

Index

All references in this Index are to the Ontario Family Law Rules.

ACCESS TO COURT FILES

- Access to document, **1.3(10)**
- Definition, **1.3(1)**
- Motion form, **1.3(7)**
 - service, **1.3(8)**
- Notice requirement, **1.3(2)**
 - affected cases, **1.3(3)**
 - exemptions, **1.3(4)**
 - shortening notice time, **1.3(5)**
- Request for restricted access order, **1.3(6)**
 - exception, **1.3(9)**

ADMISSION OF FACTS

- Generally, **22**
- Admission that document genuine, meaning of, **22(1)**
- Request to admit, **22(2)**
 - copy of document to be attached, **22(3)**
 - response required within 20 days, **22(5)**
- Withdrawing admission, **22(4)**

ADOPTION

- Generally, **34**
- Access rights, extinguishing, **34**
- Adoption application
 - by relative of child, **34(9)**
 - clerk to check application, **34(15)**
 - material to be filed with, **34(4)**
 - additional material where applicant is relative or stepparent, **34(8)**
 - additional material where child is Crown ward, **34(6)**
 - additional material where child is not Crown ward, **34(7)**

ADOPTION—Cont'd

- Certified copy of order from outside Ontario, **34(3)**
- Child and Family Services Act definitions apply, **34(1)**
 - meaning of “Act,” **34(2)**
- Consent to adoption
 - child’s consent, **34(11)**
 - consent of adult parent, **34(12)**
 - consent of parent under 18 years, **34(11.1)**
 - copy of consent to be given to person signing, **34(13)**
 - dispensing with before placement, **34(16)**
 - motion to withdraw consent, **34(14)**
 - withdrawal by child aged seven or older, **34(13.2)**
 - withdrawal by parent, **34(13.1)**
- Extinguishing access rights, **34**
- Forms for openness applications, **34(17)**
- Independent legal advice
 - child’s consent, **34(11)**
 - consent of adult parent, **34(12)**
 - consent of parent under 18 years, **34(11.1)**
- Initials, use of, **34(2.1)**
- Openness applications, **34(17)**
 - forms, **34(17)**
- Report of child’s adjustment, **34(5)**
- Stepparent
 - application by, **34(9)**
 - parent’s consent, to be accompanied by, **34(10)**

AFFIDAVITS

- Based on other information, **14(19)**
- Based on personal knowledge, **14(18)**
- Contempt motion, affidavit for, **31(3)**
- Documents, affidavit listing, **19(1)**
- Domestic contract, for filing, **26(9)**
- Errors, **19(8)**
- Evidence by affidavit or other method
 - conditions for use, **23(21)**
 - divorce based on, **36(5)**
 - uncontested trial, **23(22)**
- Motion, affidavit in support of
 - motion for contempt, **31(3)**
 - motion to remove lawyer, **4(14)**
- Omissions, **19(8)**
- Questioning on, **20(1)**

ANSWERING A CASE

- Generally, **10**
- Amending answers
 - with court's permission, **11(3)**
 - decision-making responsibility, parenting time or contact, amended to include claim for, **11(3.1)**
 - without court's permission, **11(2)**
- Financial statement with answer, **13(1)**
- Withdrawing answer, **12(1)**
 - costs payable, **12(3)**

APPEALS

- Generally, **38**
- Appeals to
 - court of appeal, **38(1)**
 - divisional court, **38(1)**
 - superior court, **38(4)**
- Appellant
 - contents of factum, **38(18)**
 - contents of record, **38(17)**
- Case name, **38(8)**

APPEALS—Cont'd

- Child and Family Services Act, under
 - temporary order, **38(3)**
- Child protection cases, in, **38(2)**
- Family arbitration award, **38(46)**
- Grounds, **38(10), 38(11)**
- Hearing
 - scheduling, **38(23)**
 - scheduling of Child and Family Services Act appeals, **38(23)**
- Motions, **38(25)**
 - dismissal for delay, **38(30)**
 - further evidence, **38(29)**
 - summary judgment, **38(28)**
- Respondent, by, **38(9)**
 - contents of record, **38(19), 38(20)**
- Starting, **38(5)**
 - Child and Family Services Act, under, **38(7)**
 - temporary orders, of, **38(6)**
- Stay
 - automatic, **38(33)**
 - certificate, **38(41), 38(43), 38(44)**
 - court order, **38(35)**
 - effect, **38(38)**
 - expiry, **38(36)**
 - support order, of, **38(42)**
- Timelines
 - child protection appeals, **38(2)**
 - records and factums, **38(21)**
 - records and factums in Child and Family Services Act cases, **38(22)**
- Transcript, **38(12)**
 - agreement, **38(14)**
 - complete, once, **38(16)**
 - no agreement, **38(15)**
- Withdrawal, **38(31), 38(32)**

APPLICATION OF RULES

- Generally, **1(2)**

APPLICATIONS

- Amending
 - child protection case, **11(2.1)**

APPLICATIONS—Cont'd

- Amending—Cont'd
 - with court's permission, **11(3)**
 - decision-making responsibility, parenting time or contact, amended to include claim for, **11(3.1)**
 - without court's permission, **11(1)**
- Divorce, application for, **36(1)**
 - allegation of adultery, **36(3)**
 - joint application, **36(2)**
- Financial statement with, **13(1)**
- Starting a case by filing application, **8(1)**
 - claims in application, **8(3)**
 - decision-making responsibility, parenting time or contact, for, **8(3.1)**
 - court date set when application filed, **8(4)**
 - service of application, **8(5)**
 - failure to serve on or before court date, **8(11)**
 - international child abduction cases, **8(12), 8(13)**
 - service on child, **(8), 8(7)**
 - service on child's lawyer, **8(9)**
 - service on official, agencies, etc., **8(6)**
- Time for answer, **10(2.1)**
- Withdrawing, **12(1)**
 - costs payable, **12(3)**

ATTACHMENT OF DEBT

Generally, **29**

AUTOMATIC ORDER

Generally, **8.0.1**

BONDS

- Generally, **32**
- Bail on arrest, **32(13)**
- Cancelling, **32(11)**
- Children's Law Reform Act, change under, **32(5)**
- Conditions, change of, **32(4)**

BONDS—Cont'd

- Forfeiture if no deposit, **32(8)**
 - order for, **32(10)**
- Form of, **32(2)**
- Motion to enforce, **32(7)**
- Payment schedule, change of, **32(9)**
- Removal or replacement, **32(6)**

