



## Provincial Court of British Columbia

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If you filed an application or replied to an application in BC Provincial Court asking for an order under the *Family Law Act*, your first appearance in court will be at a family management conference.

### **Overview**

A family management conference (FMC) is a meeting with the other party or parties (the people who filed the application or are responding to it) and a judge to try to identify and resolve issues before trial. While it is sometimes possible to resolve all the issues between parties at an FMC, they are primarily designed to help stabilize a family's situation until major issues can be resolved, and to help parties begin to prepare to resolve those issues.

An FMC is a less formal proceeding than a trial. The judge may be wearing business clothes rather than court robes. The time available for an FMC will differ depending on the court location, but it is generally expected to take about 60 minutes.

### **FMC explained**

The FMC gives you and the other party a chance to discuss your family court issues with a judge.

The judge may begin with introductions and an explanation of how they will conduct the conference. They may ask each party to briefly explain the problem that brings them to court. This is a chance for both parties to give a short summary of the facts. It is not the time for a long, detailed presentation of all the evidence.

The judge may ask both parties questions so they can understand the legal issues and each party's goals. Then the judge may spend some time helping you discuss options to solve your issues.

### **FMC orders or agreements**

The judge may work with you to try to reach an agreement on some or all of the issues. If you and the other party agree, the judge can make a final order. If you agree on all the issues, the

court process for your application is finished and you will not need to attend court again.

The judge may also make temporary orders (called "interim orders") with or without the parties' agreement. You can tell the judge at the conference what orders you think should be made and why. The judge may be able to decide on interim orders during your conference or they may direct that time be set for a hearing on interim orders.

If an order is made by the judge at your conference, it will be prepared and signed by the judge and then a copy will be given or sent to the parties. If the parties have lawyers, one of the lawyers will prepare the order and submit it to the court for the judge to sign. If the parties do not have lawyers, the court registry will prepare the order.

## **Next steps**

When all issues are not resolved at the conference, the judge will decide on the next steps in your matter. The judge might direct you to:

- Participate in mediation or other consent dispute resolution
- Attend counselling or another community resource
- Attend another FMC
- Attend a family settlement conference if the judge thinks that you and the other party may be able to agree on a final order
- Set a trial date

The judge may make orders that the parties exchange documents or other evidence. This can help you in discussing and agreeing on issues with the other party. It will also help ensure that a trial works fairly and efficiently if a trial is needed.

The judge may also make orders about how the trial will proceed (for example, orders about timing and witnesses).

## Attendance and conduct

FMCs are held by audio or video conference unless a judge orders otherwise. In most cases, you do not need to go to the courthouse. You attend remotely using a computer or smart phone. Each party must attend an FMC. If you have hired a lawyer, the lawyer may attend but they are not required to. If you don't attend your FMC, the judge may make orders in your absence.

It is very important to listen and speak respectfully to one another and not interrupt each other or the judge at an FMC. Your time with the judge is limited and you need to focus on getting issues resolved and stabilizing your family's situation.

## Preparation

The more preparation you do before the FMC the better. Begin by thinking about the key issues and how you could reach an agreement. Before the FMC you should:

- Come to the conference prepared to discuss your family law issues and, if possible, resolve them
- Write down the things you and the other party can agree on. You can ask the judge to make a consent order about those things
- If there are children involved, consider what would be best for them. On issues affecting children, the law makes the children's best interest the main consideration

Then, you should plan for a trial in case one is needed. Before the FMC you should also:

- Gather your facts and think about how you could prove them
- Collect any documents, reports and photographs that are relevant to the dispute. Make three copies of the documents (two copies for the Court and one copy for the other party). It is helpful to give the other parties copies of your documents at least a few days before the trial. This avoids having the trial delayed to give them time to review your documents
- Put together a list of witnesses who might attend the trial and a brief summary of what each of these witnesses will say when they testify at trial

- Prepare any legal research that you have done
- Read the relevant notices, policies and practice directions

It is also a very good idea to talk to a lawyer about your case before the FMC. A lawyer can assess your chances of success if your case goes to trial, tell you about additional evidence you will need, and suggest reasonable possibilities for settlement.

## Related notices, policies and practice directions

- [FAM 09 Consent Adjournment \(FLA\\_FMEA\)](#)
- [FAM 11 Default Method of Attendance for Court Appearances Under the Provincial Court Family Rules](#)
- [FAM 13 Affidavits and Exhibits for use in Family Proceedings](#)

## What to expect

What to expect at a family management conference. Listen to the podcast.



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