**Form FD 10**

20 No.

Supreme Court of Nova Scotia

(Family Division)

Between:

Applicant/Petitioner

and

Respondent

**Request for Date Assignment Conference (Divorce)**

**Partys request**

The \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Petitioner/Respondent], \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [name], requests the court to provide a date assignment conference.

**Requirements for request**

The pleadings have closed and: [choose one]

both parties have completed all of the following:

* filed all statements and documents to make disclosure as required by *Civil Procedure Rule* 59 or the *Child Support Guidelines*;
* discovered all individual parties of whom they require discovery, discovered at least the designated manager or one other officer or employee from any corporate party of whom they require discovery and answered interrogatories required to be answered by or on behalf of the party;
* prepared for trial sufficiently that there is little risk that the trial will be adjourned to allow further preparation or to permit a party to take a further step in the proceeding.

**OR**

the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Petitioner/Respondent], \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [name], has completed all of the following:

* filed all statements and documents to make disclosure as required by *Civil Procedure Rule* 59 or the *Child Support Guidelines*;
* discovered all individual parties of whom they require discovery, discovered at least the designated manager or one other officer or employee from any corporate party of whom they require discovery and answered interrogatories required to be answered by or on behalf of the party;
* prepared for trial sufficiently that there is little risk that the trial will be adjourned to allow further preparation or to permit a party to take a further step in the proceeding.

The other party, \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [name], the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ [Respondent/Petitioner], has not completed these required steps and \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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**OR**

The party making this request is permitted to do so by order dated \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ , 20

**Pleadings**

[list all pleadings in chronological order]

|  |  |  |
| --- | --- | --- |
| *Date* | *Pleading* | *Brief Description of Relief Sought* |
|  | [*Petition for Divorce*] |  |
|  | [*Answer*] |  |

**List of orders**

[list all orders in chronological order]

|  |  |  |
| --- | --- | --- |
| *Date* | *Order* | *Description* |
|  |  |  |
|  |  |  |
|  |  |  |

**Status of action**

The status of procedures in relation to this divorce action is: [choose one]

as provided in the section on **Requirements for request** for disclosure, and there are no outstanding discoveries or expert opinion.

as follows:\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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[describe generally, including the status of the disclosure, discoveries, and expert opinion]

**Future procedures**

This party foresees the parties being engaged in the following procedures before trial:

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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[describe all procedures that may be engaged by any party, including holding a discovery, delivery of an experts report, and making a motion]

**Statements and documents filed**

The evidence in support of the request is as follows:

marriage certificate [if marriage certificate cannot be produced, an affidavit must be filed proving the marriage and providing sufficient reasons for not proving it by certificate, or an order waiving the requirement of producing the marriage certificate]

affidavit proving the other party was notified of the proceeding

parenting statement filed on , 20

statement of income filed on , 20

attached supporting documents as required and listed in the statement

statement of special or extraordinary expenses filed on , 20

attached supporting documents as required and listed in the statement

statement of undue hardship circumstances filed on , 20

attached supporting documents as required and listed in the statement

statement of expenses filed on , 20

attached supporting documents as required and listed in the statement

statement of property filed on , 20

attached supporting documents as required and listed in the statement

trial brief filed on , 20

draft divorce order

draft corollary relief order

other required statements or documents [give specifics, filing date, and indicate if each document was filed in support of a motion and whether a request will be made to rely on the document at the hearing]

the other partys required statements and information - specify documents from above list: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

affidavit evidence showing that the other party fails to produce a required statement or information and showing production cannot reasonably be compelled

**Documents and information to be introduced**

This party anticipates the following documentary and electronic evidence will be introduced at trial by any party: [generally describe quantity and nature]

**Witnesses this party will call**

|  |  |
| --- | --- |
| *Witness*  [name or subject] | *Time required for testimony* |
|  |  |
|  |  |
|  |  |

**Number of days** **for divorce trial**

|  |  |
| --- | --- |
| *Event* | *Time required* |
| **petitioners case** |  |
| **respondents case** |  |
| **submissions** |  |
| **other:** |  |

**Special requirements and arrangements**: [choose one]

This party anticipates no need for special requirements or accommodations during the trial.

This party anticipates the need for the following special requirements or accommodations during the trial: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

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[Describe need for administration of an oath in a manner not commonly used, video conference equipment, video equipment, use of computer by judge or jurors, interpretation, commission evidence by video conference, accommodation for a person with a disability, or other need.]

**Settlement conference** [choose one]

A settlement conference is requested by this party.

A settlement conference is **not** requested by this party.

**When ready for trial**

This party forecasts both parties being ready for trial by , 20 .

**Signature**

Signed , 20

Signature of party

Print name:

[or]

Signature of counsel

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_, counsel for

\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

[name of party]