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AMENDMENTS TO THE ONTARIO *RULES OF CIVIL PROCEDURE*

This chart summarizes the newest amendments (shaded areas) as of October 6, 2026 (up to and including O. Reg. 275/26)
This table is intended as a guideline only, and does not summarize every amendment. The statutory provisions listed must be consulted.

Topic	Section	Former Rule	New Rule
Definitions	1.03(1)	Newly added Def'n of "certificate of appointment of estate trustee" used to be just letters probate, letters of administration, or letters of administration with the will annexed Def'n of "judge" = judge of the court Def'n of "originating process"	Definition of "timetable" & "limited scope retainer" Definition of "certificate of appointment of estate trustee" now includes a small estate certificate or amended small estate certificate. Def'n at 74.01 revoked Def'n of judge = judge of the court, does not include an associate judge Now includes a small estate certificate and an amended small estate certificate
Interpretation	1.04(1.1)	Newly added	In applying the Rules, the Court shall make orders proportionate to importance, complexity, and amounts
Practice Directions	1.07(5)	PDs shall be posted on Ontario Courts website, and notice published in ORs	Notice of new Practice Directions no longer req'd to be published in ORs
Method of Attendance at Hearings	1.08	1.08 and 1.08.1 (rules entitled "Telephone and Video Conferences" and "Video Conference Pilot Project – References under the *Solicitors Act*" are revoked and replaced as shown	Method of Attendance at Hearings (1) Forms for a hearing or step in a proceeding requiring attendance before the court shall specify either: in person, by telephone conference, or by video conference (2) does not apply to Court of Appeal proceedings (CA directs method) (3) does not apply to case conferences (presumed by telephone) (4) party may object to proposed method of attendance (10 days) (5) objection dealt with at case conference (6) considerations court will consider when directing attendance method (7) no objection = deemed agreement by method proposed (8) method of attendance at mediations & oral examinations: 1. method agreed to by the parties; or, where there is no agreement: 2. (i) on a 24.1 mediation or oral examination, one of the parties must request a case conference for an order directing method (ii) on a 75.1 or 75.2 mediation, the court shall, on a motion for direction, make an order directing the method
Frivolous, Vexatious or Abusive Proceedings	2.1	Revoked & replaced	2.1.01 - Sets out process for initiating a stay or dismissal of a proceeding that appears on its face to be frivolous or vexatious or otherwise an abuse of process of the court 2.1.02 – Sets out process for initiating a stay or dismissal of a motion that appears on its face to be frivolous or vexatious or otherwise an abuse of process of the court May be initiated either on the court's own initiative or on request by a party. The new rule adds new Forms, 2.1A and 2.1B which must be delivered by the moving and responding parties, or registrar.
Vexatious Litigant Orders	2.2	Newly added	New rule sets out unique procedures for vexatious litigant motions and applications, different to those in Rules 37, 38, and 39, which do not apply here. New Forms are used (Forms 2.2 A through G). May be commenced by a party, or on the court's own initiative. After initial review, judge may direct a hearing or dismiss the matter. Judge is given many options in setting the scope of the hearing (i.e. direct motion or application records be filed; direct further evidence be filed; direct litigant to identify every proceeding to which he or she is a party or conduct a search for same; direct preparation of a draft order; order stays; establish a timetable).

Vexatious Litigant Orders			If a Vexatious Litigant Order is made, the court can stay or dismiss any proceeding commenced or continued by the Vexatious Litigant without notice. Similarly, the Registrar may refuse to issue an originating process or may refuse to file documents from a Vexatious Litigant
Time	3.01(1)(b)	Computation of time – where less than 7 days, holidays are not counted	Where 7 days or less, holidays are not counted
	3.02(4)	Extension/Abridgment of Time – time for serving, filing, delivering can be extended on consent (except in case management actions)	Extensions on consent allowed in case management actions
	3.04	Newly added	Rules regarding "Timetables" (1) and (2) may be amended by written agreement (cont.) (3) parties may not agree to amend the date before which an action shall be set down for trial (4) failure to comply with timetable may lead to a stay, dismissal, striking of defence, or any other just order
Court Documents	4.01.1	Newly added	Electronic signatures are permitted
	4.02	Backsheets include fax number (if any) and e-mail address (if any) of party	Fax numbers no longer required, e-mail addresses mandatory
	4.03	Newly added subsections	Certified copies of court documents may be provided by registrar in electronic form, and if person is required to provide a certified copy in paper form, this is satisfied by printing the electronic certified copy
	4.05(1.1)	IF the rules permit electronic issuing…	Any document may be issued electronically
	4.05(2)	Newly added	Para 4 – documents re: motions to transfer an action shall be filed in the court to which the transfer is sought
	4.05(4.1.1)	Limit on who may issue and file documents electronically	Revoked
	4.05(4.2)	After doc filed electronically, notice is sent to the party who filed	Electronic filing confirmed by way of notice of accepted filing through the authorized software
	4.05(8)	Newly added	Documents filed electronically after hours effective next business day (except documents filed under rule 60.07 (writs of seizure and sale), which may provide that a document issued or filed after hours was issued or filed on that same day)
	4.05(9)	Newly added	Subrule 4.05(8) [above] does not apply to docs issued/filed using Teranet
	4.05(10)	Signed documents (i.e. affidavits) electronically filed shall be retained until earlier of: date on which rules require signed version be filed; and 5th anniversary of electronic filing	Docs filed electronically which were originally signed, certified, or commissioned in paper shall be retained until the 30th day after the expiry for appeal, and shall be available for inspection/copying within 5 days of a request for the court or a party
	4.05(11), (12), (13), (14)	Newly added	Specific to proceedings commenced in Toronto – registrar may convert any paper document issued/filed to an electronic copy, and return the paper copy to the person who issued/filed it. Same goes for paper documents filed with the sheriff
Court Documents	4.05.1	Newly added rules re: the "Civil Claims Online Portal"	(1) defines "Civil Claims Online Portal" as authorized software (2) More docs that can be filed through the portal: defence (including one that includes a counterclaim or crossclaim), notice of discontinuance, consent to a discontinuance, defence to counterclaim, defence to crossclaim, third party claim (including 4th and subsequent parties), claim by defendant to a counterclaim or claim, third party defence (including 4th and subsequent parties), jury notice, and a certificate of action under *Construction Act* (3) subrule (2) does not apply unless filing party agrees to terms of use, including agreeing to accept documents from the court via e-mail and providing e-mail address (4) 14F not required if 14A, 14B, or 14C e-filed through portal; filing a paper copy of 14A, 14B, or 14C not required if issued electronically (5) re inconsistencies - see former 4.05(11), above
		(6) when paper copies of e-filed documents are to be given to registrar	(6) [revoked] (7) Docs that may be issued through the portal: 14A, 14B, 14C More docs that can be issued through the portal: a third, fourth, or subsequent party claim; and a certificate of action under *Construction Act*
	4.05.1(1.1)	Newly added	This rule does not apply to proceedings commenced/cont'd in Toronto

