

How to Request a Trial Date

Instructions

You can request a trial date by using this **Request for a Trial (Form F29.02A)**.

Before you can file a **Request for a Trial**, you must already have a scheduled date for a case management hearing. A judge will consider your request at that case management hearing.

Completing a Request for a Trial

You can fill out this form by hand or you can download and fill out this form electronically at www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

You must fill out the entire form. If you require more space to fill out any section of this form, attach an extra page and indicate which section is continued on the extra page.

Filing a Request for a Trial

You must make **2 extra copies** of your signed Request for a Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Trial

You must give a copy of this Request form to the other person **at least 7 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

The other person can respond by filing their own Request for a Trial form.

More Information

Questions? Go to www.court.nl.ca/supreme/family or contact a Court near you:

Corner Brook: (709) 637-2227

Grand Falls-Windsor: (709) 292-4260

Gander: (709) 256-1115

Happy Valley-Goose Bay: (709) 896-7892

Grand Bank: (709) 832-1720

St. John's: (709) 729-2258

--- It is highly recommended that you get advice from a lawyer ---

If you need help finding or getting a lawyer, you can contact:

Public Legal Information Association of NL (PLIAN): www.publiclegalinfo.com or 1 (888) 660-7788

Legal Aid: www.legalaid.nl.ca or 1(800) 563-9911

--- REMOVE THIS PAGE BEFORE FILING YOUR REQUEST ---

How to Respond to a Request for a Trial Date

Instructions

You have been served with a **Request for a Trial (Form F29.02A)**.

This means that the other party is seeking to go to trial and get a scheduled trial date. At your next case management hearing, the judge will decide whether you should go to trial.

Responding to a Request for a Trial

To respond to the other person's request, you must fill out your own **Request for a Trial** form. Even if you do not agree that your matter should go to trial, you must still fill out your own Request form. You can get this form at any Supreme Court location or online: www.court.nl.ca/supreme/family/forms.html (If you fill out the form electronically, you must still print the form, file it with the Court, and serve a copy on the other person).

Filing a Request for a Trial

You must make **2 extra copies** of your signed Request for a Trial. To file your Request, bring the original Request form to the Supreme Court location where your family law file is or mail the Request to that Supreme Court location.

Serving a Request for a Trial

You must give a copy of this Request form to the other person **at least 2 days** before your case management hearing date. This is called *service*. You can serve the other person by: personal service (an adult, who is not you, can hand-deliver the document), leaving a copy with the other person's lawyer, leaving a copy at the other person's address, registered mail/courier, or regular mail. You can also serve the other person using fax, email, or electronic document exchange, if the other person has provided that information.

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Form F29.02A: Request for a Trial (Family Law)



**In the Supreme Court of
Newfoundland and Labrador
(General/Family)**

FOR COURT USE ONLY
COURT FILE NO: _____
CENTRAL DIVORCE REGISTRY NO: _____
Filed at _____, Newfoundland and Labrador, this _____ day of _____, 20____.
_____ Registry Clerk of the Supreme Court of Newfoundland and Labrador

BETWEEN: _____ APPLICANT
(Print full name)

AND: _____ RESPONDENT
(Print full name)

AND: _____ NOT APPLICABLE
(Print full name) SECOND APPLICANT
 SECOND RESPONDENT

I, _____ the Applicant Respondent Other (*specify*):
(Print your name)

- am requesting a trial.
- am responding to a request for a trial.

Part A Trial Readiness

Check all of the boxes that apply to you:

<input type="checkbox"/> All relevant parties are before the Court.
<input type="checkbox"/> All sworn Financial Statements and/or Property Statements have been filed with the Court.
<input type="checkbox"/> All appropriate pretrial applications have been made.
<input type="checkbox"/> No amendments to the pleadings are contemplated.
<input type="checkbox"/> No further disclosure is required or requested.
The parties have:
<input type="checkbox"/> Participated in Court ordered mediation;
<input type="checkbox"/> Participated in (a) settlement conference(s) before Justice(s): _____;
<input type="checkbox"/> Participated in another alternative dispute resolution process approved by a judge under rule F20.02(1)(c); or
<input type="checkbox"/> Been excused by a judge from participation in a dispute resolution program or process.

