

Consolidated Practice Direction for the Central West Region

This Central West Consolidated Practice Direction, made pursuant to Rule 1.07(4), applies to all proceedings in the Superior Court of Justice, Central West Region.

This updated Practice Direction supersedes all previous region-specific Practice Directions and Notices to the Profession for the Central West Region.

Counsel and parties are also advised to refer to the relevant parts of:

- the ***Criminal Proceedings Rules***.
- the ***Rules of Civil Procedure***.
- the ***Family Law Rules***.
- the [Consolidated Provincial Practice Directions](#)

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PART 1: PRELIMINARY MATTERS

A. Mode of Proceedings

| | | In-person | Virtual | In-writing |
|-----------------|---|------------------|----------------|-------------------|
| Criminal | Jury Trial | x | | |
| | Non-jury Trial | x | | |
| | Pre-trial Motions | x | | |
| | Guilty Pleas | x | | |
| | Sentencing Hearing | x | | |
| | Assignment Court /TBST/ First Appearance | | x | |
| | Summary Conviction Appeal | x | | |
| | Judicial Pre-Trials | | x | |
| | Bail/Detention/90 Day Reviews | x | | |
| Civil | Jury Trial | x | | |
| | Non-Jury Trial | x | | |

| | | In-person | Virtual | In-writing |
|---------------|--|-----------|---------|------------|
| | Civil Pre-Trials | | x | |
| | Case Conferences/Case Management | | x | |
| | Assignment Court /TBST Court | | x | |
| | Consent and Unopposed Motions | | | x |
| | Short Motions | x | | |
| | Long Motions & Applications | x | | |
| | Requests for Urgent Motions | | | x |
| Family | Early Case Conferences (Milton only) | | x | |
| | Requests for Urgent Motions | | | x |
| | Case Conferences, Settlement Conferences and Trial Management Conferences | x | | |
| | Assignment Court /Trial Scheduling Conference | | x | |
| | Consent & Unopposed Motions | | | x |
| | Short Motions | x | | |
| | Long Motions | x | | |
| | Trials | x | | |
| | Uncontested Trials | | | x |
| | DRO conferences | | x | |

1. The court will grant changes to the mode of proceeding only in exceptional circumstances. Requests for a change must be submitted no later than 14 days before the scheduled hearing date and may result in the proceeding being

rescheduled. Requests within 14 days of the proceeding will not be considered unless there is an emergency.

B. Filing Court Documents

2. Documents filed in criminal, civil and family proceedings must comply with the standards set out in:
 - 4.01 of the *Criminal Proceedings Rules*;
 - 4.01 to 12 of the *Rules of Civil Procedure*;
 - The *Family Law Rules* and Consolidated Provincial Practice Direction for Family Proceedings.
3. Documents which do not comply with these standards, including the use of 12 point font, double spacing, margin minimums and page limits, will not be accepted for filing and must not be uploaded to Case Center.
4. Documents must be filed through the appropriate portal set out below. Otherwise, they will be rejected.
5. The court will only accept filings by e-mail or in-person for the following reasons:
 - The matter is urgent and includes a request for an urgent hearing;
 - Documents must be filed for a court date that is fewer than 5 business days away;
 - Documents must be filed for a deadline that is fewer than 5 business days away;
 - Where there are alternate filing requirements due to an accessibility request; or
 - As a result of a court order or statutory requirement.
6. Fees required by regulation are payable at the time a document with an associated fee is submitted to the court. See: [Consolidated Civil Provincial Practice Direction, paragraph 5](#), and [Consolidated Provincial Practice Direction for Family Proceedings, paragraph 5](#).

7. Documents for criminal matters may be filed electronically at the following email addresses:

| | |
|--|--|
| Brampton – Peel Region Courthouse | BramptonSCJcrimadmin@ontario.ca |
| Milton – Halton Region Courthouse | milton.scj.criminal@ontario.ca |
| Orangeville – Dufferin County Courthouse | OrangevilleSCJCourt@ontario.ca |
| Guelph – Wellington County Courthouse | Guelph.SCJ.Courts@ontario.ca |
| Owen Sound – Grey County Courthouse | OwenSound.SCJ.Courts@ontario.ca |
| Walkerton – Bruce County Courthouse | Walkerton.SCJ.Courts@ontario.ca |

8. In the circumstances outlined in paragraph 5 above only, documents for civil and family matters may be filed electronically at the following email address:

| | |
|--|--|
| Brampton – Peel Region Courthouse | BramptonSCJCourt@ontario.ca |
| Milton – Halton Region Courthouse | miltonscjcourt@ontario.ca |
| Orangeville – Dufferin County Courthouse | OrangevilleSCJCourt@ontario.ca |
| Guelph – Wellington County Courthouse | Guelph.SCJ.FamilyCivil@ontario.ca |
| Owen Sound – Grey County Courthouse | OwenSound.SCJ.Courts@ontario.ca |
| Walkerton – Bruce County Courthouse | Walkerton.SCJ.Courts@ontario.ca |

9. Civil court documents shall be electronically filed and/or issued by using the existing [Civil Claims Online](#) Portal or the new [Civil Submissions Online](#) Portal, as appropriate, in accordance with the *Rules of Civil Procedure*.
10. Confirmation forms for civil motions, family motions and family conferences must be filed electronically to the following email address:

| | |
|--|--|
| Brampton – Peel Region Courthouse | scjtrialofficebrampton@ontario.ca |
| Milton – Halton Region Courthouse | SCJHaltontrialoffice@ontario.ca |
| Orangeville – Dufferin County Courthouse | OrangevilleSCJTrialOffice@ontario.ca |
| Guelph – Wellington County Courthouse | scjtrialofficeguelph@ontario.ca |

| | |
|-------------------------------------|--|
| Owen Sound – Grey County Courthouse | SCJGreyBruce@ontario.ca |
| Walkerton – Bruce County Courthouse | SCJGreyBruce@ontario.ca |

11. Small Claims Court claims shall be filed through the [Small Claims Online](#) filing platform.
12. Family court documents relating to a simple or joint divorce may be filed electronically by using the Ministry’s [Family Claims Online Portal](#), in accordance with the *Family Law Rules*.

