

On the Fast Track

Caseflow Management Q&A

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INTERIM SURVEY RESULTS & CHANGES TO CFM

Changes to Caseflow Effective Tuesday, May 19, 1998

In response to concerns raised by counsel in the survey responses, the Caseflow Committee has determined that the following changes should be made to the caseflow system effective May 19, 1998:

→ **The deadlines under Rule 68 still apply** but CFM staff will not be sending notices or letters to prompt for:

- ✓ Affidavit of Service
- ✓ List of Documents
- ✓ Expert Reports

Please ensure you have your own B.F. system in place in your law office.

→ **Ten days prior to the expiry of the time line for close of pleadings** (Fast - 2 months from commencement, Standard and Complex - 3.5 months), a notice will be sent out as a reminder that the case **will be dismissed** on the deadline date should default judgment or a defence not be filed.

→ **For cases on the Fast Track**, when the file is sent to a supervising judge for a settlement conference, the judge will hold a short telephone conference to determine if the settlement conference will be held or dispensed with. Where a conference is to occur, a future date for the conference will be arranged. If the conference is dispensed with, the judge will proceed to a Date Assignment Conference and set trial dates.

Q. What were the main concerns raised by the survey?

A. The amount of paper and administrative involvement, the perception of increased costs and inflexibility were the main concerns raised by counsel. In an attempt to address those concerns, the changes outlined above are being put in place on May 19. The CFM Committee is also in the process of evaluating other changes to further streamline the system while maintaining the overall structure of CFM. Discussions about a cost-benefit analysis are also underway in an attempt to study the perception of increased costs.

Q. What aspects of the project were people satisfied with?

A. The role of the judiciary in settlement conferences was seen by 82% of those who responded as a positive aspect of the project. Eighty-two percent were also satisfied with the performance of the CFM Administrator. Fifty-eight percent found the CFM system faster.

Q. Will there be another questionnaire at the end of the pilot phase of the project?

A. Yes. The plan is to do a second evaluation at the end of the pilot phase of the project..December '98.

Q. What other analyses will take

place?

A. Data, collected from the pre-1996 civil files, is now being analysed. This data will provide a baseline from which to compare the CFM files. From this data we hope to determine, among other things, whether or not CFM is affecting the overall length of cases and the timing of settlement.

Q. Was there support for continuing the project?

A. Sixty percent of those who responded indicated some support for continuing the project with 28% supporting continuation or expansion without change and 32% willing to continue the project with changes. Thirty one percent do not support continuation.

If you have any questions or comments about the Caseflow Management Pilot Project or if you wish to book a presentation for your firm, please contact:

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