CASE

- Answering, **10**
 - answer by added respondent, **10(4)**
 - decision-making responsibility, parenting time or contact, answer includes claim for, **10(4.1)**
 - claim may be included in answer, **10(3)**
 - reply to answer, **10(6)**
 - serving and filing answer, **10(1)**
 - time for answer
 - application served outside Canada or U.S.A., **10(2)**
 - placement for adoption exception, **10(2.1)**
 - where no answer, **10(5)**
- Combining cases, **12(5)**
- Defended cases
 - conferences in, **17(1)**
- Justly, dealing with, **2(3)**
- Place of hearing
 - change for child protection case, **5(9)**
 - transfer to another municipality, **5(8)**
- Splitting cases, **12(5)**
 - splitting divorce from other issues, **12(6)**
- Starting a case
 - by filing application, **8(1)**
 - claims in application, **8(3)**
 - court date set when application filed, **8(4)**
 - service of application, **8(5)**
 - failure to serve on or before court date, **8(11)**

CASE—Cont'd

- Starting a case—Cont'd
 - by filing application, **8(1)**
 - Cont'd
 - service of application, **8(5)**
 - Cont'd
 - service of openness application, **8(8.1)**
 - service on child, **8(7), 8(8)**
 - service on child's lawyer, **8(9)**
 - service on official, agencies, etc., **8(6)**
 - where case starts, **5(1)**
 - wrong place, where case in, **5(3)**

CASE MANAGEMENT

- Generally, **39 to 41**
- Family Court of Superior Court of Justice
 - application of Rule 39, **1(3)**
 - case management in certain areas only, **39(1)**
 - case management judge
 - functions of, **39(9)**
 - substitute judge, **39(10)**
 - excluded cases, **40(2)**
 - fast track, **39(4)**
 - case management judge assigned at start, **39(6)**
 - first court date, **39(5)**
 - notice, case not scheduled for trial after 200 days, **39(11)**
 - dismissal after notice, **39(12)**
 - judge may set aside clerk's order, **39(14.1)**
 - service of dismissal order by clerk, **39(13)**
 - service of dismissal order by lawyer on client, **39(14)**
 - Ottawa, case management by associate judge, **42**
 - appeal from order, **(18), 42(17)**
 - conferences, **42(12)**

CASE MANAGEMENT—Cont'd

- Family Court of Superior Court of Justice—Cont'd
 - notice, case not scheduled for trial after 200 days, **39(11)**
 - Cont'd
 - Ottawa, case management by associate judge, **42**
 - Cont'd
 - enforcement powers, **42(15)**
 - motions under Rule 14, **(8), 42(7)**
 - no jurisdiction, **42(5)**
 - powers and duties, **42(4)**
 - Rule 15(24.1), application, **42(11)**
 - Rule 17, application, **42(14)**
 - sending case to judge, **42(16)**
 - parties may not lengthen times, **39(3)**
 - standard track, **39(7)**
 - features of, **39(8)**
- Ontario Court of Justice
 - application of Rule 40, **1(4)**
 - case management in certain areas only, **40(1)**
 - excluded cases, **40(2)**
 - first court date, **40(4)**
 - notice, case not scheduled for trial after 200 days, **40(5)**
 - dismissal after notice, **40(6)**
 - service of dismissal order by clerk, **40(7)**
 - judge may set aside clerk's order, **40(9)**
 - service of dismissal order by lawyer on client, **39(14)**
 - parties may not lengthen times, **40(3)**
- Superior Court of Justice
 - application of rule, **1(4.1), 41**
 - case conference scheduling, **41(4)**

CASE MANAGEMENT—Cont'd
 Superior Court of Justice—Cont'd
 case management in certain areas
 only, **41(1)**
 excluded cases, **41(2)**
 first court date, **41(4)**
 notice, case note scheduled for
 trial, **41(5)**
 dismissal after notice, **41(6)**
 judge may set aside clerk's
 order, **41(9)**
 service of dismissal order by
 clerk, **41(7)**
 service of dismissal order by
 lawyer on client, **41(8)**
 parties may not lengthen times,
41(3)

CHANGE OF NAME
 Generally, **35**
 Registrar general
 reasons for refusal, **35(3)**
 service on, **35(2)**
 Time for application, **35(1)**

**CHILD ABDUCTION,
 INTERNATIONAL**
 Generally, **37.2**
 Application sent to Office of Chil-
 dren's Lawyer, **8(12), (13)**
 Case management judge, **37.2(4)**
 Conference not required, **17(1.2)**
 First meeting, **(6), (7), 37.2(5)**
 Hearing, **37.2(8)**
 Prompt disposition, **37.2(3)**
 Written consent to change time,
3(6)

CHILD PROTECTION
 Generally, **33**
 Amending application, **11(2.1)**
 Case conference optional, **17(1.1)**
 brief served, **17(13.0.1)**
 Case management
 applicability in child protection
 cases, **17**
 judge, **33(2)**

CHILD PROTECTION—Cont'd
 Change in representation, **4(10.1)**
 Examination of expert evidence on
 motions, **33(9)**
 Excluded from case management,
39(2), 40(2)
 Forms for child protection cases,
33(7)
 Forms for secure treatment cases,
33(8)
 Hague Convention cases, **33**
 Place of hearing, **5(1)**
 change of, **5(9)**
 Plan of care or supervision to be
 served, **33(5)**
 Settlement conference judge cannot
 hear issue, **17(25)**
 Status review, society required to
 serve application for, **33(6.1)**
 Temporary care and custody hear-
 ing, affidavit evidence, **33(6)**
 Timetable, **33(1)**
 court may lengthen times in best
 interest of child, **33(3)**
 parties may not lengthen times,
33(4)

CHILDREN'S LAWYER
 Confidentiality of report, **20(24)**
 Report of, **21**

CHILD REPRESENTATION
 Generally, **4(7)**
 Change in representation, **4(10)**

COMBINING CASE
 Power of court to, **12(5)**
 With other matter, **1(5)**

CONFERENCES
 Generally, **17**
 Adjourned conference
 costs of, **17(18)**
 Agreement at conference, **17(19)**
 case conference briefs form part
 of if court orders, **17(22)**
 delete settlement information,
17(22.1)

CONFERENCES—Cont'd

- Agreement at conference, **17(19)**
 - Cont'd
 - conference agreement filed in, **17(20)**
 - settlement conference briefs do not form part of, **17(22.2)**
 - brief to be returned or destroyed, **17(22.2)**
 - trial management briefs form part of, **17(21)**
- Attendance
 - parties and lawyers to attend, **17(15)**
 - parties to confirm, **17(14)**
- Combined conference, **17(7) to 17(7.2)**
- Continuing record
 - case conference briefs, **17(22)**
 - settlement conference briefs, **17(22.2)**
 - trial management conference briefs, **17(21)**
- Defended cases, in, **17(1)**
 - not applicable in international child abduction cases, **17(1.2)**
 - optional in child protection case, **17(1.1)**
- Duties of Parties, **17**
- Enforcement, case conference optional, **17(12)**
- Final orders at, **17**
- Motions to change final order or agreement, **17(3)**
- Non-judge, conferences with, **17(9), 17(9.1)**
- Orders at, **17(8)**
- Procedural Fairness, **17**
- Purposes of
 - case conference, **17(4)**
 - settlement conference, **17(5)**
 - trial management conference, **17(6)**
- Requirement for parties to confer, **17(3.1) to 17(3.3)**

