

Index

References:

R = Criminal Proceedings Rules for the Superior Court of Justice (Ontario) [pre-June 2024]

R* = Criminal Proceedings Rules for the Superior Court of Justice (Ontario) [June 2024 onward]

RP = Ontario Review of Parole Ineligibility Rules (Rule 50)

A = Criminal Appeal Rules

P = Provincial Offences Act

PR = Regulations under the Courts of Justice Act relating to the Provincial Offences Act

CJ = Criminal Rules of the Ontario Court of Justice

[All numbers following the above references are to section or rule numbers of the legislation.]

ABANDONMENT

Generally, **R6.10, R*6.10**

Constitutional issues, **R*27.08**

Court of Appeal, in

See CRIMINAL APPEAL
RULES

Dismissal

abandoned, as, **R6.10(2)**

failure to appear, for, **R6.10(3)**

Notice of, **R*6.10, R6.10(1),
R*40.19**

Summary conviction appeal,
R40.15, R*40.17

dismissal for, **R40.15(2)**

notice, service of, **R40.15(1)**

ADJOURNMENT, APPLICATION FOR

Generally, **CJ2.4(2)(a), CJ3.2,
R26, R*26**

Application of rule, **R26.01,
R*26.01**

Consent in writing to order, **CJ2.7,
CJ3.2, R26.05, R*26.05**

Judge, to be made to, **R26.02,
R*26.02**

ADJOURNMENT, APPLICATION FOR—Cont'd

Material required, **CJ2.1, CJ2.2(2),
CJ2.3, R26.04, R*26.04**

additional to notice of applica-
tion, **CJ2.3, R26.04(1)**

affidavit of applicant, **R26.04(2)**

factum/application record not
required, **CJ2.3, R26.04(3)**

Notice of

service of, **CJ2.1(1), CJ3.1 to
3.3, R26.03, R*26.03**

filing with proof of, **CJ3.1,
R26.03(2)**

recipients of/timing of,
**CJ2.1(1), CJ2.4(2)(a),
CJ3.1 to 3.2, R26.03(1)**

Parole Eligibility Report and,
R*50.07

Time for hearing, **CJ2.4(1),
CJ2.4(2)(a)**

AFFIDAVIT(S)

Adjournment application, on,
CJ2.3, R26.04(2)

Alterations to, **R4.06(6)**

AFFIDAVIT(S)—Cont'd

Application(s), on, **CJ2.3, R6.07(1)**
 cross-examination on, **R6.07(4)**
 filing of, **CJ2.3, R6.07(2), R6.07(3)**
 service of, **CJ2.3(2), R6.07(2), R6.07(3)**
 Contents of, **R*4.06, R4.06(2)**
 Corporation, of, **R4.06(5)**
 Court of Appeal
 See CRIMINAL APPEAL RULES
 Cross-examination on, **R6.11(4), R41.04(3), R42.05(4)**
 Custody, release from (pending appeal), **R42.05(2), R42.05(3)**
 Deponents, two or more, **R4.06(4)**
 Evidence, as, **R6.07(1)**
 application of rule, **R6.11(1)**
 cross-examination on, **R6.07(4)**
 filing of, **R6.07(2), R6.07(3)**
 service of, **R6.07(2), R6.07(3)**
 Exhibits, **R*4.06, R4.06(3)**
 Extraordinary remedies, re, **R43.05(2)**
 Format, **R4.06(1)**
 Judicial interim release, re, **R20.05(2), R20.05(3)**
 Parole ineligibility review application, **RP50.02(2)**
 Prisoners, application to procure attendance of
 s. 527(1) application, on, **R23.04(2)**
 s. 527(7) application, on, **R23.04(3)**
 Release of exhibits for scientific testing, **CJ2.3, R21.04(1) to R21.04(3)**
 Service, of, **R*5.08 to 5.09**
 Solicitor of record, applications for removal, **CJ2.3, R25.04(2)**
 Stay pending appeal, application for, **R41.04(2)**

AFFIDAVIT(S)—Cont'd

Venue of trial, application to change, **CJ2.3, R22.05(2), R22.05(3)**

AGREED STATEMENT OF FACTS

Application, on an, **CJ2.3(2)(d), R6.09, R*6.09**
 Court of Appeal
 See CRIMINAL APPEAL RULES
 Custody application, on release from, **R42.05(5)**
 Extraordinary remedies, on application for, **R43.05(4)**
 Stay pending appeal, on application re order for, **R41.04(4)**
 Summary conviction appeals, on, **R40.06(9)**

APPEAL BOOK(S)

Binding of, **R4.07(3)**
 Court of Appeal
 See CRIMINAL APPEAL RULES; PROVINCIAL OFFENCES APPEALS
 Summary conviction appeals, for, **R40.08, R*40.10**
 compliance with rules, relief from, **R40.08(4)**
 contents of, **R40.08(2)**
 filing of, **R40.08(1), R*40.10**
 non-compliance with rules, **R40.08(3)**
 serving of, **R40.08(1), R*40.10**

APPEAL(S)

Court of Appeal, to
 See CRIMINAL APPEAL RULES; PROVINCIAL OFFENCES APPEALS
 Notice of
 See NOTICE OF APPEAL
 Provincial offences
 See PROVINCIAL OFFENCES APPEALS

APPEAL(S)—Cont'd

- Stay pending
 - See STAY PENDING APPEAL, APPLICATION RE ORDER FOR
- Summary conviction
 - See SUMMARY CONVICTION APPEALS
- Written
 - See CRIMINAL APPEAL RULES

APPEALS IN WRITING

- See CRIMINAL APPEAL RULES

APPLICATION OF RULES

- Generally, **A1(1) to (2), CJ1.2, R1, R*1.02 to 1.03**
- Code provisions, of, **R1.05, R*1.05**
- Definitions, **R*1.03**
- Forms, use of, **CJ5.2(2) to CJ5.2(3), R1.06, R*1.06**
- Interpretation, **R*1.04**
- Ontario Court of Justice, to, **CJ1.2**
- Superior Court of Justice, to, **R*1.02, R1.02(1)**
- Transitional provisions
 - in force date, **CJ7, R1.02(3)**
 - repeals, **CJ6, R1.02(4)**

APPLICATION RECORDS, BINDING OF

- See also RECORD AND FACTUM
- Generally, **R4.07(1)**

APPLICATION(S)

- Abandonment of, **R6.10, R*6.10**
 - dismissal
 - abandoned, as, **R6.10(2)**
 - failure to appear, for, **R6.10(3)**
 - notice of, **R6.10(1)**
- Adjournment, for
 - See ADJOURNMENT, APPLICATIONS FOR
- Application of Rules to, **R*6.01, R6.01(2)**

APPLICATION(S)—Cont'd

- Application record
 - additional documents, **CJ2.3, R*6.05, R6.05(5)**
- applicant's
 - generally, **R*6.05**
 - additional material, **CJ2.3**
 - contents, **CJ2.1(2), R6.05(2)**
 - filing of, **CJ3.1 to CJ3.3, R6.05(1) CJ2.1(1)**
 - service of, **CJ2.1(1), CJ3.1 to CJ3.3, R6.05(1)**
- books of authorities
 - generally, **R*32.01**
 - authorities included, **R32.01(3)**
 - cover colour, **R32.01(7)**
 - duplication of authorities, **R32.01(6)**
 - legibility of authorities, **R32.01(5)**
 - marking of authorities, **R32.01(4)**
 - service and filing of by applicant, **R32.01(1)**
 - service and filing of by respondent, **R32.01(2)**
- constitutional issues, **R*27.05**
- evidence, re admitting, **R*30.04**
- evidence, re excluding, **R*31.04**
- respondent's
 - additional material, **CJ2.3**
 - contents, **CJ2.1(2), R6.05(4)**
 - filing of, **CJ2.2(1), CJ3.1 to CJ3.3, R6.05(3)**
 - service of, **CJ2.2(1), CJ3.1 to CJ3.3, R6.05(3)**
 - transcript of evidence, **CJ2.1(3), R6.05(6)**
- Commencement of, **CJ2.1(2), R6.01(1)**
- Consent application, **CJ2.7**
- Constitutional issue
 - See CONSTITUTIONAL ISSUE
- Custody, release from
 - See CUSTODY, release from (pending appeal)

APPLICATION(S)—Cont'd

Dismissal (on reference or application), **R6.11, R*6.11**
 application by respondent, **R6.11(2)**
 constitutional issues, on, **R*27.09**
 non-compliance, for, **R*34.03, R*40.18**
 non-compliance with rules, **R34.03**
 notice by registrar, **R6.11(1)**
 Evidence on
 generally, **R*6.07**
 affidavit, by, **CJ2.3(2)(b), R6.07(1)**
 cross-examination on, **R6.07(4)**
 filing of, **CJ2.3, R6.07(2), R6.07(3)**
 agreed statement of facts, **CJ2.3(2)(d), R6.09**
 constitutional issues, on, **R*27.07**
 examination of witness, by, **R6.08, R*6.08**
 Extension of time, timing of, **R*3.02, R3.02(2)**
 Extraordinary remedies, re
 See EXTRAORDINARY REMEDIES
 Factum(s)
 generally, **R*33**
 applicant's
 contents, **R33.01(3)**
 filing of, **R33.01(12)**
 service of, **R33.01(12)**
 intervenor's
 contents, **R33.01(5)**
 filing of, **R33.01(14)**
 form of, **R33.01(7) to R33.01(11)**
 length of, **R33.01(6)**
 requirement to deliver, **R6.05(8), R6.05(9)**
 service of, **CJ6.09(1), R33.01(14)**

APPLICATION(S)—Cont'd

Factum(s)—Cont'd
 respondent's
 contents, **R33.01(4)**
 filing of, **R33.01(13)**
 service of, **R33.01(13)**
 signing and dating of, **R33.01(2)**
 time limit, **R6.05(9)**
 Hearing(s)
 generally, **R*6.06**
 constitutional issues, **R*27.06**
 date of, **R6.06(2)**
 other applications, **CJ2.6**
 pre-trial applications, **CJ2.4**
 trial applications, **CJ2.5**
 non-compliance with rules, dismissal of application for, **R34.03**
 oral argument, limitations on, **R34.04**
 order and manner of, **R34.01**
 place of, **R*6.06, R6.06(1), R*27.06**
 preliminary assessment of application, **R34.02**
 pre-trial, **R*34**
 written argument, **R34.05**
 Judge, to be made to, **R6.02, R*6.02**
 Notice of application
 See NOTICE OF APPLICATION
 Parole ineligibility review
 See PAROLE INELIGIBILITY REVIEW
 Statement of legal argument, **CJ2.3(2)(a)**
 Trial de novo, for, **R40.12(1), R*40.18**

ATTORNEY GENERAL

See CRIMINAL APPEAL RULES

BAIL

See also CUSTODY

BAIL—Cont'd

- Court of Appeal
 - See CRIMINAL APPEAL RULES
- General Division
 - See JUDICIAL INTERIM RELEASE

BINDING

- Generally, **R4.07**
- Appeal books, **R4.07(3)**
- Application records, **R4.07(1)**
- Transcripts of evidence
 - appeal, **R4.07(4)**
 - application, **R4.07(2)**

BOOKS OF AUTHORITIES

- Generally, **R*32.01**
- Authorities included, **R32.01(3)**
- Cover colour, **R32.01(7)**
- Duplication of authorities, **R32.01(6)**
- Legibility of authorities, **R32.01(5)**
- Marking of authorities, **R32.01(4)**
- Service and filing of by applicant, **R32.01(1)**
- Service and filing of by respondent, **R32.01(2)**

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

- Generally, **CJ1.3, CJ2.4(2)(e), CJ2.4(3), CJ2.5(2), CJ4.2(3)(b), R*27, R27.01**

CASE MANAGEMENT

- Generally, **CJ4, R29A, RP50.06, 50.07**
- Appointment of case management judge
 - generally, **R*29A**
 - application by party, on, **R29A.02**
 - direction of trial judge, by, **R29A.04**