Court Documents	4.05.2	Newly added rule re "Civil Submissions Online Portal"	(1) defines "Civil Submissions Online Portal" as authorized software (2) any document that may or must be filed (other than those listed in 4.05.1(2) and other than those relating to a writ of seizure and sale), may be filed electronically by using the Civil Submissions Online Portal ("CSOP"), if CSOP provides for electronic filing of the document [language of (2) [above] changed to account for writs of seizure & sale under 60.07 which may be filed using Teranet] (3) a doc submitted for filing through CSOP is filed only if it is accepted by the registrar (4) if accepted, registrar will confirm filing by email (5) filing date is date of confirmation email by registrar (6) any document that may or must be issued (other than those listed in 4.05.1(7) may be issued electronically by using the CSOP, if CSOP provides for electronic issuance of the document [removal of reference to writs under 60.07] (7) a doc submitted for issuance through CSOP is issued only if it is accepted by the registrar (8) if accepted, registrar will confirm issuance by email, and also send issued document (9) issuance date is date of confirmation email by registrar (10) despite subrules (2) and (6), a document listed under 4.05.1 (2) or (7) may be filed or issued electronically using the CSOP, if a prescribed fee is not required (11) must provide written clarification to registrar if requested (12) any document submitted through CSOP is not filed or issued unless accepted by registrar per (4) and (8) (13) must agree to terms of use
	4.05.2(1.1)	Newly added	This rule does not apply to proceedings commenced/cont'd in Toronto
Court Documents	4.05.2.1	Newly added	"Ontario Courts Public Portal" applies to electronic issuing/filing of documents in Toronto proceedings. It is recommended that subsections (1)-(7) be reviewed in detail for guidance on electronic filing in Toronto
Court Documents	4.05.3(2) 4.05.3(3) 4.05.3(3.1) 4.05.3(7) 4.05.3(7.1)	No longer "Case Lines"	"Case Centre" substituted everywhere the Rules refer to 'CaseLines" (2) applies to hearings (or part of), pre-trial conf, case conf in SJC, DivCt (3) party shall provide docs to court using Case Centre (3.1) compendium not req'd on unopposed or consent motion (4) para. 1 - deadline for confirmation of for motion/app is 2 p.m. three days before the hearing date (5) filing of transcripts – rule 34.18(4) still applies (6) draft order and factum - PDF and Word; all other docs – PDF or Excel (if appropriate); exhibits – any format accepted by software Name of Doc must indicate: doc type, type of party date (DD-MM-YYYY) Factums and Books of Authority must meet requirements for electronically filed docs even if originally filed in paper format (7) Compendium - Table of Contents – only what you intend to rely on, with relevant excerpts of every document added separately, and hyperlinked from Table of Contents to document, or website where available. (8) docs submitted to CaseLines must be identical to docs in court file (9) req'd to keep original until 30 days after expiry of appeal, req'd to make doc available for inspection within 5 days of request (10) where inconsistent, doc in court file prevails (11) providing docs to CaseLines DOES NOT = filing or service under Rules
Court Documents	4.05.3(3.0.1)	Newly added	In Toronto proceedings, docs referred to in subrule (3) are uploaded to Case Centre by the registrar and not by the party
	4.05.3(4)	Newly added	Subrule (4) does not apply to the registrar
	4.06(1)(e)	Affidavits must be sworn in front of person authorized to administer oaths/affirmations	Affidavit sworn "in accordance with *Commissioners for Taking Affidavits Act*". See specifically O. Reg. 431/20: *Administering Oath or Declaration Remotely*
	4.06.1	Newly added	See new subs (1), (2), (3), (4), (5) for new requirements for Factums and Books of Authority (citations, bookmarks, hyperlinks). New (6) says these new requirements all apply in addition to the other requirements set out in the *Rules*. Where factums are referred to elsewhere in the *Rules*, the requirements under 4.06.1 are reiterated.

Court Documents	4.06.1 (2.1) 4.06.1(2.2) 4.06.1(2.1.1)	Newly added Newly added	(2.1) Factum must include a statement signed by lawyer certifying they are satisfied as to: (a) the authenticity of every authority cited, and now also (b) that every quotation from an authority is accurately reproduced (2.2) authority published on a government or court website, on CanLII, or by a commercial publisher of court decisions is presumed to be authentic (2.1.1) statement in (2.1) signed by the party, where party acts in person
	4.07(1.1)	Newly added	Specific FRONT covers for motions: green (respondent's motion record); orange (motion for further evidence), white (all others)
	4.09(12)	Newly added	Transcript served, filed, sent, provided electronically (not CA)
	4.12	Newly added	Despite anything in the Rules, court/registrar may send documents & communications by e-mail to the most recent address on court file - if not indicated on court file to the lawyer's address on the LSO's website
Duty of Expert	4.1.01	Newly added	(1) to provide fair, objective, non-partisan opinion evidence related only to matters within area of expertise, and provide additional assistance as the court requires (2) this duty prevails over any other obligation
Separate Hearings	6.1.01	*On consent*, the court may order separate hearings on issues, including liability and damages	Separate hearings on issues may be ordered on a motion, with or without consent; or at a pre-trial or case conference, on consent. See newly enacted 6.1.01(2) for what court will consider in determining whether to order separate hearings on separate issues. Note: new rule 48.04(3)(b) - leave is not required to bring a motion for separate hearings on issues, even after action has been set down for trial Note: new 50.04 para 5; 50.06 para 9 – materials at pre-trial conference must include party's position on separate hearings, if party intends to seek separate hearings, and court shall consider this at pre-trial Note: new 76.10(4)(b)(iii) issue added to pre-trial conference materials
Parties Under Disability	7.01(3)&(4)	Revoked and replaced	(3)(4)(5) – powers and duties of litigation guardian (LG) – must be represented by a lawyer (6) (7) – the proper format on title of proceeding where LG involved
	7.01.1	Newly added	LG for a party under disability shall be the person determined under 7.02/7.03 if conditions are met, or if not, the person appointed by court under 7.03.1
	7.02	Revoked and replaced	7.02 - appointment of LG for PL/APP WITHOUT COURT ORDER (2) sets out persons who SHALL act as LGs for pl/app (3) any other person may act without a court order if requirements under (4) met, including submitting an affidavit containing contents listed at (6) (10) consequences of non-compliance if LG acts without filing affidavit
	7.03	Revoked and replaced	7.03 - appointment of LG for DEF/RESP WITHOUT COURT ORDER (2) sets out persons who SHALL act as LGs for def/resp (3) affidavit requirements (5)-(8) consequences of non-compliance if LG acts without filing affidavit
Parties Under Disability	7.03.1	Newly added	New rule instructs on how to bring motion/obtain order for app't of LG if no one is authorized under 7.02/7.03 (1) who may bring (2)-(4) if brought by another party in action, must first serve personally a Request for Identification of Litigation Guardian (Form 7B) (5) at least 10 days must elapse from service of 7B before motion brought (6) parties on whom motion must be served (7) moving party must redact privileged or prejudicial info (8) unredacted version provided to presiding judge (9)-(10) all evidence required on the motion (11) bringing the motion stays the proceeding until motion is heard (12) court may give directions (13) court's options in making the order (14) service of order (15)–(16) lawyer of record
	7.06(3)	Newly added	In making an order to remove or substitute LG court may give directions
	7.07(2) 7.07.1(2) 15.04(3) 24.02(1) & (2) 38.08(4)	Noting in default Discontinuance Removal of Lawyer as Solicitor of Record Dismissal for Delay Abandoned Applications	The rules are clarified with respect to who must be served with motions re: noting in default, discontinuance, removal of lawyer as solicitor of record, dismissal for delay, and abandoned applications where there is a party under disability: where the litigation guardian is not the Children's Lawyer or PGT, BOTH the litigation guardian AND the Children's Lawyer or PGT must be served

