

Preparing a Trial Readiness Statement

Form 22

Provincial Court Family Rules

Complete this form if you are scheduled for a trial preparation conference or you were directed or ordered by the court to complete a trial readiness statement.

The purpose of the trial preparation conference is to make sure everyone is organized and ready for the trial. The trial readiness statement will help you and the court to plan for your trial. At the trial preparation conference you will discuss how the trial will proceed and what, if any, additional steps need to be taken to get ready for trial.

If you have any questions or concerns about what will happen at the trial, you can ask them at the trial preparation conference.

Legal Assistance

Understanding the law and making sure you get correct information is important. If you get the wrong information or do not know how the law applies to your situation, it can be harder to resolve your case. Getting advice from a lawyer can help. A lawyer can tell you what information about your application you should include in your affidavit and help with drafting the affidavit.

Lawyers – To find a lawyer or to have a free consultation with a lawyer for up to 30 minutes, contact the [Lawyer Referral Service](#) at 1-800-663-1919

Legal Aid, Duty Counsel and Family Advice Lawyers – To find out if you qualify for free legal advice or representation, contact [Legal Aid BC](#) at 1-866-577-2525.

Legal Services and Resources – Visit [Clicklaw](#) at www.clicklaw.bc.ca/helpmap to find other free and low-cost legal services in your community

Step 1: Complete the Trial Readiness Statement form ☐

This form is available online at www.gov.bc.ca/court-forms or at any [Provincial Court Registry](#).

You can complete the form online and print it for filing. You can also complete it by hand. If you complete it by hand, be sure it's readable. Follow the instructions provided in the form and include all the information that is asked for.

To prepare the form for filing:

- print or make copies of the completed form: one set for you, one set for the Court, and one set for each other party
- bring all copies to the court registry for filing **or** send by mail or by fax filing using the [Fax Filing Cover Page Form 52](#)

Step 2: File the Trial Readiness Statement form at the Provincial Court Registry ☐

You must file at the [Provincial Court Registry](#) where the existing Provincial Court case with the same parties is filed. It must be filed at least 7 days before the date of the trial preparation conference unless the court has ordered otherwise.

The registry clerk will review your form to make sure it is complete before filing it. You will be given a copy for your records.

There are no fees for filing Provincial Court family documents.

Step 3: Serve the Trial Readiness Statement on each other party ☐

Service is the act of giving or leaving documents with the required person. It is important that each other party is aware of what step is being taken in the case and are given a chance to tell their side of the story to the court.

You must serve each other party with a copy of the filed Trial Readiness Statement at least 7 days before the date of the trial preparation conference unless the court ordered otherwise.

The Trial Readiness Statement must be served to the address of service of each other party in any of the following ways:

- by leaving the documents at the party's address for service
- by mailing the documents by ordinary mail to the party's address for service
- by mailing the documents by registered mail to the party's address for service
- if the party's address for service includes an email address, by emailing the documents to that email address
- if the party's address for service includes a fax number, by faxing the documents to that fax number

The court may need proof you served the Trial Readiness Statement. The person serving the documents must complete a [Certificate of Service Form 7](#) so that you can prove service of the documents. You must attach a copy of the documents to the Certificate of Service. Remember to make a copy before the documents are served.

Tips for Completing the Form:

Registry Location and Court File Number –

Copy this information from the top right corner of the Notice to Resolve a Family Law Matter or other document filed with the court.

Filing party –

Copy your full name from the first document filed in your case with the court.

Lawyer –

You don't have to have a lawyer to go to trial. If you do, select the bottom option and provide their full name.

Other party –

Copy the full name of the other party/parties from the first document filed in your case with the court.

Children's lawyer –

If your case involves a child-related issue, there may be a lawyer appointed for a child. If so, provide their full name. If not, you can leave this section blank.

Issues to be decided at trial –

You may have resolved some issues already. Select the options from the list provided that are still to be decided at the trial.

Date for trial –

Has your trial date already been scheduled? If so, provide the date. If not, please indicate 'Not applicable' or 'N/A' so it is clear to the court that a date may still need to be set.

Trial readiness –

Do you feel ready to start your trial on the scheduled date?

Family settlement conference –

A family settlement conference is a court appearance where parties meet with a judge to explore the issues in dispute and whether there is any common ground between the parties. Often the family settlement conference discussions can help parties reach an agreement.

Settlement discussions –

In many family law cases, the parties reach an agreement before going to trial. It can happen at any time in the process, even right before your trial begins. It is helpful for the court to know if you are still trying to reach an agreement together. If you are having ongoing settlement discussions, do you think you might resolve the issues before trial?

