

# Application for Case Management Order Without Notice or Attendance

## FORM 11

Provincial Court Family Rules  
Rules 53, 83, 87 and 97

|                    |  |
|--------------------|--|
| Registry location: |  |
| Court File Number: |  |

1. My name is *[full name of party]*. My date of birth is *[mmm/dd/yyyy]*.

My contact information and address for service of court documents are:

|                         |            |              |
|-------------------------|------------|--------------|
| Lawyer (if applicable): |            |              |
| Address:                |            |              |
| City:                   | Province:  | Postal code: |
| Email:                  | Telephone: |              |

2. The other party is *[full name of other party/parties]*

3. ☐ I am applying for a case management order without notice to any other party and I understand that I will be required to serve a copy of any order I receive on each other party along with a copy of this application and any supporting document(s).

### ABOUT THE ORDER

4. I am applying for the following case management order(s):

*Select all that apply and complete the required schedule(s)*

- ☐ allowing a person to attend a conference or hearing using electronic communication *[complete and attach Schedule 1]*
- ☐ waiving or modifying any requirement related to service or giving notice to a person, including allowing an alternative method for the service of a document *[complete and attach Schedule 2]*
- ☐ waiving or modifying any other requirement under the rules *[complete and attach Schedule 3]*
- ☐ requiring access to information in accordance with section 242 [orders respecting searchable information] of the Family Law Act *[complete and attach Schedule 4]*
- ☐ recognizing an extraprovincial order other than a support order *[complete and attach Schedule 5]*

## SCHEDULE 1 – ATTENDANCE USING ELECTRONIC COMMUNICATION

### This is Schedule 1 to the Application for Case Management Order Without Notice or Attendance

*This schedule must be completed only if you are applying for an order allowing a person to attend a conference or hearing using electronic communication.*

1. I am applying for an order to allow:

*Select all options that apply*

- ☐ me  
☐ my lawyer, *[full name of lawyer]*

to attend at the:

*Select only one of the options below*

- ☐ family management conference  
☐ readiness hearing  
☐ family settlement conference  
☐ trial preparation conference  
☐ hearing  
☐ other (*specify*):

Scheduled for *[mmm/dd/yyyy]* at *[time]*

By electronic communication as follows:

- ☐ telephone at *[requested telephone number]*

Is this a direct phone line? ☐ Yes ☐ No

*If no, the person answering the phone must know the call will be coming and put it through immediately*

- ☐ other electronic communication method (*specify*):

2. I understand the following requirements and I will comply with them ☐ Yes ☐ No

- a speaker phone must not be used
- I must remain near the phone at all times prior to the call from the Clerk of the Court
- the call must be taken in a quiet and private location
- no other person may be in the room during the appearance
- I may speak only when the Judge or Family Justice Manager indicates I may speak
- recording of the call is strictly prohibited

3. The documents I may want to refer to in court have been filed and received by the other party ☐ Yes ☐ No

4. I (and/or my lawyer) am unable to attend in person because:

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**SCHEDULE 2 – WAIVING OR MODIFYING ANY REQUIREMENT RELATED TO SERVICE OR GIVING NOTICE,  
INCLUDING ALLOWING AN ALTERNATIVE METHOD OF SERVICE**

**This is Schedule 2 to the Application for Case Management Order Without Notice or Attendance**

*This schedule must be completed only if you are applying for an order to waive or modify any requirement related to service or giving notice, including allowing an alternative method for the service of a document.*

1. I am applying for an order to:

*Select all applicable options and complete the required part(s)*

- ☐ waive or modify a requirement related to service or giving notice (*complete Part 1 of this schedule*)  
☐ allow service of a document using an alternative method (*complete Part 2 of this schedule*)

**PART 1 – WAIVE OR MODIFY A REQUIREMENT RELATED TO SERVICE OR GIVING NOTICE**

*Complete this part only if you are applying for an order to waive or modify a requirement related to service or giving notice.*

*Judges normally hear from all parties before making decisions. Where there is urgency or danger for example, the court could hear from only one party. If obtaining an order from the court is time sensitive, the court may allow less than the required amount of notice. The court may also allow more than the required amount of notice if there are special circumstances that would require more time to prepare to attend court.*

1. I am applying to the court to waive or modify the requirement for service or giving notice to a person under the rules of the following document(s):

*Select all options that apply*

- ☐ Application about a Protection Order  
☐ Application about Extraordinary Parenting Matter  
☐ Family Law Matter Claim  
☐ Subpoena  
☐ Order  
☐ other (*specify*):

