Index

All references in this Index are to the Rules of Civil Procedure and Forms, indicated by RCP, unless preceded by CJA, which indicates sections of the Courts of Justice Act. Annual Survey and Forms are located in Volume 2.

ABANDONMENT
See Appeals; Applications; Motions

ABRIDGMENT OF TIME
Appeals, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(3)]**
Consent in writing, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(4)]**
Generally, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
Two proceedings in court, placing on trial list, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**

ABSENTEES
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(i)]**
Persons under disability, **RCP-1.03, § RCP 1.03:1**
Representation in court proceedings, **RCP-7.02, § RCP 7.02:1, RCP-7.03, § RCP 7.03:1 [7.02(1.1), 7.03(2.1)]**

ABUSE OF PROCESS
Determination of issue before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Documents, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Motions, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
Pleadings, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**

ACCEPTANCE OF OFFER
See offers to Settle

ACCOUNTANT
Definition, payment into or out of court, **RCP-72.01**
Discharge of mortgage, **RCP-72.04**
Payment into court
bank's duties, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(6)]**

ACCOUNTANT—Cont'd
Payment into court—Cont'd
direction, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(3)]**
documents to be filed, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(2)]**
payment, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(5), (7)]**
receipt, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(8)]**
Payment out of court
consent by insurer on behalf of party, **RCP-72.03, § RCP 72.03:1 [72.03(6)]**
maintenance of a minor, **RCP-72.03, § RCP 72.03:1 [72.03(14)]**
minor attaining age of majority, **RCP-72.03, § RCP 72.03:1 [72.03(7)]**
payment directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
payment out on consent, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
payment out under order or report, **RCP-72.03, § RCP 72.03:1 [72.03(2), (3)]**
payment to personal representative, **RCP-72.03, § RCP 72.03:1 [72.03(9)]**
stop order, **RCP-72.05, § RCP 72.05:1**
References, **RCP-55.05 [55.05(1), (3)]**

ACCOUNTING
Summary judgments, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(5)]**

ACCOUNTS
Change of account
after day fixed for payment, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(25)]**
before day fixed for payment, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(24)]**

ACCOUNTS—Cont'd
Change of account—Cont'd
final order fixing new day for payment, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(22)]**
mortgage references, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21)]**
motions, by dissatisfied party, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(23)]**
notice of change, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21)]**
Estates, see Estate Accounts
Interest, administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Mortgage references
change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21)]**
time for taking of new account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(18)]**
Notice of change
defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
Passing, costs, **RCP-58.08, § RCP 58.08:1**
Proceedings for administration, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
Proof, where mortgage assigned, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
References, **RCP-55.04**
books of account, **RCP-55.04 [55.04(4)]**
failure to pass accounts when required, **RCP-55.07 [55.07(2)]**
powers of referee, **RCP-55.04 [55.04(1)]**
preparation, **RCP-55.04 [55.04(2), (3)]**
production and inspection of vouchers, **RCP-55.04 [55.04(5)]**
questioning accounts, **RCP-55.04 [55.04(6)]**
Taking of accounts
action, **CJA-122 [s. 122]**
directing reference, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**

ACCOUNTS—Cont'd
Taking of accounts—Cont'd
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(8), (10), (11)]**
mortgage reference, duties and powers of referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
sale action, notice to defendant, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(7)]**

ACTIONS
See also Proceedings
Accounting, **CJA-122 [s. 122]**
Addition, deletion, substitution of parties, **RCP-26.02, § RCP 26.02:1**
Amendment of pleadings, see Pleadings
Amount of damages deemed in issue, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(6)]**
Brought in wrong court, costs, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2**
Crossclaim, see Crossclaims
Defendants named in title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(2)]**
Defended
listing for trial
placing on trial list, **RCP-48.05**
service of trial record, **RCP-48.02 [48.02(1)]**
simplified procedure, **RCP-76.08**
third party claims, **RCP-48.02 [48.02(3)]**
trial records, **RCP-48.02 [48.02(1)]**
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Determination of issue before trial
action frivolous, vexatious, abuse of process, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
admissibility of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
another proceeding pending, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
court lacking jurisdiction, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**

ACTIONS—Cont'd
Determination of issue before trial —Cont'd
factums, **RCP-21.03**
failure to make motion promptly, **RCP-21.02, § RCP 21.02:1**
no cause of action or defence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1)]**
party lacking capacity, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
questions of law, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1)]**
Discontinuance, **RCP-23.01, § RCP 23.01:1**
costs, **RCP-23.05, § RCP 23.05:1**
effect on counterclaim, **RCP-23.02, § RCP 23.02:1**
effect on crossclaim, third party claim, **RCP-23.03**
effect on subsequent action, **RCP-23.03, RCP-23.04, § RCP 23.04:1 [23.03(2), 23.04(1)]**
stay of subsequent action, **RCP-23.04, § RCP 23.04:1 [23.04(2)]**
Dismissal
defendant paying claim, **RCP-14.10 [14.10(1)]**
discovery, conduct
failure to answer written questions, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
failure to produce document for inspection, **RCP-30.08, § RCP 30.08:1 [30.08(2)]**
failure to serve affidavit of documents, **RCP-30.08, § RCP 30.08:1 [30.08(2)]**
failure to comply with order for payment into court, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(6)]**
failure to provide security for costs, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2, RCP-56.06, § RCP 56.06:1 [20.05(6), 56.06]**
insufficient evidence at jury trial, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Dismissal for delay, see Dismissal for Delay

ACTIONS—Cont'd
Evidence at trial generally, **§ RCP 53:1 et seq. [Rule 53]**
Failure to attend at trial, **RCP-52.01, § RCP 52.01:1 [52.01(1)]**
Foreclosure, see Foreclosure, Sale and Redemption
Forms
general heading of documents, **APP C § C:11 [Form 4A]**
notice of action, **APP C § C:23 [Form 14C]**
statement of claim, **APP C § C:21, APP C § C:22, APP C § C:24 [Form 14A, Form 14B, Form 14D]**
statement of defence, **APP C § C:38 [Form 18A]**
Fourth and subsequent party claims, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**
see also Third Parties
Frivolous and vexatious, security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2**
Generally, **§ RCP 14:1 et seq. [Rule 14]**
Jury notice, see Juries
Mortgage, see Foreclosure, Sale and Redemption
Notice of action
originating process, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(2)]**
service, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(4)]**
simplified procedure, **RCP-76.02, § RCP 76.02:1 [76.02(3)]**
statement of claim, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(3)]**
striking out or amending, **RCP-14.09, § RCP 14.09:1**
time for service, **RCP-14.08, § RCP 14.08:1 [14.08(2)]**
Originating process, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(1)]**
Partition of land, **RCP-66.01, § RCP 66.01:1**
Place of trial, see Place of Trial; Trials
Plaintiffs named in title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(2)]**
Pleadings, see Pleadings

ACTIONS—Cont'd
Procedural summary, **APP A1 § A1:2**
Redemption, see Foreclosure, Sale and Redemption
Remaining on list at end of sitting, **RCP-48.10**
Restoring action to trial list
failure to make motion, **RCP-24.01, § RCP 24.01:1 [24.01(1)(d)]**
Sale, see Foreclosure, Sale and Redemption
Same subject matter, stay of subsequent action, **RCP-23.04, § RCP 23.04:1, RCP-24.05, § RCP 24.05:1 [23.04(2), 24.05(2)]**
Security for costs, **§ RCP 56:1 et seq. [Rule 56]**
Setting down, see Setting Down
Settlement, informing registrar, **RCP-48.12**
Simplified procedure, see also Simplified Procedure
where used, **RCP-14.03.1**
Speedy trial list, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2, RCP-37.13, § RCP 37.13:1, RCP-48.09 [20.05(1), 37.13(1)(a), 48.09]**
Statement of claim, time for service, **RCP-14.08, § RCP 14.08:1**
Status hearings, **RCP-1.02, § RCP 1.02:1, RCP-48.14, § RCP 48.14:1 [1.02(3), 48.14(5) to (7)]**
Struck off trial list, **RCP-48.11, § RCP 48.11:1**
Subsequent
effect of discontinuance, **RCP-23.04, § RCP 23.04:1**
evidence from examination for discovery, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(8)]**
Summary judgment, see Summary Judgment
Third party claim, see Third Parties
Title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2**
Transfer of proceedings from wrong forum, **CJA-110, § CJA 110:1 to § CJA 110:3 [s. 110]**
Transferred to Superior Court of Justice, costs, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(2)]**
Traversed to next sitting, **RCP-48.10**

ACTIONS—Cont'd
Trial of issue or application, **RCP-38.10, § RCP 38.10:1 [38.10(2), (3)]**
Undefended
affidavit evidence at trial, **RCP-53.02, § RCP 53.02:1 [53.02(3)]**
listing for trial, **RCP-48.02, RCP-48.05 [48.02(2), (4), 48.05]**
View of property or location, **RCP-52.05, § RCP 52.05:1**
Withdrawal
admission, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**
counterclaims, crossclaims, third party claims, **RCP-23.07**
deemed default, **RCP-23.06, § RCP 23.06:1 [23.06(2)]**
statement of defence, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**

ADDING PARTIES
Amendment of pleadings, **RCP-26.02, § RCP 26.02:1**
Estate or trust proceedings, **RCP-9.01, § RCP 9.01:1 [9.01(4)]**
Interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(2)]**
Intervention by non-party, **RCP-13.01**
Order adding, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**
References, **RCP-55.02 [55.02(5)]**

ADDRESSES
Court office, in documents, **RCP-4.02 [4.02(2)]**
Creditor's writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(1)]**
For service
backsheet, **RCP-4.02 [4.02(3)]**
documents, **RCP-4.02 [4.02(2)]**
persons claiming property seized, **RCP-60.13**
Jury, see Juries
Partner's, disclosure, **RCP-8.05**
Reference to in orders affecting minors, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**

ADJOURNMENTS
Amendment of pleadings, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2**

ADJOURNMENTS—Cont'd
Applications, **RCP-38.10, § RCP 38.10:1 [38.10(1), (3)]**
failure to cross-examine diligently, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(3)]**
notice ought to have been served, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
Associate judge, to judge
interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(3)]**
summary judgment, for, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(4)]**
Document not reaching person served, **RCP-16.07, § RCP 16.07:1**
Examinations out of court, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2**
Garnishment hearing, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(11)]**
Motions, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
failure to cross-examine on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(3)]**
order for trial of an issue, **RCP-37.13, § RCP 37.13:1 [37.13(2), (3)]**
summary judgment, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(4)]**
where notice ought to have been served, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(5)]**
Sale of land seized under writ, **RCP-60.07, § RCP 60.07:1 [60.07(21)]**
Trials, **RCP-52.02, § RCP 52.02:1**
adverse party failing to testify, **RCP-53.07, § RCP 53.07:1 [53.07(4)]**
where leave required to admit evidence, **RCP-53.08, § RCP 53.08:1, § RCP 53.08:2**

ADMINISTRATION OF JUSTICE ACT
Assessment of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(1)]**
Attendance of witness in custody, **RCP-53.06, § RCP 53.06:1**
Costs, notice of garnishment, **RCP-60.19, § RCP 60.19:1**
Costs, writs of execution, **RCP-60.19, § RCP 60.19:1**
Mandatory mediation, **§ RCP 24.1:1**

ADMINISTRATION PROCEEDINGS
Forms
judgment for administration, **APP C § C:171 [Form 65A]**
Generally, **§ RCP 65:1 et seq. [Rule 65]**
Interest on accounts, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Judgment for administration, **RCP-65.01, § RCP 65.01:1 [65.01(2)]**
Notice of application, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
Order for proper accounts, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
Payment into court, **RCP-65.02, § RCP 65.02:1 [65.02(3)]**
References, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**

ADMINISTRATOR AD LITEM
See Litigation Administrators

ADMINISTRATORS
See Executors and Administrators

ADMISSIBILITY
See Evidence

ADMISSIONS
Deemed after noting default, **RCP-19.02, § RCP 19.02:1 [19.02(1)(a)]**
Defences, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(1), (2)]**
amount of damages, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(6)]**
Disclosure or production of document, **RCP-30.05, § RCP 30.05:1**
Discovery
disclosure of document, **RCP-30.05, § RCP 30.05:1**
Documents
denial of authenticity, costs consequences, **RCP-51.04, § RCP 51.04:1**
request to admit authenticity, **RCP-51.02, § RCP 51.02:1 [51.02(1)]**
service of copy, **RCP-51.02, § RCP 51.02:1 [51.02(2)]**
Examination, possession or control of documents, **RCP-34.10, § RCP 34.10:1 [34.10(4)]**
Facts, request to admit truth, **RCP-51.02, § RCP 51.02:1 [51.02(1)]**

ADMISSIONS—Cont'd
Forms
request to admit, **APP C § C:94 [Form 51A]**
response to request to admit, **APP C § C:95 [Form 51B]**
Garnishee's, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(9)]**
Generally, **§ RCP 51:1 et seq. [Rule 51]**
Interpretation, **RCP-51.01**
Motions for judgment, **RCP-51.06, § RCP 51.06:1**
deemed undertaking, **§ RCP 30.1:1**
Persons admitting to be partners, **RCP-8.06 [8.06(2)]**
Pre-trial, conference, obtaining admissions, **RCP-50.06**
Refusal to admit truth of facts, **RCP-51.04, § RCP 51.04:1**
Reply, **RCP-25.09 [25.09(1)]**
Request to admit, **RCP-51.02, § RCP 51.02:1, APP C § C:94 [51.02, Form 51A]**
deemed admissions, **RCP-51.03, § RCP 51.03:1 [51.03(2), (3)]**
document's authenticity, **RCP-51.02, § RCP 51.02:1 [51.02(1)]**
time period for response, **RCP-51.03, § RCP 51.03:1 [51.03(1)]**
truth of facts, **RCP-51.02, § RCP 51.02:1 [51.02(1)]**
Withdrawal, **RCP-51.05, § RCP 51.05:1**
statement of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**

ADVERSE PARTIES
Calling adverse party as witness
cross-examination, **RCP-53.07, § RCP 53.07:1 [53.07(5)]**
failure to testify, **RCP-53.07, § RCP 53.07:1 [53.07(7)]**
re-examination, **RCP-53.07, § RCP 53.07:1 [53.07(6)]**
securing attendance at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1) to (3)]**
when adverse party may be called, **RCP-53.07, § RCP 53.07:1 [53.07(4)]**
Examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(1)]**

ADVERSE PARTIES—Cont'd
Securing attendance at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**

ADVERTISEMENTS
References
conduct of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(2), (4)]**
contents, **RCP-55.03 [55.03(2)]**
publication, **RCP-55.03 [55.03(1)]**
Sale of property seized under writ, **RCP-60.07, § RCP 60.07:1 [60.07(16)]**

AFFIDAVITS
Alterations, **RCP-4.06 [4.06(9)]**
Application record, **RCP-38.09 [38.09(1)]**
Applications concerning estates of minors, **RCP-67.02**
allowance sought for maintenance, **RCP-67.02 [67.02(2)]**
appointment of guardian, **RCP-67.02 [67.02(3)]**
Applications for judicial review
applicant's application record, **RCP-68.04 [68.04(2)]**
Assessment of costs
abandoned motions, applications, appeals, **RCP-58.07, § RCP 58.07:1**
Blind persons, **RCP-4.06 [4.06(7)]**
Changing debtor's name in writ, **RCP-60.07, § RCP 60.07:1 [60.07(10)]**
Condition of will or codicil, **APP C § C:186 [Form 74E]**
Contempt motions, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(3)]**
Contents, generally, **RCP-4.06 [4.06(2)]**
Contents of appeal books, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
Corporations, **RCP-4.06 [4.06(5)]**
Costs, proof of entitlement where no order, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(2)]**
Cross-examination, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2**
affidavit of documents, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(1)(c)]**
failure to deliver notice of appearance, **RCP-38.07 [38.07(2)]**
procedure, **§ RCP 34:1 et seq. [Rule 34]**

AFFIDAVITS—Cont'd
Documents, affidavit of
contents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(2), (3)]**
correcting errors and omissions, **RCP-30.07, § RCP 30.07:1**
failure to disclose, **RCP-30.08, § RCP 30.08:1 [30.08(1)]**
failure to serve, **RCP-30.08, § RCP 30.08:1 [30.08(2)]**
forms, **§ RCP 30:1 et seq. [Rule 30]**
improperly claimed privilege, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
lawyer's certificate, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(4)]**
omissions, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
service, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(1)]**
simplified procedure, see Simplified Procedure
Evidence on applications, see Applications
Evidence on motions, see Motions
Examination by registrar before signing orders, **RCP-59.04, § RCP 59.04:1**
Examination for discovery
correcting answers, **RCP-31.09, § RCP 31.09:1 [31.09(2)]**
written questions, answers, **RCP-35.02, APP C § C:72 [35.02, Form 35B]**
Execution of will or codicil
deposit with registrar, **RCP-74.04, § RCP 74.04:1 [74.04(1)]**
Execution of will or codicil, **APP C § C:185 [Form 74D]**
Exhibits, **RCP-4.06 [4.06(3)]**
Format, **RCP-4.06 [4.06(1)]**
Forms
affidavit, **APP C § C:14 [Form 4D]**
affidavit (motion for payment out of court), **RCP-72.03, § RCP 72.03:1 [72.03(11)]**
affidavit of documents (corporation or partnership), **APP C § C:64 [Form 30B]**
affidavit of documents (individual), **APP C § C:63 [Form 30A]**
affidavit of service, **APP C § C:32 [Form 16B]**

AFFIDAVITS—Cont'd
Forms—Cont'd
answers on written examination for discovery, **APP C § C:72 [Form 35B]**
Garnishment matters, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(2), (3)]**
Holograph will or codicil, **APP C § C:187 [Form 74F]**
Illiterate persons, **RCP-4.06 [4.06(7)]**
Information and belief
applications, **RCP-39.01, § RCP 39.01:1 [39.01(5)]**
generally, **RCP-4.06 [4.06(2)]**
motions, **RCP-39.01, § RCP 39.01:1 [39.01(4)]**
summary judgment, **RCP-20.02, § RCP 20.02:1**
Inspection of documents, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
Interpleader, **RCP-43.03, § RCP 43.03:1 [43.03(3)]**
Lawyer's
proceeding concerning estate of minor, **RCP-67.03 [67.03(1), (2)]**
settlements involving party under disability, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Litigation guardian
contents, **RCP-7.02, § RCP 7.02:1 [7.02(2)]**
settlements, approvals, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Motion, particular requirements
interim preservation of property, **RCP-45.03, § RCP 45.03:1 [45.03(2)]**
interim recovery of personal property, **RCP-44.01, § RCP 44.01:1**
record, **RCP-37.10, § RCP 37.10:1 [37.10(2)]**
summary judgment, **RCP-15.01, § RCP 15.01:1, RCP-20.01, § RCP 20.01:1 [15.01(2), 20.01(1), (3)]**
information and belief, **RCP-20.02, § RCP 20.02:1**
use of, at trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(2)]**
Order to continue, minor reaching majority, **RCP-7.06, § RCP 7.06:1 [7.06(1)]**

AFFIDAVITS—Cont'd
Partnerships, **RCP-4.06 [4.06(6)]**
Payment out of court
consent by insurer on behalf of party, **RCP-72.03, § RCP 72.03:1 [72.03(6)]**
minor attaining age of majority, **RCP-72.03, § RCP 72.03:1 [72.03(7)]**
party under disability, **RCP-72.03, § RCP 72.03:1 [72.03(11)]**
payment directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
payment out on consent, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
payment out under order or report, **RCP-72.03, § RCP 72.03:1 [72.03(2), (3)]**
Persons not understanding language, **RCP-4.06 [4.06(8)]**
Place of filing, **RCP-4.05 [4.05(3)]**
Proceedings concerning estates of minors, **RCP-67.03 [67.03(1), (2)]**
Production, on, see documents, affidavit of
Proof of account where mortgage assigned, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
References
auctioneer reporting on sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(10)]**
consent for payment out of money, **RCP-55.05 [55.05(3)]**
taking of accounts, **RCP-55.04 [55.04(2), (3), (5)]**
verifying list of claims, **RCP-55.03 [55.03(3)]**
Service, affidavit of, **RCP-16.09 [16.09(1)]**
Subsequent encumbrancer in foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(7), (18), (19)]**
Support of unopposed judgment on passing of accounts, **APP C § C:213 [Form 74.47]**
Transfer or transmission of interest or liability, **RCP-11.02, § RCP 11.02:1**
Trial, use at, **RCP-53.02, § RCP 53.02:1**
Two or more deponents, **RCP-4.06 [4.06(4)]**
Undefended actions, **RCP-48.03, RCP-53.02, § RCP 53.02:1 [48.03(2), 53.02(3)]**

AFFIRMATIONS
Examination out of court
interpreter, **RCP-34.09, § RCP 34.09:1**
sanctions for refusal to affirm, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
witness, **RCP-34.08 [34.08(1), (2)]**
Interpreter at trial, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**
Interpreter for affidavit, **RCP-4.06 [4.06(8)]**

AGE OF MAJORITY
See Minors

AGENTS
See also Parties; Lawyers
Bidding on sale of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(5), (6)]**
Corporation acting without lawyer, **RCP-15.01, § RCP 15.01:1 [15.01(2)]**

AGREEMENTS
Denial, effect of, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(5)]**
Evidence on appeals, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
contents of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
order for transcript, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
Parties under disability, **RCP-7.08, § RCP 7.08:1**
Purchase and sale, sale reference, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(8)]**

ALTERNATIVE DISPUTE RESOLUTION
Generally, **§ RCP 49:1 et seq. [Rule 49]**

AMENDMENTS
Contested passing of accounts, **APP B § B:33**
Disability parties, **APP B § B:30**
Discount and gross-up rates, **RCP-53.09**
Documents paper to electronic, conversion of, **APP B § B:29**
Email documents, sheriff, **APP B § B:38**
Eviction orders, **APP B § B:37**
Factums, page and word count limits, **RCP-61**

AMENDMENTS—Cont'd
Garnishment payments pending hearing, **APP B § B:36**
Leave to commence application for judicial review, **RCP-68.01**
Location of proceeding, **APP B § B:31**
New (soon-to-be provincial), **APP B § B:28**
Notice of objection, registrar's advisement, **APP B § B:34**
Partial settlement, mandatory disclosure of, **APP B § B:32**
Power of court to order separate hearings, **RCP-6.1.01**
Revisions to estates forms, **RCP-74, RCP-74.1**
Statutory leave to appeal to Divisional Court from tribunal, **RCP-62.02**
Writ of seizure and sale, **APP B § B:35**

ANSWERS
Examinations for discovery
correcting answers, **RCP-31.09, § RCP 31.09:1 [31.09(1)]**
failure to answer, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2, RCP-34.15, § RCP 34.15:1, § RCP 34.15:2, RCP-35.04, § RCP 35.04:1 [31.07, 34.15, 35.04]**
filing written answers, **RCP-35.06**
lawyer responding, **RCP-31.08, § RCP 31.08:1**
written questions, **RCP-35.02**
Jury, judgment based on, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(2)]**
Transcripts of evidence, standards, **RCP-4.09 [4.09(8)]**

APPEAL ROUTE CHARTS
Generally, **APP A2 § A2:1**

APPEALS
Abandonment
appeals from interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(10)]**
assessment of costs, **RCP-58.07, § RCP 58.07:1**
cross-appeals, **RCP-61.15**
deemed, **RCP-61.14, § RCP 61.14:1 [61.14(2)]**

APPEALS—Cont'd
Abandonment—Cont'd
effect, **RCP-61.14, § RCP 61.14:1 [61.14(3)]**
no costs, **RCP-61.14, § RCP 61.14:1 [61.14(4)]**
notice of abandonment, **RCP-61.14, § RCP 61.14:1 [61.14(1)]**
Abridgment of time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(3)]**
Administrative tribunals, assessment of costs, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(3)]**
Agreement respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
Amending notice of appeal, **RCP-61.08, § RCP 61.08:1**
Appeal books and compendia
agreement respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
binding covers, **RCP-4.07 [4.07(2)]**
contents, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
endorsement of order, **RCP-59.02 [59.02(1)]**
failing to perfect appeal, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
refusal of Registrar to accept, **RCP-61.10, § RCP 61.10:1 [61.10(2)]**
relief from compliance with Rules, **RCP-61.09, § RCP 61.09:1 [61.09(4)]**
Appellants
certificate respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2, RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [61.05(1), 62.02(8)]**
definition, **RCP-1.03, § RCP 1.03:1**
dismissal where default not cured, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3)]**
dismissal where time prescribed by court, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3.1)]**
factums, **RCP-61.11, § RCP 61.11:1, § RCP 61.11:2**

APPEALS—Cont'd
Appellants—Cont'd
factums, cross-appeals, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(4)]**
failure to file proof transcript ordered, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
failure to file transcript, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2), (3)]**
failure to perfect, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1), (2), (2.1), (3)]**
interlocutory appeals, record and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
motion to dismiss cross-appeal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4)]**
ordering transcripts, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(5)]**
perfecting appeals, **RCP-61.09, § RCP 61.09:1 [61.09(1) to (4)]**
respondent to cross-appeal, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(4)]**
security for order under appeal, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**
Appellate court judge
review of Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Argument limited to grounds stated, **RCP-61.08, § RCP 61.08:1 [61.08(2)]**
Assessment of costs, **RCP-58.11, § RCP 58.11:1**
Certificate respecting evidence
appellant's, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2, RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [61.05(1), 62.02(8)]**
respondent's, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(2), (3)]**
Combining appeals
to Court of Appeal, **CJA-6, § CJA 6:1, § CJA 6:2 [s. 6(2)]**
to Divisional Court, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19(2)]**
Consent order, **CJA-133, § CJA 133:1, § CJA 133:2 [s. 133(a)]**
Costs, appealing award, **CJA-133, § CJA 133:1, § CJA 133:2; RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [s. 133(b); 61.03(7), 61.03.1(17)]**
Costs, security for costs, **RCP-61.06, § RCP 61.06:1**
Costs sanctions for unnecessary evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(8)]**
Cross-appeals, **RCP-61.07, § RCP 61.07:1**
abandonment, **RCP-61.14, § RCP 61.14:1 [61.14(1), (3)]**
amendment of notice, **RCP-61.08, § RCP 61.08:1**
appeal dismissed for delay or abandoned, **RCP-61.15**
costs, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [61.03(8), 61.03.1(18)]**
directions, **RCP-61.15 [61.15(1)]**
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
dismissal for delay or abandonment, **RCP-61.15**
factums, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(4)]**
failure to file notice after service, **RCP-61.14, § RCP 61.14:1 [61.14(2)]**
when leave required, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [61.03(8), 61.03.1(18)]**
Crossclaims, **RCP-28.06 [28.06(3)(a)]**
Defaults, dismissal where not cured, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3), (5)]**
Determination of facts, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134(4)]**
Directions for appeal books, transcripts, **RCP-61.09, § RCP 61.09:1 [61.09(4)]**

APPEALS—Cont'd
Dismissal, approval of form of order, **RCP-59.03, § RCP 59.03:1 [59.03(2)]**
Dismissal for delay
cross-appeals, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
motion by respondent, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
notice by Registrar, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2)]**
order, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3)]**
Exhibit book, contents, **RCP-61.10.1**
Exhibits at trial held by registrar, **RCP-52.04, § RCP 52.04:1 [52.04(3)]**
Extension of time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(3)]**
Failure to obtain order to continue appeal, **RCP-61.13.1**
Forms
appellant's certificate respecting evidence, **APP C § C:139 [Form 61C]**
certificate of completeness of appeal books, **APP C § C:144 [Form 61H]**
certificate of stay, **APP C § C:152, APP C § C:153 [Form 63A, Form 63B]**
general heading in appellate courts, **APP C § C:138 [Form 61B]**
notice of abandonment of appeal, **APP C § C:149 [Form 61K]**
notice of appeal to judge, **APP C § C:151 [Form 62A]**
notice of cross-appeal, **APP C § C:141 [Form 61E]**
notice of election to proceed with cross-appeal, **APP C § C:150 [Form 61L]**
notice of listing for hearing, **APP C § C:143 [Form 61G]**
notice to court of appeal, **APP C § C:137 [Form 61A.1]**
order dismissing appeal for delay, **APP C § C:145 [Form 61I]**
order dismissing motion for leave to appeal for delay, **APP C § C:147 [Form 61J]**

APPEALS—Cont'd
Forms—Cont'd
order on appeal, **APP C § C:116 [Form 59C]**
respondent's certificate respecting evidence, **APP C § C:140 [Form 61D]**
supplementary notice of appeal or cross-appeal, **APP C § C:142 [Form 61F]**
General heading, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(2)]**
Generally, **CJA-2, § CJA 2:1 to CJA-9, § CJA 9:1, CJA-17, § CJA 17:1 to § CJA 17:3, CJA-18, § CJA 18:1, § CJA 18:2 to CJA-21, § CJA 21:1 to § CJA 21:3, CJA-132 to CJA-134, § CJA 134:1 to § CJA 134:3; § RCP 61:1 et seq., § RCP 62:1 et seq., § RCP 63:1 et seq. [ss. 2 to 9 (Court of Appeal), 17 (Superior Court of Justice), 18 to 21 (Divisional Court), 132 to 134; Rule 61, 62, 63]**
Interim orders, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134(2)]**
Interlocutory orders
abandonment, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(10)]**
appeal to Superior Court of Justice, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(1)]**
appellant's record and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
generally, **§ RCP 62:1 et seq. [Rule 62]**
grounds stated in notice, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(4)]**
hearing date, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(3)]**
motion for leave
factums, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(5)]**
grounds for granting leave, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(4)]**
leave to appeal to Divisional Court, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**

APPEALS—Cont'd
Interlocutory orders—Cont'd
motion for leave—Cont'd
motion in writing, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(2)]**
notice of motion, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(3)]**
telephone and video conferences, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
notice of appeal, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(4), (5)]**
place of hearing, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(6)]**
procedural summary, **APP A1 § A1:8**
procedure where leave granted, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(8)]**
respondent's material and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(8), (9)]**
time for appeal, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(2)]**
Jurisdiction
Court of Appeal, **CJA-6, § CJA 6:1, § CJA 6:2 [s. 6]**
Divisional Court, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19]**
Leave motion
Court of Appeal, **APP C § C:137 [Form 61A.1]; RCP-61.03.1, § RCP 61.03.1:1**
costs appeal joined with appeal as of right, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(17), (19)]**
costs cross-appeal joined with appeal or cross-appeal as of right, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(18), (19)]**
date for oral hearing, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(15)]**
determination of motion, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(14)]**
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7), (8)]**
in writing, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(1)]**

APPEALS—Cont'd
Leave motion—Cont'd
Court of Appeal, **APP C § C:137 [Form 61A.1]; RCP-61.03.1, § RCP 61.03.1:1**—Cont'd
moving party's motion record, factum and transcripts, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(4), (5), (6)]**
moving party's reply factum, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(11), (12), (13)]**
notice of motion, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(2), (3)]**
responding party's motion record and factum, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(7) to (10)]**
time for delivery of notice of appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(16)]**
Divisional Court, **APP C § C:136 [Form 61A]**
costs appeal joined with appeal as of right, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(7), (9)]**
costs cross-appeal joined with appeal or cross-appeal as of right, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(8), (9)]**
date for hearing, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(5)]**
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7), (8)]**
notice of motion, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(1)]**
record and factums, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2), (3), (4)]**
Mootness, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134]**
Motions
associate judge not to hear, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
certificate of estimated time for argument with factum, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4.1)]**

APPEALS—Cont'd
Motions—Cont'd
heard by more than one judge, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3)]**
hearing in absence of public, **RCP-37.11 [37.11(1)]**
motion record and factums, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4)]**
motion to receive evidence, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2)]**
procedure, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(1)]**
required to be heard by one judge, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2.1)]**
required to be heard by panel, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2.2)]**
review of Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Notice of appeal
amendment, **RCP-61.08, § RCP 61.08:1**
contents, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(3)]**
failure to file after service, **RCP-61.14, § RCP 61.14:1 [61.14(2)]**
filing, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(4)]**
jurisdictional statement required, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(3)]**
time for delivery
Court of Appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(16)]**
Divisional Court, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(6)]**
Notice of listing for hearing, **RCP-61.09, § RCP 61.09:1, APP C § C:143 [61.09(5), Form 61G]**
Notice of motion for leave
Court of Appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(2), (3)]**

APPEALS—Cont'd
Notice of motion for leave—Cont'd
Divisional Court, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(1), (2)]**
Ontario Court of Justice, from
general, **CJA-40, § CJA 40:1 [s. 40]**
Perfecting
certificate of perfection, **RCP-61.09, § RCP 61.09:1 [61.09(3), (5)]**
failure to perfect, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1) to (3)]**
material to be served and filed, **RCP-61.09, § RCP 61.09:1 [61.09(3)]**
record and original exhibits, **RCP-61.09, § RCP 61.09:1 [61.09(2)]**
relief from compliance with Rules, **RCP-61.09, § RCP 61.09:1 [61.09(4)]**
time, **RCP-61.09, § RCP 61.09:1 [61.09(1)]**
Power to quash, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134(3)]**
Powers on appeal, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134]**
Procedural summary, **APP A1 § A1:7**
Records
backsheets, **RCP-4.07 [4.07(1)]**
front covers, **RCP-4.07 [4.07(1.1)]**
interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7)]**
References, **RCP-61.01**
Registrar
definition, **RCP-61.02, § RCP 61.02:1**
dismissal by, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3)]**
automatic, **RCP-61.13.0.1 [61.13.0.1(1)]**
review of orders, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
Respondents
certificate respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(2), (3)]**
cross-appeals, **RCP-61.07, § RCP 61.07:1**
factum, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2**
failure to deliver factum in cross-appeal, **RCP-61.13, § RCP 61.13:1,**

APPEALS—Cont'd
Respondents—Cont'd
§ RCP 61.13:2 [61.13(4), (5)]
failure to file factum, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
interlocutory appeal, record and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(8), (9)]**
motion to dismiss for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
time for delivery of factums, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(2)]**
Service of notice, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(1)]**
Special case, procedure, **RCP-22.03, § RCP 22.03:1, RCP-61.01 [22.03(2), 61.01]**
Stated case, procedure, **RCP-61.01**
Stay pending appeal, see Stay Pending Appeal
Telephone, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
Third party defending main action, **RCP-29.05, § RCP 29.05:1 [29.05(2)(a)]**
Time for appeal, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(1)]**
Transcripts
binding, **RCP-4.07 [4.07(4)]**
complying with certificates or agreement, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
failure to file, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2), (3)]**
failure to file proof of order, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
filing proof of order, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(5)]**
notice from court reporter when transcribed, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(7)]**
Who may appeal, **§ RCP 61:1 et seq. [Rule 61]**
Who may hear, **CJA-132 [s. 132]**
Writ of execution, setting aside, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**

APPEARANCES
See Applications; Notice

APPELLATE COURT
See also Appeals
Definition, **RCP-1.03, § RCP 1.03:1**
Entry of orders, **RCP-59.05, § RCP 59.05:1**
Motions, hearing in absence of public, **RCP-37.11 [37.11(1)]**
Special case heard at first instance, **RCP-22.03, § RCP 22.03:1**

APPLICANTS
See also Applications
Adding parties as applicants, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(3)]**
Application record and factum, **RCP-38.09 [38.09(1), (4), (5)]**
Application without notice, full and fair disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
Certificate of perfection, judicial review, **RCP-68.05**
Definition, **RCP-1.03, § RCP 1.03:1**
Different capacities, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2 [5.01(2)]**
Failure to appear at hearing, **RCP-38.08 [38.08(2)]**
Joinder of claims, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**
Joinder of parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(1)]**
Judicial review proceedings
dismissal for delay, **RCP-68.06, RCP-68.07 [68.06, 68.07]**
record and factums, **RCP-68.04 [68.04(1), (2), (3), (7)]**
Motion for directions regarding service, **RCP-38.06, § RCP 38.06:1 [38.06(1)]**
Named in title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(3)]**
Naming place and date of hearing, **RCP-38.04**
Notice of abandonment, **RCP-38.08 [38.08(1), (3)]**
Statement of account, administration proceedings, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**

APPLICANTS—Cont'd
Undertakings concerning damages, stop orders, **RCP-72.05, § RCP 72.05:1 [72.05(2)]**

APPLICATIONS
See also Originating Process
Abandonment
costs, **RCP-38.08, RCP-58.07, § RCP 58.07:1 [38.08(3), 58.07]**
failure to appear at hearing, **RCP-38.08 [38.08(2)]**
notice of abandonment, **RCP-38.08 [38.08(1)]**
parties under disability, **RCP-38.08 [38.08(4)]**
Administration of estate or trust, **RCP-14.05, § RCP 14.05:1, RCP-65.01, § RCP 65.01:1 [14.05(3)(a), 65.01]**
Ancillary relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Application record and factum
applicant's, **RCP-38.09 [38.09(1), (2)]**
dispensing with record and factums, **RCP-38.09 [38.09(4)]**
exceptions, estate matters, **RCP-38.09 [38.09(7), (8)]**
material filed as part of record, **RCP-38.09 [38.09(5)]**
respondent's, **RCP-38.09 [38.09(3)]**
Approval of disposition of minor's property
affidavits in support, **RCP-67.02**
consent of minor, **RCP-67.03**
lawyer's affidavit, **RCP-67.03 [67.03(1), (2)]**
notice of application, **RCP-67.01**
Approval of sale, arrangement, etc., **RCP-14.05, § RCP 14.05:1 [14.05(3)(f)]**
Approval of settlement, party under disability, **RCP-7.08, § RCP 7.08:1 [7.08(3), (4)]**
Authorized by Rules, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Confirmation, **RCP-38.09.1, APP C § C:77 [38.09.1, Form 38B]**
Counter-applications, **RCP-38.03, § RCP 38.03:1 [38.03(4)]**
Cross-examination on affidavit, **RCP-34.01**
Deed, will, contract, or instrument, **RCP-14.05, § RCP 14.05:1 [14.05(3)(d)]**

APPLICATIONS—Cont'd
Definition, **RCP-1.03, § RCP 1.03:1**
Disposition, **RCP-38.10, § RCP 38.10:1**
Divisional Court, **RCP-38.01, § RCP 38.01:1, § RCP 38.01:2 [38.01(2)]**
Divisional Court, judicial review, **§ RCP 68:1 et seq. [Rule 68]**
Estate account, to pass, **RCP-74.18, § RCP 74.18:1**
Estate or trust, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Estate trustee, certificate of appointment, **RCP-14.05, § RCP 14.05:1 [14.05(1)]**
Evidence
affidavits
contents, **RCP-39.01, § RCP 39.01:1 [39.01(5)]**
expert witness evidence, **RCP-39.01, § RCP 39.01:1 [39.01(7)]**
generally, **RCP-39.01, § RCP 39.01:1 [39.01(1)]**
service and filing, **RCP-39.01, § RCP 39.01:1 [39.01(2), (3)]**
application without notice, full and fair disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
cross-examination on affidavits
generally, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(1)]**
reasonable diligence, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(3)]**
subsequent delivery of affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
examination of witnesses
at hearing, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
before hearing, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(1) to (3)]**
summons to witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(5)]**
transcripts, filing, **RCP-34.18, § RCP 34.18:1 [34.18(2), (3)]**
Executor, administrator, or trustee, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**

