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## How Tech Advances Can Help in Family Law Disputes

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Case conferences were introduced to the family law system in Ontario as a way to make trials more efficient and cut down on the number of people in court. It has enjoyed an immense amount of success; and it is now a key part of every piece of family law litigation in Ontario. Despite the fact that it has improved the system, it is still possible to make case conferences even more efficient, and therefore an even greater benefit to both the individuals involved in family law disputes and the province at large. Modern telecommunication and telepresence devices could remove the need for the parties to be physically present during a case conference. This would have a large number of benefits, without any real disadvantage.

### **What is a case conference?**

Case conferences are an integral part of the family law system in Ontario. Before a judge will hear a motion, the parties must have had a case conference. Case conferences are informal meetings between the parties, their lawyers, and a judge. It can be held in a courtroom or in the judge's chambers. Each side must file a brief and have the opportunity to make submissions to the judge based on their theory of the issues. A judge at a case conference can ask questions of the parties, make suggestions for methods of resolving the dispute, and even state to the parties their opinion on the matter. The case conference judge will not be present for a motion, and they are not allowed to make any substantive court orders.

### **Being there without being there**

Utilizing modern telecommunication technologies, it would be inexpensive to create a system which would allow case conferences to be held online. This could be done with a setup as rudimentary as a pair of laptops and consumer video conference software, such as Skype. A slightly more advanced setup could allow for even greater visual clarity; but the fact remains that technology available from an electronics store is more than capable of creating a system which would function to meet all of the needs of a case conference. This system would be to the benefit for all of those involved. Clients and lawyers would save money as they would not need to expend money in travelling to the court house, and waiting for hours at the court house in order to get in front of the Judge. The parties would save significant costs if their lawyer would simply wait for their appearance before the Judge at their own office. Further, for individuals involved in particularly acrimonious or abusive disputes, this may reduce hostility as the parties do not need to be in the same room together.

### **Why not?**

Ultimately, there would be nothing lost by adopting telecommunications technology for case conferences. They are, by their very nature, informal and not meant to be the forum for substantive decisions for court orders. There is no functional objection to this method. It would save clients and the courts time and money and there would no danger of infringing the formality of the court. Case conferences are, ultimately, meant to benefit the individual going through the court system. Why not adopt a method which will allow them to have the cheapest and most timely conference possible?