CONFERENCES—Cont'd

- Requirement to bring documents, **17(14.2)**
 - Service
 - parties to serve briefs, **17(13)**
 - child protection case, in, **17(13.0.1)**
 - late briefs forbidden, **17(14.1)**
 - time for service of briefs, **17(13.1)**
 - Settlement conference
 - before case set for trial, with judge, **17(10)**
 - brief not to form part of continuing record, **17(22.2)**
 - brief to be returned or destroyed, **17(22.2)**
 - child protection case, **17(25)**
 - judge who conducts cannot then hear the issue, **17(24)**
 - purposes of, **17(5)**
 - Undefended cases, in, **17(2)**
- CONTACT**
- Amending application, **11(3.1)**
 - Claim for, **8(3.1), 10(4.1), 35.1**
 - Motion to change order, **15(5.1)**
 - Parties, **7(4)**
 - Where a case starts, **5(1)**
- CONTEMPT OF COURT**
- Generally, **31**
 - Change in contempt order, **31(12)**
 - Contempt motion
 - affidavit for, **31(3)**
 - notice of, **31(2)**
 - warrant to bring to court, **31(4)**
 - when available, **31(1)**
 - Contempt orders, **31(5)**
 - change in, **31(12)**
 - cost-only disposition, **31**
 - Corporation in contempt, **31(11)**
 - Defence, **31**
 - Disposition guidelines, **31**
 - Imprisonment or fine
 - conditional, **31(8)**

CONTEMPT OF COURT—Cont'd

- Imprisonment or fine—Cont'd limited, **31(7)**
- Payment of fine, **31(10)**
- Purging, **31**
- Warrant of committal, issuing, **31(9)**
- Writ of temporary seizure, **31(6)**

CONTINUING RECORD

- Agreement at conference, **17(19)**
 - case conference briefs form part of if court orders, **17(22)**
 - delete settlement information, **17(22.1)**
 - conference agreement filed in, **17(20)**
 - settlement conference briefs do not form part of, **17(22.2)**
 - brief to be returned or destroyed, **17(22.2)**
 - trial management briefs form part of, **17(21)**
- Appeal, **9(19)**
- Combining separate records, **9(8) to 9(10)**
- Conversion to electronic format, **9(18)**
- Creation of, **9(1)**
- Document contained in
 - no service of filing of documents already in record, **9(13)**
 - not to be removed from, **9(16)**
 - referred to by tab, **9(15)**
- Duty to serve, **9(12)**
- Format, **(4), (6), (6.1), 9(3)**
- Maintaining, **9(11)**
- Not required, **9(12)**
- Separation of, **9(7), (10)**
- Support order, continuing record for confirmation, **9(21)**
- Transfer of, **9(20)**
- Written reasons, **9(17)**

COSTS

- Generally, **24**
- Absent party, **24(7)**

COSTS—Cont'd

- Bad faith, **24(8)**
- Caused by fault of lawyer or agent, **24(9)**
- Decided, costs to be, **24(10)**
- Discretion, **2**
- Divided success, **24(6)**
- Expenses, payment of, **24(12) to 24(12.2)**
- Factors in setting amount of, **24(11)**
- Offers to settle
 - full recovery of, **18(14)**
 - order as or more favourable, **18(14)5**
- Security for costs
 - amount and form of, **24(14)**
 - may be changed at any time by order, **24(17)**
 - failure to give security, **24(16)**
 - order for, **24(13)**
 - effect of order, **24(15)**
- Successful party presumed entitled to, **24(1)**
 - no presumption if child protection case, **24(2)**
 - no presumption if party is government agency, **24(2)**
 - court's discretion to award costs, **24(3)**
 - successful party behaved unreasonably, **24(4)**
 - decision on reasonableness, **24(5)**
- Unprepared party, **24(7)**
- Withdrawing case, **(4), 12(3)**

DEBT, ATTACHMENT OF

- Generally, **29**

DECISION-MAKING RESPONSIBILITY

- Affidavit in support of claim, **35.1(1)**
- corrections and updates, **35.1(7)**
- Automatic order, **8.0.1**

DECISION-MAKING

RESPONSIBILITY—Cont'd

- Children's Aid Society, request for report from, **35.1(5)**
- Claim for, **8(3.1), 10(4.1), 11(3.1), 15(5.1), 35.1**
- Police records check, **35.1(3)**
- Refusal of documents to be filed, **35.1(6)**
- Where a case starts, **5(1)**

DEFAULT HEARING

- Generally, **30**
- Actions required, **(3), (4), 30(2)**
- Arrears enforceable to date of hearing, **30(7)**
- Conditional imprisonment, **30(8)**
- Conduct of hearing, **(8), 30(7)**
- Judicial discretion, **(9), 30(8)**
- Notice of
 - issuing, **30(1)**
 - serving, **30(2)**
- Payor's dispute, **30(3)**
- Statement of money owed
 - presumed correct, **30(6)**
 - updating, **30(4)**
 - when Director to update, **30(5)**
- Warrant of committal, issuing, **30(9)**

DISCLOSURE

- Access to documents
 - additional documents, **19(9)**
 - document mentioned in court papers, **19(3)**
 - documents listed in affidavit, **15(29), 19(2)**
- Affidavit listing documents, **19(1)**
 - access to listed documents, **(7), 19(2)**
 - errors from affidavit, **19(8)**
 - new affidavit required, **19(8)**
 - omission from affidavit, **19(8)**
- Document disclosure
 - document in non-party's control, **19(11)**

DISCLOSURE—Cont'd

- Document disclosure—Cont'd
 - Office of the Children's Lawyer or Children's Aid Society, documents of, **19(6.1)**
 - subsidiary or affiliated corporation, documents of, **19(6)**
- Failure to follow this rule or obey order, **19(10)**
- Financial statements, full disclosure in, **13(11)**
- Just and efficient resolution, to facilitate, **2(3)**
- Order for disclosure or questioning, **20(5)**
- Preconditions to disclosure or questioning, **20(8)**
- Privileged documents
 - legal privilege, court to decide, **19(4)**
 - use of, **19(5)**
- Questioning a witness, **20**
 - affidavit, questioning on, **20(7)**
 - application of other rules, **20(17)**
 - child party, **20(6)**
 - commissioner's duties, **20(15)**
 - confidential, obligation to keep information, **20(24)**
 - court may lift obligation of confidentiality, **20(26)**
 - permitted use of information, **20(25)**
 - cross-examination, **20(2)**
 - duty to correct or update answers, **20(21)**
 - net family property statement, questioning on, **20(7)**
 - non-party, notice and summons to, **20(9)**
 - penalty for failure to obey summons, **29(10)**
 - notice to parties, **20(13)**
 - orders
 - bring documents or things, **20(16)**

