

SUPREME COURT OF YUKON

PRACTICE DIRECTION
FAMILY-3

Family Law Case Conference

This practice direction applies to all family law proceedings including a claim for divorce or any proceeding where a claim for custody, access, child support or property division is made. It requires a family law case conference to be held with a judge within 60 days of the date of service of the proceeding, except in those cases that are exempt.

Purpose of a Family Law Case Conference

The purpose of the family law case conference is to ensure that all parties are aware of the alternative dispute resolution procedures that are available and to discuss the appropriate procedure for the particular case. The judge may:

- Discuss the alternative procedures of private mediation, collaborative practice, judicial mediation, settlement and arbitration;
- Discuss some of the well-established principles of custody, child support, spousal support and property division;
- Identify and narrow the issues;
- Set timelines where appropriate;
- Make any order that could be made under Rule 36 for case management conference; or
- With the agreement of the parties, convert the meeting into a judicial settlement conference.

Where appropriate, the judge may also:

- Order substituted service, custody and child support, financial disclosure, preservation of property and other orders that may be appropriate based upon affidavit evidence or as the circumstances require;
- Recommend that a custody and access report be prepared or that a Children's Lawyer be appointed; or
- Appoint a single expert to report on financial and property issues.

Exemptions from an initial Family Law Case Conference

Where a lawyer or a party applies by email, a judge shall ordinarily grant an exemption from the requirement of a family law case conference in the following circumstances:

- Where each party is represented by a lawyer and the lawyers agree that a

- conference is not required;
- Where there is a lawyer representing the applicant and the other party does not file an appearance;
- Where there has been a history of violence or abuse and a party requests that there be no conference, or that each party have a separate conference; or
- Where there is urgency or inconvenience.

The judge may also grant an exemption without an application.

Urgent Applications before a Family Law Case Conference where no counsel involved

Where both parties are self-represented, a party may bring an application before a family law case conference has occurred in urgent situations such as:

- where a child or a party is at risk of harm from another party or someone connected with a party;
- where a child is being withheld from one party by another party; or
- any other situation that the judge considers urgent.

Any other application will not be accepted for filing by the court registry until after the family law case conference has occurred. Any proposed application will be discussed at the case conference.

Attending a Family Law Case Conference

Where the parties reside within 30 kilometres of Whitehorse, they must attend the conference in person with their lawyer, if they have one. Otherwise, attendance by telephone or videoconference may be permitted.

The judge who presides at the conference may seize him or herself with the case.

The family law case conference will be recorded, but the recording will remain in the judges' chambers, unless a judge orders otherwise. A clerk may be present. The judge may issue directions or orders during the case conference which will be in the post-conference memorandum or filed as a separate court order.

Upon the request of a party, the Trial Coordinator will provide a date, time and place for the conference. The party that initiates the Notice of Family Law Case Conference (see attached form) shall serve it on the opposing party (or deliver it, if that party is represented by a lawyer and has provided an address for delivery). A copy of this practice direction shall be attached to the Notice.

Failure to attend a family law case conference may result in orders being made in the absence of a party, so long as the party has been notified of the conference and the relevant documents have been served (or delivered, as the case may be) on the absent party.

Duncan C.J.
April 14, 2026

S.C. No. _____

SUPREME COURT OF YUKON

Between

Petitioner/Plaintiff

And

Respondent/Defendant

NOTICE OF FAMILY LAW CASE CONFERENCE

Take notice that a Family Law Case Conference will be held at the Courthouse,
2134 2nd Ave, Whitehorse, Yukon,

On: _____
(date)

At: _____
(time)

Practice Direction FAMILY-3 (attached) and Supreme Court Rule 63 explain the purpose of a Family Law Case Conference. **If you intend to participate in the case conference, you must file an appearance if you have not already done so. You may contact the Supreme Court at (867)667-5937 to arrange to do so.**

If you intend to participate by telephone or videoconference, please contact the Trial Coordinator at (867)667-3442 to provide a phone number where you can be reached.

If you fail to attend in person or by telephone or videoconference, orders may be made in your absence.

Dated at the City of Whitehorse, Yukon, this ____ day of _____, 20__.

Lawyer or Party