Parties Under Disability	7.08(2.1)	Newly added	Clarifies that rules re: court approval of a settlement do not apply to a settlement appointing a guardian of property or of the person
	7.08(3.1)	Newly added	Motion/App under this rule by litigation guardian to approve settlement may be made without notice, and materials need not be served unless a judge orders otherwise
	7.08(4.1)	Newly added	Where there is no litigation guardian and court approval of a settlement is sought, affidavits are required of the moving party/applicant and his/her lawyer
	7.08(4.2) 7.08(4.3) 7.08(4.4)	Newly added	(4.2) Lawyer acting for litigation guardian must ensure motion/app materials redact any information subject to solicitor-client privilege, or information which, if disclosed, would prejudice the person under disability (4.3) Unredacted version shall be provided to the judge, but not part of court file (4.4) unless judge orders otherwise, motion/app for approval of settlement shall be in writing; no factum required
Class Proceedings	12.06(1.1)	Newly added	Motion for leave to appeal under the *CPA* heard in writing
	12.06(5)	Newly added	If leave to appeal is granted under the *CPA*, notice of appeal and certificate respecting evidence to be delivered within **7 days**
Commencement of Proceedings	13.1.01(2)	If place of commencement of proceeding not set out in statute or rule, may commence proceeding anywhere	Shall now be commenced in a county in which there is a rational connection, using factors in rule 13.1.02(2)(b)
	13.1.01(3)	Newly added	A claim relating to a mortgage shall be commenced in the county that the RSJ of the region in which the property is located designates for such claims
	13.1.02 (3.1)	Newly added	A motion to transfer a proceeding may be brought in the county to which the transfer is sought
Originating Process	14.01.1(2) and (3)	Newly added	A motion under s. 23(1.1) of *CJA* for leave to commence a Small Claim at the SCJ may be made without notice; the court may grant leave only if its in the interest of justice [see new 57.05(5) for cost consequences]
	14.04	Electronic filing of originating process (action) - revoked	Electronic filing of originating process (action) now dealt with under Rule 4.05.1 (see above)
	14.05(1)	Newly added originating processes for the commencement of an application	Small estate cert (Form 74.1A) or amended small estate cert (74.1E)
	14.07(3)	Electronic issuance of originating process (action) - revoked	Electronic issuance of originating process (action) now dealt with under Rule 4.05.1 (see above)
Representation by a Lawyer	15.01(4)	Newly added	Permits a party to be represented by a lawyer acting under a limited scope retainer ("LSR"), but this does not make that lawyer the 'lawyer of record'
	15.01.1(1.1)	Newly added	Where a party acts in person, anything required of or permitted to be done by a lawyer is required of or permitted to be done by the self-represented party EXCEPT: 1. Filing a Lawyer's Certificate of Service; and 2. [added: clause (a) of the definition of Teranet user]
	15.04	Rule re: motion by lawyer for removal as solicitor of record: Revoked and Replaced	(1) Lawyer may move to remove themselves as lawyer of record (2) notice to every other party, but not motion record (3) if belief that client is under disability & no LG, cannot move under (1) (4) privileged and prejudicial info must be redacted from record served on other parties and filed with the court (5) judge at hearing provided with unredacted version (6) motion served on client personally (or by alternative) (7) where client under disability, unredacted motion record, order served on the client, the lit guardian, plus the PGT or OCL as the case may be (8) proof of service req'd re (7) (9) contents of order (10) order served on client personally (or by alternative) (11) serve proof of service of order on parties and file proof of service (12) if client is corp, 30 days from service of order to appoint lawyer, or obtain and serve order granting leave to be represented by non-lawyer (13) failure of corp to comply may lead to dismissal/striking of defence (14) if client is LG or disabled, 30 days to appoint new lawyer (15) consequences of failure to comply with (14)

Representation by a Lawyer			(16) in all other matters, client has 30 days to appoint new lawyer or serve notice of intention to act in person (17) consequences of non-compliance with (16) – dismissal/defence struck
Service of Documents	16.02(1)(h)	Personal service on Crown lawyer	Personal service on any employee at the Crown Law Office (Civil)
	16.03(7)		(7) Ont Crown, Ont AG by e-mail
	16.03(8)	16.03(7)-(10): newly added rules re alternatives to personal service	(8) Children's Lawyer by e-mail
	16.03(9)		(9) PGT by e-mail
	16.03(10)		(10) when e-mailed pursuant to (7)(8)((9) between 4 p.m and 12 a.m., service deemed to be made the following day
	16.05(1)(d)	Service on lawyer of record via fax	Revoked - Can no longer serve lawyer of record via fax
	16.05(1)(f)	Service by e-mail if the parties consent	Consent to serve lawyer of record via e-mail no longer required
	16.09(1.1)	Newly added	A lawyer may prove service of a doc by new Form 16B.1 (Lawyer's Certificate of Service)
Service Outside Ontario	17.02(h) and (o)	A party may be served outside Ontario without leave in a claim where the damages were sustained in Ontario; or in a claim against a person outside Ontario who is a necessary party to an action properly brought against another person in Ontario	Revoked
Summary Judgment	20.04(2.1) 20.04(2.2)	Newly added	Judge may exercise following powers on a SJ motion: weigh the evidence, evaluate credibility, draw reasonable inferences, order oral evidence to be presented
	20.05	Powers of the Court where summary judgment refused and matter ordered to be set down for trial – terms that court could impose limited to payment into court, security for costs, and limiting the nature and scope of discovery	Powers much more broad and designed to have appropriate cases tried expeditiously: setting time limits for delivery of documents, bringing of motions and filing of material facts not in dispute; establishment of a discovery plan; time limits on examinations; ordering evidence by affidavit; ordering experts to meet; delivery of opening statements; payment into court; security for costs 20.05(2)(j.1) – court may also now order that any oral examination proceed by video conference
	20.06	Presumption that where moving party loses, the Court shall fix costs on a substantial indemnity basis	Presumption removed – the Court may fix costs on a substantial indemnity basis if a party acted unreasonably or acted in bad faith for the purpose of delay
Discontinuance & Withdrawal	23.03(1) 23.05	Discontinuance against Defendant results in dismissal with costs	Costs are not automatic. Upon discontinuance, any party to the action, cross claim (if any), or third party claim (if any) may make a motion respecting costs within 30 days
Dismissal for Delay	24.02.1 24.04(1.1)	Newly added	If action dismissed for delay, Defendant must serve Order on every Defendant who has cross-claimed and cross-claim is deemed to be dismissed 30 days after Order served
	24.04(1) 24.05.1	Dismissal for delay entitles Defendant to costs	Costs are not automatic – any party to the action, cross claim (if any), or 3rd party claim (if any) may make a motion respecting costs within 30 days
Mandatory Mediation	24.1.04	Applies to Toronto, Ottawa, Essex County, and Rule 78, 77, and some Rule 76 actions Exceptions: actions under the Substitute Decisions Act, 1992; Succession Law Reform Act, and Insurance Act	(1) Applies to actions governed by the Rule prior to 1 Jan '10, and still applies to Toronto, Ottawa, and Essex County
			(1) para. 3 newly added – applies to actions transferred to Ottawa, Toronto, Essex after January 1, 2014
			(2) and (2.1) Old exceptions still apply, plus: Toronto actions on the Commercial List, Rule 64 (Mortgage) Actions, actions under the Construction Lien Act and Bankruptcy and Insolvency Act, and class actions that have been certified
	24.1.09(1)	Mediation must take place within 90 days of defence being filed	Mediation must take place within 180 days of defence being filed
	24.1.09(2.1)	Transition – for actions governed by the rule immediately before 1 Jan '10, 180 days begins to run on 1 Jan '10	In the case of an action under 24.1.04(1) para. 3, subrules (1) to (6) do not apply, and the court may order the date by which mediation must take place
	24.1.09(5)	Within 30 days of defence filing, plaintiff must file Form 24.1A (Notice of Name of Mediator and date of Session)	Before setting action down one of the parties must file Form 24.1A or a mediator's report that matter has concluded