DISCLOSURE—Cont'd

- Questioning a witness, **20**—Cont'd
 - orders—Cont'd
 - questioning or disclosure, for, **20(5)**
 - permission of court, **20(20)**
 - preconditions to questioning or disclosure, **20(8)**
 - procedure, **20(1)**
 - questioning
 - lawyer may answer, **20(22)**
 - method for recording, **20(23)**
 - other arrangements for, **20(12)**
 - person outside Ontario, **20(14)**
 - place of, **20(11)**
 - scope of, **20(18)**
 - refusal to answer question, **20(19)**
 - special party, **20(6)**
 - where available
 - child protection case, as of right, **20(3)**
 - other cases, on consent or by order, **20(4)**
 - Witness evidence, **17(6)**

DISMISSING A CLAIM

- Generally, **1(8)**

DIVORCE

- Generally, **36**
- Affidavit evidence, divorce based on, **36(5)**
- Application for, **36(1)**
 - allegation of adultery, **36(3)**
 - joint application, **36(2)**
- Certificates to be filed
 - central divorce registry certificate, **36(4)**
 - marriage certificate, **36(4)**
- Clerk to present papers to judge, **36(7)**
- Divorce certificate, **36(8)**
- Draft divorce order, **36(6)**
- Splitting divorce from other issues in a case, **12(6)**

DOCUMENTS

- Affidavit listing, **19(1)**
 - access to listed documents, (7), **19(2)**
 - omission from affidavit, **19(8)**
- Certification of, **1(10.1)**
- Continuing record, documents in no service or filing of documents already in record, **9(13)**
 - not to be removed from, **9(16)**
 - referred to by tab, **9(15)**
- Disclosure of
 - affidavit listing documents, **19(1)**
 - access to listed documents, (7), **19(2)**
 - omission from affidavit, **19(8)**
 - document in non-party's control, **19(11)**
 - Electronic filing and issuance of, **1.1**
 - subsidiary or affiliated corporation, documents of, **19(6)**
- Format of written, **1(10)**
- Genuine, meaning of admission that document is, **22(1)**
- Income tax documents required in financial statements, **13(7)**
- Motion, documents for a, **14(9)**
- Omissions, redactions and, **1.2**
- Privileged documents
 - legal privilege, court to decide, **19(4)**
 - use of, **19(5)**
- Redactions and omissions, **1.2**
- Refusal of
 - late documents, **3(7)**, **14(11.1)**
 - where case in wrong place, **5(3)**
- Service of
 - documents served by fax
 - documents that may not be faxed, **6(14)**
 - information to be included, **6(12)**
 - maximum length of document, **6(13)**

DOCUMENTS—Cont'd

- Service of—Cont'd
 - documents that could lead to imprisonment, **6(4)**
- Written, format of, **1(10)**

DUTIES OF COURT

- Manage cases, **2(5)**
- Promote primary objective, **2(4)**

ENFORCEMENT OF ORDERS

- See also SEIZURE AND SALE and GARNISHMENT
- Generally, **26**
- Affidavit for filing domestic contract, **26(9)**
- Director's status relating to enforcement, **26(10)**
 - filing and refile with the Director, **26(11)**
- Enforcement of family arbitration awards requesting enforcement, **32.1**
 - application of other rules, **32.1(3)**
 - hearing date, **32.1(4)**
 - opposing a request, **32.1(7)**
 - order for oral hearing, **32.1(10)**
 - request for oral hearing, **32.1(9)**
 - requesting enforcement, **32.1(1)**
 - request not served on or before hearing date, **32.1(6)**
 - service, **32.1(5)**
 - when required to proceed by motion, **32.1(2)**
 - written hearing, **32.1(8)**
- Entitlement to costs of enforcement, **26(7)**
 - how to enforce, **26(2)**
 - other orders, **26(4)**
 - payment order, **26(3)**
- Reciprocal enforcement, **37**
 - adjournment, **37(12)**
 - application of rule, **37(2)**
 - applications under s. 19.1 of Divorce Act, **37(23.1)**
 - decision, notice of, **37(22)**

ENFORCEMENT OF ORDERS

—Cont'd

- Reciprocal enforcement, **37**
 - Cont'd
 - definitions, **37(1)**
 - directions
 - for further information or documents, form of, **37(10)**
 - sent to respondent, **37(11)**
 - evidence, **37(25)**
 - financial statements
 - applicant's, **37(6)**
 - respondent's, **37(5)**
 - further information or documents
 - affidavit for, **37(14)**
 - copies of, **37(13)**
 - request for, **(11), 37(10)**
 - notice
 - decision, of, **37(22)**
 - hearing, of, **37(3.1)**
 - order, of, **37(19)**
 - oral hearing
 - order for, **37(9)**
 - request for, **37(8)**
 - orders
 - copies sent, **(17), 37(16)**
 - made outside Canada, **37(18)**
 - motion to set aside, **37(20)**
 - designated authority need not appear on, **37(21)**
 - notice of, **37(19)**
 - preparation of, **37(15)**
 - provisional orders, **37(24)**
 - reciprocating jurisdiction, party in, **37(18), 37(23)**
 - request for further information or documents, form of, **37(10)**
 - respondent
 - affidavit for further information or documents, **37(14)**
 - documents provided by, **37(4)**
 - financial statement, **37(5)**
 - information provided by, **37(4)**
 - written hearing, **37(7)**

**ENFORCEMENT OF ORDERS
—Cont'd**

- Registration of
 - parenting or contact orders, **26(16)**
 - requirements for, **26(17)**
 - support orders, **26(15)**
- Statement of money owed, **26(5)**
- special forms, **26(6)**
- Transferring enforcement
 - from Director to recipient, **26(13)**
 - from recipient to Director, **26(12)**
 - notice of transfer, **26(14)**
- Where to enforce, **26(1)**
 - contempt motion, order enforced by, **5(7)**
 - electronic writ, **5(7.1)**
 - other orders, **5(6)**
 - payment orders, **5(5)**
 - sheriff, filing with, **5(6.1)**

EVIDENCE AND TRIAL

- Generally, **23**
- Affidavit or other method, evidence by, **23(20)**
 - conditions for use, **23(21)**
 - uncontested trial, **23(22)**
- Answers
 - reading into evidence
 - opposing party's, **23(13)**
 - other person's, **23(14)**
 - rebutting answers, **23(16)**
 - using answers
 - special circumstances, **23(15)**
 - witness not available for trial, **23(17)**
- Experts
 - duty, **20.1**
 - late filings, **20.2(14.1)**
 - opinion evidence, **20.2**
- Summons to witness, **23(3)**
 - effect of summons, **23(5)**
 - failure to obey summons, **23(7)**
 - opposing party, **23(12)**

EVIDENCE AND TRIAL—Cont'd

- Summons to witness, **23(3)**
 - Cont'd
 - interprovincial summons to witness, **23(3.1)**
 - no summons for original document, **23(6)**
 - notice, if summons becomes unnecessary, **23(5.1)**
 - opposing party, calling, **23(11)**
 - attendance of opposing party, **23(11.1)**
 - failure to obey summons, **23(7)**
 - prisoner, attendance of, **23(10)**
 - setting aside of, **23(9)**
 - timing of service, **23(3.2)**
 - witness fee to be paid, **23(4)**
- Taking evidence
 - before trial, **23(18)**
 - outside Ontario, **23(19)**
- Trial record, **23(1)**
 - respondent may add to trial record, **23(2)**

