR FAMILY PROCESS

### STEP 1 MANDATORY REQUIREMENTS

- Parenting After Separation (PAS)
- Alternative Dispute Resolution (ADR)
- Financial Disclosure Statement (FDS)
- Family Court Counsellor (if self-represented, where available)

Need a **waiver or deferral** of the Mandatory Requirements? Follow the Desk Process



### STEP 2 COMMENCE AN ACTION

Statement of Claim or Family Law Claim (FL-10) or Originating Application



### STEP 3 PREPARE, FILE AND SERVE YOUR MIT PACKAGE

Once your MIT Package is prepared, filed and served, you **must** file the Affidavit of Service of the MIT Package



### STEP 4 CMO REVIEW

The CMO will review your MIT Package and determine whether to certify, reject or snooze  
Follow the instructions provided in the CMO email and the CMO MIT Checklist



### STEP 5 SCHEDULE THE MIT CONFERENCE

Once your MIT Package is CMO Certified, you have 30 days from CMO approval to book your MIT Conference  
*If you do not schedule within the 30 days, you will have to start over again at Step 3*



### STEP 6 ATTEND THE MIT CONFERENCE

This is a one hour in person hearing before the Justice to deal with relief sought, interim orders and procedural direction



**STEPS 7 SUBMIT THE JOINT REQUEST FOR SETTLEMENT CONFERENCE**

You must file the Joint Request for Settlement Conference and submit the booking request form.



**STEP 8 ATTEND THE SETTLEMENT CONFERENCE**

The Settlement Conference is a 2.5 hour session before a Justice focusing on resolution of all issues  
You must submit and serve a Settlement Memorandum 14 days before the scheduled Settlement Conference



**STEP 9 PRE-TRIAL STEPS**

The Justice presiding over the Settlement Conference will prepare a Settlement Conference Report that will direct one of the following: Meeting with Resolution Counsel to prepare a litigation plan; Consent Litigation Plan to assigned MIT Justice; Rule 4.10 Case Conference, or Pre-Trial Conference (PTC) 90 days before trial



**STEP 10 TRIAL**

Any Justice of the Court of King's Bench can be assigned a trial  
The anticipated goal is to have parties at trial within 18 months from the date of the Settlement Conference

## D. DETAILED GUIDE TO THE REGULAR FAMILY PROCESS

This section provides specific procedural details about the Regular Family Process.

Attached as **Appendix B** is a copy of the Simple Guide (above) and a written Checklist for the Regular Family Process.

### Step 1: Mandatory Requirements

Completion of the **Mandatory Requirements** is a pre-condition to the Regular Family Process.

As of January 2, 2026, **all parties seeking relief from the court must complete the Mandatory Requirements in order to access the Court**, except where the matter is urgent, or the Court has granted a waiver or deferral of the Mandatory Requirements.

The Mandatory Requirements are set out by the Family Justice Strategy (FJS) of the Alberta Government. FJS Mandatory Requirements are in Edmonton, Calgary, Red Deer and Grande Prairie. FJS plans to expand province wide. FJS will announce when these services become available in new locations across the province.

The **Mandatory Requirements** are:

#### PAS

Any party seeking relief, where there are children under the age of 18 years affected, must complete the online course and obtain a Parenting After Separation (PAS) certificate within the **last 2 years**

#### ADR

Any party seeking any type of family law relief must have participated in an Alternative Dispute Resolution (ADR) process on **all** the matters in issue **within the last 6 months**

#### Disclosure

Any party seeking child support, spousal support, adult interdependent partner support, or property division must have served the other party with their financial disclosure, including *Cunningham/Sweezy* disclosure, where appropriate

#### Meeting with FCC

If a party seeking relief is self-represented, they must have met with a Family Court Counselor (FCC), in regions where this is available.

## Parenting After Separation (PAS)

- Any parent seeking relief, where there are children under the age of 18 years affected, must complete the [Parenting After Separation online course](#) and obtain a Parenting After Separation (PAS) certificate *within the last 2 years*.
- If there are no children, but parties require court assistance, they do not need this course.

## Alternative Dispute Resolution (ADR)

- Any party seeking any type of family law relief must have participated in an **ADR on all the matters in issue** *within the last 6 months*.
  - If you have not participated in an ADR on **all the matters in issue**, you must attend ADR or obtain a waiver/ deferral of this Mandatory Requirement.
  - ADR on all the matters in issue includes those listed in Part 4 Question 1(a) as settled only on an interim basis and listed in Question 3(a) as not settled at all.
  - Example: The unresolved matters are property, child support and spousal support. You wish to bring an interim application relating only to child support under the Regular Family Process of the FFP. Your ADR was only on child support; it did not address property or spousal support. You have not fulfilled the ADR Mandatory Requirement. You must complete ADR on all issues (in this example, property, child support and spousal support).
- Parties who have both attended at least one ADR meeting together need to fill out the [Participation in Alternative Dispute Resolution Form](#).
- If both parties have *not* attended at least one ADR meeting together, a waiver is required. *See Desk Process below for more information.*
- If an opposing party refuses to engage in the ADR process or does not reply, a waiver is required. *See Desk Process below for more information.*
- If you attended ADR *more than 6 months ago*, you must re-attend ADR to meet this requirement.
- If disclosure is required for an ADR process, and you proceed to ADR without proper disclosure, there is a risk that your ADR process may be rejected by the MIT Justice. (Further details about MIT Justice is explained later on in this Manual).

- **Reasonable Efforts to Engage in ADR** must be attempted for the purposes of the Mandatory Requirements. For example, a single email with no reply is not considered “reasonable efforts”.
- **Types of ADR that meet this requirement:** ADR with a neutral third-party facilitator such as a mediator, Resolution Counsel (RC) Meeting, four-way settlement meetings with counsel, and the collaborative family law process will satisfy the ADR requirement. Please note that an email exchange including offers is not a four-way settlement meeting.
- **What if ADR resources are limited in my region?** Parties are expected to make every effort to attend an ADR process. If availability of ADR resources is limited in your region, you can request a waiver of the Mandatory Requirements through the Desk Process, or you can submit a Request to Meet with Resolution Counsel via Desk Process. *See Desk Process below.*

## Disclosure

- Any party seeking child support, spousal support, adult interdependent partner support, or property division related relief in the FFP must have completed, filed, and served their disclosure on the other party, including *Cunningham / Sweezey* disclosure, where appropriate.
- **Business Expense Statement:** On the Court’s [Family Focused Protocol webpage](#) and on the [Family Law Forms webpage](#), please see the Business Expense Disclosure Statement (in both a fillable and printable format), along with instructions on how to complete this form. Use of the Business Expense Statement is **not mandatory** but it is highly encouraged and may assist parties, including self-represented litigants, with preparing *Cunningham / Sweezey* disclosure.
  - **Note!** If you choose to use the Business Expense Disclosure Statement form (which is not mandatory), it is filed as part of your Financial Disclosure Statement. It is not filed separately.

## Meeting with a Family Court Counsellor (FCC)

- A self-represented party is required to meet with an FCC if they are bringing an application or a cross application (Family Application (FL-18)).
- In some areas across the province, FCCs are provided by FJS to assist self-represented parties in organizing and preparing materials for court.
- FCCs can also help with respondent engagement where appropriate, provide more information about disclosure, the PAS course and dispute resolution services available.

- If a self-represented party is served with a MIT Package, it is highly encouraged that they meet with an FCC to discuss their options.
- FCCs are available to support parties in the Judicial Centre where the parties are filing materials. At this time, FCC's are available in Edmonton, Calgary, Red Deer and Grand Prairie, in person or virtually.
- *What if FCCs do not exist in my region?* A waiver of the FCC Mandatory Requirement will not be necessary in regions where FJS does not exist. Case Management Officers (CMOs) are aware of the regions where FJS is unavailable and therefore parties are unable to meet with an FCC.
- *Are there French speaking FCCs?* There are a small number of FCCs who are fluent in both English and French. While they may not be located on site, they are able to provide remote services in both languages.

### **Additional Requirements in Grande Prairie**

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Pursuant to the Notice to Profession and Public (NPP) in Grande Prairie ([Notice to the Profession and Public: Grande Prairie Pilot Project - 2024-03](#)), all parties will be expected to take the following steps:

- a) Identify the social, relationship, parenting, financial, and health challenges the family is experiencing;
- b) Obtain appropriate supports, including building necessary skills, to help families address their social, relationship, parenting, financial and health issues; and
- c) Work to reach appropriate agreements about their family matters including legal issues, with or without the assistance of resolution tools and Alternative Dispute Resolution (ADR) processes.

Parties are expected to seek assistance with their family challenges. In Grande Prairie, they can do so through the Family Resource Network Hub at this link: <https://www.familyeducationsociety.org/>.

### **Requesting Waivers or Deferrals of the Mandatory Requirements**

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In some situations, parties may not be able to complete the Mandatory Requirements. In this case, you need to seek a waiver or deferral. Please see *Desk Process, Request for Waiver or Deferral of Mandatory Requirements* below in this Manual.

### **Family Focused Protocol (FFP) and the Family Justice Strategy (FJS) are not the same**

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The **Family Focused Protocol (FFP)** applies to Family and Divorce proceedings at all Court of King's Bench Judicial Centres as of January 2, 2026. The **Notice to the Profession**

and Public [NPP#2025-04](#) relates to the FFP and sets out the process under the FFP. The Court of King's Bench [Family Focused Protocol webpage](#) provides additional materials and resources related to the FFP.

The **Family Justice Strategy (FJS)** is a province-wide initiative designed to shift family law disputes away from adversarial litigation. Services provided by FJS include family mediation services, parenting programs and education, Family Court Counsellors (FCCs), assistance connecting families to available services, child support resolution and other programs to assist individuals away from adversarial litigation. The services to support FJS are currently in place in Edmonton, Calgary, Red Deer and Grande Prairie. For this reason, the **Notice to the Profession and Public [NPP#2026-01](#)**, which is an update to the Notice to the Profession and Public issued on December 18, 2023, and which incorporates the FJS mandatory requirements into Court of King's Bench processes, currently applies only to the Judicial Centres of Edmonton, Calgary, Red Deer and Grande Prairie.

The FFP, and all other Court of King's Bench Family Practice Notes and Notices to Profession, apply in every Judicial Centre, including those where the FJS services are (and are not) in place.

## Step 2: Commencing an Action

An action **must** be commenced and served before any party can seek relief (whether interim relief or final relief) from the court.

An action is commenced by:

- Statement of Claim for Divorce;
- Statement of Claim for Division of Family Property;
- Family Law Claim (FL-10) pursuant to the *Family Law Act*; or
- Originating Application, where applicable.

A commencement document, as defined by the *Alberta Rule of Court*, means a Statement of Claim, an Originating Application, a Counterclaim, a Third-Party Claim, and a claim under the *Family Law Act* (Claim – Family Law Act (FL-10)).

Commencement documents must detail **all** of the relief you require or may require from the court.

For actions commenced under the *Family Law Act*, a TBD date can be inserted and it will not be necessary for the Statements supporting the Claim to be filed with the Claim if the only purpose for filing the Claim is to commence an action. Any required Statements can be filed if relief is being sought at the MIT Conference with the MIT Justice. Further explanation about MIT Conferences is below.

## **Family Law Claim (FL-10)**

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There is no ability to 'amend' the Family Law Claim (FL-10). Therefore, if you need to add new/additional issues to your FL-10, you need to file and serve a new FL-10 that identifies **all of the issues**. The new FL-10 will essentially replace the old one.

Example: if you previously filed and served an FL-10 identifying parenting as the only issue, but you now wish to expand your claim to have the MIT Conference address child and spousal support, you must file and serve a new FL-10 that identifies parenting, child and spousal support.

If property is at issue, you must file a Statement of Claim for Division of Family Property (FL-02) in addition to the FL-10.

## **Family Application (FL-18)**

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A Family Application (FL-18) is not a commencement document.

### *Application within course of proceeding*

A Family Application (FL-18) is required when seeking any relief at the MIT Conference. This includes interim relief (including procedural relief) or variation after a final order, which deals with an application in the course of a proceeding or an action. Please refer to Rule [12.44\(1\)](#) of the *Alberta Rules of Court*.

If no relief is being sought at the MIT Conference, you do not need an FL-18.

### *Application after order or judgment under Divorce Act (Canada)*

After a divorce judgment has been granted, an FL-18 must be filed to comply with Rule 12.45(1), *regardless* of whether you are seeking interim relief at the MIT Conference or seeking final relief.

Pursuant to Rule [12.45\(1\)](#), where a party wishes to bring an application after an order or judgment under the *Divorce Act*, parties must file an FL-18 accompanied with an affidavit in support of the application in accordance with rule 12.44(1):

- To vary, suspend or rescind an order of the Court in a proceeding under the *Divorce Act*; (12.45(1)(a))
- For corollary relief after the Court has rendered a divorce judgment; (12.45(1)(b))
- For a parenting order or an interim parenting order; (12.45(1)(c))
- For a contact order or an interim contact order; (12.45(1)(d))
- For an order to vary, suspend or rescind a parenting order; (12.45(1)(e)) or

- For an order to vary, suspend or rescind a contact order made by a person referred to in s 17(1)(c) of the *Divorce Act*. (12.45(1)(f))

### *Variation of a Divorce Judgment*

The FL-18 is the proper form to use where you are seeking variation of a Divorce Judgment. In this situation, the FL-18 acts similar to a commencement document as it gives the court jurisdiction to hear your matter, since the divorce action has already been determined.

After a divorce judgment has been granted, the FL-18 and supporting Affidavit must be filed with a TBD date and personally served, in accordance with Rule 12.55, prior to being included in the MIT Package. You must personally serve the FL-18 and supporting affidavit on the opposing party **before** you file your MIT Package so that the Affidavit of Service of the FL-18 can be submitted. The Affidavit of Service of the FL-18 must reference personal service of both the Family Application (FL-18) and the supporting affidavit, and be submitted to the clerk. The FL-18 and the supporting Affidavit, along with the Affidavit of Service, are to be filed as part of the MIT Package.

Please refer to the Alberta *Rules of Court*.

### *Variation of a Final Order under the Family Law Act*

If you want to vary a final order under the *Family Law Act*, in accordance with Rule 12.55, parties must file an FL-10 with supporting statements and personally serve it on the respondent **before** you file your MIT Package so that the Affidavit of Service of the FL-10 can be submitted. The Affidavit of Service of the FL-10 must reference both the FL-10 and the supporting statements.

### *Exception to Requirement to Provide an FL-18*

The one exception where you do not need to file an FL-18 is where a party has filed and served an FL-10 (and the opposing party did not file an FL-11) **and** the applicant has filed and served a MIT Package upon the respondent, **and** the respondent files an FL-11 in response to the applicant's MIT Package. In this specific situation, the FL-11 acts as the cross-application for any relief and the respondent does not need to also file an FL-18. This exception applies where this is the first time the respondent has engaged with the MIT Package.

However, where a party has filed an FL-10, and the respondent files an FL-11 in response, and then subsequently the applicant files an MIT Package, and the respondent wishes to bring a cross-application, in this scenario, the respondent must file and serve an FL-18 to bring their cross-application for any relief.

## **Affidavit of Service of Commencement Document Required for Step 3: Filing Documents in Justice Digital**

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You must upload the Affidavit of Service of your Commencement Document at Step 3: when you file your documents in Justice Digital to request a Mandatory Intake Triage (MIT) Conference.

The Affidavit of Service of your Commencement Document is the best document to upload into Justice Digital, and where it is available, this is the required document.

However, recognizing that in some situations an Affidavit of Service may not be available, the following options are available for the purposes of Service Acknowledgement in Justice Digital:

- Joint Divorce Application
- Counsel Acceptance of Service notification (service admitted stamp affixed)
- Divorce Judgments
- Court Order deeming service good and sufficient

### **What if I want to commence an action, but I am not seeking relief from the court?**

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If a party wants to file their claim but does not want to seek relief from the court, they will not be forced to move forward in the Regular Family Process.

For example:

- A party may file their commencement document to preserve a limitation date, but they do not want any relief from the court.
- A party may file their commencement document, but they may have chosen to proceed with private negotiations.

### **What if I already have a Divorce Judgment. Do I need to commence a new action?**

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If you already have a Divorce Judgment, you do not need to commence a new action. You need to file the Divorce Judgment in Justice Digital to confirm that an action was previously commenced.

To move forward in the Regular Family Process, you need to file a Family Application (FL-18) in accordance with Rule 12.45(1) of the Alberta Rules of Court. In this scenario, where a divorce judgment has already been granted, the FL-18 is the proper form you use to seek variation of the Divorce Judgment. It acts similar to a commencement document.

Please see above in this Manual for further information about the FL-18 post divorce judgment.

