



Filing with the Ontario Small Claims Court



Ontario

Ministry of the Attorney General
Court Services Division

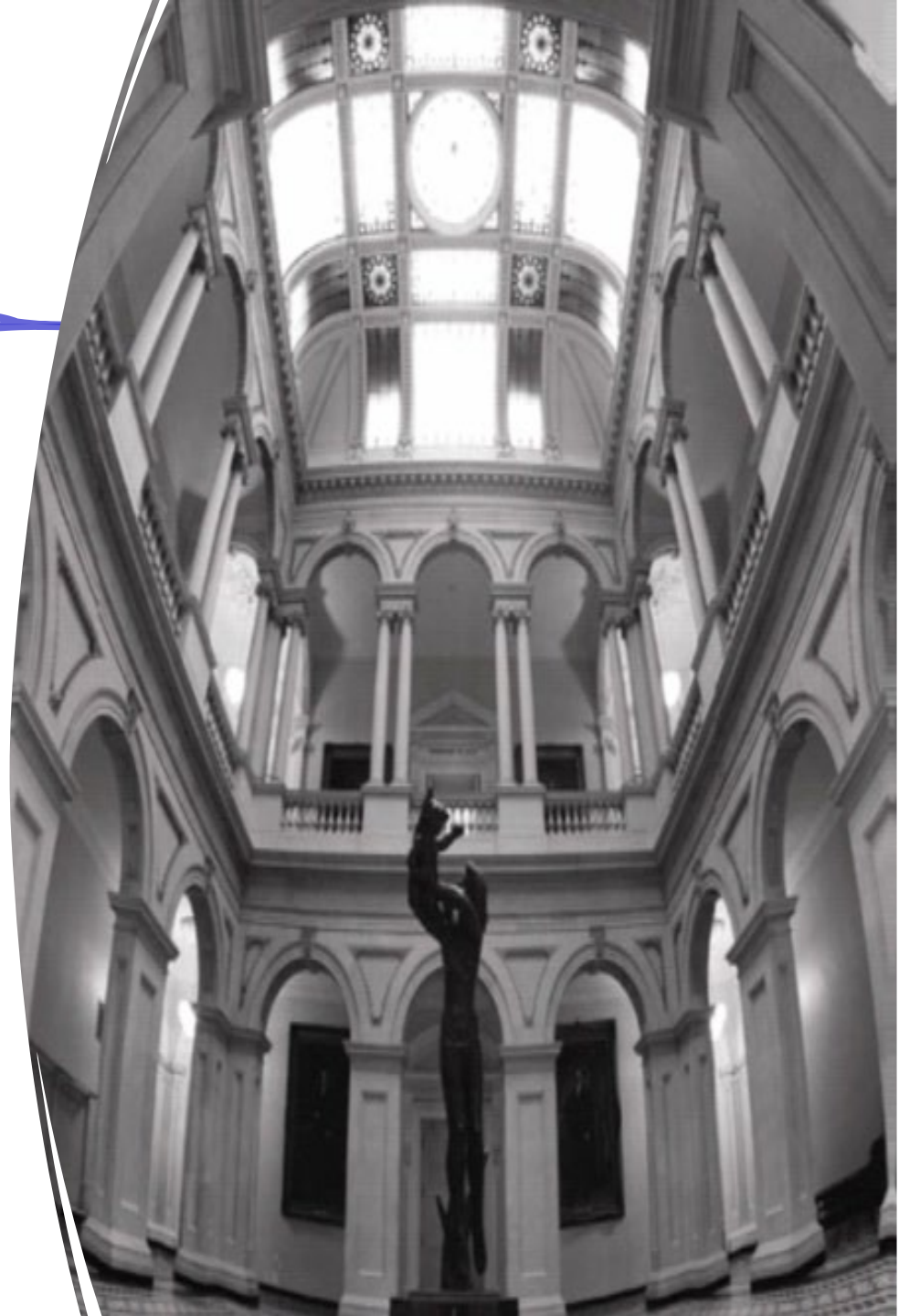
June 23, 2021



In response to the COVID-19 pandemic and with the goal of promoting increased access to justice services, the Ministry of the Attorney General has worked over the last many months to enhance filing options and expand opportunities for online filing for Small Claims Court matters.