CASE MANAGEMENT—Cont'd

- Focus hearing
 - absence of agreement re witnesses, **CJ4.3(4)**
 - materials, **CJ4.3(3)**
 - parties, **CJ4.3(2)**
 - requirement, **CJ4.3(1)**
- Judicial pre-trial conference
 - authority of parties, required, **CJ4.2(3)**
 - communications technology, **CJ4.2(6)**
 - judicial directions, **CJ4.2(7)**
 - materials, **CJ4.2(4) to CJ4.2(5)**
 - meeting of parties before, **CJ4.2(2)**
 - “pre-trial,” **CJ4.2(1)**
 - record of admissions and agreements, **CJ4.2(8)**
- Parole ineligibility review applications
 - See PAROLE INELIGIBILITY REVIEW
- Powers of court to
 - excuse non-compliance, **CJ5.3**
 - issue directions, **CJ4.2(7)**
 - manage hearing and trial, **CJ4.1**
- Preliminary inquiry
 - discovery process, evidence by, **CJ4.4**
 - official record, part of, **CJ4.4(2)**
 - vulnerable witness exception, **CJ4.4(3)**
 - focus hearing, **CJ4.3**
- Pre-trial conference
 - See judicial pre-trial conference.
- Trial management, **CJ4**

CASE SUPERVISION

- Generally, **R29, R*29**
- Administrative matters, assistance with, **R29.03, R*29.03**
- Authority for rule, **R29.01, R*29.01**

CASE SUPERVISION—Cont'd

Conferences, **R29.04, R*29.04**
attendance at, **R*29.05, R29.05(1)**
accused represented by counsel, **R29.05(2)**
presence of accused required, **R29.05(3)**
authority of judge, **R29.06(3)**
nature of, general, **R*29.06**
place of, **R29.06(1)**
role of trial judge, **R29.06(4)**
self-represented accused, **R29.06(2)**
Designation of judge, **R29.02, R*29.02 to 29.04**
criteria for, **R29.03**

CERTIFIED COPIES OF DOCUMENTS

Generally, **R4.03, R*4.03**

CERTIORARI, APPLICATION RE

See **EXTRAORDINARY REMEDIES**

CHARTER

See **CANADIAN CHARTER OF RIGHTS AND FREEDOMS; EXCLUSION OF EVIDENCE UNDER CHARTER**

CITATION OF RULES

Generally, **R1, R*1.01**
Alternative references, **R1.01(3)**
Short title, **R*1.01, R1.01(1)**
Subdivision of rules, **R1.01(2)**

CODE

Application to constitutional issues, **R27.01, R*27.01**
Interpretation sections of, application to Rules of, **R1.05, R*1.05**

COMMISSION EVIDENCE, APPLICATIONS TO TAKE

Generally, **CJ2.4(2)(b), R24, R*24**

COMMISSION EVIDENCE, APPLICATIONS TO TAKE —Cont'd

Affirmation by witness
See **Witnesses**
Application of rule, **R24.01, R*24.01**
Commissioner, ruling by, **R*24.12 to 24.14, R24.13**
Consent in writing to order, **CJ2.7, R24.06, R*24.06**
Documents, production of, **R24.10, R*24.10**
documents and things, **R24.10(2)**
obligation to produce, general, **R24.10(1)**
other documents, obligation to produce, **R24.10(3)**
Evidence
audio-visual recording of, **R*24.17, R24.17(1)**
recording of, **R24.14, R*24.14**
use at trial, **R24.16, R*24.16, R24.17(2)**
Examination, course of, **R24.11, R*24.11**
cross-examination, **R24.11(2)**
examination-in-chief, **R24.11(1)**
re-examination, **R24.11(3)**
Interpreter, **R24.09, R*24.09**
oath or affirmation of, **R24.09(1)**
supply of, **R24.09(2)**
Judge, to be made to, **R24.02, R*24.02**
Material required, **CJ2.1, CJ2.2(2), CJ2.3, R24.05, R*24.05 to 24.06**
additional to notice of application, **CJ2.3, R24.05(1)**
affidavit of applicant, **R24.05(2)**
factum requirement, **R24.05(3)**
Notice of
contents of, **CJ2.1(2), R24.03, R*24.03**

**COMMISSION EVIDENCE,
APPLICATIONS TO TAKE
—Cont'd**

Notice of—Cont'd
service of
recipients of/timing of,
**CJ2.1(1), CJ3.1, CJ3.3,
R*24.04, R24.04(1)**

Oath or affirmation
See witnesses

Objections, **R24.12(1), R*24.12 to
24.14**

Order for examination, **R24.07,
R*24.07**
clerk, issuance of commission/
letter of request by,
R24.07(3)
commission, **R24.07(2)(a)**
commissioner, duties of,
R24.07(4), R24.07(5)
contents of, **R24.07(1)**
letter of request, **R24.07(2)(b)**
transcript of examination, service
of, **R24.07(6)**

Rulings, **CJ23.12, R24.12, R*24.12
to 24.14**
answers not given, on, **R24.12(3)**
answers under objection, on,
R24.12(2)
commissioner, by, **R24.13,
R*24.13**

Time for hearing, **CJ2.4(1),
CJ2.4(2)(b)**

Transcript, **R24.15, R*24.15**
certification of, **R24.15(2)**
delivery to other parties/court,
R24.15(3)
preparation of, **R24.15(1)**

Trial, use of evidence at, **R24.16,
R*24.16**
videotaped evidence, **R24.17(2)**

Videotaping evidence, **R24.17,
R*24.17**

Witnesses
oath or affirmation of
Ontario
in, **R24.08(1)**

**COMMISSION EVIDENCE,
APPLICATIONS TO TAKE
—Cont'd**

Witnesses—Cont'd
oath or affirmation of—Cont'd
Ontario—Cont'd
outside, **R24.08(2)**

CONSENT, WRITTEN
Generally, **CJ2.7, CJ3.2**
Commission evidence, **R*24.06**
Counsel of record, removal of,
R*25.05
Exhibits, release of, **R*21.05**
Extension of time, to, **CJ3.1(3)(c),
R3.02(3)**
Form, **CJ5.2(1)**
Materials, release of, **R*22.05**
Order, re, to
adjournment, **CJ3.2, R*26.05**
extraordinary remedies, **R43.06,
R*43.06**
release from custody pending
appeal, **R42.06(3)**
release of exhibits for scientific
testing, **R21.05, R*21.05**
solicitor of record, removal of,
CJ3.2, R25.05, R*25.05
Stays of proceeding, **R*41.05**
Suspensions pending appeal,
R*41.05
venue of trial, change of, **R22.06**

CONSTITUTIONAL ISSUE
Abandonment of application,
R27.08, R*27.08
Application of rule, **R27.01,
R*27.01**
Dismissal of application, **R27.09,
R*27.09**
Evidence on application, **R27.07,
R*27.07**
Exclusion of evidence, **CJ2.5(2)**
Hearing of application, place of,
R27.06, R*27.06
Judge, to be made to, **R27.02,
R*27.02**

CONSTITUTIONAL ISSUE

—Cont'd

- Material required, **CJ2.1(2), CJ2.2(2), CJ2.3, R27.05, R*27.05**
- additional documents, **CJ2.3, R27.05(5)**
- application record
 - applicant's, **CJ26.05(4), R27.05(1)**
 - further (ordered by judge), **CJ2.1, CJ2.3**
 - intervenor's, **R27.05(3), R27.05(4)**
 - respondent's, **R27.05(2)**
 - books of authorities, **R27.05(7)**
 - factums, **R27.05(8), R27.05(9)**
 - transcript of evidence, **R27.05(6)**
- Notice of
 - contents, **CJ2.1(2) to CJ2.1(3), R27.03, R*27.03**
 - requirement for, **R4.06, R*4.09**
 - service of, **CJ2.1(1), CJ3.1, R27.04, R*27.04**
 - filing of with proof of service, **CJ2.1(1), CJ3.1, R27.04(4)**
 - manner of, **CJ3.3, R27.04(2), R27.04(3)**
 - timing of, **CJ3.1, R27.04(1)**

CORPORATION

- Affidavit of, **R4.06(5)**

COUNSEL OF RECORD

- See **SOLICITOR OF RECORD, APPLICATION FOR REMOVAL**

COURT DOCUMENTS

- Generally, **R4, R*4**
- Affidavit, **CJ2.3(2), R4.06, R*4.06**
- alterations, **R4.06(6)**
- contents, **R4.06(2)**
- corporation, for a, **R4.06(5)**
- deponents, two or more, **R4.06(4)**
- exhibits, **R4.06(3)**

COURT DOCUMENTS—Cont'd

- Affidavit, **CJ2.3(2), R4.06, R*4.06**
- Cont'd
 - format, **R4.06(1)**
- Appeal books, binding of, **R4.07(3)**
- Application records, binding of, **R4.07(1)**
- Binding, **R4.07**
 - appeal books, **R4.07(3)**
 - application records, **R4.07(1)**
 - transcripts of evidence
 - appeal, **R4.07(4)**
 - application, **R4.07(2)**
- Constitutional issue, notice of, **R*4.09, R4.10**
- Contents, **CJ2.1(2), CJ2.2(2), R4.02, R*4.02 to 4.04**
- backsheet, **R4.02(3)**
 - court name/file number, **R4.02(3)(b)**
 - court office proceeding commenced, **R4.02(3)(d)**
 - deponent's name (affidavit), **R4.02(3)(c)**
 - party filing, identity of, **R4.02(3)(f)**
 - title, document, **R4.02(3)(e)**
 - title, short, **R4.02(3)(a)**
- body, **R4.02(2)**
 - court office proceeding commenced, **R4.02(2)(d)**
 - date, **R4.02(2)(b)**
 - party filing, identity of, **R4.02(2)(c)**
 - title, document, **R4.02(2)(a)**
- general heading, **R4.02(1)**
- court name, **R4.02(1)(a)**
- file number, **R4.02(1)(a)**
- proceeding title, **R4.02(1)(b)**

- Copies, certified, **R4.03, R*4.03**
- Evidence, transcripts of
 - See transcripts of evidence
- Filing of, **CJ2.1(1), CJ2.2(1), CJ3.1 to 3.3, R4.05, R*4.05**
- court office, in, **R4.05(3)**

COURT DOCUMENTS—Cont'd

- Filing of, **CJ2.1(1), CJ2.2(1), CJ3.1 to 3.3, R4.05, R*4.05**
 - Cont'd
 - electronic filing, **CJ3.3(2)**
 - mail, by, **R4.05(3)**
 - deemed date, **R4.05(4)**
 - when not received, **R4.05(5)**
 - place, **R4.05(1), R4.05(2)**
- Format
 - generally, **R*4.01**
 - affidavit, of, **R4.01, R*4.06**
 - application, **CJ5.2(1)**
 - consent, **CJ5.2(1)**
 - response, **CJ5.2(1)**
 - transcripts of evidence, of, **R*4.07 to 4.09, R4.08(3) to R4.08(10)**
- Indictments, **R*4.10**
- Notice to be in writing, **R4.04**
- Records
 - See application records
- Service of
 - See SERVICE OF DOCUMENTS
- Transcripts of evidence, **CJ2.1(3), R*4.07 to 4.09, R4.08**
 - binding of
 - appeal, **R4.07(4)**
 - application, **R4.07(2)**
 - format standards, **R4.08(3) to R4.08(10)**
 - heading, **R4.08(2)**
 - paper size, **R4.08(1)**
- Transmission of, **R*4.08, R4.09**
 - form 22, **R4.09(1)**
 - location other than where proceeding commenced, from, **R4.09(2)**

CRIMINAL APPEAL RULES

- Abandonment, **A18**
- Application of, **A1(1) to (2)**
- Applications
 - bail pending applications for leave to appeal to Supreme

