Preface.viUser's Guide.ixTable of Casesxx
PROCEDURAL CHARTS 1 Court Structure 1 Solicitor's Appeal 2
CRIMINAL APPEAL RULES
Contents
<i>Index</i>
<i>Concordance</i>
<i>Guidelines</i>
Practice Directions and Guidelines
Guidelines for Filing Electronic Documents at the Court
of Appeal for Ontario
Criminal Appeal Rules
Rule 1 – Interpretation and Definitions
Rule 2 – Application of Civil Rules
Rule 3 – Notice of Appeal
Rule 4 – Time for Service of Notice of Appeal
Rule 5 – Manner of Service of Notice of Appeal
Rule 6 – Order Without Attendance of Counsel
Rule 7 – Extension or Abridgment of Time
Rule 8 – Transcripts
Rule 9 – Dismissal for Failure to Comply with Rule 8
Rule 10 – Processing Appeals
Rule 11 – Original Papers and Exhibits
Rule 12 – Processing of Appeal Where Legal Aid Refused
Rule 13 – Trial Judge's Report
Rule 14 – Appeal Books
Rule 15 – Appeal Book for Unrepresented Appellant
Rule 16 – Factums
Rule 17 – Sentence Appeals
Rule 18 – Perfecting the Appeal
Rule 19 – Motion for Directions
Rule 20 – Failure to Perfect Appeal
Rule 21 – Listing Appeals

Rule 22 – Books of Authorities
Rule 23 – Intervention
Rule 24 – Appeals in Writing — (Non-Inmate)
Rule 25 – Inmate Appeals — Notice of Appeal and Appeal Books
Rule 26 – Inmate Appeals — Extension of Time
Rule 27 – Inmate Appeals — Presence of Appellant
Rule 28 – Inmate Appeals — Appeals in Writing
Rule 29 – Reasons for Judgment
Rule 30 – Abandonment of Appeals
Rule 31 – Release from Custody Pending Appeal — Sentence Appeal
Rule 32 - Release from Custody Pending Appeal — Contents of Affidavit
Rule 33 – Conditions of Release
Rule 34 – Variation of Bail
Rule 35 – Definition of Justice
Rule 36 – Post Sentence Report
Rule 37 – Notice
Rule 38 – Definitions and Application
Rule 39 – Notice of Appeal
Rule 40 – Transcripts
Rule 41 – Appeal Books
Rule 42 – Factums
Rule 43 – Perfecting the Appeal
Rule 44 – Failure to Perfect Appeal
Rule 45 – Interim Orders Respecting Disposition and Placement Decisions
Rule 46 – Procedure Where Appellant Unrepresented
Rule 47 – Combined Appeal
Rule 48 – Transitional
Rule 49 – Commencement and Revocation
FORMS – TABLE OF CONTENTS
Form A – Notice of Appeal for Inmate Appeal
Form B – Notice of Appeal or Application for Leave to Appeal
Form C – Undertaking
Form D – Appellant's Factum — Appeal from Sentence Only
Form E – Notice of Appeal (Part XX.1)

CRIMINAL PROCEEDINGS RULES OF THE SUPERIOR COURT OF JUSTICE

Index	
Rule 1 – Citation, Application and Interpretation	234
Rule 2 – Non-Compliance with the Rules	
Rule 3 – Time	
Rule 4 – Court Documents	
Rule 5 – Service of Documents	
Rule 6 – Applications Rule 7 – Practice Directions	
Rules 8 to 19 [As yet there are no Rules 8 to 19.]	
PART II — PRE-TRIAL PROCEEDINGS	309
Rule 20 – Judicial Interim Release and Review Applications	
Rule 21 – Release of Exhibits for Scientific Testing	
Rule 22 – Applications to Change the Venue of Trial	
Rule 23 – Applications to Procure Attendance of Prisoners	
Rule 24 – Applications to Take Evidence on Commission	
Rule 25 – Applications for Removal as Solicitor of Record	
Rule 26 – Applications for Adjournment	
Rule 27 – Constitutional Issues	
Rule 28 – Pre-Hearing Conferences	
Notice to the Profession (Criminal Judicial Pre-Trial Conference)	
Rule 29 – Case Supervision Judges and Conferences	
Rule 29A – The Appointment of a Case Management Judge	
Rule 29B – The Appointment of a Judge to Determine Issues	
that are to be Adjudicated in Related Trials	
DART III. TRIAI DROCEEDINGS AND EVIDENCE	116
PART III — TRIAL PROCEEDINGS AND EVIDENCE	416
Rule 30 – Applications to Admit Evidence	
Rule 31 – Applications to Exclude Evidence	
Rule 32 – Books of Authorities	
Rule 33 – Factums	
Rule 34 – Hearing of Pre-Trial and Other Applications	
Rule 35 – Dangerous and Long-Term Offender Applications	
[Rules 36 to 39 have been reserved in the event that at some future time	the
Court deems it advisable to pass additional rules in this part]	
Concordance (Rule 40)	438
MARTIN'S ONTARIO CRIMINAL PRACTICE, 2022	XV

PART IV — SUMMARY CONVICTION APPEALS AND EXTRAORDINARY REMEDIES. 439 Rule 40 – Summary Conviction Appeals Rule 41 – Stays Pending Appeal Rule 42 – Release from Custody Pending Appeal Rule 43 – Extraordinary Remedies Rules 44 to 49 [As yet there are no Rules 44 to 49.]
Rule 50 – ONTARIO REVIEW OF PAROLE INELIGIBILITY RULES (SOR/2013-249)
Schedule 1 - Superior Court of Justice Protocol — Allegations of Incompetence
FORMS – TABLE OF CONTENTS
Form 18 – Designation of Counsel