Topics

1. Methods of Filing
2. Filing Distinctions
3. List of Documents Eligible for E-Filing





Methods of Filing

- E-filing through ServiceOntario Small Claims Court E-Filing Service Portal (SCCO E-Filing Service Portal) & Justice Services (JSO) Small Claims Court Submissions Online Portal (SCCSO)
- Mail
- Email
- In-person

Filing Distinctions

	Electronic filing (E-Filing)		Filing by mail	Filing by email	Filing in-person
	SCCO E-Filing Service Portal	SCCSO			
Eligible Document Type(s)	See Slide 8, Appendix A and r. 1.05.3(3)(4)	See Slide 8, Appendix A and r. 1.05.4(3)(4))	Any document	Documents -that cannot be submitted online due to file size restrictions -for a court hearing that is five business days or less away -to meet a timeline to take a step in the proceeding that is established by legislation, court rules, court practice or a court order that is five business days or less away -for enforcement	While any document may be filed in-person, courthouses are not operating as usual and parties/representatives are encouraged to file online
Document Format(s)	Plaintiff's Claims must be uploaded in PDF only. Supporting and other documents must be saved in JPEG, Word, Excel or PDF format	PDF	-Paper format -May require a self-stamped envelope in accordance with the Rules of the Small Claims Court	PDF	-Paper format -May require a self-stamped envelope in accordance with the Rules of the Small Claims Court

Filing Distinctions: Cont'd

	Electronic filing (E-Filing)		Filing by mail	Filing by email	Filing in-person
	SCCO E-Filing Service Portal	SCCSO			
Document Size	<p>Documents must follow the following format and size:</p> <ul style="list-style-type: none"> -Plaintiff's Claims cannot exceed 5MB -Each supporting document cannot exceed 10MB -Total attachments must not exceed 20MB -File names may only contain letters and numbers and cannot exceed 30 characters in length 	<p>Documents must follow the following format and size:</p> <ul style="list-style-type: none"> -each document must be less than 15 megabytes (MB) -all documents in one combined submission cannot exceed 50 megabytes (MB) -document file name must be less than 255 characters long (including extensions) and contain only letters, numbers, spaces, underscores, periods, apostrophes, hyphens, brackets and French characters -document pages must be letter size (8.5" x 11") and portrait orientation 	N/A	Each email sent to the court, including attachments, must not exceed 35 MB	N/A

Filing Distinctions: Cont'd

	Electronic filing (E-Filing)		Filing by mail	Filing by email	Filing in-person
	SCCO E-Filing Service Portal	SCCSO			
Court Fees	<p>Payment by an accepted credit card (Visa, MasterCard) or online banking card (Interac® Online).</p> <p>A fee waiver request can be submitted through SCCSO</p>		<p>Payment by cheque or money order payable to the Minister of Finance.</p> <p>A fee waiver request can be submitted.</p>	<p>Once regular operations resume, payment can be made by cash, cheque or money order (payable to the Minister of Finance). Where available, payment can also be made by debit or credit card.</p> <p>A fee waiver request can also be submitted.</p>	<p>Payment by cash, cheque or money order (payable to the Minister of Finance). Where available, payment can also be made by debit or credit card.</p> <p>A fee waiver request can also be submitted.</p>
Filing Availability	24/7		Dependent on mail services of provider	24/7	Counter services are offered during business hours, Monday to Friday from 9-11am and 2-4pm
Notes	<p>-official court form(s) that are required by the Rules of the Small Claims Court or a Superior Court of Justice Practice Direction</p> <p>Note that writs of seizure and sale of land cannot be filed online</p> <p>ONe-key account and Justice Services Online account required.</p>			Note that enforcement documents cannot be filed by email	