2. The details of the order I am applying for are as follows:

*Tell the court the specifics of the order you are applying for, including if you want the court to waive the requirement for service or giving notice and what the requirement for service or giving notice should be changed to*

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3. The facts on which this application is based are as follows:

*Provide the facts you want the court to consider, including:*

- *why the other party should not be served or given notice of the application or other document before you attend court or why the service or notice requirement should be modified*
- *why the application or your situation is urgent or what special circumstances exist*
- *if applicable, what you believe will happen if the other party is served or given notice of your application or other document and a chance to attend court so that you can both be heard at the same time*

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## PART 2 – ALLOW SERVICE OF A DOCUMENT USING AN ALTERNATIVE METHOD

*Complete this part only if you are applying for an order to allow service of a document using an alternative method. Service of a document must be done according to the rules unless the court makes an order allowing another method to be used.*

1. I need to serve *[name of person who must be served]* with the following document(s):

*List each document you need an order from the court to serve using an alternative method*

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2. I am applying for an order to be allowed to serve the document(s) in the following manner:

*Tell the court the specifics of the how you believe the documents should be served so that they come to the attention of the person indicated above. Include the name of any other person, mailing address, email or other information that would be required to serve the documents.*

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3. The facts on which this application is based are as follows:

*Provide the facts you want the court to consider. Include the following:*

- *efforts to try to serve the other party*
- *efforts to locate the other party*
- *why you believe the method of service you outlined above will bring the documents to the attention of the party to be served*

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. At the top center, there is a small, light gray arrow pointing downwards. The paper appears to be part of a notebook or a document template.

**This is Schedule 3 to the Application for Case Management Order Without Notice or Attendance**

*This schedule must be completed if you are applying to waive or modify any other requirement under the rules, including a time limit set by an order or direction, even after the time limit has expired.*

1. I am applying for an order to waive or modify the following requirement(s) under the rules:

Select all options that apply

- ☐ filing at a court registry other than the court registry required by Rule 8
  - ☐ attending a needs assessment
  - ☐ completing a parenting education program
  - ☐ participating in consensual dispute resolution
  - ☐ filing a completed financial statement with my claim, counterclaim or reply
  - ☐ filing a completed guardianship affidavit with my claim, counterclaim or reply
  - ☐ time to file a reply, including permission to file a reply after the time to reply has passed
  - ☐ time to provide/exchange document(s)
  - ☐ time limit set by an order or direction made on [mmm/dd/yyyy] by [name of Judge or Family Justice Manager]
  - ☐ other (specify):

2. The details of the order I am applying for are as follows:

*Tell the court the specifics of the order you are applying for. Include if you are applying for the court to waive (cancel) the requirement or to modify (change) the requirement. If you are applying to modify the requirement, specify how you want the requirement changed, for example, additional time to meet the requirement or completing the requirement after taking some other step.*



3. The facts on which this application is based are as follows:

*Provide the facts you want the court to consider, including:*

- *why you are making the application to waive or modify a requirement*
- *why you need the court to make the order*
- *whether you are able to complete the requirement at a later date and when you expect to be able to complete the requirement*
- *if you are applying to waive or modify any early resolution requirements, what your family law matter is about and who is involved (names of any other party and children the application would be about)*
- *how waiving or modifying the requirement will benefit the case proceeding*

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**SCHEDULE 4 – ACCESS TO INFORMATION SECTION 242**

**This is Schedule 4 to the Application for Case Management Order Without Notice or Attendance**

*This schedule must be completed only if you are applying for access to information in accordance with section 242 [orders respecting searchable information] of the Family Law Act.*

1. The details of the order I am applying for are as follows:

*Tell the court the specifics of the order you are applying for*

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2. The facts on which this application is based are as follows:

*Provide the facts you want the court to consider*

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**SCHEDULE 5 – RECOGNIZING AN EXTRAPROVINCIAL ORDER OTHER THAN A SUPPORT ORDER**  
**This is Schedule 5 to the Application for Case Management Order Without Notice or Attendance**

*This schedule must be completed only if you are applying for recognition of an extraprovincial order other than a support order.*

1. I am applying for recognition of an extraprovincial order made on [mmm/dd/yyyy] at [court location][city][province] about parenting arrangements, contact with a child, guardianship, or an order that is similar in nature
2. A certified copy of the order is attached
3. The contact information, as I know it, for the other party is:

|                         |                              |
|-------------------------|------------------------------|
| Full name:              | Date of birth: [mmm/dd/yyyy] |
| Contact information     |                              |
| Lawyer (if applicable): |                              |
| Address:                |                              |
| City:                   | Postal code:                 |
| Email:                  | Telephone:                   |