CRIMINAL APPEAL RULES**—Cont'd**

- Applications—Cont'd
 - Court of Canada, **A22**
 - driving prohibitions made in summary conviction proceedings pending appeal, to stay, **A26**
 - judicial interim release under s. 18(2) of the Extradition Act, review decisions re, **A24**
 - release after breach, **A22**
 - release pending appeal, for, **A22**
 - review under s. 680 of the Criminal Code, to seek, **A23**
 - summary conviction appeal court decisions, for leave to appeal, **A25**
- Certificates, **A11**
- Commencement, **A1(7)**
- Compliance, dispensing with, **A1(11)**
- Definitions, **A2**
- Documents, court, **A6**
- Exhibits, original, **A12**
- Filing
 - manner of, **A7**
 - time for, **A8**
- Forms, **A3**
- Frivolous appeals, **A17**
- Hearing, manner of, **A10**
- In camera proceedings, **A11**
- Inmate appeals
 - appeal books, **A58**
 - application of part, **A51**
 - conversion, **A62**
 - definitions, **A52**
 - exhibits, original, **A54**
 - notice of appeal, **A53**
 - papers, original, **A54**
 - preparing appeal to be heard, **A59**
 - presence of appellant, **A60**
 - summary conviction appeals, leaves to appeal in, **A56**

CRIMINAL APPEAL RULES

—Cont'd

- Inmate appeals—Cont'd
 - time, extension of, **A55**
 - transcripts, **A57**
 - writing, appeals in, **A61**
- In-person appeals
 - application of part, **A48**
 - application of rules re solicitor appeals, **A49**
 - orders modifying/relieving compliance with requirements and rules, **A50**
- Interpretation, **A1(3)**
- Management, **A15**
- Matters not provided for, **A1(4) to (5)**
- Mental disorder, appeals from orders under Part XX.1 of the Criminal Code re
 - appeal books, **A68**
 - application of part, **A63**
 - definitions, **A64**
 - dispositions, applications re, **A71**
 - expedited hearings, **A65**
 - factums, **A69**
 - notice of appeal, **A66**
 - placements, applications re, **A71**
 - preparing appeal to be heard, **A70**
 - transcript, **A67**
- Motions
 - amicus curae, to appoint, **A31**
 - directions, for, **A28**
 - fresh evidence, for leave to introduce, **A27**
 - general, **A21**
 - intervene in an appeal, for leave to, **A30**
 - remove lawyer of record, to, **A32**
 - transcripts, to expedite production of, **A29**
- Papers, original, **A12**
- Parties, representation of, **A13**
- Post-sentence report, **A20**

CRIMINAL APPEAL RULES

—Cont'd

- Practice directions, **A4**
 - Publication bans, **A11**
 - Purge court, **A16**
 - Reasons for judgment and final orders, **A19**
 - Reinstatement, **A18**
 - Representation
 - change in, **A14**
 - parties, of, **A13**
 - Revocation, **A1(6)**
 - Sealing orders, **A11**
 - Serving
 - manner of, **A7**
 - time for, **A8**
 - Short title, **A1(6)**
 - Solicitor appeals
 - appeal books, **A39**
 - application of part, **A33**
 - authorities, books of, **A42**
 - compendiums, **A43**
 - factums, **A40**
 - listing appeals, **A46**
 - notices of appeal in, **A34, A35**
 - perfecting appeals, **A44, A45**
 - sentence appeals, **A41**
 - transcripts, ordering, **A36**
 - transcripts, prescribed contents of, **A38**
 - transcripts, production of, **A37**
 - writing, appeals in, **A47**
 - Status court, **A16**
 - Summary determinations, **A17**
 - Time
 - abridgment of, **A9**
 - computation of, **A5**
 - extension of, **A9**
 - Transitional provisions, **A1(8) to (10)**
 - Vexatious appeals, **A17**
 - Wrong court, appeals in, **A17**
- CRIMINAL CODE**
See CODE

CROSS-EXAMINATION

Affidavits, of
evidence, as, **R6.07(4)**
on, **R41.04(3), R42.05(4)**

CUSTODY

Order directing release, **R42.05, R*42.05**
consent in writing to, **R42.05(3)**
form of, **R42.05(1)**
sufficiency of, **R42.05(2)**
Release from (pending appeal),
R42, R*42
application for an order
Court of Appeal, in
See **CRIMINAL APPEAL RULES**
judge, to be made to, **R42.02, R*42.02**
materials required, **R42.03, R*42.03**
additional to notice of application, **R42.03(1)**
affidavit of applicant, **R42.03(2)**
affidavit on behalf of prosecutor, **R42.03(3)**
application record applicant's, **R42.03(5)**
respondent's, **R42.03(6)**
cross-examination on affidavits, **R42.03(4)**
factum not required unless ordered, **R42.03(5), R42.03(6)**
material filed as part of record, **R42.03(7)**
notice of application
abridgment/extension of time, **R42.04(3)**
consent to, **R42.05(3)**
contents of, **R42.03(1)**
service of, **R42.04, R*42.04**
filing of with proof of, **R42.04(2)**

CUSTODY—Cont'd

Release from (pending appeal),
R42, R*42—Cont'd
application of rule, re, **R42.01, R*42.01**

Transfer from

See **PRISONERS, APPLICATIONS TO PROCURE CRATTENDANCE OF**

DANGEROUS AND LONG-TERM OFFENDER APPLICATIONS

Generally, **R35, R*35**
Pre-hearing conference report,
R35.02, R*35.02

DEFINITIONS

Generally, **CJ1.3, R1.03, R*1.03, RP50.01**
Court of Appeal Rules, **A2, A52, A64**
Summary conviction appeals,
R40.01, R*40.01

DISCLOSURE

Judicial directions re, **CJ4.2(7)**
Manner of, **DIS:2, PRACTICE ISSUES**
Parole ineligibility review applications, **RP50.08(1)**
Powers of judge on pre-trial,
CJ4.2(3)
Remedy for failure to disclose,
DIS:3, PRACTICE ISSUES
Scope of, **DIS: 1, PRACTICE ISSUES**
Third party records, **CJ2.5(1)(c)**
Time for hearing application, **CJ2.4**

DOCUMENTS

See **COURT DOCUMENTS**
Filing of
See **COURT DOCUMENTS**
Service of
See **SERVICE OF DOCUMENTS**

EVIDENCE

Application(s), on
 generally, **R*6.07 to 6.10**
 affidavit, by, **R6.07**
 agreed statement of facts, **R6.09**,
R*6.09
 examination of witness, by,
R6.08, R*6.08

Applications to admit, **R30, R*30**
 application of rule, **R30.01**,
R*30.01
 application record, **R*30.04**
 applicant's, **R30.05(1)**
 respondent's, **R30.05(2)**
 books of authorities, **R30.05(3)**
 factums, **R30.05(4), R30.05(5)**
 judge to be made to, **R30.02(1)**
 exception, **R30.02(2)**
 notice of, **R*30.02, R30.03**
 contents, **R30.03(2)**
 filing and service of, **R*30.03**,
R30.04(1)
 manner of service,
R30.04(2)
 proof of service, **R30.04(3)**
 form of, **R*30.02, R30.03(1)**

Applications to exclude, **R31, R*31**
 application of rule, **R31.01**,
R*31.01
 application record
 applicant's, **R*31.04**,
R31.05(1)
 respondent's, **R31.05(2)**
 books of authorities, **R31.05(3)**
 factums, **R31.05(4), R31.05(5)**
 judge to be made to, **R31.02(1)**
 exception, **R31.02(2)**
 notice of, **R*31.02, R31.03**
 contents, **R31.03(2)**
 filing and service of, **R*31.03**,
R31.04(1)
 manner of service,
R31.04(2)
 proof of service, **R31.04(3)**
 form of, **R31.03(1)**

EVIDENCE—Cont'd

Commission, application to take
 See **COMMISSION EVIDENCE**,
APPLICATIONS TO TAKE

Exclusion under Charter
 See **EXCLUSION OF EVIDENCE UNDER**
CHARTER

Transcripts of
 See **COURT DOCUMENTS**,
TRANSCRIPTS OF EVIDENCE

EXCLUSION OF EVIDENCE UNDER CHARTER
 Generally, **CJ2.5(2)(a)(ii)**
 Application for (Ont C.J.). See **APPLICATION(S)**

EXHIBITS, RELEASE OF FOR SCIENTIFIC TESTING
 See **RELEASE OF EXHIBITS FOR SCIENTIFIC TESTING**,
APPLICATION FOR

EXTENSION OF TIME
 Generally, **CJ3.1(3), R3.02**,
R*3.02, 4.1
 Application for, timing of, **CJ2.4**,
R3.02(2)
 Consent in writing, by, **CJ2.7**,
R3.02(3)
 Court jurisdiction in respect of,
CJ4.1, CJ5.3, R3.02(1)
 Court of Appeal, in
 See **CRIMINAL APPEAL RULES**

Extraordinary remedies, re
 application for, **R43.04(3)**
 consent to, **R43.04(4)**

Summary conviction appeals,
R*40.03, R40.18
 judge's power, **R40.18(1)**
 notice of application, re, service
 of, **R40.18(2)**

EXTRAORDINARY REMEDIES
 Generally, **R43, R*43**

EXTRAORDINARY REMEDIES**—Cont'd**

- Application of rule, **R43.01, R*43.01**
- Applications
 - additional to notice of application, **R43.05(1)**
 - affidavit of applicant, **R43.05(2)**
 - agreed statement of facts, **R43.05(4)**
 - application record/factum applicant's, **R43.05(5)**
 - respondent's, **R43.05(6)**
 - cross-examination on affidavits, **R43.05(3)**
 - extension of time, **R43.04(3)**
 - consent to, **R43.04(4)**
 - judge, to be made to, **R43.02**
 - materials required, **R43.05, R*43.05**
- Notice of application
 - generally, **R*43.03 to 43.04**
 - application to quash, **R*43.03 to 43.04**
 - certified documents, **R43.03(3)**
 - effect in law of return of, **R43.03(4)**
 - further or amended return, direction of, **R43.03(7)**
 - order directing proceedings continue, **R43.03(6)**
 - suspension of proceedings, **R43.03(5)**
 - filing of, **R*43.04, R43.04(2)(d)**
 - general requirements of, **R43.03(1)**
 - service of, **R*43.04, R43.04(2)**
 - timing of, **R43.04(1)**
- Order, consent in writing to, **R43.06, R*43.06**
- Provincial offences appeals, **P140 to 142**

FACSIMILE TRANSMISSION

- See SOLICITOR OF RECORD, SERVICE ON

FACTUM(S)

- Generally, **R*33**
- Applications, on
 - form of, **R33.01(7) to R33.01(11)**
 - intervenor's
 - contents, **R33.01(5)**
 - filing of, **R33.01(14)**
 - service of, **R33.01(14)**
 - length of, **R33.01(6)**
 - requirement to deliver, **R6.05(8), R6.05(9), R33.01(1)**
 - respondent's
 - contents, **R33.01(4)**
 - filing of, **R33.01(13)**
 - service of, **R33.01(13)**
 - signing and dating of, **R33.01(2)**
 - time limit, **R6.05(9)**
- Court of Appeal, in
 - See CRIMINAL APPEAL RULES
- Summary conviction appeals, on, **R40.13, R*40.13 to 40.16**
 - appellant's, **R40.13(4)**
 - contents of, **R40.13(5)**
 - application of rule, re, **R40.13(1)**
 - non-compliance with rules, re, **R40.13(8)**
 - relief from compliance with rules, re, **R40.13(9)**
 - requirement to deliver, **R40.13(2)**
 - respondent's, **R40.13(6)**
 - contents of, **R40.13(7)**
 - signature on, **R40.13(3)**

FILING

- Application to procure attendance of prison, notice of, **R23.03, R*23.03**
- Court of Appeal, in
 - See CRIMINAL APPEAL RULES
- Documents, of
 - See COURT DOCUMENTS
- Notice of appeal of summary conviction, **R40.04(1)**

