



June 23, 2023

RE: The Ontario Superior Court of Justice extends and updates the Binding Judicial Dispute Resolution Pilot Project

The Binding Judicial Dispute Resolution (“Binding JDR”) Pilot project was introduced at the Superior Court of Justice in May 2021 and currently operates in all of the Central East, Northwest and Northeast regions, and in Kitchener, Ottawa, Cornwall and L’Orignal.

Binding JDR allows parties to obtain final orders in certain domestic family law cases without the need for a trial. At a Binding JDR hearing, the parties ask the same judge to assist them to settle their issues on consent and then to adjudicate any unresolved issues at the same hearing. The goal of Binding JDR is to introduce a simpler, faster and more flexible court process for family litigants.

Early results from this pilot have been encouraging. Given these positive results, the Binding JDR pilot project has been extended and expansion is being contemplated in several Regions. The current [Practice Advisory Concerning the Superior Court of Justice’s Binding Judicial Dispute Resolution Pilot Projects](#) has been updated and these updates will come into effect on August 1, 2023. As a courtesy to the Bar, please see the attached, updated Binding JDR Practice Advisory.

The following is an overview of the major changes to the current Practice Advisory which are set to come into effect on August 1, 2023:

- a) The Advisory was clarified to make it clear that it does not apply to child protection and international child abduction matters and is not generally suitable for “vulnerable parties”. (Section 2)
- b) A Binding JDR hearing may be requested in writing at any stage of the proceedings either at a court attendance or by 14B motion. (Section 3)
- c) The Request and Consent for Binding JDR Form has been modified for OCL counsel, who are entitled to participate when they are appointed to represent a child.
- d) Once a Request and Consent has been filed, parties may not withdraw from the process without the agreement of all other parties or the permission of the Court. (Section 4)
- e) Supporting documents must be served and filed according to the same timelines as the parties’ affidavits. (Section 6)

- f) The parties are to upload documents to CaseLines for the hearing. (Section 6)
- g) A confirmation form was introduced asking parties to acknowledge that they have conferred prior to the hearing and to identify any issues that have been resolved. The parties may not adjourn the hearing date, even on consent, without the approval of the court. (Section 7)

Thank you for your contribution in making this pilot project a success.

Yours truly,



Geoffrey B. Morawetz
Chief Justice
GBM/lb