|  |  |
| --- | --- |
| **TORONTO CIVIL LIST****REQUEST TO SCHEDULE SHORT, OPPOSED MOTIONS AND APPLICATIONS TO A JUDGE OR A MASTER** | 330 University Avenue, 8th Floor Toronto ON M5G 1R7 |
| **[ ]  Requisition to Schedule Short Motion or Application before a Judge** |
| \*\* To apply for scheduling of a short, opposed motion or application, please return this completed form by email to: civiljudgesmotions@ontario.ca. \*\* |
| **[ ]  Requisition to Schedule Short Motion before a Master** |
| \*\* Please return this completed form to the civil scheduling unit, 8th floor, 330 University Avenue by email to: jus.g.mag.csd.civilmotionsscheduling@ontario.ca. \*\* |
| **NOTE**: This form is NOT to be used to request motions and applications made without notice, on consent of all parties, or confirmed as unopposed by all parties and non-parties prior to being brought, which are heard in writing. |
| **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:****Notice re Short Motion/Applications to Judges: All proposed short motions and applications to a judge will be subject to review before being scheduled. These motions and applications will be resolved in writing unless the judge directs different procedure. The 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 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/**](https://www.ontariocourts.ca/scj/practice/practice-directions/toronto/t/)**.** |
| **The parties must consult on the proposed process and schedule before filing this form. If there was no consultation, explain why:** |
|  |

## SECTION A – Complete for all motions

|  |  |
| --- | --- |
| 1. Nature of the action or application (e.g., personal injury, specific tort, contract or other case type identified on Form 14F):
 |  |
| 1. Rule(s) or statutory provisions under which the motion / application is brought:
 |  |
| 1. If brought under Rule 15, is this a motion by a lawyer to remove himself/herself from the record?
 |  |
| 1. May the motion be heard by a master or must it be heard by a judge?
 |  |
| 1. Whether a particular judge or master is seized of all motions in the proceeding or of the particular motion?
 |  |
| 1. Is the proceeding governed by the Simplified Procedure Rule (Rule 76)
 |  |
| 1. Is the motion seeking summary judgment? (**Note**: Summary judgment motions to a judge require an appearance at Civil Practice Court. Only short summary judgment motions to a master may be booked using this form.)
 |  |
| 1. Is the application or motion urgent?
 |  |
| 1. Is any party self-represented? If yes, identify.
 |  |
| 1. Does the motion or application require a bilingual Judge or Master?
 |  |
| 1. **Requests for Oral Hearings Only**: Estimated time for oral argument by all parties:
 |  |
| 1. **Requests for Oral Hearings Only**: Is the oral hearing requested to proceed in-person or by remote videoconference (select only one method of hearing)?
 |  |
| * 1. If an in-person hearing is requested, is the request on consent of all affected parties? (Yes/No)
 |  |
| 1. **Requests for Oral Hearings Only**: What are the requested date(s) that you would like to schedule the motion on?
 | **YYYY-MM-DD****YYYY-MM-DD****YYYY-MM-DD** |
| **Name of Party/Lawyer Proposing to Bring the Motion:**  |  |  |
|  |  | Name and Firm (please type or print clearly) |
|  |  |  |
|  |  | Telephone Number and Email Address |
| **Name of Party/Lawyer Responding to Motion:**  |  |  |
|  |  | Name and Firm (please type or print clearly) |
|  |  |  |
|  |  | Telephone Number and Email Address |

## SECTION B – Complete for all motions

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

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:

## SECTION C – Complete only for motions/applications to a judge

Method of Hearing Proposed:

[ ]  In Writing

[ ]  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:

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:

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.)

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 scheduled may be taken into account in assessing costs of the motion or costs of the scheduling process.

Proposed Schedule for Motion/Application:

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-examinations on affidavits:

Factums to be exchanged by:

## SECTION D – Applicable to all motions

Filing Material

* All motion materials are to be filed in accordance with the processes and procedures outlined in the *Notice to the Profession – Toronto: Toronto Expansion Protocol for Court Hearings During COVID-19 Pandemic, as amended, and the Supplementary Notice to the Profession and Litigants in Civil and Family Matters – Including Electronic Filings and Document Sharing (Caselines Pilot) (August 5, 2020)*.
* For all email filings, the subject line of the email must indicate the court file number, your name, and the hearing-type (e.g. opposed motion).
* Motion confirmation forms shall be submitted:
	+ for motions/applications to a judge, as provided in the triage directions approving the motion
	+ for motions to a master, by email to: JUS.G.MAG.CSD.CivilMotionsConfirmation@ontario.ca