

ARGUED MOTIONS MEMORANDUM
FEBRUARY 12,2021
HENDERSON, J.

As of January 4, 2021, the court will not schedule any further urgent motions. The argued motions list will not be restricted by urgency and effectively “open”. The following rules will be applied:

1. Motions will be limited to five per day as currently scheduled. Where possible two judges will be scheduled to hear the motions.
2. Affidavits will be subject to the following rules:
 1. Affidavits (both applicant and respondent) shall be limited to 15 pages, with one third party affidavit limited to 5 pages. A second third party affidavit from a purported expert shall be permitted if it does not exceed 3 pages. Reply affidavits shall not exceed 5 pages. Exhibits are limited to 10 pages.
 2. Affidavits are to be double spaced and in no smaller font than 12.
 3. Pre-COVID orders not available to the hearing judge shall be filed separately with a view that they will be filed in the One Drive. These shall not count against page totals.
 4. Facta if required shall be filed in accordance with the Family Law Rules or court order. Statements of Law shall be in hyperlink format not to exceed 2 pages and filed no later than three (3) days before the event by posting to the generic email address at the courthouse. **They are NOT to be copied to the trial coordinator.**
 5. The title of proceedings shall not count against page totals.
3. Motions will have to be scheduled through Ms. Hagarty. In order to obtain a motion date and time parties are to send Ms. Hagarty by email (Doris.Hagarty@ontario.ca) a copy of their Notice of Motion and a **sworn** affidavit in support. **Self represented litigants may file an unsworn affidavit**

with the expectation that it will be affirmed by the judge hearing the motion, if not sworn otherwise before the return of the motion.

4. If requested, Ms. Hagarty will provide more than one timeslot and date to accommodate counsel's schedule. These timeslots will be given out until filled on a first come, first served basis. It is important therefore to confirm as soon as possible with Ms. Hagarty the chosen date and timeslot. Once a timeslot and date are given, the parties are to insert the date and timeslot into the Notice of Motion serve it and file it through the portal. **There is no need to copy Ms. Hagarty when it is filed.** The motion is to be confirmed as required by the *Family Law Rules*.
5. In order for emails to be addressed in a time efficient manner the **re line must include the file number, the name of the file and that a motion date is being requested.**
6. There are no long motions being scheduled at this time and argued motions must be completed in the one-hour timeslot.
7. **Motions to be removed from the record** will be heard at 9:15 am on Wednesdays. Counsel is to obtain an available date from Ms. Hagarty and then insert the time and date into the Notice of Motion which shall be served in accordance with Rule 4(11)-(15) and filed through the portal. The supporting affidavit, which does not become part of the record, is to be emailed to Ms. Hagarty along with the draft order in WORD who will flip it to the sitting judge. After the hearing, the judge will delete the affidavit.
8. The first available argued motion date is March 10, 2021. Motions to get off the record may be brought sooner.