APPLICATIONS—Cont'd
Facts not in dispute, **RCP-14.05, § RCP 14.05:1 [14.05(3)(h)]**
Factums, **RCP-38.09**
Forms
application to amend small estate certificate, **APP C § C:203 [Form 74.1E]**
certificate or confirmation of appointment, **APP C § C:191 [Form 74J]**
confirmation of application, **APP C § C:77 [Form 38B]**
general heading of documents, **APP C § C:12 [Form 4B]**
motion for directions, **APP C § C:231 [Form 75.6]**
notice of appearance, **APP C § C:76 [Form 38A]**
notice of application, **APP C § C:25 [Form 14E]**
notice of application for directions, **APP C § C:230 [Form 75.5]**
notice of application to Divisional Court for judicial review, **APP C § C:173 [Form 68A]**
notice of application to pass accounts, **APP C § C:208 [Form 74.44]**
Generally, **§ RCP 14:1 et seq., § RCP 38:1 et seq. [Rule 14, 38]**
Hearing
date, **RCP-38.03, § RCP 38.03:1 [38.03(2), (3), (3.1)]**
disposition of motion, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
judge hearing motions not to hear, **RCP-37.15, § RCP 37.15:1 [37.15(2)]**
place, **RCP-38.03, § RCP 38.03:1 [38.03(1)]**
Injunction ancillary to other relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Interpleader, **RCP-43.03, § RCP 43.03:1 [43.03(1)]**
affidavits in support, **RCP-43.03, § RCP 43.03:1 [43.03(3)]**
disposition of applications, **RCP-43.04, § RCP 43.04:1 [43.04(1), (2)]**
dispute over property seized by sheriff, **RCP-60.13 [60.13(4)]**
Interpretation of instrument, etc., **RCP-14.05, § RCP 14.05:1 [14.05(3)(d)]**
Judicial review, see Judicial Review

APPLICATIONS—Cont'd
Land, interest, charge or boundaries, **RCP-14.05, § RCP 14.05:1 [14.05(3)(e)]**
Mandatory order ancillary to other relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Naming place of hearing, **RCP-38.03, § RCP 38.03:1 [38.03(1)]**
Notice of appearance
delivery, **RCP-38.07 [38.07(1)]**
failure to deliver, **RCP-38.07 [38.07(2), (3)]**
Notice of application
commencement of proceeding, **RCP-38.01, § RCP 38.01:1, § RCP 38.01:2 [38.01(1)]**
contents, **RCP-38.03, § RCP 38.03:1, RCP-38.04 [38.03(1), 38.04]**
endorsement of order, **RCP-59.02 [59.02(1)]**
issuance, **RCP-38.05**
naming place of hearing, **RCP-38.03, § RCP 38.03:1 [38.03(1)]**
originating process, **RCP-14.05, § RCP 14.05:1 [14.05(1)]**
registration of foreign judgment, **RCP-73.02, § RCP 73.02:1 [73.02(1)]**
service
filing proof of service, **RCP-38.06, § RCP 38.06:1 [38.06(4)]**
generally, **RCP-38.06, § RCP 38.06:1 [38.06(1)]**
minimum notice period, **RCP-38.06, § RCP 38.06:1 [38.06(3)]**
motions for directions, **RCP-38.06, § RCP 38.06:1 [38.06(1)]**
where notice ought to have been served, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
service and filing of affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2)]**
striking out or amending, **RCP-14.09, § RCP 14.09:1**
title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(3)]**
Originating process, **RCP-14.05, § RCP 14.05:1 [14.05(1)]**
Partition of land, **RCP-66.01, § RCP 66.01:1**
Place of hearing, **RCP-13.1.01, § RCP 13.1.01:1, RCP-38.03, § RCP**

APPLICATIONS—Cont'd
38.03:1 [13.1.01, 38.03(1)]
Procedural summary, **APP A1 § A1:3**
Receiver ancillary to other relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Record, **RCP-38.09**
backsheet, **RCP-4.07 [4.07(1)]**
front covers, **RCP-4.07 [4.07(1.1)]**
pre-trial conferences, **RCP-50.07, § RCP 50.07:1, RCP-50.08 [50.07(3), 50.08(2)]**
Respondents
application record and factums, **RCP-38.09 [38.09(3)]**
costs where abandoned, **RCP-38.08 [38.08(3)]**
named in title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(3)]**
notice of appearance, **RCP-38.07**
transfer to a judge, **RCP-38.02, § RCP 38.02:1**
Setting aside or varying judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
Stop order, **RCP-72.05, § RCP 72.05:1**
Superior Court of Justice, **RCP-14.05, § RCP 14.05:1 [14.05(2)]**
Telephone and video conferences, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
To whom made, **RCP-38.02, § RCP 38.02:1**
Transcript of evidence, **RCP-34.18, § RCP 34.18:1, RCP-38.09 [34.18(2), 38.09(6)]**
Trial of issue, **RCP-38.10, § RCP 38.10:1 [38.10(3)]**
Trial of whole application, **RCP-38.10, § RCP 38.10:1 [38.10(2)]**
Trust, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Without notice
full and fair disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
setting aside or varying judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**

APPOINTMENTS
Assessment of costs
notice, **RCP-58.03, § RCP 58.03:1, APP C § C:111 [58.03, Form 58A]**

APPOINTMENTS—Cont'd
Assessment of costs—Cont'd
sheriff's, **RCP-58.12, § RCP 58.12:1**
Estate trustee, see Estate Trustees
Litigation guardian, see Litigation Guardians
Settling orders
before judge who presided at hearing, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**
disputed order before judge or officer, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**
draft order not approved, **RCP-59.04, § RCP 59.04:1 [59.04(7)]**
objections to form of order, **RCP-59.04, § RCP 59.04:1**
order returned by registrar, **RCP-59.04, § RCP 59.04:1**

APPROVAL
Disposition of minor's property
affidavit in support, **RCP-67.02**
consent of minor, **RCP-67.03**
lawyer's affidavit, **RCP-67.03 [67.03(1), (2)]**
notice of application, **RCP-67.01**
Offer to settle, party under disability, **RCP-49.08**
Orders, form
filing, **RCP-59.04, § RCP 59.04:1**
not received in reasonable time, **RCP-59.04, § RCP 59.04:1 [59.04(12)]**
sending draft for approval, **RCP-59.03, § RCP 59.03:1 [59.03(1)]**
Purchase, representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Reference, form of security, **RCP-55.07 [55.07(1)]**
Representation of person who cannot be found, **RCP-10.01, § RCP 10.01:1**
Representation order obtained by fraud, **RCP-10.03**
Sale, representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Settlement
party under disability, **RCP-7.08, § RCP 7.08:1**
representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
represented persons, **RCP-10.01, § RCP 10.01:1 [10.01(3), (4)]**

APPROVAL—Cont'd
Variation of trust, representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

ARRANGEMENTS
Application for approval, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Variation of trusts representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

ARREST
Contempt motions, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(4)]**
Forms
warrant for arrest (contempt), **APP C § C:131 [Form 60K]**
warrant for arrest (defaulting witness), **APP C § C:98 [Form 53B]**
Witness, failure to attend, **RCP-53.04, § RCP 53.04:1 [53.04(7)]**

ARTICLED STUDENTS
Rights of appearance, **APP A3**

ASSESSMENT OF COSTS
See Costs

ASSESSMENT OFFICERS
See Costs

ASSIGNMENTS
Examination for discovery of assignor, **RCP-31.03, § RCP 31.03:1 [31.03(6)]**
Insurance policies, discharge of mortgage, **RCP-72.04 [72.04(3)]**
Joinder of parties, **RCP-5.03, § RCP 5.03:1 [5.03(3)]**
Mortgages, proof of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
Transfer or transmission of interest or liability, **RCP-11.01, § RCP 11.01:1**

ASSOCIATE JUDGES
See also Civil Case Management
Application of, **CJA-46 to CJA-48, § CJA 48:1, CJA-86.1, § CJA 86.1:1 [ss. 46 to 48, 86.1(7)]**
Appointment, **CJA-86.1, § CJA 86.1:1 [s. 86.1(1)]**

ASSOCIATE JUDGES—Cont'd
Complaint
compensation, **CJA-86.2, § CJA 86.2:1 [s. 86.2(10) to (14)]**
dismissal, **CJA-86.2, § CJA 86.2:1 [s. 86.2(2), (3)]**
disposition, **CJA-86.2, § CJA 86.2:1 [s. 86.2(8), (9)]**
general, **CJA-86.2, § CJA 86.2:1 [s. 86.2(1)]**
investigation, **CJA-86.2, § CJA 86.2:1 [s. 86.2(4) to (7)]**
liability, **CJA-86.2, § CJA 86.2:1 [s. 86.2(19)]**
records, **CJA-86.2, § CJA 86.2:1 [s. 86.2(15) to (17)]**
SPPA, **CJA-86.2, § CJA 86.2:1 [s. 86.2(18)]**
Court personnel, **CJA-78, § CJA 78:1 [s. 78(2)]**
Jurisdiction, **CJA-86.1, § CJA 86.1:1 [s. 86.1(6)]**
Liability, **CJA-82, § CJA 82:1 [s. 82]**
Qualification, **CJA-86.1, § CJA 86.1:1 [s. 86.1(2)]**
Reappointment, **CJA-86.1, § CJA 86.1:1 [s. 86.1(4), (5)]**
Standards of conduct, **CJA-86.1, § CJA 86.1:1 [s. 86.1(9)]**
Term of office, **CJA-86.1, § CJA 86.1:1 [s. 86.1(3)]**

ATTENDANCE
Assessment of costs, fund or estate, **RCP-58.08, § RCP 58.08:1 [58.08(2)]**
Attendance money, see Attendance Money
Contempt motion, arrest, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:131 [60.11(4), Form 60K]**
Court officers, filing and issuing documents, **RCP-4.05 [4.05(1), (4)]**
Examination, witness in custody, **RCP-53.06, § RCP 53.06:1, APP C § C:100 [53.06, Form 53D]**
Examination out of court, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2**
Foreclosure reference
failure of encumbrancer to attend, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(14), (15)]**

ATTENDANCE—Cont'd
Foreclosure reference—Cont'd
redemption by encumbrancer added on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(13)]**
request for sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
Interpleader, failure to attend, **RCP-43.04, § RCP 43.04:1 [43.04(2)]**
Medical examination, **RCP-33.05, § RCP 33.05:1**
Mortgage reference, referee's report, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(16)]**
Motion or application, summons to witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
References
directions, who is to attend, **RCP-55.02 [55.02(3)]**
persons to be examined, **RCP-55.02 [55.02(14)]**
Trial
adverse party as witness, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
directors of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
failure to attend
striking action off list, **RCP-52.01, § RCP 52.01:1**
warrant for arrest, **RCP-53.04, § RCP 53.04:1, APP C § C:98 [53.04(7), Form 53B]**
officers of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
partners, partnership adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
remuneration of experts, **RCP-52.03, § RCP 52.03:1 [52.03(4)]**
sole proprietor of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
summons to witness, **RCP-53.04, § RCP 53.04:1, APP C § C:97 [53.04, Form 53A]**
witness in custody, **RCP-53.06, § RCP 53.06:1, APP C § C:100 [53.06, Form 53D]**

ATTENDANCE—Cont'd
Trial—Cont'd
witness outside Ontario, **RCP-53.05, § RCP 53.05:1, APP C § C:99 [53.05, Form 53C]**

ATTENDANCE MONEY
Examinations, persons out of Ontario, **RCP-34.07, § RCP 34.07:1 [34.07(4)]**
Examinations out of court, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(5)]**
Summons to witness, proof of service, **RCP-53.04, § RCP 53.04:1 [53.04(5)]**
Trial
adverse party as witness, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
officer, director or sole proprietor of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
partners, partnership adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
summons to witness, **RCP-53.04, § RCP 53.04:1 [53.04(4)]**

ATTORNEY GENERAL
Interpreters, providing, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(6)]**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(h)]**

AUTHORITY
See also Lawyers
Acceptance of service, warranty of client's authority, **RCP-16.03, § RCP 16.03:1 [16.03(3)]**
Commencement of proceeding
client's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1), (3)]**
lawyer's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1), (2)]**
stay where unauthorized, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1)]**
Personal representative, payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(9)]**

AWARDS
See Costs; Damages

BANKRUPTCY
Discovery of bankrupt and trustee, **RCP-31.03, § RCP 31.03:1 [31.03(7)]**
Order to continue proceeding, **RCP-11.01, § RCP 11.01:1**

BENEFICIARIES
See also Estates; Trusts; Wills and Codicils
Commencing proceeding for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
Joining as parties, **RCP-9.01, § RCP 9.01:1 [9.01(1), (2), (4)]**
References, advertisement, **RCP-55.03 [55.03(1)]**

BILINGUAL PROCEEDINGS
Appeals, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(7)]**
Corporation or partnership, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(8)]**
Documents filed, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(1)]**
Pleading or document under, **CJA-126, § CJA 126:1, § CJA 126:2, RCP-4.02.1 [s. 126, 4.02.1]**
Process, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126]**
Prosecutions, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(6)]**
Regulations, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(9)]**
Right to require, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**
Rules applicable, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**

BILL OF COSTS
See also Costs
Failure to file or serve, **RCP-58.04 [58.04(1), (4)]**
Filing, **RCP-58.03, § RCP 58.03:1 [58.03(1)]**
Notice to deliver, **RCP-58.04, APP C § C:112 [58.04(2), (3), Form 58B]**
Service, **RCP-58.03, § RCP 58.03:1 [58.03(2)]**
Sheriff's, **RCP-58.12, § RCP 58.12:1**

BLIND PERSONS
Deponent of affidavit, **RCP-4.06 [4.06(7)]**

BOND
Insurance or guarantee company, **APP C § C:193 [Form 74L]**
Personal sureties, **APP C § C:194 [Form 74M]**

BONDS
Approved guarantee companies
see note following, **RCP-44.04**
Estate proceedings, **RCP-74.11**
Form, interim recovery of personal property, **APP C § C:80 [Form 44A]**
Interim recovery of personal property, **RCP-44.03, § RCP 44.03:1, RCP-44.04, RCP-44.06 [44.03, 44.04, 44.06]**

BOOKS
Accounts, proof on reference, **RCP-55.04 [55.04(4)]**
Assessment of costs, production, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(4)]**
Disclosure and production, see Discovery
Referee's procedure book, **RCP-55.02 [55.02(11)]**

BY-LAWS
Application for interpretation, **RCP-14.05, § RCP 14.05:1 [14.05(3)(d)]**
Proceeding for interpretation, representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

CAPACITY
Parties under disability, see Parties Under Disability
Plaintiff or defendant lacking, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)(b)]**
Suing or being sued, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2 [5.01(2)]**

CARRIAGE OF REFERENCE
See References

CASE CENTRE
Generally, **RCP-4.05.3, § RCP 4.05.3:1**

CASE LAW DEVELOPMENTS
AI, use of, **APP B § B:14**

CASE LAW DEVELOPMENTS—Cont'd
Anti-suit injunctions, **APP B § B:20**
Case conference or associate judge, **APP B § B:23**
Continuing act or omission, 15-year limitation, **APP B § B:7**
Costs, **APP B § B:25**
Declaratory relief, **APP B § B:6**
Determination, just, expeditious and least expensive, **APP B § B:11**
Discovery use at trial if deponent unavailable, **APP B § B:18**
Dismissal, frivolous, vexatious or abusive proceedings, **APP B § B:12**
Expert's reports, **APP B § B:24**
Final and interlocutory orders, combining appeals of, **APP B § B:5**
Location of proceeding, **APP B § B:16**
Non-parties, production from, **APP B § B:17**
Orders, setting aside, varying or amending, **APP B § B:19**
Partial settlement, mandatory disclosure of, **APP B § B:22**
Pierringer agreement, **APP B § B:21**
Post-judgment Interest, **APP B § B:8**
Pre-judgment Interest, **APP B § B:9**
Representative orders for trade unions, **APP B § B:15**
Sealing orders, **APP B § B:10**
Vexatious litigant orders, **APP B § B:13**
Writ of seizure and sale, **APP B § B:26**

CASE MANAGEMENT MASTERS
Liability, **CJA-82, § CJA 82:1 [s. 82]**
Motions
dispositions, **RCP-37.13, § RCP 37.13:1**
References
hearing of motions, **RCP-54.05 [54.05(1)]**
Retirement, **CJA-47 [s. 47]**

CERTIFICATES
Appeal from interlocutory order
contents of appellant's record, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
Appellant's, respecting evidence, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2, RCP-61.05, § RCP 61.05:1, § RCP 61.05:2, RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [61.04(1), 61.05(1), 62.02(8)]**
contents of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
modifying order for transcript, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
Appointment of estate trustee, see Estate Trustees
Assessment of costs, **RCP-58.09, APP C § C:113 [58.09, Form 58C]**
appeals, **RCP-58.11, § RCP 58.11:1, RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [58.11, 62.01(1)]**
enforcement of costs where no order awarding, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(3)]**
withholding, objections, **RCP-58.10, § RCP 58.10:1 [58.10(1)]**
Completeness of appeal book, **RCP-61.10, § RCP 61.10:1, APP C § C:144 [61.10(1), Form 61H]**
Forms
appellant's certificate respecting evidence, **APP C § C:139 [Form 61C]**
certificate of completeness of appeal books and compendium, **APP C § C:144 [Form 61H]**
certificate of stay, **APP C § C:152 [Form 63A]**
non-compliance, **APP C § C:51 [Form 24.1D]**
readiness, **APP C § C:93 [Form 50A]**
respondent's certificate respecting evidence, **APP C § C:140 [Form 61D]**
Lawyer's
affidavit of documents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(4)]**
setting down action, **RCP-48.03 [48.03(1)]**
Pending litigation
claim must be in originating process, **RCP-42.01 [42.01(2)]**
discharge, **CJA-103, § CJA 103:1 to § CJA 103:3; RCP-42.02, § RCP 42.02:1 [s. 103(6); 42.02]**

CERTIFICATES—Cont'd
Pending litigation—Cont'd
effect, **CJA-103, § CJA 103:1 to § CJA 103:3 [s. 103(1)]**
form, **APP C § C:78 [Form 42A]**
leave to issue required, **RCP-42.01**
liability for registering, **CJA-103, § CJA 103:1 to § CJA 103:3 [s. 103(4)]**
motion without notice, **RCP-42.01 [42.01(3)]**
registration, **CJA-103, § CJA 103:1 to § CJA 103:3 [s. 103(2)]**
service of order, **RCP-42.01 [42.01(4)]**
Perfection, **RCP-61.09, § RCP 61.09:1 [61.09(3), (5)]**
judicial review proceeding, **RCP-68.05, RCP-68.06 [68.05, 68.06]**
Respondent's, respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(2), (3)]**
contents of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
modifying order for transcript, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
Stay pending appeal, **RCP-63.03, § RCP 63.03:1 [63.03(4)]**
Supreme Court of Canada
entry, **RCP-59.05, § RCP 59.05:1 [59.05(6)]**

CERTIFIED COPIES
Court documents, **RCP-4.03**
Discovery, **RCP-30.10, § RCP 30.10:1 [30.10(4)]**

CHAMBERS
See Motions

CHANGE OF VENUE
See Place of Trial; Trials

CHARGES
See Encumbrances

CHILDREN'S LAWYER
Appointment, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(1)]**
Appointment as litigation guardian, **RCP-7.03, § RCP 7.03:1, RCP-7.04, § RCP 7.04:1 [7.03, 7.04]**
Assessment of costs, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(8)]**

CHILDREN'S LAWYER—Cont'd
Costs payable, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(4)]**
Divorce actions
attendance in court, **CJA-112, § CJA 112:1, § CJA 112:2 [s. 112(7)]**
investigation and report, **CJA-112, § CJA 112:1, § CJA 112:2 [s. 112(1), (2)]**
report as evidence, **CJA-112, § CJA 112:1, § CJA 112:2 [s. 112(6)]**
Duties, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(3), (3.1)]**
Filing report before trial, **RCP-48.03 [48.03(2)]**
Mortgages held by accountant, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(6)]**
Notice of application concerning estates of minors, **RCP-67.01**
Notice of application regarding approval of sale, mortgage, lease of minor's property, **RCP-67.01**
Notice of discontinuance of action, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
Notice of motion to dismiss for delay, **RCP-24.02**
Partition or sale proceedings, **RCP-66.01, § RCP 66.01:1 [66.01(2)]**
Payment into court, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(7)]**
Payment out of court
party under disability, **RCP-72.03, § RCP 72.03:1 [72.03(10) to (14)]**
under order or report, **RCP-72.03, § RCP 72.03:1 [72.03(3)]**
Qualifications, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(2)]**
Representing minors, proceedings against minors, **RCP-7.03, § RCP 7.03:1 [7.03(2)]**
Security for costs, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(5)]**
Service
on a minor, **RCP-16.02, § RCP 16.02:1 [16.02(1)]**
on children's lawyer, **RCP-16.03, § RCP 16.03:1 [16.03(8)]**
order affecting minor, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**

CITATION OF RULES
See Rules

CIVIL CASE MANAGEMENT
Application
conflict with other Rules, **RCP-77.02 [77.02(4)]**
exceptions, **RCP-77.02 [77.02(2), (3)]**
scope, **RCP-77.02 [77.02(1)]**
Assignment for case management
criteria, **RCP-77.05, § RCP 77.05:1 [77.05(4)]**
multiple proceedings, **RCP-77.05, § RCP 77.05:1 [77.05(3)]**
no consent, **RCP-77.05, § RCP 77.05:1 [77.05(2)]**
on consent of parties, **RCP-77.05, § RCP 77.05:1 [77.05(1)]**
Assignment to individual management by a judge
assignment to particular judge, **RCP-77.06 [77.06(1)]**
limitation, **RCP-77.06 [77.06(2)]**
Case conference
attendance, **RCP-50.13, § RCP 50.13:1 [50.13(2), (3)]**
how convened, **RCP-50.13, § RCP 50.13:1 [50.13(1)]**
lawyers, **RCP-50.13, § RCP 50.13:1 [50.13(4)]**
matters to be dealt with, **RCP-50.13, § RCP 50.13:1 [50.13(5)]**
powers, **RCP-50.13, § RCP 50.13:1 [50.13(6)]**
General principles, **RCP-77.01, § RCP 77.01:1 [77.01(2)]**
Motions
costs, **RCP-77.07 [77.07(5)]**
formal order not required, **RCP-77.07 [77.07(6)]**
procedure, **RCP-77.07 [77.07(4)]**
referral by particular judge, **RCP-77.07 [77.07(3)]**
to particular judge, **RCP-77.07 [77.07(2)]**
to whom made, **RCP-77.07 [77.07(1)]**
Powers, **RCP-77.04, § RCP 77.04:1**
Purpose, **RCP-77.01, § RCP 77.01:1 [77.01(1)]**
Transition, **RCP-77.09**

CIVIL SUBMISSIONS ONLINE PORTAL
Generally, **RCP-4.05.2**

CIVIL SUBMISSIONS ONLINE PORTAL—Cont'd
Ontario courts public portal, **RCP-4.05.2.1**

CLAIMS
Adverse regarding property, see Interpleader
Arising from same transaction or occurrence, joinder, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2**
Contested, references, **RCP-55.03 [55.03(4)]**
Counterclaims, see Counterclaims
Crossclaims, see Crossclaims
Estates, against, **RCP-75.08**
Fourth and subsequent parties, see also Third Party Claims
generally, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**
Joinder, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(5)]**
persons jointly entitled to relief, **RCP-5.03, § RCP 5.03:1 [5.03(2)]**
redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(3)]**
relief against, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(4)]**
Joint and several liability, offers to contribute, **RCP-49.12, § RCP 49.12:1, APP C § C:91 [49.12, Form 49D]**
Jury trials, answers sufficient for judgment, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(2)]**
Mortgage actions, proof by encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7, RCP-64.05, § RCP 64.05:1 [64.03(8), (12) to (14), (18), (19), 64.05(9)]**
Offers to settle, see Offers to Settle
Pleadings
affirmative defence, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(4)]**
condition precedent, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(3)]**

CLAIMS—Cont'd
Pleadings—Cont'd
damages and other relief, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(9)]**
different version of facts, **RCP-25.08 [25.08(1)]**
material facts, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(1)]**
raising new ground, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(5), (10)]**
Property seized by sheriff in execution, **RCP-60.13**
References
contested, **RCP-55.03 [55.03(4)]**
examination of claims, **RCP-55.03 [55.03(3)]**
filing, **RCP-55.03 [55.03(2)]**
Third party, see Third Party Claims

CLASS ACTIONS
See Class Proceedings

CLASS PROCEEDINGS
Costs, **RCP-12.04, § RCP 12.04:1**
Definitions, **RCP-12.01**
Discovery of class members, **RCP-12.03**
Generally, **APP H1 to APP H6 § H6:9**
Judgments, contents, **RCP-12.05 [12.05(1)]**
Leave to appeal, **RCP-12.06, § RCP 12.06:1**
Notice to Foundation, **RCP-12.04, § RCP 12.04:1 [12.04(2), (3)]**
Orders, contents, **RCP-12.05 [12.05(1), (2)]**
Representative defendant, **RCP-12.07, § RCP 12.07:1**
Simplified procedure does not apply, **RCP-76.01, § RCP 76.01:1 [76.01(1)]**
Title of proceeding, **RCP-12.02**
Unincorporated association or trade union, **RCP-12.08, § RCP 12.08:1**

COMMENCEMENT OF PROCEEDINGS
See also Originating Process
Administration proceedings, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**

COMMENCEMENT OF PROCEEDINGS—Cont'd
Appeals
persons to be served, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(1)]**
time for appeal, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(1)]**
Application for certificate of appointment of estate trustee, **RCP-74.04, § RCP 74.04:1**
Applications for judicial review, **RCP-68.01, § RCP 68.01:1**
Approval of sale, mortgage, lease concerning minor, **RCP-67.01**
Civil submissions online portal, **RCP-4.05.2**
Demand for declaration of authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1)]**
Generally, **§ RCP 14:1 et seq. [Rule 14]**
Information for court use, **RCP-4.05.1 [4.05.1(1)]**
Minor's estates, proceedings concerning, **RCP-67.01**
Motions before, **RCP-37.17, § RCP 37.17:1**
Notice of, **RCP-14.01.1**
Partition or sale of land, **RCP-66.01, § RCP 66.01:1**
Proceedings for judicial review, **RCP-68.01, § RCP 68.01:1**
Request for notice of, estates, **RCP-74.03**
Stay of proceeding commenced without authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(4)]**
Without client's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(3)]**
Without lawyer's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(2)]**

COMMISSIONERS
Examination out of Ontario, **RCP-36.03, § RCP 36.03:1**
Taking evidence before trial, persons out of Ontario, **RCP-34.07, § RCP 34.07:1 [34.07]**

COMMITTAL
Contempt motions, imprisonment, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(7)]**

COMMITTEES
See Litigation Guardians

COMMUNICATIONS BY REGISTRAR
Generally, **RCP-4.12, § RCP 4.12:1**

COMMUNICATIONS OUT OF COURT
Generally, **RCP-1.09, § RCP 1.09:1**

COMPROMISE
See Offers to Settle; Settlements

COMPUTATION OF TIME
See Time

CONDUCT MONEY
See Attendance Money

CONFIRMATION
Appellant's certificate respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(3)]**
Reports on references, **RCP-54.07, § RCP 54.07:1 to RCP-54.09, § RCP 54.09:1 [54.07 to 54.09]**
defendants noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**

CONSENT
Adding party as plaintiff or applicant, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(3)]**
Amendment of pleadings, **RCP-26.02, § RCP 26.02:1**
Applications, delivery of affidavit after cross-examining, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
Defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(2)]**
consent of plaintiff to step by defendant, **RCP-19.02, § RCP 19.02:1, RCP-19.03, § RCP 19.03:1 [19.02(1)(b), 19.03(2)]**
Determination of question before trial, admission of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)(a)]**
Directing reference, **RCP-54.02, § RCP 54.02:1**
Discontinuance, **RCP-23.01, § RCP 23.01:1 [23.01(1)(c)]**
effect on subsequent action, **RCP-23.04, § RCP 23.04:1 [23.04(1)]**

CONSENT—Cont'd
Examinations out of court, **RCP-34.06**
taking evidence before trial, **RCP-36.01, § RCP 36.01:1**
Extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(4)]**
Joinder of necessary parties, **RCP-5.03, § RCP 5.03:1 [5.03(5)]**
Judgment in main action
notice to third party, **RCP-29.06 [29.06(b)]**
parties under disability, **RCP-7.08, § RCP 7.08:1 [7.08(2)]**
Litigation guardian agreeing to act, **RCP-7.02, § RCP 7.02:1 [7.02(2)]**
Medical examinations, **RCP-33.08, § RCP 33.08:1**
Minor over sixteen, approval of settlement, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Minor's estates, consent of minor, **RCP-67.03**
Motions
absence of the public, **RCP-37.11 [37.11(1)]**
delivering affidavit after cross-examining, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
reference, consent of referee for motion to judge or case management master, **RCP-54.05 [54.05(1)]**
Payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(1), (4)]**
insurer on behalf of party, **RCP-72.03, § RCP 72.03:1 [72.03(6)]**
payment directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
Pleading subsequent to reply, **RCP-25.01, § RCP 25.01:1 [25.01(5)]**
References, payment out of court, **RCP-55.05, RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.05(3), 55.06(14)]**
Renunciation, **APP C § C:188 [Form 74G]**
Trials
appointment of experts, **RCP-52.03, § RCP 52.03:1 [52.03(1)]**
from December 24–January 6, **RCP-3.03 [3.03(1)]**
return of exhibits, **RCP-52.04, § RCP 52.04:1 [52.04(2)]**

CONSENT—Cont'd
Withdrawal of admissions, **RCP-51.05, § RCP 51.05:1**
Withdrawal of statement of defence, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1)(a), 51.05]**

CONSOLIDATION OF PROCEEDINGS
Generally, **§ RCP 6:1 et seq. [Rule 6]**
Proceedings in different courts, **CJA-107, § CJA 107:1 to § CJA 107:3 [s. 107]**

CONSTITUTIONAL QUESTION
Notice, **CJA-109, § CJA 109:1 to § CJA 109:3; RCP-4.11, APP C § C:16 [s. 109; 4.11, Form 4F]**

CONTEMPT ORDERS
Affidavit in support of order, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(3)]**
Contents of order, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(5)]**
Corporations in contempt, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(6)]**
Debtor defeating or defrauding creditors, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(5)]**
Directions, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Discharge, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Enforcement of fines, **CJA-143 [s. 143(2)]**
Examination out of court, failure to comply with order, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(2)]**
Fines, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(5)]**
Generally, **RCP-60.09**
How obtained, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(1)]**
Imprisonment, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(5)]**
Injunction or mandatory order, enforcement, **RCP-60.05, § RCP 60.05:1, § RCP 60.05:2, RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.05, 60.11]**

CONTEMPT ORDERS—Cont'd
Ordering act to be done by another, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(9), (10)]**
Service of notice of motion, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(2)]**
Setting aside, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Small claims, **CJA-30 [s. 30]**
Variation, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Warrant for arrest, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:131 [60.11(4), Form 60K]**
Warrant of committal, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:132 [60.11(7), Form 60L]**
Where available, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(1)]**
Writ of sequestration, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:119 [60.11(5), Form 60B]**

CONTRACTS
Claims concerning, service outside Ontario, **RCP-17.02, § RCP 17.02:1**
Interpretation
application to determine rights, **RCP-14.05, § RCP 14.05:1 [14.05(3)(d)]**
representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

CONTRIBUTION
Crossclaim against co-defendant, **RCP-28.01, § RCP 28.01:1 [28.01(2)]**
Offers to contribute to settlement, **RCP-49.12, § RCP 49.12:1**

COPIES
Certified copies of court documents, **RCP-4.03**
Discovery of documents, **RCP-30.10, § RCP 30.10:1 [30.10(4)]**
Documents produced for inspection, **RCP-30.04, § RCP 30.04:1 [30.04(7)]**
Minutes of settlement, filing with assessment officer, **RCP-57.04**
Notice of garnishment, sending to sheriff, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(3)]**

COPIES—Cont'd
Orders
entry, **RCP-59.05, § RCP 59.05:1 [59.05(1), (2)]**
filing, **RCP-59.05, § RCP 59.05:1 [59.05(3)]**
filing for writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(1)]**
filing in garnishment matters, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(2)]**
Reasons for decision, filing, **RCP-59.02 [59.02(2)]**
Report on reference, filing, **RCP-54.09, § RCP 54.09:1 [54.09(1)]**

CORPORATIONS
Affidavits, **RCP-4.06 [4.06(5)]**
Contempt, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(6)]**
Controlled by party, discovery of documents, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(4)]**
Discovery of documents, subsidiary or affiliate, **RCP-30.01, § RCP 30.01:1, RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.01(2), 30.02(4)]**
Examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(2), (3)]**
Examination in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
Lawyer removed from record, **RCP-15.04, § RCP 15.04:1 [15.04(12), (13)]**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(c)]**
Representation, lawyer required, **RCP-15.01, § RCP 15.01:1 [15.01(2)]**
Security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2**
Service by mail, **RCP-16.03, § RCP 16.03:1 [16.03(6)]**

CORRECTIONS
See Errors and Omissions

COSTS
Abandoned appeals, **RCP-61.14, § RCP 61.14:1 [61.14(3)]**
Abandoned applications, **RCP-38.08**

COSTS—Cont'd
Abandoned motions, **RCP-37.09, § RCP 37.09:1 [37.09(3)]**
Abuse of process, motions, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
Actions brought in wrong court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2**
Administrative tribunals, proceedings, **RCP-68.02 [68.02(3)]**
Admissions
denial of authenticity, **RCP-51.04, § RCP 51.04:1**
refusal to admit, **RCP-51.04, § RCP 51.04:1**
Amendment of pleadings, compensation for prejudice, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2**
Appeals
abandonment, **RCP-61.14, § RCP 61.14:1 [61.14(3)]**
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3)]**
dismissal of cross-appeal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [62.13(5)]**
failure to proceed with cross-appeal, **RCP-61.15 [61.15(2)]**
joined with appeal as of right, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [61.03(7), 61.03.1(17)]**
sanctions for unnecessary evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(8)]**
Apportionment of liability, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(1)]**
Assessment
abandoned appeal, application or motion, **RCP-58.07, § RCP 58.07:1**
absence of opposite party, **RCP-3.03 [3.03(2)]**
administrative tribunals, proceedings, **RCP-68.02 [68.02(3)]**
allowable costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(1)]**
appeal from administrative tribunal, **CJA-90, § CJA 90:1 [s. 90(4)]**
appeal from assessment, **RCP-58.11, § RCP 58.11:1, RCP-62.01,**

COSTS—Cont'd
Assessment—Cont'd
§ RCP 62.01:1, § RCP 62.01:2 [58.11, 62.01(1)(b)]
application of Rules, transitional provisions, **RCP-1.02, § RCP 1.02:1 [1.02(4)]**
articling student, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(2)]**
bill of costs
failure to respond to notice to deliver, **RCP-58.04 [58.04(4)]**
failure to serve, consequences, **RCP-58.04 [58.04(1)]**
filing, **RCP-58.03, § RCP 58.03:1 [58.03(1)]**
filing and serving in response to notice to deliver, **RCP-58.04 [58.04(3)]**
service, **RCP-58.03, § RCP 58.03:1 [58.03(2)]**
certificate of assessment, **RCP-58.09, APP C § C:113 [58.09, Form 58C]**
Children's Lawyer, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(4)]**
costs not fixed to be assessed, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(3)]**
costs of assessment, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(6)]**
default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(6)]**
default judgment within monetary jurisdiction of Small Claims Court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(3)]**
directions concerning conduct, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(4)]**
directions to assessment officer, **RCP-57.02, RCP-58.06 [57.02(1), (2), 58.06(2)]**
disbursements to be allowed, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(3)]**
factors to be considered, **RCP-58.06 [58.06(1), (2)]**
fixing costs instead of assessment, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(3)]**

COSTS—Cont'd
Assessment—Cont'd
law clerks' costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(2)]**
location, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(1)]**
notice of appointment, **RCP-58.03, § RCP 58.03:1, APP C § C:111 [58.03(1), (2), Form 58A]**
notice to deliver bill of costs, **RCP-58.04, APP C § C:112 [58.04, Form 58B]**
objections to decision, **RCP-58.10, § RCP 58.10:1 [58.10(1)]**
reasons for decision in writing, **RCP-58.10, § RCP 58.10:1 [58.10(4)]**
reconsideration and review, **RCP-58.10, § RCP 58.10:1 [58.10(3)]**
reply, **RCP-58.10, § RCP 58.10:1 [58.10(2)]**
passing of accounts, **RCP-58.08, § RCP 58.08:1 [58.08(1), (2)]**
payment out of fund or estate, **RCP-58.08, § RCP 58.08:1 [58.08(2)]**
production of books and documents, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(4)]**
reconsideration and review, **RCP-58.10, § RCP 58.10:1 [58.10(3)]**
references, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(2)]**
registrar, fixed by, **RCP-58.13**
set-off of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(5)]**
sheriff's, **RCP-58.12, § RCP 58.12:1**
stay pending appeal, effect, **RCP-63.03, § RCP 63.03:1 [63.03(2)]**
student-at-law's costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(2)]**
trustees, **RCP-58.08, § RCP 58.08:1 [58.08(1), (2)]**
who may assess, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(1), (2)]**
withholding certificate, **RCP-58.10, § RCP 58.10:1 [58.10(1)]**
Assessment officers
appointment, **CJA-90, § CJA 90:1 [s. 90(1)]**

COSTS—Cont'd
Assessment officers—Cont'd
jurisdiction to assess, **CJA-90, § CJA 90:1; RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [s. 90(3); 58.02]**
Certificate of assessment
appeals from, procedure, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(1)]**
enforcement of payment of costs, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(2)]**
withholding, objections, **RCP-58.10, § RCP 58.10:1**
Class proceedings
generally, **RCP-12.04, § RCP 12.04:1**
Committees, **RCP-58.08, § RCP 58.08:1 [58.08(1)]**
Compensation by costs
amendment of pleadings, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2**
joinder, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**
Costs outline, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(6)]**
form, **APP C § C:110 [Form 57B]**
Counterclaims, **RCP-27.09, § RCP 27.09:1 [27.09(3)]**
effect of dismissal of action for delay, **RCP-24.03**
Cross-appeal joined with cross-appeal as of right, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [61.03(8), 61.03.1(18)]**
Cross-examination on affidavit, motion, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(4)]**
Crossclaims, effect of dismissal of action for delay, **RCP-24.04**
Crown costs, **CJA-131, § CJA 131:1, § CJA 131:2 [s. 131(2)]**
Default judgments, **RCP-19.04, § RCP 19.04:1 [19.04(6)]**
monetary jurisdiction of Small Claims Court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(3)]**
Defendant paying claim, **RCP-14.10 [14.10(1)]**
where amount claimed excessive, **RCP-14.10 [14.10(2)]**