### **What if I have a Divorce Judgment but a severance order granted?**

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If a severance order was granted in the action because the Divorce Judgment did not finally address the corollary relief issues claimed in the Statement of Claim for Divorce, or property claims set out in the Statement of Claim for Divorce and Division of Family or Matrimonial Property remained outstanding, you must upload the Statement of Claim or the Statement of Claim for Divorce, or the Statement of Claim for Divorce and Division of Family or Matrimonial Property and identify the outstanding relief in the documents you prepare for your MIT Package.

### **Step 3: Filing of Documents in Justice Digital to request Mandatory Intake Triage (MIT) Conference**

Where parties are seeking any relief from the court, they must proceed at this stage to file their package of documents. This package of documents is called an **MIT Package**.

The purpose of the MIT Package is to ensure that all of the documents you wish to rely upon at the MIT Conference are before the assigned MIT Justice and both parties are aware of all of the documents. At the MIT Conference, the MIT Justice is **ONLY** looking at the MIT Packages. They are not searching the paper Court files or the electronic court file (the Casebox).

The **MIT Package** is the package of documents that you must file in order to schedule a MIT Conference. The documents in your MIT Package may consist of:

- **Proof of completion of the Mandatory Requirements** (or a waiver or deferral of the Mandatory Requirements granted by a Justice)
  - Prior waivers granted do not apply under the FFP, *unless* they were specifically granted in contemplation of the FFP
  - If you are seeking any type of relief in your responding MIT Package, you must provide proof of the Mandatory Requirements.
  - However, if you are only responding to an MIT Package served upon you, and you are not requesting relief of your own, you do not need to provide proof of the Mandatory Requirements in your responding MIT Package.
- **Commencement Document & Other Pleadings**
  - Statement of Claim for Divorce, Statement of Claim for Division of Family Property, Claim – Family Law Act (FL-10), Originating Application (where applicable)

- Statement of Defence, Counterclaim, Defence to a Counterclaim, Response – Family Law Act (FL-11)
- [Request for Mandatory Intake Conference Form](#)
- [Mandatory Intake Triage \(MIT\) Summary Form](#)
  - Do not attach documents to the MIT Summary form.
  - Where the MIT Summary form uses the word “attach” for the FCC letter of confirmation, relevant court orders, and property statements or a list of assets, the form should say “submit” or “upload”. We are in the process of updating the form.
- **Financial Disclosure Statement**
  - Your Financial Disclosure Statement that forms part of the MIT Package must be complete.
  - **Important! Recency of financial disclosure is now 6 months.**
  - You are only responsible for filing your own Financial Disclosure Statement.
  - **Strict compliance** with the Financial Disclosure Statement is required. For further guidance on what “strict compliance” means, please see *Other Considerations Under the FFP, Disclosure below in this Manual*.
- **A Family Application (FL-18) and accompanying affidavit if you are seeking any relief at the MIT Conference.**
  - See above under Step 2 Commence an Action for further guidance on when an FL-18 is required.
  - Any filed Family Application (FL-18) documents must comply with the *Alberta Rules of Court* and any applicable Practice Notes.
  - **Practice Note 2** provides specific information with respect to filing application documents, including affidavit and page limits.
  - You are only able to file ONE application that addresses all of the issues you wish to put before the MIT Justice. It is essential that counsel are clear and concise, and only include the necessary evidence into the affidavit to allow the MIT Justice to make determinations on the Family Application(s).
  - Previously filed affidavits will not be relied upon for new applications. All relevant information must be included in a new affidavit that deals with issues you wish to put before the MIT Justice at the MIT Conference.

- **Note:** At this time, the FL-18 with a TBD date cannot be filed through the digital service; it must be sent via email filing.
- **Affidavits of Service for (a) commencement documents and other pleadings; (b) your filed MIT Package; and, (c) your Financial Disclosure Statement, if it was served separately from your MIT Package.**
  - Affidavits of Service must be uploaded into Justice Digital.
  - You must upload the Affidavit of Service of a commencement document/pleading that you served on the opposing party. (You do not need to upload the Affidavit of Service of a document served upon you.)
  - Affidavits of Service of Commencement Documents/Other Pleadings:
    - You are required to upload the Affidavit of Service of the document that **started your claim**.
    - Example: if you are a Plaintiff and filed a Statement of Claim, you must upload the Affidavit of Service of the Statement of Claim. If you are a Defendant and Plaintiff by Counterclaim, you are required to upload the Affidavit of Service of the Counterclaim. If you started an *FLA* claim by filing an FL-10, you must upload the Affidavit of Service of the FL-10. If you responded and filed an FL-11, you must upload the Affidavit of Service of the FL-11.
    - However, in certain circumstances, Justice Digital now permits exceptions to uploading the Affidavit of Service of the commencement document, as follows:
      - If no Affidavit of Service is required because a Joint Statement of Claim for Divorce was filed.
      - If you have a filed order dispensing with service pursuant to Rule 11.29, upload this order.
      - If you have a filed order for substitutional service pursuant to Rule 11.28, upload the substitutional service order and your affidavit of service proving you served in accordance with the sub-service order.
      - If you have a filed order validating service under Rule 11.27, upload this order.
      - When service of the commencement document was acknowledged as evidenced by counsel for the other party in writing (stamp or similar), upload this document.

## Two Step Process for the MIT Package: File MIT Package & File Affidavit of Service of MIT Package

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Filing of the MIT Package is a two-step process, which is then followed by the CMO review.

**First**, the MIT Package must be filed in Justice Digital. Once your MIT Package is accepted by the clerk, the MIT Package will be filed stamped. In some matters, you will have previously filed certain documents that are necessary for the MIT Package. Where this is the case, you will upload a courtesy copy of the previously filed document when you are submitting your MIT Package in Justice Digital. Please see below under “Uploading Documents in Justice Digital – Filed and Previously Filed” for further clarification regarding previously filed documents as part of your MIT Package.

**Second**, after filing the MIT Package, the filed MIT Package must be downloaded and served on the opposing party, and the Affidavit of Service of the entire MIT Package **must** be uploaded into Justice Digital. You are required to serve the entire MIT Package, even if some of the documents have been served previously. **After** serving your MIT Package, you must submit an Affidavit of Service of the MIT Package for filing.

Your Affidavit of Service of the MIT Package should only **list** the documents that were part of your MIT Package. The documents should be clearly identified within the body of the Affidavit of Service and identify the filing dates. **Do not** attach the documents listed in the Affidavit of Service of your MIT Package as exhibits or upload them as courtesy copies to your MIT Package. Please do not upload your package as **previously** filed documents when submitted your affidavit of service via Justice Digital.

**Appendix D** provides an example of the body of an Affidavit of Service of the MIT Package to assist you.

If your submission has been rejected by the clerk due to incomplete service of the documents in your package, you must review what was submitted, ensure proper service of all relevant documents, and list them accordingly in your Affidavit of Service of the MIT Package. Note that the clerk will not specify which documents were not served.

For directions on service of the MIT Package, please see Appendix A to the Notice to the Profession and Public [NPP#2025-04](#) on December 10, 2025 titled New Processes in family Law: Family Focused Protocol Effective January 2, 2026.

### **IMPORTANT!**

**You must file the Affidavit of Service of your MIT package.**

You **must** file the Affidavit of Service of your MIT Package to move the package forward to the CMO Review stage. If you fail to file an affidavit of service of your MIT package, it will remain in limbo and will not move forward to the CMO Review stage.

There can only be one active MIT Conference request for an action number.

### **Where do I file the MIT Package?**

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- All lawyers in Alberta must use their “My Justice Digital Account” to submit the MIT Package.
- All out-of-province lawyers must use email filing.
- Self-represented litigants are encouraged to use email filing and should use the email addresses in the section titled “Where to send your Filing” found [here](#). Self-represented litigants can also file at the counter.

### **Uploading Documents in Justice Digital – Filed and Previously Filed**

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Step 3 Filing of Documents in Justice Digital to request MIT Conference requires you to upload the required documents for the MIT Package. Justice Digital will prompt you and you will have the option of selecting “Previously Filed [Document]” or “[Document] To Be Filed”.

For example, for the Mandatory Requirements, Justice Digital will prompt you for each mandatory requirement and you have the option of selecting “Previously Filed [Document]”, “[Document] To Be Filed” or “Previously Filed Waiver/Deferral” for each mandatory document. If you have previously filed the document, upload it as “Previously Filed” which will show your documents as “Courtesy Copies” in the MIT Package in Justice Digital.

“To Be Filed” means you are submitting a document for the first time with your MIT Package so it can be filed by the Clerk.

Each document must be uploaded separately when you are prompted to upload it.

**DO NOT merge or combine** “previously filed” or “to be filed” with your Request for MIT form or your MIT Summary document.

#### **Example: PAS Certificate**

If you have previously filed your PAS Certificate in Justice Digital (and completed PAS within the last 2 years) or it is on the Court’s paper file, your PAS Certificate must be uploaded as part of your MIT Package. When you are logged in to Justice Digital and going through the steps to upload the documents for your MIT Package, you will select “Previously Filed PAS” and upload a courtesy copy of the previously filed PAS Certificate.

If you have never filed your PAS Certificate (and it was completed within the past 2 years), you must select the option “PAS to be filed” and upload the unfiled PAS Certificate.

## **King’s Bench Filing – Family & Divorce Lawyer and Legal Assistant User Guide**

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In addition to this Manual, please also see the **Lawyer and Legal Assistant User Guide**, the **Screencast tutorials with an example submission** and the **FAQs** available on the [King’s Bench Filing – Family & Divorce webpage](#).

### **Email Address Used when Filing MIT Package in Justice Digital**

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When filing your MIT Package, you will be prompted to enter an email address for the Applicant. **NOTE! The email address you enter when filing your MIT Package is the email address that will be used for all CMO correspondence.** Ensure that you enter the email address that you want to receive all communications from the CMO, including the CMO MIT Checklist.

At this time, only one email address per party can be entered into Justice Digital. However, we are working to allow for an additional email to be entered, for example, an email for a legal assistant.

### **Where the Opposing Party Does Not Have Email or Refuses to Provide their Email**

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If the opposing party does not have an email address, or refuses to provide their email address, you need to obtain a substitutional service order which you will upload into Justice Digital, and in Justice Digital, you will enter the email contact for the applicant in the boxes for the respondent email, and the Applicant will be responsible for serving all communication from the Case Management Officer (CMO) on the respondent in accordance with the service order.

### **Other Considerations for Filing in Justice Digital**

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- A file uploaded cannot exceed 100 MB.
- PN2 page limits apply to any files uploaded to Justice Digital.
- Each document must be uploaded individually, as prompted in Justice Digital.
- There is currently no KB Filing Digital Service (Family & Divorce) for self-represented litigants. There is interest in extending the service in the future to self-represented litigants, but there is no timeline for such functionality to be added.

- Please note that Justice Digital is a filing service only. You are able to see the documents that you have filed under your own personal account. It does not store filed documents for parties to access and review. For example, you will not be able to see what a respondent has filed in your action. Similarly, if you are a new lawyer to the file, you will not be able to see what a prior lawyer has filed.

### **Service of the MIT Package**

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The MIT Package must be served on the opposing party, including where a party has been noted in default.

Please see the **Notice to the Profession and Public** [NPP#2025-04](#) titled New Processes in Family Law: Family Focused Protocol Effective January 2, 2026.

Please also see Other Considerations Under the FFP in this Manual for further information about service.

### **What if I take issue with the content in a MIT Package that was served upon me/my client?**

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If you are served with an MIT Package (as counsel for the respondent to that MIT Package), and you take issue with the content of something in the package, you must respond to the MIT package. Please see *Responding to a MIT Package served upon you* below in this Manual.

All communications regarding the MIT package must be on the record at the MIT Conference.

If you: (i) take issue with something in the applicant's MIT package (e.g., you disagree that the Participation in ADR form submitted by the MIT applicant is compliant); (ii) oppose the relief sought, or (iii) wish to also seek relief (cross-application), file and serve your materials as required, upload proof of service into Justice Digital, and be prepared to discuss it at the MIT Conference.

### **What about Case Management/Justice Seized matters?**

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All case management ended as of January 31, 2026. If your matter was in Case Management or was seized by a Justice, and this Justice is on the FFP Roster, after being certified by the CMO, using the link to the booking request form provided by the CMO, a party can request this Justice be assigned to their matter.

Continuation with the Case Management or seized Justice is *not* guaranteed.

## Step 4: CMO Review

After you have filed your MIT Package in Justice Digital, served it and uploaded the Affidavit of Service of your MIT Package, your MIT Package will appear on the CMO's Dashboard on the 15<sup>th</sup> day from the date of service.

A self-represented party will be required to file their Affidavit of Service of the MIT Package at the counter or using the email service and the Clerks will upload it and enter the date of service.

This next part explains:

### → Role of the CMO

→ Purpose of the CMO Review and Possible Outcomes of CMO Review (including, how your materials appear on the CMO Dashboard, the three outcomes of CMO review (certify/reject/snooze), two most common issues preventing a MIT Package from being certified);

→ Understanding CMO Review from Initial Filing of Commencement Document to CMO Review Outcome;

→ Understanding your three options if you are responding to a MIT Package served upon you (Do nothing, File a response, or, File an application or cross-application); and,

### Role of the CMO

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The role of CMOs will be performed on a rotating basis by Resolution Counsel, who are senior lawyers familiar with the Mandatory Requirements and the disclosure requirements in various situations (for example, self-employed parties and T4 employee parties).

### Purpose of the CMO Review and Possible Outcomes of CMO Review

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As of April 22, 2026, the CMO Review is **one single phase** (as opposed to the previous two-phase review).

The following section of this Manual outlines how the CMO Review and the timing of the CMO Review works.

### Purpose of the CMO Review

The purpose of the CMO Review is to certify:

- Compliance with the Mandatory Requirements or that a waiver or deferral of one or more of the Mandatory Requirements has been granted by a Justice, and that proof of completion or a waiver/deferral has been uploaded with the MIT Package;

- that commencement documents were personally served as required by the *Divorce Act, Family Law Act, Family Property Act* and/or the *Alberta Rules of Court* or in accordance with a service order and that all these documents including those previously filed by the other party were uploaded as part of the Applicant's MIT Package;
- the completeness of a Family Application, if applicable (FL-18 and supporting affidavits/statements in accordance with the *Rules of Court* and any applicable Practice Notes); and,
- compliance with the Financial Disclosure Statement as set out in the Financial Disclosure Instructions (Form CTS13472) or in compliance with a Notice to Disclose if previously court-ordered and including Schedules A, B, C, and *Cunningham* disclosure, as applicable.

Information about requesting waivers or deferrals is available under Desk Process in this Manual.

### **How your materials move to the CMO Dashboard for review**

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**Important!** CMO review cannot begin until the Affidavit of Service of the MIT Package is filed. If you are a lawyer, you must upload the Affidavit of Service of the MIT Package in Justice Digital so it can be filed by the Clerk. If you do not have access to Justice Digital, you must use email filing or file the Affidavit of Service of the MIT Package at the Clerk's counter in person.

Once the Affidavit of Service of the MIT Package is filed, the date of service of the MIT Package will start a 14-day clock to permit the respondent to submit their materials. It is not the date that the Affidavit of Service is filed that starts the 14-day clock.

On the fifteenth day after service of the MIT Package is effected, the matter will move to the CMO dashboard for review on a first-come-first-served basis. For clarity, until the MIT Applicant files their Affidavit of Service of the MIT Package, the Applicant's MIT Package and any materials filed by the respondent ("Respondent's Materials") will not appear on CMO dashboard. The respondent may file materials (a response, application or cross-application or any other documents) during this period, but these documents will not move to the CMO dashboard.

At Step 4, the CMO is assessing whether:

- (a) the Applicant's MIT Package and the Respondent's Materials (if they have been filed within the 14-day period from the date that service of the MIT Package was effected) comply with the requirements outlined above under the heading *Purpose of the CMO Review*; and,

(b) the Applicant has had 7 days to respond to an application or a cross-application brought by the Respondent.

The outcome of the CMO Review will be communicated via email, with a CMO MIT Certification Checklist attached to the MIT Applicant, and a CMO MIT Certification Checklist for the Respondent if the respondent filed their materials within the 14-day time period. This CMO MIT Certification Checklist will indicate any deficiencies in the materials. See **Appendix E** for a copy of the CMO MIT Certification Checklist, updated as of April 30, 2026.

Please ensure that that you have the CMO email on your approved email list:  
[KBCMO@albertacourts.ca](mailto:KBCMO@albertacourts.ca)

**Important!** This is a no-reply email address. DO NOT send documents to this email address. Any messages sent to the [KBCMO@albertacourts.ca](mailto:KBCMO@albertacourts.ca) email address will NOT receive a reply.