C. Uploading Documents (Case Center)

13. Counsel and parties must follow the requirements for uploading materials to Case Center set out in the respective Consolidated Provincial Practice Directions for Civil, Family and Criminal matters, and the Guide to Requirements on the Superior Court of Justice’s website. These materials can be accessed at the following links:
 - [Consolidated Provincial Practice Direction for Civil Proceedings](#)
 - [Consolidated Provincial Practice Direction for Family Proceedings](#)
 - [Consolidated Provincial Practice Direction for Criminal Proceedings](#)
 - [Case Center in the Superior Court of Justice](#)
14. On receiving a Case Centre invitation, it is the responsibility of the parties (and former counsel) to forward the invitation to new counsel when there has been a change in participants or to any party whose contact information is out of date.
15. Only documents accepted for filing are to be uploaded to Case Center. Should any party upload documents which have not been filed, the party must bring this to the attention of the presiding judge.
16. Case Center creates bundles for each file. Each bundle corresponds to a court attendance. Parties must upload their documents to the bundle associated with that attendance.
17. Upon service and filing of documents, counsel must immediately upload the filed documents to Case Center. If necessary, counsel should contact the Court Administrative Office to obtain a Case Center invite for the event. The uploaded documents must have the court stamp showing that the filing was accepted.
18. Subject to a court order or endorsement, all civil and family events will use Case Center except for Assignment Court and Triage Court.

19. In addition to the list of materials that should not be uploaded to Case Center outlined in the [Consolidated Provincial Practice Direction for Family Proceedings](#), counsel and parties are not to upload:
 - a. Children's Aid Society records;
 - b. Financial records where confidential identifying information has not been redacted;
 - c. Other confidential documentation such as children's health records; and
 - d. Affidavits for motions to get off the record unless the privileged information has been redacted. An unredacted affidavit must be made available to the hearing judge.
20. When documents listed above have been filed, counsel must (1) indicate in the Case Center materials that the documents above have been filed but not uploaded; and (2) advise the court at the commencement of the hearing that these documents have been filed but not uploaded.
21. For motions brought under Rule 7 of the *Rules of Civil Procedure* for the approval of a claim by or against a person under disability, where the moving party files redacted materials in accordance with Rule 7.08(4.2), the reviewing judge's office shall contact the moving party's counsel to request the delivery of the unredacted materials. In accordance with Rule 7.08(4.3) the unredacted materials shall not form part of the court file.

Release of Orders and Endorsements

22. Orders and endorsements shall be released to parties through Case Center, unless the judge orders otherwise.

D. CALENDLY

CALENDLY IN THE CENTRAL WEST REGION

23. Calendly is a cloud-based scheduling tool accessible on the web. It allows parties to canvass the court's availability and request an appearance directly, without the need to contact the scheduling office to seek dates. Once parties have consented to or conferred regarding a date, one party can use Calendly to book the date and time for their matter. If the booking is successful, Calendly will send the scheduling party an email confirming that their request was received by the court.
24. Calendly is only used to schedule a date with the court. Parties are expected to follow the appropriate timelines, practices and notices for filing documents and confirming their appearance. The court will vacate a matter scheduled through Calendly if the court deems the matter eligible to proceed. See: [How to use Calendly](#)

[to Schedule an Appearance with the Court – Ontario Superior Court of Justice](#) to understand how to use this tool.

25. All court locations in Central West Region are using Calendly for various court hearings. A list of the website specific to each location as well as the hearings that may be booked through Calendly are:

Brampton: <http://calendly.com/brampton-scj>

Hearings:

1. Family-Case Conference before a Dispute Resolution Officer (DRO)
2. Family-Case Conference before a Judge or an Associate Judge
3. Family-Regular Motion (less than 1 hour) before a Judge or an Associate Judge
4. Civil- Regular Motion (less than 1 hour) before a Judge or an Associate Judge

Milton: <http://calendly.com/milton-scj>

Hearings:

1. Family- Early Case Conference
2. Family-Case Conference before Dispute Resolution Officer (DRO)
3. Family- Case Conference before a Judge or an Associate Judge
4. Family – Settlement Conference before a Judge
5. Family-Regular Motion (less than 1 hour) before a Judge or an Associate Judge
6. Civil- Regular Motion (less than 1 hour) before a Judge or an Associate Judge
7. Civil Pre-trials

Orangeville: <http://calendly.com/orangeville-scj>

Hearings:

1. Family-Case Conference before Dispute Resolution Officer (DRO)
2. Family-Case Conference before a Judge
3. Family – Settlement Conference before a Judge
4. Family-Regular Motion (less than 1 hour)
5. Civil- Regular Motion (less than 1 hour)
6. Civil Pre-trials

Guelph: <http://calendly.com/guelph-scj>

Hearings:

1. Family-Case Conference before Dispute Resolution Officer (DRO)
2. Family-Case Conference before a Judge
3. Family – Settlement Conference before a Judge
4. Family-Regular Motion (less than 1 hour)
5. Civil- Regular Motion (less than 1 hour)
6. Civil Pre-trials

Owen Sound & Walkerton: <http://calendly.com/owensoundwalkerton-scj>

Hearings:

1. Family-Case Conference before Dispute Resolution Officer (DRO)
2. Family-Case Conference before a Judge
3. Family – Settlement Conference before a Judge
4. Family-Regular Motion (less than 1 hour)
5. Civil- Regular Motion (less than 1 hour)
6. Civil Pre-trials

PART 2 – CIVIL & FAMILY MOTIONS

A. Short/Regular Motions (Less than one hour)

Short/Regular Motions

26. Short/regular motions are motions which will take less than one hour in total.
27. Filing a cross-motion does not extend the estimated time for the motion to be heard (the estimated time remains less than one hour). If the responding party serves and files a cross-motion, unless it can be argued within the original short-motion time estimate, the two motions may be adjourned to Triage Court where they would be provided with a long motion hearing date.
28. The court expects counsel and parties to provide accurate estimates of the time they will require for a motion. They must give careful consideration to what must be covered in the hearing, including:
 - a. The number of issues which can properly be dealt with in oral argument;
 - b. The pace at which documents and authorities can reasonably be reviewed;
and

- c. The number of authorities actually required in order to establish the party's legal propositions.
29. Inaccurate estimates for the time required for hearings may result in a case being adjourned (either before or during the hearing) and rescheduled with a realistic time estimate and no expedition of the rescheduled date. There may also be cost consequences.