Form 18-A1 – Report to Trial Judge Form 18-A2 – Report to Trial Judge for Multiple Accused Cases
Form 18B – Report to Trial Coordinator
Form 18-C1 – Trial Readiness Report — Where Trial Readiness Court Held
Form 18-C2 – Trial Readiness Report — Where Trial Readiness Court not Held
Form 19 – Appellant's Factum — Appeal From Sentence Only
Form 20 – Application for Review of Parole Ineligibility (SOR/2013-249, Sched.)
Form 21 – Affidavit in Support of Application for Review of Parole Ineligibility
(SOR/2013-249, Sched.)
Form 22 - Requisition Form 23 - Pro Hassing Conference Parent for Crown Applications
Form 23 – Pre-Hearing Conference Report for Crown Applications (Dangerous and Long-Term Offender Applications)
(Dungerous and Bong Term Offender Applications)
CRIMINAL RULES OF THE ONTARIO COURT OF JUSTICE
<i>Index</i>
RULE 1 – GENERAL
Cross-References
Rule 1.1(1) – Fundamental Objective
Rule 1.1(2) –
Rule 1.1(3) – Duty of counsel, paralegals, agents and litigants
Rule 1.1(4) – Duty of Court
Rule 1.2 – Scope of rules
Rule 1.3 – Definitions
RULE 2 – APPLICATIONS
Synopsis
Rule 2.1(1) – Application
Rule 2.1(2) – Contents of document
Rule 2.1(3) – Transcripts
Rule 2.2(1) – Response
Rule 2.2(2) – Contents of document
Rule 2.3(1) – Additional material
Rule 2.3(2) –
Rule 2.4(1) – Time for pre-trial applications
Rule 2.4(2) –
Rule 2.4(3) –
Rule 2.5(1) – Time for trial applications
Rule 2.5(2) –
MARTIN'S ONTARIO CRIMINAL PRACTICE, 2022 xvi

Rule 2.6 – Time for other applications
Rule 2.7(1) – Applications on consent
Rule 2.7(2) –
Rule 2.7(3) –
RULE 3 – SERVICE
Synopsis
Rule 3.1(1) – Times for service
Rule 3.1(2) –
Rule 3.1(3) – Exceptions
Rule 3.2 – Application for adjournment or to be removed from record
Rule 3.3(1) – Methods of service
Rule 3.3(2) – Electronic filing technology
Rule 3.4(1) – Signatures on Electronic Documents
Rule 3.4(2) – Practice directions authorizing other means of signing electronic
documents
RULE 4 – CASE MANAGEMENT
Synopsis
Cross-References
Rule 4.1 – Hearing and trial management
Rule 4.2(1) – Judicial pre-trial conference
Rule 4.2(2) –
Rule 4.2(3) –
Rule 4.2(4) – Materials
Rule 4.2(5) –
Rule 4.2(6) – Communications technology
Rule 4.2(7) – Judicial directions
Rule 4.2(8) – Record of pre-trial agreements and admissions
Rule 4.3(1) – Focus hearing, preliminary inquiry
Rule 4.3(2) –
Rule 4.3(3) – Materials
Rule 4.3(4) – Absence of agreement
Rule 4.4(1) – Discovery, preliminary inquiry
Rule 4.4(2) – Official record
Rule 4.4(3) – Exception, vulnerable witness
Rule 4.5(1) – Adjournments without the accused personally appearing
Rule 4.5(2) –
RULE 5 — PRACTICE DIRECTIONS, FORMS AND NON-COMPLIANCE
Synopsis

Rule 5.1(1) – Power to issue practice directions Rule 5.1(2) – Rule 5.1(3) – Rule 5.2(1) – Forms Rule 5.2(2) – Rule 5.2(3) – Rule 5.3 – Power of Court to excuse non-compliance	
FORMS – TABLE OF CONTENTS	749
PROVINCIAL OFFENCES ACT	
Contents	
Sections 1 and 2 PART VII – APPEALS AND REVIEW	769
Sections 116 to 134 – Appeals under Part III Sections 135 to 142 – Appeals under Parts I and II O. Reg. 721/94 – Rules of the Court of Appeal in Appeals under the Provincial Offences Act	804
Forms 1 to 6 O. Reg. 722/94 – Rules of the Ontario Court of Justice in	
Appeals under Section 135 of the $Provincial\ Offences$ Act	862
Forms 1 to 5 O. Reg. 723/94 – Rules of the Superior Court of Justice and the Ontario Court of Justice in Appeals Under Section 116 of the <i>Provincial Offences Act.</i>	872
ONTARIO REVIEW BOARD: ONTARIO REVIEW BOARD RULES OF PROCEDURE	899
MARTIN'S ONTARIO CRIMINAL PRACTICE, 2022	xix

PRACTICE ISSUES	
Disclosure	909
Principles Govering Crown Counsel's Conduct	954
The Attorney General's Advisory Committee on Charge Screening,	
Disclosure, and Resolution Discussions (The "Martin Report")	
Recommendations and Opinions	955
Rights of Appearance	972
Rights of Appearance of Lawyer Licensing Process Candidates	973
COURTS, AGENCIES AND MINISTRIES	979
TARIFF AND BILLING HANDBOOK	
Chapter 2: Hourly Tariff and Block Fee Billing	019
INDEX	1093