COSTS—Cont'd
Directions to assessment officers, **RCP-57.02, RCP-58.06 [57.02(1), (2), 58.06(2)]**
Discontinuance, **RCP-23.05, § RCP 23.05:1**
stay of subsequent action pending payment, **RCP-23.04, § RCP 23.04:1 [23.04(2)]**
Discretion of court, factors, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(1)]**
Dismissal of action for delay, **RCP-24.04**
stay of subsequent action pending payment, **RCP-24.05, § RCP 24.05:1 [24.05(2)]**
Enforcement of orders
costs allowed, **RCP-60.19, § RCP 60.19:1 [60.19(1)]**
costs recoverable under notice of garnishment, **RCP-60.19, § RCP 60.19:1 [60.19(2)]**
costs recoverable under writ of execution, **RCP-60.19, § RCP 60.19:1 [60.19(2)]**
Enforcement of payment of costs, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(2)]**
Examination for discovery of non-party, **RCP-31.10, § RCP 31.10:1, § RCP 31.10:2 [31.10(4)]**
Examinations out of court, improper conduct or adjournment, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(2)]**
Factors in exercise of court's discretion, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(1)]**
Fixing, process for, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(7)]**
Fixing without assessment, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(3)]**
Foreclosure actions
adding subsequent encumbrancers as defendants, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(3)]**
redemption by named defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12)]**
Forms
bill, **APP C § C:109 [Form 57A]**

COSTS—Cont'd
Forms—Cont'd
certificate of assessment of costs, **APP C § C:113 [Form 58C]**
increased costs (estate trustee), **APP C § C:217 [Form 74.49.2]**
increased costs (person other than estate trustee), **APP C § C:218 [Form 74.49.3]**
notice of appointment for assessment of costs, **APP C § C:111 [Form 58A]**
notice to deliver a bill of costs for assessment, **APP C § C:112 [Form 58B]**
order for security for costs, **APP C § C:108 [Form 56A]**
request for, **APP C § C:215 [Form 74.49]**
request for costs (children's lawyer or public guardian and trustee), **APP C § C:216 [Form 74.49.1]**
Fund or estate, assessment, **RCP-58.08, § RCP 58.08:1 [58.08(2)]**
Generally, **§ RCP 56:1 to § RCP 58:1 [56 to 58]**
Interest, **CJA-129, § CJA 129:1, § CJA 129:2 [s. 129(4)]**
Interim recovery of personal property, condition of security, **RCP-44.04**
Interpleader, paid out of property or proceeds, **RCP-43.04, § RCP 43.04:1 [43.04(1)(c)]**
Judicial review proceedings, dismissal for delay, **RCP-68.06 [68.06(3)]**
Lawyer's liability for costs, **RCP-57.07, § RCP 57.07:1**
declaration of authority to commence proceeding, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1)]**
grounds for making order, **RCP-57.07, § RCP 57.07:1 [57.07(1)]**
notice to client, **RCP-57.07, § RCP 57.07:1 [57.07(3)]**
procedure, **RCP-57.07, § RCP 57.07:1 [57.07(2), (3)]**
proceeding commenced without client's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(3)]**
representation by lawyer on issue, **RCP-57.07, § RCP 57.07:1 [57.07(2)]**

COSTS—Cont'd
Litigation guardian
liability for costs, **RCP-7.02, § RCP 7.02:1 [7.02(2)(f)]**
recovery by, **RCP-57.06, § RCP 57.06:1**
Mortgage references, assessed by referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
Motions
abandoned motions, **RCP-37.09, § RCP 37.09:1 [37.09(3)]**
contested motions, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(1)]**
cross-examination on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(4)]**
determining issues before trial, **RCP-21.02, § RCP 21.02:1**
examinations out of court, improper conduct or adjournments, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(2)]**
order that person do an act, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(9)]**
without notice, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(3)]**
Offer to contribute, multiple defendants, **RCP-49.12, § RCP 49.12:1 [49.12(2)]**
Offer to settle, **RCP-49.07, § RCP 49.07:1 [49.07(5)]**
defendant's, **RCP-49.10, § RCP 49.10:1 [49.10(2)]**
general discretion of court, **RCP-49.13, § RCP 49.13:1**
multiple defendants, **RCP-49.11**
plaintiff's, **RCP-49.10, § RCP 49.10:1 [49.10(1)]**
Partial indemnity, **RCP-1.03, § RCP 1.03:1**
cross-examination on affidavit or motion, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(4)]**
Parts of proceeding or particular issues, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(4)]**
Passing of accounts, **RCP-58.08, § RCP 58.08:1 [58.08(1), (2)]**
estates, **RCP TC [Tariff C]**

COSTS—Cont'd
Payment of costs incurred by successful defendant, **§ RCP 57:1 et seq. [Rule 57]**
Payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
party under disability, **RCP-72.03, § RCP 72.03:1 [72.03(13)]**
Payment out of fund or estate, **RCP-58.08, § RCP 58.08:1 [58.08(2)]**
Payment to be to person entitled, **RCP-59.03, § RCP 59.03:1 [59.03(6)]**
Payment to lawyer directly, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
Power of court, **CJA-131, § CJA 131:1, § CJA 131:2 [s. 131(1)]**
Pre-trial conferences, **RCP-50.12**
Recovery within monetary jurisdiction of Small Claims Court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(1)]**
Recovery without order awarding costs, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(2)]**
Redemption action
liability of defendant, **RCP-64.05, § RCP 64.05:1 [64.05(10)]**
order for dismissal, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
References
assessment, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(2)]**
parties represented by separate lawyers, **RCP-55.02 [55.02(9)]**
Requisition for default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(2)(e)]**
Sale action
application of purchase money, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(13)]**
redemption by named defendant, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(9)]**
Security for costs
amount and form, **RCP-56.04, § RCP 56.04:1**
appeals, **RCP-61.06, § RCP 61.06:1**
declaration of plaintiff's place of residence, **RCP-56.02, § RCP 56.02:1**
default by plaintiff in giving security, **RCP-56.06, § RCP 56.06:1**

COSTS—Cont'd
Security for costs—Cont'd
effect of order, **RCP-56.05**
form of order, **RCP-56.05, APP C § C:108 [56.05, Form 56A]**
general discretion of court, **RCP-56.09, § RCP 55.09:1**
generally, **§ RCP 56:1 et seq. [Rule 56]**
grounds for making order, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2, RCP-56.09, § RCP 55.09:1 [56.01, 56.09]**
motion for security, **RCP-56.03, § RCP 56.03:1**
notice of compliance with order, **RCP-56.08**
Official Guardian, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(5)]**
payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
request for sale by encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(18) to (21)]**
sureties, sufficiency, **CJA-115, § CJA 115:1 [s. 115]**
time for furnishing security, **RCP-56.04, § RCP 56.04:1**
variation of amount, **RCP-56.07, § RCP 56.07:1**
Set-off, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(5)]**
Settlements, **RCP-57.04**
Simplified procedure, see Simplified Procedure
Substantial indemnity, **RCP-1.03, § RCP 1.03:1, RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [1.03, 57.01(4)]**
offers to settle, **RCP-49.10, § RCP 49.10:1**
Solicitors Act assessment, **§ RCP 58.12:1**
summary judgment
party acting in bad faith, **RCP-20.06, § RCP 20.06:1 [20.06(b)]**
where motion fails, **RCP-20.06, § RCP 20.06:1 [20.06(a)]**
Successful party ordered to pay, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(2)]**
Summary judgment
party acting in bad faith, **RCP-20.06, § RCP 20.06:1 [20.06(b)]**

COSTS—Cont'd
Summary judgment—Cont'd
where motion fails, **RCP-20.06, § RCP 20.06:1 [20.06(a)]**
Third parties
effect of dismissal of action for delay, **RCP-24.04**
Trustees, **RCP-58.08, § RCP 58.08:1 [58.08(1), (2)]**
Witness who fails to attend, **RCP-53.04, § RCP 53.04:1 [53.04(8)]**

COUNTERCLAIMS
See also Pleadings
Amending defence to add
against person not already party, **RCP-27.07 [27.07(2)]**
against persons already parties only, **RCP-27.07 [27.07(1)]**
response, **RCP-27.07**
Amendment of pleadings, service, **RCP-26.04 [26.04(1), (2)]**
By defendant to counterclaim, **RCP-27.10, § RCP 27.10:1**
By defendant to crossclaim, **RCP-27.10, § RCP 27.10:1**
By third party, **RCP-27.10, § RCP 27.10:1**
Commencement
against non-party, **RCP-27.03, § RCP 27.03:1**
against persons already parties, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
Costs on disposition, **RCP-27.09, § RCP 27.09:1 [27.09(3)]**
Crossclaims between defendants, **RCP-28.11**
Default proceedings, **RCP-19.09**
Defendant not party to main action, **RCP-27.03, § RCP 27.03:1**
Discontinuance of main action, **RCP-23.02, § RCP 23.02:1**
Dismissal
failure to attend, **RCP-52.01, § RCP 52.01:1 [52.01(2)]**
for delay, **RCP-24.03, RCP-24.06 [24.03, 24.06]**
Disposition
claim in main action not disputed, **RCP-27.09, § RCP 27.09:1 [27.09(1)]**

COUNTERCLAIMS—Cont'd
Disposition—Cont'd
counterclaim not disputed, **RCP-27.09, § RCP 27.09:1 [27.09(2)]**
successful claim and counterclaim, **RCP-27.09, § RCP 27.09:1 [27.09(3)]**
Estate proceedings, **RCP-75.07**
Forms
counterclaim (against parties to main action only), **APP C § C:53 [Form 27A]**
counterclaim (against person not already party to main action), **APP C § C:54 [Form 27B]**
defence to counterclaim, **APP C § C:55 [Form 27C]**
reply to defence to counterclaim, **APP C § C:56 [Form 27D]**
Generally, **§ RCP 27:1 et seq. [Rule 27]**
Joining defendants to counterclaim, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2**
Non-party to main action, against
defined as originating process, **RCP-1.03, § RCP 1.03:1**
issuing, **RCP-27.03, § RCP 27.03:1**
title of proceeding, **RCP-27.03, § RCP 27.03:1 [27.03(b)]**
Order to assert claim by way of counterclaim, **RCP-6.01, § RCP 6.01:1 [6.01(1)]**
Pleadings, **RCP-25.01, § RCP 25.01:1 [25.01(2)]**
service, **RCP-25.03 [25.03(1)]**
service on added parties, **RCP-25.03 [25.03(2)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3), (4)]**
Reply and defence to counterclaim, **RCP-27.05 [27.05(2)]**
Service, **RCP-27.04, § RCP 27.04:1 [27.04(2)]**
defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)(b)]**
outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(q)]**
personal service, **RCP-27.04, § RCP 27.04:1 [27.04(3)]**
third party claims, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2)]**

COUNTERCLAIMS—Cont'd
Setting down for trial, **RCP-48.01**
Simplified proceeding, see Simplified Procedure
Statement of defence and counterclaim, **RCP-27.02, APP C § C:53, APP C § C:54 [27.02, Form 27A, 27B]**
Summary judgments, **RCP-20.09, § RCP 20.09:1**
stay of execution, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Third party claim by defendant, **RCP-29.13**
Time for delivery
all parties parties to main action, **RCP-27.04, § RCP 27.04:1 [27.04(1)]**
new party brought in, **RCP-27.04, § RCP 27.04:1 [27.04(2)]**
Time for delivery of defence
defendant not party to main action, **RCP-27.05 [27.05(3)]**
party to main action, **RCP-25.05, § RCP 25.05:1 [25.05(1)]**
Time for delivery of reply to defence, **RCP-27.06**
Time for delivery of statement of defence, **RCP-18.02, § RCP 18.02:1 [18.02(3)(a)]**
Title, **RCP-27.02, RCP-27.03, § RCP 27.03:1 [27.02, 27.03(6)]**
Trial
main action, **RCP-27.08, § RCP 27.08:1, § RCP 27.08:2 [27.08(1)]**
separate trial or separate action, **RCP-27.08, § RCP 27.08:1, § RCP 27.08:2 [27.08(2)]**
Where available
against plaintiff, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(1)]**
against plaintiff and others, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(2)]**
Withdrawal by defendant, **RCP-23.07**

COUNTY
Definition, **RCP-1.03, § RCP 1.03:1**
Place of hearing motions, **RCP-37.03, § RCP 37.03:1**

COURT FILES
Motions, file not to be before judge or case management master, **RCP-37.10, § RCP 37.10:1 [37.10(1)]**

COURT FILES—Cont'd
Number on documents, **RCP-4.02 [4.02(1), (3)]**
Orders, filing copy, **RCP-59.05, § RCP 59.05:1**
Place of filing documents, **RCP-4.05 [4.05(2)]**
Reasons to be filed, **RCP-59.02 [59.02(2)]**

COURT OF APPEAL
See also Appeals
Application of rules of court, **RCP-1.02, § RCP 1.02:1 [1.02(1)]**
Associate Chief Justice of Ontario
absence, **CJA-5, § CJA 5:1 [s. 5(3)]**
member of Court of Appeal, **CJA-3, § CJA 3:1 [s. 3(1)]**
Chief Justice of Ontario
absence, **CJA-5, § CJA 5:1 [s. 5(2)]**
member of Court of Appeal, **CJA-3, § CJA 3:1 [s. 3(1)]**
powers and duties, **CJA-5, § CJA 5:1 [s. 5(1)]**
Combining appeals from other courts, **CJA-6, § CJA 6:1, § CJA 6:2 [s. 6(2)]**
Composition
hearings, **CJA-7, § CJA 7:1, § CJA 7:2 [s. 7(1)]**
motions, **CJA-7, § CJA 7:1, § CJA 7:2 [s. 7(2) to (4)]**
Entry of orders, **RCP-59.05, § RCP 59.05:1 [59.05(4)]**
Intervention of person in proceeding, **RCP-13.03, § RCP 13.03:1, § RCP 13.03:2 [13.03(2)]**
Judges
additional judges, **CJA-3, § CJA 3:1 [s. 3(3)]**
assignment of judges from Superior Court of Justice, **CJA-4, § CJA 4:1 [s. 4]**
number, **CJA-3, § CJA 3:1 [s. 3(1)(c), 3(2)]**
supernumerary judges, **CJA-3, § CJA 3:1 [s. 3(4)]**
Jurisdiction, **CJA-2, § CJA 2:1, CJA-6, § CJA 6:1, § CJA 6:2 [ss. 2, 6(1)]**
Motion to set aside, vary or amend order, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(6)]**

COURT OF APPEAL—Cont'd
Motions for leave to appeal, **RCP-61.03.1, § RCP 61.03.1:1**
Practice directions, **RCP-1.07**
References
appointment of counsel, **CJA-8, § CJA 8:1 [s. 8(6)]**
Attorney General submissions, **CJA-8, § CJA 8:1 [s. 8(3), (4)]**
generally, **CJA-8, § CJA 8:1 [s. 8(1), (2), (7)]**
notice to persons interested, **CJA-8, § CJA 8:1 [s. 8(5)]**
Registrar
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2**
automatic, **RCP-61.13.0.1**
signing orders, **RCP-59.04, § RCP 59.04:1**
Special case, **RCP-22.03, § RCP 22.03:1, RCP-22.05 [22.03(1), (2), 22.05]**
Transfer of appeals, **CJA-6, § CJA 6:1, § CJA 6:2 [s. 6(3)]**

COURT REPORTERS
Fees, assessment of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(1)]**
Notice when evidence on appeal transcribed, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(7)]**

COURTS
Administration
chief or regional senior judge's powers, **CJA-76, § CJA 76:1, § CJA 76:2 [s. 76]**
disposition of court fees, **CJA-94 [s. 94]**
generally, **CJA-71, § CJA 71:1, § CJA 71:2 [s. 71]**
Bilingual proceedings
appeals, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(7)]**
corporations, partnerships, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(8)]**
documents, **CJA-126, § CJA 126:1, § CJA 126:2, RCP-4.02.1 [s. 126(1), 4.02.1]**
evidence and submissions, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**

COURTS—Cont'd
Bilingual proceedings—Cont'd
process, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126]**
prosecutions, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(6)]**
regulations, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(9)]**
right to require, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**
rules applicable to, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**
translation, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(2)]**
Common law, administration, **CJA-96, § CJA 96:1, § CJA 96:2 [s. 96]**
Consolidation of proceedings, **CJA-107, § CJA 107:1 to § CJA 107:3 [s. 107]**
Court of Appeal, see Court of Appeal
Declaratory relief, **CJA-97, § CJA 97:1, § CJA 97:2 [s. 97]**
Definition, **RCP-1.03, § RCP 1.03:1**
Divisional Court, see Divisional Court
Equity, administration, **CJA-96, § CJA 96:1, § CJA 96:2 [s. 96]**
Federal court jurisdiction, **CJA-148 [s. 148]**
Judicial regions, **CJA-74, § CJA 74:1 [s. 74]**
Jurisdiction
associate judge, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
certain headings under Child, Youth and Family Services Act, 2017, **CJA-123**
judges, motions, **RCP-37.02, § RCP 37.02:1 [37.02(1)]**
references, **RCP-54.03, § RCP 54.03:1**
Superior Court of Justice, application, **RCP-14.05, § RCP 14.05:1 [14.05(2)]**
Money paid into court, **CJA-88, § CJA 88:1 [s. 88]**
Offices
transaction of business in office, **RCP-4.05 [4.05(1), (4)]**
Official languages, **CJA-125, § CJA 125:1, § CJA 125:2 [s. 125]**
Ontario Court of Justice, see Ontario Court of Justice

COURTS—Cont'd
Ontario Courts Advisory Council
composition, **CJA-72, § CJA 72:1 [s. 72(1), (2)]**
mandate, **CJA-72, § CJA 72:1 [s. 72(3)]**
Ontario Courts Management Advisory Committee
composition, **CJA-73, § CJA 73:1 [s. 73(1), (2)]**
presiding officers, **CJA-73, § CJA 73:1 [s. 73(3)]**
Payment into and out of court, see Payment Into Court; Payment Out of Court
Public access, **CJA-135, § CJA 135:1 to § CJA 135:3 [s. 135]**
References to former names of courts, **CJA-1.1 [s. 1.1]**
Regional Courts Management Advisory Committee, **CJA-75, § CJA 75:1, § CJA 75:2 [s. 75]**
Relief against penalties, **CJA-98, § CJA 98:1 [s. 98]**
Seals, **CJA-147 [s. 147]**
Small Claims Court, see Small Claims Court
Special case, hearing of, **RCP-22.05**
Superior Court of Justice, see Superior Court of Justice
Vesting orders, **CJA-100, § CJA 100:1 [s. 100]**

CREDITORS
Adding as parties to estate or trust proceeding, **RCP-9.01, § RCP 9.01:1 [9.01(4)]**
Advertising, directions on references, **RCP-55.03 [55.03(1)]**
Commencing proceedings for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
Definition, enforcement of orders, **RCP-60.01**
Definition, examination in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(1)]**
Forms
notice to creditor, **APP C § C:105 [Form 55E]**
Name and address on writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(12), (12.1)]**

CREDITORS—Cont'd
Notice admitting or disputing claims, property seized by sheriff, **RCP-60.13**
References, order for payment out of money, **RCP-55.05 [55.05(5)]**
Sale of property seized under writ, **RCP-60.07, § RCP 60.07:1 [60.07(23), (24)]**

CROSS-EXAMINATIONS
Affidavits, on
applications and motions, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2**
simplified procedure, **RCP-76.05**
failure to deliver notice of appearance, **RCP-38.09 [38.09(2)]**
procedure, **§ RCP 34:1, RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [34, 39.02]**
taking of accounts, references, **RCP-55.04 [55.04(5)]**
Discovery, affidavit of documents, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
Trials
adverse party as witness, **RCP-53.07, § RCP 53.07:1 [53.07(3)]**
experts, **RCP-52.03, § RCP 52.03:1 [52.03(10)]**
officers, directors or sole proprietors of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(3)]**
partners of partnership, adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(3)]**
summary judgments, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(2)]**
witnesses, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(1)]**
Witness, taking evidence before trial, **RCP-36.02**
Witness on pending application or motion, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(2)]**

CROSSCLAIMS
Agreement preventing claim invalid, **CJA-113, § CJA 113:1 [s. 113]**
Amending defence to add, **RCP-28.03**
Amendment of pleadings
parties to be served, **RCP-26.04 [26.04(1)]**

CROSSCLAIMS—Cont'd
Amendment of pleadings—Cont'd
proof of service, **RCP-26.04 [26.04(2)]**
Between defendants to counterclaim, **RCP-28.11**
Between third parties, **RCP-28.11**
Commencement, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
Contribution from co-defendant, **RCP-28.01, § RCP 28.01:1 [28.01(2)]**
Costs, discontinuance of main action, **RCP-23.05, § RCP 23.05:1**
Counterclaim by defendant, **RCP-27.10, § RCP 27.10:1**
Default of defence, **RCP-28.07**
Default proceedings, **RCP-19.09**
Defence, **RCP-28.05, RCP-28.06, APP C § C:58 [28.05(1), (2), 28.06(1), Form 28B]**
effect of default, **RCP-28.07**
plaintiff's claim against co-defendant, **RCP-28.06 [28.06(1)(b), (3)]**
requirement for, **RCP-28.05 [28.05(2)]**
time for delivery, **RCP-28.05 [28.05(1)]**
Discontinuance of main action, **RCP-23.03**
costs, **RCP-23.05, § RCP 23.05:1**
Dismissal for delay, **RCP-24.04, RCP-24.06 [24.04, 24.06]**
Failure to defend against plaintiff, **RCP-28.06 [28.06(5)]**
Forms
crossclaim, **APP C § C:57 [Form 28A]**
defence to crossclaim, **APP C § C:58 [Form 28B]**
reply to defence to crossclaim, **APP C § C:59 [Form 28C]**
Generally, **§ RCP 28:1**
Pleadings, **RCP-25.01, § RCP 25.01:1 [25.01(3)]**
service, **RCP-25.03 [25.03(1)]**
service on added parties, **RCP-25.03 [25.03(2)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(5)]**
Prejudice or delay to plaintiff, **RCP-28.10**
Reply to defence to crossclaim, **RCP-28.08, APP C § C:59 [28.08, Form 28C]**

CROSSCLAIMS—Cont'd
Reply to defence to plaintiff's claim, **RCP-28.06 [28.06(4)]**
Service
defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)(c)]**
third party claims, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2)]**
Service outside Ontario, **RCP-17.01, RCP-17.02, § RCP 17.02:1 [17.01, 17.02(q)]**
Setting down for trial, **RCP-48.01**
Simplified procedure, see Simplified Procedure
Statement of defence and crossclaim, **RCP-28.02, APP C § C:57 [28.02, Form 28A]**
personal service, **RCP-28.04, § RCP 28.04:1 [28.04(2)]**
time for delivery, **RCP-28.04, § RCP 28.04:1 [28.04(1)]**
Summary judgment, **RCP-20.09, § RCP 20.09:1**
stay of execution, pending, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Third party claim by defendant, **RCP-29.13**
Third party defence, **RCP-29.06**
Title, **RCP-28.02**
Trial, **RCP-28.09**
Where available, **RCP-28.01, § RCP 28.01:1**
Withdrawal by defendant, **RCP-23.07**
Withdrawal of statement of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**

CROWN
Claims for debts, service outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(r)]**
Federal, personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(f)]**
Provincial, personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(g)]**
Service on, **RCP-16.03, § RCP 16.03:1 [16.03(7)]**

DAMAGES
Advance payments, **CJA-120, § CJA 120:1, § CJA 120:2 [s. 120]**

DAMAGES—Cont'd
Amount deemed in issue, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(6)]**
Appeal, power of court on, **CJA-119, § CJA 119:1 [s. 119]**
Assessment
jury notice, **RCP-47.01, § RCP 47.01:1**
time for assessment, **CJA-117, § CJA 117:1, § CJA 117:2 [s. 117]**
Claims for, service outside Ontario, **RCP-17.02, § RCP 17.02:1**
Crossclaims, **RCP-28.01, § RCP 28.01:1 [28.01(1)]**
Foreign currency conversion, **CJA-121, § CJA 121:1, § CJA 121:2 [s. 121]**
Future pecuniary
discount rate, **RCP-53.09, § RCP 53.09:1 [53.09(1)]**
gross-up, **RCP-53.09, § RCP 53.09:1 [53.09(2)]**
Future review of award, **CJA-116, § CJA 116:1, § CJA 116:2 [s. 116(4)]**
In substitution for other relief, **CJA-99, § CJA 99:1 [s. 99]**
Income tax liability, offsetting, **CJA-116, § CJA 116:1, § CJA 116:2 [s. 116(5)]**
Interim recovery of personal property, condition of security, **RCP-44.04**
Interlocutory injunctions, undertaking concerning damages, **RCP-40.03, § RCP 40.03:1**
Jury, guidance to, **CJA-118, § CJA 118:1, § CJA 118:2 [s. 118]**
Mandatory orders, undertaking concerning damages, **RCP-40.03, § RCP 40.03:1**
Medical malpractice actions, **CJA-116.1 [s. 116.1]**
Periodic payment, **CJA-116, § CJA 116:1, § CJA 116:2, CJA-116.1 [ss. 116, 116.1]**
Pleadings, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2, RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.06(9), 25.07(6)]**
Pre-trial conference, estimating, **RCP-50.06**
Prejudgment interest rate for non-pecuniary damages, **RCP-53.10, § RCP 53.10:1**

DAMAGES—Cont'd
Release from plaintiff, **CJA-120, § CJA 120:1, § CJA 120:2 [s. 120(2)]**
Review of award, **CJA-116, § CJA 116:1, § CJA 116:2 [s. 116]**
Set-off of debts, **CJA-111, § CJA 111:1, § CJA 111:2 [s. 111]**
Third party claims, **RCP-29.01, § RCP 29.01:1**
Undertaking
interlocutory injunction, **RCP-40.03, § RCP 40.03:1**
stop orders, **RCP-72.05, § RCP 72.05:1 [72.05(2)]**
Unliquidated, defendant noted in default, **RCP-19.05, § RCP 19.05:1**

DE BENE ESSE
See Evidence, see Examinations Out of Court

DEAF PERSONS
Interpreters
examinations out of court, **RCP-34.09, § RCP 34.09:1 [34.09(1)]**
trials, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**

DEATH
See also Estates; Wills and Codicils
Order to continue where party dies, **RCP-11.01, § RCP 11.01:1 to RCP-11.03, § RCP 11.03:1 [11.01 to 11.03]**
Proceeding by or against estate, **RCP-9.01, § RCP 9.01:1, RCP-9.02, § RCP 9.02:1 [9.01, 9.02]**
Proceeding improperly constituted, remedial provisions, **RCP-9.03, § RCP 9.03:1**

DEBTORS
Amendment of writ to change name, **RCP-60.07, § RCP 60.07:1 [60.07(10)]**
Costs, motion to reduce sheriff's fees, **RCP-58.12, § RCP 58.12:1 [58.12(4), (5)]**
Defeating or defrauding creditors, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(5)]**
Enforcement of orders, **RCP-60.01**
Examinations in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2**

DEBTS
Default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**
Form, default judgment, **APP C § C:40 [Form 19A]**
Garnishee paying debt attached by notice, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(13), (14)]**
Interest, administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Joinder of assignor, **RCP-5.03, § RCP 5.03:1 [5.03(3)]**
Mortgages
joinder of claim in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(5)]**
joinder of claim in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(4)]**
Mutual debts, **CJA-111, § CJA 111:1, § CJA 111:2 [s. 111(2)]**
Recovery by garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2**
Set-off, **CJA-111, § CJA 111:1, § CJA 111:2 [s. 111]**

DECLARATIONS
Ancillary to relief claimed, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Authority to commence proceeding, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2**
Claim of invalid marriage, defendant noted in default, **RCP-19.05, § RCP 19.05:1**
Interest in or charge on land, **RCP-14.05, § RCP 14.05:1 [14.05(3)(e)]**
Interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(1)]**
Plaintiff's place of residence, **RCP-56.02, § RCP 56.02:1**

DEEDS, WILLS, INSTRUMENTS
See also Wills and Codicils
Application to determine rights, **RCP-14.05, § RCP 14.05:1 [14.05(3)(d)]**
Claims concerning, service outside Ontario, **RCP-17.02, § RCP 17.02:1**
Commencing proceeding for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**

DEEDS, WILLS, INSTRUMENTS —Cont'd
Contesting will, joining beneficiaries, **RCP-9.01, § RCP 9.01:1 [9.01(2)]**
Delivery up where property redeemed, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(19)]**
Failure to execute or deliver, references, **RCP-55.02 [55.02(17)]**
Interest, administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Interpretation, application to determine rights, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

DEEMED UNDERTAKING
Application of Rule, **§ RCP 30.1:1, RCP-30.1.01, § RCP 30.1.01:1 [30.1, 30.1.01(1), (2)]**
Defined, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(3)]**
Exceptions
consent to use, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(4)]**
filing or use in court, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(5)]**
impeachment, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(6)]**
subsequent action, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(7)]**
Order that undertaking does not apply, **RCP-30.1.01, § RCP 30.1.01:1 [30.1.01(8)]**

DEFAULT PROCEEDINGS
Claim partially satisfied, **RCP-19.04, § RCP 19.04:1 [19.04(4)]**
Costs, **RCP-19.04, § RCP 19.04:1 [19.04(6)]**
Counterclaims, crossclaims, third party claims, **RCP-19.09**
Deemed service under, **RCP-16.01, § RCP 16.01:1, RCP-19.01, § RCP 19.01:1 [16.01(2), 19.01(1)]**
Failure to note defendant in default, **RCP-24.01, § RCP 24.01:1 [24.01(1)(b)]**
Forms
default judgment
debt or liquidated demand, **APP C § C:40 [Form 19A]**

DEFAULT PROCEEDINGS—Cont'd
Forms—Cont'd
default judgment—Cont'd
foreclosure with a reference, **APP C § C:155 [Form 64B]**
foreclosure without a reference, **APP C § C:157 [Form 64D]**
immediate foreclosure, **APP C § C:156 [Form 64C]**
immediate sale, **APP C § C:163 [Form 64J]**
immediate sale (action converted from foreclosure to sale), **APP C § C:161 [Form 64H]**
recovery of possession of land, **APP C § C:41 [Form 19B]**
recovery of possession of personal property, **APP C § C:42 [Form 19C]**
redemption, **APP C § C:166 [Form 64M]**
requisition for default judgment, **APP C § C:43 [Form 19D]**
sale conditional on proof of claim (action converted from foreclosure to sale), **APP C § C:162 [Form 64I]**
sale with a redemption period, **APP C § C:164 [Form 64K]**
sale with a redemption period (action converted from foreclosure to sale), **APP C § C:160 [Form 64G]**
Generally, **§ RCP 19:1**
Judgments
conversion from foreclosure to sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17), (18)]**
costs consequences, within jurisdiction of Small Claims Court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(3)]**
effect, **RCP-19.07, § RCP 19.07:1, § RCP 19.07:2**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(9) to (11)]**
redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(4), (5)]**
reference directed, mortgage action, **RCP-64.02**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(8)]**

DEFAULT PROCEEDINGS—Cont'd
Judgments—Cont'd
third party defence, effect, **RCP-29.06 [29.06(b)]**
Motion for judgment, **RCP-19.05, § RCP 19.05:1**
at trial, **RCP-19.05, § RCP 19.05:1 [19.05(4)]**
deemed admissions, **RCP-19.06, § RCP 19.06:1**
Noting default
by co-defendant, **RCP-19.01, § RCP 19.01:1 [19.01(3)]**
close of pleadings, **RCP-25.05, § RCP 25.05:1**
consequences, **RCP-19.01, § RCP 19.01:1, RCP-19.02, § RCP 19.02:1, RCP-19.06, § RCP 19.06:1 [19.01(1), 19.02(2), 19.06]**
defence struck out, **RCP-19.01, § RCP 19.01:1 [19.01(2)]**
defendant to crossclaim, **RCP-28.07**
delivery of statement of defence and crossclaim, **RCP-28.04, § RCP 28.04:1**
dismissal of action for delay, **RCP-24.01, § RCP 24.01:1 [24.01(1)(b)]**
electronically, **RCP-19.01, § RCP 19.01:1 [19.01(1.1)]**
examination for discovery, initiating, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2 [31.04(2)]**
fourth and subsequent party claims, **RCP-29.11, § RCP 29.11:1 [29.11(2)]**
issuance of counterclaim, **RCP-27.03, § RCP 27.03:1 [27.03(a)]**
issuance of third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
late delivery of defence, **RCP-19.01, § RCP 19.01:1 [19.01(5)]**
no defence delivered, **RCP-19.01, § RCP 19.01:1 [19.01(1)]**
party under disability, **RCP-7.07, § RCP 7.07:1, RCP-19.01, § RCP 19.01:1 [7.07, 19.01(4)]**
request for sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17), (18)]**

DEFAULT PROCEEDINGS—Cont'd
Noting default—Cont'd
request to redeem, foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6)]**
request to redeem, sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(5)]**
service of amended pleading on party, **RCP-26.04 [26.04(3)(b)]**
service of subsequent documents, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
service or delivery of counterclaim, **RCP-27.04, § RCP 27.04:1**
statement of defence struck out, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(5)]**
third party, **RCP-29.07, § RCP 29.07:1**
Postjudgment interest, **RCP-19.04, § RCP 19.04:1 [19.04(5)]**
Registrar declining to sign, **RCP-19.04, § RCP 19.04:1 [19.04(3)]**
Requisition for default judgment, **RCP-19.04, § RCP 19.04:1, APP C § C:43 [19.04(2), Form 19D]**
Setting aside consequences of default, document not reaching person served, **RCP-16.07, § RCP 16.07:1**
Setting aside judgment, **RCP-19.08, § RCP 19.08:1 [19.08(1)]**
notice of default, **RCP-19.08, § RCP 19.08:1 [19.08(3)]**
obtained after trial, **RCP-19.08, § RCP 19.08:1 [19.08(2)]**
obtained at trial, **RCP-19.08, § RCP 19.08:1 [19.08(2)]**
obtained on motion, **RCP-19.08, § RCP 19.08:1 [19.08(2)]**
Setting aside noting of default, **RCP-19.03, § RCP 19.03:1, RCP-19.08, § RCP 19.08:1 [19.03, 19.08(3)]**
Signing judgment, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**
Varying judgment, **RCP-19.08, § RCP 19.08:1 [19.08(1)]**
Where trial required, **RCP-19.05, § RCP 19.05:1 [19.05(3)]**
Withdrawal of defence, **RCP-23.06, § RCP 23.06:1 [23.06(2)]**

DEFENCES
Affirmative, pleading, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(4)]**
Counterclaims, **RCP-25.01, § RCP 25.01:1 [25.01(2)]**
delivery with reply in main action, **RCP-27.05 [27.05(2)]**
reply, **RCP-25.01, § RCP 25.01:1 [25.01(2)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2, RCP-27.05 [25.04(3), 27.05(1)]**
time for delivery of reply, **RCP-27.06**
Crossclaims, **RCP-25.03, RCP-28.06 [25.03(1), 28.06(1)]**
default, **RCP-28.07**
failure to defend against plaintiff, **RCP-28.06 [28.06(5)]**
plaintiff's claim against co-defendant, **RCP-28.06 [28.06(1)]**
reply, **RCP-25.01, § RCP 25.01:1, RCP-28.08 [25.01(3), 28.08]**
requirement for, **RCP-28.05 [28.05(2)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2, RCP-28.05 [25.04(5), 28.05]**
Forms
defence to counterclaim, **APP C § C:55 [Form 27C]**
defence to crossclaim, **APP C § C:58 [Form 28B]**
reply to defence to counterclaim, **APP C § C:56 [Form 27D]**
reply to defence to crossclaim, **APP C § C:59 [Form 28C]**
reply to third party defence, **APP C § C:62 [Form 29C]**
statement of defence, **APP C § C:38 [Form 18A]**
third party defence, **APP C § C:61 [Form 29B]**
None disclosed, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1)]**
Notice of intent to defend
failure to deliver, **RCP-27.04, § RCP 27.04:1, RCP-28.04, § RCP 28.04:1, RCP-29.11, § RCP 29.11:1 [27.04(3), 28.04(2), 29.11(2)]**
Partnerships, in firm name, **RCP-8.02, § RCP 8.02:1**

DEFENCES—Cont'd
Pleadings
admissions, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(1), (2)]**
affirmative defences, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(4)]**
amount of damages, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(6)]**
conditions precedent, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(3)]**
denials, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(2)]**
different version of facts, **RCP-27.05 [27.05(3)]**
material facts, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(1)]**
raising new ground, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(10)]**
reply, **RCP-25.08, RCP-25.09 [25.08, 25.09]**
Striking out, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
examinations, default or misconduct, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
failure to comply with interlocutory orders, **RCP-60.12, § RCP 60.12:1**
failure to pay costs of motion, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(2)]**
failure to provide names and addresses of partners, **RCP-8.05 [8.05(2)]**
Third party claims
defence of main action by third party, **RCP-29.05, § RCP 29.05:1**
Third party defences, **RCP-29.03**
effect, **RCP-29.06**
reply, **RCP-29.04**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(6)]**

DEFENDANTS
See also Parties
Adding on references, **RCP-55.02 [55.02(5)]**

DEFENDANTS—Cont'd
Claims for contribution from co-defendant, **RCP-28.01, § RCP 28.01:1 [28.01(2)]**
Close of pleadings, **RCP-25.05, § RCP 25.05:1**
Counterclaims
amending defence to add, **RCP-27.07**
application to counterclaims, crossclaims, third party claims, **RCP-27.10, § RCP 27.10:1**
crossclaims between defendants, **RCP-28.11**
defendant not party to main action, **RCP-27.03, § RCP 27.03:1**
disposition, **RCP-27.09, § RCP 27.09:1**
joinder of defendants to counterclaim, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(2)]**
reply and defence to counterclaim, **RCP-27.05 [27.05(3)]**
service, **RCP-27.04, § RCP 27.04:1 [27.04(2), (3)]**
third party claim, **RCP-29.13**
time for delivery of defence, **RCP-27.05 [27.05(1), (3)]**
time for delivery or service, **RCP-27.04, § RCP 27.04:1**
where available, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(1)]**
Crossclaims
amending defence to add, **RCP-28.03**
application to counterclaims, third party claims, **RCP-28.11**
counterclaims, **RCP-27.10, § RCP 27.10:1**
default of defence, **RCP-28.07**
defence, **RCP-28.06**
time for delivery, **RCP-28.05**
failure to defend against plaintiff, **RCP-28.06 [28.06(5)]**
prejudice or delay to plaintiff, **RCP-28.10**
reply to defence, **RCP-28.08**
statement of defence and crossclaim, **RCP-28.02, RCP-28.04, § RCP 28.04:1, APP C § C:57 [28.02, 28.04, Form 28A]**
third party claim, **RCP-29.13**
third party defence, effect, **RCP-29.06 [29.06(c)]**