FORMS

Acknowledgement of Receipt Card (Form 6), **R5**
 Affidavit (Form 4), **R4**
 Affidavit in Support of Application for Review of Parole Ineligibility (Form 21), **RP Sched.**
 Affidavit of Service (Form 7), **R5**
 Appellant's Factum Appeal From Sentence Only, (**Form 19**), **R40**
 Application (Form 1), **CJ5.2(1)**
 Application for Review of Parole Ineligibility (Form 20), **RP Sched.**
 Backsheet (Form 3), **R4.02(3)**
 Certificate of Service by Sheriff (Form 8), **R5.09**
 Commission (Form 14), **R24**
 Conditions of Release (Form 10A), **R20, R42**
 Consent (Form 3), **CJ5.2(1)**
 Consent of Bail Variation under s. 515.1 of the Criminal Code (Form 10B), **R27**
 Court Reporter's Certificate Respecting Evidence (Form 2C), **R40.06**
 Designation of Counsel (Form 18), **R28.05**
 Letter of Request (Form 15), **R24**
 Notice of Abandonment (Form 9), **R6.14(1)**
 Notice of Appeal (Form 2), **R40**
 Notice of Appeal for Inmate Appeal (Form A), **A53**
 Notice of Appeal Mental Disorder Appeal (Form E), **A66**
 Notice of Application (Form 1), **CJ5.2(1), R6.01**
 Notice of Application and Constitutional Issue (Form 5), **R27.03**
 Notice of Intention to Present Appeal in Writing (Form 2B), **R40.11**

FORMS—Cont'd

Order for Attendance of Prisoner at a Court Proceeding (Form 12), **R23**
 Order for Attendance of Prisoner at Judicial Interim Release or Review Application Hearing (Form 13A), **R20**
 Order for Commission and Letter of Request (Form 16), **R24**
 Order for Transfer of Prisoner to Custody of Peace Officer (Form 13), **R23**
 Pre-Trial Conference Report (Form 17), **R28**
 Provincial offences appeals
 Court of appeal, to appellant's factum (sentence appeal), **PR721/94:Form 6**
 notice of appeal
 inmate, **PR721/94:Form 3**
 non-inmate, **PR721/94:Form 4**
 notice of motion
 inmate, **PR721/94:Form 2**
 non-inmate, **PR721/94:Form 1**
 undertaking, **PR721/94:Form 5**
 Part III appeals
 certificate of official examiner, **PR723/94:Form 6**
 certificate re transcript of evidence, **PR723/94:Form 2**
 notice of abandonment, **PR723/94:Form 5**
 notice of appeal, **PR723/94:Form 1**
 recognizance, **PR723/94:Forms 3, 4**
 Parts I and II appeals
 notice of abandonment, **PR722/94:Form 5**
 notice of appeal, **PR722/94:Form 1**

FORMS—Cont'd

- Provincial offences appeals—Cont'd
 - Parts I and II appeals—Cont'd notice of time/place of hearing, **PR722/94:Form 2**
 - order for recognizance, **PR722/94:Forms 3, 4**
- Release Order (Form 10), **R20, R42**
- Report to Trial Coordinator (Form 18-B), **R28**
- Report to Trial Judge (Form 18-A), **R28**
- Requisition (Form 22), **R4.09**
- Response (Form 2), **CJ5.2(1)**
- Supplementary Notice of Appeal (Form 2A), **R40.07**
- Trial Readiness Report (Form 18-C-1), (Form 18-C-2), **R28**
- Undertaking (Form C), **A8**
- Use of, **CJ5.2(2) to CJ5.2(3), R1.06**

HABEAS CORPUS, APPLICATIONS, RE

See EXTRAORDINARY REMEDIES

HEARING(S)

- Court of Appeal, in
 - See CRIMINAL APPEAL RULES
- Date of, **CJ2.4 to 2.6, R6.06(2)**
- Non-compliance with rules, dismissal of application for, **R34.03, R*34.03**
- Oral argument, limitations on, **R34.04, R*34.04**
- Order and manner of, **R34.01, R*34.01**
- Parole ineligibility review applications, **R*50.08, RP50.08**
- Pre-hearing conference
 - See PRE-HEARING CONFERENCE
- Preliminary assessment of application, **R34.02, R*34.02**

HEARING(S)—Cont'd

- Written argument, **R34.05, R*34.05**
- Written submissions, manner of, **R*34.06**

INCOMPETENCE, ALLEGATIONS OF

Generally, **R Sched. 1**

IN FORCE DATE

Generally, **CJ1.02(2), R1.02(3)**

INMATE APPEALS

See CRIMINAL APPEAL RULES

INTERPRETATION

- General principle, **CJ1.1(4), R*1.04, R1.04(1)**
- Matters not provided for, **CJ4.1, R1.04(2)**
- Party acting in person, **R1.04(3)**

INTERPRETER, RE**COMMISSION EVIDENCE**

- Generally, **R24.09, R*24.09**
- Oath or affirmation of, **R24.09(1)**
- Supply of, **R24.09(2)**

INTERVENTION

- Court of Appeal, in, **A30**
- Superior Court of Justice, in, **R27.10, R*27.10**

JOINT TRIALS

Efficiency, **CJ1**

JUDGMENT

See REASONS FOR JUDGMENT

JUDICIAL INTERIM RELEASE, APPLICATION FOR

- Generally, **R20, R*20**
- Application of rule, re, **R20.01, R*20.01**
- Judge, to be made to, **R20.02, R*20.02**
- Material required, **R20.05, R*20.05**
 - additional to notice of application, **R20.05(1)**
 - affidavit of applicant, **R20.05(2)**

**JUDICIAL INTERIM RELEASE,
APPLICATION FOR—Cont'd**

Material required, **R20.05, R*20.05**
—Cont'd

factum not required, **R20.05(4)**
prosecutor's affidavit, **R20.05(3)**

Notice of

contents of, **R20.03, R*20.03**

accused to be present at hearing, statement that,
R20.03(1)

affidavit required, where,
R20.03(2)

service of, **R20.04, R*20.04**
filing with proof of, **R20.04(3)**
manner of, **R20.04(2)**

recipients of/timing of,
R20.04(1)

Order directing release, **R20.06,**
R*20.06

consent in writing, **R20.06(3)**

form of, **R20.06(1)**

sufficiency of, **R20.06(2)**

JURISDICTION

See SUPERIOR COURT OF
JUSTICE

LIMITATION PERIOD

Notice of appeal, filing of,
R40.03(1)

**LONG-TERM OFFENDER
APPLICATIONS**

See DANGEROUS AND LONG-
TERM OFFENDER
APPLICATIONS

**MANDAMUS, APPLICATIONS,
RE**

See EXTRAORDINARY REME-
DIES

**NON-COMPLIANCE WITH
RULES**

Generally, **CJ5.3, R2, R*2**
Dismissal for, **R34.03, R*34.03**

**NON-COMPLIANCE WITH
RULES—Cont'd**

Dispensation with compliance by
court, **CJ5.3, R2.01, R*2.01**

NOTICE OF ABANDONMENT

See also ABANDONMENT,
APPLICATION OF

Generally, **R*6.10, R6.14(1)**

NOTICE OF APPEAL

Court of Appeal, in

See CRIMINAL APPEAL
RULES

Provincial offences

See PROVINCIAL OFFENCES
APPEALS

Service of (general), **R5.01(3)**

Summary conviction appeal

amendment of, **R40.07, R*40.09**

argument limited to grounds
stated, **R40.07(2)**

relief limited, **R40.07(3)**

supplementary notice,
R40.07(1)

filing of, **R40.04(1), R*40.05 to**
40.06

form of, **R40.03(2), R*40.04**

service, **R*40.05 to 40.06**

method of, **R40.04(2)**

proof of, **R40.04(5), R40.04(6)**

solicitor of record, on,
R40.04(3)

telephone transmission, by,
R40.04(4)

time for, **R40.03(1)**

transmission of, **R40.05(1)**

NOTICE OF APPLICATION

See also APPLICATION(S)

Adjournment, for

service of, **CJ2.1(1), CJ3.1 to**
3.3, R26.03, R*26.03

filing with proof of, **CJ3.1,**
R26.03(2)

recipients of/timing of,
CJ2.1(1), CJ2.4(2)(a),

NOTICE OF APPLICATION**—Cont'd**

- Adjournment, for—Cont'd
 - service of, **CJ2.1(1), CJ3.1 to 3.3, R26.03, R*26.03**
 - Cont'd
 - CJ3.1 to 3.3, R26.03(1)**
- Commission evidence, re
 - contents of, **CJ2.1(2), R24.03, R*24.03**
 - service of
 - recipients of/timing of, **CJ2.1(1), CJ3.1, CJ3.3, R*24.04, R24.04(1)**
- Content of, **CJ2.1(2), R*6.03, R6.03(1), R*24.03**
- Custody, release from
 - See **CUSTODY, RELEASE FROM (PENDING APPEAL)**
- Extension of time, re, **R*40.03, R40.18(2)**
- Extraordinary remedies, re
 - See **EXTRAORDINARY REMEDIES**
- Judicial interim release, re
 - See **JUDICIAL INTERIM RELEASE, APPLICATION FOR**
- Prisoners, to procure attendance of
 - See **PRISONERS, APPLICATIONS TO PROCURE ATTENDANCE OF**
- Release of exhibits for scientific testing, re
 - See **RELEASE OF EXHIBITS FOR SCIENTIFIC TESTING, APPLICATION FOR**
- Service of, **CJ3.1 to CJ3.3, R*5, R5.01, R6.04, R*6.04**
 - application for prohibition, including, **R5.01(1)**
 - application to quash, including, **R5.01(2)**
 - parties to be served, **CJ2.1(1), R6.04(1)**

NOTICE OF APPLICATION**—Cont'd**

- Service of, **CJ3.1 to CJ3.3, R*5, R5.01, R6.04, R*6.04**
 - Cont'd
 - proof of service, **CJ2.1(1), CJ3.1(1), R6.04(2)**
- Solicitor of record, removal of, re
 - See **SOLICITOR OF RECORD, APPLICATION FOR REMOVAL**
- Stay pending appeal, re
 - See **STAY PENDING APPEAL, APPLICATION RE ORDER FOR**
- Venue of trial, application to change, re
 - See **VENUE OF TRIAL, APPLICATION TO CHANGE**

ONTARIO COURT OF JUSTICE

- Application of Rules to, **CJ1.2**
- Jurisdiction of re
 - dispensation of non-compliance, **CJ5.3**
 - extension of time, **CJ3.1(3), CJ3.2**

ORDERS

- Commission evidence, order for examination, **R24.07, R*24.07**
- Custody, release from, **R*42, R42.06**
 - consent in writing to, **R42.06(3)**
 - form of, **R42.06(1)**
 - sufficiency of, **R42.06(2)**
- Extraordinary remedies, re, consent in writing to, **R43.06, R*43.06**
- Judicial interim release, directing, **R20.06, R*20.07**
 - consent in writing, **CJ2.7, R20.06(3)**
 - form of, **R20.06(1)**
 - sufficiency of, **R20.06(2)**

ORDERS—Cont'd

- Release of exhibits for scientific testing
 - consent in writing re order, **CJ2.7, R21.05, R*21.06**
 - directing release of exhibits, **R21.06**
 - form of, **R21.06(1)**
- Solicitor of record, application for removal, **R*25**
 - consent in writing to order, **CJ2.7, CJ3.2, R25.05, R*25.05**
- Stay pending appeal
 - consent in writing to order, **R41.05, R*41.05**
- Venue of trial, application to change consent in writing to order, **CJ2.7, R22.06, R*22.06**

