

## KING'S BENCH GENERAL PRACTICE NOTE 3

### JUDICIAL DISPUTE RESOLUTION (JDR)

Effective January 1, 2023

#### 1. Guidelines for Judicial Dispute Resolution (JDR)

General guidelines and rules governing JDR are set out in the Rules 4.16 – 4.21 of the *Alberta Rules of Court*.

The purpose of JDR is to reach a settlement on all issues, or to resolve as many issues as possible, with the assistance of a Justice of the Court of King's Bench. Generally, all counsel and parties must agree to judicial dispute resolution, although exceptions may be made in special circumstances. Any statements made by counsel or by the parties in the course of JDR are confidential and without prejudice and cannot be used for any purpose or referred to at trial, should the matter proceed to trial. After a JDR, all briefs, submissions, notes and papers in the Justice's possession will be destroyed.

JDRs are normally conducted informally in a conference room setting. Gowning is not required.

Counsel and/or parties should meet with the assigned Justice to discuss and agree upon the materials and procedures required for the JDR.

In the course of judicial dispute resolution, parties and their counsel may meet privately, with or without the Justice (called "caucusing"). Further to Rule 4.21(2), if the Justice meets privately, anything said by a party or counsel to the Justice in confidence will remain confidential and will not be disclosed to the other parties unless the confidentiality of the communication has been waived.

The Court also makes Binding JDRs available. The above procedures will apply, and additional procedures for Binding JDR may be addressed by way of a Binding JDR Agreement to be settled with the JDR Justice and signed by the parties prior to the JDR.

#### 2. Booking Priority and Procedure

JDR availability is posted online at <https://albertacourts.ca/qb/court-operations-schedules/scheduling/judicial-dispute-resolution>.

Procedures for booking a JDR, and booking priority are posted to the Court's website at: [Judicial Dispute Resolution \(albertacourts.ca\)](#).