Part B Issues for Trial

Check the issues to be addressed at trial:

<input type="checkbox"/> Divorce
<input type="checkbox"/> Parenting (Decision-making and/or Parenting time)
<input type="checkbox"/> Contact Order/ Third Party Time with Child
<input type="checkbox"/> Child Support
<input type="checkbox"/> Spousal (<i>married</i>) Support or Partner (<i>unmarried</i>) Support
<input type="checkbox"/> Parental Support (<i>for parents</i>) or Dependant Support (<i>for spouse or child of deceased person</i>)
<input type="checkbox"/> Division of Matrimonial (<i>married</i>) Property or Common Law (<i>unmarried</i>) Property
<input type="checkbox"/> Application by the Manager of Child and Youth Services for:
<input type="checkbox"/> Other:

Part C Witnesses

If you have requested a formal trial, fill in the information for all of the **witnesses** you intend to call at trial:

	Witness 1	Witness 2
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

	Witness 3	Witness 4
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

- Check this box if you do not intend to call any witnesses at trial.
- Check this box if you intend to call more than 4 witnesses. Attach an extra page to provide the details of those witnesses.

Fill in the information for all of the **expert witnesses** you intend to call at trial:

	Expert Witness 1	Expert Witness 2
Full Name		
Subject of Testimony		
Estimated Time Required for Testimony		

- In the event of an expert witness testifying at the trial, I will provide the other party with a copy of the expert’s report(s) and resume or curriculum vitae at least 30 days before the trial date.
- Check this box if you do not intend to call any expert witnesses at trial.
- Check this box if you intend to call more than 2 expert witnesses. Attach an extra page to provide the details of those witnesses.

Part D Documents for Trial

Check any of the following that apply:

- A joint book of documents will be filed prior to the trial.
- A trial brief will be filed in this matter.

Part E Special requirements

Check any of the following that apply:

- An interpreter is required. *Specify language and dialect:*
 Please note that there is no charge for English or French translation, but all other language services will be at the expense of the person requesting it.
- Audio recordings may be entered/played in evidence. *Specify:*
- Video recordings may be entered/played in evidence. *Specify:*
- A party or witness requests the opportunity to give evidence by teleconference or videoconference.
Name of party or witness:
- Other. *Specify:*

Part F Time Required for Trial

How much time do you estimate the trial (including summations) will require?

_____ day(s)

Undertakings

You must indicate that you will do all of the following:

<input type="checkbox"/>	I will participate in a Trial Readiness Conference if requested by the Court.
<input type="checkbox"/>	I will keep my financial information current by filing updated financial information with the Court and serving the other party with updated financial information at least 7 days before the trial.
<input type="checkbox"/>	I will promptly advise the Court if a settlement has been reached prior to the trial date.
<input type="checkbox"/>	I will promptly advise the Court if, after the case management hearing, it is anticipated that the duration of the trial will differ from the estimated trial time.
<input type="checkbox"/>	I will provide the Court and the other party with all documents I intend to rely on in the trial.

Legal Representation

Fill in the details of your legal representation below:

<input type="checkbox"/>	I am currently represented by (Name of lawyer) _____.
<input type="checkbox"/>	The above named lawyer will represent me at trial.
<input type="checkbox"/>	I will be represented by a different lawyer at trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at trial.
<input type="checkbox"/>	I am not currently represented by a lawyer.
<input type="checkbox"/>	I anticipate having a lawyer at trial: (Name of lawyer) _____.
<input type="checkbox"/>	I will be representing myself at trial.

Signature and Date

DATED at _____, this _____ day of _____, 20_____.	
_____ <i>Signature</i>	_____ <i>Signature of Lawyer (if any)</i>
	_____ <i>Print Name of Lawyer (if any)</i>