

Rules of the Supreme Court, 1986

PRACTICE NOTE P.N. (TD) No. 2008-03

DATE ISSUED: November 20, 2008

RULES AFFECTED: 56C

EFFECTIVE DATE: December 1, 2008

The following Practice Note was filed with the Registrar, as Secretary to the Rules Committee of the Trial Division, and is published pursuant to rule 4.04 of the *Rules of the Supreme Court of Newfoundland & Labrador, 1986*:

FAMILY JUSTICE SERVICES DIVISION **MEDIATION OF SPOUSAL SUPPORT MATTERS**

Background

1. The Family Justice Service Division, (FJSD) was established Province-wide on March 1, 2007. F.J.S.D. operates as an adjunct to the Supreme Court of Newfoundland & Labrador, Trial Division and the Provincial Court of Newfoundland & Labrador providing mandatory parent information sessions, mediation and counseling in family law matters involving custody, access and support issues, including spousal support. F.J.S.D. operates within **Rule 56C** of the **Rules of the Supreme Court 1986** as amended.
2. Recently, for various reasons and after consultation with the various partners involved in F.J.S.D., a decision has been made by the Provincial Advisory Committee of F.J.S.D. to suspend the mediation of spousal support matters from the mandate of F.J.S.D. This initiative is a suspension only and it is contemplated that spousal support will once again be mediated in the future.

Practice Note

3. As a result, mediation of spousal support matters by F.J.S.D. will be suspended until September 1, 2009, this suspension to be effective on December 1, 2008.

4. As of December 1, 2008, the Court Registries will no longer forward applications for spousal support to F.J.S.D. for mediation. Accordingly, for the suspension period, leave to file an interim application will no longer be required where either of the parties seek to file an interim application for spousal support.
5. While spousal support claims will no longer be dealt with by F.J.S.D. for services during the suspension period, all other claims related to custody, access and child support will continue to be dealt with as in the past.

AUTHORIZED BY:

J. Derek Green
Chief Justice of the Supreme Court
of Newfoundland and Labrador, Trial Division

Christopher P. Curran Q.C.
Registrar of the Supreme Court
Secretary, Rules Committee