Mandatory Mediation	24.109(6) 24.1.09(6.1)	Mediation co-ordinator to assign a mediator if not done by the parties 'within the times provided	Mediation coordinator to assign mediator if not done by the parties within 180 days of first defence filing
	24.1.09(6.2)	Newly added	In the case of an action under 24.1.04(1) para. 3, if the Court does not order a date by which mediation must take place, and the action is set down for trial, the mediation co-ordinator must immediately assign a mediator
	24.1.09(7.1)	Newly added	Mediation to be held 90 days after appointment of mediator
	24.1.11(1.1)	Representative of insurer also required to attend mediation with the insured	Representative of insurer shall attend; insured no longer required to attend
Third Party Claim	29.14	Newly added	Third and subsequent party claims are given the same file number as the main action, followed by a suffix letter
Discovery	29.1	Newly added – "Discovery Plan"	Various sub rules setting out the requirements. Contact TVA to purchase a precedent Annotated Discovery Plan
	29.1.05(2)	Newly added	Where parties do not agree to Discovery Plan, court may impose one
	29.2	Newly added – "Proportionality in Discovery"	In determining whether a question must be answered or document produced, the court must consider whether: time required would be unreasonable; cost would be unjustified; undue prejudice would be caused; it would unduly interfere with the orderly progress of the file; the information is available elsewhere; and the order would result in an excessive volume of documents to be produced
	30.02, 30.03, 31.06 & 34.10	Semblance of relevance test (i.e. "relating to any matter in issue") re. disclosure, production and scope of examinations	Simple relevance test (i.e. "relevant to any matter in issue") re. disclosure, production and scope of examinations
	30.03(1)	Service of Affidavit of Documents within 10 days after close of pleadings – documents relating to	Service of Affidavit of Documents – documents relevant to (no time prescribed, but see new Rule 29.1)
	31.03(4)	Newly added	In determining whether to allow more than one party to be examined on behalf of a corporation, partnership, or sole proprietorship, the court has to be satisfied that the answers cannot be obtained from one person without undue expense and inconvenience, and that examination of more than one person would expedite the conduct of the action
	31.05.1	Newly added	(1) Examinations cannot exceed 7 hours, regardless of the number of parties, except on consent or with leave (2) In considering granting of leave, court will consider the amount at issue; complexity of issues; reasonable time required; financial position of each party; the conduct of any party; and a party's denials or refusals which should have been answered
Motions & Applications	31.03(1) 38.03(1.1)	Motions/Apps heard in the county where proceeding commenced, or to which transferred	Brought and heard in the county where proceeding commenced, or to which transferred
	37.07(6) 39.01(2)	Serve Notice of Motion (and Affidavit) 4 days in advance	7 days (note holidays are not counted – see Rule 3.01(1)(b) re computation of time)
	37.08(1) 38.06(4)	File Notice of Motion 3 days in advance; File Notice of App 4 days in advance	7 days (note holidays are not counted – see Rule 3.01(1)(b) re computation of time)
	37.10(1) 38.09(1)	Serve & file Motion Record 3 days in advance; Serve App Record and Factum 4 days in advance; file App Record and Factum 2 days in advance	7 days (note holidays are not counted – see Rule 3.01(1)(b) re computation of time)
	37.10(3) 38.09(3.1) & (3.2) 39.01(3)	Serve & file Responding Motion Record/ Responding App Record (and Affidavit) 2 days in advance	4 days

Motions & Applications	20.03(2); (3) 21.03(2); (3) 22.02(2); (3) 37.10(7); (8) 38.09(1); (3) 40.04(2); (3) 42.02(3); (4)	Moving party: Serve Moving Factum 4 days in advance (file 2 days in advance) Responding party: Serve Responding Factum 2 days in advance (file 2 days in advance)	Serve and file 7 days in advance (note holidays are not counted see Rule 3.01(1)(b) re computation of time) Serve and file 4 days in advance
	37.12.1(4)	Where the issues of fact and law are not complex, moving party may propose a motion be heard in writing	Moving party can now bring motion in writing as of right (no longer required to show that issues of fact and law on motion are not complex)
	34.18(2)	Where a transcript will be referred to at the hearing of a motion or application, it must be filed 2 days in advance	4 days
	37.10(10) (a)	Serve & file refusals & undertakings chart at least 3 days in advance	7 days (note – holidays are not counted see Rule 3.01(1)(b) re computation of time)
	37.10(10) (b)	Serve and file response to refusals & undertakings chart 2 days in advance	4 days
	37.10.1(1) (b) 38.09.1(1) (b)	Confirm motion/application by 2 p.m. 3 days before motion/application	by 2 p.m. 5 days before
	37.10.1(2)	If moving party fails to confirm on time, responding party may confirm the motion no later than 10 a.m. two day before the hearing	By 10 a.m. four days before the hearing
	37.10.1(4)	Newly added	If the moving party fails to confirm, the motion is deemed abandoned
Motions & Applications	37.10.1(5)	Newly added	If the motion is deemed abandoned under sub (4) and responding party confirmed under sub (2), the responding party may be heard on costs of the abandoned motion on the date scheduled for the abandoned motion
	37.12.1(2.1)	Newly added	A consent motion to the court of appeal requires an affidavit setting out why it is appropriate to make the order sought
	37.15(1.2)	Newly added	A judge/master who is directed to hear all motions in complicated/series of proceedings may make procedural orders to promote expeditious and least expensive determination
	37.15(2)	Judge who hears all motions in a proceeding shall not hear the trial	Added – except with written consent of all parties
	38.13	Newly added	The new Rule 38.13 prescribes all procedural requirements for an application made under s. 140(3) of the *CJA* (the section under which a person who has been declared a vexatious litigant seeks leave to institute or continue a proceeding). A new form (14E.1) has been added (Notice of Application). The hearing must be in writing, a factum is not required, service must be made on the Attorney General of Ontario.
	39.01(7)		Opinion evidence provided by an expert witness in an affidavit for a motion or application shall include the information listed in Rule 53.03(2.1)
	39.02(1.1) & 39.03 (2.1)		The rules allowing cross-examination on affidavits and examinations and cross- examination of witnesses prior to a hearing DO NOT apply to applications under s. 140(3) of the *CJA*
Listing for Trial	48.03(2)(c)	Include 50.07 order <u>or</u> 50.08 pre trial conference report in Trial Record	Include <u>both</u>
	48.04(1)	A party who sets action down for trial and a party who consents to placing action on trial list needs leave to	Subject to subrule (3), a party who has set an action down for trial needs leave to initiate a motion or discovery