Limitations on Short Motion Materials

30. Counsel and parties should consult the [Consolidated Provincial Practice Direction for Family Proceedings, Part D](#) and the [Consolidated Civil Provincial Practice Direction](#) with respect to restrictions on short motion materials.
31. Leave is required to file documents beyond these restrictions which the court will only grant in exceptional circumstances.
32. As long as the scheduling and confirmation of a motion conforms with the requirements of this Practice Direction, a party who wishes to file late or file materials that do not conform with the requirements of the Consolidated Practice Directions for Civil and Family, must seek leave from the Motions Court Judge. This request should be highlighted by the requesting party in their Confirmation Form. The motions judge shall have full discretion on whether to grant leave. Such leave, if granted, may result in the motion being adjourned to a future date, possibly with costs.

Filing and Uploading Motion Materials

33. The moving and responding parties must comply with the filing requirements set out above in [Part 1, Section B](#) above.
34. Except as directed by a judge, late filings, or documents not in compliance with the formatting and length requirements will not be accepted by court staff or judicial assistants; *and therefore*, cannot be uploaded to Case Center.

Scheduling Short/Regular Motions

35. Counsel and parties must refer to [Part 1, Section D](#) titled "Calendly" to reserve their short/regular motion for Brampton, Milton, Guelph, Orangeville, Walkerton and Owen Sound. Counsel and parties must still file materials to schedule the motion.
36. Where a self-represented party does not have the technology or ability to access the internet, the self-represented party may schedule a short/regular motion by telephone.

37. To schedule a short/regular motion, counsel or parties using Calendly are required to provide the court certain confirmations and undertakings. Failure to comply with these confirmations and undertakings may result in consequences including cost awards or being summoned to a conference by the RSJ or the RSJ's designate to explain the non-compliance.
38. Calendly will not accept scheduling for a motion within 10 days of the hearing date. Short/regular motions may not be scheduled by the trial coordinator's office by email or by telephone.
39. Any cancellation or rescheduling of a hearing date using Calendly must be on the consent of all parties. In such a case, it is the responsibility of counsel or the parties to ensure that the previous scheduled motion date is vacated in Calendly.
40. Contested cancellations and adjournments are to be addressed before the motions judge. Parties are cautioned that the court may award costs of the cancellation or adjournment of a motion.
41. If a matter resolves prior to the hearing date, but before the parties have submitted the confirmation form, the parties may cancel their motion date on Calendly.
42. For family motions, if a matter resolves within 3 days before the hearing date, the parties are still required to attend the scheduled hearing unless the court directs otherwise.
43. For civil motions, if a matter resolves within 5 days before the hearing date, the parties are still required to attend the scheduled hearing unless the court directs otherwise.

Confirmation Forms

44. Counsel and parties should consult the [Consolidated Provincial Practice Direction for Family Proceedings, Part D, Section 3](#) and the [Consolidated Civil Provincial Practice Direction for Civil Proceedings](#) with respect to confirmation forms.
45. Confirmation forms are a judge's "roadmap" to everything concerning the hearing of a motion. Where a confirmation form has not been filed by at least one party, the short/regular motion will not proceed and the date will be vacated.

46. For civil motions, a confirmation form (Form 37B or 38B) must be filed:
 - By the moving party by 2pm, 5 business days before the hearing; or
 - The responding party by 10am, 3 business days before the hearing.
47. For family motions, unless directed by a court order, the moving party must email a Form 14C: Confirmation Form no later than 2pm, 3 business days before the date of the motion. The parties may file a confirmation form jointly. Form 14C is required even if the matter has been directed to be heard peremptorily.
48. The parties or their counsel are required to consult with each other prior to filing confirmation forms unless the parties are self-represented and prohibited from communicating by court order. These consultations must address both the attendance (time required and materials) and a potential resolution of the outstanding issues. Failure to consult may result in a costs award.
49. The confirmation form must only list the specific issues that are to be decided at the event. It should also indicate which materials the judge should review with clear reference to the specific affidavits, paragraph numbers and, where available, the Case Center page reference. Referring to “all” prior affidavits or documents is not appropriate and will be ignored. Referring to documents that the party does not intend to refer to in oral submissions is discouraged and may be a factor in determining costs.
50. The confirmation form must also include an appropriate time estimate for oral submissions on all issues in the motion including time required by the other party. If a party chooses not to make oral submissions on an issue, the court is entitled to consider that the party has abandoned that specific issue.
51. Counsel and parties must highlight in the confirmation form when they are seeking leave for a late filing or for documents that do not comply with the filing requirements set out in the Consolidated Practice Directions for Civil and for Family.
52. Confirmation forms must be uploaded to Case Center into the correct bundle after they have been accepted for filing.

Long Motions - Civil and Family Motions and Civil Applications (collectively referred to as “Long Motions”)

53. Long motions are motions and applications which will take one hour or more in total.

*APPLICABLE TO BRAMPTON AND MILTON
Initiating a Long Motion*

54. A complete motion record or application record is to be served by the moving party with a return date of “TBD” (“to be determined”).
55. Counsel and parties must comply with the *Rules of Civil Procedure* or the *Family Law Rules* with respect to service and delivery of responding materials.

