

# DISPUTE RESOLUTION OFFICER PROJECT

## GENERAL INFORMATION

### ***WHAT IS THE DISPUTE RESOLUTION OFFICER PROJECT?***

The Dispute Resolution Officer Project was set up to help parents deal with their child support disagreements in a positive manner.

About 40 leading family law lawyers in Calgary sit one-half day each month as Dispute Resolution Officers (DRO's). The DRO is assigned cases and given a hearing room at the Court of Queen's Bench to hold dispute resolution meetings.

The DRO will help with any family law child support application, or variation application. If you are making an application for child support or to vary child support, you **MUST** book a DRO appointment before your court date.

You are free to choose the DRO with whom you want to meet and to schedule an appointment accordingly. **Please note, however, that it may be necessary to change the DRO at the last minute. The Court will NOT notify parties of changes in DRO's.** If that occurs, you can either agree to proceed with the new DRO or you can reschedule to another date.

### ***THE ROLE OF THE DRO***

- The DRO will make sure that both of you have completed all preliminary steps. For example, it is necessary to exchange full financial disclosure before a child support application can be heard in court. The DRO will make sure that this has been done. It may be necessary to adjourn the DRO appointment to another date to allow the preliminary steps to be completed.

- The DRO will use their mediation skills to try and help you reach an agreement. If an agreement is reached, and if time permits, the DRO may help you write up a Consent Order or Minutes of Settlement.
- If an agreement is not reached, the DRO will then draw on his or her court experience to predict some outcomes and give you and your lawyers the benefit of the DRO's views on matters in issue. This may be helpful in later settlement discussions.
- Any conversations that you have with the DRO and each other are "without prejudice" – that is, neither party may bring up these settlement discussions with the judge in court. (If you reach an agreement, though, the agreement can be discussed in court.)
- If you are unable to reach an agreement, then you are then free to go ahead with a court application. However, it is hoped that going to the DRO meeting will help you to be better prepared for your court appearance and allow you to focus on the important issues when you appear in court.

(You will be asked to complete a questionnaire when you are done. This will help us to improve the process for other parties.)

## ***FACILITIES***

The Dispute Resolution meetings take place on the 7<sup>th</sup> Floor, South Tower at the Calgary Courts Centre (601 – 5 Street SW). This is a private room, where the parties and their lawyers sit around a table. A computer is available to help with child support calculations or to prepare Orders. There is a speaker phone, so that a party living outside Calgary can attend by phone, if it is too inconvenient to attend in person.

The DRO clerk is also located on the 7<sup>th</sup> floor, South Tower of the Calgary Courts Centre, at the Family Justice Services Counter. The DRO clerk can be reached at 297-3875.

## **PROCESS**

### **1. Filing Documents**

Before you file a Notice of Motion or Claim that deals with child support, you will be sent to the DRO clerk to book an appointment with the DRO. The Notice of Motion or Claim will be stamped with the DRO appointment date. The DRO appointment must be before the court date.

Or, if both parties have agreed to meet with a DRO, you do not have to file any documents with the court. You can simply book a DRO appointment through the DRO clerk.

If a judge has referred you to the DRO program, both parties can go immediately to the DRO clerk to see if a DRO is available to meet with you. If not, the DRO clerk can book an appointment for a later time.

### **2. Scheduling**

DRO's are assigned to sit each day that the court is sitting. Morning or afternoon appointments are available. Please note that although you will be given a specific time for your appointment, it may be necessary to wait, as sometimes appointments will take longer than expected.

If you and the other party agree to change the DRO date, you can do so by phoning the DRO clerk or by going to the DRO clerk's counter at the Court of Queen's Bench. One party cannot change the DRO date without the other party's consent.

### **3. At the DRO meeting**

If you have a lawyer acting for you, speak to them about whether or not they should come with you to the DRO meeting.

The DRO meeting is very informal. The parties and their lawyers sit at a table, and the DRO will lead the discussion. Even if you bring your lawyer, the DRO will want you to discuss and negotiate the matter, not your lawyer. Your lawyer can offer suggestions and advice as the meeting proceeds.

In most cases the DRO will have the court file, and will have reviewed it before the appointment. However, it is usually helpful for you to have copies of important documents so that you can refer the DRO to them quickly. If you are bringing documents to the DRO appointment that are not on the file, bring two extra copies – for the DRO and for the other party.

The DRO has a computer and can calculate child support amounts.

Keep in mind that the DRO appointment is only for one hour. Be prepared before you come in and try to stay focussed on the issue that you have come to discuss.

**Note: Meeting with a DRO is not a substitute for getting legal advice. You should speak to a lawyer to find out your rights and obligations BEFORE you go to your DRO appointment.**