Listing for Trial		initiate a motion or discovery (subject to subrule (3)	
	48.05 48.06	Placing Undefended Action on Trial List Placing Defended Action on Trial List [both are revoked]	Rule has been simplified and no longer distinguishes between defended and undefended actions, and there are no longer time limits for registrar to meet: "On the setting down of an action for trial, the registrar at the place of trial shall place the action on the appropriate trial list"
	48.05(2)	Newly added	In placing an action on the trial list, registrar shall take into account any applicable pre-trial conference scheduling requirements in rule 50.02
	48.14	Entire rule re Status Notices revoked and replaced: formerly required an action to be on the trial list or terminated within 2 years of defence being filed, failing which a status notice would issue requiring action within 90 days, failing which the action was dismissed for delay. Furthermore, an action that was struck from the trial list had to be restored within 180 days, failing which a status notice would issue requiring action within 90 days, failing which the action was dismissed for delay	The new 48.14: "Dismissal of Action for Delay" replaces both 48.14 and 48.15. Noteworthy subsections: (1) The registrar will dismiss an action on the 5th anniversary of the commencement of the action Additionally, an action that was struck off the list and not restored will be dismissed on the 2nd anniversary of being struck (1.1) Subrule (1) does not apply to actions on the Toronto Commercial List; nor to actions under the *Class Proceedings Act, 1992.* (1.2) The order may be issued electronically (4) Dismissal will not occur if a timetable and draft Order are filed at least 30 days before the expiry date. The timetable must reflect a date on which the action will be set down or restored no more than 2 years past the expiry date (5) If the parties cannot consent to a timetable any party may bring a motion for a to status hearing, the motion shall be convened as a status hearing, and the Court (7) retains all the same options in the disposition of a status hearing (8) Subrule 1 does not apply where the plaintiff is under a disability (10) Dismissal may be set aside under rule 37.14 Transition Rules: (11) A status notice served under this rule before Jan 1-15 ceases to have effect on Jan 1-15 if action not dismissed before Jan 1-15 (subject to subrule (12), below) (12) If a status hearing was scheduled but not held before Jan 1-15, the former rule (i.e. the rule effective on Dec 31-14) continues to apply to that matter (13) Every notice given by the registrar before Jan 1-15 under the former rule 48.15 that an action will be dismissed as abandoned ceases to have effect on Jan 1-15 if the action was not dismissed before that date. [Effective January 1, 2017, the transitions subrules (11), (12), and (13) are revoked].
Listing for Trial	48.15	Entire rule re dismissal of actions as abandoned revoked and replaced: formerly the registrar dismissed an action as abandoned if more than 180 days had passed since the claim was issued; no defence was filed; the action had not been disposed of or set down for trial; and the registrar had given 45 days notice of the impending dismissal	
Settlement (New Heading Replacing "Offer to Settle")	49.01.1	Newly added	This rule applies to actions, applications, and, with necessary modifications, to motions, counterclaims, crossclaims, and third or subsequent party claims
	49.14	Revoked and replaced with specific rules re "partial settlement agreements" ("PSAs")	(1) definition of PSA – agreement between at least 1 pl and 1 def, at least 1 def is not a party, does not settle entire proceeding (3) does not apply to applications for judicial review (4) pl shall disclose terms of PSA (except monetary value) to pls and defs who are not parties to PSA immediately (if hearing has started), or where hearing has not started, the earlier of 7 days or taking another step (5) as soon as possible after disclosure, **Form 49E** must be served & filed (6) disclosure obligations prevail over any confidentiality agreements (7) list of repercussions for failing to disclose include: costs, further examinations at pl's expense, striking of evidence, adjournment, stay (8) disclosure obligations on litigation guardians re PSAs subject to court approval under 7.08 (9) where no party is under disability, this rule does not limit disclosure of monetary values to avoid double recovery (10) where party is under disability, litigation guardian shall seek court's direction re disclosure of monetary value for any purpose, including to avoid double recovery

	Form 49E	New Form	Terms of Partial Settlement Agreement required to be filed (49.14(5)
Conferences	50	Rule was formerly entitled "Pre-Trial Conference" - has been renamed "Conferences"	Changes to Rule 50 (as of January 1, 2015): • Rules 50.02, 50.03, and the new 50.13 (case conferences) have been amended to allow a judge, on his or her own initiative, or at a party's request, to direct a pre-trial conference in both actions and applications • Rules 50.05 and the new 50.13 – the lawyers' duty includes ensuring s/he has authority to deal with the matters • 50.13(3) – a party who requires a person's approval for a settlement shall arrange ready telephone access to that person throughout the conference • 50.13(5) – identifies matters to be dealt with at case conferences • 50.13(6) –powers of judge/master at a case conference, if notice has been given: make procedural orders; convene a pre-trial conference; give directions; grant an order for interlocutory relief (judge only); and convene a hearing (judge only) Newest changes to Rule 50 (as of January 1, 2021): 50.05(1) & 50.13(2) parties are still required to participate in Pre-Trial Confs and Case Confs, but NOT by personal attendance
Conferences	50.02(2.1)	Newly added	PTC shall be scheduled for not more than 120 days and not less than 30 days before the later of the first day fixed for trial, or the first day of the sitting during which trial is expected to be held
	50.03.1	Newly added	At least 30 days before PTC, each party must serve a Certificate of Readiness which says whether party intends to call an expert, whether the report under 53.03 was served in time (or the reason for not serving on time, as the case may be) (2) this rule applies regardless of any extension of time to file report
	50.07(1)(a) and (a.1)	If matter does not settle PTC judge may establish a timetable or fix a trial date	If matter does not settle PTC judge may establish a timetable or, if necessary, adjourn the trial date
	50.08(1)	If a trial date is fixed at PTC, judge shall complete a PTC report	Regardless of whether a date is fixed, PTC report must be completed by judge, setting out any matter relevant to the action (not just relevant to scheduling)
	50.12(2)	Newly added	If PTC judge determines the PTC was unproductive because of a party's conduct, a costs order may require that costs be paid immediately
Evidence at Trial (Expert Witnesses)	53.03(1) 53.03(2)	Serve expert report 90 days before trial Serve responding report 60 days before trial	Serve, expert report 90 days before pre-trial conference Serve responding report 60 days before pre-trial conference
	53.03(2.1)	Newly added items that expert's report shall contain New paragraphs (6.1, 6.2) added New paragraph 6.3 added	Report must include a statement signed by expert certifying they are satisfied as to the authenticity of every authority, document, or record referred to in the report EXCEPT those that were: i) analyzed by the expert after it was provided to them by the party engaging the expert, ii) cited by the expert only because it was referenced in another report by another expert or iii) referenced in the report but which the expert doubts are authentic (where expert doubts authenticity, details of the doubts must be provided (6.3) statement signed by expert certifying that s/he is satisfied that every quotation that appears in the report is accurately reproduced
	53.03(2.1.1)	Newly added	Authority, document, or record published on a government website, in a scholarly journal, or by a commercial publisher of research is presumed to be authentic for the purposes of paragraph 6.1
	53.03(2.2)	Newly added	Within 60 days of action being set down for trial, parties shall agree to a schedule re: dates for service of experts reports to meet requirements of (1) and (2)
	53.03(3)(b) 53.03(3)(c)	Supplementary Report to be served at least 30 days before trial Newly added	Supplementary Report to be served at least 45 days before trial Responding Supplementary Report served at least 15 days before trial