Financial disclosure –

It is your responsibility to make sure the financial information on file with the court is up-to-date.

Trial Readiness Statement

Form 22

Provincial Court Family Rules

Rules 110

Registry Location:

Court File Number:

1. My name is _____.
(full name of party)

2. Select whichever option is correct

☐ I do not have a lawyer for the trial

☐ I will have the following lawyer representing me at the trial: _____
(full name of lawyer)

3. The other party is _____
(full name of other party/parties)

4. Complete only if applicable. You may leave this section blank.

The lawyer for the child(ren) is: _____
(full name of lawyer)

5. The following issues are to be decided at trial:

☐ parental responsibilities

☐ protection order

☐ parenting time

☐ priority parenting matter (specify): _____

☐ child support

☐ relocation

☐ contact with a child

☐ other (specify): _____

☐ guardianship of a child

☐ spousal support

6. The trial has been scheduled for the following date(s): _____
(mmm/dd/yyyy)

Note: If no trial date has been scheduled please indicate 'Not Applicable' or 'N/A'

7. Select whichever statement is correct

☐ I am ready to start on the scheduled trial date

☐ I will not be ready to start on the scheduled trial date because:

Explain why you will not be ready on the trial date

8. I have attended a family settlement conference ☐ Yes ☐ No

9. Are there ongoing settlement discussions? ☐ Yes ☐ No

If yes, is there likelihood of resolution before the trial? ☐ Yes ☐ No

10. Please select the correct statement

☐ The issue(s) to be determined at trial do not include a support issue

☐ My financial information on file with the court is current

☐ There have been changes to my financial information since I filed the Financial Statement

Additional disclosure –

Evidence at your trial can include financial information, witnesses (spoken evidence) and other documents such as letters, receipts, or photographs. Both you and the other party must give each other copies of any information you plan to rely on during the trial. Your list of witnesses usually includes the name of each witness and a short summary of what each witness will say (often referred to as a “will say” statement).

Witnesses –

Witnesses must have direct knowledge of the things you want them to give evidence about. The evidence must also be relevant to the issues to be decided at trial. Think about the facts you want to present to the court. Who do you need to have at the trial to tell your story. You can be a witness at your trial so be sure to list yourself if you plan to give evidence. List any other person you want the judge to hear from. Think about how long you'll need to ask questions to each witness, you will be asked to give an estimate of the time for the trial later.

Expert evidence –

Expert's reports are a type of opinion evidence that can be introduced at trial to help the court in making their decision. If you plan on introducing expert evidence at trial, you must ask the expert to prepare a written report. There are a lot of different requirements that must be included in the expert's report that are set out in Rule 120.

An expert's report must be served on the other party at least 60 days before the expert is to give evidence or the report is given to the court, unless a judge shortens the time requirement. The expert may be called as a witness at the trial to give evidence or to be asked questions. The expert's report may also be introduced as evidence without them being called as a witness.

If the other party gets an expert's report, you may call the expert to attend the trial for cross-examination (to ask them questions). If you are choosing to have them attend the trial, you must serve the other party notice requiring the expert to attend the trial for cross-examination at least 30 days before the trial date. Before you decide if they need to be at the trial, consider if they need to attend. If the judge determines it was not necessary to have them attend, you may have to pay the other party costs associated with the expert's attendance at court.

Indicate if there are any expert's reports, if so, if they have been provided to the other party, and if the expert will be called as a witness. If they are being called as a witness, try to estimate how much time you think you will need to ask them questions and provide your estimate on the form.

Section 211 views of the child or needs of the child report –

For family law matters where parenting arrangements, contact with a child or guardianship of a child are in dispute, a section 211 views of the child or needs of the child report may be prepared. Views of the child or needs of the child reports give children an opportunity to tell a neutral person their view. The neutral person, who is a trained professional, interviews the child and then writes a report summarizing what the child has said. Report writers include family justice counsellors, who can prepare views of the child reports for free, trained lawyers and mental health professionals. Because of the demand for the free reports, there can be a delay for them to be prepared. Other report writers can provide the reports sooner in most cases.

As with experts, a report writer can be asked to attend the trial. You need a court order for them to attend.

The questions in this section will help the court understand if a report has been ordered, completed, and if the writer needs to attend court, if an order has been made.

Witness availability –

Witnesses must come to court and be ready to give evidence on the day of your trial. If they will not come voluntarily or need a court order to show an employer, you must complete a Subpoena to Witness in Form 23 and serve it on them. If a witness is served with a Subpoena to Witness and does not attend the trial, the judge can issue a warrant to bring them before the court.

Travel to attend court –

It is helpful for the court to know if a party or witness will be travelling to attend the trial. Sometimes travel is delayed or interrupted so it is helpful to manage expectations if the court is aware in advance.