Timetabling the Necessary Steps

56. The parties must discuss and, if possible, agree on a timetable for the completion of all the necessary steps to be ready to proceed with the motion.
57. If the parties agree to a timetable and wish it to be formalized in a court order, they must submit the consent timetable using a [requisition form](#). If the timetable is on the consent of all parties, there will be no need for the parties to attend Triage Court. The Triage Court judge will review the proposed timetable and issue it in an order. If the Triage Court judge has concerns, the parties may be asked to attend before the judge or otherwise respond.
58. If counsel and parties cannot agree on a timetable for the hearing of the motion within forty-five days of the service of the moving party’s motion record, any party can request an attendance at Triage Court to set a timetable using the [Requisition to Attend Long Motion Triage Court Requisition Form](#).
59. Once the parties complete all the steps anticipated by their timetable and are ready to argue their motion, the parties may return to Triage Court to obtain a hearing date. The moving party shall submit an updated [requisition form](#).

Triage Court in Brampton and Milton

60. Counsel and parties will attend Triage Court to obtain either a timetable or a hearing date for a long motion.
61. In Brampton, Triage Court is held virtually on Tuesday mornings commencing at 9am. Each matter will be limited to 10 minutes or less. Gowns are not required.
62. In Milton, Triage Court will be held virtually on Thursday mornings at 9am. Each matter will be limited to 10 minutes or less. Gowns are not required.
63. Counsel and parties requesting an attendance at Triage Court must complete the attached [Requisition to Attend Triage Court](#) and email the form to:

In Brampton: scjtrialofficebrampton@ontario.ca; and

In Milton: SCJHaltontrialoffice@ontario.ca .

64. Where parties agree to a timetable for their proposed motion, they may indicate their consent on the requisition form for the judge's approval. They will not be required to attend Triage Court.

Triage Conference for Long motions in Orangeville, Guelph, Walkerton and Owen Sound

65. Counsel and parties must first attend a Triage Conference before a judge to obtain a hearing date for a long motion or to set a timetable.
66. The moving party or applicant must complete a [Requisition Form](#) to request a Triage Conference. Once completed, the Requisition Form must be returned to the applicable trial coordinator's office email address with a copy to all other parties.
67. The court will then contact all parties to schedule a virtual Triage Conference before a judge. The judge will set a timetable for the exchange of materials, cross-examinations and any other steps required to ready the file for a hearing. A follow-up Triage Conference will be scheduled, as necessary, to confirm a hearing date after all the preliminary steps have been completed.

Adjournments/Settlements of Long Motions in All Locations

68. Adjournments of long motions are strongly discouraged. Counsel and parties should expect that unnecessary adjournments will attract cost awards.
69. Only one adjournment will be granted on consent.
70. For contested adjournment requests, up to twenty-one days from the hearing date, parties shall return to Triage Court (Brampton and Milton) or a Triage Conference (Orangeville, Guelph, Owen Sound and Walkerton) for further direction. Parties must file a new requisition form identifying the request. They are NOT to include any arguments or submissions on the merits of the request. The Triage Court judge may resolve the dispute at Triage Court, may schedule the issue for a case management conference, or may adjourn the issue to the motions judge.
71. For contested adjournment requests, less than twenty-one days from the hearing date, the contested adjournment will be argued before the motions judge. This must be highlighted on the confirmation form.
72. For unopposed or on-consent adjournment requests, up to 7 days from the hearing date, parties must advise the trial coordinator's office and return to Triage Court (Brampton and Milton) or Triage Conference (Orangeville, Guelph, Owen Sound and Walkerton) to obtain a new hearing date.

73. For unopposed or on-consent adjournment requests, less than 7 days from the hearing date, parties are still required to attend the scheduled hearing unless the court directs otherwise. The adjournment request must be highlighted on the confirmation form.
74. For contested adjournments, all counsel and parties must bring a bill of costs to permit the motions judge to deal with the issue of costs of the adjournment and to make other necessary orders.
75. Parties who return to Triage Court to obtain a new hearing date for a long motion will not be given priority over other matters.
76. Counsel and the parties will be given the next available long motion date. Counsel and parties should not expect to be given an earlier date because of the consent adjournment.
77. Contested adjournments sought within twenty-one days of the long motion hearing date will have to be made to the motion judge on the scheduled hearing date.
78. A copy of the timetable agreement or court-ordered timetable must be provided to the motions judge.
79. If an adjournment is granted, all counsel and parties must bring costs outlines to permit the motions judge to deal with the issue of costs of the adjournment and to make other necessary orders.
80. If on consent, the parties can adjourn a long motion provided that the trial coordinator's office is notified at least 7 days prior to the hearing, after which the parties are required to attend the long motion hearing date.
81. Adjournments of the hearing date within 7 days will only be granted (even if on consent) where there are clear and compelling reasons beyond the control of the parties.
82. If a long motion is adjourned, the parties will have to re-attend at a Triage Court to obtain a new hearing date. The matter will not be given priority over other matters.
83. If a matter is settled, the parties are to advise the trial coordinator's office immediately. The motion will be noted as settled in the court file.

Factums and Compendiums

84. A factum (or summary of argument) is required on all long motions. If the moving party does not file a factum as required by a set timetable or agreed upon or as required by the Rules, the motion date will be cancelled.
85. Except with leave of the court, facta are limited to 20 pages. Leave to file a longer factum must be obtained at Triage Court.
86. A compendium containing the court filed documents and excerpts of the evidence essential to the hearing of the motion may be filed and uploaded to Case Center for long or complex motions. Where possible, the parties should agree on a joint compendium.