Evidence at Trial (Expert Witnesses)	53.03(4)(c)	Newly added	Parties may consent to extension of time to serve expert report, as long as extension does not affect scheduled trial date
	53.08(1)	New consideration added	If evidence is admissible only with leave due to a party's failure (i.e. failure to disclose document, correct answers on discovery, requirements re expert's report, etc.) court must consider not only whether granting leave would cause prejudice or undue delay, but also whether there is a reasonable explanation for the failure
	53.09(1) and (2)	Formulae for discount rates and gross up rates in calculation of awards for future pecuniary damages	Formulae adjusted as of January 1, 2014, but the former formulae continue to apply with respect to actions in which the trial commenced before Jan 1, 2014 – 53.09(3)
Costs of Proceedings	57.01(1) (h.1)	Newly added	Additional factor for court to consider in awarding costs: whether a party unreasonably objected to proceeding by telephone or video conference
	57.05(5)	Newly added	If a plaintiff is found to have included a claim for relief to be able to sue in SCJ rather than Small Claims, the court may order costs against plaintiff
Orders	59.02(1)	Endorsement of an order shall be made on appeal book and compendium, record, notice of motion or notice of application	New rule allows the court to also endorse an order on a "separate document", which may be in paper or electronic format, and may include reasons. Subrule (3) lists various items this separate document must include.
	59.03	Preparation and Form of Order – rule revoked and re-drafted	Party affected by order may prepare a draft for approval to other parties, issuance requested of registrar by filing draft order and evidence of its approval, subrule (3) sets out general form of order
	59.04	Signing Orders – rule revoked and re-drafted	Rule now entitled "Issuing Orders" - Order is issued when signed by judge, etc or registrar, dated and sealed - Order may be sealed by using an electronic version of the seal - Registrar may sign the draft order - Issued order provided to person who filed draft by e-mail, CaseLines, or making it available for pick up at the counter - if Registrar not satisfied with draft order, notify as per above, person can file a revised draft, or obtain an appointment to have order settled - appointment to settle where parties do not approve - where urgent, appointment may be made without approval - where order disputed, appointment may be made
	59.05	Entering Orders – rule revoked and re-drafted	- on issuance, Registrar shall issue order and file with court - issuance by saving a copy in electronic form in court case tracking system - additional requirements for entering of Appellate orders
	59.08	Newly added	If a lawyer acting under a limited scope retainer (LSR) appears at a hearing for a party, but is not the lawyer of record, the lawyer shall act in the place of the party for the purposes of this rule (i.e. the rule governing the taking out of orders), unless the LSR states otherwise AND the lawyer provides written notice to the parties and registrar
Enforcement of Orders (General)	60.02(3)	[Revoked and replaced]	New: payment of costs may be enforced by writ of s&s by an authorized Teranet user making a declaration through the Teranet software. Several subrules in Rule 60 now incorporate reference to the authorized Teranet user and software
Enforcement of Orders (Writ of Seizure and Sale)	60.07(0.1)	Newly added	Definitions of 'authorized Teranet user' and 'Teranet software' added
	60.07(1.1)-(1.3)	[Revoked and replaced]	Authorized Teranet users may issue writs of s&s through Teranet, may be enforced without being filed with the court by requesting it be issued through Teranet software
	60.07(5.2)-(5.3)	[Revoked and replaced]	Issuance and filing of Writs by authorized Teranet user using TN software
	60.07(6), (8.1), (9.1)	[Revoked and replaced]	Expiry of writ – 6th anniversary of issuance, or if renewed, 6th anniversary of when it would have expired if not renewed (8.1) renewal may be filed electronically using Teranet (9.1) request only during 6-year period
	60.07(16), (19)	[Revoked and replaced]	Sale of personal property, sale of land – review these changes for specific requirements before proceedings with sales under writ provisions
	60.07 & 60.07.1 &	Many changes	Many of the technical rules governing writs of seizure and sale (and their withdrawal) have changed substantially, especially with respect to

Enforcement of Orders (Writ of Seizure and Sale)	60.15		electronic issuance and filing. Counsel who often issue writs are well advised to re-visit Rule 60.07, as the methodology they have employed until now may be outdated
Enforcement of Orders (Garnishment)	60.08(6), (6.4) 60.08(12) Sub (16.1.1)	Shall send copies of notices of garnishment and renewals to sheriff Debt of the garnishee includes a debt payable when the Notice is served and a debt payable within 6 years after the Notice is served Newly added	Now "shall make copies of notices, renewals, requisitions, and affidavits available to the sheriff Debt includes a debt payable when the Notice is served and a debt payable within 6 years after the Notice is issued Sheriff shall suspend garnishment pymts on receipt of notice of motion for garnishment hearing
Enforcement of Orders (Writ of Possession)	60.10(4)	Newly added	Eviction orders re residential tenancies remain in force for one year and may be renewed before expiry for one year from each renewal
Enforcement of Orders (Duty of Person Filing Writ)	60.16(4-6)	Newly added	Creditor shall file info (pymts made, amount owing, interest details) w/in 10 days of request from sheriff; creditor may file the info at any time even where no request is made; may be filed using Teranet
Enforcement of Orders (Generally)	60.20	Limits on who can electronically file and issue enforcement orders	Revoked
Appeals to an Appellate Court	61.03; 61.03.1; 61.04		New Forms Form 61A – Motion for leave to appeal to Div Ct Form 61A.1 - Motion for leave to appeal to Court of Appeal Form 61A.2 – Notice of Appeal to Court of Appeal Form 61A.3 – Notice of Appeal to Div Ct
	61.03(2)	Amended	On a motion for leave to appeal to the Div Ct, moving party shall serve and file motion record, factum, and transcripts within 30 days after filing notice of motion. Also, reference to "three copies" is struck
	61.03(2.1) 61.03(3.1)	Revoked	Copies of motion records, transcripts, facta no longer required
	61.03.1(2)	Notice of motion for leave to appeal to court of appeal states that it will be heard 36 days after service of moving party's materials	Should now state that the motion will be heard on a date to be fixed by the Registrar
	61.03.1(6) & (10)	Revoked and replaced	Parties on a motion for leave to appeal to court of appeal no longer required to file copies of motion record, factum, and transcripts
	61.03.1(20)	Newly added	Rule 61.03.1 (Motion for Leave to the Court of Appeal) does not apply to leave motions to a single judge of the CA under the *Bankruptcy and Insolvency Act* (s. 193(e)), or the *Companies' Creditors Arrangement Act* (s. 13)
	61.09(3)	Revoked and replaced	See new list re materials to be served & filed by appellants when perfecting appeals
	61.11(1)(e) & 61.12(3)(f)	Newly added	See subparas (iii)-(v) for new requirements in the Lawyer's Certificate (Appellant's and Respondent's Factum), including compliance with word count limits, and certification of the authenticity of Sch A authorities Newly added requirements per 4.06.1(2.1)
	61.11(3)-(4) & 61.12(5.1)-(5.2)	Newly added	Maximum length for both Appellant's and Respondent's Facta: 9,200 words and 40 pages When counting words, every word counts, including those used in citations, footnotes, headings, charts, diagrams, visual aids
	61.11 (5) & 61.12(5.3)	Newly added	Authorities published on gov't website, CanLII, court website, or commercial publisher of court decisions is presumed to be authentic
	61.12(1)	Revoked and replaced	See new requirements re filing and service of respondent's factum and compendium
	61.13(5) 61.13(8)	Circumstances by which an appeal, cross appeal, or motion in appellate	Costs fixed at $750

