

D. Guidelines for Judicial Dispute Resolution (JDR)

1. The purpose of judicial dispute resolution (JDR) is to reach a settlement on all issues, or to resolve as many issues as possible, with the assistance of a Justice of the Court of Appeal. See R. 14.60.
2. JDR may be requested at any time throughout the appeal by contacting the Case Management Officer.
3. Upon agreement by all parties to engage in JDR, the Case Management Officer will coordinate a mutually agreeable date with all counsel, parties and the JDR judge.
4. A letter will be forwarded by the Case Management Officer to counsel, confirming the date and setting out the minimum filing requirements. In addition, at the request of the JDR Judge, a pre-meeting may be arranged with counsel to discuss and agree upon any further materials and procedures required for JDR to proceed.
5. Once a date has been scheduled for JDR, time limits on the appeal will not apply until after the JDR meeting. See R. 14.61. If JDR is not successful, the JDR Judge (or the Case Management Officer) will set time lines for filing the remaining materials on the appeal.
6. All parties must agree to JDR and be represented by counsel, unless otherwise permitted.
7. To promote success, parties with authority to make settlement decisions must be present and participate in the JDR process.
8. The materials submitted for the JDR meeting will not be filed by the Registry. Instead, the Registry will stamp them "Received" and forward them directly to the JDR Judge.
9. JDR meetings are conducted informally in a conference room setting. Gowning is not required.
10. The process is confidential. All documents prepared for JDR and statements made by counsel, or by the parties, during JDR are confidential and without prejudice, and cannot be used for any purpose or in any proceeding other than JDR. See R. 4.20. All documents submitted to the judge for JDR will be destroyed following the JDR meeting. See R. 4.21(2).
11. Unless the parties consent, the JDR Judge will not hear any applications on the appeal, or sit on the appeal of the matter. See R. 4.21(1). The JDR Judge will not discuss the JDR process with the appeal panel, should the matter proceed to appeal.
12. If JDR is successful the Appellant must file a Discontinuance, or a Consent Judgment (if appropriate), within 30 days or such time as the JDR Judge directs, failing which the appeal will be deemed abandoned three months after the completion of the JDR.
13. As in any judicial process, the JDR Judge is non-compellable as a witness in any proceedings. See R. 4.21(3).