*Information about Responding to a MIT Package served upon you is explained later in the Manual.*

### **Three Possible Outcomes from the CMO Review**

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There are three possible outcomes from the CMO review:

- **certify,**
- **reject, or**
- **snooze.**

Each of these possible outcomes are explained in further detail below.

#### **CERTIFY**

**If the CMO CERTIFIES the Applicant's MIT Package and/or the Respondent's Materials,** the CMO will email the parties advising them that Applicant and/or the Respondent has been certified and provide the booking link to schedule a MIT Conference within 30 days of the CMO certification. If you do not schedule this within the 30 days, the CMO certification will expire, and you will need to restart the process.

#### **REJECT**

**If the CMO REJECTS the Applicant's MIT Package or the Respondent's Materials (or both),** the CMO will advise the parties via email that the Applicant's MIT Package (and/or the Respondent's Materials, if they were filed within the 14-day period from the date that service of the MIT Package was effected) is rejected with the CMO MIT Checklist identifying the deficiencies in each party's materials that resulted in a rejection.

**If you are rejected at the CMO Review stage, your MIT package is closed, and you must go back to Step 3 and re-start the MIT Package process** again from the beginning by submitting a new MIT Package, ensuring to correct the deficiencies in the previous MIT Package identified by the CMO (or obtaining a waiver or deferral in relation to the deficiencies).

Either party may restart the process by filing a MIT Package with any deficiencies corrected, filling out a new **Request for Mandatory Intake Conference Form** and **Mandatory Intake Triage Summary**, serving the new MIT Package on the opposing party, and uploading the Affidavit of Service of the MIT Package into Justice Digital.

### **SNOOZE**

The CMO may **SNOOZE** the Applicant's MIT Package, or the Respondent's Materials (if the Respondent's Materials are filed within the 14-day period from the date that service of the MIT Package was effected) for 7 or 15 days for the following reasons:

- to permit the parties to respond/reply to the other party's application or cross-application (if the Respondent's materials were filed within the 14-day period from the date that service of the MIT Package was effected)  
and/or
- to permit parties whose materials are being reviewed to correct deficiencies in their submissions. Any deficiencies in the submission will be identified by the CMO in the CMO MIT Certification Checklist that is sent to the parties.

### **Example Scenarios**

#### **Scenario 1 - A cross-application is filed and both parties' material are ready for certification**

The Applicant files a MIT Package including a Family Application and serves it upon the Respondent. The Respondent files a cross-application within the 14-day period from the date that service of the MIT Package was effected. The Applicant may need time to respond to the cross-application, and the Respondent may need time to reply.

In this situation and in accordance with paragraph 43 of Practice Note 2, the CMO will snooze the matter for 15 days during which the Applicant may respond within 7 days, and the Respondent may reply within a further 7 days. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

## **Scenario 2 - Deficiencies in either Applicant's MIT Package or the Respondent's Response to the MIT Package which includes a cross-application**

The Applicant files a MIT Package including a Family Application and serves it upon the Respondent. The Respondent files a cross-application within the 14-day period from the date that service of the MIT Package was effected.

In this situation, the CMO will snooze the matter for 15 days during which the Applicant and/or the Respondent must correct their deficiencies. During this period, the Applicant may also respond to the cross-application but must do so within 7 days in accordance with paragraph 43 of Practice Note 2, and the Respondent may reply within a further 7 days.

If either or both parties' deficiencies are corrected, the CMO will certify the party who has corrected their materials and the certified party is permitted to book the MIT Conference. If neither parties' materials are certified, the MIT Package will be rejected.

## **Scenario 3 - No Application Filed by the Applicant but Respondent Files Application and materials are ready for certification**

If the Respondent, during the 14-day period from the date that service of the MIT Package was effected filed an application to which the Applicant has not yet responded, the CMO will snooze the MIT Package for 15 days to allow the Applicant time to respond within the 7 days as required by Practice Note 2 para 43 and the Respondent to reply within a further 7 days. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

## **Scenario 4 - Application Filed by the Applicant and no Cross-Application Filed by the Respondent and the Applicant's materials are ready for certification**

If the Respondent, during the 14-day period from the date that service of the MIT Package was effected, filed a response affidavit but the Applicant has not yet filed a reply, the CMO will snooze the MIT Package for 7 days to permit the Applicant to reply. The CMO will not be completing any further substantive review of the filed response or reply after the 15-day snooze period and will simply certify the MIT Package when it re-appears on the CMO Dashboard.

### **When the snooze period ends**

When the snooze period ends, the updated MIT Package automatically reappears on the CMO Dashboard for a final review. This includes all materials filed by either party since the MIT number was assigned, including anything filed after the MIT Package initially appeared on the CMO dashboard.

At this stage, the CMO assesses whether the Applicant's MIT Package or the Respondent's Materials now comply with the requirements (if applicable) outlined above under the heading *Purpose of the CMO Review*. If they do comply, the CMO will advise the parties via email that one or both have been certified and the parties can proceed to schedule the MIT Conference.

**NOTE:** If the Respondent files their materials outside of the 14-day period from the date that service of the MIT Package was effected, their materials may be visible on the CMO Dashboard but the CMO will not be reviewing the materials, and it will be within the MIT Justice's discretion as to whether to consider them or not.

### **Seeking a Waiver or Deferral of a Mandatory Requirement**

Parties should be seeking any waiver or deferral of the Mandatory Requirements prior to filing their MIT Package. However, if your MIT package is snoozed or rejected by the CMO because of non-compliance with the Mandatory Requirements, parties can choose to seek a waiver or deferral of one of the Mandatory Requirements through the Desk Process.

#### **→ Waiver/Deferral Endorsement Granted within the snooze period:**

If the waiver or deferral endorsement is granted by a Family Roster Justice through the Desk Process within the snooze period, the endorsement will be filed and uploaded by the clerk and it will be before the CMO on the second review.

It is critical that the waiver/deferral is applied for promptly so that any endorsement can be uploaded within the 15-day snooze period. Best practice is to apply for the waiver/deferral before filing the MIT Package.

#### **→ Waiver/Deferral Endorsement Granted after the snooze period ends:**

If the waiver or deferral endorsement is filed *after* the snooze period ends, you must re-start the MIT Package filing process from the beginning, and include the granted waiver or deferral endorsement along with the other necessary documents forming part of the MIT Package.

*Information about the process for requesting waivers or deferrals is available under Desk Process in this Manual.*

### **Where should I send updated documents in response to a CMO snooze?**

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**If you are submitting documents to be filed** (that is, documents that do not have a filed stamp), you **must** upload your missing or incomplete documents by creating a new file request in the Justice Digital.

**Important!** Make sure to use the date picker to select a **filing deadline** when you are filing updated documents in response to a CMO snooze to ensure that your materials

are filed by the end of the snooze period. You must also use the date picker to select a filing deadline if you are uploading proof of service before the end of the snooze period.

If you do not have access to the Justice Digital, you must use email filing or submit your materials at the Clerks counter.

**If you are submitting only previously filed documents** (that is, they were previously stamped but not uploaded when the MIT Package was initially filed), you **must** use email filing.

Please see the Court of King's Bench website regarding email filing.

**DO NOT email documents elsewhere.** Only documents uploaded to Justice Digital can be considered by the CMO. The Clerk's Office is responsible for filing materials on the court file and maintaining the integrity of the court file.

## **Two Most Common Issues Preventing CMO Outcome of Certify**

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- 1. The commencement documents do not plead the relief sought in the MIT Summary or the Family Application (FL-18), or the commencement documents were not uploaded or submitted.**

The MIT Applicant must provide all commencement documents filed to date, whether filed by the Applicant or the opposing party.

### **Divorce Actions (file number 48xx-xxxx):**

If commencement documents were uploaded but the relief now being sought by a party was not pled in the commencement document(s), the CMO will advise the parties and the assigned MIT Justice of this deficiency. The MIT Justice will determine whether the pleadings may be amended.

### **Family Law Actions (FLxx-xxxxx):**

Since amendments of commencement documents are not possible, you must file a new FL-10 (or FL-11, if applicable) within the snooze period identifying all the unresolved issues in the action.

### Example 1:

Party 1 files commencement document / initial pleadings claiming child support and parenting. Party 1 has completed and filed proof of the Mandatory Requirements, filed an up-to-date and complete Financial Disclosure Statement, Request for Mandatory Intake Conference, MIT Summary, and their Family Application and supporting affidavit. However, Party 1's MIT Summary and Family Application seek child support, parenting and spousal support but spousal support was never pleaded in the commencement documents. Since Party 1 has complied with the Requirements, the CMO will certify their MIT Package but will notify the parties and the assigned MIT Justice that the relief of spousal support sought was not pleaded. The issue of spousal support and

whether the pleadings may be amended will go before the MIT Justice for determination.

Example 2:

Party 1 has filed a Statement of Claim for Divorce or a Claim - Family Law Act. Party 1 now applies for property-related relief. Party 1 will be advised on the CMO Certification Checklist that they must file a claim for property during the snooze period. If they do not, their MIT Package will be rejected.

Example 3:

Party 1 has filed Claim - Family Law Act (FL-10) seeking child support. Their Family Application (FL-18) seeks partner support. Party 1 will be advised on the CMO Certification Checklist that they must file a new Claim - Family Law Act during the snooze period seeking both partner support and child support.

Example 4:

Party 1 has filed Claim - Family Law Act (FL-10) seeking child support. Their Family Application (FL-18) seeks a divorce. Party 1 will be advised on the CMO Certification Checklist that they must file a Statement of Claim for Divorce during the snooze period.

## 2. The financial disclosure statement is incomplete or outdated.

Your Financial Disclosure Statement must be:

- Complete** (Please see *Disclosure: What does "strict compliance" mean for the purposes of Financial Disclosure as part of the MIT Package? Under Other Considerations Under the FFP*).
- Up to date** (Recency of the Financial Disclosure Statement means **6 months** from the date that MIT Package is filed)

If your MIT Package is snoozed because your Financial Disclosure Statement, including its supporting documents, require updates or changes, the CMO will identify the deficiencies that must be corrected in the CMO MIT Checklist.

You must file a **new** Financial Disclosure Statement that corrects **all** of the deficiencies within the snooze period. This must be complete and up to date. If your Financial Disclosure Statement exceeds 100MB, you must upload it as multiple documents.

**IMPORTANT!!** You cannot file a **partial update**. You cannot withdraw a Financial Disclosure Statement that has been rejected by the CMO because it has been filed and is part of the permanent court record, however the CMO will direct the assigned MIT Justice to the certified Financial Disclosure Statement.

## Understanding CMO Review from Initial Filing of Commencement Document to CMO Review Outcome

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This updated section of the Manual explains the CMO Review from initial filing of a commencement document until the CMO certifies or rejects the Applicant's MIT Package or the Respondent's Materials (or both).

### 1. Commencement Documents:

<b>No Existing Action Number:</b> File a commencement document (Statement of Claim or Claim - Family Law Act) in Justice Digital by selecting the <i>Originating (will be assigned a new action number)</i> option which generates a new action number. Serve the document on the other party (personally and by a third party or in accordance with the <i>Rules</i> or substitutional service order) and file your Affidavit of Service of the commencement document. You can now file your MIT Package.	<b>Action Exists:</b> Select <i>Subsequent (already has an action number)</i> option in Justice Digital and enter your existing action number.
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### 2. Upload (if using Justice Digital) or attach (if email filing) or present at the Clerk's counter (if filing manually):

- All commencement documents and responding documents** whether filed by you or the other party and the Affidavit of Service of your commencement document.
- [Request for Mandatory Intake Conference CTS14867](#)
- [Mandatory Intake Triage Summary CTS14868](#)
- Family Application (FL-18) and supporting affidavit or statement**, if applicable *Parties must comply with Practice Note 2.*
- Proof of the Mandatory Requirements:** completion of ADR, PAS and FCC meeting (if applicable)
- Up-to-date (within 6 months) and complete Financial Disclosure Statement**

3. Clerk reviews and files the MIT Package in Justice Digital. If the Clerk rejects your materials, correct your deficiencies and resubmit your materials for filing.

4. Serve the respondent with the MIT Package (This means all of the documents forming part of your MIT Package). Upload (if using Justice Digital) or attach (if

email filing) or present at the Clerk's counter (if filing manually) the Affidavit of Service of the MIT Package. The date on which service of the MIT Package is effected will start the 14-day clock.

5. On the 15th day, the MIT Package and the Respondent's Materials (if any have been filed during the 14-day period from the date that service of the MIT Package was effected) will appear on CMO dashboard for review. The documents available to the CMO for review include all newly filed and previously-filed materials uploaded after the Applicant's MIT Package was filed and assigned a MIT number.

**Note!** Documents that exist elsewhere in Court files (whether hardcopy or electronic) are **not** part of the MIT Package and will not be available to the CMO or the assigned MIT Justice.

6. CMO reviews the documents on the CMO dashboard and determines whether to certify, snooze or reject the MIT Package (see above).

## **RESPONDING TO A MIT PACKAGE SERVED UPON YOU**

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If you have been served with a MIT Package, you have three options:

**Option 1: Do Nothing**

**Option 2: File a response**

**Option 3: File an application or a cross-application**

### **Option 1: Do Nothing**

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One of your options is to do nothing.

If the Applicant's MIT Package is certified by the CMO, the MIT Applicant (or their counsel) will contact you seeking at least three mutually agreed dates for the MIT Conference so they can book the MIT Conference. If you choose Option1: Do Nothing, the assigned MIT Justice will only have the Applicant's MIT Package before them. The respondent is not permitted to rely on previously filed materials.

If you do nothing and the Applicant's MIT Package is rejected by the CMO, that MIT will be closed and nothing further will happen.

### **Option 2: File a response**

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Another option is to file a response to the Applicant's MIT Package served upon you.

*If you wish to file your own application or a cross application, please see Option 3 below.*

Filing a response means that you want to argue that the relief requested by the MIT Applicant should not be granted.

You can file a response either within the 14-day period from the date that service of the MIT Package was effected or anytime before the MIT Conference.

- ➔ A response filed **within the 14-day period** will be reviewed by the CMO and will be before the assigned MIT Justice at the MIT Conference.
- ➔ A response filed **after the 14-day period** will not be reviewed by the CMO, and it will be at the discretion of the MIT Justice whether they will review or consider your late-filed response materials.

If the Applicant's MIT Package is rejected by the CMO, that MIT will be closed and nothing further will happen. Either party may file a new MIT Package if they wish to seek assistance from the court.

### **Materials you *must* file as part of your Response Package for Option 2: File a Response**

If you want to respond to the Applicant's MIT Package (but you do not want to bring an application or a cross-application), and you want the CMO to review your response, you must file and serve the following on the MIT Applicant (either by email or another method of service permitted by the *Alberta Rules of Court*) within the 14-day period from the date that service of the MIT Package was effected:

- A MIT Summary (Form CTS14868).** This is required even if some of the information is a duplication of the MIT Applicant's MIT Summary form.
- An affidavit (*Divorce Act* matter) or Statement (*Family Law Act* matter)** if the Applicant's MIT Package includes a Family Application (FL-18) requesting interim relief, and you want to respond and provide evidence at the MIT Conference before your assigned MIT Justice.
- The Affidavit of Service of your Response Package on the MIT Applicant.**

### **Optional materials you *may* file as part of your Response Package for Option 2: File a response**

You may also want to file and serve the additional documents outlined below as part of your Response Package. Although these additional documents are not required when you are only responding (Option 2), if you do not include them, the MIT Justice will not be considering them when making determinations or decisions at the MIT Conference and this may prejudice your position.

- Proof of completion of the Mandatory Requirements (or a granted waiver/deferral):**
  - PAS
    - If there are Children under the age of 18, you must complete the PAS Course and file your PAS certificate.
  - Financial Disclosure Statement

- An up-to-date (within the last 6 months) and complete Financial Disclosure Statement, or a waiver if one was granted by the Court.
- If your Response Package does not provide an up-to-date Financial Disclosure Statement or a waiver, and the MIT Applicant's requested relief to the court involves child support, partner/spousal support or property, the Court may order costs, grant a support order against you based on the information available to the Court, or grant any other remedies available to the court.
- Participation in ADR form
  - All parties must complete their own Participation form; however, if relying on a waiver, a waiver obtained by one party applies to both, and it is recommended that both parties upload a copy.
- Family Court Counsellor (FCC)
  - You may choose to not meet with a family court counsellor.
- An FL-11 (*Family Law Act* matter) if you did not previously file an FL-11.
- A copy of the Affidavit of Service of *your commencement documents* (Statement of Claim, Counterclaim, Claim - Family Law Act, Response - Family Law Act (only if it raises new relief requested by the respondent))

### **MIT Applicant May Reply to a Response Affidavit to the Applicant's MIT Package**

After the Respondent has filed and served their response affidavit to the Applicant, the Applicant may file further evidence in reply to the Respondent's evidence by filing an affidavit or one or more reply statements, which are limited to evidence that explains, refutes, or contradicts the new evidence raised by the Respondent. The Applicant has 7 days to file and serve their reply (PN2, para 43).