DEFENDANTS—Cont'd
Crossclaims—Cont'd
trial, **RCP-28.09**
where available, **RCP-28.01, § RCP 28.01:1**
Deemed noted in default, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(7)]**
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Different capacities in same proceeding, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2 [5.01(2), (3)]**
Discontinuance
counterclaim, effect, **RCP-23.02, § RCP 23.02:1**
crossclaim or third party claim, effect, **RCP-23.03**
entitlement to costs, **RCP-23.05, § RCP 23.05:1**
notice, **RCP-23.01, § RCP 23.01:1**
Dismissal of action for delay
counterclaim, crossclaim, third party claim, **RCP-24.06**
counterclaim, effect, **RCP-24.03**
crossclaim or third party claim, effect, **RCP-24.04**
subsequent action, effect, **RCP-24.05, § RCP 24.05:1**
where available, **RCP-24.01, § RCP 24.01:1**
Examinations for discovery, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2 [31.04(2)]**
Failure to attend at trial, **RCP-52.01, § RCP 52.01:1**
Failure to note defendant in default, **RCP-24.01, § RCP 24.01:1**
Foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**
default judgment, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(9) to (11)]**
final order of foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(15), (16)]**
redemption by named defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12)]**
request to redeem, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6) to (8)]**

DEFENDANTS—Cont'd
Foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**—Cont'd
subsequent encumbrancers, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(2), (3)]**
transfer of carriage of sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(25)]**
Forms
notice of reference to original defendants, **APP C § C:169 [Form 64P]**
notice to added party having interest in equity, **APP C § C:170 [Form 64Q]**
notice to creditor, **APP C § C:105 [Form 55E]**
notice to party added on reference, **APP C § C:102 [Form 55B]**
report on reference (administration of estate), **APP C § C:103 [Form 55C]**
Joinder, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(2)]**
Mortgage actions
adding party other than encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(11), (12)]**
adding subsequent encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(4) to (7)]**
application of Rule 55, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(1)]**
change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21) to (27)]**
default judgment, **RCP-64.02**
duties and powers of referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
more than one party entitled to redeem, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**
mortgagee to transfer property where redeemed, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(19)]**
notice of reference to original defendants, **RCP-64.06, § RCP**

DEFENDANTS—Cont'd
Mortgage actions—Cont'd
64.06:1, § RCP 64.06:2 [64.06(8), (9), (10)]
notice to subsequent encumbrancer named as original party, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(7)]**
plaintiff to file material concerning subsequent encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(2)]**
proof of account where mortgage assigned, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
referee's report, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(16), (17), (18)]**
Mortgage references
adding parties other than encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(11)]**
adding subsequent encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(4), (6)]**
duties and powers of referee to add, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
notice of reference to original defendants, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2, APP C § C:169 [64.06(8) to (10), Form 64P]**
notice to subsequent encumbrancer named as original party, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2, APP C § C:168 [64.06(7), Form 64O]**
redemption payments by more than one defendant, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**
Motions
directions where referee unable to continue, **RCP-54.10**
immediate confirmation of report, **RCP-54.09, § RCP 54.09:1 [54.09(4), (5)]**
opposing confirmation of report, **RCP-54.09, § RCP 54.09:1 [54.09(2), (3)]**

DEFENDANTS—Cont'd
Motions—Cont'd
place of hearing of motions before referee, **RCP-54.05 [54.05(2)]**
set aside or variation of order made on motion, **RCP-54.05 [54.05(3)]**
summary judgment, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(3), (5)]**
transferring carriage of reference, **RCP-55.02 [55.02(12)]**
who shall hear motions, **RCP-54.05 [54.05(1)]**
Motions to stay or dismiss before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Multiple
offer to contribute, **RCP-49.12, § RCP 49.12:1, APP C § C:91 [49.12, Form 49D]**
offer to settle, **RCP-49.11**
Notice of reference
service outside Ontario, **RCP-17.02, § RCP 17.02:1, RCP-17.03, § RCP 17.03:1 [17.02, 17.03(1)]**
Noting default, consequences, **RCP-19.02, § RCP 19.02:1**
Offers to settle
cost consequences, **RCP-49.10, § RCP 49.10:1**
where right of contribution or indemnity may exist, **RCP-49.11**
Order directing reference
associate judge or registrar making order, consequences, **RCP-54.04, § RCP 54.04:1 [54.04(2)]**
contents, **RCP-54.04, § RCP 54.04:1 [54.04(1)]**
powers of referee, **RCP-54.04, § RCP 54.04:1 [54.04(3)]**
Person agreed on to direct reference, **RCP-54.03, § RCP 54.03:1 [54.03(2), (3)]**
Pre-trial conferences, **RCP-50.06**
Procedure book, **RCP-55.02 [55.02(11)]**
Receivers, conduct of receivership, **RCP-41.04**
Redemption actions, **RCP-64.05, § RCP 64.05:1**
continuation after final order of foreclosure, **RCP-64.05, § RCP 64.05:1 [64.05(7), (8)]**

DEFENDANTS—Cont'd
Redemption actions, **RCP-64.05, § RCP 64.05:1**—Cont'd
final order of foreclosure, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
judgment, **RCP-64.05, § RCP 64.05:1 [64.05(4), (5)]**
liability for costs, **RCP-64.05, § RCP 64.05:1 [64.05(10)]**
nothing due, or balance due to plaintiff, **RCP-64.05, § RCP 64.05:1 [64.05(10)]**
persons to be joined, **RCP-64.05, § RCP 64.05:1 [64.05(1), (2)]**
redemption by subsequent encumbrancers, **RCP-64.05, § RCP 64.05:1 [64.05(9)]**
reports, **RCP-64.05, § RCP 64.05:1 [64.05(6), (10)]**
Referees
definition, **RCP-1.03, § RCP 1.03:1**
interim report on sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(10)]**
powers
administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
generally, **RCP-54.04, § RCP 54.04:1 [54.04(3)]**
on the taking of accounts, **RCP-55.04 [55.04(1)]**
referee unable to continue, **RCP-54.10**
reporting, generally, **RCP-55.01**
reporting findings and conclusions, **RCP-54.06**
requesting appointment to consider directions, **RCP-55.02 [55.02(1)]**
rulings, **RCP-55.02 [55.02(18)]**
settlement and approval of security of committee, guardian, receiver, **RCP-55.07 [55.07(1)]**
Registrar
money paid to joint credit, **RCP-55.05 [55.05(1)]**
payment out of money, **RCP-55.05 [55.05(3)]**
Reports
administration proceedings
form of report, **RCP-55.02 [55.02(22)]**

DEFENDANTS—Cont'd
Reports—Cont'd
administration proceedings—Cont'd
interim report, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
associate judge or registrar directing reference, **RCP-54.04, § RCP 54.04:1 [54.04(2)]**
confirmation, **RCP-54.07, § RCP 54.07:1, RCP-54.08, § RCP 54.08:1, RCP-54.09, § RCP 54.09:1 [54.07, 54.08, 54.09]**
defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
filing copy with proof of service, **RCP-55.02 [55.02(21)]**
findings and conclusions, **RCP-54.06**
fixing date to settle report, **RCP-55.02 [55.02(19)]**
interim report
administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
associate judge or registrar, **RCP-54.04, § RCP 54.04:1 [54.04(2)]**
sale of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(10)]**
mortgage references, contents, service and filing, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(16), (17)]**
referee shall settle and sign, **RCP-55.02 [55.02(21)]**
rulings, reasons set out in report, **RCP-55.02 [55.02(18)]**
service, **RCP-55.02 [55.02(21)]**
special circumstances, **RCP-55.01 [55.01(2)]**
who shall prepare draft, **RCP-55.02 [55.02(20)]**
Representation of parties with similar interests, **RCP-55.02 [55.02(8), (9)]**
Representative, **RCP-12.07, § RCP 12.07:1**
Request for sale, conversion from foreclosure to sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7, APP C § C:159 [64.03(17), Form 64F]**
Rules to be followed, **RCP-55.01 [55.01(3)]**

DEFENDANTS—Cont'd
Rulings of referee, **RCP-55.02 [55.02(18)]**
Sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(1)]**
adding subsequent encumbrancer as party, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(2)]**
default judgment, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(8)]**
order for payment of deficiency on sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(14)]**
power of referee to reconvert to foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(23)]**
procedure where converted from foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(26)]**
purchase money, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(12), (13)]**
redemption by named defendant, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(9)]**
report, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(9), (10), (11)]**
request to redeem, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2, APP C § C:154 [64.04(5) to (7), Form 64A]**
sale under order for sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(12)]**
Scope of inquiry, **RCP-55.01 [55.01(2)]**
Set aside or vary orders on references, **RCP-54.05 [54.05(3)]**
Simple procedure to be adopted, **RCP-55.01 [55.01(1)]**
Special circumstances to be reported, **RCP-55.01 [55.01(2)]**
Taking of accounts
books of account, **RCP-55.04 [55.04(4)]**
fixing date to take accounts, **RCP-55.04 [55.04(5)]**
powers of referee, **RCP-55.04 [55.04(1)]**
preparation, **RCP-55.04 [55.04(2), (3)]**

DEFENDANTS—Cont'd
Taking of accounts—Cont'd
production and inspection of vouchers, **RCP-55.04 [55.04(5)]**
questioning accounts, **RCP-55.04 [55.04(6)]**
Third party claims
application to counterclaim, crossclaim, **RCP-29.13**
counterclaim, **RCP-27.10, § RCP 27.10:1**
crossclaim, **RCP-28.11**
default of third party, effect, **RCP-29.07, § RCP 29.07:1**
defence, **RCP-29.03, RCP-29.06 [29.03, 29.06]**
defence of main action by third party, **RCP-29.05, § RCP 29.05:1**
directions, **RCP-29.10, § RCP 29.10:1**
fourth or subsequent party claims, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**
prejudice or delay to plaintiff, **RCP-29.09, § RCP 29.09:1**
where available, **RCP-29.01, § RCP 29.01:1**
To whom reference directed, **RCP-54.03, § RCP 54.03:1 [54.03(1)]**
When reference may be directed, **RCP-54.02, § RCP 54.02:1 [54.02(1), (2)]**
Withdrawal
deemed default, **RCP-23.06, § RCP 23.06:1 [23.06(2)]**
statement of defence, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**

DEFINITIONS
Accountant, **RCP-72.01**
Act, **RCP-12.01**
Action, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Affiliated corporation, **RCP-30.01, § RCP 30.01:1 [30.01(2)]**
Appellant, **RCP-1.03, § RCP 1.03:1**
Appellate court, **RCP-1.03, § RCP 1.03:1**
Applicant, **RCP-1.03, § RCP 1.03:1**
Application, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Authenticity, **RCP-51.01**
Bank rate, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**

DEFINITIONS—Cont'd
Certificate of appointment of estate trustee, **RCP-1.03, § RCP 1.03:1**
Chief Judge, **CJA-123, § CJA 123:1, § CJA 123:2 [s. 123(1)]**
County, **RCP-1.03, § RCP 1.03:1**
Court, **RCP-1.03, § RCP 1.03:1**
Creditor, **RCP-60.01, RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.01, 60.18(1)]**
Date of order, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Debtor, **RCP-60.01, RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.01, 60.18(1)]**
Defence, **RCP-24.1.03**
Defendant, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1, RCP-49.01 [s. 1; 1.03, 49.01]**
Deliver, **RCP-1.03, § RCP 1.03:1**
Designated party, **RCP-75.1.03, RCP-75.2.02 [75.1.03, 75.2.02]**
Disability, **RCP-1.03, § RCP 1.03:1**
Discovery, **RCP-1.03, § RCP 1.03:1**
Document, **RCP-1.03, § RCP 1.03:1, RCP-30.01, § RCP 30.01:1, RCP-31.01, RCP-33.04, § RCP 33.04:1, RCP-34.10, § RCP 34.10:1 [1.03, 30.01(1), 31.01, 33.04(1), 34.10(1)]**
Electronic, **RCP-1.03, § RCP 1.03:1**
Estate trustee, **RCP-74.01**
Expression, **CJA-137.1, § CJA 137.1:1 [s. 137.1(2)]**
Foundation, **RCP-12.01**
Fund, **RCP-12.01**
Future care costs, **CJA-116.1 [s. 116.1(13)]**
Generally, **RCP-1.03, § RCP 1.03:1**
Health practitioner, **CJA-105, § CJA 105:1 to § CJA 105:3 [s. 105(1)]**
Hearing, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Holiday, **RCP-1.03, § RCP 1.03:1**
Judge, **RCP-1.03, § RCP 1.03:1**
Judgment, **RCP-1.03, § RCP 1.03:1**
Labour dispute, **CJA-102, § CJA 102:1, § CJA 102:2 [s. 102(1)]**
Lawyer's office, **RCP-1.03, § RCP 1.03:1**
List, **RCP-75.1.03**
Mediation co-ordinator, **RCP-24.1.03, RCP-75.1.03 [24.1.03, 75.1.03]**

DEFINITIONS—Cont'd
Medical malpractice action, **CJA-116.1 [s. 116.1(13)]**
Motion, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Moving party, **RCP-1.03, § RCP 1.03:1**
Objection to issuing of certificate of appointment, **RCP-74.01**
Order, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Originating process, **RCP-1.03, § RCP 1.03:1, RCP-17.01 [1.03, 17.01]**
Partial indemnity costs, **RCP-1.03, § RCP 1.03:1**
Party, **RCP-36.01, § RCP 36.01:1 [36.01(1)]**
Person, **RCP-1.03, § RCP 1.03:1**
Plaintiff, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1, RCP-49.01 [s. 1; 1.03, 49.01]**
Postjudgment interest rate, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Power, over document, **RCP-30.01, § RCP 30.01:1, RCP-33.04, § RCP 33.04:1, RCP-34.10, § RCP 34.10:1 [30.01(1), 33.04(1), 34.10(1)]**
Prejudgment interest rate, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Proceeding, **RCP-1.03, § RCP 1.03:1**
Property, **RCP-43.01**
Quarter, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Receiver, **RCP-41.01**
Referee, **RCP-1.03, § RCP 1.03:1**
Registrar, **RCP-1.03, § RCP 1.03:1, RCP-61.02, § RCP 61.02:1 [1.03, 61.02]**
Respondent, **RCP-1.03, § RCP 1.03:1**
Responding party, **RCP-1.03, § RCP 1.03:1**
Spouse, **§ RCP 53:1 [53(5)]**
Statute, **RCP-1.03, § RCP 1.03:1**
Subsequent encumbrancer, **RCP-64.01**
Subsidiary corporation, **RCP-30.01, § RCP 30.01:1 [30.01(2)]**
Substantial indemnity costs, **RCP-1.03, § RCP 1.03:1**
Will, **RCP-1.03, § RCP 1.03:1**

DELIVERY
Definition, **RCP-1.03, § RCP 1.03:1**
Documents, extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(1), (4)]**
Enforcement of orders for delivery
personal property, **RCP-60.04, § RCP 60.04:1 [60.04]**
possession of land, **RCP-60.03, RCP-60.10, § RCP 60.10:1 [60.03, 60.10]**

DEMAND FOR PARTICULARS
See Particulars

DEPONENTS
Blind persons, **RCP-4.06 [4.06(7)]**
Contents of affidavits, **RCP-4.06 [4.06(2)]**
applications, **RCP-39.01, § RCP 39.01:1 [39.01(5)]**
motions, **RCP-39.01, § RCP 39.01:1 [39.01(4)]**
Cross-examination on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2**
Illiterate persons, **RCP-4.06 [4.06(7)]**
Members or employees of partnerships, **RCP-4.06 [4.06(6)]**
Officers, directors, employees of corporations, **RCP-4.06 [4.06(5)]**
Persons not understanding language, **RCP-4.06 [4.06(8)]**
Service of notice of examination, examinations out of court, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(3)]**
Two or more, **RCP-4.06 [4.06(4)]**
Unavailability at trial, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(6)]**
Using evidence from discovery to impeach, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(2)]**

DETERMINATION OF AN ISSUE BEFORE TRIAL
Admissibility of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
Availability, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Factums, **RCP-21.03**

DETERMINATION OF AN ISSUE BEFORE TRIAL—Cont'd
Failure to make motion promptly, **RCP-21.02, § RCP 21.02:1**
Generally, **§ RCP 21:1**

DIRECTIONS
Applications
assessment of costs, **RCP-57.02**
conduct of assessment, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(4)]**
estate proceedings, **RCP-75.06, § RCP 75.06:1**
officer to give effect to directions, **RCP-58.06 [58.06(2)]**
proceeding to trial, **RCP-38.10, § RCP 38.10:1**
Assessment officer, **RCP-57.02 [57.02(1), (2)]**
Contempt orders, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Enforcement of writ of seizure and sale, **RCP-60.07, § RCP 60.07:1, APP C § C:123 [60.07(12), Form 60F]**
Examinations out of court (oral), **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(1)]**
Final order of foreclosure, redemption action, **RCP-64.05, § RCP 64.05:1 [64.05(7)]**
Mortgage references
powers of referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
redemption payments by more than one defendant, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(14)]**
request by registrar, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(20)]**
Motions
complicated issues or series of proceedings, **RCP-37.15, § RCP 37.15:1**
enforcement of orders by sheriff, **RCP-60.17, § RCP 60.17:1**
estate proceedings, **RCP-75.06, § RCP 75.06:1**
request by sheriff, interim recovery of personal property, **RCP-44.07 [44.07(3)]**

DIRECTIONS—Cont'd
Payment into court, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(2) to (5)]**
Payment of money, **RCP-55.05**
Power of court to give directions, **RCP-1.05, § RCP 1.05:1**
Receivers, **RCP-41.05**
References
admission proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
conduct of sales, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(4)]**
failure to execute or deliver instrument, **RCP-55.02 [55.02(17)]**
formal form of order not required, **RCP-55.02 [55.02(11)]**
inspection of documents, **RCP-55.02 [55.02(15)]**
motion where referee unable to continue, **RCP-54.10**
notice of hearing for directions, **RCP-19.02, § RCP 19.02:1, RCP-55.02, APP C § C:101 [19.02(3)(e), 55.02(2), Form 55A]**
order directing, **RCP-54.04, § RCP 54.04:1 [54.04(1)]**
procedure on conduct of reference, **RCP-55.01, RCP-55.02 [55.01(1), 55.02(3)]**
referee to note in procedure book, **RCP-55.02 [55.02(11)]**
variation or supplementation permitted, **RCP-55.02 [55.02(4)]**
Removal of special case into Court of Appeal, **RCP-22.03, § RCP 22.03:1 [22.03(2)]**
Rules governing appeal books and transcripts, **RCP-61.09, § RCP 61.09:1 [61.09(4)]**
Third party claims, **RCP-29.10, § RCP 29.10:1**
Two or more proceedings pending in court, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**

DIRECTORS
Adverse parties, securing attendance at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Corporations
affidavits, **RCP-4.06 [4.06(5)]**

DIRECTORS—Cont'd
Corporations—Cont'd
examinations in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
Examinations for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(2)]**

DISCHARGE
Certificate of pending litigation, **RCP-42.02, § RCP 42.02:1**
Contempt orders, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Debts, garnishee paying debt attached by notice, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(13), (14)]**
Mortgages held by the accountant, **RCP-72.04**
Receivers, **RCP-41.06**
Writ of sequestration, **RCP-60.09 [60.09(4)]**

DISCLOSURE
Documents, see also Discovery, documents
generally, **§ RCP 30:1**
Identity of persons having knowledge on discovery, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(2)]**
Motions or applications without notice, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
Names and addresses of partners, **RCP-8.05**
Offers to settle, in pleadings, **RCP-49.06, § RCP 49.06:1 [49.06(1)]**

DISCONTINUANCE
After close of pleadings, **RCP-23.01, § RCP 23.01:1 [23.01(1)(b)]**
Before close of pleadings, **RCP-23.01, § RCP 23.01:1 [23.01(1)(a)]**
Costs, **RCP-23.05, § RCP 23.05:1**
Counterclaims, main action dismissed for delay, **RCP-24.03**
Effect on counterclaim, **RCP-23.02, § RCP 23.02:1**
Effect on crossclaim, third party claim, **RCP-23.03 [23.03(1)]**
Effect on subsequent action, **RCP-23.03, RCP-23.04, § RCP 23.04:1 [23.03(2), 23.04(1)]**
stay pending payment of costs, **RCP-23.04, § RCP 23.04:1 [23.04(2)]**

DISCONTINUANCE—Cont'd
Forms
notice of discontinuance, **APP C § C:45 [Form 23A]**
notice of election to proceed with counterclaim, **APP C § C:46 [Form 23B]**
Generally, **§ RCP 23:1**
Where party under disability, **RCP-7.07.1, RCP-23.01, § RCP 23.01:1 [7.07.1, 23.01(2)]**
With consent of all parties, **RCP-23.01, § RCP 23.01:1 [23.01(1)(c)]**

DISCOVERY
Class proceedings, **RCP-12.03**
Crossclaims
defending plaintiff's claim against co-defendant, **RCP-28.06 [28.06(3)]**
third party defence, effect, **RCP-29.06**
Deemed undertaking, see Deemed Undertaking
Defence of main action by third party, **RCP-29.05, § RCP 29.05:1 [29.05(2)]**
Definition, **RCP-1.03, § RCP 1.03:1**
Documents
affidavit of documents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2**
contents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(2), (3)]**
correcting errors and omissions, **RCP-30.07, § RCP 30.07:1**
failure to disclose, **RCP-30.08, § RCP 30.08:1 [30.08(1)]**
failure to serve, **RCP-30.08, § RCP 30.08:1 [30.08(2)]**
lawyer's certificate, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(4)]**
omissions, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
privilege improperly claimed, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
service, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(1)]**
simplified procedure, **RCP-76.04, § RCP 76.04:1**
supplementary, **RCP-30.07, § RCP 30.07:1**

DISCOVERY—Cont'd
Documents—Cont'd
copying, **RCP-30.04, § RCP 30.04:1 [30.04(7)]**
definitions, **RCP-30.01, § RCP 30.01:1**
affiliated corporation, **RCP-30.01, § RCP 30.01:1 [30.01(2)]**
document, **RCP-30.01, § RCP 30.01:1 [30.01(1)]**
subsidiary corporation, **RCP-30.01, § RCP 30.01:1 [30.01(2)]**
deposit for safe keeping, **RCP-30.11, § RCP 30.11:1, § RCP 30.11:2**
disclosure, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(1)]**
additional documents, **RCP-30.07, § RCP 30.07:1**
affidavit of documents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2**
documents held by corporation, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(4)]**
failure to disclose, **RCP-30.08, § RCP 30.08:1 [30.08(1)]**
insurance policies, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(3)]**
leave to withhold, **RCP-30.04, § RCP 30.04:1 [30.04(8)]**
not admission of admissibility or relevance, **RCP-30.05, § RCP 30.05:1**
failure to comply with order, **RCP-30.08, § RCP 30.08:1 [30.08(2)]**
generally, **§ RCP 30:1**
order for production, **RCP-30.04, § RCP 30.04:1 [30.04(5)]**
privilege, determining claim, **RCP-30.04, § RCP 30.04:1 [30.04(6)]**
privileged documents, use at trial, **RCP-30.09, § RCP 30.09:1, § RCP 30.09:2**
produced at examination, **RCP-30.04, § RCP 30.04:1 [30.04(4)]**
production for inspection, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(2)]**
copying, **RCP-30.04, § RCP 30.04:1 [30.04(7)]**
examination for discovery, **RCP-30.04, § RCP 30.04:1 [30.04(4)]**

DISCOVERY—Cont'd
Documents—Cont'd
production for inspection, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(2)]**—Cont'd
examinations out of court, **RCP-34.10, § RCP 34.10:1 [34.10(2)]**
examinations out of court, sanctions, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
failure to produce, **RCP-30.08, § RCP 30.08:1 [30.08(1), (2)]**
from non-parties, **RCP-30.10, § RCP 30.10:1**
insurance policies, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(3)]**
leave to withhold, **RCP-30.04, § RCP 30.04:1 [30.04(8)]**
not admission of admissibility or relevance, **RCP-30.05, § RCP 30.05:1**
order, **RCP-30.04, § RCP 30.04:1 [30.04(5)]**
production from non-parties, **RCP-30.10, § RCP 30.10:1**
request to inspect documents, **RCP-30.04, § RCP 30.04:1, APP C § C:65 [30.04(1), Form 30C]**
date, time and place, **RCP-30.04, § RCP 30.04:1 [30.04(3)]**
in affidavits, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
in originating process, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
in pleadings, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
right to inspect non-privileged documents, **RCP-30.04, § RCP 30.04:1 [30.04(1)]**
scope of discovery, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2**
supplementary affidavit of documents, **RCP-30.07, § RCP 30.07:1**
failure to disclose, **RCP-30.08, § RCP 30.08:1 [30.08(1)]**
Examination, see Examination for Discovery
Forms
affidavit of documents (corporation or partnership), **APP C § C:64 [Form 30B]**

DISCOVERY—Cont'd
Forms—Cont'd
affidavit of documents (individual), **APP C § C:63 [Form 30A]**
request to inspect documents, **APP C § C:65 [Form 30C]**
Inspection of property
conducting tests or experiments, **RCP-32.01, § RCP 32.01:1 [32.01(2)(c)]**
contents of order for inspection, **RCP-32.01, § RCP 32.01:1 [32.01(3)]**
entry authorized, **RCP-32.01, § RCP 32.01:1 [32.01(2)(a)]**
extent of order for inspection, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
generally, **§ RCP 32:1**
making observations, **RCP-32.01, § RCP 32.01:1 [32.01(2)(c)]**
measuring, **RCP-32.01, § RCP 32.01:1 [32.01(2)(b)]**
notice of inspection, **RCP-32.01, § RCP 32.01:1 [32.01(4)]**
photographing, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
surveying, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
taking samples, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
taking temporary possession, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
Medical examinations
failure to comply with order, **RCP-33.07, § RCP 33.07:1**
generally, **§ RCP 33:1**
motion for examination, **RCP-33.01, § RCP 33.01:1**
on consent, **RCP-33.08, § RCP 33.08:1**
order, **RCP-33.02, § RCP 33.02:1, § RCP 33.02:2**
penalty for non-compliance with order, **RCP-33.07, § RCP 33.07:1**
preparation of report, **RCP-33.06, § RCP 33.06:1**
providing information, **RCP-33.04, § RCP 33.04:1**
scope, **RCP-33.03, § RCP 33.03:1**
service of, **RCP-33.06, § RCP 33.06:1 [33.06(2)]**
who may attend, **RCP-33.05, § RCP 33.05:1**

DISCOVERY—Cont'd
Plan, **§ RCP 29.1:1**
court-imposed, **RCP-29.1.05, § RCP 29.1.05:1 [29.1.05(2)]**
duty to update, **RCP-29.1.04**
failure to agree to plan, **RCP-29.1.05, § RCP 29.1.05:1 [29.1.05(1)]**
requirement, **RCP-29.1.03, § RCP 29.1.03:1, § RCP 29.1.03:2**
Proportionality in, **§ RCP 29.2:1**
Summary judgment, order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(3)]**
Third party defence, effect, **RCP-29.06**
Withholding disclosure or production, **RCP-30.04, § RCP 30.04:1 [30.04(8)]**

DISMISSAL
Actions, see also Actions; Dismissal for Delay
defendant paying claim, **RCP-14.10**
examination, failure to answer, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2, RCP-35.04, § RCP 35.04:1 [34.15(1), 35.04(4)]**
failure to declare plaintiff's place of residence, **RCP-56.02, § RCP 56.02:1**
failure to provide security for costs, **RCP-56.06, § RCP 56.06:1**
jury trials, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Appeals, for delay
election to proceed with cross-appeal, **RCP-61.15**
motion by respondent, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
notice by Registrar, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2)]**
order by Registrar, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(3)]**
Applications, **RCP-38.10, § RCP 38.10:1 [38.10(1)]**
Applications, notice not served, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
Approval of order not required, **RCP-59.03, § RCP 59.03:1 [59.03(2)]**
Claims, failure to provide names and addresses of partners, **RCP-8.05 [8.05(2)]**

DISMISSAL—Cont'd
Costs, dismissal for want of jurisdiction, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(4)]**
Costs of motion, failure to pay, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(2)]**
Counterclaim, failure to attend at trial, **RCP-52.01, § RCP 52.01:1 [52.01(2)]**
Cross-appeal, for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
Crossclaim or third party claim, main action discontinued, **RCP-23.03, RCP-23.05, § RCP 23.05:1 [23.03, 23.05]**
Delay, see Dismissal for Delay
Determination of issue before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Discovery, failure to provide medical information, **RCP-33.07, § RCP 33.07:1**
Estate, proceeding not properly constituted, **RCP-9.03, § RCP 9.03:1 [9.03(6)]**
Examinations out of court, default or misconduct, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
Forms
order dismissing appeal for delay, **APP C § C:145 [Form 61I]**
order dismissing motion for delay, **APP C § C:148 [Form 61J.1]**
request for stay or dismissal under Rule 2.1, **APP C § C:2 [Form 2.1A]**
Interlocutory order not complied with, **RCP-60.12, § RCP 60.12:1**
Leave to appeal, motion for, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7), (8)]**
Motion for summary judgment, **RCP-20.01, § RCP 20.01:1 [20.01(3)]**
Motions, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
approval of order not required, **RCP-59.03, § RCP 59.03:1 [59.03(2)]**
notice not served, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(5)]**
Proceeding commenced without client's authority, **RCP-15.02, § RCP**

DISMISSAL—Cont'd
15.02:1, § RCP 15.02:2 [15.02(3)]
Proceeding commenced without lawyer's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(2)]**
Redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
Successful claim and counterclaim, **RCP-27.09, § RCP 27.09:1 [27.09(3)]**
Want of prosecution, see Dismissal for Delay

DISMISSAL FOR DELAY
Availability, **RCP-24.01, § RCP 24.01:1**
Class proceedings and commercial list actions, **RCP-48.14, § RCP 48.14:1 [48.14(1.1)]**
Counterclaim, effect on, **RCP-24.03**
Counterclaims, crossclaims, third party claims, **RCP-24.06**
Cross-appeal, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
Crossclaim or third party claim, effect on, **RCP-24.04 [24.04(1)]**
Generally, **§ RCP 24:1, RCP-48.14, § RCP 48.14:1 [24, 48.14]**
Judicial review, **RCP-68.06, RCP-68.07 [68.06, 68.07]**
Leave to appeal, motion for, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7), (8)]**
Order to continue not obtained, **RCP-11.03, § RCP 11.03:1**
Party under disability, **RCP-48.14, § RCP 48.14:1, RCP-61.13.0.1 [48.14(8), 61.13.0.1(2)]**
Plaintiff under disability, **RCP-24.02**
Registrar's order, **RCP-48.14, § RCP 48.14:1 [48.14(1), (1.2), (2)]**
Setting aside, **RCP-48.14, § RCP 48.14:1 [48.14(10)]**
Status hearing, disposition, **RCP-48.14, § RCP 48.14:1 [48.14(7)]**
Subsequent action, effect on, **RCP-24.04, RCP-24.05, § RCP 24.05:1 [24.04(2), 24.05]**
Timetable, **RCP-24.04, RCP-48.14, § RCP 48.14:1 [24.04(2), 48.14(4)]**

DISPOSITION WITHOUT TRIAL
Default proceedings, see Default Proceedings

DISPOSITION WITHOUT TRIAL —Cont'd
Determination of issue before trial
admissibility of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
availability, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2**
factums, **RCP-21.03**
failure to make motion properly, **RCP-21.02, § RCP 21.02:1**
generally, **§ RCP 21:1**
Discontinuance
after close of pleadings, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
before close of pleadings, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
consent of all parties, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
costs, **RCP-23.05, § RCP 23.05:1**
counterclaim, effect on, **RCP-23.02, § RCP 23.02:1**
crossclaim or third party claim, effect on, **RCP-23.03**
generally, **§ RCP 23:1**
party under disability, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
subsequent action, effect on, **RCP-23.04, § RCP 23.04:1**
Dismissal for delay
availability, **RCP-24.01, § RCP 24.01:1**
counterclaim, effect on, **RCP-24.03**
counterclaims, crossclaims, third party claims, **RCP-24.06**
crossclaim or third party claim, effect on, **RCP-24.04**
generally, **§ RCP 24:1**
plaintiff under disability, **RCP-24.02**
subsequent action, effect on, **RCP-24.05, § RCP 24.05:1**
Dismissal of action where claim paid, **RCP-14.10**
Forms
default judgment
debt or liquidated demand, **APP C § C:40 [Form 19A]**
foreclosure with a reference, **APP C § C:155 [Form 64B]**
foreclosure without a reference, **APP C § C:157 [Form 64D]**

DISPOSITION WITHOUT TRIAL —Cont'd
Forms—Cont'd
default judgment—Cont'd
immediate foreclosure, **APP C § C:156 [Form 64C]**
immediate sale, **APP C § C:163 [Form 64J]**
immediate sale (action converted from foreclosure to sale), **APP C § C:161 [Form 64H]**
recovery of possession of land, **APP C § C:41 [Form 19B]**
recovery of possession of personal property, **APP C § C:42 [Form 19C]**
redemption, **APP C § C:166 [Form 64M]**
sale conditional on proof of claim (action converted from foreclosure to sale), **APP C § C:162 [Form 64I]**
sale with a redemption period, **APP C § C:164 [Form 64K]**
sale with a redemption period (action converted from foreclosure to sale), **APP C § C:160 [Form 64G]**
notice of discontinuance, **APP C § C:45 [Form 23A]**
notice of election to proceed with counterclaim, **APP C § C:46 [Form 23B]**
notice of withdrawal of defence, **APP C § C:47 [Form 23C]**
requisition for default judgment, **APP C § C:43 [Form 19D]**
special case, **APP C § C:44 [Form 22A]**
Generally, **§ RCP 19:1 to § RCP 24:1 [19 to 24]**
Special case
determination by judge, **RCP-22.01, § RCP 22.01:1 [22.01(2)]**
factums, **RCP-22.02**
form, **RCP-22.04, § RCP 22.04:1**
generally, **§ RCP 22:1 [22 to 22]**
hearing
determination of question of law, **RCP-22.05 [22.05(2)]**
inferences, **RCP-22.05 [22.05(1)]**

DISPOSITION WITHOUT TRIAL —Cont'd
Special case—Cont'd
question of law for opinion of court, **RCP-22.01, § RCP 22.01:1 [22.01(1)]**
removal into Court of Appeal, **RCP-22.03, § RCP 22.03:1**
Summary judgments
affidavits, **RCP-20.02, § RCP 20.02:1**
availability, **RCP-20.01, § RCP 20.01:1**
costs sanctions for improper use, **RCP-20.06, § RCP 20.06:1**
counterclaims, crossclaims, third party claims, **RCP-20.09, § RCP 20.09:1**
disposition of motion, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2**
effect, **RCP-20.07, § RCP 20.07:1**
factums, **RCP-20.03**
generally, **§ RCP 20:1**
order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2**
simplified procedure, see Simplified Procedure
stay of execution, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Withdrawal of defence
counterclaims, crossclaims, third party claims, **RCP-23.07**
deemed default, **RCP-23.06, § RCP 23.06:1 [23.06(2)]**
generally, **RCP-23.06, § RCP 23.06:1, RCP-23.07 [23.06, 23.07]**
statement of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**
admissions, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**
where crossclaim or third party claim, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**

DIVISIONAL COURT
See also Appeals
Appeals to Divisional Court
combining appeals, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19(2)]**
general, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19(1), (1.01)]**

DIVISIONAL COURT—Cont'd
Appeals to Divisional Court—Cont'd
heard in regions, **CJA-20, § CJA 20:1, § CJA 20:2 [s. 20]**
procedure, **§ RCP 61:1**
transfer of appeals, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19(3)]**
Applications
general, **RCP-38.01, § RCP 38.01:1, § RCP 38.01:2 [38.01(2)]**
judicial review, **§ RCP 68:1**
setting aside or varying judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
Branch of Superior Court of Justice, **CJA-18, § CJA 18:1, § CJA 18:2 [s. 18(1), (2)]**
Composition
hearings, **CJA-21, § CJA 21:1 to § CJA 21:3 [s. 21(1)]**
motions, **CJA-21, § CJA 21:1 to § CJA 21:3 [s. 21(3) to (5)]**
proceedings heard by one judge, **CJA-21, § CJA 21:1 to § CJA 21:3 [s. 21(2)]**
Filing of documents, **RCP-4.05 [4.05(3)]**
Form
notice of application for judicial review, **APP C § C:173 [Form 68A]**
Intervention of persons in proceedings, **RCP-13.03, § RCP 13.03:1, § RCP 13.03:2 [13.03(1)]**
Judges, **CJA-18, § CJA 18:1, § CJA 18:2 [s. 18(3)]**
Judicial review, see also Judicial Review
applicable procedure, **RCP-68.02 [68.02(1)]**
application not commenced at regional centre, **RCP-68.01, § RCP 68.01:1 [68.01(2)]**
dismissal for delay, **RCP-68.06**
hearing date, **RCP-68.03**
notice of application, **RCP-68.01, § RCP 68.01:1 [68.01(1)]**
Jurisdiction, **CJA-19, § CJA 19:1 to § CJA 19:4 [s. 19(1), (1.0.1), (4)]**
Leave to appeal to, from interlocutory order, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**
Motion to set aside, vary or amend order, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(6)]**

DIVISIONAL COURT—Cont'd
Registrar signing orders, **RCP-59.04, § RCP 59.04:1**
Setting aside judgment made on application, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**

DIVORCE ACTIONS
Children's Lawyer
report of, **CJA-112, § CJA 112:1, § CJA 112:2 [s. 112]**

DOCUMENT EXCHANGE
Proof of service, **RCP-16.09 [16.09(4)]**
Service on lawyer of record, **RCP-16.05, § RCP 16.05:1 [16.05(1)]**
Service on lawyer of record, effective date, **RCP-16.05, § RCP 16.05:1 [16.05(2)]**

DOCUMENTS
Abuse of process, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Admissions
request to admit authenticity, **RCP-51.02, § RCP 51.02:1, APP C § C:94 [51.02, Form 51A]**
subsequently proved, costs consequences, **RCP-51.04, § RCP 51.04:1**
Agreement respecting evidence, appeals, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
Authenticity, **RCP-51.01**
Backsheets, **RCP-4.02 [4.02(3)(f)]**
Bilingual, **RCP-4.02.1**
Binding, **RCP-4.07**
Court
backsheet, **RCP-4.02 [4.02(3)]**
body of documents, **RCP-4.02 [4.02(2)]**
certified copies, **RCP-4.03**
format, **RCP-4.01**
general headings, **RCP-4.02 [4.02(1), (1.1)]**
Court seal, application, **CJA-147 [s. 147]**
Date of filing where filed by mail, **RCP-4.05 [4.05(5)]**
Disclosure, see Discovery, documents
Discovery, see Discovery, documents
Double spacing texts, **RCP-4.01**