FINANCIAL DISCLOSURE

- Generally, **13**
- Additional financial information
 - document to be provided, **13(12.1)**
 - FLA Part 1 claim, **13(3.3)**
 - giving or information before case conference, **13(3.2.1)**
 - motion to change support, **13(5.0.1)**
 - other property claims, **13(3.4)**
 - support claim, **13(3.1)**
 - timing of requirement, **13(3.2)**
 - updating financial information, **13(12)**
 - timing requirement, **13(12.2)**
- Application, with, **13(1)**
 - exception, **13(1.3)**
 - exception, family arbitration claim, **13(1.4)**
 - property claim, **13(1.2)**
 - without property claim, **13(1.1)**

FINANCIAL DISCLOSURE

—Cont'd

- Correcting and updating statement or answer, **13(15)**
- Decision-making responsibility, parenting time or contact cases, in, **13(3)**
- Documents not required to be filed, **13(7.1)**
- Documents not to be filed without, **13(10)**
- Form, **1(9)**
- Income tax
 - exception, **13(7.0.1)**
 - Indian Act exemption, **13(7)(c)**
 - notice of assessment, **13(7)**
- Insufficient financial information, **(11.0.1), (11.1), 13(11)**
- Motion, with, **13(1)**
 - exception, **13(1.3)**
 - property claim, **13(1.2)**
 - without property claim, **13(1.1)**
- Motion relating to family arbitration, **13(24)**
- Motion to change final support, with, **13(4.2)**
- Motion to change temporary support, with, **13(4)**
 - exception, by consent, **13(4.1)**
- Motion to refrain, with, **13(5.1)**
- Net family properties, comparison of
 - joint, **13(14.2)**
 - separate, **13(4.3)**
- Net family property statement, **13(14)**
 - exception, family arbitration claim, **13(4.1)**
 - timing requirement, **13(14.0.1)**
- No financial disclosure by consent spousal support in divorce, **13(8)**
- Omissions, duty to address, **13(16)**
- Order, if document not provided, **13(17)**

FINANCIAL DISCLOSURE

—Cont'd

- Order for financial statement, **27(5)**
 - failure to obey order, **27(6)**
 - Other obligations, **13(18)**
 - Questioning on, **13(13)**
 - Reply, with, **13(1)**
 - exception, **13(1.3)**
 - property claim, **13(1.2)**
 - without property claim, **13(1.1)**
 - Request for, **27(1)**
 - effect of request, **27(2)**
 - frequency of requests, **27(3)**
 - Requirement to certify, **13(5.0.2)**
 - Rule 13, application of, **27(4)**
 - Support orders, reciprocal enforcement of
 - respondent's financial statement, **37(5)**
 - Updating certificate, **13(13.1)**
- FINANCIAL INFORMATION**
- Generally, **27**
 - Financial examination
 - appointment for, **27(11)**
 - before whom examination held, **27(16)**
 - frequency of examinations, **27(22)**
 - imprisonment, **27(20)**
 - imprisonment power is additional, **27(21)**
 - method of recording, **27(16)**
 - order for another examination, **27(19)**
 - other rules apply, **27(14)**
 - person other than payor, of, **27(12)**
 - place where held, **27(13)**
 - notice of time and place, **27(15)**
 - resistance to examination, **27(18)**
 - scope of examination, **27(17)**
 - Order for financial statement, **27(5)**
 - failure to obey order, **27(6)**

FINANCIAL INFORMATION**—Cont'd**

- Request for financial statement, **27(1)**
 - effect of request, **27(2)**
 - frequency of requests, **27(3)**
- Requirements for Filing, **13(7)**
- Rule 13, application of, **27(4)**
- Statement of income
 - order for, **27(9)**
 - effect of failure to obey order, **27(10)**
 - request for statement from income source, **27(7)**
 - frequency of requests, **27(8)**

FORMS

- Interjurisdictional support orders, **37(3)**
- Reference to, **1(9)**
- Requirements for completing, **1(9.2)**
- Use of, **1(9.1)**

GARNISHMENT

- Generally, **29**
- Attachment, **29**
- Changing garnishment
 - indexed support, **29(14)**
 - effect of statutory declaration of indexed support, **29(15)**
 - other times, **29(20)**
 - when ability to pay changes, **29(21)**
- Constitutionality of, **(6.1), (19), 29(1)**
- Defences, **29(16)**
- Dispute, **29(16)**
- Financial institution, garnishee, **29(6)**
 - support order, garnishment of, **29(6.1)**
 - new accounts, exception for, **29(6.2)**

GARNISHMENT—Cont'd

- Garnishee's payment pays debt, **29(22)**
- Garnishment hearing, **29(19)**
 - notice of, **29(17)**
 - service of notice, **29(18)**
- Joint debts garnishable, **29(7)**
 - money to be held, **29(19)**
 - procedure where joint debt garnished, **29(8)**
- Notice by garnishee or payor
 - notice by clerk to recipient or Director, **29(28)**
 - notice by garnishee
 - payor not working or receiving money, **29(23)**
 - payor working or receiving money, **29(24)**
 - notice by payor
 - new income source, **29(26)**
 - working or receiving money again, **29(25)**
 - sent to clerk and recipient or Director, **29(27)**
- Notice or notices of garnishment
 - duration of, **29(5)**
 - effect of, **29(4)**
 - issue of, **29(1)**
 - new notice of garnishment, **29(29)**
 - effect of new notice, **29(30)**
 - number of recipients and garnishee per notice, **29(2)**
 - other forms of proof, **26(6)**
 - service on payor and garnishee, **29(3)**
- Notice to stop garnishment, **29(31)**
- Old orders, **29(32)**
- Payment
 - arrears payment does not end garnishment, **29(10)**
 - clerk or Director to pay out money, **29(12)**
 - order that this subrule does not apply, **29(13)**

GARNISHMENT—Cont'd

- Payment—Cont'd
 - person to whom garnishee makes payments, **29(11)**
- Support order, garnishment of, **29(6.1)**
 - new accounts, exceptino for, **29(6.2)**

INTERJURISDICTIONAL SUPPORT ORDERS

- Generally, **37**
- Adjournment, **37(12)**
- Application of rule, **37(2)**
- Decision, notice of, **37(22)**
- Definitions, **37(2)**
- Directions
 - for further information or documents, form of, **37(10)**
 - sent to respondent, **37(11)**
- Evidence, **37(25)**
- Financial statements
 - applicant's, **37(6)**
 - respondent's, **37(5)**
- For further information or documents
 - affidavit for, **37(14)**
 - copies of, **37(13)**
 - request for, **(11), 37(10)**
- Forms, **37(3)**
- Notice
 - decision, of, **37(22)**
 - hearing, of, **37(3.1)**
 - order, of, **37(19)**
- Oral hearing
 - order for, **37(9)**
 - request for, **37(8)**
- Orders
 - copies sent, **(17), 37(16)**
 - made outside Canada, **37(18)**
 - motion to set aside, **37(20)**
 - designated authority need not appear on, **37(21)**
 - notice of, **37(19)**
 - preparation of, **37(15)**

