

INFORMATION SHEET

NEW CIVIL RULES

EFFECTIVE JANUARY 1, 2010

Simplified Rules – Rule 76

- Monetary limit changed to \$100,000.

Civil Pre-Trials

- Sixty days after a matter is set down it will be placed on a Civil Assignment Court List at which point a pre-trial and trial date will be scheduled.** A pre-trial must be scheduled (not heard) within 180 days after an action is set down for trial. Parties shall participate by personal attendance or by phone if personal attendance would require undue amounts of travel time or expense. Any requests to participate via teleconference must be made in writing to the Trial Coordinator who will then consult the pre-trial judge for authorization.
- Pre-Trial Conference briefs must be filed at least 5 days before a pre-trial conference.
Rule 50.04.
- A judge who conducts the pre-trial can now preside at the trial if the parties consent in writing. Rule 50.10.

Trials

- Trial dates will continue to be scheduled in Civil Assignment Court.**

Status Hearings

- These will continue to be held following Civil Assignment Court, at 11:00am.**
- Pursuant to Rule 48.14 (10) (11) if a party files a timetable and draft order 7 days in advance of the Status Hearing, the Status Hearing shall be held in writing (without attendance of the parties or counsel) If this occurs, the matter will be removed from the Status Hearing List. If the timetable is not filed 7 days in advance, the matter will be required to be spoken to at the Status Hearing Court.**

Rule 20 Motions

- These will continue to be brought in Civil Motions Court which is held every Tuesday and adjourned to a Special Appointment Date (Mondays, Wednesdays and Fridays) as required (argument will exceed ½ hour).**
- A Certificate of Readiness for Special Appointment must currently be filed before a Special Appointment date can be scheduled and will continue to be a requirement. The current form will be amended to allow counsel to indicate if the motion is a motion for summary judgment. This form will be effective Jan. 1, 2010 and will be provided to counsel.
- If the motion is to proceed, and argument will be longer than 1 day, counsel are to contact the office of the Trial Coordinator prior to the scheduling of the Special Appointment date to obtain available dates for their matter.**

Civil Motions

- Only motions and applications confirmed as required by the rules 37.10.1 and 38.09.1 will be scheduled for hearing in Civil Motions Court.
- Motion Confirmation forms must now be filed 3 days before their motion hearing date. Rule 37.10.1 (1) (b). For a motion to be heard in a Tuesday Civil Motions Court the confirmation must be filed by Thursday at 2pm of the previous week.** If the Monday or Friday before the Tuesday is a statutory holiday the filing timelines are adjusted accordingly.

NOTE: Rules 37.10.1(2) and 38.09.1(2) state specifically that motions and applications that are not confirmed will not be heard. These unconfirmed files will no longer be available to counsel to take into motions court to request that they be added to the list.

** Refers to local practice, specifically for the Superior Court of Justice, London, for the purposes of this Information Sheet.

NOTE: A new Scheduling Memorandum for the Southwest Region will be prepared to replace the existing memorandum and posted on the Ontario Courts website, www.ontariocourts.on.ca.