Appeals to an Appellate Court	61.16(8) 61.13.1(2)	court are dismissed "with costs" (i.e. failure to deliver materials in time)	
	61.13.0.1	Newly added	Appeal to Div. Ct. will be dismissed for delay if not set down for hearing or otherwise terminated before the later of 5th anniversary of filing or Jan 1/21 (exception – where appellant under disability – sub (2); may move to set aside dismissal under 37.14 – sub (6))
	61.14(4)	Newly added	Abandonment (or deemed) of appeal, cross-appeal is without costs if party did not file a response to the appeal or cross-appeal, unless a judge orders otherwise
	61.16(1.1) 61.16(4.1)	Newly added Newly added	Confirmation of Motion is not required at the Court of Appeal Facta on oral motions at Div. Ct. require an estimate of time
	61.16(1.2)	Newly added	Forms to use in motions to appellate courts (besides leave to appeal) 61M – motion to a single judge, Court of Appeal 61N – motion to a single judge, Div Court 61O – motion to a panel, Court of Appeal 61P – motion to a panel, Div Court
	61.16(4)	Revoked and replaced	Where motion in appellate court is to be heard by more than one judge: - Moving party serve & file motion record & factum w/in 30 days - Responding party w/in 25 days of receipt of moving materials - Must include transcripts if referred to
	61.16(6)	Revoked and replaced	See specific new requirements for motions to set aside or vary the order of a judge of an appellate court
Appeals from Interlocutory Orders	62.01(5) 62.01(7)	File Notice of Appeal; serve and file Appeal Record and Factum 4 days before hearing	7 days (note – see Rule 3.01(1)(b) re computation of time)
	62.01(8) 62.01(8.1)	Serve and file Responding Factum 2 days before hearing	4 days
	62.02(1)	Leave to appeal to Div. Ct. to a judge	Leave to appeal to a panel of the Div. Ct. Leave now required to appeal both interlocutory order of SCJ (original rule), AND final order of SCJ for costs (new rule)
	62.02(1) para 3	Newly added	Motion for leave to appeal order/decision of a tribunal under a statute is made to a panel of the Div Ct, unless the statute says otherwise.
	62.02(2) and (3)	Used to specify time for service of notice of motion for leave to appeal, and timing of hearing date – REVOKED Jan 1, 2015	Motions for leave to appeal an interlocutory order (i.e. to the Divisional Court) shall be heard in writing, without the attendance of parties or lawyers
	62.02(5)	Procedure to be followed for motion in writing for leave to appeal – revoked	The following substituted: Subrules 61.03.1(4) to (19) (motions for leave to the court of appeal) apply with the following, and any other necessary modifications: • reference to court of appeal are read as references to divisional court; • parties' facta and motion records are limited to facts, issues, statements of law, authorities and documents relevant to a ground on which leave to appeal may be granted
	62.02(7)	Judge granting leave shall give brief reasons in writing	Revoked
Judicial Review	68.01(3); (4); (5); and (6)	Newly added	If a statute other than *JRPA* requires leave to commence app for JR, leave shall be in accordance with this rule unless statute says otherwise. Some specifics: motion heard in writing, facta are limited to relevance to a ground on which leave may be granted; if leave is granted, application for judicial review shall be delivered within 7 days
	68.04(3) (d.1) & 68.04(6) (d.1)	Newly added	Applicant's and respondent's facta require estimate of time for oral argument, plus new additional requirements per 4.06.1(2.1)
	68.06(3)	Application for judicial review shall be dismissed for delay "with costs"	Costs fixed at $750
	68.07	Newly added	Application will be dismissed for delay if not set down for hearing or otherwise terminated before the later of 5th anniversary of filing or Jan 1/21 (exception – where applicant under disability – sub (2); may move to set aside dismissal under 37.14 – sub (6))

Estates Non-Contentious Proceedings	74	New Forms	Forms 74.3 to 74.42 replaced by new Forms 74A to 74P
	74.01	Newly added definition	"proof of death" means documentary evidence, including a death certificate issued by the Registrar General; a certificate issued by a funeral director; or an order made under the *Declarations of Death Act, 2002*
	74.02(7.1) to (7.5)	Newly added	New procedure on the delivery by the registrar of a will that was deposited for safekeeping. Following the death of the testator, the will may be delivered to trustee, or his/her lawyer. Alternatives now available if all trustees not able to sign an authorization.
	74.04 and 74.05	Both rules revoked	Both rules revoked and replaced by one new rule 74.05 dealing with obtaining a Certificate of Appointment of Estate Trustee, both with a will and without a will [review new rule in its entirety for specifics on what documents need to be filed; what documents need to be served and on whom; and acceptable methods of service]
	74.06	Revoked and replaced	See new rule in its entirety for specifics on what documents accompany an application for a certificate of appointment of succeeding estate trustee with a will. All forms referenced are new.
	74.11	Newly added subrules on Bonds in Non-Contentious Estates Proceedings	(3) order dispensing with bond or reducing bond amount can be sought by applicant for certificate of appointment or confirmation of appointment ["ACACA"] (4) rule 37 applies (5) ACACA may request an order under subrule (3) without bringing a motion in certain circumstances (on consent, no minors or incapable persons) (6) Docs required under subrule (5): draft order, consent, affidavit setting out specific facts listed i) through vi)
	74.12	Subrules (5) and (6) re: Registrar's notes on wills and codicils revoked and substituted with new subrule (5)	(5) if a judge voids a devise or bequest or declares a person is not entitled to an interest in the estate the registrar shall note that fact and the date of the order on the certificate of appointment
Estates Non-Contentious Proceedings	74.14	Rule revoked and replaced (Issuance of Certificate of Appointment of Estate Trustee)	- registrar issues if req'ts are met, or if directed to do so by a judge - in determining whether requirements have been met, registrar may request from the applicant any required info, evidence, document - if not satisfied requirements have been met, registrar refers to judge - Notice of Refusal may be sent by mail or e-mail
	74.14.1	Newly added	Describes method by which one may obtain an authentication of a certificate of appointment of estate trustee
	74.14.2	Newly added	Describes method by which one may obtain a confirmation of the status of a person as an estate trustee
	74.18(3.2)	Newly added	Service of applications to pass accounts must be served on persons who act as attorneys or guardians for property for a person with a disability who has a contingent or vested interest in the estate
	74.18(4),(5) (7)	Service of Applications to Pass Accounts (4) service in Ontario - 45 days before hearing (5) outside Ontario – 60 days before hearing	(4) now 60 days (5) now 75 days
		(7) Notice of Objection 30 days before	(7) now 35 days
	74.18(8), (8.1), (8.2), (8.3)	Newly added	A person served with an application to pass accounts who does not object to the passing but wants to receive notice of further steps may serve & file a request for further notice (Form 74.45.1). This entitles him or her to receive notice of further steps; receive further documents; file material relating to costs; and examine witnesses re: costs. No response at all means the person is not entitled to any of these things
	74.18(8.4)	Newly added	To withdraw an objection, must serve & file notice at least 15 days before the hearing
	74.18(8.6)	Newly added	Any person served with an application to pass accounts who wishes to seek costs must serve & file a request for costs at least 10 days before the hearing