INTERJURISDICTIONAL

SUPPORT ORDERS—Cont'd

- Provisional orders, **37.1, 37(24)**
- Reciprocating jurisdiction, party in, **(23), 37(18)**
- Request for further information or documents, form of, **37(10)**
- Respondent
 - affidavit for further information or documents, **37(14)**
 - documents provided by, **37(4)**
 - financial statement, **37(5)**
 - information provided by, **37(4)**
- Written hearing, **37(7)**

JUDICIAL INTERPRETATION

- Generally, **2(1)**

MANDATORY INFORMATION PROGRAM IN SUPERIOR COURT OF JUSTICE IN TORONTO

- Application of rule, **8.1(1)**
 - exception, **(8), 8.1(2)**
- Attendance, **8.1(4)**
- Certificate, **8.1(6)**
 - other steps, **8.1(7)**
- Content of program, **8.1(3)**
 - appointments, **8.1(5)**
- Revocation, **8.1(7)**

MATTERS NOT COVERED UNDER RULES

- Generally, **1(7)**

MOTIONS

- Affidavits in support of motion
 - based on other information, **14(19)**
 - based on personal knowledge, **14(18)**
 - removing lawyer from representation of party, **4(14)**
- Case conference
 - no motion before case conference on substantive issues completed, **14(4)**
 - other motions, **14(6)**

MOTIONS—Cont'd

Case conference—Cont'd
 no motion before case conference
 on substantive issues
 completed, **14(4)**—Cont'd
 urgency or hardship, **14(4.2)**

Change final order or agreement,
15(1)
 affidavit, filing of, **15(22)**, **(23)**
 requirements for, **15(24)**
 application to, **(2.1)**, **15(2)**
 exception, **15(3)**
 assignee, as party, **15(12)**
 sanctions if not served, **15(13)**
 child support guidelines, change
 not in accordance with,
15(21)
 consent to, **15(9)**, **(16)**, **(17)**
 after response is filed, **15(19)**
 assignee, service on, **15(11)**
 child support, change to order,
15(18)
 lack of consent, **15(14)**
 powers of court, **15(25)**
 serving and filing require-
 ments, **15(10)**, **(16)** to
(18)
 directions, **15(26)**, **(26.1)**
 duties of judge at first attendance,
15(24.1)
 filing requirements, **15(15)**
 financial disclosure, **15(21.1)**
 place of motion, **15(4)**
 powers of court, generally,
15(26), **(27)**
 response struck out, **15(14)**
 response to, **15(9)**
 assignee, service on, **15(11)**
 lack of consent, **15(14)**
 serving and filing require-
 ments, **15(10)**
 serving requirements, **(6)**, **(7)**,
15(5)
 assignee, service on, **15(11)**

MOTIONS—Cont'd

Change final order or agreement,
15(1)—Cont'd
 serving requirements, **(6)**, **(7)**,
15(5)—Cont'd
 decision-making responsibility,
 parenting time or contact
 claims, for, **15(5.1)**
 exception, **15(8)**
 Family Responsibility Office,
 on, **15(8.1)**
 temporary order, **14(1)**
 unopposed, powers of court,
15(25)

Complicated Matters, **14(7)**

Contempt motion, where available,
31(1)

Documents for a motion, **14(9)**
 late documents, **14(11.1)**

Evidence on motion, **14(17)**
 affidavit based on other informa-
 tion, **14(19)**
 affidavit based on personal
 knowledge, **14(18)**
 restrictions on evidence, **14(20)**

Family Arbitration, relating to,
14(24)

Financial statement with motion to
 change final support, **13(4.2)**

Financial statement with motion to
 change temporary support,
13(4)
 exception, by consent, **13(4.1)**

Form 14B Motions, **17**

Jurisdiction, retroactive claim, **15(9)**

Making a motion, when, **14(1)**
 who may make motion, **14(2)**

Motion form
 procedural, uncomplicated, or
 unopposed matters, **14(10)**

Notice of motion
 motion with notice, **14(9)**, **14(11)**
 to **14(11.6)**
 removing lawyer from represen-
 tation of party, **4(12)**
 without notice, **14(12)**

MOTIONS—Cont'd

- Parties to motion, **14(3)**
- Post-conference settlement, **17**
- Procedural Matters
 - Motion Form, **14(10)**
- Summary decision of legal issue, **16(12)**
 - evidence on motion, **16(13)**
- Uncomplicated Matters
 - Motion Form, **14(10)**
- Unopposed Matters
 - Motion Form, **14(10)**
- Withdrawing motion, **14(16)**
- With notice, **14(11)**
- Without court's permission, no motion to be made, **14(21)**
- Without notice, **14(12)**
 - filing for motion, **14(13)**
 - order made on motion, **14(14)**
 - service of order, **14(15)**

OFFERS TO SETTLE

- Generally, **18**
- Accepting an offer, **18(9)**
 - failure to accept, costs consequences of, **18(14)**
 - failure to carry out terms of accepted offer, **18(13)**
 - offer remains open despite rejection or counter-offer, **18(10)**
- Application of this Rule, **18(2)**
- Confidentiality of offer, **18(8)**
- Costs
 - burden of proof, **18(15)**
 - consequences of failure to accept, **18(14)**
 - discretion of court, **18(16)**
 - where not dealt with in offer, **18(11)**
- Definition, **18(1)**
- Expiry of offer
 - full recovery of, **18(14)**
 - order as or more favourable, **18(14).5**
 - time-limited offer, **18(6)**

OFFERS TO SETTLE—Cont'd

- Expiry of offer—Cont'd
 - when court begins to give decision, **18(7)**
- Making an offer, **18(3)**
- Settlement conference briefs, **17**
- Special party, **18(12)**
- Time-limited offer, **18(6)**
- Withdrawing an offer, **18(5)**

ORDERS

- Generally, **25, 26**
- Automatic, **8.0.1**
- Case conferences, at, **17(8)(b)**
- Certain orders made at any time, **1(7.1)**
- Conditions, **1(6)**
- Consent order, **25(1)**
- Directions, **1(6)**
- Draft order
 - approval of, **25(4)**
 - changing order
 - fraud, mistake, lack of notice, **25(19)**
 - disputed order
 - settlement by judge, **25(7)**
 - settling contents of, **25(5)**
 - time and date, **25(6)**
 - where approval not required
 - certain orders, **25(9)**
 - emergencies, **25(10)**
 - no response from other party, **25(8)**
- Effect at trial, **1(7.3), (7.4)**
- Effective date of, **25(18)**
- Enforcement of
 - affidavit for filing domestic contract or paternity agreement, **26(9)**
 - Director's status relating to enforcement, **26(10)**
 - filing and refiling with the Director, **26(11)**
 - entitlement to costs of enforcement, **26(7)**