### **Option 3: File an application or a cross-application**

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If you wish to file an application (if the MIT Applicant did not file one), or a cross-application (whether directly related to, or unrelated to, the MIT Applicant's Family Application (FL-18)), you must use the Family Application (FL-18).

You can file an application or cross-application either within the 14-day period from the date that service of the MIT Package was effected or anytime before the MIT Conference.

- ➔ An application or cross-application filed **within the 14-day period** will be reviewed by the CMO and will be before the assigned MIT Justice at the MIT Conference.

→ An application or cross-application filed **after the 14-day period** will not be reviewed by the CMO, and it will be at the discretion of the MIT Justice whether they will review or consider your late-filed response materials.

**Materials you must file as part of your Response Package for Option 3: File an application or cross-application**

You must file and serve the following on the MIT Applicant (either by email or another method of service permitted by the Alberta *Rules of Court*):

- **MIT Summary form CTS14868.** This is required even if some of the information is a duplication of the MIT Applicant's MIT Summary form.
- **Application or Cross-Application**
  - **If you are under the *Divorce Act*,** you must use a Family Application (FL-18) to file an application or cross-application and must provide an affidavit in support.
  - **If you are under the *Family Law Act* (i.e., no Statement of Claim for Divorce has been filed),** you must determine whether you previously filed a Response - Family Law Act (FL-11).

- **If you have NOT previously filed an FL-11**

- If you have not previously filed an FL-11, you must file an FL-11, as it will be both your response to the FL-10 and your application or cross-application. The supporting evidence can be included in the same affidavit as the evidence opposing the Applicant's application, or by filing one or more Statements in support. No FL-18 is required.

- **If you HAVE previously filed an FL-11:**

- If you have previously filed an FL-11, you must check it to determine if it identified all of the unsettled issues in your matter. If your previously filed FL-11 does not identify all unsettled matters, then you must file a new FL-11 that identifies any issues that were not in the applicant's FL-10, and you must file an FL-18 with a supporting statement.

- Example: The MIT applicant filed an FL-10 for child support only and you want to address parenting in your application or cross-application. If your previously filed FL-11 did not include parenting, you must file a new FL-11 and an application or cross-application using form FL-18 and the supporting evidence can be included in the same affidavit as the evidence opposing the

Applicant's application, or by filing one or more Statements in support.

**□ Proof of completion of the Mandatory Requirements (or a granted waiver/deferral):**

○ PAS

- If there are Children under the age of 18, you must complete the PAS Course and file your PAS certificate.

○ Financial Disclosure Statement

- An up-to-date (within the last 6 months) and complete Financial Disclosure Statement, or a waiver if one was granted by the Court.
- If your Response Package does not provide an up-to-date Financial Disclosure Statement or a waiver, and the MIT Applicant's requested relief to the court involves child support, partner/spousal support or property, the Court may order costs, grant a support order against you based on the information available to the Court, or grant any other remedies available to the court.

○ Participation in ADR form

- All parties must complete their own Participation form; however, if relying on a waiver, a waiver obtained by one party applies to both, and it is recommended that both parties upload a copy.

○ Family Court Counsellor (FCC)

- You must meet with an FCC if you are self-represented, if available in your region.

**□ A copy of the Affidavit of Service of *your* commencement documents**

(Statement of Claim, Counterclaim, Claim - Family Law Act, Response - Family Law Act (only if it raises new relief requested by the respondent)).

**□ The Affidavit of Service of your Response Package on the MIT Applicant.**

**MIT Applicant may Respond to a Cross-Application and Respondent may Reply**

Where the MIT Respondent files a cross-application under the *Divorce Act*, the MIT Applicant may file one additional affidavit that serves as both a reply to the Respondent's response on the initial application and a response to the Respondent's cross-application. The reply should only address new evidence raised in the Respondent's affidavit. The MIT Respondent may then file one final affidavit in reply to

the Applicant's response on the cross-application, limited to addressing new evidence raised in the MIT Applicant's response. The MIT Applicant has 7 days to file their reply/response, and the MIT Respondent will then have 7 days to file their reply (PN2, para 43).

Where the MIT Respondent files a cross-application under the *Family Law Act*, the MIT Applicant may file one additional affidavit or one or more reply statements that serves as both a reply and a response, with the reply only addressing new evidence raised in the Respondent's affidavit. The MIT Respondent may then file one final affidavit or one or more reply statements, limited to addressing new evidence raised in the MIT Applicant's response. The MIT Applicant has 7 days to file their reply/response, and the MIT Respondent will then have 7 days to file their reply (PN2, para 43).

### **Consequences of filing your application or cross-application after the 14-day period**

First, the outcome of your application or cross-application will depend on the MIT Applicant. If the Applicant's MIT Package is rejected, yours will automatically be rejected, too. The MIT will be closed and nothing further will happen.

Second, it will be at the discretion of the assigned MIT Justice whether they will accept and review your late filed application or cross-application.

Third, your application or cross-application may be incomplete or contain deficiencies.

### **If you file your application or cross-application within the 14-day period**

If you filed your application or cross-application materials within the 14-day period, your application or cross-application and the Applicant's MIT Package will be snoozed for 15 days to allow both parties to respond/reply, as required. Both party's materials will be reviewed by the CMO. The MIT Applicant has 7 days to respond to the cross-application, and the Respondent will then have 7 days to reply to the Applicant's response (PN2, para 43).

### **If you file your application or cross-application within the 14-day period, and the Applicant's MIT Package is rejected but yours is certified**

If you file your application or cross-application within the 14-day period, AND the Applicant's MIT Package is rejected but yours is certified, you may proceed to schedule a MIT Conference on the issues raised in your application or cross-application.

**Where you file your application or cross-application within the 14-day period and both the Applicant's MIT Package and your application or cross-application are certified**

If you file your application or cross-application within the 14-day period and both the Applicant's MIT Package and your application or cross-application are certified, a MIT Conference can be scheduled and both the Applicant and the Respondent materials will be before the assigned MIT Justice.

**Step 5: Confirmation from CMO that MIT Package is Certified and Scheduling a MIT Conference**

The CMO will advise the party (Applicant, Respondent or both) via email that their MIT Package has satisfied the requirements and is certified, and provide the link to book the initial MIT Conference.

A MIT Conference can be scheduled once the MIT Applicant or the MIT Respondent is certified. The certified party can book the MIT Conference regardless of the status of the other party's application.

**You have 30 days** from receiving email confirmation from the CMO that your MIT Package has been certified to submit the booking request form using the link to book your initial MIT Conference.

If you do not submit the booking request form within the 30-day period, the confirmation from the CMO that your MIT Package was certified becomes void, and you must start over at Step 3, and resubmit your MIT Package in Justice Digital, reserve it and upload the Affidavit of Service to restart the CMO review.

After submitting the booking request form, your matter will be assigned to a 1-hour initial MIT Conference with a Family Roster Justice.

**Step 6: Attending the MIT Conference**

The parties shall attend the initial MIT Conference with a Family Roster Justice. This will take place in a courtroom on the record at the Courthouse before your assigned MIT Justice. In exceptional circumstances, a remote hearing may be necessary. You can request a remote hearing [here](#) and the Court will either grant or deny your request.

**What is an initial MIT Conference?**

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The MIT Conference will be a one-hour session with a Family Roster Justice. It will be the same Justice who guides the case through resolution up until trial, except for the Settlement Conference, or where a conflict arises. A different Justice will conduct the Settlement Conference.

## **Purpose of an initial MIT Conference**

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The purpose of the MIT Conference is to grant relief (including interim, post-divorce judgment relief, procedural, some types of final relief) and prepare the parties for the Settlement Conference or to move forward in the process. For example, the MIT Justice at the MIT Conference may:

- Grant interim relief based on the applications brought by the parties, for example: interim orders for child support, spousal support, parenting, decision-making, or advance costs, etc.
- Set procedural orders
- Grant orders with the consent of both parties
- Order PN7 or PN8 reports
- Appoint Child's Counsel
- Assist parties in determining the need for: appraisals, valuations, other professional assistance, further disclosure, etc.
- Refer matters directly to meet with an RC to prepare a litigation plan or get set for trial
- Mediate (usually where no interim relief is sought)

*This list is provided as an example. It is not exhaustive.*

The MIT Justice will also assess accommodations or special needs for the Settlement Conference. For example, the MIT Justice will assess:

- Security needs;
- The needs associated with any domestic violence;
- Accommodations such as wheelchair accessibility, hearing aids, etc.;
- The need for a culturally-specific approach (e.g., Elder, smudging, pastor, Restorative Justice process);
- The need for the Child(ren)'s voice, including the possibility of a judicial interview of a child;
- The need for a binding or non-binding Settlement Conference

*This list is provided as an example. It is not exhaustive.*

## **Where EPOs or Criminal Proceedings Exist**

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Counsel are expected to keep their MIT Justice apprised of any protection orders or Criminal proceedings that occur during the process. This includes providing the MIT

Justice with information about trial dates and release conditions in any criminal matter or the date for a *viva voce* hearing in a protection order matter.

Please upload the original EPO granted and the final order on the matter.

### **Step 7: After the MIT Conference**

After the initial MIT Conference, the MIT Justice will complete the **Mandatory Intake Conference (MIT) Report** and sign any Interim/Procedural Orders granted. The MIT Report will be sent to the parties via email. The MIT Report will advise the parties of any deadlines and grant them leave for any further scheduling, for example a subsequent Case Conference or a Settlement Conference.

Where no deadlines are set at the initial MIT Conference, and the parties are ready to proceed to a Settlement Conference, parties must fill out the [Joint Request for Settlement Conference Date Form](#) and submit it using the booking request form link provided.

Where deadlines are set at the initial MIT Conference, once any deadlines set have been met, the parties must fill out the [Joint Request for Settlement Conference Date Form](#) and submit it using the booking request form link provided. You will receive the Scheduling Confirmation document that tells you the date and time of your Settlement Conference. This Scheduling Confirmation document must be uploaded as a supporting document in Justice Digital.

Where a party is noted in default and not participating, the MIT Justice may set the matter down for a streamlined trial.

After the initial MIT Conference, your MIT Justice will be referred to as your Case Conference Justice. The MIT Justice and the Case Conference Justice are the same Justice who has been assigned to your matter.

### **Request for Meeting with Case Conference Justice**

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There are two scenarios where you will attend a case conference:

(1) where the MIT Justice at the initial MIT Conference grants permission for a case conference, and

(2) where after the initial MIT Conference you wish to request a case conference with your assigned MIT/Case Conference Justice.

Note that multiple interim applications will be discouraged unless the circumstances justify it and the relief sought cannot wait until trial. The primary goal is resolution, and if resolution is not possible, the matter is to proceed to a trial.

### **The MIT Report grants permission or directs a Case Conference**

At the initial MIT Conference, your MIT Justice may grant permission or direct you to a Case Conference. Permission will be granted in the MIT Report.

If permission is granted in the MIT Report, you need to complete the [booking request form](#) and the Case Conference will be scheduled.

### **You want to request a meeting with your Case Conference Justice after the initial MIT Conference**

Parties may also request a case conference with their assigned Justice. You must fill out the [Request for Meeting with Case Conference Justice](#) form and submit it to Justice Digital for filing (or email filing if self-represented). The Request for Meeting with Case Conference Justice will go to your MIT/Case Conference Justice for review and determination and an endorsement will be issued with the Court's decision.

If the endorsement grants you leave to attend a court hearing, you must fill out the [booking request form](#), and the hearing will be scheduled. You must follow any directions or deadlines in the endorsement.

### ***Where the Matter is Urgent***

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If an urgent matter arises *after* the initial MIT Conference, parties need to complete the [Request for Meeting with Case Conference Justice](#) form and submit it to Justice Digital for filing (or email filing if self-represented). to seek an appearance before their MIT/Case Conference Justice. The MIT/Case Conference Justice will determine whether the request is urgent, whether they are able to respond to the urgent request, or whether it should be sent to urgent matters chambers if it cannot be heard by the MIT/Case Conference Justice.

### ***Where an Urgent Matter Requiring Viva Voce Evidence is Required***

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If an urgent matter requiring *viva voce* evidence is required after your initial MIT Conference, approval from the Chief Justice or the Associate Chief Justice must be sought by the parties.

*Example:*

You have had your initial MIT Conference and been assigned a MIT/Case Conference Justice, but you require an expedited trial for mobility. You must make the request to the CJ or ACJ.

### **Step 8: Attending the Settlement Conference**

Following the initial MIT Conference, depending on what procedural and interim orders are required, the MIT Report will direct parties to attend a Settlement Conference.

## **Booking a Settlement Conference**

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Parties must fill out the [Joint Request for Settlement Conference Date Form](#) and upload it into Justice Digital for filing (or submit for filing to email filing if self-represented) and once filed, complete the booking request form using the link provided in the Joint Request for Settlement Conference Date form.

A Settlement Conference only occurs after all procedural orders are complied with and full disclosure has been exchanged. The reason behind this is to ensure the parties have narrowed the issues and are able to focus on the crux of the dispute at the Settlement Conference. It also allows the Settlement Conference Justice to provide judicial guidance to encourage settlement of all issues.

As with any JDR process, parties are expected to attend the Settlement Conference in good faith. The use of this process as a “dry run” for trial is discouraged. The Settlement Conference Justice will be asking parties for their settlement offers on all issues outstanding.

**Unable to agree on the Joint Request for Settlement Conference Date form? Where you are unable to agree and therefore unable to fill out the Joint Request for Settlement Conference Date form, you must submit a [Request for Meeting with Case Conference Justice](#) to seek direction from your assigned MIT Justice.**

## **Timing and Who Conducts the Settlement Conference**

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The Settlement Conference will be booked for 2.5 hours, with a different Family Roster Justice to allow the parties a fresh set of eyes on their matter and to avoid potential conflict between adjudicative and mediation functions of a Justice previously involved with a family, including in their role as MIT/Case Conference Justice.

If no conflict exists and the parties provide consent for the MIT Justice to conduct the Settlement Conference, the MIT Justice may agree to conduct the Settlement Conference.

## **Materials for the Settlement Conference – Settlement Memorandum**

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The Settlement Memorandum must be sent to the Case Conference Coordinator and served on the opposing party 14 days in advance of the scheduled Settlement Conference date.

Please see the [Settlement Memorandum – Instructions](#) are on the Court’s [FFP webpage](#). Also review the [NPP#2025-04](#). The Settlement Memorandum requirements are also set out at **Appendix F** in this Manual.

## **What is the Settlement Memorandum?**

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The Settlement Memorandum shall include:

- A detailed list of the issues (and sub-issues) in dispute;
- A statement of the position the party takes on each issue (or sub-issue);
- A brief overview of the facts and evidence on which the party intends to rely to support their position on each issue;
- *Childview* or *Divorcemate* calculations for child and/or spousal support and/or Property distribution spreadsheet;
- Any case law you rely upon to support your position, with no more than two cases for each issue.

The Settlement Memorandum shall be submitted in letter form, not to exceed 8 pages, plus attachments. Attachments permitted are:

- *Childview* or *Divorcemate* calculations for child and/or spousal support;
- Property distribution spreadsheet
- Links to case law you are relying upon. Do not provide copies of each case.

## **Where to submit the Settlement Memorandum**

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As per the [NPP#2025-04](#), these materials must be sent by email to the following addresses:

Red Deer and all locations south of Red Deer, including Calgary:

[CaseConferenceCoordinator.KBJCalgary@albertacourts.ca](mailto:CaseConferenceCoordinator.KBJCalgary@albertacourts.ca)

Wetaskiwin and all locations north of Wetaskiwin, including Edmonton:

[CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca](mailto:CaseConferenceCoordinator.KBJEdmonton@albertacourts.ca)

## **Accommodations for the Settlement Conference**

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The Settlement Conference Justice will have received the direction from the MIT Justice with respect to any accommodations or other processes needed, including interpreters, the inclusion of the child's voice, and possible attendance of an elder or pastor, or other restorative process that is important to the parties.

## **Where the Intention is a Binding Settlement Conference**

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If parties want a binding Settlement Conference, the Justice must consent, and the parties must complete and sign a Binding Settlement Conference Agreement that will be provided by the Settlement Conference Justice.