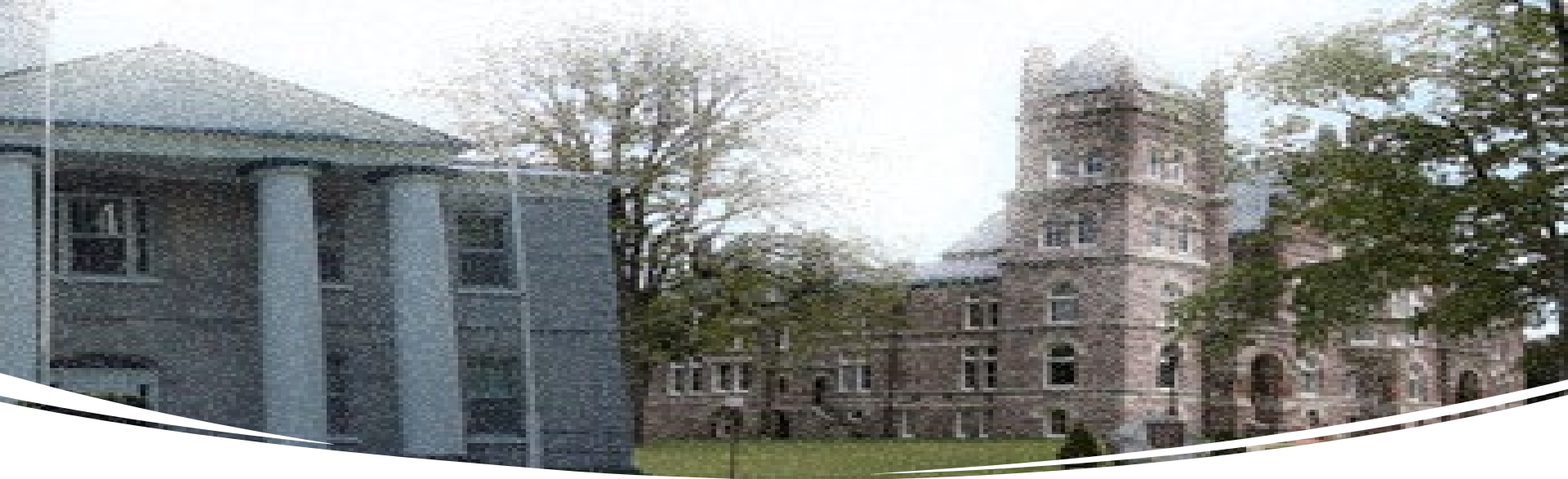
Lists of Documents Eligible for E-Filing

The following documents may be e-filed through the Small Claims Court E-Filing Service Portal (r. 1.05.3(3)(4)):

- Plaintiff's Claim (Form 7A)
- Amended Plaintiff's Claim (Form 7A) (if the claim has not already been served on any of the defendant(s))
- Affidavit of Service (Form 8A) of Plaintiff's Claim
- Request to Clerk (Form 9B) to note in default or for an assessment hearing
- Affidavit for Jurisdiction (Form 11A)
- Default Judgment (Form 11B)
- Notice of Discontinued Plaintiff's Claim (Form 11.3A)
- Notice of Motion and Supporting Affidavit (Form 15A) requesting a motion in writing for an assessment of damages

Most other documents (with the exception of writs of seizure and sale of land) may be filed through the Small Claims Court Submissions Online Portal. (r. 1.05.4(3)(4)). Appendix A contains a list of the documents, subject to change.





Resources

- [Consolidated Notice to the Profession and Public Regarding the Small Claims Court](#)
- [File small claims court documents online](#)
- [Small Claims Court E-filing Service User Guide \(for the Small Claims Court E-Filing Service Portal\)](#)
- [Small Claims Court Email Addresses](#)
- [Small Claims Court Office Addresses and Phone Numbers](#)
- [Contact us: File small claims court documents online](#)



Thank you

Small Claims Court Submissions Online Documents eligible for submission as of April 12, 2021