DOCUMENTS—Cont'd
Electronic documents
binding requirements not applicable, **RCP-4.07 [4.07(7)]**
confirmation of filing, **RCP-4.05 [4.05(4.2)]**
confirmation of issuance, **RCP-4.05 [4.05(1.3)]**
date of issuance, filing, **RCP-4.05 [4.05(7)]**
deemed issuing, **RCP-4.05 [4.05(1.2)]**
electronic filing, **RCP-4.05 [4.05(4.1)]**
noting default electronically, **RCP-19.01, § RCP 19.01:1 [19.01(1.1)]**
standards for, **RCP-4.01, RCP-4.05.1 [4.01, 4.05.1]**
writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(1.1) to (1.2)]**
Electronic signatures, **RCP-4.01.1**
Examination, directing a reference, **RCP-54.02, § RCP 54.02:1**
Extending or abridging time for delivery, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(1), (4)]**
Failure to prove at trial, **RCP-52.10, § RCP 52.10:1**
Filing
Civil Claims Online Portal, **RCP-4.05.1**
conversion from paper format, **RCP-4.05 [4.05(11) to (14)]**
date of issuance, filing, **RCP-4.05 [4.05(7)]**
electronic documents, **RCP-4.05**
extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(1), (4)]**
French language, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126]**
leaving document at court office, **RCP-4.05 [4.05(4)]**
mailing documents to court office, **RCP-4.05 [4.05(4) to (6)]**
outside business hours, **RCP-4.05 [4.05(8)]**
place of filing, **RCP-4.05 [4.05(2)]**
requirement to keep original, **RCP-4.05 [4.05(10)]**
Forms
affidavit, **APP C § C:14 [Form 4D]**
backsheet, **APP C § C:13 [Form 4C]**

DOCUMENTS—Cont'd
Forms—Cont'd
general heading in proceedings in appellate courts, **APP C § C:138 [Form 61B]**
general heading of documents—actions, **APP C § C:11 [Form 4A]**
general heading of documents—applications, **APP C § C:12 [Form 4B]**
notice of constitutional question, **APP C § C:16 [Form 4F]**
requisition, **APP C § C:15 [Form 4E]**
Generally, **§ RCP 4:1**
Inspection, references, **RCP-55.02 [55.02(15)]**
Issuing originating process, **RCP-4.05 [4.05(1)]**
Non-compliance with Rules, **RCP-2.01, § RCP 2.01:1**
Notice of constitutional question, **RCP-4.11, APP C § C:16 [4.11, Form 4F]**
Pleading effect, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(7)]**
Pre-trial conferences, **RCP-50.11**
Prejudicial, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(a)]**
Production
examination by registrar before signing orders, **RCP-59.04, § RCP 59.04:1**
examinations out of court (oral), **RCP-34.10, § RCP 34.10:1, RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.10, 34.15]**
examinations out of court (written questions), sanctions, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
references, **RCP-55.02 [55.02(15)]**
Production at trial
summons to witness, **RCP-53.04, § RCP 53.04:1 [53.04(1), (3)]**
Production for inspection, see Discovery
Production on assessment of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(4)]**
Proof at trial, affidavit evidence, **RCP-53.02, § RCP 53.02:1 [53.02(1)]**
Public access, **CJA-137, § CJA 137:1 to § CJA 137:3 [s. 137]**
Records for proceedings
binding, **RCP-4.07 [4.07(1)]**

DOCUMENTS—Cont'd
Records for proceedings—Cont'd
front covers, **RCP-4.07 [4.07(1.1)]**
References
directions concerning proof of documents, **RCP-55.02 [55.02(3)]**
filing with referee, **RCP-55.02 [55.02(16)]**
return on completion of reference, **RCP-55.02 [55.02(16)]**
Requisitions, **RCP-4.08, APP C § C:15 [4.08, Form 4E]**
Resulting in delay, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Return to court office where proceeding commenced, **RCP-4.10 [4.10(2)]**
Scandalous, frivolous, or vexatious, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Service, see also Service
added subsequent encumbrancers, mortgage references, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(5)]**
extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(1), (4)]**
third party defence, effect, **RCP-29.06 [29.06(a)]**
Service outside Ontario
contracting state, definition, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(1)]**
manner, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(2), (3)]**
proof of service, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(4)]**
Special case
form and contents, **RCP-22.04, § RCP 22.04:1**
inferences on hearing, **RCP-22.05 [22.05(1)]**
Striking out, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Translation into French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(2)]**
Transmission, **RCP-4.10 [4.10(1)]**

EMPLOYEES
Affidavits for corporations, **RCP-4.06 [4.06(5)]**

EMPLOYEES—Cont'd
Affidavits for partnerships, **RCP-4.06 [4.06(6)]**
Examinations for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(2)]**

ENCUMBRANCES
Mortgage references
duties and powers of referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
notice of reference to original defendants, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(8), (9), (10)]**
plaintiff to file material concerning, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(2)]**
Subsequent encumbrancers, see Subsequent Encumbrancers

ENFORCEMENT OF ORDERS
See also Orders; Stay Pending Appeal; Writs
Against alleged partners not served, **RCP-8.06 [8.06(3)]**
Against garnishees, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(12)]**
Against partnership property, **RCP-8.06 [8.06(1)]**
Against persons served with notice to alleged partner, **RCP-8.06 [8.06(2)]**
Bonds and recognizances, **CJA-143 [s. 143(1)]**
Certificate of stay, effect, **RCP-63.03, § RCP 63.03:1 [63.03(4)]**
Change or variation of debtor's name, **RCP-60.07, § RCP 60.07:1 [60.07(10), (11)]**
Civil orders directed to sheriff, **CJA-141, § CJA 141:1, § CJA 141:2 [s. 141(1)]**
Costs, **RCP-60.19, § RCP 60.19:1**
Directing reference, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**
Dispute of ownership of property seized by sheriff, **RCP-60.13**
Examination in aid of execution, **RCP-34.01, RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [34.01, 60.18]**
Fines for contempt, enforcement, **CJA-143 [s. 143(2)]**
Generally, **§ RCP 60:1**

ENFORCEMENT OF ORDERS—Cont'd
Liability for acting under order, **CJA-142, § CJA 142:1 [s. 142]**
Payment or recovery of money
electronic declaration, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(3)]**
general, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(1)]**
recovery of costs without order awarding costs, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(2)]**
Police to assist sheriff in execution, **CJA-141, § CJA 141:1, § CJA 141:2 [s. 141(2)]**
Sheriff's report on execution of writ, **RCP-60.14**
Stay pending appeal, effect, **RCP-63.03, § RCP 63.03:1**
Summary judgments, stay of execution, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Warrants for committal and arrest, **CJA-144, § CJA 144:1, § CJA 144:2 [s. 144]**
Where no procedure provided, **CJA-146, § CJA 146:1 [s. 146]**

EQUITY OF REDEMPTION
See Foreclosure, Sale and Redemption

ERRORS AND OMISSIONS
Affidavit of documents, correction, **RCP-30.07, § RCP 30.07:1**
Evidence on discovery, correction, **RCP-31.09, § RCP 31.09:1**
Name of party incorrect, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**
Order containing error, **RCP-59.06, § RCP 59.06:1 [59.06(1)]**

ESTATE ACCOUNTS
Application to pass, **RCP-74.18, § RCP 74.18:1**
General, **RCP-74.16**
Lawyer's costs, **Tariff C**
Record requirements, **RCP-74.17**

ESTATE TRUSTEES
See also Estates; Wills and Codicils
Bond requirements, **RCP-74.11**

ESTATE TRUSTEES—Cont'd
Certificate of appointment, **RCP-74.14.1**
ancillary appointment with will, **RCP-74.09**
confirmation of out of jurisdiction appointment, **RCP-74.08**
definition, **RCP-1.03, § RCP 1.03:1**
deposit payable, **RCP-74.13**
during litigation, **RCP-74.10**
issuance of certificate, **RCP-74.14**
objections to, **RCP-75.03, § RCP 75.03:1**
orders for assistance, **RCP-74.15, § RCP 74.15:1**
procedures, **RCP-74.12**
return pending completion of objection proceedings, **RCP-75.05**
revocation, **RCP-75.04, § RCP 75.04:1**
succeeding trustee with a will, **RCP-74.06**
succeeding trustee without a will, **RCP-74.07**
with a will, **RCP-74.04, § RCP 74.04:1**
Confirmation of, **RCP-74.14.2**

ESTATES
See also Wills and Codicils; Estate Trustees
Administrators, see also Estate Trustees
application for directions, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application for removal or replacement, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application to fix compensation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Advertisement on references for beneficiaries, **RCP-55.03 [55.03(1)]**
Affidavit of service application for certificate of appointment of Estate Trustee, **APP C § C:182 [Form 74B]**
Affidavit verifying estate accounts, **APP C § C:207 [Form 74.43]**
Amended small estate certificate, **APP C § C:204 [Form 74.1F]**
Application for a small estate certificate, **APP C § C:199 [Form 74.1A]**
Application for certificate of appointment of estate trustee, **APP C § C:181 [Form 74A]**

ESTATES—Cont'd
Assessment of costs paid out of estate, **RCP-58.08, § RCP 58.08:1 [58.08(2)]**
Certificate of appointment of estate trustee, **APP C § C:184 [Form 74C]**
Claim against, **APP C § C:239 [Form 75.14]**
Claims contestation, **RCP-75.08**
Estates interested in proceedings, appointment of representative, **RCP-10.02, § RCP 10.02:1**
Executors, see also Estate Trustees
application for directions, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application for removal or replacement, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application to fix compensation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Forms
judgment for administration, **APP C § C:171 [Form 65A]**
report on a reference (administration of estate), **APP C § C:103 [Form 55C]**
Interest on accounts, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Judgment for administration, **RCP-65.01, § RCP 65.01:1 [65.01(2)]**
Lawyer's certificate of service application for certificate of appointment of Estate Trustee, **APP C § C:183 [Form 74B.1]**
Minors
affidavits in support of applications, **RCP-67.02**
commencement of proceedings, **RCP-67.01**
consent of minor over age of sixteen, **RCP-67.03**
lawyer's affidavit, **RCP-67.03 [67.03(1), (2)]**
Nomination of applicant by foreign estate trustee, **APP C § C:192 [Form 74K]**
Notice of application, administration of estate, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
Order for rendering of proper statement of accounts, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**

ESTATES—Cont'd
Order in an Estates Proceeding, **APP C § C:190 [Form 74I]**
Payment into court, **RCP-65.02, § RCP 65.02:1 [65.02(3)]**
Proceedings
adding persons as parties, **RCP-9.01, § RCP 9.01:1 [9.01(4)]**
appointment of litigation administrator, **RCP-9.02, § RCP 9.02:1 [9.02(1), (2)]**
commenced before probate or administration, **RCP-9.03, § RCP 9.03:1 [9.03(1)]**
commenced by or against estate of deceased person, **RCP-9.03, § RCP 9.03:1 [9.03(2)]**
commenced in name of deceased person, **RCP-9.03, § RCP 9.03:1 [9.03(3)]**
contentious, **§ RCP 75:1**
estate having no executor or administrator, **RCP-9.02, § RCP 9.02:1**
executor or administrator refusing to be joined, **RCP-9.01, § RCP 9.01:1 [9.01(3)]**
generally, **§ RCP 9:1**
imposition of terms, **RCP-9.03, § RCP 9.03:1 [9.03(7)]**
joinder of beneficiaries, **RCP-9.01, § RCP 9.01:1 [9.01(1), (2), (4)]**
lawyer of record, **RCP-75.09**
litigation administrator appointed improperly, **RCP-9.03, § RCP 9.03:1 [9.03(4)]**
motion for directions, **RCP-75.06, § RCP 75.06:1**
non-contentious, **RCP-74:1 et seq.**
not properly constituted, power of court, **RCP-9.03, § RCP 9.03:1 [9.03(5)]**
not properly constituted within reasonable time, **RCP-9.03, § RCP 9.03:1 [9.03(6)]**
procedures, **RCP-75.07**
request for notice of, **RCP-74.03**
submission of rights to court, **RCP-75.07.1**
References, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
form of report, **RCP-55.02, APP C § C:103 [55.02(22), Form 55C]**

ESTATES—Cont'd
Representation orders, **RCP-10.01, § RCP 10.01:1, RCP-10.02, § RCP 10.02:1 [10.01(1), 10.02]**
Request to file, **APP C § C:200 [Form 74.1B]**
Service outside Ontario of claim, **RCP-17.02, § RCP 17.02:1 [17.02(b)]**
Small estate certificate, **APP C § C:201 [Form 74.1C]**
Small estates, **§ RCP 74.1:1, RCP-75.01, § RCP 75.01:1 [74.1, 75.01]**
Will or codicil deposited with court, **APP C § C:195 [Form 74N]**
Wills, see Wills and Codicils

EVIDENCE
See also Affidavits; Hearings; Trials; Witnesses
Admissibility, determination of issue before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
Appeals
agreements, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
appellant's certificate, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2, RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [61.05(1), 62.02(8)]**
complying with certificates or agreement, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
contents of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
costs sanctions for unnecessary evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(8)]**
motion to receive evidence, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2)]**
notice from court reporter when evidence transcribed, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(7)]**
ordering transcripts, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(5)]**
respondent's certificate, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(2), (3)]**
respondent's factum, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(3)]**

EVIDENCE—Cont'd
Application records, **RCP-38.09 [38.09(1)]**
Applications, see Affidavits, see Applications; Hearings;
Commission for taking evidence, **RCP-34.07, § RCP 34.07:1, RCP-36.03, § RCP 36.03:1 [34.07(2), (5), 36.03]**
De bene esse, see taking evidence before trial
Deemed undertaking, see Deemed Undertaking
Discovery, see Discovery, see Examination for Discovery
Documents, contents of notice of application, **RCP-38.04**
Examination before trial, discretion of court, **RCP-36.01, § RCP 36.01:1 [36.01(2)]**
Examinations out of court, transcript for use in court, **RCP-34.18, § RCP 34.18:1 [34.18(2)]**
Exclusion of witnesses, **RCP-52.06, § RCP 52.06:1**
Experts, see Experts
Forms
appellant's certificate respecting evidence, **APP C § C:139 [Form 61C]**
commission, **APP C § C:68 [Form 34C]**
letter of request, **APP C § C:69 [Form 34D]**
notice of examination, **APP C § C:66 [Form 34A]**
order for attendance of witness in custody, **APP C § C:100 [Form 53D]**
order for commission and letter of request, **APP C § C:70 [Form 34E]**
respondent's certificate respecting evidence, **APP C § C:140 [Form 61D]**
summons to witness (at hearing), **APP C § C:97 [Form 53A]**
summons to witness (examination out of court), **APP C § C:67 [Form 34B]**
summons to witness outside Ontario, **APP C § C:99 [Form 53C]**

EVIDENCE—Cont'd
Forms—Cont'd
warrant for arrest (defaulting witness), **APP C § C:98 [Form 53B]**
Insufficient to support judgment, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Jury trials, order of presentation, **RCP-52.07, § RCP 52.07:1**
Leave required to admit at trial
conditions for granting leave, **RCP-53.08, § RCP 53.08:1, § RCP 53.08:2**
failure to abandon claim of privilege, **RCP-30.09, § RCP 30.09:1, § RCP 30.09:2, RCP-53.08, § RCP 53.08:1, § RCP 53.08:2 [30.09, 53.08]**
failure to correct answers on discovery, **RCP-31.09, § RCP 31.09:1, RCP-53.08, § RCP 53.08:1, § RCP 53.08:2 [31.09(3), 53.08]**
failure to disclose document, **RCP-30.08, § RCP 30.08:1, RCP-53.08, § RCP 53.08:1, § RCP 53.08:2 [30.08(1), 53.08]**
failure to disclose information on discovery, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2, RCP-53.08, § RCP 53.08:1, § RCP 53.08:2 [31.07, 53.08]**
failure to serve expert's report, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3, RCP-53.08, § RCP 53.08:1, § RCP 53.08:2 [53.03(2), 53.08]**
Letter of request, **RCP-34.07, § RCP 34.07:1, APP C § C:69 [34.07(2), Form 34D]**
Letters rogatory, see letter of request
Mortgage references, concerning subsequent encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(2)]**
Motion for summary judgment
by defendant, **RCP-20.01, § RCP 20.01:1 [20.01(3)]**
by plaintiff, **RCP-20.01, § RCP 20.01:1 [20.01(1)]**
personal knowledge, **RCP-20.02, § RCP 20.02:1**

EVIDENCE—Cont'd
Motions, see also Motions
contents of notice, **RCP-37.06, § RCP 37.06:1**
Pleadings, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(1)]**
References
books of account, **RCP-55.04 [55.04(4)]**
directions concerning evidence, **RCP-55.02 [55.02(3)]**
payment out of money to minor, **RCP-55.05 [55.05(4)]**
ruling on admissibility, reasons set out in report, **RCP-55.02 [55.02(18)]**
Striking out, examinations out of court, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2, RCP-35.04, § RCP 35.04:1 [34.15(1), 35.04(4)]**
Summons to witness, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2, RCP-53.04, § RCP 53.04:1, RCP-53.05, § RCP 53.05:1 [34.04(4), 53.04, 53.05]**
Taking evidence before trial
admissibility, **RCP-36.01, § RCP 36.01:1 [36.01(2)]**
calling witness at trial, **RCP-36.04, § RCP 36.04:1 [36.04(2)]**
expert witnesses, **RCP-36.01, § RCP 36.01:1 [36.01(4)]**
filing transcripts, videotapes, recordings, **RCP-36.04, § RCP 36.04:1 [36.04(4)]**
generally, **RCP-34.01, § RCP 36:1 [34.01, 36]**
interim costs, **RCP-36.01, § RCP 36.01:1 [36.01(5)]**
party defined, **RCP-36.01, § RCP 36.01:1 [36.01(1)]**
persons outside Ontario, **RCP-36.03, § RCP 36.03:1**
procedure, **RCP-36.02**
use at trial, **RCP-36.04, § RCP 36.04:1**
Transcripts
applications, **RCP-38.09 [38.09(6)]**
judicial review, applicant's application record, **RCP-68.04 [68.04(2), (9)]**
motions, **RCP-37.10, § RCP 37.10:1 [37.10(5)]**
standards, **RCP-4.07, RCP-4.09 [4.07(3), 4.09]**

EVIDENCE—Cont'd
Trial, see also Trials
calling adverse party, **RCP-53.07, § RCP 53.07:1**
examination for discovery, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2**
deponent unavailable, leave granted to introduce, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(7)]**
deponent unavailable, leave required to introduce, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(6)]**
direction to read in additional evidence, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(3)]**
impeaching testimony of deponent as witness, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(2)]**
introduction at trial, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(1)]**
non-parties, **RCP-31.10, § RCP 31.10:1, § RCP 31.10:2 [31.10(5)]**
party under disability, leave required, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(5)]**
rebuttal, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(4)]**
use in subsequent actions, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(8)]**
expert's report, **RCP-52.03, § RCP 52.03:1 [52.03(8)]**
interprovincial summons, **RCP-53.05, § RCP 53.05:1**
witness, compelling attendance, **RCP-53.04, § RCP 53.04:1 to RCP-53.06, § RCP 53.06:1 [53.04 to 53.06]**

EXAMINATIONS
See also Examinations for Discovery
Absence of opposite party, **RCP-3.03 [3.03(2)]**
Adjournments, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2**
limiting scope of examination, **RCP-34.14, § RCP 34.14:1, § RCP**

EXAMINATIONS—Cont'd
Adjournments, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2**—Cont'd **34.14:2 [34.14(1)]**
sanctions for improper adjournment, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(2)]**
seeking directions, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(1)]**
seeking order terminating examination, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(1)]**
Application of Rule 34, **RCP-34.01**
Attendance, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2**
deponents of affidavits, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(4)]**
non-party, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(4)]**
attendance money, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(5)]**
summons to witness, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(4)]**
notice of examination, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2**
party, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(1)]**
person examined on behalf or in place of party, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(2)]**
person in custody, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2, RCP-53.06, § RCP 53.06:1 [34.04(8), 53.06]**
person outside Ontario, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(7)]**
summons to witness
attendance money, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(4) to (6)]**
Before whom to be held, **RCP-34.02, § RCP 34.02:1**
Consent, **RCP-34.06**
Cross-examination for application or motion, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2, RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.02, 39.03]**

EXAMINATIONS—Cont'd
Discovery, see Examinations for Discovery
Execution, in aid of
corporate debtors, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
costs, **RCP-60.19, § RCP 60.19:1**
debtor defeating or defrauding creditors, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(5)]**
definitions of creditor and debtor, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(1)]**
limit on frequency or number, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(4)]**
partners and partnerships, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
person on behalf or in place of party, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(2)]**
person other than debtor, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(6)]**
re-examination, **RCP-34.11, § RCP 34.11:1 [34.11(2), (3)]**
scope, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(2)]**
service of notice, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(7)]**
sole proprietors and sole proprietorships, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
Failure to attend, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
Forms
commission, **APP C § C:68 [Form 34C]**
letter of request, **APP C § C:69 [Form 34D]**
notice of examination, **APP C § C:66 [Form 34A]**
order for commission and letter of request, **APP C § C:70 [Form 34E]**
summons to witness (examination out of court), **APP C § C:67 [Form 34B]**
Generally, **§ RCP 34:1**

EXAMINATIONS—Cont'd
Improper conduct of examination, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2**
motions terminating or limiting scope, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(1)]**
sanctions, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(2)]**
Interpreters, **RCP-34.09, § RCP 34.09:1**
oath or affirmation, **RCP-34.09, § RCP 34.09:1 [34.09(1)]**
who must provide, **RCP-34.09, § RCP 34.09:1 [34.09(2)]**
Medical examinations, see Medical Examinations
Motions, use of evidence on, **RCP-39.04, § RCP 39.04:1**
Notice of time and place, **RCP-34.05, § RCP 34.05:1**
Oath or affirmation, **CJA-92; RCP-34.08 [s. 92; 34.08(1)]**
Objections to questions, **RCP-34.12, § RCP 34.12:1**
procedure, **RCP-34.12, § RCP 34.12:1 [34.12(1)]**
ruling on propriety of question, **RCP-34.12, § RCP 34.12:1 [34.12(3)]**
Official examiners, see Official Examiners
Person out of Ontario
attendance money, **RCP-34.07, § RCP 34.07:1 [34.07(4)]**
commission for taking evidence, **RCP-34.07, § RCP 34.07:1**
duties of commissioner, **RCP-34.07, § RCP 34.07:1 [34.07(5), (6)]**
form of examination, **RCP-34.07, § RCP 34.07:1 [34.07(5)]**
preparation and issuance by registrar, **RCP-34.07, § RCP 34.07:1 [34.07(3)]**
transcript of evidence, **RCP-34.07, § RCP 34.07:1 [34.07(6)]**
court determining aspects of examination, **RCP-34.07, § RCP 34.07:1 [34.07(1)]**
letter of request, **RCP-34.07, § RCP 34.07:1 [34.07(2), (3)]**
oaths, affirmations, **RCP-34.08 [34.08(2)]**

EXAMINATIONS—Cont'd
Person out of Ontario—Cont'd
order for commission, letter of request, **RCP-34.07, § RCP 34.07:1, APP C § C:70 [34.07(2), Form 34E]**
service of transcript, **RCP-34.07, § RCP 34.07:1 [34.07(7)]**
summons to witness, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(7)]**
Physical or mental, expert appointed by judge, **RCP-52.03, § RCP 52.03:1 [52.03(3)]**
Place of examination, **RCP-34.03, § RCP 34.03:1**
Production of documents, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2, RCP-34.10, § RCP 34.10:1 [34.04(4), 34.10]**
admitted to be in possession, power, control, **RCP-34.10, § RCP 34.10:1 [34.10(4)]**
at examination, **RCP-34.10, § RCP 34.10:1 [34.10(2)]**
definition of document, **RCP-30.01, § RCP 30.01:1, RCP-34.10, § RCP 34.10:1 [30.01(1), 34.10(1)]**
notice of examination, **RCP-34.10, § RCP 34.10:1 [34.10(3)]**
summons to witness, **RCP-34.10, § RCP 34.10:1 [34.10(3)]**
Re-examination of persons, **RCP-34.11, § RCP 34.11:1**
before applications, **RCP-34.11, § RCP 34.11:1, RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [34.11(4), 39.03(2)]**
before motions, **RCP-34.11, § RCP 34.11:1, RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [34.11(4), 39.03(2)]**
in aid of execution, **RCP-34.11, § RCP 34.11:1 [34.11(2), (3)]**
on application, **RCP-34.11, § RCP 34.11:1, RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [34.11(4), 39.03(2)]**
on cross-examination on affidavit, **RCP-34.11, § RCP 34.11:1 [34.11(2), (3)]**
on discovery, **RCP-34.11, § RCP 34.11:1 [34.11(1), (3)]**

EXAMINATIONS—Cont'd
Re-examination of persons, **RCP-34.11, § RCP 34.11:1**—Cont'd
on motion, **RCP-34.11, § RCP 34.11:1, RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [34.11(4), 39.03(2)]**
Recording
examination, **RCP-34.16**
videotape or other means, **RCP-34.19, § RCP 34.19:1**
References
compelling attendance, **RCP-55.02 [55.02(14)]**
oral evidence, **RCP-55.02 [55.02(13)]**
Refusal to take oath or affirm, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
Rulings
conduct of examination, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2**
propriety of questions, **RCP-34.12, § RCP 34.12:1 [34.12(3)]**
Sanctions
failure to attend, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
failure to comply with order, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(2)]**
failure to produce document, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
improper conduct or adjournment, **RCP-34.14, § RCP 34.14:1, § RCP 34.14:2 [34.14(2)]**
refusal to answer proper question, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
refusal to take oath or make affirmation, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
Taking evidence before trial
admissibility, **RCP-36.01, § RCP 36.01:1 [36.01(2)]**
calling witness at trial, **RCP-36.04, § RCP 36.04:1 [36.04(3), (4)]**
considerations before permitted, **RCP-36.01, § RCP 36.01:1 [36.01(3)]**
expert witnesses, **RCP-36.01, § RCP 36.01:1 [36.01(4)]**
filing transcripts and recordings or videotapes, **RCP-36.04, § RCP**

EXAMINATIONS—Cont'd
Taking evidence before trial—Cont'd **36.04:1 [36.04(7)]**
interim costs, **RCP-36.01, § RCP 36.01:1 [36.01(5)]**
party defined, **RCP-36.01, § RCP 36.01:1 [36.01(1)]**
persons outside Ontario, **RCP-36.03, § RCP 36.03:1**
procedure, **RCP-36.02**
use at trial, **RCP-36.04, § RCP 36.04:1**
Transcripts, **RCP-34.17**
certification, **RCP-34.17 [34.17(2)]**
copy filed for use at trial, **RCP-34.18, § RCP 34.18:1 [34.18(4)]**
copy filed for use on motion or application, **RCP-34.18, § RCP 34.18:1 [34.18(2), (3)]**
form and content, **RCP-4.09, RCP-34.17 [4.09, 34.17(1), (2)]**
making copy available, **RCP-34.18, § RCP 34.18:1 [34.18(1)]**
to whom transcript is sent, **RCP-34.17 [34.17(3)]**
use at trial, **RCP-34.18, § RCP 34.18:1 [34.18(4)]**
Videotaping, **RCP-34.19, § RCP 34.19:1 [34.19(1), (2)]**
Witnesses
applications
at the hearing, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
before the hearing, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(1) to (3)]**
summons, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(5)]**
failure to deliver notice of appearance, **RCP-38.07 [38.07(2)]**
motions, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2**

EXAMINATIONS FOR DISCOVERY
See also Examinations
Assignees, **RCP-31.03, § RCP 31.03:1 [31.03(6)]**
Assignors, **RCP-31.03, § RCP 31.03:1 [31.03(6)]**
Bankrupt persons, **RCP-31.03, § RCP 31.03:1 [31.03(7)]**

EXAMINATIONS FOR DISCOVERY —Cont'd
Children's Lawyer, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**
Corporations, **RCP-31.03, § RCP 31.03:1 [31.03(2), (3)]**
Correcting answers, **RCP-31.09, § RCP 31.09:1**
Deemed undertaking, see Deemed Undertaking
Defendant, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2 [31.04(2)]**
notice of examination, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [31.04(2), 34.04]**
written questions, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2, RCP-35.01, § RCP 35.01:1 [31.04(2), 35.01]**
Disclosure
expert opinions, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(3)]**
identity of persons having knowledge, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(2)]**
Documents
definition, **RCP-31.01**
examination, at, **RCP-30.04, § RCP 30.04:1 [30.04(4)]**
Evidence at trial
impeaching testimony of deponent as witness, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(2)]**
non-parties, **RCP-31.10, § RCP 31.10:1, § RCP 31.10:2 [31.10(5)]**
party under disability, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(5)]**
qualifying answers, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(3)]**
reading in examination of party, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(1)]**
rebuttal, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(4)]**
unavailability of deponent, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(6), (7)]**
use in subsequent actions, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(8)]**

EXAMINATIONS FOR DISCOVERY —Cont'd
Examination by more than one party, **RCP-31.05, § RCP 31.05:1**
time limit, **RCP-31.05.1, § RCP 31.05.1:1**
Failure to answer proper question, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2, RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [31.07(1), 34.15]**
Failure to attend on, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2**
Failure to correct answers, **RCP-31.09, § RCP 31.09:1 [31.09(3)]**
Form, **RCP-31.02, § RCP 31.02:1**
Generally, **§ RCP 31:1**
Information subsequently obtained, **RCP-31.09, § RCP 31.09:1 [31.09(1)]**
Insurance policies, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2, RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [30.02(3), 31.06(4), (5)]**
Interested persons, **RCP-31.03, § RCP 31.03:1 [31.03(8)]**
Lawyer answering questions, **RCP-31.08, § RCP 31.08:1**
Limiting multiple examinations, **RCP-31.03, § RCP 31.03:1 [31.03(9)]**
Non-parties, **RCP-31.10, § RCP 31.10:1, § RCP 31.10:2**
Notice of examination, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [31.04, 34.04]**
Partnerships, **RCP-31.03, § RCP 31.03:1 [31.03(3)]**
Party to be examined only once, **RCP-31.03, § RCP 31.03:1 [31.03(1)]**
Persons under disability, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**
Plaintiff
notice of examination, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [31.04(1), 34.04]**
written questions, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2, RCP-35.01, § RCP 35.01:1 [31.04(1), 35.01]**
Public Guardian and Trustee, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**

EXAMINATIONS FOR DISCOVERY —Cont'd
Reading in, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2**
Refusal to answer question, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2 [31.07(1)]**
Scope, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(1)]**
Simplified procedure, **RCP-76.05**
Sole proprietorships, **RCP-31.03, § RCP 31.03:1 [31.03(3)]**
Trustee in bankruptcy, **RCP-31.03, § RCP 31.03:1 [31.03(7)]**
Use on motions, **RCP-39.04, § RCP 39.04:1**
Who may examine first, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2 [31.04(3)]**
Withholding information, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(6)]**
Written questions
answers, **RCP-35.02 [35.02(1)]**
court order upon refusal, **RCP-35.04, § RCP 35.04:1 [35.04(2)]**
filing, **RCP-35.06**
service, **RCP-35.02 [35.02(2)]**
forms
answers on written examination for discovery, **APP C § C:72 [Form 35B]**
questions on written examination for discovery, **APP C § C:71 [Form 35A]**
improper conduct, **RCP-35.05, § RCP 35.05:1**
objection to question, **RCP-35.03**
orders
further answers, **RCP-35.04, § RCP 35.04:1 [35.04(2)]**
further list of questions, **RCP-35.04, § RCP 35.04:1 [35.04(1)]**
oral examination, **RCP-35.04, § RCP 35.04:1 [35.04(3)]**
service, **RCP-35.01, § RCP 35.01:1**
sanctions
failure to answer proper question, **RCP-35.04, § RCP 35.04:1 [35.04(2), (4)]**

EXAMINATIONS FOR DISCOVERY —Cont'd
Written questions—Cont'd
sanctions—Cont'd
failure to produce document, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
order for further answers, **RCP-35.04, § RCP 35.04:1 [35.04(2)]**
order for oral examination, **RCP-35.04, § RCP 35.04:1 [35.04(3)]**

EXECUTIONS
See Enforcement of Orders; Writs

EXECUTORS AND ADMINISTRATORS
See also Estate Trustees; Estates; Wills and Codicils
Commencing proceedings for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
Examination of claims, references, **RCP-55.03 [55.03(3)]**
Order to render proper accounts, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
Payment to foreign payee, **CJA-145 [s. 145]**
Proceeding commenced before administration, **RCP-9.03, § RCP 9.03:1 [9.03(1)]**
Proceeding commenced before grant of probate, **RCP-9.03, § RCP 9.03:1 [9.03(1)]**
References, examination of claims, **RCP-55.03 [55.03(3)]**
Refusing to be joined in proceeding, **RCP-9.01, § RCP 9.01:1 [9.01(3)]**

EXHIBITS
Affidavits, **RCP-4.06 [4.06(3)]**
Appeals
contents of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
costs sanctions for unnecessary evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(8)]**
perfecting appeals, **RCP-61.09, § RCP 61.09:1 [61.09(2), (3)]**
Application record
general, **RCP-38.09**
judicial review, **RCP-68.04**

EXHIBITS—Cont'd
Interlocutory appeals, record, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
Motion record, **RCP-37.10, § RCP 37.10:1 [37.10(2)]**
responding party's, **RCP-37.10, § RCP 37.10:1 [37.10(3)]**
References, accounts, **RCP-55.04 [55.04(3)]**
Referred to in affidavits, **RCP-4.06 [4.06(3)]**
Return to court office where proceeding commenced, **RCP-4.10 [4.10(2)]**
Service, documents, **RCP-4.06 [4.06(3)]**
Transmission, **RCP-4.10 [4.10(1)]**
Trials
marking and numbering, **RCP-52.04, § RCP 52.04:1 [52.04(1)]**
registrar to hold, **RCP-52.04, § RCP 52.04:1 [52.04(3)]**
requisition for return, **RCP-52.04, § RCP 52.04:1 [52.04(2)]**
return by registrar, **RCP-52.04, § RCP 52.04:1 [52.04(2), (4)]**

EXPERTS
Acknowledgment of expert's duty, **§ RCP 53:1**
Duty of expert, **RCP-4.1.01, § RCP 4.1.01:1, § RCP 4.1.01:2**
Evidence at trial, service of report, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(1)]**
Examinations for discovery, obtaining reports and identity, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(3)]**
Pre-trial conference
decision to appoint, **RCP-50.06**
expert's report, **RCP-50.11**
References, **RCP-55.02 [55.02(14.1), (14.2)]**
Taking evidence before trial, **RCP-36.01, § RCP 36.01:1 [36.01(3)]**
Trials
appointment, **RCP-52.03, § RCP 52.03:1 [52.03(1)]**
contents of order of appointment, **RCP-52.03, § RCP 52.03:1 [52.03(3)]**
cross-examination, **RCP-52.03, § RCP 52.03:1 [52.03(10)]**

EXPERTS—Cont'd
Trials—Cont'd
named by judge, **RCP-52.03, § RCP 52.03:1 [52.03(2)]**
remuneration, **RCP-52.03, § RCP 52.03:1 [52.03(4) to (6), (11)]**
reports, **RCP-52.03, § RCP 52.03:1 [52.03(7), (8), (9)]**

EXPERT'S DUTY
Forms
acknowledgment, **APP C § C:96 [Form 53]**

FACTS
Admissions, see Admissions
Affidavits, see Affidavits
Applications without notice, disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
Failure to prove at trial, **RCP-52.10, § RCP 52.10:1**
Inferences, hearing of special case, **RCP-22.05 [22.05(1)]**
Material facts, see Pleadings
Pleading, see Pleadings
Proof at trial, affidavit evidence, **RCP-53.02, § RCP 53.02:1 [53.02(1)]**
Questions in common
consolidation orders, **RCP-6.01, § RCP 6.01:1**
intervention of persons in proceedings, **RCP-13.01**
joinder of parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2**
Subsequently discovered
duty to correct answers on discovery, **RCP-31.09, § RCP 31.09:1 [31.09(1)]**
grounds to vary or set aside order, **RCP-59.06, § RCP 59.06:1 [59.06(2)]**

FACTUMS
Appeals from interlocutory orders
appellant's, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
respondent's, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(8), (9)]**

FACTUMS—Cont'd
Appeals to appellate court
appellant's, **RCP-61.11, § RCP 61.11:1, § RCP 61.11:2**
respondent's, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2**
Applications
applicant's, **RCP-38.09 [38.09(1)]**
dispensing with factum, **RCP-38.09 [38.09(4)]**
respondent's, **RCP-38.09 [38.09(3)]**
Book of authorities, **RCP-4.06.1 [4.06.1(4)]**
Citations, **RCP-4.06.1 [4.06.1(2)]**
Cross-appeal, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(4)]**
failure of respondent to deliver, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
Determination of issue before trial, **RCP-21.03**
Electronically filed, **RCP-4.06.1 [4.06.1(3)]**
Judicial review proceedings
applicant's, **RCP-68.04 [68.04(1), (3), (7)]**
failure of applicant to file, **RCP-68.06**
respondent's, **RCP-68.04 [68.04(4), (6), (7)]**
Motions
appellate court, in, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4)]**
generally, **RCP-37.10, § RCP 37.10:1 [37.10(6)]**
leave to appeal to Court of Appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(4) to (13)]**
leave to appeal to Divisional Court, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2), (3)]**
summary judgment, **RCP-20.03**
Place of filing, **RCP-4.05 [4.05(3)]**
Special case
generally, **RCP-22.02**
removed to Court of Appeal, **RCP-22.03, § RCP 22.03:1 [22.03(2)]**

FAMILY COURT
Branch of Superior Court of Justice, **CJA-21.1, § CJA 21.1:1 [s. 21.1(1)]**
Community liaison committee, **CJA-21.13, § CJA 21.13:1 [s. 21.13]**

FAMILY COURT—Cont'd
Community resources committee, **CJA-21.14, § CJA 21.14:1 [s. 21.14]**
Composition, **CJA-21.2 [s. 21.2(1)]**
Composition of court for hearings, **CJA-21.7, § CJA 21.7:1 [s. 21.7]**
Dispute resolution service, **CJA-21.15, § CJA 21.15:1 [s. 21.15]**
Enforcement of orders, **CJA-21.12, § CJA 21.12:1 [s. 21.12]**
Judges
jurisdiction, **CJA-21.2 [s. 21.2(3)]**
supernumerary, **CJA-21.2 [s. 21.2(2)]**
Jurisdiction, **CJA-21.1, § CJA 21.1:1 [s. 21.1(3), (4), (5)]**
combining related matters, **CJA-21.9, § CJA 21.9:1 [s. 21.9]**
Orders of predecessor court, **CJA-21.10, § CJA 21.10:1 [s. 21.10]**
Proceedings, **CJA-21.8, § CJA 21.8:1 [s. 21.8]**
motions, **CJA-21.8, § CJA 21.8:1 [s. 21.8(2), (3)]**
place commenced, **CJA-21.11, § CJA 21.11:1 [s. 21.11(1), (2)]**
transfer from another court, **CJA-21.11, § CJA 21.11:1 [s. 21.11(4), (5)]**
transfer to another court, **CJA-21.11, § CJA 21.11:1 [s. 21.11(3), (5)]**
Transitional, **CJA-21.3, § CJA 21.3:1 [s. 21.3]**
Unified Family Court amalgamated, **CJA-21.1, § CJA 21.1:1 [s. 21.1(2)]**