Confirming the Long Motion (7 days before the motion)

87. Unless otherwise directed by a judge:
 - a. All long motions must be confirmed by all interested parties by filing Confirmation Forms **no later than by 2pm, 7 days prior to the hearing date**. The email addresses for filing a confirmation form can be found at [Part 1, Section B](#). **Failure to file a Confirmation Form by at least one party will result in the long motion hearing date being vacated and made available to other parties on a short notice basis.**
 - b. The Confirmation Form must list the specific issues that are to be addressed at the event. “All issues” is not acceptable. The form should also indicate which materials the judge should review. Referring to all prior affidavits or documents which have not been uploaded to Case Center is not appropriate. Failure to provide the specific information may result in the adjournment of the motion, with costs awarded to the offending party.
 - c. The Confirmation Form must also include an appropriate time estimate for the entire motion including time required by the other party.
88. **Confirmation forms must be uploaded to Case Center into the correct bundle after they have been accepted for filing by the Court.**

B. Basket Motions

89. Simple, procedural, consent and known uncontested matters must be filed or brought as a basket motion. A draft order in WORD format must be filed. It is up to the judge reviewing the basket motion to ask for further submissions, refer part or all the matter to a *viva voce* hearing, determine whether to direct that notice the motion be served on other side and/or direct the matter be heard in open Court.

90. Basket Motions must be filed with the Court in accordance with the filing requirements set out above. All materials filed must contain hyperlinks and bookmarks. Otherwise, it will be rejected. **Uploading to Case Center is NOT required.**
91. Where these are brought on a regular or short motions list, the motion judge will direct the party to file the basket motion and may make a cost award against the party bringing the regular motion.

Family Law Form 14B Motions

92. If a motion is limited to procedural, uncomplicated or unopposed matters, the party making the motion may use a motion form (Form 14B) instead of a notice of motion and affidavit.
93. Uploading of materials into Case Center is required.

UNCONTESTED TRIALS

94. If no Answer is filed within the *Family Law Rules* timelines, an Applicant may seek final Orders on an uncontested trial by 14B Motion (Rule 23(22)). Assuming proper service of the Application was made on the opposing party and has been documented in the file, notice of an uncontested trial on a defaulting party is strongly recommended.
95. A draft Form 25D Order must be filed with the 14B Motion.
96. All uncontested trials must have their trial materials uploaded to Case Center, including pleadings and affidavits of service.

C. Motions to Transfer

- *Civil Matters*

97. All requests for a transfer of a civil proceeding from one judicial region to another must comply with Rule 13.01.02 of the *Rules of Civil Procedure* and the [Consolidated Provincial Practice Direction for Civil Proceedings](#).
98. In accordance with Rule 13.1.01(3) and in keeping with Rules 13.1.01(1) and (2), mortgage proceedings are to be commenced in the county where the property in question is located and more particularly, as follows:

Regional Municipality of Peel: Brampton
Regional Municipality of Halton: Milton
Wellington County: Guelph
Dufferin County: Orangeville
Grey and Bruce Counties: Owen Sound

- *Family Matters*

99. All requests for a transfer of a family proceeding from one judicial region to another must comply with Rule 5(8) of the *Family Law Rules*.

D. Urgent Motions on Applications

100. Where a party wishes to bring an urgent motion or application, in addition to the proposed motion, the party must submit a letter to the Court setting out:

- Why the matter is urgent;
- The nature of the relief sought;
- Whether the proposed motion or application is on notice;
- If the proposed motion is not on notice, explain the reason;
- Whether the motion materials are prepared, issued, and ready to proceed;
- Time estimate for the motion;
- A draft Order in Word format;
- The letter must be copied to all interested parties, subject to the suggested urgency being issued without notice.

101. It is not appropriate to argue the merits of the proposed motion in the letter requesting the urgent motion.

102. The letter requesting the urgent hearing and the accompanying materials shall be reviewed by a judge to verify the alleged urgency to the request. The judge will provide directions that may include: the dismissal of the request, an immediate scheduling of the motion, directions to attend Triage Court or case management.

103. If the proposed motion or application is deemed not urgent, and the moving party still wishes to bring their motion or application, they may do so in the ordinary course, through Calendly for short motions or Triage Court for long motions.

104. For family matters, urgent motions are those that meet the requirements of Rules 14 (4.2) and 14(12)-(15) of the *Family Law Rules*. Whether with or without notice, a party may seek an urgent motion in advance of a Case Conference **only** in situations of urgency or hardship, including concerns over an immediate danger of a child's removal from Ontario and immediate danger to the health or safety of a child or of the party making the motion and threats of harm.

105. If a party seeks to bring a motion without notice to the other interested party(s), they must also set out why notice is unnecessary, inappropriate, or not reasonably possible in the circumstances. A factum or summary of argument is not required for an urgent motion without notice. The judge reviewing the urgent request may disagree with the moving party's attempt to move *ex parte* and require the moving party to serve the urgent motion or application materials and the endorsement on all interested parties.
106. For matters that do not meet the requirements of the *Family Law Rules* but raise issues that may be pressing, parties are encouraged to consider all options, including, but not limited to attending before a DRO or scheduling a case conference.

E. Receiverships

107. Receivership applications and motions are considered civil proceedings and are governed by the general civil sections of the Central West Practice Direction. If there is a need for an urgent attendance, those requests are to be addressed to the RSJ or the RSJ's designate.

F. Costs in Family Motions and Applications

108. Pursuant to Rule 24(1) of the *Family Law Rules*, costs should be determined in a summary manner promptly after dealing with each step in a case. In addition, any claim for costs shall be supported by a bill of costs that is satisfactory to the Court. Moreover, any party who opposes a claim for costs shall provide documentation showing the party's own fees and expenses (Rule 24(16) *Family Law Rules*).
109. The parties should attempt to resolve costs prior to the hearing and advise the motion's judge of any resolution or otherwise be prepared to make cost submissions.
110. If the parties are unable to resolve costs, all counsel appearing on motions must attend the hearing with their bill of costs, failing which, the judge may decline to make a costs award in their favour or make such other direction or order as appropriate.

PART 3 – CIVIL TRIALS AND PRE-TRIALS

I. Setting Down for Trial and Assignment Court

111. Rule 48.04 sets out the consequences of setting the action down for trial. Rule 48.04 provides that a party who sets an action down for trial or consents to placing the action on the trial list cannot initiate or continue any form of discovery or interlocutory motion without leave of the Court. Leave will be granted only in rare circumstances.