## **Including the Child's Voice**

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The MIT Justice will have canvassed how the child's voice will be heard in litigation. In addition to the usual methods of getting the child's voice before the Court, the Court is working on a guideline for Judicial interviews with children. It remains at the discretion of the Justice as to whether they will agree to conduct a judicial interview of a child.

## **Once the Settlement Conference is Complete**

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Once the Settlement Conference is complete, the Settlement Conference Justice will complete the **Settlement Conference (SC) Report**. This will be provided to the parties via email. It will also go on the Court file. The terms of any settlement agreement reached will be included in the Report. The Report will not include any settlement discussions if the matter did not result in a settlement of all issues.

### *Where all issues are resolved at the Settlement Conference*

It may be that you settle all issues at this Settlement Conference. In this situation, in addition to the Settlement Conference Report, Orders will be prepared by Counsel, or by the Court Generated Orders Clerk where both parties are self-represented, and those Orders will be signed by the Settlement Conference Justice, filed and provided to the parties.

### *Where not all of the issues are resolved at the Settlement Conference*

Where not all of the issues are resolved, the Settlement Conference Report will refer parties to a Rule 4.10 Case Conference with the assigned MIT/Case Conference Justice where the parties are represented by counsel, or to Resolution Counsel for a Litigation Plan where there is a self-represented litigant.

## **Step 9: Final Steps Before Trial: Litigation Plans, Rule 4.10 Case Conference and Pre-Trial Conferences**

Final steps before trial include litigation plans, Rule 4.10 Case Conferences and Pre-trial Conferences.

A template Litigation Plan Order can be found on the Court's website under [Family Law Forms](#).

## **Where there is a Self-Represented Litigant**

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Where an issue remains unresolved after the Settlement Conference, or after an MIT Conference where the MIT/Case Conference Justice determines that the Settlement Conference would be futile (for example, where a Respondent does not engage, or

where domestic violence exists and safety concerns cannot be managed), the parties may be referred to Resolution Counsel to create a litigation plan.

If a litigation plan is consented to with the help of Resolution Counsel, it can be sent to the MIT/Case Conference Justice assigned to the matter for approval.

If there is no consent, a Rule 4.10 Case Conference will be scheduled with the parties and their assigned MIT/Case Conference Justice to finalize the litigation plan and move the parties toward trial.

### **Where parties are represented by Counsel**

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Where parties are represented by counsel, counsel may be instructed to draft a litigation plan order and provide it to the MIT/Case Conference Justice for approval.

Where there are two counsel who agree to the litigation plan order, they can submit the designated form and include their consent litigation plan order with a request for it to be granted. Even though Counsel consent to a litigation plan, the Court must approve it and may need to meet with Counsel for that purpose.

Where there are two counsel that cannot agree on a litigation plan, the MIT/Case Conference Justice may hold a Rule 4.10 Case Conference to settle the terms of the litigation plan order.

### **Pre-Trial Conferences (PTC)**

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The MIT/Case Conference Justice assigned to a matter may hold a PTC 90 days or more prior to the scheduled trial date to ensure trial readiness.

### **Step 10: Trial**

The anticipated goal is to have parties at trial within 18 months from the date of the Settlement Conference. However, there are many factors that affect lead times, including issues that may arise between parties during the process.

Any Justice of the Court of King's Bench can be assigned to a family Streamlined Trial or Trial.

## E. DESK PROCESS

Under the FFP, certain matters will be handled by a Family Roster Justice, while others will be handled by any Justice of the Court of King's Bench.

### Matters going before a Family Roster Justice under the Desk Process

Under the Desk Process, a Family Roster Justice will handle the following desk process matters:

- Waiver /Deferral Requests for Mandatory Requirements
- Request for RC Meeting
  - *Note that parties must have completed PAS and exchanged disclosure before this will be ordered*
- Time Sensitive Consent Orders
- Notice to Disclose Applications
- Where no MIT/Case Conference Justice has been assigned to the parties, applications under **Family Practice Note 2** requiring leave, for example exceeding page limits, extending deadlines for filing, adjournment requests, etc.

*For Urgent matters, see the Urgent Process in the next section of this Manual.*

### Matters going before any Justice under the Regular Desk Process

Any Justice will handle the following desk process matters:

- Desk Divorce Applications
- Non-Urgent / Non-Time Sensitive Consent Orders
- Other Desk Applications (for example, pension division orders)

Filing for Desk Process matters has *not* changed.

For further clarification on what matters fall under the Desk Process, please see the Master List of Included/Excluded Matters available on the Court's [FFP webpage](#).

### Request for Waiver or Deferral of Mandatory Requirements

In some situations, parties may not be able to complete the Mandatory Requirements. To seek a waiver or deferral of the Mandatory Requirements, a party must submit their request through the **Desk Process**.

**Parties should be seeking any waiver or deferral of the Mandatory Requirements before filing their MIT Package.**

However, if your MIT package is snoozed or rejected by the CMO because of non-compliance with the Mandatory Requirements, parties can choose to seek a waiver or deferral through the Desk Process.

Without an approved waiver or deferral, the parties may not move forward in the FFP process.

**IMPORTANT!** The Court has revised the process to Request a Waiver or Deferral of the Mandatory Requirements. The revised process is set out in [Appendix B to the Notice to the Profession and Public: New Processes in Family Law - Family Focused Protocol](#). All forms are available on the Court's [FFP webpage](#) and the [Family Law Forms webpage](#).

### **Steps for Requesting Waiver or Deferral of the Mandatory Requirements**

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If you are seeking a waiver or deferral of the Mandatory Requirements:

- **Have you filed a commencement document?**
  - A commencement document must have been filed and served before seeking a waiver or deferral of the Mandatory Requirements.
- **Do you believe your matter qualifies for a waiver or deferral of the Mandatory Requirements?**
  - Consider whether your matter may qualify for a waiver or deferral.
  - A deferral or waiver may be issued in circumstances including:
    - There is a risk of severe economic harm to a party or child(ren);
    - The Respondent refuses to comply with/participate in the mandatory processes or they cannot be located, or there is an existing Order prohibiting contact between the Applicant and the Respondent;
    - Any circumstances determined by the Justice to be sufficient to justify a waiver or deferral for one or more of the mandatory requirements.
  - A waiver of ADR will not be granted where the opposing party has not provided disclosure, unless there has been a disclosure Order that has not been complied with. If you have requested disclosure from the opposing party, and the opposing party has not provided it, you must first bring a Notice to Disclose Application via Desk Process.
  - **NOTE!** Seeking a waiver of the ADR Mandatory Requirement:
    - **Reasonable efforts to engage in ADR must** have been attempted for the purposes of the Mandatory Requirements.

- For example, a single email with no reply is not considered “reasonable efforts”. Correspondence of offers of settlement between counsel or parties is not considered ADR.

- **Complete** the following:
  - [Request to Waive/Defer Mandatory Requirements CTS 13474](#);
  - [Desk Application to Waive/Defer Mandatory Requirements KB233](#); and,
  - [Notice to Respond to Waiver Request KB234](#).

**Note:** These are not filed.

- **Serve** the opposing party with the following unfiled documents in accordance with [Appendix A to the Notice to the Profession and Public: New Processes in Family Law – Family Focused Protocol](#).

(1) the completed Request to Waive/Defer Mandatory Requirements;

(2) Notice to Respond to Waiver Request; and,

(3) the [Response to Request to Waive Mandatory Requirements KB235](#).

- **The Respondent will have 5 clear days** to complete and return the **Response to Request to Waive Mandatory Requirements** directly to the Applicant (or the Applicant’s counsel where the Applicant is represented).

- **After the 5 clear day notice period, the Applicant must file:**

(1) the Request to Waive/Defer Mandatory Requirements;

(2) the Desk Application to Waive Mandatory Requirements;

(3) the Notice to Respond to Waiver Request;

(4) the Response to Request to Waive Mandatory Requirements (if the Respondent completed and returned it to the Applicant by the end of the 5 clear days); OR in the event the Respondent has not returned a Response to the Applicant, an Affidavit of Service proving service of the materials by the Applicant upon the Respondent.

- If there has been an order dispensing with service, or an affidavit of service is required, and the Applicant served the Respondent pursuant to a service order (for example, service ex juris or substitutional service), the Applicant must include a copy of the service order.

- The Applicant is not required to provide these documents to the Respondent after filing.

- A Family Roster Justice will review your request, and a copy of the Order will be provided by the Court to the Applicant. The Applicant must serve the Order on

the Respondent. Where the Court has the Respondent's email address, a courtesy copy may be provided via email to the Respondent, but this will not constitute service of the Order.

### **Responding to a Request to Waive or Defer a Mandatory Requirement**

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If you have been served with a **Request to Waive/Defer Mandatory Requirements, Notice to Respond to Waiver Request** and a **Response to Request to Waive Mandatory Requirements**, you have **5 clear days** from the date you were served to complete and return the **Response to Request to Waive Mandatory Requirements** directly to the Applicant (or the Applicant's counsel where they are represented).

If you **do not** return the Response to Request to Waive Mandatory Requirements directly to the Applicant (or the Applicant's counsel where they are represented) within the 5 clear days, the Applicant's Request to Waive/Defer Mandatory Requirements will proceed to a Family Roster Justice who will determine whether to grant or deny the request.

### **Request for Resolution Counsel (RC)**

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A meeting with Resolution Counsel will satisfy the ADR Mandatory Requirement.

### **Eligibility for a Meeting with Resolution Counsel**

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Where other mediation resources are not available to the parties and one of the parties earns less than \$90,000 per year and one or both of the parties are self-represented, they may submit a request for a Resolution Counsel mediation before proceeding under the Regular Family Process.

Generally two counsel matters are not eligible for mediation with Resolution Counsel. However, the Family Roster Desk Justice retains discretion to approve mediation with Resolution Counsel, in specific circumstances. When both parties have counsel, the [Request for Meeting with Resolution Counsel CTS 14866](#) must demonstrate that: (i) there has been a good faith attempt at resolution using a four-way counsel settlement meeting and (ii) the financial circumstances of the parties would create a hardship if they were required to pay for private mediation.

Please note that the [Request for Meeting with Resolution Counsel \(RC\) Desk Application CTS14866](#) form contains boxes for contact information for Applicant, Lawyer for Applicant, Respondent and Lawyer for Respondent, because depending on the situation, it may be an applicant OR a respondent who is the party represented by counsel.

Prior to requesting a meeting with Resolution Counsel, parties must have filed and served commencement documents and completed the Mandatory Requirements (except

the ADR Mandatory requirement because a Meeting with Resolution Counsel will satisfy the ADR Mandatory Requirement). For clarification you do not need to seek a waiver of the ADR requirement prior to requesting a meeting with Resolution Counsel via Desk Application.

The necessary forms will be updated to avoid any confusion in this regard.

### **How to Request a Resolution Counsel Meeting**

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To request a Resolution Counsel Meeting, parties must complete the [Request for Meeting with Resolution Counsel \(RC\) Desk Application CTS14866](#) and submit it through email filing process. A Family Roster Justice will determine whether to grant the request.

Where you do not have consent from the opposing party, or where the opposing party is unresponsive, you should request a waiver of the ADR Mandatory Requirement.

### **How to Schedule a Resolution Counsel Meeting**

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Where the Court has granted your request for a Resolution Counsel Meeting, you will need to provide mutually agreeable dates. If the mutually agreed to dates sent to the Court Coordinator are not available, you will be advised of dates available or asked to provide further mutually agreeable dates.

The meeting with Resolution Counsel will be scheduled for 2 hours. The focus will be on resolution of substantive issues. Following the meeting with Resolution Counsel, Resolution Counsel will create a report. If an agreement is reached on some or all of the issues, a proposed Consent Order for judicial approval will be prepared. Where parties do not reach resolution on issue(s), they must proceed through the Regular Family Process.

Resolution Counsel slots will be made available province-wide on a first-come, first-served basis. All Resolution Counsel meetings will take place online by Webex. Resolution Counsel will also have authority to cancel or adjourn a meeting if the parties do not provide the required documents or information in advance as requested or directed.

For additional information about Resolution Counsel, please see the [Tips About Mediation with the King's Bench Resolution Counsel](#) document available on the Court of King's Bench [FFP webpage](#).

## **Time-Sensitive Consent Orders**

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Time-Sensitive Consent Orders fall under the Desk Process and are handled by a Family Roster Justice. These requests will follow the current FJS process. Please see the **Joint Announcement: Family Justice Strategy Desk Consent Order Process** [here](#).

An action must have been started.

## **Consent Orders and Desk Divorce Applications**

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All other Consent Orders and Desk Divorce Applications will proceed through the Regular Desk Process.

For example, where Minutes of Settlement are in place and parties wish to simply enter a Consent Order regarding parenting time and support, the usual Desk Process for consent orders and desk divorces applies.

For example, where a party wishes to bring an application to set aside a noting in default regarding Divorce, if it is by consent, the usual Desk Process applies. However, if it is contested, the parties must enter the Regular Family Process of the FFP and the application will come before the MIT Justice at the MIT Conference.

## **Notice to Disclose Applications**

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The Notice to the Profession and Public of May 8, 2020 sets out the criteria for desk applications for Notices to Disclose. A summary of the steps outlined in the NPP are outlined below but please consult the full Notice to the Profession and Public [here](#).

1. The Applicant must file and serve a Notice to Disclose (Desk Application), and a blank form of Response to Request for Disclosure on the Respondent;
2. Within 1 month of being served, the Respondent must complete, file and serve on the Applicant:
  - a) a Financial Disclosure Statement. This form is on the Court's website at <https://cfr.forms.gov.ab.ca/Form/CTS13472.pdf>; and
  - b) only in those cases where complete disclosure is not provided, the completed Response to Request for Disclosure document to explain why the Respondent is not able to provide full disclosure. (*This document must not include the disclosure documents, which are to be provided with the Disclosure Statement*);
3. Where the Respondent has not provided complete disclosure, and failing any agreement between the parties with respect to extensions of time or a Consent Order, the Applicant may submit a desk application to the Court by email to the locations and email addresses below, without further notice to the Respondent;

## **Requests for Child's Counsel**

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**There is a special process for consent Child Counsel Orders.** This applies where both parties have consented to Child Counsel Order and you have *not* entered the Regular Family Process. You must prepare a joint letter of reasons for Child's Counsel as well as the Legal Aid referral form. Do not submit a Consent Order. All requests must be sent to the designated Justice. Currently, Red Deer South shall be sent directly to Justice Kachur, and Edmonton North shall be sent directly to Justice Loparco.

If approved, the CGO clerk will prepare the Order and send it directly to Legal Aid, copying the parties. Legal Aid will then contact the parties to arrange a meeting. This process will speed up and streamline the appointment of child's counsel. It is anticipated that child's counsel will be appointed within 30 days.

It is within the Court's *parens patriae* powers and sole discretion to determine whether counsel will be appointed for a child. Variations of the standard order clauses are not permitted except if the parties agree to a cost sharing arrangement that differs from the usual 50-50.

### **Where parties disagree whether child's counsel should be appointed**

Where parties disagree whether Child's Counsel should be appointed, they must proceed under the Regular Family Process. If they have already been assigned a MIT/Case Conference Justice, they shall contact their MIT/Case Conference Justice using the designated form.

### **Where Child's Counsel appointed at initial MIT Conference**

Where Child's counsel is appointed at an initial MIT Conference, the ability to ask for a subsequent Case Conference with your MIT/Case Conference Justice to share the child's views and preferences, and request interim relief will be determined on a case-by-case basis by the MIT/Case Conference Justice, depending on the circumstances. Any such requests will be made to the assigned MIT/Case Conference Justice using the designated form.

## F. URGENT PROCESS

Regardless of where you are located in the province, parties seeking urgent requests for hearings must file the Urgent Request Form, along with their unfiled draft application and supporting documents.

All urgent matters **province-wide** will be vetted by a Family Desk Roster Justice.

If the Justice determines that the matter is urgent, the matter will proceed to Urgent Matters Chambers or Family Chambers on a designated date.

After the urgent matter is dealt with by the Court, any further relief must be sought by entering the Regular Family Process of the FFP.

**Note:** If you already have an assigned MIT/Case Conference Justice, and an urgent matter arises *after* the initial MIT Conference, parties need to complete the [Request for Meeting with Case Conference Justice](#) form and submit it to Justice Digital for filing (or email filing if self-represented). to seek an appearance before their MIT/Case Conference Justice. The MIT/Case Conference Justice will determine whether the request is urgent, whether they are able to respond to the urgent request, or whether it should be sent to urgent matters chambers if it cannot be heard by the MIT/Case Conference Justice.

If the Justice approves the urgent request for a Judicial Centre outside of Edmonton or Calgary, that approval will be sent to the Court Coordinator for that Judicial Centre so arrangements can be made for an appearance in that Centre.