FAMILY LAW COMMISSIONERS
Referees, **RCP-54.03, § RCP 54.03:1 [54.03(1)]**

FAMILY LAW PROCEEDINGS
Application of Rules of Civil Procedure, **RCP-1.02, § RCP 1.02:1 [1.02(1), (1.1.)]**
Jurisdiction, **CJA-38, § CJA 38:1 [s. 38(2)]**

FAMILY LAW RULES
Generally, **APP G § G:1 to APP G § G:58**
Access to court files, **APP G § G:6**
Application of rule, **APP G § G:15**
Binding judicial dispute resolution, **APP G § G:58**

FAMILY LAW RULES—Cont'd
Case management, **APP G § G:3**
Case management by associate judge, **APP G § G:57**
Costs, **APP G § G:34**
Counting days, **APP G § G:8**
Electronic filing, **APP G § G:4**
Filing application, **APP G § G:13**
Method of service, **APP G § G:11**
Municipalities, **APP G § G:3**
Parties, **APP G § G:12**
Procedural orders, **APP G § G:3**
Record created, **APP G § G:16**
Redact, omit, requirement, **APP G § G:5**
Representation, **APP G § G:9**

FEES
Court, **APP E1 § E1:1 to APP E1 § E1:10**

FIRMS
See Partnerships, see Sole Proprietorships

FORECLOSURE, SALE AND REDEMPTION
Conversion from foreclosure to sale
additional security for costs on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(20), (21)]**
notice of hearing for directions on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(24)]**
notice of reference, defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
power of referee, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(21), (22)]**
procedure on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(26)]**
request for sale
defendant not subsequent encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17)]**
failure to file, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(10)]**
service of referee's report, **RCP-64.06, § RCP 64.06:1, § RCP**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
Conversion from foreclosure to sale —Cont'd
request for sale—Cont'd **64.06:2 [64.06(17)]**
subsequent encumbrancer added on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
subsequent encumbrancer named as defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(18)]**
subsequent encumbrancer not entitled to redeem, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(6)]**
transfer of carriage of sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(25)]**
Foreclosure
claims that may be joined, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(5)]**
default judgment, **RCP-19.04, § RCP 19.04:1, RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [19.04(1), 64.03(9) to (11)]**
failure to file request to redeem or request for sale, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(10)]**
final order, redemption action, **RCP-64.05, § RCP 64.05:1 [64.05(6) to (9)]**
final order of foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(15), (16)]**
foreclosure of subsequent encumbrancers, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(14)]**
notice of taking account, defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
persons to be joined, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**
power of referee to reconvert to foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(23)]**
redemption, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12), (13)]**
redemption actions, adding subsequent encumbrancers, **RCP-64.05, § RCP 64.05:1 [64.05(2)]**
request to redeem, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6) to (8)]**
statement of claim, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(4)]**
subsequent encumbrancers as defendants, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(2), (3)]**
Forms
default judgment for foreclosure with a reference, **APP C § C:155 [Form 64B]**
default judgment for foreclosure without a reference, **APP C § C:157 [Form 64D]**
default judgment for immediate foreclosure, **APP C § C:156 [Form 64C]**
default judgment for immediate sale, **APP C § C:163 [Form 64J]**
default judgment for immediate sale (action converted from foreclosure to sale), **APP C § C:161 [Form 64H]**
default judgment for redemption, **APP C § C:166 [Form 64M]**
default judgment for sale conditional on proof of claim (action converted from foreclosure to sale), **APP C § C:162 [Form 64I]**
default judgment for sale with a redemption period, **APP C § C:164 [Form 64K]**
default judgment for sale with a redemption period (action converted from foreclosure to sale), **APP C § C:160 [Form 64G]**
final order for sale, **APP C § C:165 [Form 64L]**
final order of foreclosure, **APP C § C:158 [Form 64E]**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
Forms—Cont'd
request for sale, **APP C § C:159 [Form 64F]**
request to redeem, **APP C § C:154 [Form 64A]**
statement of claim (mortgage action), **APP C § C:22 [Form 14B]**
Generally, **§ RCP 64:1**
Redemption
after taking account in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(8)]**
after taking account in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(7)]**
change of account before day fixed for payment, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(24)]**
claim for possession may be joined, **RCP-64.05, § RCP 64.05:1 [64.05(3)]**
conversion from foreclosure to sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(22)]**
default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**
dismissal of action, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
final order of foreclosure
continuation of reference, **RCP-64.05, § RCP 64.05:1 [64.05(7), (8)]**
plaintiff failing to redeem, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
redemption by subsequent encumbrancer, **RCP-64.05, § RCP 64.05:1 [64.05(9)]**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12), (13)]**
judgment, **RCP-64.05, § RCP 64.05:1 [64.05(4), (5)]**
liability of defendants for costs, balance due, **RCP-64.05, § RCP 64.05:1 [64.05(10)]**
more than one party entitled to redeem, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
Redemption—Cont'd
mortgagee to transfer property where redeemed, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(19)]**
named defendant in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(9)]**
order altering time where change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(27)]**
persons to be joined, **RCP-64.05, § RCP 64.05:1 [64.05(1), (2)]**
service outside Ontario, **RCP-17.02, § RCP 17.02:1**
References
adding parties other than encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(11)]**
adding subsequent encumbrancers, **RCP-64.05, § RCP 64.05:1, RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.05(2), 64.06(4)]**
assigned mortgage, proof of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21) to (27)]**
default judgment, who conducts, **RCP-64.02**
determining priorities, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**
directions, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(14), (20)]**
duties and powers of referee, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(3)]**
general procedure, **§ RCP 55:1, RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [55, 64.06]**
motion to set aside judgment or order adding party, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6), (12)]**
notice of encumbrancer named as original party, **RCP-64.06, § RCP**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
References—Cont'd
64.06:1, § RCP 64.06:2 [64.06(7)]
notice to original defendants, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(8) to (10)]**
plaintiff to file material concerning encumbrancers, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(2)]**
referee's report, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(16) to (18)]**
service of documents
construction lien claimant, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(5)(b)]**
execution creditor, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(5)(a)]**
generally, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(5)(c)]**
original defendant, not encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(9)]**
transfer of property on payment, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(19)]**
who conducts, default judgment, **RCP-64.02**
Request to redeem
default judgment in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(10), (11)]**
default judgment in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(8)]**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6), (7)]**
effect, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(8)]**
failure to file, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(10)]**
redemption by named defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12)]**
sale actions, **RCP-64.04, § RCP**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
Request to redeem—Cont'd
64.04:1, § RCP 64.04:2 [64.04(5) to (7)]
service of referee's report, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(17)]**
Sale
claims that may be joined, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(4)]**
default judgment
action converted from foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17), (18)]**
generally, **RCP-19.04, § RCP 19.04:1, RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [19.04(1), 64.04(7)]**
final order for sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(10), (11)]**
judgment obtained in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(24) to (26)]**
notice of taking account, defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
order
amending judgment for foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
payment of deficiency on sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(14)]**
payment of purchase money into court, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(12)]**
persons to be joined, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(1), (2)]**
power of referee
convert from foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(22)]**
reconvert to foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(23)]**
redemption by named defendant, **RCP-64.04, § RCP 64.04:1, § RCP**

FORECLOSURE, SALE AND REDEMPTION—Cont'd
Sale—Cont'd
64.04:2 [64.04(9)]
request to redeem, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(5) to (7)]**
statement of claim, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(3)]**
Service outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(e)]**

FORM OF DOCUMENTS
Affidavits, **RCP-4.06 [4.06(1)]**
Binding of records, appeal books and compendium, transcripts, factums, case authorities, **RCP-4.07**
Generally
general heading, body, backsheet, fax number, **RCP-4.02**
legibility, size, spacing, **RCP-4.01**
use and variation of prescribed forms, **RCP-1.06, § RCP 1.06:1**
Orders, see Orders
Pleadings, **RCP-25.02**
Special case, **RCP-22.04, § RCP 22.04:1**
Transcript standards, **RCP-4.09**

FORMS
Generally, **APP K2 § K2:1 to APP K2 § K2:6**
Table of, **RCP-1.06, § RCP 1.06:1 [1.06(2)]**
Use of, **RCP-1.06, § RCP 1.06:1 [1.06(1)]**

FOURTH AND SUBSEQUENT PARTY CLAIMS
See also Third Parties
Claims by fourth or subsequent parties, **RCP-29.11, § RCP 29.11:1 [29.11(3)]**
Generally, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**
Service, **RCP-29.11, § RCP 29.11:1 [29.11(2), (2.1)]**
Where available, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11(1), 29.12]**

FRAUD
Beneficiaries to be joined in proceedings, **RCP-9.01, § RCP 9.01:1 [9.01(2)]**

FRAUD—Cont'd
Grounds to vary or set aside orders, **RCP-59.06, § RCP 59.06:1 [59.06(2)]**
Pleading, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(8)]**

FRENCH LANGUAGE
See Interpreters, see Bilingual Proceedings

FRIVOLOUS OR VEXATIOUS
See also Vexatious Proceedings
Actions, security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2**
Application for leave to commence or continue proceeding, **RCP-38.13, § RCP 38.13:1**
Court may stay or dismiss frivolous or vexatious proceeding, **RCP-2.1.01, § RCP 2.1.01:1; RCP-2.1.02, § RCP 2.1.02:1**
Determination of issue before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)(d)]**
Documents, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(b)]**
Motions, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
Pleadings, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(b)]**

GAG PROCEEDINGS
Appeals, **CJA-137.2, § CJA 137.2:1 [s. 137.2(3)]**
Application provisions, **CJA-137.5 [s. 137.5]**
Procedural matters
commencement, **CJA-137.2, § CJA 137.2:1 [s. 137.2(1)]**
cross-examinations, limit on, **CJA-137.2, § CJA 137.2:1 [s. 137.2(4), (5)]**
generally, **CJA-137.2, § CJA 137.2:1 [s. 137.2]**
hearing date, obtaining, **CJA-137.2, § CJA 137.2:1 [s. 137.2(3)]**
time frame for hearing of motion, **CJA-137.2, § CJA 137.2:1 [s. 137.2(2)]**
Proceedings that limit debate, dismissal of costs if motion to dismissed were denied, **CJA-137.1, § CJA 137.1:1 [s. 137.1(8)]**

GAG PROCEEDINGS—Cont'd
Proceedings that limit debate, dismissal of —Cont'd
costs on dismissal, **CJA-137.1, § CJA 137.1:1 [s. 137.1(7)]**
damages, **CJA-137.1, § CJA 137.1:1 [s. 137.1(9)]**
dismissal, no, **CJA-137.1, § CJA 137.1:1 [s. 137.1(4)]**
expression defined, **CJA-137.1, § CJA 137.1:1 [s. 137.1(2)]**
further steps, no, **CJA-137.1, § CJA 137.1:1 [s. 137.1(5)]**
generally, **CJA-137.1, § CJA 137.1:1 [s. 137.1]**
order to dismiss, **CJA-137.1, § CJA 137.1:1 [s. 137.1(3)]**
pleadings, no amendments to, **CJA-137.1, § CJA 137.1:1 [s. 137.1(6)]**
purposes, **CJA-137.1, § CJA 137.1:1 [s. 137.1(1)]**
Stay of proceedings
duration of, **CJA-137.4 [s. 137.4(3)]**
generally, **CJA-137.4 [s. 137.4(1)]**
lifting, **CJA-137.4 [s. 137.4(4), (5)]**
notice re, **CJA-137.4 [s. 137.4(2)]**
Statutory Powers Procedure Act and, **CJA-137.4 [s. 137.4(6)]**

GARNISHMENT
Affidavit, contents, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(4), (5)]**
Availability, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(1)]**
Debt, definition, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(12), (13)]**
Discharge of garnishee, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(19)]**
Dispute of garnishment by garnishee, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(15)]**
Enforcement
against garnishee, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(17)]**
orders for payment, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2, RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.02(1), 60.08]**

GARNISHMENT—Cont'd
Forms
garnishee's statement, **APP C § C:128 [Form 60I]**
notice of garnishment, **APP C § C:126 [Form 60H]**
notice of renewal of garnishment, **APP C § C:127 [Form 60H.1]**
notice of termination of garnishment, **APP C § C:130 [Form 60J]**
notice to co-owner of debt, **APP C § C:129 [Form 60I.1]**
renewal of, **APP C § C:125 [Form 60G.1]**
requisition for garnishment, **APP C § C:124 [Form 60G]**
Garnishee's statement, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2, APP C § C:128 [60.08(15), Form 60I]**
blank, served with notice of garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(7)]**
failure to file and serve, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(17)]**
Generally, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2**
Hearing, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(16) to (16.2)]**
Joint debts
general, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(1.1)]**
hearing, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(16.2)]**
notice to co-owner of debt, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(15.1), (15.2)]**
payment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(21)]**
Notice of termination of garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2, APP C § C:130 [60.08(20), Form 60J]**
Obtaining notice of garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(4)]**
Payment by garnishee
less than amount due, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(15)]**

GARNISHMENT—Cont'd
Payment by garnishee—Cont'd
subject to Wages Act, **CJA-7, § CJA 7:1, § CJA 7:2, RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [s. 7, 60.08(14)]**
to person other than sheriff, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(18)]**
to sheriff, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(14)]**
to sheriff, discharge, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(19)]**
Registrar issuing notice of garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(6), (6.1)]**
Renewal, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(3.1)]**
Security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2 [56.01(2)]**
Service of notice of garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(7) to (10)]**
Suspension of payments, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(16.1.1)]**
When garnishee becomes liable, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(11)]**

GUARDIAN AD LITEM
See Litigation Guardians

GUARDIANS
Ad litem, see Litigation Guardians
Appointment
directing reference, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**
proceedings concerning estates of minors, **RCP-67.02 [67.02(3)]**
Reference relating to conduct, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**
Settling and approving security, references, **RCP-55.07 [55.07(1)]**

HEARINGS
Appeals from interlocutory orders
dispensing with record and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(9)]**
hearing date, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(3)]**

HEARINGS—Cont'd
Appeals from interlocutory orders —Cont'd
notice of appeal, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(4)]**
place, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(6)]**
Appeals to appellate court
argument limited to grounds stated, **RCP-61.07, § RCP 61.07:1 [61.07(2)]**
notice of listing for hearing, **RCP-61.08, § RCP 61.08:1, APP C § C:143 [61.08, Form 61G]**
Applications
conference telephone, **RCP-38.12, § RCP 38.12:1**
date, **RCP-38.03, § RCP 38.03:1 [38.03(2), (3), (3.1)]**
delivery of affidavit after cross-examination, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
dispensing with record and factum, **RCP-38.09 [38.09(4)]**
disposition, **RCP-38.10, § RCP 38.10:1**
examination of witness at hearing, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(3)]**
failure of applicant to appear
generally, **RCP-38.08 [38.08(2)]**
setting aside judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
failure to deliver notice of appearance, **RCP-38.07 [38.07(2)]**
filing notice with proof of service, **RCP-38.06, § RCP 38.06:1 [38.06(4)]**
judge hearing motions not to hear, **RCP-37.15, § RCP 37.15:1 [37.15(2)]**
minimum notice period, **RCP-38.06, § RCP 38.06:1 [38.06(3)]**
motion to set aside or vary judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
notice not served, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
place
named in notice of application, **RCP-38.03, § RCP 38.03:1 [38.03(1)]**

HEARINGS—Cont'd
Applications—Cont'd
service and filing of affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2), (3)]**
summons to witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
transcript of evidence, **RCP-38.09 [38.09(6)]**
Definition, **RCP-1.03, § RCP 1.03:1**
Forms
notice of listing for hearing (appeals), **APP C § C:143 [Form 61G]**
Garnishment matters, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(16)]**
Judicial review applications
hearing date in Divisional Court, **RCP-68.03**
listing for hearing, **RCP-68.05 [68.05(2)]**
Listing for hearing
appeals, **RCP-61.09, § RCP 61.09:1 [61.09(5)]**
judicial review, **RCP-68.05 [68.05(2)]**
Motions
absence of public, **RCP-37.11**
complicated issues or proceedings, **RCP-37.15, § RCP 37.15:1**
conversion to motion for judgment, **RCP-37.13, § RCP 37.13:1 [37.13(2)]**
delivery of affidavit after cross-examination, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
disposition, **RCP-37.13, § RCP 37.13:1**
examination for discovery, use, **RCP-39.04, § RCP 39.04:1**
examination of witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2**
failure to appear, **RCP-37.09, § RCP 37.09:1 [37.09(2)]**
filing notice of motion, **RCP-37.08**
hearing date, **RCP-37.05**
jurisdiction of judge, associate judge, **RCP-37.02, § RCP 37.02:1**
minimum notice period, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(6)]**
motion record required, **RCP-37.10, § RCP 37.10:1 [37.10(1)]**

HEARINGS—Cont'd
Motions—Cont'd
open to public, **RCP-37.11 [37.11(2)]**
place
complicated issues or proceedings, **RCP-37.15, § RCP 37.15:1 [37.15(1)]**
general, **RCP-13.1.01, § RCP 13.1.01:1**
motions made on notice, **RCP-37.03, § RCP 37.03:1**
motions made without notice, **RCP-37.03, § RCP 37.03:1**
pre-trial conferences, no disclosure to court, **RCP-50.09, § RCP 50.09:1**
service and filing of affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2), (3)]**
setting aside or varying judgment on application, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
setting aside or varying orders, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1)]**
summons to witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
transcript of evidence, **RCP-37.10, § RCP 37.10:1 [37.10(5)]**
trial of an issue, **RCP-37.13, § RCP 37.13:1 [37.13(2), (3)]**
Motions for leave to appeal
Court of Appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(9), (10)]**
motion record and factum, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2)]**
notice of motion, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(1)]**
Motions in appellate court
certificate of estimated time for motion, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4.1)]**
motions to be heard by more than one judge, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3)]**
motions to receive evidence, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2)]**
record and factum, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4), (4.1)]**

HEARINGS—Cont'd
Motions in appellate court—Cont'd
review of Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Notice, directions on reference, defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
Offers to settle not to be communicated, **RCP-49.06, § RCP 49.06:1 [49.06(2)]**
Place
appeals from interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(6)]**
applications, **RCP-38.03, § RCP 38.03:1 [38.03(1)]**
motions, **RCP-37.03, § RCP 37.03:1**
Pre-trial conference
fixing date, **RCP-50.02**
References
directions, **RCP-55.02, APP C § C:101 [55.02, Form 55A]**
directions, conduct of sales, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(4)]**
Relief from joinder, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**
Removal of special case into Court of Appeal, **RCP-22.03, § RCP 22.03:1 [22.03(2)]**
Special case, **RCP-22.05**
Status hearings, **RCP-48.14, § RCP 48.14:1 [48.14(5) to (7)]**

IMPLIED UNDERTAKING
See Deemed Undertaking

INFANTS
See Parties Under Disability

INJUNCTIONS
Application for, ancillary relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Claim for, service outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(i)]**
Enforcement, **RCP-60.05, § RCP 60.05:1, § RCP 60.05:2**

INJUNCTIONS—Cont'd
Interlocutory
extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(2)]**
generally, **§ RCP 40:1**
how obtained, **RCP-40.01, § RCP 40.01:1**
labour injunctions, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(4)]**
maximum duration without notice, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(1)]**
period of extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(3)]**
Labour dispute, **CJA-102, § CJA 102:1, § CJA 102:2 [s. 102]**
No automatic stay pending appeal, **RCP-63.01, § RCP 63.01:1 [63.01(2)]**
Power to grant, **CJA-101, § CJA 101:1 to § CJA 101:3 [s. 101]**
Undertaking as to damages, **RCP-40.03, § RCP 40.03:1**

INSPECTION OF DOCUMENTS
See Discovery, Documents

INSPECTION OF PROPERTY
Content of order for inspection, **RCP-32.01, § RCP 32.01:1 [32.01(3)]**
Deemed undertaking, see Deemed Undertaking
Defined as discovery, see Discovery, definition
Experts, trials, **RCP-52.03, § RCP 52.03:1 [52.03(3)]**
Extent of order for inspection, **RCP-32.01, § RCP 32.01:1 [32.01(2)]**
Generally, **§ RCP 32:1**
Inspection by court, **RCP-52.05, § RCP 52.05:1**
Notice of inspection, **RCP-32.01, § RCP 32.01:1 [32.01(4)]**

INSURANCE POLICIES
Assignment, discharge of a mortgage, **RCP-72.04 [72.04(3)]**
Disclosure, discovery, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2, RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [30.02(3), 31.06(4)]**
Production for inspection, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2 [30.02(3)]**

INTEREST
Accounts, administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Bank rate, definition, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Calculation of rate, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(2)(a)]**
Date of order, definition, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
Disallowance, **CJA-130, § CJA 130:1 to § CJA 130:3 [s. 130]**
Payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(5)]**
Postjudgment
costs, **CJA-129, § CJA 129:1, § CJA 129:2 [s. 129(4)]**
default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(5)]**
entitlement, **CJA-129, § CJA 129:1, § CJA 129:2 [s. 129(1)]**
order to set out interest rate where applicable, **RCP-59.03, § RCP 59.03:1 [59.03(7)]**
periodic payments, **CJA-129, § CJA 129:1, § CJA 129:2 [s. 129(2)]**
rate, definition, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
requisition for default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(2), 19.04(3)]**
transitional provision, **CJA-129, § CJA 129:1, § CJA 129:2 [s. 129(5)]**
Prejudgment
calculation, **CJA-128, § CJA 128:1 to § CJA 128:3 [s. 128(1)]**
entitlement, **CJA-128, § CJA 128:1 to § CJA 128:3 [s. 128(1)]**
exclusions, **CJA-128, § CJA 128:1 to § CJA 128:3 [s. 128(4)]**
non-pecuniary loss, **CJA-128, § CJA 128:1 to § CJA 128:3; RCP-53.10, § RCP 53.10:1 [s. 128(2); 53.10]**
rate, definition, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
requisition for default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(2), (3)]**
special damages, **CJA-128, § CJA 128:1 to § CJA 128:3 [s. 128(3)]**

INTEREST—Cont'd
Publication of rate, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(2)]**
Quarter, definition, **CJA-127, § CJA 127:1, § CJA 127:2 [s. 127(1)]**
References, charging for failure to comply, **RCP-55.07 [55.07(2)]**
Sale actions, application of purchase money, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(13)]**
Tables, **CJA-127, § CJA 127:1, § CJA 127:2, CJA-128, § CJA 128:1 to § CJA 128:3 [ss 127, 128]**
Variation of rate, **CJA-130, § CJA 130:1 to § CJA 130:3 [s. 130]**

INTERIM PRESERVATION OF PROPERTY
See also Interim Recovery Of Personal Property
Generally, **§ RCP 45:1**
Motion for order
affidavit in support, **RCP-45.03, § RCP 45.03:1 [45.03(2)]**
service, **RCP-45.03, § RCP 45.03:1 [45.03(2)]**
Orders
custody or preservation, **RCP-45.01, § RCP 45.01:1 [45.01(1)]**
entry on or into property, **RCP-45.01, § RCP 45.01:1 [45.01(1)]**
sale, **RCP-45.01, § RCP 45.01:1 [45.01(2)]**
specific fund to be paid into court, **RCP-45.02, § RCP 45.02:1**
specific fund to be secured, **RCP-45.02, § RCP 45.02:1**
title of personal property not in dispute, **RCP-45.03, § RCP 45.03:1**

INTERIM RECOVERY OF PERSONAL PROPERTY
See also Interim Preservation Of Property
Forms
bond—interim recovery of personal property, **APP C § C:80 [Form 44A]**
Generally, **§ RCP 44:1**
Interim order
contents, **RCP-44.02**
enforcement by sheriff, **RCP-44.07**
motion, **RCP-44.01, § RCP 44.01:1 [44.01(1)]**

INTERIM RECOVERY OF PERSONAL PROPERTY—Cont'd
Interim order—Cont'd
security, **RCP-44.04**
condition and form, **RCP-44.04**
release, **RCP-44.06**
where by bond, **RCP-44.04 [44.04(2), (3)]**
set aside, stay or vary, **RCP-44.05, § RCP 44.05:1**
where defendant has prevented recovery, **RCP-44.08**
Liability, **CJA-104, § CJA 104:1, § CJA 104:2 [s. 104(2)]**
Motion, **RCP-44.01, § RCP 44.01:1 [44.01(1)]**
affidavit in support, **RCP-44.01, § RCP 44.01:1 [44.01(1)]**
disposition, **RCP-44.03, § RCP 44.03:1**
service of notice, **RCP-41.01 [41.01(2)]**
Power to order, **CJA-104, § CJA 104:1, § CJA 104:2 [s. 104(1)]**

INTERIM REPORTS
See References

INTERLOCUTORY INJUNCTIONS
See Injunctions

INTERPLEADER
Availability, **RCP-43.02, § RCP 43.02:1**
Disposition, **RCP-43.04, § RCP 43.04:1**
Facts or law raised before associate judge, **RCP-43.04, § RCP 43.04:1 [43.04(3)]**
Forms
interpleader order—general, **APP C § C:79 [Form 43A]**
Generally, **§ RCP 43:1**
How obtained, **RCP-43.03, § RCP 43.03:1**
affidavit in support, **RCP-43.03, § RCP 43.03:1 [43.03(3)]**
applications and motions, **RCP-43.03, § RCP 43.03:1 [43.03(1), (2)]**
motions, **RCP-43.03, § RCP 43.03:1 [43.03(2)]**
Powers of court, **RCP-43.04, § RCP 43.04:1 [43.04(1), (2)]**
Property, definition, **RCP-43.01**

INTERPLEADER—Cont'd
Security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2 [56.01(2)]**

INTERPRETATION OF DOCUMENTS
Deeds, wills, instruments
commencement of proceedings, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Resolutions of municipalities, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Rules
generally, **RCP-1.04, § RCP 1.04:1 [1.04(1)]**
matters not provided for, **RCP-1.04, § RCP 1.04:1 [1.04(2)]**
parties acting in person, **RCP-1.04, § RCP 1.04:1 [1.04(3)]**

INTERPRETERS
See also Bilingual Proceedings
Examinations out of court, **RCP-34.09, § RCP 34.09:1**
Oath or affirmation, interpretation of affidavits, **RCP-4.06 [4.06(8)]**
Trials
duty to interpret accurately, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**
provision, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(6)]**

INTERVENTION
Leave to intervene
Court of Appeal, **RCP-13.03, § RCP 13.03:1, § RCP 13.03:2 [13.03(2)]**
Divisional Court, **RCP-13.03, § RCP 13.03:1, § RCP 13.03:2 [13.03(1)]**
friend of the court, **RCP-13.02**
Leave to intervene as added party
considerations for the court, **RCP-13.01 [13.01(2)]**
where available, **RCP-13.01 [13.01(1)]**

ISSUE ESTOPPEL
Generally, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2**

JOINDER
Claims, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**
counterclaims, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(1)]**

JOINDER—Cont'd
Claims, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**—Cont'd
crossclaims, **RCP-28.01, § RCP 28.01:1 [28.01(1)]**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(5)]**
fourth and subsequent party, **RCP-29.11, § RCP 29.11:1 [29.11(1)]**
redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(3)]**
relief against joinder, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(4)]**
Generally, **§ RCP 5:1**
Necessary parties, **RCP-5.03, § RCP 5.03:1**
Parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2**
adding plaintiffs or applicants, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(3)]**
assignor of chose in action, **RCP-5.03, § RCP 5.03:1 [5.03(3)]**
counterclaims, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(2)]**
crossclaims, **RCP-28.01, § RCP 28.01:1**
estate proceedings, **RCP-9.01, § RCP 9.01:1**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**
fourth and subsequent parties, **RCP-29.11, § RCP 29.11:1**
misjoinder, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**
multiple defendants or respondents, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(2)]**
multiple plaintiffs or applicants, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(1)]**
necessary parties, **RCP-5.03, § RCP 5.03:1**
non-joinder, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**
persons incorrectly named, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**

JOINDER—Cont'd
Parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2**—Cont'd
power of court to add, delete or substitute, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**
power of court to add necessary parties, **RCP-5.03, § RCP 5.03:1 [5.03(4)]**
redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(1), (2)]**
relief against joinder, **RCP-5.03, § RCP 5.03:1, RCP-5.05, § RCP 5.05:1, § RCP 5.05:2 [5.03(6), 5.05]**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(1), (2)]**
trust proceedings, **RCP-9.01, § RCP 9.01:1**

JOINT AND SEVERAL LIABILITY
Offer to contribute, **RCP-49.12, § RCP 49.12:1, APP C § C:91 [49.12(1), Form 49D]**
Offer to settle, **RCP-49.11, APP C § C:88 [49.11, Form 49A]**

JUDGES AND OFFICERS
See also Case Management Masters; Provincial Judges: Superior Court of Justice; Family Court; Small Claims Court
Attendance at meetings, **CJA-83**
Bilingual judge, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(4)]**
Ceasing to hold office or incapacitated, settling and signing order, **RCP-59.04, § RCP 59.04:1 [59.04(14), (15)]**
Definition of judge, **RCP-1.03, § RCP 1.03:1**
Delayed decisions, **CJA-123, § CJA 123:1, § CJA 123:2 [s. 123]**
Disqualified
not to preside after hearing motions, **RCP-37.15, § RCP 37.15:1 [37.15(2)]**
not to preside after holding pre-trial, **RCP-50.10, § RCP 50.10:1**
Extra-judicial services, **CJA-84, § CJA 84:1 [s. 84]**

JUDGES AND OFFICERS—Cont'd
Failure to give decision, **CJA-123, § CJA 123:1, § CJA 123:2 [s. 123(5)]**
Gowns, **CJA-85, § CJA 85:1 [s. 85]**
Inability to give decision, **CJA-123, § CJA 123:1, § CJA 123:2 [s. 123(3), (4)]**
Judges, how addressed, **CJA-86, § CJA 86:1 [s. 86]**
Jurisdiction
associate judge, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
generally, **CJA-4, § CJA 4:1, CJA-13, § CJA 13:1, § CJA 13:2 [ss. 4(2), 13(2)]**
judge, **RCP-37.02, § RCP 37.02:1 [37.02(1)]**
Liability, generally, **CJA-82, § CJA 82:1 [s. 82]**
Oath of office, **CJA-80, § CJA 80:1 [s. 80]**
Persona designata abolished, **CJA-81, § CJA 81:1 [s. 81]**
Referees, see References
Registrars, see Registrars
View of property or location, **RCP-52.05, § RCP 52.05:1**

JUDGMENTS
Administration proceeding, **RCP-65.01, § RCP 65.01:1**
Applications, direction for service of judgment, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
Applications without notice, setting aside or varying, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
Before trial
action frivolous, vexatious or abuse of process, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)(d)]**
admissibility of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
availability, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1), (3)]**
factums, **RCP-21.03**
failure to make motion promptly, **RCP-21.02, § RCP 21.02:1**

JUDGMENTS—Cont'd
Before trial—Cont'd
striking out pleading, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2), (6)]**
Class proceedings
contents, **RCP-12.05 [12.05(1)]**
Consent
effect of third party defence, **RCP-29.06**
party under disability, **RCP-7.08, § RCP 7.08:1 [7.08(2)]**
party under disability, associate judge not to hear motion, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
Conversion of motion to motion for judgment, **RCP-37.13, § RCP 37.13:1 [37.13(2)]**
Counterclaims
claim in main action not disputed, **RCP-27.09, § RCP 27.09:1 [27.09(1)]**
counterclaim not disputed, **RCP-27.09, § RCP 27.09:1 [27.09(2)]**
successful claim and counterclaim, **RCP-27.09, § RCP 27.09:1 [27.09(3)]**
Crossclaims
defendant noted in default, **RCP-28.07**
Damages
advance payments, **CJA-120, § CJA 120:1, § CJA 120:2 [s. 120]**
appeal, power of court on, **CJA-119, § CJA 119:1 [s. 119]**
jury, guidance to, **CJA-118, § CJA 118:1, § CJA 118:2 [s. 118]**
medical malpractice cases, **CJA-116.1 [s. 116.1]**
periodic payment, **CJA-116, § CJA 116:1, § CJA 116:2, CJA-116.1 [ss. 116, 116.1]**
review, **CJA-116, § CJA 116:1, § CJA 116:2 [s. 116]**
Default, see Default Proceedings
Definition, **RCP-1.03, § RCP 1.03:1**
Fact or document yet to be proved, **RCP-52.10, § RCP 52.10:1**
Failure to testify, adverse party called as witness, **RCP-53.07, § RCP 53.07:1 [53.07(4)]**
Foreclosure actions, see Foreclosure, Sale And Redemption

JUDGMENTS—Cont'd
Foreign currency obligations, **CJA-121, § CJA 121:1, § CJA 121:2 [s. 121]**
Form and contents, **RCP-59.03, § RCP 59.03:1 [59.03(3), (4)]**
Forms
application for registration of United Kingdom judgment, **APP C § C:180 [Form 73A]**
contested passing of accounts, **APP C § C:221 [Form 74.51]**
default judgment (debt or liquidated demand), **APP C § C:40 [Form 19A]**
default judgment (recovery of possession of land), **APP C § C:41 [Form 19B]**
default judgment (recovery of possession of personal property), **APP C § C:42 [Form 19C]**
default judgments, mortgage actions, see Foreclosure, Sale And Redemption
general form of judgment, **APP C § C:115 [Form 59B]**
judgment for administration of estate, **APP C § C:171 [Form 65A]**
judgment for partition or sale, **APP C § C:172 [Form 66A]**
unopposed passing of accounts, **APP C § C:220 [Form 74.50]**
Incorporating terms of offer to settle, **RCP-49.07, § RCP 49.07:1 [49.07(6)]**
Joint liability not affected, **CJA-139, § CJA 139:1 to § CJA 139:3 [s. 139]**
Offer to settle, accepted, **RCP-49.09, § RCP 49.09:1, § RCP 49.09:2**
Partition or sale of land, **RCP-66.02**
Reciprocal enforcement of U.K. judgments
definitions, **RCP-73.01**
effect of registration, **RCP-73.03**
notice of application for registration of, **RCP-73.02, § RCP 73.02:1 [73.02(1)]**
supporting material on application, **RCP-73.02, § RCP 73.02:1 [73.02(2), (3), (4)]**
Redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(4), (5)]**

JUDGMENTS—Cont'd
References, see References
Sale actions, see Foreclosure, Sale And Redemption
Set aside, party failing to attend, **RCP-52.01, § RCP 52.01:1 [52.01(3)]**
Set-off of mutual debts, **CJA-111, § CJA 111:1, § CJA 111:2 [s. 111]**
Special case, **RCP-22.05 [22.05(2)]**
Summary, see Summary Judgments
Third party
default, **RCP-29.07, § RCP 29.07:1**
effect of defence, **RCP-29.06**
Variation, party failing to attend, **RCP-52.01, § RCP 52.01:1 [52.01(3)]**
Without prejudice to persons not parties, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**

JUDICIAL REVIEW
Application records
applicant's, **RCP-68.04 [68.04(1), (2)]**
copies for use of the court, **RCP-68.04 [68.04(7)]**
failure of applicant to deliver, **RCP-68.06**
material served on application, **RCP-68.04 [68.04(8)]**
respondent's, **RCP-68.04 [68.04(4), (5)]**
transcript of evidence, **RCP-68.04 [68.04(9)]**
Applications to Divisional Court, **RCP-38.01, § RCP 38.01:1, § RCP 38.01:2 [38.01(2)]**
Certificate of perfection
failure to file, **RCP-68.06**
how commenced, **RCP-68.05 [68.05(1)]**
Commencement of proceeding
application commenced outside regional centre, **RCP-68.01, § RCP 68.01:1 [68.01(2)]**
notice of application, **RCP-68.01, § RCP 68.01:1 [68.01(1)]**
Dismissal for delay, **RCP-68.06**
Factums
applicant's, **RCP-68.04 [68.04(1), (3)]**
copies for use of the court, **RCP-68.04 [68.04(7)]**
failure of applicant to deliver, **RCP-68.06**

JUDICIAL REVIEW—Cont'd
Factums—Cont'd
respondent's, **RCP-68.04 [68.04(4), (6)]**
Forms
notice of application to Divisional Court for judicial review, **APP C § C:173 [Form 68A]**
Generally, **§ RCP 68:1**
Hearing date in Divisional Court, **RCP-68.03**
Procedure
Divisional Court, **RCP-68.02 [68.02(1)]**
jurisdiction, **RCP-38.02, § RCP 38.02:1**
listing for hearing, **RCP-68.05 [68.05(2)]**
procedural summary, **APP A1**
Superior Court of Justice, **RCP-68.02 [68.02(2)]**

JUDICIAL REVIEW PROCEDURE ACT
Generally, **APP J § J:1 to APP J § J:12**

JURIES
Addresses, order of presentation, **RCP-52.07, § RCP 52.07:1**
Answering only some questions, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Bilingual jury, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(5)]**
Composition, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(4)]**
Conflicting answers, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Continuation with five jurors, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(8)]**
Damages, guidance and submissions, **CJA-118, § CJA 118:1, § CJA 118:2 [s. 118]**
Disagreement, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Discharge of juror, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(7)]**
Inspection of property or location, **RCP-52.05, § RCP 52.05:1**
Judgment only on some claims, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(2)]**

JURIES—Cont'd
Jury notice
availability, **CJA-108, § CJA 108:1 to § CJA 108:3; RCP-47.01, § RCP 47.01:1 [s. 108; 47.01]**
form, **APP C § C:81 [Form 47A]**
striking out, **RCP-47.02, § RCP 47.02:1, § RCP 47.02:2**
time for delivery, **RCP-47.01, § RCP 47.01:1**
trial record to contain, **RCP-48.03 [48.03(1)]**
No finding, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
Recording verdicts, **RCP-52.09, § RCP 52.09:1**
Request for jury trial, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(1)]**
Trial lists, **RCP-48.08 [48.08(1), (2)]**
Trials without jury, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(2)]**
Verdicts or questions, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(5)]**

JURISDICTION
Criminal, **CJA-38, § CJA 38:1 [s. 38(1)]**
Family, **CJA-38, § CJA 38:1 [s. 38(2)]**
Motions
associate judge, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
judge, **RCP-37.02, § RCP 37.02:1 [37.02(1)]**
Provincial offences, **CJA-38, § CJA 38:1 [s. 38(2)]**
Referee, see References
Registrars, see Registrars
Small Claims Court, **CJA-23, § CJA 23:1 to § CJA 23:3 [s. 23]**
Stay or dismissal, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)(a)]**
Youth court, **CJA-38, § CJA 38:1 [s. 38(3)]**
Youth justice court, **CJA-38, § CJA 38:1 [s. 38(3)]**

LAND
Certificate of pending litigation, **§ RCP 42:1**
Enforcement of orders for recovery or delivery of possession, **RCP-60.03, RCP-60.10, § RCP 60.10:1 [60.03, 60.10]**

LAND—Cont'd
Foreclosure, see Foreclosure, Sale And Redemption
Mortgage actions, see Foreclosure, Sale And Redemption
Recovery, signing default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**
Redemption actions, see Foreclosure, Sale And Redemption
Sale actions, see Foreclosure, Sale And Redemption
Sales, see Sale, land

