



SUPREME COURT OF BRITISH COLUMBIA

Effective Date: 2025/06/27

Number: FPD - 20

Title:

Practice Direction

French Language and Bilingual *Divorce Act* Proceedings

Summary:

Section 23.2 of the *Divorce Act* regarding official languages (English and French) came into force in British Columbia on December 1, 2024. The purpose of this Practice Direction is to provide guidance and timelines for matters addressed in *Supreme Court Family Rule 20-7 (Divorce Act Proceedings)* for the purpose of facilitating scheduling of *Divorce Act* proceedings which are intended to be conducted in whole or in part in the French language.

Direction:

1. This Practice Direction only applies to *Divorce Act* proceedings¹ where a party has chosen to use the French language or both official languages.

Choice of Language and Change of Choice of Language under Rule 20-7(5)

2. Unless the court otherwise orders, if a party files a Form F86.1 (Language Change and Confirmation – Official Languages) under Rule 20-7(5) the party must file and serve that Form F86.1 on all other parties of record promptly and in any event no later than the time for filing the party's trial brief under Rule 14-2.1.

Confirmation of Language to be used at Hearing or Conference under Rule 20-7(6)

3. Unless the court otherwise orders, a party who has chosen to use the French language or both official languages in a *Divorce Act* proceeding must, in advance of each court appearance at which

¹ "*Divorce Act* proceeding" is defined in *Supreme Court Family Rule 1-1(1)* as a family law case in which an order is sought under the *Divorce Act*.

that party intends to file documents, give evidence or make submissions in the French language or both official languages, file and serve a Form F86.1 (Language Change and Confirmation – Official Languages) on all parties and every other person entitled to notice of the appearance in accordance with Rule 20-7(6) in advance of the appearance, and in any event no later than:

- a. the time for filing and service of the document giving rise to the appearance (e.g., notice of application, notice of judicial case conference, notice of case planning conference, etc.);
- b. the time for filing and service of a responding document (e.g., application response, etc.);
- c. in the case of a trial management conference, the time for filing and service of a trial brief pursuant to Rule 14-2.1; or
- d. in the case of appearances being set or reset by requisition and in all other cases, at least 7 days before the date of the appearance (e.g., requisition setting a settlement conference, requisition resetting an application, etc.).

Official Languages used at Trial

4. Unless the court otherwise orders, if a party has indicated their intention under Rule 20-7(4) or (5) to file documents, give evidence or make submissions in the French language or both official languages, the party must:
 - a. address in paragraphs 1(c) and 12(a) of their trial briefs how they intend to use the French language or both official languages at trial; and
 - b. discuss the conduct of the trial with respect to the use of the French language or both official languages, including any orders required under Rule 14-3(9)(j.1), with the presider at the trial management conference.

Extended Time Limits for Service under Rule 20-7(8)

5. Unless the court otherwise orders, a Form F86.2 filed pursuant to Rule 20-7(8), must be filed and served, on all other parties of record, before expiry of the timeline that would otherwise apply.

Ron A. Skolrood
Chief Justice