PAROLE INELIGIBILITY REVIEW

- Application
 - generally, **R*50**
 - address to jury, **RP50.08(12)**
 - affidavit, **RP50.02(2)**
 - application of Code s. 527, **RP58.08(9)**
 - contents of application, **RP50.02(1)**
 - disclosure, **RP50.08(1)**
 - empanelling jury, **RP50.08(2) to RP50.08(4)**
 - evidence of AG, **RP50.08(11)**
 - evidence of applicant, **RP50.08(10)**
 - forms, **RP Sched.**
 - hearing of, **RP50.08**
 - in camera hearings, **RP50.08(6)**
 - instructions of presiding judge, **RP50.08(13)**
 - other written evidence, **RP50.02(3)**
 - powers of court, general, **RP50.08(8)**

PAROLE INELIGIBILITY

REVIEW—Cont'd

- Application—Cont'd
 - record or proceedings, **RP50.08(5)**
 - voir dire, **RP50.08(7)**
- Case management hearings
 - generally, **R*50.06**
 - adjournment, **R*50.07, RP50.07(1)**
 - applicant's obligation to attend, **RP50.06(3), RP50.06(4)**
 - deponents' attendance at, **RP50.06(7)**
 - disclosure, **R*50.08**
 - duty to hold, **RP50.06(1)**
 - information to be provided, **RP50.06(5)**
 - notice of date and time, **RP50.06(1)**
 - parole eligibility report, **RP50.07**
 - place of hearing, **RP50.06(2)**
 - powers of presiding judge, **RP50.06(6), RP50.08(7)**
 - voir dire, **RP50.08(7)**
- Forms, **RP Sched.**
- Hearing of applications, **R*50.08, RP50.08**
 - See also application
- Interpretation, **R*50.01, RP50.01**
- Judicial screening under Code s. 745.61
 - Correctional Service report, **RP50.04(6)**
 - designation of judge, **R*50.04, RP50.04(1)**
 - designation of presiding judge for hearing, **R*50.05, RP50.05**
 - dismissal of application, **RP50.02(10)**
 - eligibility, **RP50.04(2)**
 - granting application, **RP50.04(9)**
 - notification of decision, **RP50.04(11), RP50.04(12)**
 - order for parole eligibility report, **RP50.04(13)**

**PAROLE INELIGIBILITY
REVIEW—Cont'd**

Judicial screening under Code s.
745.61—Cont'd
place of hearing, **RP50.05(4)**
service of evidence, **RP50.04(5)**
submission of AG, **RP50.04(3)**,
RP50.04(4)
written material unless otherwise
ordered, **RP50.04(8)**
Jury selection, **RP50.08(2)** to
RP50.08(4)
Parole eligibility report, **R*50.07**,
RP50.04(13), **RP50.07**
adjournment of hearing,
RP50.07(1)
author and contents, **RP50.07(2)**
delivery and filing, **RP50.07(3)**
determination of admissibility,
RP50.07(6)
dispute of, **RP50.07(5)**
resumption of hearing,
RP50.07(4)
Service
generally, **R*50.07**
Chief Justice, to, **RP50.03(1)**
manner of, **RP50.03(3)**
other persons, to, **RP50.03(2)**
proof of, **RP50.03(4)**

PARTICULARS

Generally, **CJ2.4(2)(c)**
Application for
See APPLICATION(S)

PERFECTION OF APPEAL

See CRIMINAL APPEAL RULES;
SUMMARY CONVICTION
APPEALS

**PERSONAL INFORMATION
RECORDS, PRODUCTION
OF**

Generally, **CJ2.5(2)(c)**
Application for (Ont
C.J.). See APPLICATION(S)

PRACTICE DIRECTIONS

Generally, **CJ5.1, R7**
Power to issue, **CJ5.1(1)** to **CJ(2)**,
R7.01, R*7.01

PRE-HEARING CONFERENCE(S)

Generally, **R28, R*28**

PRE-TRIAL PROCEEDINGS

Adjournment, application for,
CJ2.4(2)(a), R26, R*26
application of rule, **R26.01**,
R*26.01
consent in writing to order,
CJ2.7, CJ3.2, R26.05,
R*26.05
judge, to be made to, **R26.02**,
R*26.02
material required, **CJ2.1**,
CJ2.2(2), CJ2.3, R26.04,
R*26.04, R*26.05
additional to notice of applica-
tion, **CJ2.3, R26.04(1)**
affidavit of applicant,
R26.04(2)
factum/application record not
required, **CJ2.3**,
R26.04(3)
notice of
service of, **CJ2.1(1), CJ3.1** to
3.3, R26.03, R*26.03
filing with proof of, **CJ3.1**,
R26.03(2)
recipients of/timing of,
CJ2.1(1), CJ2.4(2)(a),
CJ3.1 to **3.2**,
R26.03(1)
Case management
See CASE MANAGEMENT
Case supervision, **R29, R*29**
administrative matters, assistance
with, **R29.03, R*29.03**
authority for rule, **R29.01**,
R*29.01
conferences, **R29.04, R*29.04**
attendance at, **R*29.05**,
R29.05(1)
accused represented by

PRE-TRIAL PROCEEDINGS

—Cont'd

- Case supervision, **R29, R*29**
 - Cont'd
 - conferences, **R29.04, R*29.04**
 - Cont'd
 - attendance at, **R*29.05, R29.05(1)**—Cont'd
 - counsel, **R29.05(2)**
 - presence of accused required, **R29.05(3)**
 - authority of judge, **R29.06(3)**
 - nature of, **R*29.06**
 - place of, **R29.06(1)**
 - role of trial judge, **R29.06(4)**
 - self-represented accused, **R29.06(2)**
 - designation of judge, **R29.02, R*29.02**
 - criteria for, **R29.03**
- Commission evidence, application to take, **CJ2.4(2)(b), R24, R*24**
- affirmation by witness
 - See witnesses
- application of rule, **R24.01, R*24.01**
- commissioner, ruling by, **R24.13, R*24.13**
- documents, production of, **R24.10, R*24.10**
 - documents and things, **R24.10(2)**
 - obligation to produce, general, **R24.10(1)**
 - other documents, obligation to produce, **R24.10(3)**
- evidence
 - audio-visual recording of, **R24.17(1)**
 - recording of, **R24.14, R*24.14**
 - use at trial, **R24.16, R24.17(2)**
 - examination, course of, **R24.11, R*24.11**
 - cross-examination, **R24.11(2)**

PRE-TRIAL PROCEEDINGS

—Cont'd

- Commission evidence, application to take, **CJ2.4(2)(b), R24, R*24**—Cont'd
- examination, course of, **R24.11, R*24.11**—Cont'd
 - examination-in-chief, **R24.11(1)**
 - re-examination, **CJ23.11(3), R24.11(3)**
- interpreter, **R24.09, R*24.09**
 - oath or affirmation of, **R24.09(1)**
 - supply of, **R24.09(2)**
- judge, to be made to, **R24.02, R*24.02**
- material required, **CJ2.1, CJ2.2(2), CJ2.3, R24.05, R*24.05**
 - additional to notice of application, **CJ2.3, R24.05(1)**
 - affidavit of applicant, **R24.05(2)**
 - consent in writing to order, **CJ2.7, R24.06, R*24.06**
 - factum requirement, **R24.05(3)**
- notice of
 - contents of, **CJ2.1(2), CJ2.3, R24.03, R*24.03**
 - service of, **R*24.08**
 - recipients of/timing of, **CJ2.1, CJ3.1, CJ3.3, R24.04(1)**
- oath or affirmation
 - See witnesses
- objections, **R24.12(1), R*24.12 to 24.14**
- order for examination, **R24.07, R*24.07**
 - clerk, issuance of commission/letter of request by, **R24.07(3)**
 - commission, **R24.07(2)(a)**
 - commissioner, duties of, **R24.07(4), R24.07(5)**

PRE-TRIAL PROCEEDINGS**—Cont'd**

Commission evidence, application to take, **CJ2.4(2)(b), R24, R*24—Cont'd**
 order for examination, **R24.07, R*24.07—Cont'd**
 contents of, **R24.07(1)**
 letter of request, **R24.07(2)(b)**
 transcript of examination, service of, **R24.07(6)**
 rulings, **R24.12, R*24.12 to 24.14**
 answers not given, on, **R24.12(3)**
 answers under objection, on, **R24.12(2)**
 commissioner, by, **R24.13, R*24.13**
 transcript, **R24.15, R*24.15 to 24.16**
 certification of, **R24.15(2)**
 delivery to other parties/court, **R24.15(3)**
 preparation of, **R24.15(1)**
 trial, use of evidence at, **R24.16, R*24.16**
 videotaped evidence, **R24.17(2)**
 videotaping evidence, **R24.17, R*24.17**
 witnesses, **R*24.08**
 oath or affirmation of Ontario
 in, **R24.08(1)**
 outside, **R24.08(2)**
 Constitutional issues, **CJ2.4(2)(e), CJ2.4(3), CJ2.5, R27, R*27**
 abandonment of application, **R27.08, R*27.08**
 application of rule, **R27.01, R*27.01**
 dismissal of application, **R27.09, R*27.09**
 evidence on application, **R27.07, R*27.07**

PRE-TRIAL PROCEEDINGS**—Cont'd**

Constitutional issues, **CJ2.4(2)(e), CJ2.4(3), CJ2.5, R27, R*27—Cont'd**
 exclusion of evidence, **CJ2.5(2)(a)(iii)**
 hearing of application, place of, **R27.06, R*27.06**
 interventions, **R*27.10**
 judge, to be made to, **CJ2.4(3), R27.02, R*27.02**
 legislative challenge, **CJ2.5(2)(a)(i)**
 material required, **CJ2.1, CJ2.2(2), CJ2.3, R27.05, R*27.05**
 additional documents, **CJ2.3, R27.05(5)**
 application record
 applicant's, **CJ2.1, CJ2.3, R27.05(1)**
 intervenor's, **R27.05(3), R27.05(4)**
 respondent's, **CJ2.2, CJ2.3, R27.05(2)**
 books of authorities, **R27.05(7)**
 factums, **R27.05(8), R27.05(9)**
 transcript of evidence, **CJ2.1(3), R27.05(6)**
 notice of
 contents, **CJ2.1(2) to CJ2.1(3), CJ2.3, R27.03, R*27.03**
 requirement for, **R4.06**
 service of, **CJ2.1(1), CJ3.1, R27.04, R*27.04, R*27.05**
 filing of with proof of service, **CJ2.1(1), CJ3.1, R27.04(4)**
 manner of, **CJ3.3, R27.04(2), R27.04(3)**
 timing of, **CJ3.1, R27.04(1)**
 pre-trial decisions re, **CJ4.2(3)(b)**

PRE-TRIAL PROCEEDINGS

—Cont'd

Constitutional issues, **CJ2.4(2)(e)**,
CJ2.4(3), **CJ2.5**, **R27**, **R*27**
—Cont'd
stay of proceedings,
CJ2.5(2)(a)(ii)
unreasonable delay, **CJ2.4(2)(e)**,
CJ 2.4(3), **CJ2.5(2)(a)(ii)**
Disclosure
See DISCLOSURE
Focus hearing (Ont
C.J.). See CASE MANAGE-
MENT
Judicial interim release, application
for, **R20**, **R*20**
application of rule, re, **R20.01**,
R*20.01
bail variations, **R*20.07**
judge, to be made to, **R20.02**,
R*20.02
material required, **R20.05**,
R*20.05
additional to notice of applica-
tion, **R20.05(1)**
affidavit of applicant,
R20.05(2)
factum not required, **R20.05(4)**
prosecutor's affidavit,
R20.05(3)
notice of
contents of, **R20.03**, **R*20.03**
accused to be present at
hearing, statement that,
R20.03(1)
affidavit required, where,
R20.03(2)
service of, **R20.04**, **R*20.04 to**
20.05
filing with proof of,
R20.04(3)
manner of, **R20.04(2)**
recipients of/timing of,
R20.04(1)
order directing release, **R20.06**,
R*20.06
consent in writing, **R20.06(3)**