Estates Non-Contentious Proceedings	74.18(9) 74.18(9)(a)(iv.1)	Application record filed at least 10 days before hearing Newly Added	Application record filed at least 5 days before hearing Application Record must include any requests for increased costs (and responses thereto), and costs outlines
	74.18(10) and TARIFF C	Costs on Applications to Pass Accounts – Tariff C Revoked and Replaced	Amount of Receipts Amount of Costs Less than $300K $2,500 $300K - $500K $3,000 $500K - $1M $3,500 $1M - $3M $5,000 $3M+ $7,500
	74.18(11), (11.1), (11.2)(11.3) (11.4)(11.5)	(11.1) request may only be served between 10 days after service and 20 days before hearing (11.2) may object to request by returning form 12 days before hearing (11.3) person making request must file documents and affidavit 10 days before hearing	(11) specify amount sought, submit a costs outline (11.1) now 15 days before hearing (11.2) now 10 days before hearing (11.3) now 5 days before hearing (11.4) court may seek more information; may order increased costs without a hearing
	74.18(11.5) to (11.9)	Formerly *Rules* provided no procedural guidelines for contested passing of accounts hearings	(11.5) applicant must serve & file 10 days before the hearing remaining notices of objection and replies to notices of objection (11.6) served on everyone with an un-withdrawn objection, those who filed requests for further notice, and the PGT/Children's Lawyer who did not file a notice of non-participation (11.7) applicant must file a record 5 days before the hearing: (see a) through i)) (11.8) & (11.9) if draft order is agreed to, call it a joint draft order, if not agreed to call it applicant's draft order, other parties may file an alternate draft order 3 days before
	74.18(13.1) and (13.2); 75.06(3.1)	Newly added	(13.1) the court may order that the application proceed to trial, and may give directions including re: issues to be tried; timing and scope of disclosure; witnesses and length of testimony; procedure to be followed at trial 74.18(13.2) and 75.06(3.1) court may also order mediation, or if subject to Rule 75.1, give any direction that may be given under Rule 75.1.05(4) (related to both an application to pass accounts and a motion/application for directions)
Small Estates – Non-Contentious Proceedings	74.1	Newly Added	New set of rules governing non-contentious "small" estates, the definition of which is prescribed by regulation, currently defined as estates that are smaller than $150,000
	74.1.03		(1)(c), (c.1), (d) – some changes to what must be included with an application for a small estate certificate
	74.1.03(3)	In Application for Small Estate Certificate, any person entitled to share in distribution of the estate shall receive a copy of the will and codicil	Where the person is entitled to a specific item or a determinable amount of money, the person may just receive the applicable portion of the will or codicil
	74.1.03(6.1)	Newly Added	If OCL or PGT must be served and there is a will, applicant must send not only the will but an estimate value of the interest to which the minor (or adult lacking capacity) will be entitled
Court-Ordered Estates Mediation	75.2	Newly Added	This new Rules governs and applies to proceedings for which the court gives direction under 74.18(13.2)(b) or 75.06(3.1)(b) that a mediation session be conducted 75.2.03 deals with motions for directions 75.2.04 deals with the choice of mediator and timing for same 75.2.05 deals with procedure before the mediation, including preparation of a statement of issues at least 7 days before mediation 75.2.06 deals with who must attend mediation and consequences of failing to attend 75.2.07 deals with remedies for non-compliance (i.e. failure to attend mediation) 75.2.08 confirms that mediation remains confidential, without prejudice 75.2.09 deals with the outcome of the mediation: Mediator's report; written agreements; consequences of failure to comply with written agreement; and what happens if no agreement is reached

Court-Ordered Estates Mediation			75.2.10 says the court may make an order requiring an additional mediation, on consent Rules re: mandatory (75.1) and court ordered (75.2) mediation remove references to small estates
Simplified Procedure	76.01 (1) (c) & (d); 76.02(5)(d) & (e)	New	Rule 76 does not apply to simplified actions subsequently assigned to Case Management under 77.05; nor to actions in which a jury notice has been delivered under R. 76.02.1(2) (see below)
	76.02(1) 76.13(2) 76.13(7), (8)	Monetary limit of $100,000	Monetary limit of $200,000
	76.02(7)(c)	New	An action can continue as a simplified action if a jury notice delivered under 76.02.1(2) is struck
	76.02.1	New	An action under the simplified rules cannot be tried by a jury, and no party may deliver a Jury Notice EXCEPT in actions in slander, libel, malicious arrest, malicious prosecution, and false imprisonment. If a Jury Notice is delivered in one of these types of cases, the action must proceed under the ordinary rules
	76.03(1)(a) 76.08(a)	Semblance of relevance test (i.e. "relating to any matter in issue") re. disclosure and production	Simple relevance test (i.e. "relevant to any matter in issue") re. disclosure and production
	76.04(2)	Oral examinations for discovery limited to 2 hours	Oral examinations for discovery limited to 3 hours
	76.06 76.07	Rules regarding dismissal by Registrar and Summary Judgment	Revoked
	76.09(1)	Plaintiff to set matter down for trial within 90 days of first defence filed	180 days
	76.09.1	New	(1) Must comply with Rule 53.03 if calling expert evidence (2) 53.03 Expert Report must be appended to an affidavit of the expert
Simplified Procedure	76.10(1)	Registrar files notice of pretrial conference at least 45 days before PTC	Pre-trial shall be scheduled in accordance with Rule 50.02 (parties to schedule PTC within 180 days after action set down for trial)
	76.10(2)	New	30 days before PTC, parties shall agree to a Trial Management Plan: - list of witnesses; - division of time between parties for openings, evidence in chief (by affidavit), cross examinations, re-examination, and oral argument - total time not to exceed 5 days
	76.10(4)(a)	New	Proposed Trial Management Plan filed 5 days before PTC
	76.10(5)	PTC judge (or Case Mgmt Master) shall fix a date for trial	PTC judge or Case Mgmt Master shall: - fix number of witnesses (except experts) for each party; - fix dates of delivery of witness affidavits; - fix a date for trial; and - approve (with changes) the parties' Proposed Trial Management Plan
	76.10(6)	Parties may agree to an ordinary or a summary trial	Revoked
	76.12(1) and (2)	Summary trial procedure revoked and substituted	(1) Trial under Rule 76 shall proceed as follows: - each party makes opening statements - plaintiff may adduce evidence (including expert evidence) by affidavit - adverse party may cross-examine deponent of plaintiff's affidavits - plaintiff may re-examine any deponent who is cross-examined - defendant may adduce evidence (incl. expert evidence) by affidavit - adverse party may cross-examine deponent of defendant's affidavits - defendant may re-examine any deponent who is cross-examined - plaintiff may with leave of trial judge adduce any proper reply evidence - each party makes oral argument (2) trial judge may vary times set out in approved Trial Management Plan, subject to the requirement that trial cannot exceed 5 days in length

Simplified Procedure	76.12.1	New	(1) except as provided in Rule 76.13 or any other Act, no party to an action under Rule 76 may recover costs over $50K or disbursements over $25K (exclusive of HST) (2) subrule (1) does not apply to actions commenced before Jan 1, 2020
	76.13 (10) and (11)	Transition Rules revoked and substituted	(1) In actions commenced after 1 Jan '02 and before 1 Jan '10, sub rules (2), (7), (8) apply as if "$200,000" read "$50,000" (2) In actions commenced after 1 Jan '10 and before 1 Jan '20, sub rules (2), (7), (8) apply as if "$200,000" read "$100,000"
	76.14	New Transition Rules re Jury Trials	Transition Rules re Jury Trials 76.01(1)(d); 76.02 (5)(e); 76.02(7)(c); and 76.02.1 do not apply to actions in which a jury notice was delivered prior to January 1, 2020
Civil Case Management	77	Entire rule revoked and replaced. Many subsections remain essentially the same	.01 purpose of the rule – only for cases where a need for the court's intervention is demonstrated - responsibility for managing proceedings remains with the parties - nature of case management shall be informed by local practices or judicial resources .02 rule applies only to actions in Ottawa, Toronto, and Essex County assigned to case management by order (same exceptions apply) .05(2) action may be assigned to case management on court's own initiative, on the request of a party, or on motion .05(4) criteria re: whether to assign to case management essentially the same, except new purpose of the rule must be considered, as well as whether there has been substantial delay in the proceeding .06 all steps in a proceeding may be directed to be heard by the same judge (including motions - .07(2)), who cannot preside at the trial, except with the parties' written consent .07 not required to file a case management motion form, costs of motions shall be addressed at the end of each motion, regardless of whether the motion was contested .08 transition rules – if Rule 77 or 78 applied to an action before 1 Jan '10, it shall continue to apply; and all orders, directions, and timetables shall remain in force
Toronto Civil Case Mngmt Pilot Project	78	Entire rule revoked as of 1 July '09	Entire rule revoked as of 1 Jan '10

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