



INFORMATION UPDATE

The partners of Bridging Family Conflict would like to update the Bar on the status of the delivery of the new mediation and information services.

Mandatory Information Program

The first “mock” MIP was well attended and we did receive some feedback from you that will enable us to improve the program. The first “live” MIP took place on Friday, October 7th and we can advise that there was a problem with the set up of the technology for the slide projector so that the slides could not be shown. Every effort will be made to ensure this doesn’t happen again.

More importantly, clients who attended did not understand that the first part of the MIP was for two hours and then the second part (mandatory for anyone with dependent children) would be for another one hour session. We determined that the source of the misunderstanding was the actual Notice prescribed by the Ministry and issued by the Courthouse only refers to two hours. We are looking into a way to solve this problem. Additionally, a few clients quoted their lawyers as saying they did not have to stay the whole time if they had somewhere to be. Some clients thought if they they attended thirty minutes early they could then leave after two hours.

Rescheduling a MIP

It is important for the Bar to know that the MIP’S are scheduled through the Courthouse computer scheduling system known as FRANK. BFC does not have access to that program. We receive the list a week before the MIP. We then set up our own alphabetical list as the one we receive looks like a court docket.

As of now, the Courthouse system is not set up so that we can identify “Applicant” days from “Respondent” days. This makes it difficult to reschedule as we have been directed to ensure that both sides are not at the same session.

Parties who wish to change a MIP are directed to contact us. It is more efficient if the clients have some idea of alternative dates so please refer them to our website at www.bfc-mediation.com which contains the schedule of MIP dates. If they don’t have computer access we let them know the dates when they contact us.

There are two potential problems for clients changing their MIP. First, parties who have been scheduled for a particular day take preference to walk-ins (as opposed to a first come, first served approach) and therefore it is possible that a client who attends a different MIP could find that it is full and he might need to attend a different date.

Secondly, the Applicant’s and Respondent’s are given different dates so they don’t have to attend together and are free to ask questions. AS indicated, the dates are scheduled by the Courthouse FRANK system and we do not have access to that system.

Therefore, we can only estimate where the other party may be attending and there is nothing to prevent the first party from making a change as well. If both parties attend on the same date the person with that day scheduled will have preference and the other individual will have to leave.

Other than these two caveats, parties can simply attend a different date as set out on the website.

We acknowledge that this system is problematic and we are working with the Implementation Committee and Administration to improve it.

We remind the Bar that the Certificates of Attendance must be filed in the Continuing Record, once signed. Some clients brought two copies of their certificate. We are only signing one. We have a sign in sheet for our records so that if a Certificate is misplaced we can verify that someone attended.

Childcare

There is no capacity at the Courthouse for childcare. Parties should be advised to make appropriate arrangements for their children.

Security

The usual screening and security process remains in place in the buildings. Administration has ensured that security in both buildings has been notified and given an extra copy of the scheduled dates so they are aware there are extra people in the buildings on those dates. In addition, MIP presenters will be briefed on the security systems in place in the courtrooms.

Support Persons

There is no prohibition on parties bringing support persons with them to a MIP other than the caution that there may not be available seating and preference must be given to clients who have notices requiring them to be there on that day and clients who require a support person as a result of a disability.

Information and Referral Coordinator

Rosalie Turner has been providing services to the public since August 22nd. Her schedule is:

Superior Court of Justice: Monday and Tuesday from 9:30 to 3:30 p.m.
(FLIC Office)

Ontario Court of Justice: Wednesday from 9:30 to 3:30 and Friday from 9:30 to 2:30
(outside C.R. 4) p.m. (Jennifer Fraser is the backup for this position and the Coordinator in Leamington)

Clients who need supports and services can be directed to see Rosalie and Jennifer during these times. No appointments are necessary. Clients may need information about counseling, parenting courses, etc.

To assist with this program, and also the Mandatory Information Program, we have developed a Community Resource manual. This is very much a “work in progress”. We would be pleased to hear from you regarding additional supports and services. A copy of this document is available on our website at www.bfc-mediation.com.

On-Site Mediation

We have committed to the following on-site mediation schedule through the end of December, 2011. The schedule may be changed at that time and we do look forward to hearing any feedback you may have about the schedule.

Superior Court of Justice: Tuesday from 10 a.m. to 4 p.m.
Friday from 10 a.m. to 2 p.m.

Ontario Court of Justice: Monday, Wednesday and Friday from 10 a.m. to 1 p.m.

The SCJ mediator is located outside of Courtroom 3 and in OCJ outside of Courtroom 4.

On-Site mediators are there to assist with narrow, discrete, identifiable issues on the court docket that day. The Mediator at the Courthouse on those dates and times is conducting the intake as well as the mediation right then and there. Mediators do not prepare Minutes of Settlement, but if an agreement is reached they can summarize those points. Duty counsel and lawyers are required to finalize any necessary court settlement paperwork. If you have clients who are interested in mediation but are unsure about the process please direct them to the mediator and they will give them further information.

Off-site Mediation

The sliding scale mediation services are now also available to participants in the court system as well as those needing to resolve issues who are not in the court system as of yet. Those services are subject to applicable user fees as identified by the Ministry of the Attorney General, available on our website at www.bfc-mediation.com. In this mediation model, intake is again completed by the mediator themselves, and typically mediation will take up to 8 hours, including intake. Off-Site mediations are scheduled by calling 519.946.0808.

You are able to both utilize the on-site services for your clients, and in particular those matters with self represented litigants, as well as the off-site mediation service referrals. Please note these services do **not** apply to child protection matters.