PRE-TRIAL PROCEEDINGS

—Cont'd

Judicial interim release, application
for, **R20**, **R*20**—Cont'd
order directing release, **R20.06**,
R*20.06—Cont'd
form of, **R20.06(1)**
sufficiency of, **R20.06(2)**
Particulars, **CJ2.4(2)(c)**
application for (Ont
C.J.). See APPLICATION(S)
Pre-hearing conference(s), **R28**,
R*28
application of rule, **R28.01**,
R*28.01
availability of, **R28.02**
confirmation of trial readiness,
R28.04(18), **R28.04(19)**
further conferences, **R28.03(2)**,
R28.03(3)
hearing, **R28.05**, **R*28.05**
attendance at, **R28.05(6) to**
R28.05(8)
inquiries to be made by judge,
R28.05(9), **R28.05(10)**
nature of, **R28.05(1) to**
R28.05(5)
recommendations of judge,
R28.05(13)
resolution issues, **R28.05(11)**,
R28.05(12)
place of, **R*28.02**
report, **R28.04**, **R*28.04**
change of counsel, notice of,
R28.04(13)
change of position, notice of,
R28.04(11), **R28.04(12)**
content of, **R28.04(5)**,
R28.04(6)
custody of, **R28.04(14)**
disclosure of, **R28.04(15)**
filing of, **R28.04(8) to**
R28.04(10)
form of, **R28.04(1)**
guilty plea, **R28.04(4)**

PRE-TRIAL PROCEEDINGS**—Cont'd**

Pre-hearing conference(s), **R28, R*28**—Cont'd
 report, **R28.04, R*28.04**
 —Cont'd
 self-represented accused, **R28.04(3)**
 service of, **R28.04(7), R28.04(8)**
 report to trial coordinator, **R28.04(17)**
 report to trial judge, **R28.04(16)**
 time for holding, **R*28.03, R28.03(1)**

Preliminary inquiry
 See CASE MANAGEMENT

Pre-trial conference (Ont S.C.J.). See CASE MANAGEMENT

Prisoners, application to procure attendance of, **CJ2, R23**
 application of rule, **R23.01**
 judge, to be made to, **R23.02**
 court proceedings, attendance at, **R23.02(1)**
 custody, transfer from, **R23.02(2)**
 materials required, **CJ2.1, CJ2.2(2), CJ2.3, R23.04**
 additional to notice of application, **CJ2.3, R23.04(1)**
 affidavit of applicant
 s. 527(1) application, **R23.04(2)**
 s. 527(7) application, **CJ2.3, R23.04(3)**
 application record or factum not required, **R23.04(4)**
 attendance not required, **R23.04(5)**
 notice of, filing, **CJ2.1(1), CJ3.1(1), CJ3.3, R23.03**

Procure, applications to generally, **R*23**
 application of rule, **R*23.01**

PRE-TRIAL PROCEEDINGS**—Cont'd**

Procure, applications to—Cont'd attendance, applications, for, **R*23.02, R*23.03**
 materials to be filed, **R*23.04**
 notice of, **R*23.03**

Release of exhibits for scientific testing, application for, **CJ2.4(2)(b), R21, R*21**
 application of rule, **R21.01, R*21.01**
 consent in writing re order, **CJ2.7, R21.05, R*21.05**
 judge, to be made to, **R21.02, R*21.02**
 material required, **CJ2.1, CJ2.2(2), CJ2.3, R21.04, R*21.04**
 affidavit of applicant, **R21.04(2)**
 affidavit of examiner, **R21.04(3)**
 affidavits required, **R21.04(1)**
 factum requirement, **R21.04(4)**
 notice of, service, **CJ3.1, CJ3.3, R21.03, R*21.03**
 filing with proof of, **CJ3.1, CJ3.3, R21.03(2)**
 recipients of/timing of, **CJ3.1, R21.03(1)**
 order directing release of exhibits, **CJ2.1(1), CJ3.1, R21.06, R*21.06**
 form of, **R21.06(1)**
 sufficiency of, **R21.06(2)**

Review applications
 See judicial interim release

Service of notice, **R*21.03**

Severance, **CJ2.4(2)(c)**
 applications for (Ont C.J.). See APPLICATION(S)

Solicitor of record, applications for removal, **CJ2.4(2)(d), CJ3.2, R25, R*25**
 application of rule, **R25.01, R*25.01**

PRE-TRIAL PROCEEDINGS

—Cont'd

Solicitor of record, applications for removal, **CJ2.4(2)(d), CJ3.2, R25, R*25**—Cont'd
 consent in writing to order, **CJ2.7, CJ3.2, R25.05, R*25.05**
 judge, to be made to, **R25.02, R*25.02**
 material required, **CJ2.1, CJ2.2(2), CJ3.3, R25.04, R*25.04**
 additional to notice of application, **CJ2.3, R25.04(1)**
 affidavit of applicant, **R25.04(2)**
 factum may be required, **R25.04(3)**
 notice of
 service of, **CJ3.1 to 3.3, R25.03, R*25.03**
 filing with proof of, **CJ3.1, R25.03(3)**
 manner of, **CJ3.3, R25.03(2)**
 recipients of/timing of, **CJ2.1(1), CJ2.2(2), CJ3.3, R25.03(1)**
 Venue of trial, application to change, **R22, R*22**
 application of rule, **CJ21.01, R22.01, R*22.01**
 consent in writing to order, **R*22.05, R22.06**
 judge, to be made to, **R22.02, R*22.02**
 material required, **C2.1, CJ2.2(2), CJ2.3, R*22.04, R22.05**
 additional to notice of application, **CJ2.3, R22.05(1)**
 affidavit of applicant, **R22.05(2)**
 affidavit of competent authority, **R22.05(3)**

PRE-TRIAL PROCEEDINGS

—Cont'd

Venue of trial, application to change, **R22, R*22**—Cont'd
 material required, **C2.1, CJ2.2(2), CJ2.3, R*22.04, R22.05**—Cont'd
 factum required, **R22.05(4)**
 notice of
 contents of, **CJ2.1(2), CJ2.3, R22.03**
 service of, **CJ2.1(1), CJ3.1, CJ3.3, R*22.03, R22.04**
 filing with proof of, **CJ2.1(1), CJ3.1, R22.04(2)**
 recipients of/timing of, **CJ2.1(1), CJ3.1, R22.04(1)**
 place of trial, **R*22.06**

PRISONERS' APPLICATIONS TO PROCURE ATTENDANCE OF

Generally, **R23, R*23**
 Application of rule, **R23.01, R*23.01**
 Judge, to be made to, **R23.02, R*23.02**
 court proceedings, attendance at, **R23.02(1)**
 custody, transfer from, **R23.02(2)**
 Materials required, **R23.04, R*23.04**
 additional to notice of application, **R23.04(1)**
 affidavit of applicant
 s. 527(1) application, **R23.04(2)**
 s. 527(7) application, **R23.04(3)**
 application record or factum not required, **CJ2.3, R23.04(4)**
 attendance not required, **R23.04(5)**

**PRISONERS' APPLICATIONS TO
PROCURE ATTENDANCE
OF—Cont'd**

Notice of, filing, **CJ2.1(1), CJ3.1,
R23.03, R*23.03**

**PROCEDENDO, APPLICATIONS,
RE**

See EXTRAORDINARY REME-
DIES

**PROHIBITION, APPLICATIONS,
RE**

See EXTRAORDINARY REME-
DIES

**PROVINCIAL OFFENCES
APPEALS**

Appeals

Court of Appeal, to
as to leave, **P131(3)**
custody pending, **P132**
forms, see FORMS
grounds, **P131(1)**
leave, grounds for, **P131(2)**
Part III provisions, application
of, **P134**
procedural rules
abandonment, **PR721/94:28**
appeal books, **PR721/94:12,
PR721/94:13**
appeals in writing (non-
inmate), **PR721/94:22**
application of civil rules,
PR721/94:2
books of authorities, **PR721/
94:20**
commencement, **PR721/
94:34**
conditions of release from
custody, **PR721/94:30**
definitions, **PR721/94:1**
dismissal/compliance with
transcript requirements,
PR721/94:9
factums, **PR721/94:14**

**PROVINCIAL OFFENCES
APPEALS—Cont'd**

Appeals—Cont'd

Court of Appeal, to—Cont'd
procedural rules—Cont'd
failure to perfect appeal,
PR721/94:18

inmate appeal

appeal books, **PR721/
94:23**

appeals in writing,
PR721/94:26

notice of appeal, **PR721/
94:23**

presence of appellant,
PR721/94:25

time, extension of,
PR721/94:24

unrepresented on leave to
appeal, **PR721/94:4**

intervention, **PR721/94:21**
listing appeals, **PR721/
94:19**

motion for directions,
PR721/94:17

notice of appeal, **PR721/
94:5**

order without attendance of
counsel, **PR721/94:6**

original papers and exhibits,
PR721/94:11

perfecting appeal, **PR721/
94:16**

processing appeals, **PR721/
94:10**

reasons for judgment,
PR721/94:27

release from custody pend-
ing appeal, **PR721/
94:29**

sentence appeals, **PR721/
94:15**

special leave to appeal,
PR721/94:3

time, extension of, **PR721/
94:7**

PROVINCIAL OFFENCES

APPEALS—Cont'd

- Appeals—Cont'd
 - Court of Appeal, to—Cont'd
 - procedural rules—Cont'd
 - transcripts, **PR721/94:8**
 - transition, **PR721/94:33**
 - variation of bail, **PR721/94:31**
 - generally
 - custody pending, **P110**
 - definitions, **P109**
 - fixing of date for, **P113**
 - payment of fine before, **P111**
 - payment of fine not waiver, **P114**
 - stay of conviction, **P112**
 - transmittal of material, **P115**
 - Part III appeals
 - acquittal, against, **P121**
 - attendance while in custody, **P118(2)**
 - conviction, appeal against, **P120**
 - costs, **P129**
 - court
 - constitution of, **P116(2)**
 - orders by, **P125, P130**
 - powers of, **P117**
 - defect in information or process, **P124**
 - dismissal or abandonment, **P128**
 - forms, see FORMS
 - new trial
 - appeal by way of, **P127**
 - order for, **P126(1)**
 - notice of, **P116(3), (4)**
 - parties entitled to appeal, **P116(1)**
 - procedural rules
 - abandonment, **PR723/94:18**
 - appeal in writing, **PR723/94:16**

PROVINCIAL OFFENCES

APPEALS—Cont'd

- Appeals—Cont'd
 - Part III appeals—Cont'd
 - procedural rules—Cont'd
 - appeal re release from custody, **PR723/94:19**
 - appeal where fine imposed, **PR723/94:6**
 - commencement, **PR723/94:24**
 - definitions, **PR723/94:1**
 - directions, **PR723/94:14**
 - dismissal of appeal, **PR723/94:17**
 - factums, **PR723/94:15**
 - intervention of Crown Attorney, **PR723/94:12**
 - listing of appeal, **PR723/94:13**
 - motions, **PR723/94:10**
 - notice by mail, **PR723/94:3**
 - notice of appeal, service and filing of, **PR723/94:5**
 - notice of decision, **PR723/94:22**
 - official examinations, **PR723/94:20**
 - recognizances, **PR723/94:9**
 - special commissioner, **PR723/94:21**
 - substituted service, **PR723/94:4**
 - time
 - calculation of, **PR723/94:2**
 - extension of, **PR723/94:7**
 - transcripts, **PR723/94:8**
 - transition, **PR723/94:23**
 - transmission of material, **PR723/94:11**
 - release, order for, **P126(2)**
 - right to counsel, **P118(1)**
 - sentence
 - against, **P122(1)**