Special requirements/considerations –

There are resources available to provide support to individuals during the court process. This includes:

- technology resources to support attendance at court, evidence submissions or other technology needs
- interpreters for people who have difficulty understanding or speaking English, or deaf and hard of hearing persons
- safety planning for the courtroom with the sheriffs
- accommodations for disability such as courtroom access and setup and audio aids

Resource availability may be limited in some court locations so early identification and booking may be required. Please identify if any special requirements or considerations are needed to support your trial.

11. I have provided each other party with a copy of the information I plan to rely on during the trial, including financial information, documents, and a list of witnesses ☐ Yes ☐ No

If no, when can these be provided to the parties? _____
(mmm/dd/yyyy)

12. Is there any information you still need from the other party, including financial information, documents, or a list of witnesses?
☐ Yes ☐ No

If yes, please explain what information you need

13. I plan to have the following people attend as witnesses in this trial:

Include your own name on the list if you plan to provide evidence

Names: (1) _____ (2) _____
(3) _____ (4) _____
(5) _____ (6) _____

14. Are there expert reports? *Expert reports provide information to help the court. They are written by an expert who has special knowledge about a certain area because of their training, education and work experience.*

☐ Yes ☐ No ☐ Unknown

If yes, (a) has the report been provided to the other party? ☐ Yes ☐ No

(b) will the expert be called as a witness at the trial to provide opinion evidence or to be asked questions?

☐ Yes ☐ No ☐ Unknown

If yes, please estimate how much time will be needed at the trial for them: _____

15. Has a report been ordered for views of the child or needs of the child under section 211? ☐ Yes ☐ No

If yes, (a) has the report been completed? ☐ Yes ☐ No

(b) is there a court order requiring the person who prepared the report to attend the trial? ☐ Yes ☐ No

16. I have confirmed all my witnesses are available for the trial date(s) OR I have served them with a Subpoena to Witness in Form 23:

☐ Yes ☐ No

17. Is there any witness or party travelling from another community to attend the trial? ☐ Yes ☐ No

18. I have the following special requirements/considerations:

☐ technology needs

Specify: _____

☐ interpreter for _____
(name of party or witness)

language (specify): _____

☐ safety planning

Please explain your concerns or why you need a safety plan in place

☐ trial accommodations such as allowing evidence by affidavit, video or telephone attendance or other:

Please specify

☐ accommodations for disability such as an accessible court room, audio aids, or other:

Existing court orders –

To properly consider an issue, the court must be aware of all relevant information, including other court orders involving the parties or the children. Select each option that applies to your situation and provide the requested information.

**Time estimate for trial –**

Your trial may already be scheduled. It is still helpful if you give the court an estimate for how long you think the trial will take, especially now that you've taken the time to do some more planning. Consider the evidence you plan to present.

**Orders at the trial preparation conference –**

At the trial preparation conference a judge may make orders or directions. The orders or directions are usually about how the trial will proceed or things that need to be done before the trial to get ready for it. The judge will be prepared to make some of these orders or directions without you asking but if there is something you need a court order to do, it is helpful if you include it here.



You don't need to use any special wording. The key is to be clear about what you mean and what you asking the court to order.

19. There is an existing court order involving one or more of the parties, and/or the child(ren) about the following:

Select all options that apply

- ☐ interim order about the issue to be determined at trial
- ☐ order under the *Child, Family and Community Service Act*
- ☐ Supreme Court order under the *Family Law Act* or *Divorce Act*
- ☐ section 183 *Family Law Act* protection order

Expiry date: _____
(mmm/dd/yyyy)

- ☐ section 810 *Criminal Code* peacebond

Expiry date: _____
(mmm/dd/yyyy)

- ☐ section 515 *Criminal Code* bail order

Expiry date: _____
(mmm/dd/yyyy)

- ☐ *Criminal Code* probation order

Expiry date: _____
(mmm/dd/yyyy)

- ☐ other order that would affect the conduct of the trial (*specify*): _____

- ☐ none of the above

20. I believe this trial will take _____ hours or _____ days. (Note: A day of court time = approximately 5 hours)

I have reviewed the witnesses I plan to call and the information I plan to rely on during trial when I calculated the amount of time needed for trial ☐ Yes ☐ No

21. Complete only if applicable. You may leave this section blank.

I will be asking for the following order(s) at the trial preparation conference:

To be completed by the Judge if required

To the Judicial Case Manager:

- ☐ trial date(s) confirmed as scheduled
- ☐ trial to be set for _____ hours or _____ days

Additional comments:

Date: _____ Signature of Judge: _____