ORDERS—Cont'd

- Enforcement of—Cont'd
 - how to enforce, **26(2)**
 - other orders, **26(4)**
 - payment order, **26(3)**
 - statement of money owed, **26(5)**
 - special forms, **26(6)**
 - transferring enforcement
 - from Director to recipient, **26(13)**
 - from recipient to Director, **26(12)**
 - notice of transfer, **26(14)**
 - where to enforce, **26(1)**
- Evidence, giving of, **1(7.3)**
- Failure to obey, **1(8)**
- Motion to change final order or agreement, **8(2), 15**
 - affidavit for use on motion contents of, **15(7)**
 - exception, **8(2.1)**
- Preparation of order
 - other party may prepare, **25(3)**
 - successful party prepares, **25(2)**
 - when clerk prepares, **25(11)**
- Procedural, **1(7.2)**
 - use of telephone or video technology, **1(7.3.1)**
- Removing lawyer, contents and service of, **4(14)**
- Restraining Order, **25(11.1)**
- Restricted access order, **1.3(1)**
- Service of, **25(13)**
 - adoption order, **25(17)**
 - Crown wardship order, **25(15)**
 - secure treatment order, **25(16)**
 - support deduction order not served, **25(14)**
- Set aside, **1(7)**
- Settlement conferences, at, **17(8)(b)**
- Substituted service order, **6(15)**
- Trial management conferences, at, **17(8)(b)**
- Who may sign order, **25(12)**

PARENTING TIME

- Amending application, **11(3.1)**
- Automatic order, **8.0.1**
- Claim for, **8(3.1), 10(4.1), 35.1**
- Motion to change order, **15(5.1)**
- Parties, **7(4)**
- Where a case starts, **5(1)**

PARTIES

- Generally, **7**
- Added by court order, **7(5)**
- Additional parties in certain child support cases, **7(5.2)**
- Description of parties in case, **7(6)**
- Restriction on adding child as, **7(5.1)**
- Who are parties
 - in a case, **7(1)**
 - in a case involving children, **(4.1), 7(4)**
 - on motion, **(2), 7(1), 14(3)**
- Who must be named as parties, **7(3)**

PAYMENT INTO AND OUT OF COURT

- Generally, **25.1**
- Accountant's duties, **25.1(15)**
- Accountant to provide receipt, **25.1(10)**
- Application, **25.1(19)**
- Children's lawyer, public guardian and trustee, **25.1(13)**
- Definition, **25.1(1)**
- Non-application of rule, **25.1(2)**
- Order for payment out, special party or child, **25.1(16)**
 - costs, **25.1(18)**
 - where notice is not required, **25.1(17)**
- Payment into court, filing in person with clerk or accountant, **25.1(3)**
 - bank's duties, **25.1(8)**
 - clerk to forward documents, **25.1(6)**
 - direction, **25.1(5)**

PAYMENT INTO AND OUT OF COURT—Cont'd

Payment into court, filing in person with clerk or accountant, **25.1(3)**—Cont'd
documents to be filed, **25.1(4)**
payment, **25.1(7)**
payment into court, payment by mail to accountant, **25.1(9)**
payment out of consent, **25.1(14)**
payment out of court, authority, **25.1(11)**
payment out under an order, **25.1(12)**

PRACTICE DIRECTIONS

Generally, **1(11), (12), (12.1)**

PROVISIONAL ORDERS

Generally, **37.1**
Application of rule, **37.1(1)**
Continuation of hearing, **37.1(12)**
Definitions, **37.1(2)**
Documents to be sent to confirming court, **37.1(3)**
Evidence
court receives request for, **37.1(10)**
court sends request for, **37.1(11)**
respondent's affidavit, **37.1(13)**
Notice
confirmation hearing, of, **37.1(5)**
Oral hearing
order for, **37.1(9)**
request for, **37.1(8)**
Written hearing, **37.1(7)**

QUESTIONING A WITNESS

Generally, **20**
Affidavit, questioning on, **20(7)**
Application of other rules, **20(17)**
Commissioner's duties, **20(15)**
Confidential, obligation to keep information, **20(24)**
court may lift obligation of confidentiality, **20(24)**

QUESTIONING A WITNESS—Cont'd

Confidential, obligation to keep information, **20(24)**—Cont'd
permitted use of information, **20(25)**
Cross-examination, **20(2)**
Duty to correct or update answers, **20(21)**
Net family property statement, questioning on, **20(7)**
Non-party, notice and summons to, **20(9)**
penalty for failure to obey summons, **20(10)**
Notice to parties, **20(13)**
Orders
bring documents or things, **20(16)**
questioning or disclosure, for, **20(5)**
Permission of court, **20(20)**
Preconditions to questioning or disclosure, **20(8)**
Procedure, **20(1)**
Questioning
lawyer may answer, **20(22)**
method for recording, **20(23)**
other arrangements for, **20(12)**
person outside Ontario, **20(14)**
place of, **20(11)**
scope of, **20(18)**
Refusal to answer question, **20(19)**
Special party, **20(6)**
Where available
child protection case, as of right, **20(3)**
other cases, on consent or by order, **20(4)**

RECIPROCAL ENFORCEMENT OF SUPPORT ORDERS

See Enforcement of Orders and Interjurisdictional Support

RECOGNIZANCES

- Generally, **32**
- Bail on arrest, **32(13)**
- Person before whom entered into, **32(3)**

REPLY

- Amending, **11(3)**
- Decision-making responsibility, parenting time or contact, amended to include claim for, **11(3.1)**
- Financial statement and, **13(1)**
- Reply to answer to a case, **10(6)**
- Withdrawing, **12(1)**
 - costs payable, **12(4)**

REPRESENTATION

- Generally, **4**
- Child party
 - court to consider representation of, **4(3.1)**
 - private representation, **4(2)**
 - public law officer to represent, **4(3)**
- Lawyer's removal from case, **4(12)**
 - notice of motion to remove, **4(13)**
 - affidavit in support of motion to remove, **4(14)**
 - order removing lawyer, contents and service of, **4(15)**
- Limited scope retainer, **(1.1) to (1.3), 4(0.1)**
- Representation for a party, **4(1)**
 - after death, **4(5)**
 - change in representation, **4(10)**
 - child protection case scheduled for trial, exception for, **4(10.1)**
 - notice of change, **4(11)**
 - child, representation for, **4(7)**
 - choice of lawyer, **4(9), (9.1)**
- Special party
 - private representation, **4(2)**
 - public law officer to represent, **4(3)**

