



## MEMORANDUM

**To:** Civil Bar Associations and Legal Organizations

**From:** Regional Senior Justice S. E. Firestone

**Subject:** Civil List Matters

**Date:** **April 7, 2025**

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This memorandum is to advise counsel that in an effort to reduce delay and increase efficiency, effective May 1, 2025, the following changes will apply to certain practices on the Civil List in Toronto.

### **Hearing dates for Long Motions/Applications and Summary Judgment Motions before a Judge – Civil Practice Court (CPC)**

Effective May 1, 2025, hearing dates will not be scheduled until all preliminary steps including cross-examinations and delivery of factums have been completed.

This change will assist in the elimination of “placeholder dates” being scheduled and will allow for the assignment of earlier dates. It will also help to prevent last-minute adjournments and cancellations and ensure that motions and applications that are ready to proceed can be heard on a timely basis.

CPC Court will continue to be used to curtail the motions culture in Toronto by vetting unnecessary motions; setting timetables; identifying cases which require a degree of case management and directing long motions to the trial list where appropriate.

The first attendance at CPC Court will determine whether a matter should be scheduled; whether it should proceed by way of motion or case conference and whether it should proceed in writing. Timetables will continue to be set. Following the completion of all preliminary steps the parties will then attend CPC Court to obtain a hearing date.

## **Factum Length**

Effective May 1, 2025, factums for Civil List motions and applications will be limited to 20 pages unless leave for a longer factum is obtained at Civil Practice Court.

## **Request for Urgent Motions before a Judge or Associate Judge**

Effective May 1, 2025, requests for urgent motions sent to [CivilUrgentMatters-SCJ-Toronto@ontario.ca](mailto:CivilUrgentMatters-SCJ-Toronto@ontario.ca) must be accompanied with the attached Civil Urgent Motions form which will also be available on the Superior Court of Justice Website.

**TORONTO CIVIL LIST**

**URGENT MOTION REQUEST TO A JUDGE or ASSOCIATE JUDGE**

**330 University Avenue, 8<sup>th</sup> Floor Toronto, ON M5G 1R7**

To apply for an URGENT MOTION TO A JUDGE or an ASSOCIATE JUDGE, please return this completed form by e-mail to: [civilurgentmatters-scj-toronto@ontario.ca](mailto:civilurgentmatters-scj-toronto@ontario.ca)

- ☐ Judge  
☐ Associate Judge

**Court File Number:**

**Short Title:**

**Moving Party Is:**      Plaintiff ☐ Defendant ☐ Other ☐

**If other, please specify:**

**Responding Party Is:** Plaintiff ☐ Defendant ☐ Other ☐

**If other, please specify:**

All proposed urgent motions and applications to a Judge or an Associate Judge will be subject to review before being scheduled. *Ex parte* motions and applications will be resolved in writing unless the judge or associate judge directs otherwise. The judge or associate judge reviewing the proposed motion may convene a case conference or issue directions for hearing the motion. In deciding whether to schedule a motion, the judge or associate judge will consider the purposes of Civil Practice Court listed in Part I.A.1 of the *Consolidated Practice Direction for Civil Actions, Applications, Motions and Procedural Matters in the Toronto Region* found at <https://www.ontariocourts.ca/scj/practice/practice-directions/toronto/t/>

<ul style="list-style-type: none"> <li>Is the motion or application brought without notice?</li> </ul>	
<ul style="list-style-type: none"> <li>If the matter is brought without notice, what are the reasons for proceeding without notice?</li> </ul>	
<ul style="list-style-type: none"> <li>If the matter is proceeding on notice, has the responding party been consulted about the submission of this form? If not, why not?</li> </ul>	
<ul style="list-style-type: none"> <li>Provide the briefest form of statement of the nature of the relief sought</li> </ul>	
<ul style="list-style-type: none"> <li>Briefly describe why the matter is urgent</li> </ul>	
<ul style="list-style-type: none"> <li>If the matter is proceeding without notice, what would you expect the responding party's position to be on the motion?</li> </ul>	
<ul style="list-style-type: none"> <li>Can this motion be heard by an associate judge or must it be heard by a judge?</li> </ul>	
<ul style="list-style-type: none"> <li>Rule(s) or statutory provisions under which the motion / application is brought:</li> </ul>	
<ul style="list-style-type: none"> <li>Is a particular judge or associate judge seized of all motions in the proceeding or of the particular motion?</li> </ul>	
<ul style="list-style-type: none"> <li>Is any party self-represented? If yes, identify.</li> </ul>	
<ul style="list-style-type: none"> <li>Does the motion require a bilingual judge or associate judge?</li> </ul>	

**Name of Party/Lawyer Proposing to Bring  
the Motion:**

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**Name and Firm (please type or print clearly)**

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**Telephone Number and Email Address**

**Name of Party/Lawyer Responding to  
Motion:**

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**Name and Firm (please type or print clearly)**

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**Telephone Number and Email Address**

**For requests for urgent motions on Notice:**

Briefest point form statement of the relief sought, and the grounds relied upon for the proposed motion (including rule number or other legal basis):

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Briefest point form statement of the position of the responding party. On what basis does the responding party deny the moving party's entitlement to some, or all of the relief sought:

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Method of Hearing Proposed:

- ☐ In Writing (including all consent and unopposed motions)
- ☐ Summary resolution in a case conference
- ☐ Remote oral hearing (by telephone or videoconference)
- ☐ Oral hearing in court.

Does the responding party agree to this? If not, what process does the respondent propose:

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Short, opposed motions and applications where the issues of fact and law are not complex are expected to be resolved in writing. If an oral hearing is proposed for the motion, please explain why:

Estimated time required for oral hearing:

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Status of the case (e.g. are pleadings closed; is documentary discovery complete; is oral discovery complete; has the case been set down for trial; has a trial date been scheduled etc.)

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Schedule Proposed – If a motion will be opposed, counsel and self-represented parties are required to consult and agree on a proposed schedule for the exchange of written materials. Failure to agree upon a reasonable schedule may be taken into account in assessing costs of the motion or costs of the scheduling process.

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#### Proposed Schedule:

Service of the Motion Record (must be within 10 days of the request pursuant to the *Toronto Region Practice Direction* referred to above):

Last day for completion of the following:

Service of Responding Motion Record:

Service of Reply evidence (if any):

Examination of non-party witnesses (if any):

Cross-examination on affidavits:

Factums to be exchanged by:

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**IMPORTANT NOTICE:** The *Rules of Civil Procedure*, RRO 1990, Reg 194 were amended effective January 1, 2021. Parties are reminded to refer to Rule 4.05.2 regarding the use of the **Civil Submissions Online Portal** and Rule 4.05.3 regarding the use of **Case Center** (formerly CaseLines)

Counsel and all self-represented parties shall file all required motion or application documents with the court and pay all required fees through the **Civil Submissions Online Portal** at <https://www.ontario.ca/page/file-civil-claim-online>, where possible. For any email filings, the subject line of the email must indicate the court file number, your name, and the hearing type (e.g., opposed motion).

Court documents must be filed with the court office before being uploaded into **Case Center**, unless the court orders otherwise. Where possible, upload your documents into Case Center at least 5 days prior to your court date (or on the same day as a Case Center link is provided by the court if received less than 5 days prior to your court hearing), so the judicial official can review them in advance of the hearing. See the [Caselines Supplementary Notice to the Profession, effective June 17, 2021](#) or more information as well as [Frequently Asked Questions about CaseLines](#).