

MEMORANDUM

TO: The Family Bar

FROM: Tina Huizinga, Michele Reeves and Norm Picard

DATE: March 16, 2020

RE: Mediations and Arbitrations

Colleagues,

We are all aware of the measures that have recently been implemented as it relates to COVID-19, including the closure of the courts for a (currently) 2 week period.

We are all in a difficult position of being unable to advise our clients as to when matters could conceivably be heard.

As a result of the foregoing, we would encourage the family bar to consider using mediations and/or arbitrations to resolve disputes, as even when courts re-open, there will likely be a substantial delay in addressing matters as the courts will be bombarded with requests attempting to reschedule matters.

For those of you unaware, mediations and arbitrations can be used for both final determinations (replacing trials and JDR's) or equally for interim applications (replacing regular and special chambers applications).

The parties have the ability to set the scope and the procedure to be followed. Matters can proceed in a closed environment, without general public access like the courthouse. It can proceed by way of written submissions, telephone submissions and even videoconferencing. Arrangements can be made for a court reporter or a recording to be present should the parties choose. In short, the process allows for resolution notwithstanding the difficulties we are all currently experiencing.

We would encourage you all to contact someone on the list linked to these websites to arrange for possible dates. For ease of reference, we can be contacted as follows:

Norm Picard – (780) 414-5400 and speak to Gerilynn or Darlene (dasprey@harrpicardlaw.com)
Michele Reeves – (780) 424-3334 and speak to Angie, Angela or Melissa (angi@reeveslaw.ca)
Tina Huizinga – (587) 520-8229 and speak to Pat (pIrwin@hdi1law.ca)