112. In some locations, the Registrar will provide an Assignment Court date to the party who set the action down for trial. That party must ensure that all interested parties are properly identified in the Notice of Assignment Court.
113. At the Assignment Court, the action will, unless there are exceptional circumstances, either be placed on a trial list or struck from the trial list. If placed on a trial list, all parties are deemed ready for trial.
114. Where an action is struck from the trial list, counsel and parties must obtain a court order granting them leave to restore it to the trial list in accordance with Rule 48.11. Such an order may be obtained by writing to the Court, on the consent of both parties, confirming that all parties are ready to proceed to trial. Upon receipt of such a request, the court will likely add the matter to the next Assignment Court date without the need for any further attendance.

J. Pre-Trials

115. For all locations except Brampton, pre-trial dates can be reserved on Calendly. See [Part 1, Section D](#).
116. In Brampton, pre-trial dates are scheduled at Assignment Court. Available options for pre-trial and Trial dates will be posted on Calendly, up to two weeks prior to the Assignment Court date. Counsel and parties are expected to consult these dates in advance of their attendance at Assignment Court and be prepared to speak to their availability for a pre-trial and trial date.
117. Pre-trial dates will, where possible, be scheduled within 120 days and not less than 30 days of the first day fixed for trial or the commencement of the sittings.
118. Counsel and parties are expected to co-operate and jointly complete [Form 50.08](#) contemplated by Rule 50.08: Pre-Trial Form. If counsel and parties disagree on certain issues contemplated by Form 50.08, each side may file its own Pre-Trial Form highlighting those issues in dispute. Once the Pre-Trial Form is accepted for filing, it must be uploaded to Case Centre.
119. If counsel and parties fail to cooperate on the completion of the Pre-Trial Form, the pre-trial may be adjourned, the trial, if already scheduled, may be struck from the trial list, the parties may be asked to return to Assignment Court and there may be cost consequences.
120. Counsel and parties must comply with the provisions of Rule 53.03 regarding expert reports and the delivery of the Experts Certificate under Rule 50.03. Where counsel and parties fail to deliver expert reports at least ninety days prior to the pre-trial,

there may be cost consequences. The pre-trial judge may also consider other sanctions including the re-scheduling of the trial to a future date.

K. Adjournment of Trial Dates

121. Adjournment of scheduled trial dates will be rarely granted, even when on consent. Any requested adjournments must be by way of motion record and will be heard by the RSJ or the LAJ or the RSJ's designate.

PART 3 – FAMILY PROCEEDINGS

122. Counsel and parties must comply with the [Consolidated Provincial Practice Direction for Family Proceedings](#).

A. Mediation and other Court-Connected Resources

123. Parties should consider the use of processes that facilitate early resolution of parenting and financial disputes. These include:
- a. **Local family law, separation and divorce resources:** Litigants are encouraged to access parenting education programs, counselling services, [supervised contact/parenting time](#), [parenting coordination](#) and other related services. Information about these services is available through the Family Law Information Centres.
 - b. **Mandatory Information Programs (MIP):** Parties are required to attend a MIP at an early stage of the proceeding with limited exceptions. Virtual MIPs are available in centres across Ontario. Information about how to register for the MIP is available through the Family Law Information Centres.
 - c. **Mediation:** Affordable, [Court-connected mediation services](#) are available in connection with all SCJ centres. Contact information for local mediation service providers is available [here](#). Referrals to private family mediation services are also available through professional organizations like Ontario Association for Family Mediation ([OAFM](#)) and Family Dispute Resolution Institute of Ontario ([FDRIO](#)).
 - d. **Family Court Support Workers:** The [Family Court Support Workers](#) Program provide direct support to victims of domestic violence who are involved in the family Court process.

B. Automatic Orders

124. An Order will be issued administratively (i.e., automatically) when certain claims are made in an Application, Motion to Change or Answer in accordance with Rule 8.0.1 of the *Family Law Rules*. These Automatic Orders require each party to comply with their financial disclosure responsibilities.

125. The party who commenced the claim will receive a copy of the Automatic Order and MUST serve it on the opposing parties. An Affidavit of Service should be filed and uploaded to Case Center.
126. Rule 13(3.1) of the *Family Law Rules* sets out which documents MUST be included with a Financial Statement where child or spousal support has been sought. An updated Certificate of Financial Disclosure must be provided to the other party.
127. A party who has not made all reasonable efforts to comply with their disclosure obligations may be subject to a cost sanction, directions/terms imposed and/or the adjournment of any motion brought by that party until compliance. In egregious cases, upon motion, continued non-compliance may result in a party's pleadings being struck or found in contempt of Court.

I. Motions to Change

128. The *Family Law Rules* direct the Court to determine the next steps in a Motion to Change, with a view to ensuring that these motions proceed in the most efficient manner appropriate in the circumstances. The Court is directed to determine the most appropriate process for reaching an expeditious and just conclusion of the case in the circumstances.
129. A new Motion to Change Endorsement form is available [here](#). Parties are encouraged to provide a draft Motion to Change Endorsement form with their materials for the first judicial conference to obtain early direction regarding the most appropriate process for the case. Parties should be prepared to address these issues at the first attendance before a DRO or a judge.
130. The Rule 15 Motions to Change seek variations or reviews of Superior Court of Justice parenting and support Orders. It is important to clearly identify in a party's materials whether the Order(s) sought are pursuant to Section 17 of the *Divorce Act* or Section 37 of the *Family Law Act*.
131. Parties or counsel must clearly identify whether the change sought is a review or a variation and, if it is a variation, set out clearly the material change(s) in circumstances.
132. Parties to a Motion to Change in Brampton and Milton must first attend a Case Conference with a DRO, unless there is an Order allowing them to waive that Conference.
133. A Motion can be scheduled by the parties on Calendly after a DRO Conference.