PROVINCIAL OFFENCES**APPEALS—Cont'd**

Appeals—Cont'd
 Part III appeals—Cont'd
 sentence—Cont'd
 in absence, **P118(3)**
 on more than one count,
P123
 variance of, **P122(2)**
 transfer of record, **P133**
 written argument, **P119**
 Parts I and II appeals
 application for, **P135(2)**,
P135(2.1)
 conduct of, **P136**
 Court of Appeal, appeal to,
P139
 dismissal on abandonment,
P137(1), **P137(2)**
 entitlement, **P135(1)**
 forms, see **FORMS**
 notice of hearing, **P135(3)**
 powers of court, **P138**
 procedural rules
 abandonment, **PR722/94:14**
 appeal where fine imposed,
PR722/94:5
 application of rules, **PR722/**
94:1
 commencement, **PR722/**
94:17
 definitions, **PR722/94:1**
 directions, **PR722/94:12**
 dismissal of appeal, **PR722/**
94:13
 motions, **PR722/94:11**
 notice by mail, **PR722/94:3**
 notice of appeal, filing of,
PR722/94:6
 notice of decision, **PR722/**
94:15
 recognizances, **PR722/**
94:10
 substituted service, **PR722/**
94:4

PROVINCIAL OFFENCES**APPEALS—Cont'd**

Appeals—Cont'd
 Parts I and II appeals—Cont'd
 procedural rules—Cont'd
 time
 calculation of, **PR722/**
94:2
 extension of, **PR722/94:8**
 transcripts, **PR722/94:9**
 transition, **PR722/94:16**
 restoration of dismissed
 appeal, **P137(3)**
 Application for judicial review,
P140
 Certiorari
 application for, **P140**
 notice re, **P141**
 Definitions, **P1**
 Extraordinary remedies, **P140 to**
142
 Habeas corpus, application for,
P142
 Interpretation, **P2(2)**
 Judicial review, **P140 to 142**
 Mandamus, application for, **P140**
 Procedural rules
 See appeals, *supra*
 Prohibition, application for, **P140**
 Provincial offences officer, **P1(3)**
 Purpose of Act, **P2(1)**

QUASH, APPLICATION TO

See **EXTRAORDINARY REMEDIES**

REASONS FOR JUDGMENT

Court of Appeal, in, **A19**
 Summary conviction appeals,
R40.17, **R*40.23**
 not in writing, notification of
 appeal result, **R40.17(2)**
 written, recipients of copies,
R40.17(1)

RELATED TRIALS,

**APPOINTMENT OF JUDGE
TO DETERMINE ISSUES TO
BE ADJUDICATED IN**

Generally, **R29B, R*29B**
Adjudication of common issues to
be determined at, **R29B**
appointment of judge at direction
of court, **R29B.04**
appointment of judge on applica-
tion by party, **R29B.02**

RELEASE FROM CUSTODY

See **CUSTODY, RELEASE FROM
(PENDING APPEAL)**

**RELEASE OF EXHIBITS FOR
SCIENTIFIC TESTING,
APPLICATION FOR**

Generally, **CJ2.4(2)(b), R21, R*21**
Application of rule, **R21.01,
R*21.01**
Consent in writing re order, **CJ2.7,
R21.05, R*21.05**
Judge, to be made to, **R21.02,
R*21.02**
Material required, **CJ2.1, CJ2.2(2),
CJ2.3, R21.04, R*21.04**
affidavit of applicant, **R21.04(2)**
affidavit of examiner, **R21.04(3)**
affidavits required, **R21.04(1)**
factum requirement, **R21.04(4)**
Notice of, service, **CJ3.1, CJ3.3,
R21.03, R*21.03**
filing with proof of, **CJ3.1,
R21.03(2)**
recipients of/timing of, **CJ2.1(1),
CJ3.1, R21.03(1)**
Order directing release of exhibits,
R21.06, R*21.06
form of, **R21.06(1)**
sufficiency of, **R21.06(2)**
Service of notice, **R*21.03**

REMEDIES

See **EXTRAORDINARY REME-
DIES**

REPEALS

Generally, **CJ6, R1.02(4)**

RULES

Application of
See **APPLICATION OF RULES**
Citation of
alternative references to,
CJ1.01(3), R1.01(3)
short title of, **CJ1.01(1),
R1.01(1)**
subdivision of, **CJ1.01(2),
R1.01(2)**
Duty of agents, counsel and
paralegals re, **CJ1.1(3)**
Duty of court re, **CJ1.1(4)**
Duty of litigants re, **CJ1.1(3)**
Objective of, fundamental,
CJ1.1(1) to CJ1.1(2)

RULES OF CIVIL PROCEDURE

See **CRIMINAL APPEAL RULES**

RULINGS

Commission evidence, re, **R24.12,
R*24.12 to 24.14**

**SCIENTIFIC TESTING,
RELEASE OF EXHIBITS
FOR**

See **RELEASE OF EXHIBITS
FOR SCIENTIFIC TESTING**

SERVICE OF DOCUMENTS

Generally, **CJ3, R5, R*5**
Appeal, notice of, **R5.01(3).**
See also summary conviction
notice of appeal
Application, notice of, **CJ3.1 to 3.3,
R5.01, R*5.01, R*6.03, R6.04**
application for prohibition,
including, **R5.01(1)**
application to quash, including,
R5.01(2)
minimum notice period, **CJ3.1(1)**
parties to be served, **CJ2.1(1),
R6.04(1)**

SERVICE OF DOCUMENTS**—Cont'd**

Application, notice of, **CJ3.1 to 3.3, R5.01, R*5.01, R*6.03, R6.04**

—Cont'd

proof of service, **CJ2.1(1), CJ3.1(1), R6.04(2)**

Dispensing with

See substituted

Electronic service, **CJ3.3(2), R5.09(5)**

E-mail, by, **CJ3.3(1), R5.01(5)(b)(iii), R5.01(6)**

Ineffective, **R5.07**

Mail, by, **R5.06**

effective date, **R5.06(2)**

manner of, **R5.06(1)**

party not requiring personal service, to, **R5.01(5)(b)**

Parole ineligibility review applications, **RP50.03**

Personal service, **CJ3.3(1), R*5.02, R5.02(1)**

alternatives to, **CJ3.3(1), R5.03, R*5.03**

corporation, on, **R5.03(6)**

electronic service, **CJ3.3(2)**

e-mail, by, **CJ3.3(1)**

mail (last known address), **R5.03(4)**

residence, **R5.03(5)**

solicitor, acceptance by, **R5.03(2), R5.03(3)**

where available, **CJ3.1(1), R5.03(1)**

Attorney General

Canada, **R5.02(1)(d)**

Ontario, **R5.02(1)(e)**

corporation, **R5.02(1)(b)**

individual, **R5.02(1)(a)**

judge or justice, **R5.02(1)(c)**

not required, where, **CJ3.3(1), R5.01(4)**

method of service, **CJ3.3, R5.01(5)**

SERVICE OF DOCUMENTS**—Cont'd**

Personal service, **CJ3.3(1), R*5.02, R5.02(1)**—Cont'd

original document, **R5.02(2)**

Proof of, **CJ2.1(1), CJ2.2(1), CJ3.1(1), R5.09, R*5.09**

admission or acceptance by solicitor of record, **R5.09(3)**

affidavit of service, **R5.09(1)**

document exchange stamp, **R5.09(4)**

electronic service, **R5.09(5)**
sheriff's certificate, **R*5.05, R5.09(2)**

Solicitor of record, on, **R5.05, R*5.05**

document exchange, at, **R5.05(1)(c)**

effective date, **R5.05(2)**

email, by, **R5.05(1)(e), R5.05(4)**

facsimile, by

See telephone transmission
mail, by, **R5.05(1)(a)**

solicitor's office, in, **R5.05(1)(b)**

telephone transmission, by, **R5.05(1)(d)**

cover page requirements, **R5.05(3)**

Substituted, **R5.04, R*5.04**

effective date of, **R5.04(2), R5.04(3)**

order, where may be made, **R5.04(1)**

Summary conviction notice of appeal

method of, **R40.04(2)**

proof of, **R40.04(5), R40.04(6)**

solicitor of record, on, **R40.04(3)**

telephone transmission, by, **R40.04(4)**

Validation of, **R5.08, R*5.08**

SEVERANCE

Generally, **CJ2.4(2)(c)**

**SEXUAL ACTIVITY OF
COMPLAINANT**

Generally, **CJ2.5(2)(b)(ii)**
Materials required, **CJ2.1 to 2.3**
affidavit by or on behalf of
applicant, **CJ2.3**
respondent's material, **CJ2.2(2),
CJ2.3**
Notice of application
contents, **CJ2.1(2) to CJ2.1(3)**
filing, **CJ2.1(1), CJ3.1, CJ3.3**
service, **CJ2.1(1), CJ3.1, CJ3.3**

**SOLICITOR OF RECORD,
APPLICATION FOR
REMOVAL**

Generally, **CJ2.4(2)(d), CJ3.2,
R25, R*25**
Application of rule, **R25.01,
R*25.01**
Consent in writing to order, **CJ2.7,
CJ3.2, R25.05, R*25.05**
Judge, to be made to, **R25.02,
R*25.02**
Material required, **CJ2.1, CJ2.2(2),
CJ2.3, R25.04, R*25.04**
additional to notice of applica-
tion, **CJ2.3, R25.04(1)**
affidavit of applicant, **R25.04(2)**
factum may be required,
R25.04(3)
Notice of
service of, **CJ3.1 to 3.3, R25.03,
R*25.03**
filing with proof of, **CJ2.1(1),
CJ3.1, R25.03(3)**
manner of, **CJ3.3, R25.03(2)**
recipients of/timing of,
**CJ2.1(1), CJ3.1 to 3.2,
R25.03(1)**

**SOLICITOR OF RECORD,
SERVICE ON**

Generally, **R5.05, R*25.05**
Document exchange, at,
R5.05(1)(e)
effective date, **R5.05(2)**

**SOLICITOR OF RECORD,
SERVICE ON—Cont'd**

Email, by, **R5.05(1)(e), R5.05(4)**
Facsimile, by
See telephone transmission
Mail, by, **R5.05(1)(a)**
Solicitor's office, in, **R5.05(1)(b)**
Telephone transmission, by,
R5.05(1)(d)
cover page requirements,
R5.05(3)

**STAYS AND SUPRESENTIONS
PENDING APPEAL**

Generally, **R41, R*41**
Application for an order
judge, to be made to, **R41.02,
R*41.02**
materials required, **R41.03,
R*41.03**
additional to notice of applica-
tion, **R41.03(1)**
affidavit of applicant,
R41.03(2)
application record
applicant's, **R41.03(3)**
respondent's, **R41.03(4)**
service of notice, **R*41.04**
Application of rule, **R41.01,
R*41.01**

**SUBPOENA, APPLICATION TO
QUASH**

See EXTRAORDINARY REME-
DIES

**SUMMARY CONVICTION
APPEAL(S)**

Generally, **R40, R*40**
Abandonment of appeal, **R40.17,
R*40.19, R*40.20**
dismissal for, **R40.17(2)**
notice, service of, **R40.17(1)**
Abridgement of time
See extension of time

SUMMARY CONVICTION**APPEAL(S)—Cont'd**

- Agreed statement of facts
 - See transcripts and agreements respecting evidence
- Appeal, form of, **R*40.04**
- Appeal books, **R40.10, R*40.10**
 - compliance with rules, relief from, **R40.10(5)**
 - contents of, **R40.10(3)**
 - filing of, **R40.10(1)**
 - non-compliance with rules, **R40.10(4)**
 - serving of, **R40.10(1)**
- Appeal from sentence only, **R*40.12**
 - appellant's factum, **R40.11(12)**
 - Attorney General as appellant, factum of, **R40.11(13)**
 - hearing of, **R40.21**
 - transcripts, **R40.08(17)**
- Appeal in writing, **R40.15, R*40.17**
 - consideration of materials by judge, **R40.15(3)**
 - no written argument from Attorney General, **R40.15(4)**
 - written argument from respondent, **R40.15(3)**
 - materials to be filed, **R40.15(2)**
 - notice of intention, **R40.15(1)**
- Application for directions, **R*40.03, R40.03(2)**
- Application of rule, **R40.02, R*40.02**
- Books of authorities, **R40.12, R*40.13**
 - appellant, filing by, **R40.12(1)**
 - contents of, **R40.12(2)**
 - highlighting or sidebarring, **R40.12(3)**
 - respondent, filing by, **R40.12(5)**
- Definitions, **R40.01**
- Dismissal for non-compliance
 - See supervision of appeals and dismissal for non-compliance

