REQUEST AND CONSENT FOR BINDING JUDICIAL RESOLUTION CONFERENCE

FOR COURT USE ONLY

Court File No.: _____

Registrar's File No:_____

Filed at _____, New Brunswick, this _____
Day of _____, 20____.

_____
Clerk of the New Brunswick Court of King's Bench

Between: _____ Applicant/Plaintiff/Petitioner
(Print full name)

AND: _____ Respondent/Defendant
(Print full name)

AND: _____ Third Party (if applicable)
(Print full name)

I, _____ the ☐ Applicant ☐ Respondent ☐ Other:

I, _____ the ☐ Plaintiff ☐ Defendant ☐ Third Party

☐ am requesting a binding judicial resolution conference;
☐ am responding to a request for a binding judicial resolution conference.
☐ I agree to the request for a binding judicial resolution conference
☐ I reject the request for a binding judicial resolution conference because:

Please check nature of issues to be resolved at the Binding Judicial Resolution Conference:

FAMILY DIVISION	
☐	Divorce
☐	Parenting Time or contact
☐	Decision Making Authority
☐	Relocation
☐	Child support
☐	Spousal *(married)* support or Partner *(unmarried)* Support
☐	Parental Support *(for parents)* or Dependant Support *(for spouse of child of deceased person)*
☐	Division of marital property
☐	Division of property of common law couples
☐	Other:

TRIAL DIVISION*	
☐	Employment disputes including wrongful dismissal
☐	Estate matters including interpretation of a will, and revocation or appointment of an executor or administrator of an estate
☐	Other: (Please describe the nature of the case and the issues to be determined)
* Only appropriate cases with narrow issues will be considered for binding judicial resolution conferences. Traditional settlement conferences remain available for other civil disputes.	

PREFERENCE OF JUDGE

Parties may request a particular judge to conduct their BJRC. However, the court cannot guarantee a requested judge will be assigned. Please indicate judge in order of preference:

1.
2.
3.

CONSENT

In requesting a binding judicial resolution conference the parties acknowledge the following:

☐	I understand the binding judicial resolution conference process and have read the information provided by the Court.
☐	I have chosen a binding judicial resolution conference to resolve the outstanding issue(s) instead of a trial of the issue(s).
☐	I agree to be bound by the decision of the binding judicial resolution conference judge should the judge find it appropriate to decide the issue(s).
☐	I understand that the binding judicial resolution conference judge is not bound by the strict rules of evidence but may receive and use any information submitted by the Court.
☐	I understand that the binding judicial resolution conference judge has full power and authority to rule on any questions of law and/or fact applying to the admission of evidence or determination of the issues in the same manner as a judge at trial.
☐	I understand that there is no right to have my case decided on a final basis at a trial.
☐	I understand that a decision of the binding judicial resolution conference judge is enforceable in the same manner as any other Judgment of the Court.
☐	I understand that I have no right to object because the judge deciding the unresolved issues has knowledge of settlement discussions and offers to settle or has provided an opinion about the same issues (despite Rules 50.10 and 50.14).
☐	I understand the presiding judge is non-compellable as a witness in any subsequent proceedings and is immune from legal actions
☐	I agree to keep all communications and discussions from the entre binding judicial resolution conference process confidential.

☐	I understand that my participation in this binding judicial resolution conference is strictly voluntary and that I can withdraw consent to proceed with a binding resolution conference at any time prior to the commencement of the conference. However, withdrawal from the binding judicial resolution conference process may result in cost consequences.
☐	I understand that I may not withdraw my consent to participate in the binding judicial resolution conference, once the conference has commenced, without the consent of all other parties or permission from the binding judicial resolution conference Judge.
☐	I understand that by consenting to participate in a binding judicial resolution conference, any trial dates that may have been scheduled previously will be removed from the court's docket upon the scheduling of a binding judicial resolution conference. If a party withdraws their consent to participate prior to the commencement of a binding judicial resolution conference, any trial dates previously scheduled are not preserved and will be scheduled anew in the normal course.
☐	I have not been coerced or threatened in any way to agree to this binding judicial resolution conference process and I have not been promised anything to get me to agree to this binding resolution conference process.
☐	I understand that at the discretion of the presiding judge and at the request of the parties, any necessary decision rendered by the judge shall be rendered orally or in writing and will be read into the court record in the form of a court order.
☐	I understand that having a binding judicial resolution conference may impact any right of appeal following the binding resolution conference.

I _____, lawyer for _____[name of party] certify that I have explained the contents of this Consent to participate in a binding judicial resolution conference in this matter.

_____
Signature of lawyer

DATED at _____, this _____ day of _____, 20_____.

_____ _____
Signature *Signature of Lawyer*

_____ _____
(*name of party)* *(name of Lawyer)*

I have reviewed the request for a binding judicial resolution conference and accept to preside in this matter. A Case Management call will be held with the lawyers to discuss the matter on _____ at _____ via telephone and the binding judicial resolution conference will be held on _____ [date and time of hearing].

DATED this _____ day of _____, 20___.

_____
Justice _____
Court Of King's Bench of New Brunswick