134. In Brampton, the DRO can schedule a Settlement Conference or direct the parties to obtain a date for one through the trial coordinator's office. In Milton, Settlement Conferences can be scheduled through Calendly.
135. If the Motion to Change is a parenting case, parties or counsel must advise whether independent, child-focused evidence is required, such as an assessment or OCL involvement, and if the children's views and preferences can be ascertained by a Voice of the Child Report.
136. If the matter does not resolve at the Settlement Conference, the Settlement Conference Judge will direct either a long motion or a Trial.
137. For a long motion, the parties will then follow the triage process to fix a timetable for the exchange of materials and then the fixing of a date.
138. For a trial, the matter will be sent to Assignment Court to obtain a Trial Management Conference and a Trial date.

C. Early Case Conferences – Milton Only

139. Parties can seek an Early Case Conference (ECC):
 - a. When the parties attempt to put temporary arrangements in place to avoid the need for a motion or other urgent attendance; ECCs can be reserved through Calendly and,
 - b. Obtain early procedural directions including determining what the next step should be and whether any part of the case needs to be expedited.
140. ECC's are NOT to replace Case Conferences or to jump ahead in the queue for scheduling a Case Conference.
141. The ECCs are generally on Mondays at 9:30 am. ECCs are strictly limited to:
 - a. Where there has not been a Case Conference;
 - b. Where the issue or issues are urgent;
 - c. Where there are only one or two issues to be raised at the ECC; and
 - d. Where the ECC will take no more than 10-15 minutes.

If financial issues are to be discussed, updated financial statements must be filed or available to the Court.
142. ECC briefs are limited and must not exceed five double spaced pages setting out their positions and must not include lengthy attachments.

143. Both parties must certify they have fully discussed the issues to be dealt with at the ECC with the other side before their attendance at Court for the ECC. If the parties have not discussed the issues fully in advance of the conference, the ECC may be cancelled or rescheduled to the next regular case conference date.
144. Once scheduled, counsel and the parties are required to attend the ECC.
145. Brampton no longer schedules Early Case Conferences.

D. Dispute Resolution Officer (DRO) Program

146. Counsel and parties must go to their Court site's Calendly application to schedule their Case Conference before a DRO. Counsel and parties will find the next available date for a Case Conference before a DRO. Such Conferences **will not and cannot be scheduled by the trial coordinator's office by email or by telephone.**
147. Counsel and parties are required to canvass agreeable dates, but if a date cannot be agreed upon, either party can unilaterally select a date, bearing in mind the notice requirements in the FLR.
148. The following is a link to a tip-sheet on the use of Calendly to book events; [Calendly Tip Sheet for Counsel and Self-Represented Parties](#).
149. To schedule a DRO Conference, counsel or parties using Calendly are required to provide to the court certain confirmations and/or undertakings. Failure to comply with these confirmations and undertakings may result in consequences including cost awards or being summoned to a conference by the RSJ or the RSJ's designate to explain the non-compliance.

E. Case Conferences

Scheduling & Filing

150. Counsel and parties should refer to [Part 1, section D](#), titled "Calendly" to schedule their Case Conference for Brampton, Milton, Guelph, Orangeville, Walkerton and Owen Sound.
151. If a further date is obtained in Court during the hearing, it is the responsibility of counsel and/or the parties to immediately reserve that date in Calendly. **Failure to do so may result in a revised court order or further adjournment.**

152. Filing restrictions relating to family events are included in the [Consolidated Provincial Practice Direction for Family Proceedings](#).
153. **Late filing:** Neither the Court staff nor Judicial Assistants can or will accept late Conference briefs or Conference briefs which do not comply with the restrictions regarding the length or proper formatting of filed documents. Requests to file and upload late Conference briefs must be made to the presiding judge and may result in an adjournment and/or cost consequences to the non-compliant party. Such requests must be identified on the confirmation form.

APPLICABLE TO ALL CENTRAL WEST CASE CONFERENCES

Case Conference Briefs (Max. 8 pages)

154. Parties must serve and file a Case Conference Brief (Form 17A) in accordance with the *Family Law Rules*. **Case Conference Briefs must not exceed 8 pages.** This includes Form 17A and additional pages of facts and arguments attached to the brief as an appendix or schedule.
155. Permissible attachments in addition to the 8-page Brief are those described in the [Consolidated Provincial Practice Direction for Family Proceedings](#) at the Superior Court of Justice, and documents required by the *Family Law Rules*.
156. If the parties do not resolved disclosure prior to the Case Conference, any party seeking disclosure must include in their materials a detailed list of the outstanding disclosure. This is a permissible attachment and is to be in addition to the 8-page brief.
157. The Case Conference Brief should expressly set out any Orders that a party seeks to have the court make at the Case Conference. The Case Conference judge has jurisdiction to make substantive Orders in appropriate cases, where requested, in a Case Conference Brief. *Family Law Rules*, Rule 17(8)(b.1).

Requirement to Confer and Make Disclosure PRIOR to Case Conference

158. The Family Law Rules require the parties to confer and discuss resolution of the outstanding issues prior to attending a Case Conference. Failure to do so may result in the Case Conference being adjourned or an award of costs.

Confirmation Form

159. Confirmation Forms are to be filed and uploaded to Case Center. Unless a Confirmation Form is filed **by 2 pm three days prior to the hearing**, the Case

Conference will be cancelled. The parties must communicate with each other in advance of completion of the Confirmation Form, unless the parties are prohibited from communicating by Court Order or terms of recognizance, or there are concerns about family violence and the alleged abusive party is not represented by counsel. This requirement applies for all attendances, including those that have been made peremptory by Court Order.

Proceed to a Settlement Conference

160. Settlement Conferences can be scheduled through Calendly. Settlement Conferences will be scheduled well into the future to permit any motions, any ordered disclosure, or other steps (for example appointment of the Office of the Children’s Lawyer (OCL) or an assessor) to be completed prior to the Settlement Conference.
161. Once a Case or Settlement Conference has been scheduled no adjournments will be permitted except once on consent of the parties, 3 days before the conference date.