Where the Court in Urgent Matter Chambers issues a parenting order addressing the urgent matter, it will direct Parent 1 to comply with the Mandatory Requirements, and tell Parent 1 to proceed through the Regular Family Process for any further relief being sought.

Please click [here](#) for the Court of King's Bench Emergency/Urgent Request webpage.

### **What is an Urgent Matter**

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Urgent matters are defined on the [Court website](#) as:

- Orders where there is a risk of violence or immediate harm to one of the parties or a child, including applications for exclusive possession of a family home where these criteria are met;
- Orders where there is a risk of removal of a child from the jurisdiction;
- Emergency Protection Order reviews;

- Urgent orders relating to parenting time, contact or communication with a child (that cannot reasonably be delayed).

### **Are the Mandatory Requirements necessary to bring an urgent request?**

It is not necessary for the Mandatory Requirements to have been complied with before submitting an Urgent Request. After the urgent / time-sensitive matter has been addressed, it is expected that the parties will complete the Mandatory Requirements.

### **Does an action have to be commenced prior to bringing an urgent request?**

It is also not necessary for an action to be commenced prior to a party submitting an urgent request form, however, draft commencement documents must be provided along with the urgent request and if the urgent request is approved, the draft commencement document will be filed by the Court.

### **What if my urgent request is rejected by the Court?**

Where a party's request for an urgent hearing is rejected, the parties must enter the Regular Family Process.

For the first few months of the project, morning family chambers will take place on Monday, Wednesday, and Friday in Calgary and Edmonton. This may be altered in the future depending on lead times.

## **G. INCLUDED AND EXCLUDED PROCESSES IN THE FFP**

### **Master List of Included and Excluded Matters under the FFP, date issued June 1, 2026**

The Master List of Included and Excluded Matters under the FFP sets out what processes will be required to be dealt with through the FFP process and those which will remain the same

The most up to date version of the Master List of Included and Excluded Matters under the FFP is available on the Court of King's Bench [Family Focused Protocol webpage](#).

*As of this June 2026 Update, the most recent version is Date issued: June 1, 2026.*

## H. OTHER CONSIDERATIONS UNDER THE FFP

### Service

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Information regarding service of Materials under the Regular Family Process is explained at Appendix A to the Notice to the Profession and Public [NPP#2025-04](#) on December 10, 2025 titled New Processes in Family Law: Family Focused Protocol Effective January 2, 2026.

Where a third party needs to be involved, for example MEP, the current requirements to service MEP remain in place and counsel for the Director will have an opportunity to attend the MIT Conference.

### Substitutional Service, Service Ex Juris and Hague Convention Service

You are to proceed to AJ Chambers if you are seeking: substitutional service, service ex juris or if your matter relates to Hague Convention service.

### All Other Service Matters

In the interim, for all other service matters (including but not limited to, deeming service good and sufficient, dispensing with service, setting aside service), you are to proceed to Family Chambers.

### Disclosure: What does “strict compliance” mean for the purposes of Financial Disclosure as part of the MIT Package?

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Recency of the Financial Disclosure Statement means **6 months** from the date that the MIT Package is filed.

The material provided in response to Question 2 of the Financial Disclosure Statement must be current which requires:

- Personal tax returns for each of the three most recent taxation years (at the time of writing, 2025, 2024, and 2023) including any schedules and all T-slips that were filed with the return or if the most recent year (2024) personal income tax return was not filed, a copy of all T-slips and statements disclosing all sources of income. **If tax returns are not available, a Proof of Income documents from the Canada Revenue Agency for each of those years;**
- Copies of all three most recent taxation years Notices of Assessment or Re-Assessment;
- Copies of all T-slips from the Canada Revenue Agency for each year if personal tax returns have not been filed.

During the first three months of the year, you must provide a paystub or other income document showing your year-end income. From April 1, you must provide T slips showing prior year income.

It is not sufficient for the MIT Applicant to file a disclosure package that includes three years of NOAs but not the complete personal tax return or Proof of Income documents for those three years.

The material provided in response to Question 3 of the Financial Disclosure Statement cannot be more than 6 months old:

- For T4 employees, this means their three most recent paystubs;
- For self-employed parties and those whose income is derived from a closely held private corporation, in addition to answering Question 2, three years of financial statements must be provided. In the absence of financial statements, CRA form T2125 filed as part of a personal income tax filing is an acceptable substitute for self-employed individuals as are the closely held corporation's T2s.
- Also mandatory is the requirement to provide Cunningham disclosure. This means that any expenses deducted for income tax purposes which has been paid to or on behalf of non-arms length persons or corporations must be detailed including that portion which may be a benefit to the taxpayer or non-arm's length persons. A Business Expense Statement template and instructions for its completion are on the Court's FFP webpage.
- Failure to provide financial statements (or substitutes, as above) and the Cunningham disclosure will cause the MIT package to be snoozed and then rejected if updated disclosure is not submitted within 15 days.

The material provided in response to Question 4 of the Financial Disclosure Statement, which applies when section 7 (special and extraordinary) expenses are claimed, must be provided and Schedule C completed.

When spousal/partner support or family/matrimonial property are in issue, the documents required by Question 5 of the Financial Disclosure Statement are required:

- Completion of up-to-date Schedules A and B.
- Bank statements and credit card statements for the most recent 6 months, the most recent of which cannot be more than 6 months old.
- The most recent statements for all other financial assets the party owns or has an interest in (RRSP, GICs, stock accounts, etc.) which cannot be more than 6 months old unless the institution only provides annual statements.
- If a property exemption is claimed, a list of that property is required.

If you have been ordered to disclosure additional documents by Court Order or Endorsement, you must attach those documents.

If there are valid reasons for not providing the information required by the Financial Disclosure Statement, you can apply for a waiver or deferral of those requirements following the **Request for Waiver or Deferral of Mandatory Requirements under Desk Process**, and if granted, attach it to your re-submission.

### **Consolidation Applications**

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If consolidation is by consent, you may proceed via the Desk Process.

If consolidation is contested, or if you have received no response from the opposing party, you must enter the Regular Family Process. You must file and serve a Family Application (FL-18) seeking consolidation, and the application will come before the MIT Justice at the MIT Conference.

#### **Example:**

If you obtained an FL number during covid for parenting, and now you have a 480 number because you have filed a Statement of Claim for Divorce, and you need to consolidate these actions, you must enter the Regular Family Process. You should proceed under the 480 number. You must submit an MIT Package in accordance with the steps outlined in this manual, an FL-18 seeking consolidation of the actions, and when uploading the documents as part of your MIT Package you will include the documents related to the FL number action.

### **Purely Procedural Applications in the FFP**

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Until Family AJs are appointed who can handle strictly procedural applications, in the interim, if you have a one-off purely procedural application that you believe is premature for the FFP or should not go through the FFP, please write to KB External Feedback ([KBexternalfeedback@albertacourts.ca](mailto:KBexternalfeedback@albertacourts.ca)) with the file number, style of cause, region, detailed explanation of the nature of the purely procedural application you wish to bring and your reasons why you believe your purely procedural application is inappropriate for the FFP. The Court will get back to you regarding process.

The subject line of the email to [KBExternalFeedback@albertacourts.ca](mailto:KBExternalFeedback@albertacourts.ca) must be as follows:

**Subject: Purely Procedural Application Request - File number - Style of Cause**

#### **Example:**

**Subject: Purely Procedural Application Request - 4801-xxxx - John Doe v Jane Doe**

## **Contempt Applications**

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For contempt applications relating to family law, you must proceed through the Regular Family Process as set out above in this Manual, unless the matter is urgent in which case you may proceed under Urgent Process and a Justice will determine whether to grant the urgent request.

### **Matters Filed Before January 2, 2026**

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For court files that existed prior to January 2, 2026, where parties require court assistance, they must enter the FFP and follow all of the requirements of the FFP. This includes where you have been directed to an oral hearing but a date was not set, or where you have a litigation plan but there is no trial date set.

If you were granted an Order to book a trial prior to January 2, 2026, you may contact the court coordinator to book the trial before the deadline set out in the Order. If you missed the deadline set out in the Order to book a trial, you must enter the Regular Family Process of the FFP because you will need the court's assistance to vary the terms of that order.

Where trial dates have already been scheduled and no interim relief (procedural or otherwise) is required, and only a Rule 4.10 Case Conference or a PTC is needed before trial, entering the FFP is not necessary. To book your Rule 4.10 Case Conference or PTC, you contact the court coordinator.

### **Default is In Person for Hearings in the FFP**

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All processes by Family Roster Justices shall be conducted in person. The efficacy of the FFP is based on in-person communication and dialogue, and it is not easily replicated with a remote appearance.

However, in certain situations, a remote hearing may be necessary. If a party believes that their situations calls for a remote hearing, they can make the request [here](#).

### **Requesting Transcripts, Clerk Notes, Audio**

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Leave from the Justice is required to obtain transcripts, clerk notes or audio for any MIT Conferences, Case Conference or any Settlement Conferences on the record.

### **Bookmarking PDFs**

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Please bookmark all PDFs, including your Financial Disclosure Statement.

### **Notice of Change of Representation**

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Please ensure to file the Notice of Change of Representation, where applicable.

## Self-Represented Litigants Navigating the FFP

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Resources to assist self-represented litigants in navigating the FFP include the **Notice to the Profession and Public** [NPP#2025-04](#). Further resources to assist self-represented litigants in navigating the FFP are available on the Court's [Family Focused Protocol webpage](#) and the [Family Resolution Hub](#).

Legal Aid Alberta will continue to support parties who qualify for legal aid services. Service and financial eligibility criteria can be found on the Legal Aid Alberta website [Home - Legal Aid Alberta](#).

### **Tort of Intimate Partner Violence (*Ahluwalia v Ahluwalia*, 2026 SCC 16)**

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On June 1, 2026, the Court of King's Bench posted a new announcement:

#### **[Notice to the Profession and Public: Claims for Damages for Intimate Partner Violence, NPP2026-03](#)**

Further to the decision of the Supreme Court of Canada in *Ahluwalia v Ahluwalia*, 2026 SCC 16:

A claim in tort for damages for intimate partner violence is a civil claim that must be pleaded separately from any *Divorce Act* or *Family Law Act* action, by way of Statement of Claim, under Part 3, Division 3 of the *Alberta Rules of Court*. The separate civil claim for intimate partner violence will not prevent the issues of intimate partner violence and/or coercive control from also being raised in any separate *Divorce Act* or *Family Law Act* action when required.

Where a separate civil action for intimate partner violence has been filed, in addition to a *Family Law Act* or *Divorce Act* action, parties will be expected to so indicate on the [Request for Mandatory Intake Triage \(MIT\) Conference Form](#).

### **French-language Rights**

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In Alberta, there are multiple sources of language rights. In the family law context, they include section 4 of the *Languages Act*, [RSA 2000, c L-6](#) and section [23.2](#) of the *Divorce Act* (expected soon to be in force in Alberta). In addition, the Court of King's Bench adopted a policy to facilitate the use of French before the Court.

If someone requests a French or bilingual proceeding (English-French), they need to let the Court know by completing the [Avis et Demande d'Audience en Français / French Language Notice and Request](#) so that the matter can be scheduled before a bilingual justice.

### Example 1

Party 1 and Party 2 wish to proceed with a French or bilingual proceeding. They will indicate their choice on the **Request for Mandatory Intake Conference Form** and fill out the [Avis et Demande d’Audience en Français / French Language Notice and Request](#). They will be assigned to a French speaking Family Roster Justice.

### Example 2

Party 1 is Francophone but is completely bilingual. They fill out their initial documents. They choose to proceed in English and so do not complete the French Language Notice and Request form online. Party 2 is Francophone. They do not want to proceed in English and want to proceed in French. They fill out the online form the [Avis et Demande d’Audience en Français / French Language Notice and Request](#), requesting a French or bilingual proceeding.

### Example 3

Party 1 is Anglophone and Party 2 is Francophone. They wish to proceed with a bilingual process. They will fill out the online form the [Avis et Demande d’Audience en Français / French Language Notice and Request](#), requesting a bilingual proceeding.

### Example 4

Party 1 and Party 2 have complied with all of the requirements and have been assigned to a MIT Justice. They did not realize they could choose a process in French. At the initial MIT Justice meeting, Party 1 asks if they can proceed in French moving forward. In this scenario, the MIT Justice will adjourn the MIT, advise the parties to fill out the [Avis et Demande d’Audience en Français / French Language Notice and Request](#), and the matter will be flagged in the system and reassigned to a French speaking Family Roster Justice.

## I. FORMS

You will need to get acquainted with several new forms. They will be made available on the [Court of King's Bench website](#) in advance of January 2, 2026.

- [Request for Mandatory Intake Conference CTS14867](#)
- [Mandatory Intake Triage Summary CTS14868](#)
- [Request for Meeting with Case Conference Justice CTS15003](#)
- [Joint Request for Settlement Conference Date CTS14869](#)
- [Request for Meeting with Resolution Counsel \(RC\) Desk Application CTS14866](#)
- [Request to Waive/Defer Mandatory Requirements CTS13474](#)
- [Desk Application to Waive/Defer Mandatory Requirements KB233](#)
- [Notice to Respond to Waiver Request KB234](#)
- [Response to Request to Waive Mandatory Requirements KB235](#)

Please also note that there is a new **Business Expense Disclosure Statement** form, that is available in both printable and fillable formats on the Court of King's Bench [Family Focused Protocol webpage](#). Using this **Business Expense Disclosure Statement** form is **not mandatory** but it may assist you with preparing *Cunningham* disclosure.

- [Business Expense Statement - Instructions KB222IN](#)
- [Business Expense Statement KB222A](#)
- [Business Expense Statement \(Printable\) KB222B](#)

**Note!** If you choose to use the Business Expense Disclosure Statement form (which is **not mandatory**), it is filed as part of your Financial Disclosure Statement. It does **not** get filed separately.

## J. UPDATED FAMILY PRACTICE NOTES AND NOTICES TO THE PROFESSION AND PUBLIC

### Practice Notes

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Changes have been made to the Family Practice Notes (FPNs) 1,2,3,4, 5 and 8 to align with the new FFP process. They will be made available on the [Court of King's Bench Website](#) in advance of January 2, 2026.

An [announcement](#) was made by KB regarding the new FFP.

## Application of Pages Limits under Family Practice Note 2

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Please note that PN2 applies in family matters all regions for protection orders and restraining orders. PN2 does not apply to civil matters, including restraining orders.

### Notices to the Profession and Public

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A number of NPPs have been repealed. An [announcement](#) was made by KB recently to this effect.

The Court of King's Bench released a **Notice to the Profession and Public** [NPP#2025-04](#) on December 10, 2025 titled New Processes in family Law: Family Focused Protocol Effective January 2, 2026. It can also be accessed on the on the Court of King's Bench [Family Focused Protocol webpage](#). This NPP outlines the process for the FFP at the Court of King's Bench that applies to the entire Province of Alberta with respect to family matters.

An announcement was made on March 12, 2026 and on June 11, 2026 regarding revisions to the [NPP#2025-04](#).

The Court of King's Bench released a revised **Notice to the Profession and Public** [NPP#2026-01](#) on January 12, 2026 titled Family Pre-Court Mandatory Requirements. This NPP focuses on the FJS Pre-Court Mandatory Requirements. It can also be accessed on the Court of King's Bench [Notices to the Profession and Public webpage](#).

## **K. CONCLUSION**

The Family Focused Protocol establishes a structured and consistent framework for managing family law cases, encompassing pre-court services through to resolution. Adherence to these procedures enables legal practitioners and judges to enhance outcomes, increase efficiency, and promote fairness within the justice system.

