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Drowning in Disclosure - Some Practical Tips on How to Organize a Family Law File to Stay Sane

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**DROWNING IN DISCLOSURE: SOME PRACTICAL TIPS ON HOW TO
ORGANIZE A FAMILY LAW FILE TO STAY SANE**

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DISCLOSURE

Working in a successful family law office requires the ability to multi-task and to manage and organize large volumes of documents as they are received. Attention to detail on these issues at the start of the file will ensure that when the matter is ready for trial or settlement, all documents are easily accessible and well organized, making the trial or settlement process intellectually interesting and challenging...and not the stuff of nightmares. I have found that approaching each file as if it is going to proceed to trial, and saving each and every document (especially if this is done electronically) and piece of information in a consistent way will ensure that you are organized and proficient in answering any questions that arise in respect of the document side of the file.

The information I have provided in this paper is meant to be a practical guide on to how to organize a file without spending large amounts of money on IT systems, identifying at a very high level what systems are available to assist should your firm be inclined to invest in the future, and to help you to assist the lawyer you are working with to be an efficient and organized lawyer. I aim to provide this while also recognizing, as you all do, that the practice of law has dramatically increased in pace over the last few years and without organization and technology, the practice of law has become daunting at best.

What Is Disclosure?

Disclosure is any information that is *relevant* and *material* to a claim and which can be presented as evidence at trial.

Part 5 of the Alberta Rules of Court states:

Part 5: Disclosure of Information

What this Part is about: This Part describes what information and records the parties must disclose to each other and when and how the parties may question each other about the dispute. This Part requires the parties to share relevant and material information about the action in order to clearly identify

- what is in dispute,
- what evidence is available about the dispute.

This information helps minimize surprises during Court proceedings and avoids delay later in the litigation, assists the parties in evaluating their own and the other party's case, and facilitates resolution of the dispute or elements of it. This Part also contains rules for the evidence of experts and rules for medical examinations by health care professionals.

Knowing this definition can help paralegals and lawyers start to prepare for what is legally defined as disclosure and estimate what the client will likely provide and, therefore, will need to be organized.