RULES

- Generally, **1 to 3**
- Cases and courts to which rules apply, **1(2)**
- Communications out of court, **1(12.2)**
- Definitions, **2(1)**
- Documents, **1(8.2)**
- Duties under these Rules, **2(4)**
- Failure to follow, **1(8.1)**
- Failure to obey orders, **1(8)**
- Generally, **1**
- Interpretation, **2**
- Matters not covered under, **1(7)**
- Primary objective, **2(2)**
- Short title, **1(1)**
- Striking out documents, **1(8.4)**

SEIZURE AND SALE

- Generally, **28**
- Electronic filing
 - changes, **(9.1), 28(6.2)**
 - confirmation, **28(6.4)**
 - corrections, **28(6.7)**
 - error in writ, **28(1.4)**
 - generally, **(1.1), (3.1), (6.1), 28(0.1)**
 - issuance, **28(1.2)**
 - notice, **28(6.8)**
 - request, of, **28(1.2)**
 - signatures, **28(14)**
 - swearing, **28(14)**
 - who may file, **28(11)**
 - withdrawal by sheriff, **28(6.5)**
 - writ, of, **(1.4), 28(1.1)**
- Statutory declaration
 - if order changed, **28(3)**
 - to change amount owed, **28(2)**
- Writ of seizure and sale
 - duration of, **28(4)**
 - electronic writs, see Electronic Filing
 - eligibility problems, **28(1)**
 - issued under former Rules, **28(5)**
 - issue of, **28(1)**

SEIZURE AND SALE—Cont'd

- Writ of seizure and sale—Cont'd
 - notifying sheriff of payment received, **28(6)**
 - order changing, withdrawing, or suspending writ, **28(8)**
 - service of order, **28(9)**
 - withdrawing, **28(7)**
- Writ of temporary seizure of property, **28(10)**

SELF-REPRESENTATION

- Generally, **4**
- Role of judge, **2(3), (4), (5)**

SERVICE

- Service of answer to a case, **10(1)**
- Service of application starting a case, **8(5)**
 - failure to serve on or before court date, **8(11)**
 - service on child, **(8), 8(7)**
 - service on child's lawyer, **8(9)**
 - service on official, agencies, etc., **8(6)**
- Service of documents
 - Age Restriction, **6(1.1)**
 - document not seen on effective date, **6(20)**
 - effective date of service, **6(9) to 6(11.3)**
 - information to be included when served by email, **6(14.1)**
 - irregularities, **6**
 - methods of service, **6(1) to 6(5)**
 - by advertisement, **6(17)**
 - irregular service, approving, **6(18)**
 - regular service, **6(2)**
 - address on latest document, **6(5)**
 - service by fax
 - documents that may not be faxed, **6(14)**
 - information to be included, **6(12)**

SERVICE—Cont'd

- Service of documents—Cont'd
 - methods of service, **6(1) to 6(5)**
 - Cont'd
 - service by fax—Cont'd
 - maximum length of document, **6(13)**
 - special service, **6(3)**
 - documents that could lead to imprisonment, **6(4)**
 - substituted service, **6(15), 6(15.1)**
 - notice of address change, **6(6)**
 - proof of service, **6(19)**
 - record of service, information to be included, **11(11.4)**
 - service not required, where, **6(16)**
 - Service of motion for restricted access order, **1.3(8)**
 - Service of order made without notice, **14(15)**

SETTLE, OFFERS TO

- See Offers to Settle

SPLITTING CASE

- Divorce from other issues, **12(6)**
- Power of court, **12(5)**

STARTING A CASE

- By filing application, **8(1)**
 - claims in application, **8(3)**
 - claims relating to family arbitration, **8(3.2)**
 - decision-making responsibility, parenting time or contact, for, **8(3.1)**
 - court date set when application filed, **8(4)**
 - enforcement of family arbitration award, **8(1.1)**
 - service of application, **8(5)**
 - failure to serve on or before court date, **8(11)**
 - service on child, **8(7), 8(8)**
 - service on child's lawyer, **8(9)**

STARTING A CASE—Cont'd

- By filing application, **8(1)**—Cont'd
 - service of application, **8(5)**
 - Cont'd
 - service on official, agencies, etc., **8(6)**
 - when required to proceed by motion, **8(1.2)**
 - Where case starts, **5(1)**
 - Wrong place, where case in, **5(3)**

SUMMARY JUDGMENT

- Generally, **16**
- Availability of
 - divorce claim, except with, **16(2)**
 - generally, **16(1)**
- Conclusions unfavourable, **16(5)**
- Directions, order giving, **16(9)**
- Divorce claim
 - split from rest of case, **16(3)**
 - summary judgment, no availability of, **16(2)**
- Evidence
 - motion for summary decision of legal issue, on, **16(13)**
 - not from personal knowledge, **16(5)**
 - required, **16(4)**
 - responding party, of, **16(4.1)**
- Issue for trial
 - amount of entitlement, **16(7)**
 - no genuine issue, **16(4), 16(4.1), 16(6)**
 - responding to motion, **16(4.1)**
- Oral evidence, **16(6.2)**
- Powers, **16(6.1)**
- When conference optional, **16(12)**

SUPPORT ORDERS

- See Enforcement of Orders and Interjurisdictional Support Orders

TIME

- Generally, **3**
- Changing time
 - order to lengthen or shorten, **3(5)**

TIME—Cont'd

- Changing time—Cont'd
 - written consent to change time, **3(6)**
- Counting days, **3(4)**
- Late documents, **3(7)**
- Time for answer to a case
 - application served outside Canada or U.S.A., **10(2)**

WARRANTS

- Generally, **32**
- Arrest, form of, **32(12)**
 - bail on arrest, **32(13)**
- Bring person to court, **32(1)**
- Committal
 - affidavit for, **32(14)**
 - form of, **32(15)**

WITHDRAWING CASE

- Generally, **12**
- Costs, **12(3), 12(4)**
- Special party, **12(2)**

WRITS

- Electronic filing
 - changes, **(9.1), 28(6.2)**
 - confirmation, **28(6.4)**
 - corrections, **28(6.7)**
 - error in writ, **28(1.4)**
 - generally, **28(1.1), 28(3.1), 28(6.1)**
 - issuance, **28(1.2), 28(12)**
 - notice, **28(6.8)**
 - request, of, **28(1.2)**
 - signatures, **28(14)**
 - swearing, **28(14)**
 - who may file, **28(11)**
 - withdrawal by sheriff, **28(6.5)**
- Seizure and sale, writ of
 - duration of, **28(4)**
 - issued under former Rules, **28(5)**
 - issue of, **28(1)**
 - notifying sheriff of payment received, **28(6)**

ONTARIO FAMILY LAW RULES ANNOTATED

WRITS—Cont'd

Seizure and sale, writ of—Cont'd
order changing, withdrawing, or
suspending writ, **28(8)**
service of order, **28(9)**

WRITS—Cont'd

Seizure and sale, writ of—Cont'd
withdrawing, **28(7)**
Temporary seizure of property, writ
of, **28(10)**