LAWYERS
Affidavit
proceeding concerning estate of minor, **RCP-67.03 [67.03(1), (2)]**
settlement involving party under disability, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Answering on examination for discovery, **RCP-31.08, § RCP 31.08:1**
Appearance for pre-trial conference, **RCP-50.05, § RCP 50.05:1**
Ceasing to practise law, **RCP-15.06**
Certificate
completeness of appeal book, **RCP-61.10, § RCP 61.10:1 [61.10(1)]**
concerning affidavit of documents, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(4)]**
perfection
appeal, **RCP-61.09, § RCP 61.09:1 [61.09(3)]**
judicial review application, **RCP-68.05 [68.05(1)]**
trial record, **RCP-48.03 [48.03(1)]**
Change in representation
lawyer's lien, **RCP-15.03, § RCP 15.03:1 [15.03(4), (5)]**
notice of appointment of lawyer, **RCP-15.03, § RCP 15.03:1, APP C § C:29 [15.03(2), Form 15B]**
notice of change of lawyer, **RCP-15.03, § RCP 15.03:1, APP C § C:28 [15.03(1), Form 15A]**
notice of intention to act in person, **RCP-15.03, § RCP 15.03:1, APP C § C:30 [15.03(3), Form 15C]**
Commencement of proceeding
demand for declaration of authority, **RCP-15.02, § RCP 15.02:1,**

LAWYERS—Cont'd
Commencement of proceeding—Cont'd **§ RCP 15.02:2 [15.02(1)]**
without client's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(3)]**
without lawyer's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(2)]**
Corporation, **RCP-15.01, § RCP 15.01:1 [15.01(2)]**
order for removal, **RCP-15.04, § RCP 15.04:1 [15.04(12), (13)]**
Declaration of plaintiff's place of residence, **RCP-56.02, § RCP 56.02:1**
Definition, **RCP-1.03, § RCP 1.03:1**
Duty of lawyer of record, **RCP-15.05, § RCP 15.05:1**
Estate proceedings, **RCP-75.09**
Fees, assessment of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(1)]**
Generally, **§ RCP 15:1**
Jury trials, right to address jury, **RCP-52.07, § RCP 52.07:1 [52.07(4)]**
Lawyer required, **RCP-15.01, § RCP 15.01:1**
Lawyer's office, definition, **RCP-1.03, § RCP 1.03:1**
Liability for costs, **RCP-57.07, § RCP 57.07:1**
Location of lawyer's office, place of hearing of motion, **RCP-37.03, § RCP 37.03:1**
Mentally incompetent party, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
Minor party, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
Motion for removal by lawyer
client to be served, **RCP-15.04, § RCP 15.04:1 [15.04(1)]**
method of service on client, **RCP-15.04, § RCP 15.04:1 [15.04(6)]**
service on party under disability, **RCP-15.04, § RCP 15.04:1 [15.04(3), (7)]**
Name, address, telephone number
in backsheets, **RCP-4.02 [4.02(3)]**
in documents, **RCP-4.02 [4.02(2)]**
Order for removal
corporations, **RCP-15.04, § RCP 15.04:1 [15.04(12), (13)]**

LAWYERS—Cont'd
Order for removal—Cont'd
proof of service to be filed, **RCP-15.04, § RCP 15.04:1 [15.04(8)]**
service, **RCP-15.04, § RCP 15.04:1 [15.04(6)]**
service on party under disability, **RCP-15.04, § RCP 15.04:1 [15.04(3), (7)]**
Party
acting in person, **RCP-15.01, § RCP 15.01:1 [15.01(3)]**
acting in representative capacity, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
under disability, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
Payment out of court
consent, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
payment directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8), (13)]**
Province, from another, **RCP-15.07**
Representing parties with same interests on reference, **RCP-55.02 [55.02(8)]**
Retainers
limited scope, **RCP-1.03, § RCP 1.03:1, RCP-15.01.1 [1.03(1), 15.01.1]**
Service on lawyer of record
acceptance of service, **RCP-16.03, § RCP 16.03:1 [16.03(2), (3)]**
availability, **RCP-16.01, § RCP 16.01:1 [16.01(4)]**
delivery to lawyer's office, **RCP-16.05, § RCP 16.05:1 [16.05(1)]**
deposit at document exchange, **RCP-16.05, § RCP 16.05:1 [16.05(1)]**
mail, **RCP-16.05, § RCP 16.05:1 [16.05(1)]**
proof of service, **RCP-16.09 [16.09(3), (4)]**
telephone transmission, **RCP-16.05, § RCP 16.05:1 [16.05(1)]**
Signature
appeal factum, **RCP-61.11, § RCP 61.11:1, § RCP 61.11:2, RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.11, 61.12(3)]**
application for judicial review factum, **RCP-68.04 [68.04(3), (6)]**

LAWYERS—Cont'd
Signature—Cont'd
form of special case, **RCP-22.04, § RCP 22.04:1**
Stay of proceeding commenced without authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(4)]**

LEAVE
Amendment
document or pleading, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
pleading generally, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2, RCP-26.02, § RCP 26.02:1 [26.01, 26.02]**
Appeals, see also Appeals
Court of Appeal
costs appeal or cross-appeal joined with appeal of right, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(17), (18), (19)]**
date for oral hearing, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(15)]**
in writing, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(1)]**
motion record and factums, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(4) to (13)]**
notice of motion, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(2), (3)]**
time for delivering of notice of appeal, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(16)]**
Divisional Court
costs appeal or cross-appeal joined with appeal as of right, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(7), (8), (9)]**
date for hearing, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(5)]**
final order of a judge of the Superior Court of Justice for costs, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**
interlocutory order of a judge of the Superior Court of Justice, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**

LEAVE—Cont'd
Appeals, see also Appeals—Cont'd
Divisional Court—Cont'd
motion records and factums, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2), (3), (4)]**
time for delivering notice of appeal, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(6)]**
general
arguing grounds other than those stated, **RCP-61.08, § RCP 61.08:1 [61.08(2)]**
cross-appeals, **RCP-61.07, § RCP 61.07:1 [61.07(3)]**
dismissal of motion for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7), (8)]**
motion record and factum, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2) to (4)]**
order for stay pending appeal, **RCP-63.02, § RCP 63.02:1**
setting aside writ of execution, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**
Appeals from interlocutory orders
factums, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(5)]**
grounds on which leave may be granted, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(4)]**
motion in writing, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(2)]**
motion record, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(5)]**
notice of motion, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(3)]**
order of judge, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**
reasons for granting required, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(1)]**
reliance on grounds not stated in notice, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(4)]**
subsequent procedure where leave granted, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(8)]**
Attacking irregularity after expiry of time or further step, **RCP-2.02, § RCP 2.02:1**

LEAVE—Cont'd
Class proceedings, **RCP-12.06, § RCP 12.06:1**
Delivery of amended pleadings, subsequent facts, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2**
Delivery of statement of defence, **RCP-19.01, § RCP 19.01:1 [19.01(2)]**
Discontinuing actions, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
effect on subsequent action, **RCP-23.04, § RCP 23.04:1 [23.04(1)]**
party under disability, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
Discovery, action set down for trial, **RCP-48.04, § RCP 48.04:1 [48.04(1)]**
Enforcement of orders against alleged partners not served, **RCP-8.06 [8.06(3)]**
Evidence at trial
affidavit evidence, **RCP-53.02, § RCP 53.02:1 [53.02(1)]**
expert witness testifying, report not served, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(2)]**
witness whose evidence was previously taken, **RCP-36.04, § RCP 36.04:1 [36.04(2)]**
Examination for discovery
examination by both oral and written questions, **RCP-31.02, § RCP 31.02:1 [31.02(1)]**
examination of party more than once, **RCP-31.03, § RCP 31.03:1 [31.03(1)]**
non-parties, **RCP-31.10, § RCP 31.10:1, § RCP 31.10:2 [31.10(1)]**
other officer, director or employee of corporation, **RCP-31.03, § RCP 31.03:1 [31.03(3)]**
use of evidence at trial, party under disability, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(5)]**
use of information refused at discovery, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2 [31.07(1)]**
withholding information, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(6)]**
Inspecting documents deposited with registrar, **RCP-30.11, § RCP 30.11:1, § RCP 30.11:2**

LEAVE—Cont'd
Intervening
added party, **RCP-13.01**
Divisional Court, Court of Appeal, **RCP-13.03, § RCP 13.03:1, § RCP 13.03:2**
friend of the court, **RCP-13.02**
Issuing certificate of pending litigation, **RCP-42.02, § RCP 42.02:1**
Issuing third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
Issuing writs
possession, **RCP-60.10, § RCP 60.10:1 [60.10(1), (2)]**
seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(2)]**
sequestration, **RCP-60.09, RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.09(1), (2), 60.11(5), (6)]**
Listing for trial, action struck off trial list, **RCP-48.11, § RCP 48.11:1**
failure to move for leave, **RCP-24.01, § RCP 24.01:1**
Motions
hearing at another place, **RCP-37.03, § RCP 37.03:1**
hearing in absence of public, **RCP-37.11 [37.11(2)]**
where action set down for trial, **RCP-48.04, § RCP 48.04:1 [48.04(1)]**
Motions and applications
delivery of affidavit subsequent to cross-examination on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
examining witnesses at hearings, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(4)]**
Parties under disability in default, **RCP-7.07, § RCP 7.07:1, RCP-19.01, § RCP 19.01:1 [7.07, 19.01(4)]**
Partners defending proceeding separately, **RCP-8.02, § RCP 8.02:1**
Pleading subsequent to reply, **RCP-25.01, § RCP 25.01:1 [25.01(5)]**
pre-trial determination of issue evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
Service outside Ontario, **RCP-17.03, § RCP 17.03:1**

LEAVE—Cont'd
Special case determined by Court of Appeal, **RCP-22.03, § RCP 22.03:1 [22.03(1)]**
Statement of defence and counterclaim
amending, **RCP-27.07 [27.07(2)]**
extending time for service or delivery, **RCP-27.04, § RCP 27.04:1 [27.04(2)]**
issuing after time prescribed, **RCP-27.03, § RCP 27.03:1 [27.03(a)]**
Statement of defence and crossclaim
delivery, **RCP-28.04, § RCP 28.04:1 [28.04(1)]**
Summary judgment, special urgency, **RCP-20.01, § RCP 20.01:1 [20.01(2)]**
Taking evidence before trial, **RCP-36.01, § RCP 36.01:1**
Use of privileged documents at trial, **RCP-30.09, § RCP 30.09:1, § RCP 30.09:2**
Withdrawing defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**
admissions, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**
Withholding disclosure or production on discovery, **RCP-30.04, § RCP 30.04:1 [30.04(8)]**

LETTERS OF REQUEST
Examinations out of court, persons out of Ontario, **RCP-34.07, § RCP 34.07:1, RCP-36.03, § RCP 36.03:1 [34.07(2), 36.03]**

LETTERS ROGATORY
See Examinations Out of Court

LIBERTY OF THE SUBJECT
Associate judge not to hear motions, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**

LIMITATION PERIODS
Case law, **APP I2 § I2:2 to APP I2 § I2:4**
Genrally, **APP I1 § I1:1 to APP I1 § I1:26**

LIQUIDATED DEMANDS
Default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**

LIQUIDATED DEMANDS—Cont'd
Forms
default judgment, **APP C § C:40 [Form 19A]**

LIS PENDENS
See Certificate of Pending Litigation

LISTING FOR HEARING
See Hearings

LISTING FOR TRIAL
See Setting Down

LITIGATION ADMINISTRATORS
Appointment, **RCP-9.02, § RCP 9.02:1 [9.02(1), (2)]**
Executor or administrator existing, **RCP-9.03, § RCP 9.03:1 [9.03(4)]**

LITIGATION GUARDIANS
See also Children's Lawyer; Parties Under Disability; Public Guardian and Trustee
Absentee, **RCP-7.02, § RCP 7.02:1, RCP-7.03, § RCP 7.03:1 [7.02(1.1), 7.03(2.1)]**
Affidavits required for approval of settlements, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Applicant's, without court order, **RCP-7.02, § RCP 7.02:1**
Costs, **RCP-57.06, § RCP 57.06:1**
recovery from person under disability, **RCP-57.06, § RCP 57.06:1 [57.06(2)]**
Court appointment unnecessary, **RCP-7.02, § RCP 7.02:1 [7.02(1)]**
Defendant's, **RCP-7.03, § RCP 7.03:1 [7.03(1)]**
Defendant's, without court order, **RCP-7.03, § RCP 7.03:1**
Examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**
Generally, **§ RCP 7:1**
Mentally incapable person, **RCP-7.02, § RCP 7.02:1, RCP-7.03, § RCP 7.03:1 [7.02(1.1), 7.03(2.1)]**
Notice of discontinuance by plaintiff, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
Notice of motion to dismiss for delay, **RCP-24.02**

LITIGATION GUARDIANS—Cont'd
Party under disability, determining for, **RCP-7.01.1**
Persons under disability, **RCP-7.04, § RCP 7.04:1**
Plaintiff's, without court order, **RCP-7.02, § RCP 7.02:1**
Removal or substitution, **RCP-7.06, § RCP 7.06:1**
Representation of party under disability, **RCP-7.01, § RCP 7.01:1**
Respondent's, **RCP-7.03, § RCP 7.03:1 [7.03(1)]**
Substitute Decisions Act applications, **RCP-7.01, § RCP 7.01:1 [7.01(2)]**
Respondent's, without court order, **RCP-7.03, § RCP 7.03:1**
Service
motion for removal of lawyer, **RCP-15.04, § RCP 15.04:1 [15.04(3)]**
order removing lawyer of record, **RCP-15.04, § RCP 15.04:1 [15.04(3)]**

LOCAL REGISTRARS
See Registrars

MAIL
Filing documents, **RCP-4.05 [4.05(4) to (6)]**
Forms
acknowledgment of receipt card, **APP C § C:31 [Form 16A]**

MAINTENANCE
Minors
allowance sought on disposition of property, **RCP-67.02 [67.02(2)]**
payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(14)]**

MANAGERS
See Receivers

MANDATORY MEDIATION - CASE MANAGED ACTIONS
Application
Crown Liability and Proceedings Act, 2019, **RCP-24.1.04 [24.1.04(3)]**
exceptions, certain actions, **RCP-24.1.04 [24.1.04(2.1)]**
scope, **RCP-24.1.04 [24.1.04(1)]**

MANDATORY MEDIATION - CASE MANAGED ACTIONS—Cont'd
Attendance at mediation session
authority to settle, **RCP-24.1.11, § RCP 24.1.11:1 [24.1.11(2)]**
who is required to attend, **RCP-24.1.11, § RCP 24.1.11:1 [24.1.11(1), 24.1.11.1]**
Confidentiality, **RCP-24.1.14, § RCP 24.1.14:1**
Definitions
definitions, **RCP-24.1.03**
mediation co-ordinator, **RCP-24.1.03**
Exemption from mediation, **RCP-24.1.05, § RCP 24.1.05:1**
Failure to attend, non-compliance, **RCP-24.1.12**
List of mediators, **RCP-24.1.08, § RCP 24.1.08:1**
Local mediation committees
establishment, **RCP-24.1.07 [24.1.07(1)]**
functions, **RCP-24.1.07 [24.1.07(4)]**
membership, **RCP-24.1.07 [24.1.07(2), (3)]**
Mediation co-ordinator, **RCP-24.1.06**
Mediation session
assignment of mediator, **RCP-24.1.09, § RCP 24.1.09:1 [24.1.09(6) to (8)]**
extension or abridgment of time, **RCP-24.1.09, § RCP 24.1.09:1 [24.1.09(2)]**
postponement, **RCP-24.1.09, § RCP 24.1.09:1 [24.1.09(3)]**
selection of mediator, **RCP-24.1.09, § RCP 24.1.09:1 [24.1.09(4), (5)]**
time limit, **RCP-24.1.09, § RCP 24.1.09:1 [24.1.09(1)]**
Mediators' fees (Rule 24.1, O. Reg. 451/98), **§ RCP 24.1:1**
Nature of mediation, **RCP-24.1.02**
Non-compliance, **RCP-24.1.13, § RCP 24.1.13:1**
Outcome of mediation
additional mediation session, **RCP-24.1.16**
agreement, **RCP-24.1.15, § RCP 24.1.15:1 [24.1.15(3) to (4)]**
failure to comply with signed agreement, **RCP-24.1.15, § RCP 24.1.15:1 [24.1.15(5)]**

MANDATORY MEDIATION - CASE MANAGED ACTIONS—Cont'd
Outcome of mediation—Cont'd
mediator's report, **RCP-24.1.15, § RCP 24.1.15:1 [24.1.15(1) to (2)]**
Procedure before mediation session
copy of pleadings, **RCP-24.1.10 [24.1.10(4)]**
non-compliance, **RCP-24.1.10 [24.1.10(5)]**
statement of issues, **RCP-24.1.10 [24.1.10(1) to (3)]**
Purpose, **RCP-24.1.01**

MANDATORY MEDIATION&MDASH;ESTATES, TRUSTS AND SUBSTITUTE DECISIONS
Attendance at mediation session
authority to settle, **RCP-75.1.09 [75.1.09(2)]**
failure to attend, **RCP-75.1.09 [75.1.09(3)]**
who is required to attend, **RCP-75.1.09 [75.1.09(1)]**
Choice of mediator, **RCP-75.1.07**
Confidentiality, **RCP-75.1.11**
Consent order for additional mediation sessio, **RCP-75.1.13**
Definitions
designated party, **RCP-75.1.03**
list, **RCP-75.1.03**
mediation co-ordinator, **RCP-75.1.03**
Directions for conduct of mediation
directions, **RCP-75.1.05 [75.1.05(4)]**
motion for directions, **RCP-75.1.05 [75.1.05(1) to (3.1)]**
Exemption from mediation, **RCP-75.1.04**
Forms
assignment of mediator, request for, **APP C § C:223 [Form 75.1A]**
certificate of non-compliance, **APP C § C:226 [Form 75.1D]**
non-compliance, certificate of, **APP C § C:226 [Form 75.1D]**
notice by mediator, **APP C § C:224 [Form 75.1B]**
request for assignment of mediator, **APP C § C:223 [Form 75.1A]**
statement of issues, **APP C § C:225 [Form 75.1C]**

MANDATORY MEDIATION&MDASH;ESTATES, TRUSTS AND SUBSTITUTE DECISIONS—Cont'd
Mediators, **RCP-75.1.06**
Mediators' fees (Rule 75.1, O. Reg. 43/05), **§ RCP 75.1:1**
Outcome of mediation
agreement, **RCP-75.1.12 [75.1.12(3) to (5)]**
failure to comply with signed agreemen, **RCP-75.1.12 [75.1.12(6)]**
mediator's report, **RCP-75.1.12 [75.1.12(1), (2)]**
no agreement, **RCP-75.1.12 [75.1.12(7)]**
Procedure before mediation session
non-compliance, **RCP-75.1.08 [75.1.08(4)]**
statement of issues, **RCP-75.1.08 [75.1.08(1) to (3)]**
Remedy for non-compliance, **RCP-75.1.10**
Scope, **RCP-75.1.02**

MANDATORY ORDERS
Application for, ancillary relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(2)]**
Generally, **§ RCP 40:1**
How obtained, **RCP-40.01, § RCP 40.01:1**
Maximum duration without notice, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(1)]**
Period of extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(3)]**

MARY CARTER AGREEMENTS
Generally, **RCP-49.07, § RCP 49.07:1**

MATERIAL FACTS
See Facts

MEDIATIONS
See also Estates; Mandatory Mediation—Case Managed Actions; Mandatory Mediation—Estates, Trusts and Substitute Decisions
Additional sessions, consent order for, **RCP-75.2.10**
Application provisions, **RCP-75.2.01**

MEDIATIONS—Cont'd
Attendance at session, **RCP-75.2.06**
Conduct of, directions for, **RCP-75.2.03**
Confidentiality, **RCP-75.2.08**
Consent orders for additional sessions, **RCP-75.2.10**
Designated party defined, **RCP-75.2.02**
Family law, **CJA-149 [s. 149]**
agreements with service providers, **CJA-149 [s. 149(2)]**
fees, **CJA-149 [s. 149(3)(4)]**
Mediator, **RCP-75.2.04**
Non-compliance, remedy for, **RCP-75.2.07**
Outcome of, **RCP-75.2.09**
Procedure before session, **RCP-75.2.05**

MEDICAL EXAMINATIONS
See also Examinations for Discovery
Attendance, **RCP-33.05, § RCP 33.05:1**
Availability on pre-trial conference, **RCP-50.11**
Consent, **RCP-33.08, § RCP 33.08:1**
Deemed undertaking, see Deemed Undertaking
Defined as discovery, **RCP-1.03, § RCP 1.03:1**
Failure to comply with order, **RCP-33.07, § RCP 33.07:1**
Generally, **CJA-105, § CJA 105:1 to § CJA 105:3; § RCP 33:1 [s. 105; 33]**
Health practitioner defined, **CJA-105, § CJA 105:1 to § CJA 105:3 [s. 105(1)]**
Motion for examination, **RCP-33.01, § RCP 33.01:1**
Order for examination, **CJA-105, § CJA 105:1 to § CJA 105:3; RCP-33.02, § RCP 33.02:1, § RCP 33.02:2 [s. 105; 33.02]**
Provision of information, **RCP-33.04, § RCP 33.04:1**
Questions by examiner, **CJA-105, § CJA 105:1 to § CJA 105:3 [s. 105(5)]**
Reports
preparation, **RCP-33.06, § RCP 33.06:1 [33.06(1)]**
providing copies, **RCP-33.04, § RCP 33.04:1**
service, **RCP-33.06, § RCP 33.06:1 [33.06(2)]**

MENTALLY INCAPABLE PERSONS
See Parties Under Disability

METHOD OF ATTENDANCE AT HEARINGS
Electing method of hearing, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
Exception, case conferences, **RCP-1.08, § RCP 1.08:1 [1.08(3)]**
Exception, Court of Appeal, **RCP-1.08, § RCP 1.08:1 [1.08(2)]**
Mandatory mediation, **RCP-1.08, § RCP 1.08:1 [1.08(8)]**
Objections, **RCP-1.08, § RCP 1.08:1 [1.08(4), (5), (7)]**
Oral examinations for discovery, **RCP-1.08, § RCP 1.08:1 [1.08(8)]**
Order directing method of hearing, **RCP-1.08, § RCP 1.08:1 [1.08(6)]**

MINORS
See also Children
Approval of sale, mortgage, lease, **RCP-67.01**
Approval of settlements, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
Attaining age of majority, payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(7)]**
Direction for payment out, references, **RCP-55.05 [55.05(4)]**
Forms
request for identification of litigation guardian, **APP C § C:18 [Form 7B]**
Maintenance, payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(14)]**
Order directing payment for minor, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
Order to continue on reaching age of majority, **RCP-7.06, § RCP 7.06:1, APP C § C:18 [7.06(1), Form 7B]**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(j)]**
Persons under disability, **RCP-1.03, § RCP 1.03:1**
Proceedings concerning estates
affidavit in support, **RCP-67.02**
commencement of proceedings, **RCP-67.01**
consent of minor over age of sixteen, **RCP-67.03 [67.03(1)]**

MINORS—Cont'd
Proceedings concerning estates—Cont'd
dispensing with consent, **RCP-67.03 [67.03(2)]**
examining minor with respect to consent, **RCP-67.03 [67.03(3)]**
generally, **§ RCP 67:1**
inquiry concerning consent of minor outside Ontario, **RCP-67.03 [67.03(4)]**
lawyer's affidavit, **RCP-67.03 [67.03(1)]**
Proceedings for partition, **RCP-66.01, § RCP 66.01:1 [66.01(2)]**
Report of Children's Lawyer in divorce action, **CJA-112, § CJA 112:1, § CJA 112:2 [s. 112]**
Representation by litigation guardian, **RCP-7.01, § RCP 7.01:1, RCP-7.03, § RCP 7.03:1, RCP-7.04, § RCP 7.04:1 [7.01, 7.03, 7.04]**

MISTAKE
See Errors and Omissions

MOOTNESS
On appeal and in courts of first instance, **CJA-134, § CJA 134:1 to § CJA 134:3 [s. 134]**

MORTGAGE ACTIONS
See Foreclosure, Sale and Redemption

MORTGAGE REFERENCES
See References

MORTGAGES
See also Foreclosure, Sale and Redemption
Application for approval, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Discharge of mortgage held by accountant, **RCP-72.04**
Proof of account where assigned, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(15)]**
Property of minor
affidavit in support of application for approval, **RCP-67.02**
consent of minor over age of sixteen, **RCP-67.03**
lawyer's affidavit, **RCP-67.01 [67.01(1), (2)]**

MORTGAGES—Cont'd
Property of minor—Cont'd
notice of application for approval, **RCP-67.01**

MOTIONS
Abandonment
assessment of costs, **RCP-58.07, § RCP 58.07:1**
costs, **RCP-37.09, § RCP 37.09:1 [37.09(3)]**
deemed, **RCP-37.09, § RCP 37.09:1 [37.09(2)]**
notice of abandonment, **RCP-37.09, § RCP 37.09:1 [37.09(1)]**
Absence of opposite party, **RCP-3.03 [3.03(2)]**
Abuse of process, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
Appellate court
certificate of estimated time for argument, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3.2)]**
hearing by more than one judge, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3)]**
motion to receive evidence, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2)]**
notice of motion, filing, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3.1)]**
procedure, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(1)]**
record and factum, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4)]**
required to be heard by one judge, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(2.1)]**
review of Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Attacking irregularity, **RCP-2.02, § RCP 2.02:1**
Before commencement of proceedings, **RCP-37.17, § RCP 37.17:1**
Confirmation, **RCP-37.10.1**
failure to confirm, **RCP-37.10.1 [37.10.1(2), (4)]**

MOTIONS—Cont'd
Costs
contested, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(1), (2)]**
motion without notice, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(3)]**
seeking costs from lawyer, **RCP-57.07, § RCP 57.07:1 [57.07(2)]**
Cross-examination on affidavits, procedure, **RCP-34.01, RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [34.01, 39.02]**
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Dismissal, approval of form of order not required, **RCP-59.03, § RCP 59.03:1 [59.03(2)]**
Dispositions, **RCP-37.13, § RCP 37.13:1 [37.13(1), (2), (3)]**
exception, **RCP-37.13, § RCP 37.13:1 [37.13(4)]**
Evidence
affidavits, **RCP-39.01, § RCP 39.01:1**
cross-examination on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2**
examination for discovery, **RCP-39.04, § RCP 39.04:1**
examination of witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2**
full and fair disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
summons to witness, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(5)]**
Extension of time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(2)]**
Factums, **RCP-37.10, § RCP 37.10:1, RCP-40.04 [37.10(6) to (10), 40.04]**
Forms
confirmation, **APP C § C:74 [Form 37B]**
confirmation of motion, **RCP-37.10.1, APP C § C:74 [37.10.1(1), Form 37B]**
notice of motion, **APP C § C:73 [Form 37A]**
refusals and undertakings chart, **APP C § C:75 [Form 37C]**
Frivolous or vexatious, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**

MOTIONS—Cont'd
Generally, **§ RCP 37:1, § RCP 39:1 [37, 39]**
Hearing
complicated issues or series of proceedings, **RCP-37.15, § RCP 37.15:1 [37.15(1)]**
conversion to motion for judgment, **RCP-37.13, § RCP 37.13:1 [37.13(2)]**
date, **RCP-37.05**
failure to appear, **RCP-37.09, § RCP 37.09:1 [37.09(2)]**
in absence of public, **RCP-37.11 [37.11(1), (2)]**
open to public, **RCP-37.11 [37.11(2)]**
order for trial of an issue, **RCP-37.13, § RCP 37.13:1 [37.13(2), (3)]**
where same judge not to preside at trial or hearing of application, **RCP-37.15, § RCP 37.15:1 [37.15(2)]**
without oral argument, **RCP-37.12.1**
Jurisdiction to hear
associate judge, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
judge, **RCP-37.02, § RCP 37.02:1 [37.02(1)]**
registrar, **RCP-37.02, § RCP 37.02:1 [37.02(3)]**
Leave to appeal, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1, RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.03, 61.03.1, 61.12(6), (7)]**
Moving party, definition, **RCP-1.03, § RCP 1.03:1**
Multiplicity, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
No disclosure of statements made at pre-trial conference, **RCP-50.09, § RCP 50.09:1**
Notice of motion, **RCP-37.01, § RCP 37.01:1**
content, **RCP-37.06, § RCP 37.06:1**
endorsement of order, **RCP-59.02 [59.02(1)]**
failure to file, **RCP-37.09, § RCP 37.09:1 [37.09(2)]**
filing, **RCP-37.08**
leave to appeal to Court of Appeal, **RCP-61.03.1, § RCP 61.03.1:1 [61.03.1(2), (3)]**

MOTIONS—Cont'd
Notice of motion, **RCP-37.01, § RCP 37.01:1**—Cont'd
leave to appeal to Divisional Court, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(1)]**
motion record, **RCP-37.10, § RCP 37.10:1 [37.10(2)]**
service, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2**
service and filing of affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2)]**
setting aside or varying order, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1)]**
where notice ought to have been served, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(5)]**
Obtaining hearing date, **RCP-37.05**
Order prohibiting motions without leave, **RCP-37.16, § RCP 37.16:1, § RCP 37.16:2**
Place of hearing
motion by court, **RCP-13.1.02, § RCP 13.1.02:1**
motions on notice, **RCP-37.03, § RCP 37.03:1**
motions without notice, **RCP-37.03, § RCP 37.03:1**
Procedural summary, **APP A1**
Record
binding, **RCP-4.07 [4.07(1)]**
contents, **RCP-37.10, § RCP 37.10:1 [37.10(2)]**
filing material as part of record, **RCP-37.10, § RCP 37.10:1 [37.10(4)]**
front covers, **RCP-4.07 [4.07(1.1)]**
responding party's, **RCP-37.10, § RCP 37.10:1 [37.10(3)]**
where required, **RCP-37.10, § RCP 37.10:1 [37.10(1)]**
References, **RCP-54.05, RCP-54.09, § RCP 54.09:1 [54.05, 54.09]**
Refusals and undertakings chart, **RCP-37.10, § RCP 37.10:1**
Setting aside, varying, amending orders
made by associate judge, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(5)]**
made by judge, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(4)]**

MOTIONS—Cont'd
Setting aside, varying, amending orders —Cont'd
made by registrar, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(3)]**
made in Court of Appeal or Divisional Court, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(6)]**
motion to set aside or vary, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1), (2)]**
Telephone and video conferences, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
To whom made, **RCP-37.04**
Transcript of evidence, **RCP-37.10, § RCP 37.10:1 [37.10(5)]**
Undertakings chest, refusals and, **RCP-37.10, § RCP 37.10:1 [37.10(10)]**
Without notice
adding subsequent encumbrancers as defendants, foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(3)]**
amending statement of defence and counterclaim, **RCP-27.07 [27.07(2)]**
certificate of pending litigation, **RCP-42.02, § RCP 42.02:1 [42.02(2)]**
costs, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(3)]**
delivery of statement of defence and crossclaim, **RCP-28.04, § RCP 28.04:1 [28.04(1)]**
discontinuance, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
final order for sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(10), (11)]**
final order of foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(15), (16)]**
final order of foreclosure, redemption action, **RCP-64.05, § RCP 64.05:1 [64.05(6)]**
foreclosure of subsequent encumbrancers, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(14)]**
full and fair disclosure, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
generally, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(2), (3)]**
hearing without oral argument, **RCP-37.12.1**

MOTIONS—Cont'd
Without notice—Cont'd
interim recovery of personal property, **RCP-44.01, § RCP 44.01:1, RCP-44.03, § RCP 44.03:1 [44.01(2), 44.03(2)]**
interlocutory injunction, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2**
mandatory order, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2**
noting defendant under disability in default, **RCP-19.01, § RCP 19.01:1 [19.01(4)]**
order for payment of deficiency on sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(14)]**
order to continue, persons ceasing to be under disability, **RCP-7.06, § RCP 7.06:1 [7.06(1)]**
payment out of court, party under disability, **RCP-72.03, § RCP 72.03:1 [72.03(10), (12)]**
service of notice of application, **RCP-38.06, § RCP 38.06:1 [38.06(2)]**
service of order, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(4)]**
service outside Ontario, **RCP-17.03, § RCP 17.03:1**
setting aside or varying order, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1), (2)]**
statement of defence and counterclaim, service or delivery, **RCP-27.03, § RCP 27.03:1, RCP-27.04, § RCP 27.04:1 [27.03, 27.04(2)]**
stop order, payment out of court, **RCP-72.05, § RCP 72.05:1**
summary judgment, **RCP-20.01, § RCP 20.01:1 [20.01(2)]**
where notice ought to have been served, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(5)]**
writs of possession, **RCP-60.10, § RCP 60.10:1 [60.10(1)]**

MUNICIPALITIES
By-laws and resolutions
application for interpretation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
proceeding for interpretation, representation order, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

MUNICIPALITIES—Cont'd
Claims for debts, service outside Ontario, **RCP-17.02, § RCP 17.02:1**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)]**

MUTE PERSONS
Examinations out of court, interpreters, **RCP-34.09, § RCP 34.09:1 [34.09(1)]**
Interpreters at trial, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**

NECESSARY AND PROPER PARTIES
See Parties; Joinder

NEXT FRIEND
See Litigation Guardians

NOTICE
Abandonment of appeal or cross-appeal, **RCP-61.14, § RCP 61.14:1**
Abandonment of motion, **RCP-37.09, § RCP 37.09:1 [37.09(1)]**
Actions, see also Actions
added party having interest in equity (mortgage references), **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(11)]**
alleged partners, **RCP-8.03, § RCP 8.03:1**
appeal, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2, RCP-61.08, § RCP 61.08:1 [61.04, 61.08]**
automatic stay, **RCP-63.01, § RCP 63.01:1**
generally, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(2) to (4)]**
simplified procedure, **RCP-76.02, § RCP 76.02:1 [76.02(3)]**
Appearance, **RCP-38.07**
Application, **RCP-38.04**
see also Applications
contents, **RCP-38.02, § RCP 38.02:1, RCP-38.03, § RCP 38.03:1, RCP-38.04 [38.02(1), 38.03(1), 38.04]**
Appointment
assessment of costs, **RCP-58.03, § RCP 58.03:1, RCP-58.04 [58.03, 58.04]**
settle order, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**

NOTICE—Cont'd
Appointment or change of lawyer, see also Lawyers
generally, **RCP-15.03, § RCP 15.03:1**
Compliance with order for security for costs, **RCP-56.08**
Constitutional questions, **CJA-109, § CJA 109:1 to § CJA 109:3; RCP-4.11, APP C § C:16 [s. 109; 4.11, Form 4F]**
Contested claims, references, **RCP-55.03 [55.03(4)]**
Creditors, references, **RCP-55.05 [55.05(5)]**
Cross-appeals, **RCP-61.07, § RCP 61.07:1, RCP-61.08, § RCP 61.08:1 [61.07, 61.08]**
election to proceed, **RCP-61.15**
Defence, **RCP-38.07.1**
Delivery of bill of costs for assessment, **RCP-58.04**
Discontinuance of actions, **RCP-23.01, § RCP 23.01:1**
Dismissal of appeals for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2), (2.1)]**
Election
proceed with counterclaim, **RCP-23.02, § RCP 23.02:1, RCP-24.03 [23.02, 24.03]**
transfer carriage of sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(25)]**
Examination
cross-examination on affidavit, **RCP-34.01, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.01, 34.04]**
discovery, **RCP-34.01, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.01, 34.04]**
in aid of execution, **RCP-34.01, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2, RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [34.01, 34.04, 60.18(7)]**
out of court, **RCP-34.01, RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.01, 34.04]**
taking evidence before trial, **RCP-34.01, RCP-34.04, § RCP**

NOTICE—Cont'd
Examination—Cont'd
34.04:1, § RCP 34.04:2 [34.01, 34.04]
Forms
appearance, **APP C § C:229 [Form 75.4]**
application for vexatious litigant order, **APP C § C:5 [Form 2.2B]**
assigned mediator, **APP C § C:49 [Form 24.1B]**
certificate of appointment of estate trustee, **APP C § C:196 [Form 74O]**
commencement of proceeding, **APP C § C:197 [Form 74P]**
contestation, **APP C § C:238 [Form 75.13]**
motion before panel-Court of Appeal, **APP C § C:150 [Form 61O]**
motion before panel-Divisional Court, **APP C § C:150 [Form 61P]**
motion before single judge-Court of Appeal, **APP C § C:150 [Form 61M]**
motion before single judge-Divisional Court, **APP C § C:150 [Form 61N]**
motion for vexatious litigant order, **APP C § C:4 [Form 2.2A]**
name of mediator and date of session, **APP C § C:48 [Form 24.1A]**
no objection to accounts, **APP C § C:211 [Form 74.46]**
non-participation in passing of accounts, **APP C § C:212 [Form 74.46.1]**
notice and summary of document, **APP C § C:37 [Form 17C]**
notice of abandonment of appeal or cross-appeal, **APP C § C:149 [Form 61K]**
notice of action, **APP C § C:23 [Form 14C]**
notice of appeal to court of appeal, **APP C § C:137 [Form 61A.1]**
notice of appeal to divisional court, **APP C § C:136 [Form 61A]**
notice of appearance, **RCP-38.07, APP C § C:76 [38.07, Form 38A]**
notice of application, **APP C § C:25, APP C § C:26 [Form 14E, Form 14E.1]**

NOTICE—Cont'd
Forms—Cont'd
notice of application for registration of United Kingdom judgment, **APP C § C:180 [Form 73A]**
notice of application to Divisional Court for judicial review, **APP C § C:173 [Form 68A]**
notice of appointment for assessment of costs, **APP C § C:111 [Form 58A]**
notice of appointment of lawyer, **APP C § C:29 [Form 15B]**
notice of change of lawyers, **APP C § C:28 [Form 15A]**
notice of claim, **APP C § C:133 [Form 60M]**
notice of constitutional question, **APP C § C:16 [Form 4F]**
notice of contested claim, **APP C § C:104 [Form 55D]**
notice of cross-appeal, **APP C § C:141 [Form 61E]**
notice of discontinuance, **APP C § C:45 [Form 23A]**
notice of election to proceed with counterclaim, **APP C § C:46 [Form 23B]**
notice of election to proceed with cross-appeal, **APP C § C:150 [Form 61L]**
notice of examination, **APP C § C:66 [Form 34A]**
notice of garnishment, **APP C § C:126 [Form 60H]**
notice of hearing for directions, **APP C § C:101 [Form 55A]**
notice of intent to defend, **APP C § C:39 [Form 18B]**
notice of intention to act in person, **APP C § C:30 [Form 15C]**
notice of listing for hearing (appeal), **APP C § C:143 [Form 61G]**
notice of listing for hearing (judicial review), **APP C § C:174 [Form 68B]**
notice of motion, **APP C § C:73 [Form 37A]**
notice of payment into court, **APP C § C:177 [Form 72A]**
notice of reference to original defendants, **APP C § C:169 [Form 64P]**