SUMMARY CONVICTION**APPEAL(S)—Cont'd**

- Extension or abridgment of time, **R40.03, R*40.03**
 - judge's power, **R40.03(1)**
 - notice of application, service of, **R40.03(3)**
 - party may apply, **R40.03(2)**
- Facts, **R40.11, R*40.11 to 40.14**
 - appeals from sentence only, **R40.11(12)**
 - Attorney General as appellant, **R40.11(13)**
 - appellant's, **R40.11(4)**
 - contents of, **R40.11(5)**
 - application of rule, **R40.11(1)**
 - non-compliance with rules, **R40.11(3)**
 - respondent's, **R40.11(6)**
 - contents of, **R40.11(7)**
 - signature on, **R40.11(2)**
- Failure to appear for hearing, consequences of, **R40.22, R*40.22**
 - appellant, by, **R40.22(1)**
 - respondent, by, **R40.22(2)**
- Fixing date for hearing, **R40.14, R*40.16**
- Ineffective assistance of counsel, appeals alleging, **R40.19, R*40.20**
 - attendance for directions from court, **R40.19(2)**
 - compliance with protocol, **R40.19(3)**
 - notice to court, **R40.19(1)**
- Notice of appeal, **R*40.04**
 - Attorney General, appeal by, form of, **R40.04(3)**
 - constitutional question, notice of, **R40.04(5)**
 - contents, **R40.04(4)**
 - extension or abridgement of time, effect of, **R40.03(4)**
 - form of, **R*40.04, R40.04(2)**

SUMMARY CONVICTION

APPEAL(S)—Cont'd

- Notice of appeal, **R*40.04**—Cont'd
 - inmate appeals, form of, **R40.0491**
 - manner of service and filing, **R40.06, R*40.06**
 - service on other parties, **R40.06**
 - time for, **R40.05, R*40.05**
- Orders on consent without attendance of counsel, **R40.03(5)**
- Perfection of appeal, **R40.13, R*40.14**
 - consequences of, **R40.13(2)**
 - requirements of, **R40.13(1)**
- Reasons for judgment, **R40.23, R*40.23**
 - not in writing, notification of appeal result, **R40.23(2)**
 - written, recipients of copies, **R40.23(1)**
- Supervision of appeals and dismissal for non-compliance, **R40.18**
 - supervision hearings, reasons for, **R40.18(1)**
 - attendance of counsel not required, **R40.18(2)**
 - attendance of counsel required, **R40.18(3)**
 - dismissal for abandonment, **R40.18(4)**
- Time estimates for appeal hearing, **R40.20**
 - appeals from sentence only, **R40.21**
- Transcripts and agreements respecting evidence, **R*40.06, R40.08**
 - agreed statements of facts, **R40.08(6) to (12)**
 - court reporter's certificate, **R40.08(1)**
 - when not available, **40.08(2)**
 - provisional Legal Aid certificate granted, **R40.08(3)**

SUMMARY CONVICTION

APPEAL(S)—Cont'd

- Transcripts and agreements respecting evidence, **R*40.06, R40.08**—Cont'd
 - provisional Legal Aid certificate—Cont'd
 - not granted, **R40.08(4), R40.08(5)**
 - transcripts
 - completion of, **R40.08(18) to R40.08(22)**
 - contents of, conviction appeals, **R40.08(13)**
 - additional portions, order for, **R40.08(14), R40.08(15)**
 - contents of, sentence appeals, **R40.08(17)**
 - Transmission
 - exhibits and documents, of, **R40.07(2)**
 - reproduction by clerk of appeal court, **R40.07(5)**
 - special order re, **R40.07(3)**
 - notice of appeal, **R40.05(1)**
 - Trials de novo, **R40.16, R*40.18**
 - application for, **R40.16(1)**
 - date of hearing of application, **R40.16(3)**
 - notice of, **R40.16(2)**
 - notice of date, **R40.16(4)**
 - Unnecessary evidence, costs sanctions for, **R40.08(23)**
- SUPERIOR COURT OF JUSTICE**
- Application of Rules to, **R*1.02, R1.02(1)**
 - Jurisdiction of re
 - dispensation with compliance, **R2.01, R*2.01**
 - extension of time, **R*3.02, R3.02(1)**
- TELEPHONE TRANSMISSION SERVICE BY**
- Generally

TELEPHONE TRANSMISSION SERVICE BY—Cont'd
 Solicitor of record, on, **R5.05(1)(d)**
 cover page requirements,
R5.05(3)
 Summary conviction notice of
 appeal, of, **R40.04(4)**

TIME
 See also **EXTENSION OF TIME**
 Abridgment of
 See extension or abridgment of
 Computation of, **R*3.01, R3.01(1)**
 Court of Appeal
 See **CRIMINAL APPEAL RULES**
 Extension or abridgment of,
CJ3.1(3), R3.02, R*3.02
 application for, timing of, **CJ2.4,**
CJ3.1, R3.02(2)
 consent in writing, by, **CJ2.7,**
CJ3.1, CJ3.2, R3.02(3)
 court jurisdiction in respect of,
R3.02(1)
 Local observance of, **R3.01(2)**

TRANSCRIPTS
 Commission evidence, re, **R24.15,**
R*24.15, R*24.16
 Evidence, of, **CJ2.1(3), R*3.07 to**
3.09, R4.08
 binding of
 appeal, **R4.07(4)**
 application, **R4.07(2)**
 commission
 See **COMMISSION EVIDENCE, APPLICATION TO TAKE**
 Court of Appeal, in
 See **CRIMINAL APPEAL RULES**
 Format standards, **R4.08(3) to (10)**
 Heading, **R4.08(2)**
 Paper size, **R4.08(1)**
 Summary conviction appeals,
R*40.08
 additional portions of, **R40.06(6),**
R40.06(7)

TRANSCRIPTS—Cont'd
 Summary conviction appeals,
R*40.08—Cont'd
 certificate re evidence, **R40.06(1)**
 provisional certificate,
R40.06(2)
 provisional certificate not
 granted, **R40.06(3),**
R40.06(4)
 completion of, **R40.06(11)**
 suspension of, **R40.06(12)**
 contents of, **R40.06(5)**
 directions from judge, application
 for, **R40.06(8)**
 not required, **R40.06(9)**
 sentence only, appeals against,
R40.06(10)
 guilty plea, **R40.06(10)(a)**
 not guilty plea, **R40.06(10)(b)**
 unnecessary evidence in, sanction
 for inclusion of, **R40.06(11)**

TRANSITIONAL PROVISIONS
 Criminal Appeal Rules, **A1(8) to**
(10)
 In force date, **CJ7, R1.02(3)**
 Repeals, **R1.02(4)**

TRANSMISSION
 See also **TELEPHONE TRANSMISSION, SERVICE BY**
 Court of Appeal, in
 See **CRIMINAL APPEAL RULES**
 Documents, of
 See **COURT DOCUMENTS**
 Summary conviction appeals
 exhibits and documents, of,
R40.05(2)
 special order, re, **R40.05(3)**
 information, copy of, **R40.05(4)**
 notice of appeal, of, **R40.05(1)**

TRIAL DE NOVO
 See **SUMMARY CONVICTION APPEALS**

TRIAL PROCEEDINGS

Applications to admit, **R30, R*30**
 application of rule, **R30.01, R*30.01**
 application record, **R*30.04**
 applicant's, **R30.05(1)**
 respondent's, **R30.05(2)**
 books of authorities, **R30.05(3)**
 factums, **R30.05(4), R30.05(5)**
 judge to be made to, **R30.02(1)**
 exception, **R30.02(2)**
 notice of, **R*30.02 to 30.03, R30.03**
 contents, **R30.03(2)**
 filing and service of, **R30.04(1)**
 manner of service, **R30.04(2)**
 proof of service, **R30.04(3)**
 form of, **R30.03(1)**
 service of notice, **R*30.04**
 Books of authorities, **R*32**
 authorities included, **R32.01(3)**
 cover colour, **R32.01(7)**
 duplication of authorities, **R32.01(6)**
 legibility of authorities, **R32.01(5)**
 marking of authorities, **R32.01(4)**
 service and filing of by applicant, **R32.01(1)**
 service and filing of by respondent, **R32.01(2)**
 Exclusion of evidence
 applications to exclude, **R31, R*31**
 application of rule, **R31.01, R*31.01**
 application record, **R*31.04**
 applicant's, **R31.05(1)**
 respondent's, **R31.05(2)**
 books of authorities, **R31.05(3)**
 factums, **R31.05(4), R31.05(5)**
 judge to be made to, **R31.02(1)**
 exception, **R31.02(2)**

TRIAL PROCEEDINGS—Cont'd

Exclusion of evidence—Cont'd
 notice of, **R*31.02, R31.03, R*31.03**
 contents, **R31.03(2)**
 filing and service of, **R31.04(1)**
 manner of service, **R31.04(2)**
 proof of service, **R31.04(3)**
 form of, **R31.03(1)**
 Exclusion of evidence under Charter (Ont. C.J.), **CJ2.5(2)(a)(ii)**
 application for
 See APPLICATION(S)
 Factum(s), **R*33**
 applicant's
 contents, **R33.01(3)**
 filing of, **R33.01(12)**
 service of, **R33.01(12)**
 form of, **R33.01(7) to R33.01(11)**
 intervenor's
 contents, **R33.01(5)**
 filing of, **R33.01(14)**
 service of, **R33.01(14)**
 length of, **R33.01(6)**
 requirement to deliver, **R6.05(8), R6.05(9), R33.01(1)**
 respondent's
 contents, **R33.01(4)**
 filing of, **R33.01(13)**
 service of, **CJ6.08(1), R33.01(13)**
 signing and dating of, **R33.01(2)**
 time limit, **R6.05(9)**
 Hearsay evidence, **CJ2.5(2)(b)(iii)**
 application to admit
 See APPLICATION(S)
 Sexual activity of complainant (Ont. C.J.), **CJ2.5(2)(b)(ii)**
 application to admit
 See APPLICATION(S)

TRIAL PROCEEDINGS—Cont'd

Similar fact evidence,
CJ2.5(2)(b)(i)
 application to admit
 See APPLICATION(S)

**VENUE OF TRIAL,
APPLICATION TO CHANGE**

General, **CJ2, R22, R*22**
 Application of rule, **R22.01,
 R*22.01**
 Consent in writing to order, **CJ2.7,
 R22.06, R*22.06**
 Judge, to be made to, **R22.02,
 R*22.02**
 Material required, **CJ2.1, CJ2.2(2),
 CJ2.3, R*22.04, R22.05,
 R*22.05**
 additional to notice of applica-
 tion, **CJ2.3, R22.05(1)**
 affidavit of applicant, **R22.05(2)**
 affidavit of competent authority,
R22.05(3)
 factum required, **R22.05(4)**
 Notice of
 contents of, **CJ2.1(2) to**

**VENUE OF TRIAL,
APPLICATION TO CHANGE
—Cont'd**

Notice of—Cont'd
CJ2.1(3), R22.03, R*22.03
 service of, **CJ2.1(1), CJ3.1,
 CJ3.3, R*22.03, R22.04**
 filing with proof of, **CJ2.1(1),
 CJ3.1, R22.04(2)**
 recipients of/timing of,
**CJ2.1(1), CJ3.1,
 R22.04(1)**

VIDEOTAPED EVIDENCE

See COMMISSION EVIDENCE,
 APPLICATION TO TAKE

WITNESS(ES)

Examination of on an application,
R6.08
 Oath or affirmation of re commis-
 sion evidence, **R24.08**
 Order of examination, **R*24.08**

WRITTEN APPEAL(S)

See CRIMINAL APPEAL RULES