F. Settlement Conferences (Max. 12 pages)

Scheduling Settlement Conferences

162. Settlement Conferences can be reserved through Calendly. See [Part 1, Section D](#).
163. All litigants **must** be present at the Settlement Conference.

Directions for Settlement Conferences

164. The parties must comply with the following directions:
 - a. Confirmations must be emailed to the Court no later than 2 pm, 3 business days before the Settlement Conference date. Confirmation Forms must also be uploaded to Case Center;
 - b. A Settlement Conference Brief is required not to exceed 12 pages, **plus** permissible attachments (as defined in the Case Conference section above);
 - c. If there are any financial issues, an up-to-date Financial Statement, and a Certificate of Financial Disclosure;
 - d. If Parenting is at issue, an updated Form 35.1 Parenting Affidavit with any Assessments or Reports attached;

- e. If Child or Spousal Support is at issue, Divorce Mate calculations for each year in dispute and a chart calculating proposed net arrears (if any);
- f. If Equalization is at issue, a comparative Net Family Property (NFP) with a Brief of contested values;
- g. A Rule 18 Offer to Settle; and
- h. A draft Order in Word format.

165. A party may schedule a second Settlement Conference only with a judge's approval, which can be obtained at the Settlement Conference, or by writing to the RSJ or the RSJ's designate.

G. Trial Management Conferences (TMC)

FAMILY ASSIGNMENT COURT AND A TMC IN BRAMPTON

166. At the conclusion of the Conference, the Settlement Conference judge will provide the parties with a Family Assignment Court date.
167. At a Family Assignment Court, if the presiding judge is satisfied that there are no outstanding issues and at least one party is ready for trial, the judge shall schedule a TMC and a trial date. If neither party is ready for trial, the presiding judge will make an order for directions in the proceeding.

SCHEDULING A TMC IN MILTON, GUELPH, ORANGEVILLE, WALKERTON, AND OWEN SOUND

168. TMC will be scheduled by judicial direction or by obtaining a date through the trial coordinator's office.

APPLICABLE TO ALL TMCs IN THE CENTRAL WEST REGION

Adjournment of TMCs

169. Requests for the adjournment of a TMC will rarely be granted, they must be requested in writing from the RSJ or the RSJ's designate. The request must set out compelling reasons why the parties are not ready to proceed with the TMC. Even if the request is made on the consent of all parties, the judge reviewing it may refuse it or alternatively attach conditions. If the adjournment of the TMC is granted, that may jeopardize the trial date and lead to significant delay.

Trial Scheduling Endorsement Form (TSEF)

170. Required filings for TMC:

- A joint, proposed [TSEF](#);
- Updated Certificates of Financial Disclosure;
- Draft Orders/in Word format, Opening Statements; and
- Offers to Settle.

171. If a party refuses, is unwilling or fails to cooperate in the preparation of a joint TSEF, each party shall prepare a separate TSEF. When this happens, the Trial Management Conference judge may consider an adjournment and cost consequences, in accordance with Rule 17.

Compliance With Previous Orders and Directions

172. If a party fails to comply with any directions/Timetable Order of the Settlement Conference judge, the TMC judge will consider whether to adjourn the Trial Management Conference, proceed and deal with the failure by considering it a factor in deciding costs, or permit a motion under Rule 1(8) for non-compliance with a Court Order.

TMC matters

173. The TMC judge will require counsel and parties to provide and commit to reasonable time estimates for the entire trial.

174. At the conclusion of the Trial Management Conference, the judge will endorse any additional trial procedural matters, and/or a summary of the issues to be tried, to which the TSEF shall be attached.

175. Subject to the trial judge's discretion, the endorsement and the TSEF will govern the conduct of the trial, failing which the remedies set out in the TSEF will be considered. Breach of any Orders made at the TMC may result in serious consequences, such as striking pleadings, exclusion of evidence, an Order of contempt or costs.

H. Trial Record

176. The Applicant or the Respondent (if a claim is advanced by the Respondent) must file a Trial Record prior to the first day of the scheduled trial sitting. Failure to do so

may result in the matter being removed from the Trial list unless the Court orders otherwise.

177. Trial dates, when scheduled, will rarely be adjourned even on consent. Any adjournment requests, even when on consent, must be made by way of a motion which will be heard by the RSJ or the LAJ or the RSJ's designate.

I. Binding Judicial Dispute Resolution (Milton Only)

178. Commencing June 1, 2026, Binding Judicial Dispute Resolution hearings under Rule 43 of the *Family Law Rules* will be available in Milton. Such hearings will also be available in Brampton and other Central West locations in the Fall of 2026.

179. The process shall be in accordance with the provisions of Rule 43.

180. Parties wishing to request a Binding Judicial Dispute Resolution hearing shall file through the portal a fully completed and executed Form 43 – Binding Judicial Dispute Resolution Hearing Request and consent. A single [Form 43](#) shall be filed, executed by both parties.

181. Upon filing the form, the parties (or their counsel if applicable) shall be contacted by the trial office to schedule a virtual attendance before an Associate Judge or Judge to review the completed [Form 43](#) and for the Associate Judge or Judge to determine whether the case is approved or not approved for a Binding Judicial Dispute Resolution hearing and for the hearing length to be determined. It is expected that hearings will either be a half day or a full day and not longer.

182. If approved, the matter will be scheduled for a virtual triage Court attendance for a date to be set for the hearing. The parties, or their counsel, if applicable, are required to file the necessary requisition for the triage Court attendance.

183. The Binding Judicial Dispute Resolution hearing will be presumptively in person.

PART 4 – CRIMINAL PROCEEDINGS

184. Counsel and parties must comply with the [Consolidated Provincial Practice Direction for Criminal Proceedings](#).

PART 5 – DIVISIONAL COURT PROCEEDINGS

185. The link to the Consolidated Provincial Practice Direction for Divisional Court Proceedings is as follows: [Consolidated Practice Direction for Divisional Court Proceedings | Superior Court of Justice \(ontariocourts.ca\)](#).