## APPENDIX A - ACRONYMS USED IN THE FFP MANUAL

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<b>Abbreviation</b>	<b>Meaning</b>
<b>ADR</b>	Alternative Dispute Resolution
<b>CC</b>	Case Conference
<b>CGO</b>	Court Generated Order
<b>CMO</b>	Case Management Officer
<b>EPO</b>	Emergency Protection Order
<b>FCC</b>	Family Court Counsellor
<b>FFP</b>	Family Focused Protocol
<b>FJS</b>	Family Justice Strategy
<b>PNs</b>	Family Practice Notes
<b>JDR</b>	Judicial Dispute Resolution
<b>MIT</b>	Mandatory Intake Triage
<b>MR</b>	Mandatory Requirement
<b>NTD</b>	Notice to Disclose
<b>NPP</b>	Notice to Practice and Profession
<b>PAS</b>	Parenting After Separation
<b>PTC</b>	Pre-Trial Conference
<b>RC</b>	Resolution Counsel
<b>SC</b>	Settlement Conference

# APPENDIX B – REGULAR FAMILY PROCESS SIMPLE GUIDE AND CHECKLIST

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## SIMPLE GUIDE TO THE REGULAR FAMILY PROCESS

### STEP 1 MANDATORY REQUIREMENTS

- Parenting After Separation (PAS)
- Alternative Dispute Resolution (ADR)
- Financial Disclosure Statement (FDS)
- Family Court Counsellor (if self-represented, where available)

Need a **waiver or deferral** of the Mandatory Requirements? Follow the Desk Process



### STEP 2 COMMENCE AN ACTION

Statement of Claim or Family Law Claim (FL-10) or Originating Application



### STEP 3 PREPARE, FILE AND SERVE YOUR MIT PACKAGE

Once your MIT Package is prepared, filed and served, you **must** file the Affidavit of Service of the MIT Package



### STEP 4 CMO REVIEW

The CMO will review your MIT Package and determine whether to certify, reject or snooze  
Follow the instructions provided in the CMO email and the CMO MIT Checklist



### STEP 5 SCHEDULE THE MIT CONFERENCE

Once your MIT Package is CMO Certified, you have 30 days from CMO approval to book your MIT Conference  
*If you do not schedule within the 30 days, you will have to start over again at Step 3*



### STEP 6 ATTEND THE MIT CONFERENCE

This is a one hour in person hearing before the Justice to deal with relief sought, interim orders and procedural direction



**STEPS 7 SUBMIT THE JOINT REQUEST FOR SETTLEMENT CONFERENCE**

You must file the Joint Request for Settlement Conference and submit the booking request form.



**STEP 8 ATTEND THE SETTLEMENT CONFERENCE**

The Settlement Conference is a 2.5 hour session before a Justice focusing on resolution of all issues  
You must submit and serve a Settlement Memorandum 14 days before the scheduled Settlement Conference



**STEP 9 PRE-TRIAL STEPS**

The Justice presiding over the Settlement Conference will prepare a Settlement Conference Report that will direct one of the following: Meeting with Resolution Counsel to prepare a litigation plan; Consent Litigation Plan to assigned MIT Justice; Rule 4.10 Case Conference, or Pre-Trial Conference (PTC) 90 days before trial



**STEP 10 TRIAL**

Any Justice of the Court of King's Bench can be assigned a trial  
The anticipated goal is to have parties at trial within 18 months from the date of the Settlement Conference

## Regular Family Process – Checklist

### START HERE: Follow these steps to enter the Regular Family Process

**Note!** This checklist provides a condensed step-by-step guide to enter the Regular Family Process. It is not intended as a standalone document. Please also review the Detailed Guide to the Regular Family Process in the Manual.

#### STEP 1: MANDATORY REQUIREMENTS

##### Have you completed the Mandatory Requirements?

- YES** → move to Step 2
- NO** → Do you need a waiver or deferral of the Mandatory Requirements?
  - YES** → Follow Desk Process to request a waiver or deferral of the Mandatory Requirements
  - NO** → You are required to complete the Mandatory Requirements to enter the Regular Family Process. Complete any outstanding Mandatory Requirements.

#### STEP 2: COMMENCE AN ACTION

##### Have you commenced an action? If you already have a Divorce Judgment, have you filed an FL-18?

- YES** → move to Step 3
- NO** → You are required to commence an action to enter the Regular Family Process, or to file an FL-18 where a Divorce Judgment has been granted. File and serve your documents in accordance with the Alberta *Rules of Court*.

#### STEP 3: FILE YOUR MIT PACKAGE IN JUSTICE DIGITAL

##### **Step 3(a): Log into Justice Digital and file your MIT Package**

The **MIT Package** documents you may need to file in order to schedule an MIT Conference may consist of:

- Proof of Mandatory Requirements** (or a waiver or deferral of the Mandatory Requirements granted by a Justice)
  - Prior waivers granted do not apply under the FFP, *unless* they were specifically granted in contemplation of the FFP
- Commencement Document & Other Pleadings**
- Request for Mandatory Intake Conference Form**
- Mandatory Intake Triage (MIT) Summary Form**
- Financial Disclosure Statement** (strict compliance required)
- Any application documents where parties are seeking any relief by way of a Regular Family Process Application.**
  - A Family Application (F1-18) is required when seeking interim relief, for all post-divorce judgment relief, for some types of procedural relief, and for some types of final relief (e.g., dismissal for long delay).
  - Any filed application documents must comply with the Alberta *Rules of Court* and any applicable Practice Notes.
  - Practice Note 2 provides specific information with respect to filing application documents, including affidavit and page limits.

- Previously filed affidavits will not be relied upon for new applications. All relevant information must be included in a fresh affidavit that deals with issues you wish to put before the MIT Justice.
- **Affidavits of Service**
- Affidavits of Service will be needed for:
  - (a) commencement documents and other pleadings;
  - (b) your filed MIT Package; and,
  - (c) your Financial Disclosure Statement, if it was served separately from your MIT Package.
- You only need to upload the Affidavit of Service of a commencement document/pleading that you have served on the opposing party.
- Affidavits of Service must be uploaded into Justice Digital.

***Step 3(b): Have you downloaded your filed MIT Package and served it on the Respondent?***

- **YES** → move to Step 3(c)
- **NO** → You must serve your filed MIT Package on the Respondent in order to move forward in the Regular Family Process. Serve your filed MIT Package.

***Step 3(c): Have you uploaded the Affidavit of Service of your MIT Package onto Justice Digital?***

- **YES** → Your documents will be reviewed by a CMO. Move to step 4.
- **NO** → You **must** upload the Affidavit of Service of the MIT Package. Log in to Justice Digital and upload your Affidavit of Service.

**STEP 4: CMO WILL REVIEW YOUR MIT PACKAGE**

**Have you received confirmation via email from the CMO that your MIT Package is certified and the booking form link to schedule your MIT Conference?**

- **YES** → move to step 5
- **NO** → Review the direction provided by the CMO and correct any deficiencies in your MIT Package before the end of the snooze period *before* you can move to Step 5.

**STEP 5: SCHEDULE YOUR MIT CONFERENCE WITHIN 30 DAYS OF RECEIVING CONFIRMATION FROM THE CMO THAT YOUR MIT PACKAGE IS CERTIFIED**

**Did you schedule your MIT Conference within 30 days of receiving confirmation from the CMO that your MIT Package is certified?**

- **YES** → move to Step 6
- **NO** → If you did not schedule your MIT Conference within 30 days from receiving confirmation from the CMO that your MIT Package was certified, you must go back to Step 3 and resubmit your MIT Package for review by a CMO.

**STEP 6: ATTEND YOUR MIT CONFERENCE**

You must attend your scheduled MIT Conference. Your MIT Justice will deal with any relief being sought and provide procedural directions to ensure readiness for a Settlement Conference.

## STEP 7: SUBMIT A JOINT REQUEST FOR SETTLEMENT CONFERENCE

**Step 7(a): Have you followed the directions of your MIT Justice and are you ready to schedule your Settlement Conference?**

- YES** → Submit your Joint Request for Settlement Conference Form and complete the booking request form and move to Step 7(b).
- NO** → When you are ready to attend the Settlement Conference, submit your Joint Request for Settlement Conference form and the booking request form.

**Step 7(b): You must submit and serve your Settlement Memorandum 14 days before the scheduled Settlement Conference.**

**➔ Have you prepared your Settlement Memorandum in accordance with the requirements?**

- YES** → Submit your Settlement Memorandum to the Case Conference Coordinator and serve your Settlement Memorandum.
- NO** → Prepare your Settlement Memorandum in accordance with the requirements.
  - The Settlement Memorandum shall include:
    - A detailed list of the issues (and sub-issues) in dispute;
    - A statement of the position the party takes on each issue (or sub-issue);
    - A brief overview of the facts and evidence on which the party intends to rely to support their position on each issue;
    - Childview or Divorcemate calculations for child and/or spousal support and/or Property distribution spreadsheet;
    - Any case law you rely upon to support your position, with no more than two cases for each issue.
  - The Settlement Memorandum shall be submitted in letter form, not to exceed 8 pages, plus attachments. Attachments permitted are:
    - Childview or Divorcemate calculations for child and/or spousal support;
    - Property distribution spreadsheet
    - Links to case law you are relying upon. Do not provide copies of each case.

**➔ Have you submitted and served your Settlement Memorandum 14 days before the scheduled Settlement Conference?**

- YES** → move to step 8
- NO** → You must submit your Settlement Memorandum to the Case Conference Coordinator and serve your Settlement Memorandum 14 days before the scheduled Settlement Conference.

## **STEP 8: ATTEND YOUR SETTLEMENT CONFERENCE**

### **Did you resolve all of the issues at your Settlement Conference?**

- YES** → Congratulations!
  - The Settlement Conference Report will be prepared by the Settlement Conference Justice and provided to the parties.
  - Where parties are represented by counsel, counsel shall prepare the Orders which will be signed by the Settlement Conference Justice, filed and provided to the parties.
  - Where both parties are self-represented, the Orders will be prepared by Court Generated Orders Clerk and signed by the Settlement Conference Justice, filed and provided to the parties.
- NO** → If there are issues that were not resolved, the Settlement Conference Justice and Settlement Conference Report will provide further direction to move you on towards trial.

## **STEP 9: FINAL STEPS BEFORE TRIAL**

### **Your Settlement Conference Justice and the Settlement Conference Report will direct you to one of the following:**

- Meeting with Resolution Counsel to prepare Litigation Plan**
  - Where one or both of the parties are self-represented litigants.
- Provide your MIT/Case Conference Justice with the Consent Litigation Plan using the designated form**
  - Where counsel have consented to a litigation plan.
- Rule 4.10 Case Conference**
  - Where counsel are unable to agree on a litigation plan.

### **You may be required to attend a Pre-Trial Conference with your MIT/Case Conference Justice 90 days before trial.**

- Attend your scheduled PTC.

## **STEP 10: GO TO TRIAL**

Attend your trial where a final decision on all outstanding issues will be provided.

## APPENDIX C - DISCLOSURE

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To assist in compliance with *Cunningham v Seveny*, [2017 ABCA 4](#) and *Sweezey v Sweezey*, [2016 ABQB 131](#), there is a new **Business Expense Statement** available on the Court's [Family Focused Protocol webpage](#). It is also available on the [Family Law Forms webpage](#). You can access both a fillable Word format, and a printable format. There is an accompanying **Business Expense Statement - Instructions** document that explains how to fill out the form.

- [Business Expense Statement - Instructions KB222IN](#)
- [Business Expense Statement KB222A](#)
- [Business Expense Statement \(Printable\) KB222B](#)

The intent of this Business Expense Statement is to provide a sample template that parties can use to help them with preparing their disclosure.

It is not mandatory that parties use this Business Expense Statement, however it may be particularly helpful and parties are encouraged to use it.

## APPENDIX D - SAMPLE CONTENT FOR AFFIDAVIT OF SERVICE OF MIT PACKAGE

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Below is an **example** of the content for an Affidavit of Service of the MIT Package that may assist you. You must adapt this suggested content as necessary for your own file.

For the purposes of the Affidavit of Service of the MIT Package, **do not** attach the documents listed in the body of the Affidavit of Service of the MIT Package as exhibits or upload them as courtesy copies.

### Affidavit of Service of the MIT Package

I, Name, of City, Alberta SWEAR THAT:

1. I have personal knowledge of the following information except where I state that it is based on information from another person in which case I believe that information to be true.
2. I am 18 years of age or older.
3. On Date, I served Name, [counsel for Name or party Name], with a copy of the following documents which are filed with the Court (examples only):
  - a. Commencement Documents and Corresponding Affidavits of Service
    - i. Statement of Claim for Divorce and Division of Family Property, filed DATE
    - ii. Claim - Family Law Act, filed DATE
    - iii. Affidavit of Service of Statement of Claim for Divorce and Division of Family Property, filed DATE
    - iv. Affidavit of Service of Claim – Family Law Act, filed DATE
  - b. Documents filed for the purposes of this Request for Mandatory Intake Conference (MIT) - I provided by email copies of all the documents submitted in support of my application. The documents are in the list below (examples only):
    - i. Request for Mandatory Intake Conference, filed DATE
    - ii. Mandatory Intake Triage Summary, filed DATE
    - iii. Participation in Alternative Dispute Resolution, filed DATE
    - iv. Waiver of \_\_\_\_\_, granted DATE, filed DATE
    - v. Parenting After Separation (unless previously filed, in which case list it below)
    - vi. Financial Disclosure (unless previously filed, in which case list it below)
  - c. In addition to the commencement documents and the documents filed for this MIT Intake, I also provided by email copies of all the documents filed previously which I intend to rely on at the MIT hearing. These documents are listed below (examples only).
    - i. Financial Disclosure Statement, filed DATE (unless filed for the first time, in which case list it above)
    - ii. Affidavit of Service, filed DATE

- iii. Child Support Order, filed DATE
  - iv. Family Law Application (FL18), filed DATE
  - v. Statement(s) of NAME in support of Family Law Application, (*Family Law Act* matter), filed DATE
  - vi. Affidavit of NAME in support of Family Law Application (*Divorce Act* matter), filed DATE
  - vii. etc.
4. I served the documents listed above by sending electronic (scanned) copies of the documents to EMAIL ADDRESS in accordance with Notice to the Profession NPP-2025-04 Appendix A – Service of Materials Under the Regular Family Process
5. Service was effected on DATE and delivery confirmation as evidence of the successfully completed transmission is attached and marked as Exhibit A to this Affidavit as required by r. 11.21(2) of the *Alberta Rules of Court*.

## APPENDIX E – CMO MIT CERTIFICATION CHECKLIST

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### CMO MIT CERTIFICATION CHECKLIST

The CMO MIT Certification Checklist is subject to updates and revisions and may change from time to time. This is provided as a sample to further assist parties in preparing their MIT Packages for CMO Review.

*This CMO MIT Certification Checklist and Example Communication was last updated on April 30, 2026.*

**Action Number:**    **Style of Cause:**

**Review of [INSERT MITA/R NAME] Submission (“Choose an item.”)**

**Date of this CMO Review:** April 30, 2026      **Review Type:** Choose an item.

**MIT Status:** Choose an item.

1. **Participation in Alternative Dispute Resolution (“ADR”)** Choose an item.

**DELETE THIS AND THE SUB-QUESTIONS BELOW IF YOU SELECTED VERIFIED**

Did Choose an item. submit a completed *Participation in Alternative Dispute Resolution* form (CTS13473), confirming that ADR:

- was completed within the last six months? Choose an item.
- used a process recognized by the Court of King’s Bench? Choose an item.
- addressed all unsettled issues? Choose an item.
- was waived or deferred by Justice of the Court of King’s Bench? - Choose an item.

Explanation of Deficiencies, if required.

2. **Documents that Start the Action and Expand the Issues in the Action** Choose an item.

**DELETE THIS AND THE SUB-QUESTIONS BELOW IF YOU SELECTED VERIFIED**

- Did Choose an item. submit **all** the documents used to start and defend, respond to or expand the court case, as applicable? (*Divorce Act* e.g. Statement of Claim, Statement of Defence; Counterclaim; *Family Property Act*, Statement of Claim for

Division of Family Property; *Family Law Act*, Claim - Family Law Act or FL-10 or Response - Family Law Act, FL-11)? Choose an item.

DELETE THIS AND THE SUB-QUESTIONS BELOW IF NOT APPLICABLE AND DELETE THE QUESTION ABOVE IF DIVORCE JUDGMENT SUB-QUESTIONS APPLY

- If the parties have been granted a Divorce Judgment, was it submitted? Choose an item.
- If the Divorce Judgment did not finally decide all the relief claimed in the action (parenting, child support, spousal/partner support and property, if claimed, for example, because severance order was granted), did Choose an item. submit **all** the documents used to start and defend, respond to or expand the court case, as applicable? (*Divorce Act* e.g. Statement of Claim, Statement of Defence; Counterclaim; *Family Property Act*, Statement of Claim for Division of Family Property; *Family Law Act*, Claim - Family Law Act or FL-10 or Response - Family Law Act, FL-11)? Choose an item..

Explanation of Deficiencies, if required.

3. **Proof of Service of Commencement Document** Choose an item.

DELETE THIS AND DELETE THE SUB-QUESTIONS BELOW IF YOU SELECTED VERIFIED

Did Choose an item. provide proof that **their** commencement document:

- was personally served on the individual and not on the individual's lawyer (see court rule 12.55 of the *Alberta Rules of Court*): Choose an item.
- if the document did not need to be personally served, was it served on the person at the address of service they previously provided, by recorded mail to that address or on their lawyer of record or otherwise in accordance with Part 11 of the *Alberta Rules of Court* Choose an item.
- was a joint statement of claim for divorce which requires no affidavit of service: Choose an item.