Appendix A

Form #	Form Title	Form #	Form Title	Form #	Form Title
1B	Request for Telephone or Video Conference	11.3A	Notice of Discontinued Claim against some defendants	20P	Affidavit for Enforcement Request for Writ of Seizure and Sale of Personal Property
1C	Notice of Objection to Propose Method of Attendance	13A	List of Proposed Witnesses	20Q	Notice of Garnishment Hearing
4A	Consent to Act as Litigation Guardian	13B	Consent (general)	20R	Notice of Termination of Garnishment
4B	Affidavit (Motion for Payment Out of Court)	13B	Consent (letter, minutes of settlement, agreement or other document indicating that case has settled)		Certificate of Payment
5A	Notice to Alleged Partner	14D	Terms of Settlement		Certificate or Order for enforcement
7A	Amended Plaintiff's Claim	15A	Notice of Motion and Supporting Affidavit		Direction to Receive Funds
8A	Affidavit of Service	15A	Notice of Motion and Supporting Affidavit under the <i>Wages Act</i>		Document is being submitted on behalf of the Ontario Government, an agency, board or commission
9A	Defence	15B	Affidavit		Document is being submitted by a person with a fee waiver certificate
9A	Amended Defence	15B	Affidavit in response to notice of motion		Document to be relied on at trial (including expert report)
9A	Defence (with proposal for terms of payment)	18A	Summons to Witness		Fee Waiver Request to Court
9A	Amended Defence (with proposal for terms of payment)	20A	Certificate of Judgment for enforcement		Fee Waiver Request to Registrar, Clerk or Sheriff
9B	Request to Clerk (other)	20A	Certificate of Judgment for issuance	2	Notice About Evidence Obtained Under the <i>Youth Criminal Justice Act</i> (Canada)
9B	Request to Clerk for termination of consolidation order	20B	Writ of Delivery		Notice of Bankruptcy
9B	Request to Clerk for terms of payment hearing	20C	Writ of Seizure and Sale of Personal Property		Order
9B	Request to Clerk for a trial or assessment hearing (infrequent claimant)	20E	Notice of Garnishment		Submissions
9B	Request to Clerk for a trial or assessment hearing (frequent claimant)	20E.1	Notice of Renewal of Garnishment	2	Application for Initial Certificate of Application under s.23 of the <i>Repair and Storage Liens Act</i>
9B	Request to Clerk to note default	20F	Garnishee's Statement from garnishee	3	Application for Initial Certificate of Application under s. 24 of the <i>Repair and Storage Liens Act</i>
10A	Defendant's Claim	20H	Notice of Examination	4	Initial Certificate under the <i>Repair and Storage Liens Act</i>
10A	Amended Defendant's Claim	20M	Affidavit of Default of Payment	5	Notice of Objection under the <i>Repair and Storage Liens Act</i>
11A	Affidavit for Jurisdiction	20P	Affidavit for Enforcement Request for Certificate of Judgment	6	Final Certificate under the <i>Repair and Storage Liens Act</i>
11B	Default Judgment (infrequent claimant)	20P	Affidavit for Enforcement Request for Notice of Examination	7	Writ of Seizure under the <i>Repair and Storage Liens Act</i>
11B	Default Judgment (frequent claimant)	20P	Affidavit for Enforcement Request for Notice of Garnishment	10	Waiver of Further Claim under the <i>Repair and Storage Liens Act</i>
11.2A	Request for Clerk's Order on Consent	20P	Affidavit for Enforcement Request for Renewal of Notice of Garnishment		Irrevocable Letter of Credit under the <i>Repair and Storage Liens Act</i>
11.3A	Notice of Discontinued Claim against all defendants	20P	Affidavit for Enforcement Request for Writ of Delivery		Receipt for Article under the <i>Repair and Storage Liens Act</i>

Appendix A Continued

Small Claims Court Online Documents eligible for filing as of
January 25, 2021

Form #	Form Title
7A	Plaintiff's Claim
7A	Amended Plaintiff's Claim
8A	Affidavit of Service
11A	Affidavit for Jurisdiction
11B	Default Judgment
11.3A	Notice of Discontinued Claim
15A	Notice of Motion and Supporting Affidavit