



Tribunals Ontario

Tribunaux décisionnels Ontario

Child Family Services Review Board (CFSRB) Practice Direction on Scheduling Pre-Hearing/Mediations and Hearings, Rescheduling Requests, and Adjournment Requests

Practice Directions support the Tribunals Ontario (TO) Common Rules of Procedure and provide guidance about what the CFSRB expects of the parties and in turn what the parties can expect of the CFSRB. They assist in understanding and applying the rules.

Scheduling Pre-Hearing/Mediation and Pre-Hearing

After the Respondent's Response is received and reviewed by the CFSRB, if the decision is to proceed to a pre-hearing, the CFSRB will issue a Notice of Pre-Hearing setting a pre-hearing date. At the pre-hearing the parties will be offered the opportunity to participate in mediation. If mediation is agreed to then the mediation will proceed. If mediation is not agreed to, then the event will proceed as a pre-hearing with the member outlining the responsibilities of the parties in preparation for a hearing. The parties will receive a Pre-Hearing Report after the event is concluded summarizing the event and outlining next steps.

The Notice of Pre-Hearing will indicate the date, time, and format of the pre-hearing.

Rescheduling Pre-Hearing/Mediation

A Pre-hearing/Mediation will take place on the date and time contained in the Notice of Pre-Hearing, unless the CFSRB agrees to change the date or time.

Any request to change a pre-hearing date must be made in writing within 3 business days of receipt of the pre-hearing notice and copied to the other party.

The party requesting that the pre-hearing be rescheduled must provide 3 alternative dates that are within 10 days of the originally scheduled date. This must be done within 5 business days of the date of the Notice of Pre-Hearing. If the parties are unable to mutually agree to dates, the CFSRB will set the date for pre-hearing without agreement of the parties.

Requests for Hearing Adjournments

Hearing dates are usually set in consultation with the parties. Absent exceptional circumstances, the CFSRB will not grant adjournments, even when all parties consent.

Where a party seeks to adjourn a hearing, they must contact the CFSRB in writing, as soon as the need arises and describe the exceptional circumstances supporting the request, copying the other party. If the request for adjournment of the hearing is denied, the parties must be prepared to proceed with the hearing.

Effective as of February 1, 2021