- was served pursuant to a submitted and filed court order permitting the party to serve the other party another way or not at all or declared that service was good and sufficient: Choose an item.
- had the other party's lawyer's "Service Acknowledged" stamp? Choose an item.

Explanation of Deficiencies, if required.

4. **Family Application (FL-18)** for Interim Relief, Variation of an Existing Order, a Procedural Order when an application is required, or for Final Relief Choose an item.  
**DELETE THIS AND THE SUB-QUESTIONS BELOW IF YOU SELECTED VERIFIED OR NOT APPLICABLE**

- Did Choose an item. request relief in their Family Application that was not claimed in the commencement documents? Choose an item.
- Did Choose an item. request the same relief in the Family Application and the MIT Summary? Choose an item.
- Did Choose an item. file an Affidavit (*Divorce Act*) or Statement(s) (*Family Law Act*) in support of the Family Application? Choose an item.
- Were the Family Application and supporting documents correctly served? Choose an item.

Explanation of Deficiencies, if required.

**DELETE THIS AND THE SUB-QUESTIONS ABOVE IF NO DIVORCE JUDGMENT HAS BEEN GRANTED**

**Family Application After Divorce Judgment Granted**

- Did Choose an item. submit a Family Application to vary support or a parenting order, or claim support or a parenting order (corollary relief order)? Choose an item.
- Did Choose an item. provide proof of service of the Family Application showing that it was served on the individual as required by the *Alberta Rules of Court*, rule 12.55(1)(d) or (e)? Choose an item.

Explanation of Deficiencies, if required.

## 5. Financial Disclosure Statement (Form CTS13472) Review

If you are required to provide updated or additional documents, you must submit a new Financial Disclosure Statement that includes all the documents. It must be sworn and served.

**Child support and spousal/partner support or property** -If n/a, delete this option

Did the Choose an item. submit a *Financial Disclosure Statement* and supporting documents? Choose an item.

- Section 2 (Proof of Income): Choose an item. Explanation of Deficiencies (optional)
- Section 3 (Source of Income): Choose an item. Explanation of Deficiencies (optional)
- Section 4 and Schedule C (Special or Extraordinary Expenses, section 7) if claimed: Choose an item. Explanation of Deficiencies (optional)
- Section 5 (Statements) and Schedules A (Statement of Assets and Liabilities) and B (Budget) - Choose an item. Explanation of Deficiencies (optional)
- Section 6 Additional disclosure ordered: Choose an item. Explanation of Deficiencies (optional)

**Child support** - If n/a, delete this option

Did the Choose an item. submit a *Financial Disclosure Statement* and supporting documents? Choose an item.

- Section 2 (Proof of Income): Choose an item. Explanation of Deficiencies (optional)
- Section 3 (Source of Income): Choose an item. Explanation of Deficiencies (optional)
- Section 4 and Schedule C (Special or Extraordinary Expenses, section 7) if claimed: Choose an item. Explanation of Deficiencies (optional)
- Section 6 Additional disclosure ordered: Choose an item. Explanation of Deficiencies (optional)

**Spousal/partner support or property** If n/a, delete this option

Did the Choose an item. submit a *Financial Disclosure Statement* and supporting documents? Choose an item.

- Section 2 (Proof of Income): Choose an item. Explanation of Deficiencies (optional)

- Section 3 (Source of Income): Choose an item. Explanation of Deficiencies (optional)
- Section 5 (Statements) and Schedules A (Statement of Assets and Liabilities) and B (Budget) - Choose an item. Explanation of Deficiencies (optional)
- Section 6 Additional disclosure ordered: Choose an item. Explanation of Deficiencies (optional)

Explanation of Deficiencies, if required.

**Affidavit of Service of Financial Disclosure Statement** - Choose an item.

Explanation of Deficiencies, if required.

**6. Additional Notes (if applicable)**

## APPENDIX F - SETTLEMENT MEMORANDUM

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### Settlement Memorandum

A Settlement Memorandum shall be sent to the Case Conference Coordinator and served on the opposing party 14 days in advance of the scheduled Settlement Conference date. This means if your Settlement Conference is on a Wednesday, no later than two Wednesdays prior to the date of your Settlement Conference you must submit and serve your Settlement Memorandum.

The purpose of a Settlement Memorandum is to explain to the court and the opposing party what you are requesting and why it should be granted by the Court.

The Settlement Memorandum shall include the following;

- a detailed list of the issues in dispute, including all sub issues that need to be determined (For example, guardianship rights, specifically, whether the mother shall have exclusive rights to make decisions regarding the children's medical treatment);
- A statement of the position the party takes on each issue and or sub issue;
- Why the party takes that position;
- A brief overview of the facts and evidence on which the party intends to rely at the Settlement Conference and at trial to support their position on each issue;
- a separate single sheet containing calculations forming the basis of financial conclusions, including the *Childview* or *Divorcemate* calculations for child or spousal support, a spreadsheet of calculations for retroactive or arrears of any type of support and a complete spreadsheet of property distribution including any exemptions claimed, if applicable.
- any case law you are relying on to support your position
  - This should only be a link to the actual case with reference to the paragraph(s) you intend to rely upon. Do not provide copies of cases.
  - 'case law' means previously-decided cases, similar to yours, that support your position
  - You should have no more than two cases for each issue

The Settlement Memorandum shall be in letter form, not to exceed 8 pages, plus the attachments noted above, being the spreadsheets of child and or spousal support calculations, property distribution or case law links.

If you fail to file and serve a Settlement Memorandum, costs may be awarded against you.



## APPENDIX G - HYPOTHETICAL EXAMPLE SCENARIOS

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**Appendix G provides some hypothetical example scenarios to show how the Regular Family Process under the FFP will work. Each scenario will provide a brief hypothetical fact scenario and how this family will move through the FFP.**

*These example scenarios are intended as a guide of how a family may move through the FFP.*

### SCENARIO 1

#### **Hypothetical Fact Scenario**

The parties are married and have been separated for two years. Parent 1 has had primary parenting of their two children, and Parent 2 has had generous parenting time. There is no court order for parenting and no action has been commenced.

For the first year of separation, the parties were amicable with respect to parenting and child support. They were able to work together to make adjustments as needed for their family situation. However, over the last 6 months, tensions have increased. Parent 2 changed jobs and is now earning less money and paying less child support. Parent 1 alleges that Parent 2 is underemployed, and wants Parent 2 to pay more child support. Parent 2 alleges that Parent 1 is not letting them see the children as often and is now wanting shared parenting. Parent 1 and Parent 2 went to mediation but could not resolve the issues. They would like to remain amicable but tensions are such that they are at an impasse and need the Court's help to figure out how to move forward.

#### **How Parents 1 and 2 will navigate the FFP**

The parents' situation is not urgent and so they will proceed through the Regular Family Process.

#### ***Step 1 & 2***

Parent 1 and Parent 2 need to complete the Mandatory Requirements.

Parent 1 or Parent 2 needs to file and serve a commencement document.

#### ***Step 3***

Parent 1 needs to complete their MIT Package (including an application for interim child support) and file it in Justice Digital. Parent 1 needs to serve the filed MIT Package on Parent 2 and file the Affidavit of Service of the MIT Package in Justice Digital.

Only if relief is also being sought by Parent 2, Parent 2 needs to complete their MIT Package (including proof of completion of Mandatory Requirements and their cross-application documents) and file it in Justice Digital. Parent 2 needs to serve their filed MIT Package on Parent 1, and file the Affidavit of Service of the MIT Package in Justice Digital.

#### ***Step 4***

Assuming Parent 2 has filed and served their MIT Package within the 14-day period after Parent 1 has served their MIT Package on Parent 2, the MIT Package of both Parent 1 and Parent 2 will go to the CMO for review.

The CMO will determine whether to approve, reject or snooze the MIT Packages. CMO may snooze to allow both a response on the cross-application and a reply on the cross-application.

Assuming that the MIT Packages of both Parent 1 and Parent 2 satisfy the requirements, the CMO will send them an email advising that their MIT Packages were approved, and providing them the booking form link to schedule a MIT Conference. Parent 1 and Parent 2 have 30 days from receiving the email from the CMO to schedule their MIT Conference.

### ***Step 6***

Parent 1 and Parent 2 will attend the MIT Conference with their assigned MIT Justice.

## **SCENARIO 2**

### **Hypothetical Fact Scenario**

The parties are married and have been separated for one year. They have shared parenting of their 4-year-old child. There is no court order for parenting. No action has been commenced.

Parent 1 alleges that Parent 2 is drinking and or doing drugs alone and with third parties when the Child is in Parent 2's care. Parent 1 wants a parenting order giving Parent 1 primary care and limiting Parent 2's parenting time until Parent 2 stops drinking and or doing drugs.

### **How Parent 1 will navigate the FFP**

In this scenario, Parent 1 may need to proceed under the Urgent Process or under the Regular Family Process. Both options are explained below.

#### **→ Urgent Process:**

Regardless of where Parent 1 resides in the province, Parent 1 must submit the urgent request form and their draft application documents. If a Divorce action is being commenced in conjunction with a request for interim relief, then Parent 1 must submit a draft FL-18 and supporting affidavit. If a Divorce action is not commenced, then Parent 1 must submit a draft FL-10.

A Family Roster Justice will vet the urgent request and determine if it meets the criteria for urgent matters.

If the Justice determines that the matter is urgent, the matter will proceed to Urgent Matters Chambers or Family Chambers on a date designated by the Justice. If the matter is to proceed in a Regional Centre, the approval will be sent to the Court Coordinator for that Centre so arrangements can be made for an appearance in that Centre. If the

Court in Urgent Matter Chambers issues a parenting order addressing the urgent matter, it will direct Parent 1 to comply with the Mandatory Requirements, and to proceed through the Regular Family Process for any further relief being sought.

If the Justice determines that the matter is not urgent, Parent 1 will be directed to the Regular Family Process.

→ **Regular Family Process:**

*Steps 1 & 2*

Parent 1 needs to commence an action and serve it on Parent 2.

Parent 1 needs to complete the Mandatory Requirements:

- i. Parent 1 needs to complete the PAS course.
- ii. If Parent 1 is seeking any form of support, Parent 1 needs to file disclosure. If Parent 1 is only seeking parenting, Parent 1 does not need to file disclosure.
- iii. Parent 1 needs to try to engage Parent 2 in ADR. If Parent 2 will not engage in ADR, Parent 1 needs to seek a waiver or deferral of the ADR Mandatory Requirement through the Desk Process.
- iv. If Parent 1 is self-represented, Parent 1 needs to meet with an FCC (where available). If Parent 1 has a lawyer, Parent 1 does not need to meet with an FCC.

*Step 3*

Parent 1 needs to prepare their MIT Package and file it in Justice Digital, including their parenting application documents.

Parent 1 needs to serve the filed MIT Package on Parent 2. Parent 1 needs to file the Affidavit of Service of the MIT Package in Justice Digital.

On the 15<sup>th</sup> day after service of the MIT Package on Parent 2:

Where Parent 2 does NOT respond within the 14 days after service of the MIT Package on Parent 2:

If Parent 2 does not respond, Parent 1's MIT Package will now be reviewed by the CMO.

If Parent 1's MIT Package complies with the requirements, Parent 1 will receive an email from the CMO indicating that their MIT Package has satisfied the requirements and providing the booking form link to schedule an MIT Conference.

Parent 2 will receive notice of the date of the scheduled MIT Conference from the Court Coordinator.

Where Parent 2 DOES respond within the 14 days after service of the MIT Package on Parent 2:

If Parent 2 responds, Parent 2 can do any of the following: file a Statement of Defence, file a Demand for Notice, file a Statement of Defence and Counterclaim, file a Form FL-11, file an MIT Summary, file a cross-application.

If Parent 2 files a cross-application, Parent 2 needs to complete the Mandatory Requirements.

Parent 2 needs to file their MIT Package (which is their responding documents) in Justice Digital.

Parent 2 needs to serve their MIT Package on Parent 1. Parent 2 needs to file the Affidavit of Service of their MIT Package in Justice Digital.

Parent 2's MIT Package will now be reviewed by the CMO, along with Parent 1's MIT Package.

***Step 4***

The CMO will review the MIT packages of Parent 1 and Parent 2, and for each one, approve it, reject it or snooze it.

- v. If the CMO rejects or snoozes Parent 1 and or Parent 2's MIT Packages, Parent 1 and or Parent 2 will receive an email form the CMO with brief reasons for the rejection or snooze so that they can fix any deficiencies.
- vi. Where Parent 1 needs more time to reply to Parent 2's cross-application, the CMO will snooze the MIT Package for 7 or 15 days to allow Parent 1 more time to reply.

***Step 5***

Once the CMO has determined that the MIT Packages satisfy the requirements, the CMO will advise Parent 1 and Parent 2 via email that their MIT Packages have been approved and provide them the booking form link.

If only one of the Parent's packages is approved, only relief sought by that parent will proceed.

Parent 1 and Parent 2 have 30 days from receiving the CMO email to schedule their MIT Conference using the booking link form.

***Step 6***

Parent 1 and Parent 2 will attend the MIT Conference with their assigned MIT Justice.

**SCENARIO 3**

**Hypothetical Fact Scenario**

The parties have 3 children. They separated in 2022 and have been dealing with their parenting issues for 3 years. A divorce action has been started. There are 7 interim orders. They have agreement on many issues but need help to finalize their parenting order and get their divorce. There is no property. Party 1 earns \$35,000 per year and Parent 2 earns \$61,000 per year.

There is a time-sensitive issue: Parent 1 wants to travel to Disneyland with the children in 4 months at Christmas time. The grandparents have offered to pay for the Disneyland trip. Parent 2 will not cooperate with obtaining passports or consent to the travel.

*For the purposes of this example, we assume that it is not suitable for the Urgent Process.*

### **How Parent 1 will navigate the FFP**

*This is an example where the matter has been in the court system for a while.*

#### **→ Regular Family Process:**

##### ***Steps 1 & 2***

An action has already been commenced. Parent 1 must comply with the Mandatory Requirements or obtain a waiver/deferral for one or more requirements.

##### ***Step 3***

Parent 1 needs to file their MIT Package in Justice Digital and serve it on Parent 2. Parent 1 needs to file their Affidavit of Service of the MIT Package in Justice Digital.

##### ***Step 4***

The timing for CMO review will depend on whether Parent 2 seeks interim relief.

If Parent 2 replies to Parent 1's application, but does not file any cross-application, the CMO will determine whether Parent 1 needs more time to file a reply, and if so, will snooze the MIT Package. If Parent 1 has already filed a reply, the CMO will review the MIT Package for compliance.

##### ***Step 5***

Assuming that the MIT Package satisfied the requirements and Parent 1 received an email from the CMO advising them and was provided with the booking form link, Parent 1 will need to schedule the MIT Conference within 30 days of receiving the CMO email.

##### ***Step 6***

Parent 1 and Parent 2 will attend the MIT Conference.

#### **→ Considerations for ADR to comply with ADR Mandatory Requirement:**

**Alberta Justice Family Mediation Program:**

Because one of the parents earns less than \$60,000 these Parents would qualify for the Alberta Justice Mediation Program, and no application would be required for them to access that program.

**Request a Meeting with Resolution Counsel under the Desk Process:**

If both parties earn over \$60,000 but one earns less than \$90,000, Parent 1 could apply on notice to Parent 2 for a meeting with Resolution Counsel under the Desk Process. A Family Roster Justice will vet the request and if approved, the Parents would attend a meeting with Resolution Counsel.

## **SCENARIO 4**

**Hypothetical Fact Scenario**

The parties were married for 15 years and have 4 children. They have been separated since 2018. Parent 1 says that Parent 2 has not provided full disclosure despite more than one order compelling disclosure. Parent 1 says that Parent 2 is not seeing the children on a regular basis and is not communicating with Parent 1. Parent 1 wants income imputed to Parent 2 for failing to disclose and to get a child support order in place. The property issues are not resolved. Party 1 is proposing a Streamlined Trial for property and to generally complete the divorce and property action.

**How Parent 1 will navigate the FFP**

*This is an example where one parent is obstructing the process and not participating.*

***Steps 1-4***

As long as Parent 1 has completed the Mandatory Requirements, commenced an action and served it on Parent 2, filed and served their MIT Package on Parent 2 and filed their Affidavit of Service in Justice Digital; and assuming the Respondent has provided nothing in response, then Parent 1's MIT Package can be approved for compliance with the requirements by the CMO, and once approved, Parent 1 can proceed to the MIT Conference.

The MIT Justice can grant any interim relief and prepare a procedural order to direct the matter to conclusion. The MIT Justice would confirm the outstanding issues.

If Parent 2 does not participate and does not show up for the MIT Conference, the MIT Justice may determine that the Settlement Conference is futile and direct the matter to a Streamlined Trial or Trial.