NOTICE—Cont'd
Forms—Cont'd
notice of reference to subsequent encumbrancer added on reference, **APP C § C:167 [Form 64N]**
notice of reference to subsequent encumbrancer named as original party, **APP C § C:168 [Form 64O]**
notice of renewal of garnishment, **APP C § C:127 [Form 60H.1]**
notice of termination of garnishment, **APP C § C:130 [Form 60J]**
notice of withdrawal of defence, **APP C § C:47 [Form 23C]**
notice of withdrawal of offer, **APP C § C:89 [Form 49B]**
notice to added defendant having interest in equity, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2, APP C § C:170 [64.06(11), Form 64Q]**
notice to alleged partners, **APP C § C:19 [Form 8A]**
notice to creditors, **APP C § C:105 [Form 55E]**
notice to deliver a bill of costs for assessment, **APP C § C:112 [Form 58B]**
notice to party added on reference, **APP C § C:102 [Form 55B]**
notice whether action under Rule 76, **APP C § C:240 [Form 76A]**
objection, **APP C § C:222 [Form 75.1]**
objection to accounts, **APP C § C:209 [Form 74.45]**
objector, **APP C § C:228 [Form 75.3]**
passing of accounts, **APP C § C:210 [Form 74.45.1]**
proceeding (or motion) may be stayed or dismissed under Rule 2.1, **APP C § C:3 [Form 2.1B]**
proposed method of attendance, **APP C § C:1 [Form 1A]**
readiness for pre-trial conference, **APP C § C:242 [Form 76C]**
registrar's notice proposing consideration of vexatious litigant order, **APP C § C:6 [Form 2.2C]**
reply to notice of objection to accounts, **APP C § C:219 [Form 74.49.4]**
settlement, **APP C § C:236 [Form 75.11]**

NOTICE—Cont'd
Forms—Cont'd
small estate certificate or amended small estate certificate, **APP C § C:202 [Form 74.1D]**
supplementary notice of appeal or cross-appeal, **APP C § C:142 [Form 61F]**
terms of partial settlement agreement, **APP C § C:92 [Form 49E]**
withdrawal of objection, **APP C § C:214 [Form 74.48]**
Garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(4) to (10)]**
motion for directions, **RCP-60.17, § RCP 60.17:1**
termination, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(20)]**
Hearing for directions, references, **RCP-55.02**
In writing, generally, **RCP-4.04**
Intent to defend, **RCP-18.02, § RCP 18.02:1**
Intention to call adverse party as witness at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Intention to call officer, director, etc. of adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Intention to call partner of partnership that is adverse party, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Listing for hearing, appeals, **RCP-61.09, § RCP 61.09:1 [61.09(5)]**
Listing for hearing, judicial review, **RCP-68.05 [68.05(2)]**
Listing for trial, **RCP-48.05**
two or more proceedings pending in court, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**
Motion
contents, **RCP-37.06, § RCP 37.06:1**
filing, **RCP-37.08, RCP-37.10, § RCP 37.10:1 [37.08, 37.10(4)]**
generally, **RCP-37.01, § RCP 37.01:1**
service, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2**
Original defendants, mortgage references, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(8)]**

NOTICE—Cont'd
Party added on reference, **RCP-55.02 [55.02(5)]**
Payment into court, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(5)]**
Property seized by sheriff, **RCP-60.13**
Readiness for pre-trial conference, **RCP-76.08 [76.08]**
Readiness for trial, **RCP-48.02**
Sale of personal property seized under writ, **RCP-60.07, § RCP 60.07:1 [60.07(16)]**
Subsequent encumbrancer added on reference, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(4) to (7)]**
Supplementary notice of appeal or cross-appeal, **RCP-61.08, § RCP 61.08:1**
Where required, notice to be in writing, **RCP-4.04**
Withdrawal of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**
Withdrawal of offer to settle, **RCP-49.04, § RCP 49.04:1**
Withdrawal of will or codicil, **RCP-74.02 [74.02(7)]**
Writ of possession, to person in possession, **RCP-60.10, § RCP 60.10:1 [60.10(2)]**
Writ of seizure and sale, notice of payment, **RCP-60.16, § RCP 60.16:1 [60.16(1)]**

NOTING IN DEFAULT
See Default Proceedings

OATHS
Administration, **CJA-92 [s. 92]**
Interpreters, affidavits, **RCP-4.06 [4.06(8)]**
Interpreters at trial, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**
Of office, **CJA-80, § CJA 80:1 [s. 80]**
Witnesses out of court, **RCP-34.08, RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.08, 34.15]**

OFFERS TO SETTLE
Acceptance, **RCP-49.07, § RCP 49.07:1, RCP-49.09, § RCP 49.09:1, § RCP 49.09:2 [49.07, 49.09]**
Costs, **RCP-49.07, § RCP 49.07:1 [49.07(5)]**

OFFERS TO SETTLE—Cont'd
Costs consequences, **RCP-49.10, § RCP 49.10:1, RCP-49.13, § RCP 49.13:1 [49.10, 49.13]**
chart, **§ RCP 49:1**
Deemed without prejudice, **RCP-49.05, § RCP 49.05:1**
Defendant, definition, **RCP-49.01**
Disability, party under, **RCP-49.08**
Expiry, **RCP-49.04, § RCP 49.04:1 [49.04(3), (4)]**
Forms
acceptance of offer, **APP C § C:90 [Form 49C]**
notice of withdrawal of offer, **APP C § C:89 [Form 49B]**
offer to contribute, **APP C § C:91 [Form 49D]**
offer to settle, **APP C § C:88 [Form 49A]**
Generally, **§ RCP 49:1**
Mary Carter Agreements, **RCP-49.07, § RCP 49.07:1**
Multiple defendants, **RCP-49.11, RCP-49.12, § RCP 49.12:1 [49.11, 49.12]**
No indication to court at hearing, **RCP-49.06, § RCP 49.06:1 [49.06(2)]**
Offer to contribute, **RCP-49.12, § RCP 49.12:1**
Partial settlement agreements, **RCP-49.14**
Parties under disability, **RCP-7.08, § RCP 7.08:1 [7.08]**
Payment into court as a term, **RCP-49.07, § RCP 49.07:1 [49.07(3)]**
Payment to trustee as a term, **RCP-49.07, § RCP 49.07:1 [49.07(3)]**
Plaintiff, definition, **RCP-49.01**
Pleadings not to disclose, **RCP-49.06, § RCP 49.06:1 [49.06(1)]**
Time for making offer, **RCP-49.03, § RCP 49.03:1**
Where available, **RCP-49.02, § RCP 49.02:1 [49.02(1)]**
Withdrawal, **RCP-49.04, § RCP 49.04:1**

OFFICERS
See Corporations, see Judges and Officers

OFFICIAL EXAMINERS
Administering oath or affirmation, **RCP-34.08**

OFFICIAL EXAMINERS—Cont'd
Fees, assessment of costs, **RCP-58.05, § RCP 58.05:1, § RCP 58.05:2 [58.05(1)]**
Holding examinations out of court, **RCP-34.02, § RCP 34.02:1**
Preparation of transcript, **RCP-34.17**
Status, **CJA-91, § CJA 91:1 [s. 91(4)]**

OFFICIAL GUARDIAN
See Children's Lawyer

OMISSIONS
See Errors and Omissions

ONTARIO COURT OF JUSTICE
See also Provincial Judges
Appeals from, generally, **CJA-40, § CJA 40:1 [s. 40]**
Chief Justice of Ontario Court of Justice
absence, **CJA-36, § CJA 36:1 [s. 36(4)]**
meetings with regional senior judges, **CJA-36, § CJA 36:1 [s. 36(7)]**
powers and duties, **CJA-36, § CJA 36:1 [s. 36(1)]**
regional assignment of judges, **CJA-37, § CJA 37:1 [s. 37]**
Composition, **CJA-35, § CJA 35:1 [s. 35]**
Criminal jurisdiction, **CJA-38, § CJA 38:1 [s. 38(1)]**
Disturbance outside courtroom, **CJA-41, § CJA 41:1 [s. 41]**
Documents filed in French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(2)]**
Presiding officials, **CJA-39, § CJA 39:1 [s. 39]**
Process in French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126]**
Provincial offences and family jurisdiction, **CJA-38, § CJA 38:1 [s. 38(2)]**
Regional senior judges, **CJA-36, § CJA 36:1 [s. 36(2), (3), (5), (6)]**
Translation of documents or process into French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(2)]**
Youth court, **CJA-38, § CJA 38:1 [s. 38(3)]**
Youth justice court, **CJA-38, § CJA 38:1 [s. 38(3)]**

ONTARIO JUDICIAL COUNCIL
See Provincial Judges

ORDERS
Acknowledging satisfaction, **RCP-59.07, § RCP 59.07:1**
Admission, order based upon, **RCP-51.06, § RCP 51.06:1**
Amending, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2, RCP-59.06, § RCP 59.06:1 [37.14, 59.06(1)]**
Appointment to settle
disputed order before judge or officer, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**
form, **APP C § C:117 [Form 59D]**
form of draft order not approved, **RCP-59.04, § RCP 59.04:1 [59.04(5), (6)]**
objections to proposed form of order, **RCP-59.04, § RCP 59.04:1 [59.04(9)]**
registrar not satisfied, **RCP-59.04, § RCP 59.04:1 [59.04(5), (6)]**
Assistance, for, estates, **RCP-74.15, § RCP 74.15:1**
Binding effect
representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(2)]**
estates bound, **RCP-10.02, § RCP 10.02:1, RCP-10.03 [10.02, 10.03]**
interested persons not parties bound, **RCP-10.01, § RCP 10.01:1 [10.01(4)]**
relief from binding effect, **RCP-10.03**
Class proceedings
contents, **RCP-12.05 [12.05(1), (2)]**
Costs, directing payment to party, **RCP-59.03, § RCP 59.03:1 [59.03(6)]**
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Draft of formal order, **RCP-59.03, § RCP 59.03:1 [59.03(1)]**
Effect
defendant to crossclaim, **RCP-28.06 [28.06(3), (5)]**
third parties, **RCP-29.05, § RCP 29.05:1 [29.05(2), (5)]**
Effective date, **RCP-59.01, § RCP 59.01:1**
Endorsement by judge or officer, **RCP-59.02 [59.02(1)]**
Enforcement, see Enforcement of Orders

ORDERS—Cont'd
Entry
acknowledgment of satisfaction, **RCP-59.07, § RCP 59.07:1**
order directing reference, **RCP-55.02 [55.02(1)]**
place of entry and filing, **RCP-59.05, § RCP 59.05:1**
procedure, **APP A1**
stay pending appeal does not prevent, **RCP-63.03, § RCP 63.03:1 [63.03(2)]**
time, **RCP-59.05, § RCP 59.05:1 [59.05(1)]**
Extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
Failure to comply, interlocutory orders, **RCP-60.12, § RCP 60.12:1**
Failure to comply, interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(2)]**
Form and contents
directing payment for minor, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
general, **RCP-59.03, § RCP 59.03:1 [59.03(3), (4)]**
order for costs, **RCP-59.03, § RCP 59.03:1 [59.03(6)]**
postjudgment interest, **RCP-59.03, § RCP 59.03:1 [59.03(7)]**
Forms
directions, **APP C § C:233 [Form 75.8]**
final order for sale, **APP C § C:165 [Form 64L]**
final order of foreclosure, **APP C § C:158 [Form 64E]**
judgment, **APP C § C:115 [Form 59B]**
order, **APP C § C:114 [Form 59A]**
order dismissing action for delay, **APP C § C:85 [Form 48D]**
order dismissing appeal or cross-appeal for delay, **APP C § C:145 [Form 61I]**
order dismissing appeal to divisional court for delay, **APP C § C:146 [Form 61I.1]**
order dismissing application for judicial review, **APP C § C:175 [Form 68C]**
order dismissing application for judicial review for delay, **APP C § C:176 [Form 68D]**

ORDERS—Cont'd
Forms—Cont'd
order dismissing motion for leave to appeal for delay, **APP C § C:147 [Form 61J]**
order for attendance of witness in custody, **APP C § C:100 [Form 53D]**
order for commission and letter of request, **APP C § C:70 [Form 34E]**
order for security for costs, **APP C § C:108 [Form 56A]**
order on appeal, **APP C § C:116 [Form 59C]**
order to continue (transfer or transmission of interest), **APP C § C:20 [Form 11A]**
stop order, **APP C § C:179 [Form 72C]**
Mandatory, **§ RCP 40:1**
Motion to set aside, vary, or amend, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2**
Order to continue
minor reaching age of majority, **RCP-7.06, § RCP 7.06:1, APP C § C:18 [7.06(1), Form 7B]**
transfer or transmission of interest, **RCP-11:1, APP C § C:20 [11, Form 11A]**
Payment of costs, **RCP-59.03, § RCP 59.03:1 [59.03(6)]**
Postjudgment interest, **RCP-59.03, § RCP 59.03:1 [59.03(7)]**
Power of court to impose terms, **RCP-1.05, § RCP 1.05:1**
Preparation of draft, **RCP-59.03, § RCP 59.03:1 [59.03(1)]**
Reference, directing, **RCP-54.04, § RCP 54.04:1 [54.04(1)]**
Removal as lawyer of record, **RCP-15.04, § RCP 15.04:1**
Review of Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
Review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Satisfaction of order
acknowledgment, **RCP-59.07, § RCP 59.07:1**

ORDERS—Cont'd
Satisfaction of order—Cont'd
withdrawal of writ of execution, **RCP-60.16, § RCP 60.16:1 [60.16(2)]**
Setting aside or varying, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2, RCP-59.06, § RCP 59.06:1 [37.14, 59.06(2)]**
Settling and signing
appointment to settle disputed order before judge or officer, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**
appointment to settle where form of draft order not approved, **RCP-59.04, § RCP 59.04:1 [59.04(7)]**
form of draft order approved, **RCP-59.04, § RCP 59.04:1 [59.04(3)]**
generally, **RCP-59.04, § RCP 59.04:1**
judge or associate judge unavailable, **RCP-59.04, § RCP 59.04:1 [59.04(14), (15)]**
registrar to be satisfied as to form, **RCP-59.04, § RCP 59.04:1 [59.04(5), (6)]**
return of order unsigned, **RCP-59.04, § RCP 59.04:1**
signing order directing reference, **RCP-55.02 [55.02(1)]**
stay pending appeal does not prevent, **RCP-63.03, § RCP 63.03:1 [63.03(2)]**
submitting for signature, **RCP-59.04, § RCP 59.04:1 [59.04(1)]**
urgent cases, **RCP-59.04, § RCP 59.04:1 [59.04(8)]**
where affidavit or production required, **RCP-59.04, § RCP 59.04:1**
Variation, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2, RCP-59.06, § RCP 59.06:1 [37.14, 59.06(2)]**
Written reasons to be filed in court file, **RCP-59.02 [59.02(2)]**

ORDERS IN COUNCIL
Application for interpretation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Proceedings for interpretation, representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

ORIGINATING PROCESS
See also Actions; Applications; Counterclaims; Counterpetitions; Petitions; Statement of Claim; Third Parties

ORIGINATING PROCESS—Cont'd
Amendment, **RCP-14.09, § RCP 14.09:1**
Claim for certificate of pending litigation to be included, **RCP-42.01 [42.01(2)]**
Commencement of proceeding, **RCP-14.01, § RCP 14.01:1 [14.01(1)]**
exceptions, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
Counterclaim against non-party, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2, RCP-27.03, § RCP 27.03:1 [14.03(1), 27.03]**
Court seal, application, **CJA-147 [s. 147(2)]**
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Filing, **RCP-14.07, § RCP 14.07:1 [14.07(2)]**
Forms
information for court use, **APP C § C:27 [Form 14F]**
notice of action, **APP C § C:23 [Form 14C]**
notice of application, **APP C § C:25 [Form 14E]**
notice of application for registration of United Kingdom judgment, **APP C § C:180 [Form 73A]**
notice of application to Divisional Court for judicial review, **APP C § C:173 [Form 68A]**
statement of claim (action commenced by notice of action), **APP C § C:24 [Form 14D]**
statement of claim (general), **APP C § C:21 [Form 14A]**
statement of claim (mortgage action), **APP C § C:22 [Form 14B]**
Generally, **§ RCP 14:1**
Information for court use, **RCP-14.05, § RCP 14.05:1 [14.05(1.1)]**
Inspection of documents mentioned therein, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
Issuance, **RCP-4.05, RCP-14.07, § RCP 14.07:1 [4.05(1), 14.07(1)]**
Notice of action, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(2)]**

ORIGINATING PROCESS—Cont'd
Notice of application, **RCP-14.05, § RCP 14.05:1 [14.05(1)]**
Reliance on subsequent fact, **RCP-14.01, § RCP 14.01:1 [14.01(4)]**
Service, **RCP-16.01, § RCP 16.01:1 [16.01(1)]**
impractical, **RCP-16.04, § RCP 16.04:1 [16.04(1)]**
where amended pleading, **RCP-26.04 [26.04(3)]**
Service not required, **RCP-16.01, § RCP 16.01:1 [16.01(2)]**
Service outside Ontario, see Service Outside Ontario
Statement of claim, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(1)]**
simplified procedure, **RCP-76.02, § RCP 76.02:1 [76.02(3)]**
Striking out or amending, **RCP-14.09, § RCP 14.09:1**
Third or subsequent party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2, RCP-29.11, § RCP 29.11:1 [29.02(1), 29.11]**
Title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(1), (2), (3)]**
exception, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(4)]**
Transfer of proceedings from wrong forum, **CJA-110, § CJA 110:1 to § CJA 110:3 [s. 110]**

PARTICULARS
Demand, **RCP-25.10, § RCP 25.10:1, § RCP 25.10:2**
trial record, **RCP-48.03 [48.03(1)]**
Notice of change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21)]**
Pleadings, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(8)]**
claim for special damages, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(9)]**
Request for sale by subsequent encumbrancers, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(18), (19)]**
Requested to redeem by subsequent encumbrancer, foreclosure action, **RCP-64.03, § RCP 64.03:1 to**

PARTICULARS—Cont'd
§ RCP 64.03:7 [64.03(7)]
Requisition for certificate of stay, **RCP-63.03, § RCP 63.03:1 [63.03(5)]**
Taking of accounts on references, **RCP-55.04 [55.04(6)]**

PARTIES
Acting in bad faith, motion for summary judgment, **RCP-20.06, § RCP 20.06:1 [20.06(2)]**
Addition, deletion, substitution amendment of pleadings, **RCP-26.02, § RCP 26.02:1**
estate or trust proceedings, **RCP-9.01, § RCP 9.01:1 [9.01(4)]**
intervention by persons not parties, **RCP-13.01**
Administration proceedings, **RCP-65.01, § RCP 65.01:1 [65.01(1), (2)]**
Adverse
cross-examination on affidavit, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2**
examination for discovery, **§ RCP 31:1**
Assignee of chose in action, **RCP-5.03, § RCP 5.03:1, § RCP 11:1 [5.03(3), 11]**
Bankrupt, **§ RCP 11:1**
Conduct during proceeding, consideration in awarding costs, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(1)]**
Consent of insurer, payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(6)]**
Corporations, lawyer required, **RCP-15.01, § RCP 15.01:1 [15.01(2)]**
Correcting name in proceeding, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**
Costs against successful parties, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(2)]**
Counterclaim, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2**
against non-party, **RCP-27.03, § RCP 27.03:1**
against persons already parties, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
amending defence to add counterclaim, **RCP-27.07**
Crossclaim, **RCP-28.01, § RCP 28.01:1**

PARTIES—Cont'd
Deceased, order to continue, **§ RCP 11:1**
Definition for purpose of use of evidence taken before trial, **RCP-36.04, § RCP 36.04:1 [36.04(1)]**
Discovery, see Examinations for Discovery
Evidence at trial, before other testimony, **RCP-52.06, § RCP 52.06:1 [52.06(2)]**
Foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**
Fourth and subsequent party claims, see Third Parties
Intervention as added party, **RCP-13.01**
Joinder, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2, RCP-5.03, § RCP 5.03:1 [5.02, 5.03]**
adding plaintiffs or applicants, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(3)]**
assignee of chose in action, **RCP-5.03, § RCP 5.03:1 [5.03(3)]**
misjoinder, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**
multiple defendant or respondents, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(2)]**
multiple plaintiffs or applicants, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(1)]**
non-joinder, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**
person incorrectly named, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(2)]**
persons jointly entitled, **RCP-5.03, § RCP 5.03:1 [5.03(2)]**
persons not consenting to be added, **RCP-5.03, § RCP 5.03:1 [5.03(5)]**
powers of court to add, delete or substitute parties, **RCP-5.03, § RCP 5.03:1, RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.03(4), 5.04(2)]**
relief from joinder, **RCP-5.03, § RCP 5.03:1, RCP-5.05, § RCP 5.05:1, § RCP 5.05:2 [5.03(6), 5.05]**
Medical examination, **RCP-33.01, § RCP 33.01:1**

PARTIES—Cont'd
Named in title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(1)]**
Necessary, **RCP-5.03, § RCP 5.03:1**
Non-resident respondents, place of hearing of motion, **RCP-37.03, § RCP 37.03:1**
Partnership, see Partnerships
Pleadings, see Pleadings
Pre-trial conference, appearance, **RCP-50.02**
Redemption actions, **RCP-64.05, § RCP 64.05:1 [64.05(1), (2)]**
References
adding persons as parties, **RCP-55.02 [55.02(5)]**
bidding on sales of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(5), (6)]**
choosing referee, **RCP-54.03, § RCP 54.03:1**
representation by different lawyers, **RCP-55.02 [55.02(8)]**
representation by same lawyer, **RCP-55.02 [55.02(8)]**
transferring carriage of reference, **RCP-55.02 [55.02(12)]**
Representation
acting in person, **RCP-15.01, § RCP 15.01:1 [15.01(3)]**
lawyer required, **RCP-15.01, § RCP 15.01:1**
notice of appointment of lawyer, **RCP-15.03, § RCP 15.03:1 [15.03(2)]**
notice of change of lawyer, **RCP-15.03, § RCP 15.03:1 [15.03(1)]**
notice of intention to act in person, **RCP-15.03, § RCP 15.03:1 [15.03(3)]**
Representative parties
generally, **§ RCP 10:1, § RCP 12:1 [10, 12]**
lawyer required, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
Sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(1), (2)]**
Security for costs, **RCP-56.09, § RCP 55.09:1**
Service, see Service
Setting down actions, **RCP-48.01**

PARTIES—Cont'd
Sole proprietorships, see Sole Proprietorships
Third parties, see Third Parties
Transferred or transmitted interests or liabilities, **§ RCP 11:1**
Trial, failure to attend, **RCP-52.01, § RCP 52.01:1**
Trustees, see Trusts
Under disability, see Parties Under Disability

PARTIES UNDER DISABILITY
See also Parties
Ceasing to be under disability, **RCP-7.06, § RCP 7.06:1 [7.06(1)]**
Costs, **RCP-57.06, § RCP 57.06:1 [57.06(1)]**
Discontinuance of action, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
Examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**
Forms
notice of affidavit of litigation guardian, **APP C § C:17 [Form 7A]**
Generally, **§ RCP 7:1**
Judgment on consent
associate judge not to hear motion, **RCP-37.02, § RCP 37.02:1 [37.02(2)(d)]**
must be approved, **RCP-7.07, § RCP 7.07:1 [7.07(2)]**
Lawyer required, **RCP-15.01, § RCP 15.01:1 [15.01(1)]**
Litigation guardian
appointment of, **§ RCP 7.03.1**
defendant's or respondent's
absentee, **RCP-7.03, § RCP 7.03:1 [7.03(2)]**
Children's Lawyer, **RCP-7.03, § RCP 7.03:1 [7.03(2)]**
filing affidavit or certificate, **RCP-7.03, § RCP 7.03:1 [7.03(3)]**
mentally incapable person, **RCP-7.03, § RCP 7.03:1 [7.03(2)]**
motion to be appointed, **RCP-7.04, § RCP 7.03:1 [7.03.1]**
without court order, **RCP-7.03, § RCP 7.03:1 [7.03(1)]**
plaintiff's or applicant's
absentee, **RCP-7.02, § RCP 7.02:1 [7.02(2)]**

PARTIES UNDER DISABILITY —Cont'd
Litigation guardian—Cont'd
plaintiff's or applicant's—Cont'd
filing affidavit or certificate, **RCP-7.02, § RCP 7.02:1 [7.02(4)]**
motion for appointment by plaintiff, applicant, **RCP-7.04, § RCP 7.03:1 [7.03.1]**
who may act, **RCP-7.02, § RCP 7.02:1 [7.02(1)]**
without court order, **RCP-7.02, § RCP 7.02:1**
removal or substitution, **RCP-7.06, § RCP 7.06:1**
Litigation guardian, determining for, **§ RCP 7.01.1**
Minor reaching age of majority, **RCP-7.06, § RCP 7.06:1**
Motion to dismiss for delay, **RCP-24.02**
Noting default, **RCP-7.07, § RCP 7.07:1, RCP-19.01, § RCP 19.01:1 [7.07, 19.01(4)]**
Payment into court, **RCP-7.09, § RCP 7.09:1**
Payment out of court, **RCP-72.03, § RCP 72.03:1 [72.03(10) to (14)]**
Powers and duties of litigation guardian, **RCP-7.01 [7.01(3) to (5)]**
Removing lawyer of record, **RCP-15.04, § RCP 15.04:1 [15.04(3), (7), (14)]**
Representation by litigation guardian, **RCP-7.01, § RCP 7.01:1**
Settlement of claims
approval of judge, **RCP-7.08, § RCP 7.08:1**
material on motion or application, **RCP-7.08, § RCP 7.08:1 [7.08(4)]**
notice to Children's Lawyer or Public Guardian and Trustee, **RCP-7.08, § RCP 7.08:1 [7.08(3)]**
Substitute Decisions Act applications, **RCP-7.01, § RCP 7.01:1 [7.01(2)]**

PARTITION
Action, **RCP-66.01, § RCP 66.01:1 [66.01(1)]**
Application, **RCP-66.01, § RCP 66.01:1 [66.01(1)]**
Forms
judgment for partition or sale, **APP C § C:172 [Form 66A]**

PARTITION—Cont'd
Generally, **§ RCP 66:1**
Judgment, **RCP-66.02**
Proceeding by or on behalf of minor, **RCP-66.01, § RCP 66.01:1 [66.01(2)]**
Proceeds of sale, **RCP-66.03**

PARTNERSHIPS
Affidavits, **RCP-4.06 [4.06(6)]**
Enforcement of orders against, **RCP-8.06**
Examinations for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(4)]**
Examinations in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
Forms
notice to alleged partner, **APP C § C:19 [Form 8A]**
Generally, **§ RCP 8:1**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)(m)]**
Proceedings by or against
defence, **RCP-8.02, § RCP 8.02:1**
disclosure of partners, **RCP-8.05**
enforcement of orders against partners, **RCP-8.06 [8.06(2)]**
enforcement of orders against partnership property, **RCP-8.06 [8.06(1)]**
enforcement of orders against persons not served as alleged partners, **RCP-8.06 [8.06(3)]**
notice to alleged partner, **RCP-8.03, § RCP 8.03:1, APP C § C:19 [8.03, Form 8A]**
persons deemed to be partners unless denied, **RCP-8.03, § RCP 8.03:1 [8.03(2)]**
persons defending separately, **RCP-8.04**
persons served with notice deemed to be partners, **RCP-8.03, § RCP 8.03:1 [8.03(2)]**
service on partners disclosed, **RCP-8.05 [8.05(3)]**
using firm name, **RCP-8.01, § RCP 8.01:1**
Securing attendance at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**

PAYMENT
Change of account
before day fixed for payment, **RCP-64.06, § RCP 64.06:1, § RCP**

PAYMENT—Cont'd
Change of account—Cont'd
64.06:2 [64.06(24)]
fixing new day, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(22)]**
motion by dissatisfied party, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(23)]**
time allowed where new day fixed, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(26)]**
Costs, see Costs
Creditor's notice, payment received under writ of seizure and sale, **RCP-60.16, § RCP 60.16:1 [60.16(1)]**
Direction for payment, references
money belonging to minor, **RCP-55.05 [55.05(4)]**
money to be paid to creditors, **RCP-55.05 [55.05(5)]**
payment into financial institution, **RCP-55.05 [55.05(1)]**
payment out, **RCP-55.05 [55.05(2), (3)]**
Enforcement of order, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(1)]**
Garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2**
Mortgage debt
joinder of claim in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(5)]**
joinder of claim in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(4)]**
Order for, deficiency on sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(14)]**
Payment into court, see Payment Into Court
Payment out of court, see Payment Out of Court
Redemption by more than one defendant, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**
Time for taking of new account, mortgage reference, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(18)]**
Transfer of property where redeemed, **RCP-64.06, § RCP 64.06:1, § RCP**

PAYMENT—Cont'd
64.06:2 [64.06(19)]
Trustee
offer to settle, **RCP-49.07, § RCP 49.07:1 [49.07(3), (4)]**
order directing payment for minor's benefit, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
Writ of seizure and sale, order for payment at future time, **RCP-60.07, § RCP 60.07:1 [60.07(5)]**

PAYMENT INTO COURT
Account in chartered bank, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(5)]**
Accountant, definition, **RCP-72.01**
Administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(3)]**
Children's Lawyer, by, **CJA-89, § CJA 89:1, § CJA 89:2 [s. 89(7)]**
Direction to receive, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(3) to (5)]**
Filing material, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(2)]**
Forms
notice of payment into court, **APP C § C:177 [Form 72A]**
Generally, **RCP-72.01, RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.01, 72.02]**
Interpleader, disposition of application or motion, **RCP-43.04, § RCP 43.04:1 [43.04(1)]**
Money payable to party under disability, **RCP-7.09, § RCP 7.09:1**
Notice of payment, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(9)]**
Offer to settle
condition of acceptance, **RCP-49.07, § RCP 49.07:1 [49.07(4)]**
term of offer, **RCP-49.07, § RCP 49.07:1 [49.07(3)]**
Order directing payment for minor, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
Proceeds of sale, partition proceeding, **RCP-66.03**
Purchase money where order for sale, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(12), (13)]**

PAYMENT INTO COURT—Cont'd
Receipt from bank, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(6)]**
References
deposit for purchase of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(9)]**
failure to comply when required, **RCP-55.07 [55.07(2)]**
purchase money from sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(12)]**
Representative proceedings, **RCP-12.02**
Security, motion for interim recovery of personal property, **RCP-44.03, § RCP 44.03:1**
Security for costs, **RCP-56.04, § RCP 56.04:1, RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [56.04, 64.03(18) to (21), (25)]**
Specific fund, interim preservation of property, **RCP-45.02, § RCP 45.02:1**
Summary judgment, term of order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(2), (6)]**
Transfer to accountant, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2 [72.02(11)]**
Writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(4)]**

PAYMENT OUT OF COURT
Accountant, definition, **RCP-72.01**
Authority for payment out, **RCP-72.03, § RCP 72.03:1 [72.03(1)]**
Consent by insurer on behalf of party, **RCP-72.03, § RCP 72.03:1 [72.03(6)]**
Discharge of a mortgage, **RCP-72.04**
Forms
affidavit (motion for payment out of court), **APP C § C:178 [Form 72B]**
stop order, **APP C § C:179 [Form 72C]**
Generally, **RCP-72.03, § RCP 72.03:1, RCP-72.04, RCP-72.05, § RCP 72.05:1 [72.03, 72.04, 72.05]**
Minor attaining age of majority, **RCP-72.03, § RCP 72.03:1 [72.03(7)]**

PAYMENT OUT OF COURT—Cont'd
Motion by person obtaining stop order, **RCP-72.05, § RCP 72.05:1 [72.05(3)]**
Party under disability
affidavit in support of motion, **RCP-72.03, § RCP 72.03:1 [72.03(11)]**
costs, **RCP-72.03, § RCP 72.03:1 [72.03(13)]**
motion by Children's Lawyer or Public Guardian and Trustee, **RCP-72.03, § RCP 72.03:1 [72.03(12)]**
motion for order for payment out, **RCP-72.03, § RCP 72.03:1 [72.03(10)]**
order for maintenance of a minor, **RCP-72.03, § RCP 72.03:1 [72.03(14)]**
Payment
directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
foreign payee, **CJA-145 [s. 145]**
interest, **RCP-72.03, § RCP 72.03:1 [72.03(5)]**
on consent, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
personal representative, **RCP-72.03, § RCP 72.03:1 [72.03(9)]**
references, **RCP-55.05, RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.05(2) to (5), 55.06(14)]**
stop order, **RCP-72.05, § RCP 72.05:1**
under order or report, **RCP-72.03, § RCP 72.03:1 [72.03(2), (3)]**

PENDING LITIGATION
See Certificates, pending litigation

PERSONAL PROPERTY
See Property

PERSONS
Not parties
approval of settlements affecting, **RCP-10.01, § RCP 10.01:1 [10.01(3), (4)]**
enforcement of orders against, **RCP-60.06 [60.06(2)]**
enforcement of orders by, **RCP-60.06 [60.06(1)]**
interim preservation of property, **RCP-45.01, § RCP 45.01:1**

PERSONS—Cont'd
Not parties—Cont'd
intervention as friend of the court, **RCP-13.02**
Representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Under disability
definition, **RCP-1.03, § RCP 1.03:1**
examination for discovery, **RCP-31.03, § RCP 31.03:1, RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.03(5), 31.11(5)]**
representation, **RCP-7.04, § RCP 7.04:1**

PLACE OF HEARING
See also Applications; Motions
Applications
motion to set aside or vary judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2 [38.11(2)]**
named in notice of application, **RCP-13.1.01, § RCP 13.1.01:1, RCP-38.03, § RCP 38.03:1 [13.1.01, 38.03(1)]**
statute or rule governing, **RCP-13.1.01, § RCP 13.1.01:1**
Motions
complicated issues or series of proceedings, **RCP-37.15, § RCP 37.15:1 [37.15(1)]**
references, **RCP-54.05 [54.05(2)]**
setting aside, varying, amending orders, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(3), (4), (5)]**
setting aside or varying judgment or application, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2 [38.11(2)]**

PLACE OF TRIAL
Agreement, effect, **CJA-114, § CJA 114:1 [s. 114]**
Changing place, **RCP-13.1.02, § RCP 13.1.02:1**
Generally, **§ RCP 46:1**
Named by plaintiff, **RCP-46.01**
Orders changing place, **RCP-46.03**
Required by statute, **RCP-13.1.01, § RCP 13.1.01:1, RCP-46.01 [13.1.01, 46.01]**

PLAINTIFFS
See also Actions

PLAINTIFFS—Cont'd
Adding, consent required, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(3)]**
Close of pleadings, **RCP-25.05, § RCP 25.05:1**
Consent where defendant noted in default, **RCP-19.01, § RCP 19.01:1, RCP-19.03, § RCP 19.03:1 [19.01(1)(b), 19.03(2)]**
Counterclaims against, see Counterclaims
Definition, **CJA-1, § CJA 1:1; RCP-1.03, § RCP 1.03:1 [s. 1; 1.03]**
Discontinuance of action, **RCP-23.01, § RCP 23.01:1**
Dismissal of action for delay
counterclaim, crossclaim, third party claim, **RCP-24.06**
effect on counterclaim, **RCP-24.03**
effect on crossclaim, third party claim, **RCP-24.04**
effect on subsequent action, **RCP-24.05, § RCP 24.05:1**
plaintiff under disability, **RCP-24.02**
where available, **RCP-24.01, § RCP 24.01:1**
Examinations for discovery, **RCP-31.04, § RCP 31.04:1, § RCP 31.04:2 [31.04(1)]**
Failure
to attend trial, **RCP-52.01, § RCP 52.01:1**
to move to restore action to trial list, **RCP-24.01, § RCP 24.01:1**
to note defendant in default, **RCP-24.01, § RCP 24.01:1**
to serve statement of claim, **RCP-24.01, § RCP 24.01:1**
to set action down for trial, **RCP-24.01, § RCP 24.01:1**
Foreclosure actions, see Foreclosure, Sale and Redemption
Joinder of claims, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**
Joinder of parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(1)]**
Offers to settle, see Offers to Settle
Prejudice
crossclaim, **RCP-28.10**
delivery of defence and crossclaim, **RCP-28.04, § RCP 28.04:1 [28.04(1)(b)]**

PLAINTIFFS—Cont'd
Prejudice—Cont'd
issuing third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)(b)]**
third party claim, **RCP-29.09, § RCP 29.09:1**
Resident outside Ontario, security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2**
Sale of actions, see Foreclosure, Sale and Redemption
Security for costs, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2**
default in giving security, **RCP-56.06, § RCP 56.06:1**
notice of compliance, **RCP-56.08**
Suing in different capacities, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2 [5.01(2)]**
Under disability, see Parties Under Disability

PLEADINGS
Abuse of process, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Action
commenced by notice of action, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
commenced by statement of claim, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
Amendment
adding counterclaim, **RCP-27.07**
adding crossclaim, **RCP-28.03**
at trial, **RCP-26.06, § RCP 26.06:1, § RCP 26.06:2**
failure to respond, **RCP-26.05, § RCP 26.05:1 [26.05(2)]**
generally, **§ RCP 26:1**
how made, **RCP-26.03, § RCP 26.03:1**
new ground of claim, **RCP-14.01, § RCP 14.01:1 [14.01(4)]**
power of court, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2**
proof of service, **RCP-26.04 [26.04(2)]**
referee granting leave, **RCP-55.02 [55.02(10)]**
service, **RCP-19.02, § RCP 19.02:1, RCP-26.04 [19.02(3), 26.04(1), (3)]**

PLEADINGS—Cont'd
Amendment—Cont'd
subsequent facts, **RCP-14.01, § RCP 14.01:1 [14.01(4)]**
time for responding, **RCP-26.05, § RCP 26.05:1 [26.05(1)]**
when permitted, **RCP-26.02, § RCP 26.02:1**
Claim for certificate of pending litigation, **RCP-42.02, § RCP 42.02:1**
Claim for relief, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(9)]**
Close of, **RCP-25.05, § RCP 25.05:1**
failure to set action down for trial, **RCP-24.01, § RCP 24.01:1**
setting down for trial, **RCP-48.01**
Condition of mind, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(8)]**
Conditions precedent, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(3)]**
Content of appeal book and compendium, **RCP-61.09, § RCP 61.09:1 [61.09(1)]**
Conversations, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(7)]**
Counterclaim
amending defence to add, **RCP-27.07**
by defendant to counterclaim, **RCP-27.10, § RCP 27.10:1**
by defendant to crossclaim, **RCP-27.10, § RCP 27.10:1**
by third parties, **RCP-27.10, § RCP 27.10:1**
crossclaim between defendants, **RCP-28.11**
defendant not party to main action, **RCP-27.03, § RCP 27.03:1**
generally, 25.01(2), **§ RCP 27:1**
joining defendants to counterclaim, **RCP-27.01, § RCP 27.01:1, § RCP 27.01:2 [27.01(2)]**
reply and defence to counterclaim, **RCP-27.05 [27.05(2)]**
service, **RCP-27.04, § RCP 27.04:1, RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [27.04(3), 29.02(2)]**
statement of defence and counterclaim, **RCP-27.02**
third party claim by defendant, **RCP-29.13**

PLEADINGS—Cont'd
Counterclaim—Cont'd
time for delivery of defence, **RCP-27.05 [27.05(1), (3)]**
time for delivery of reply to defence, **RCP-27.06**
time for delivery or service, **RCP-27.04, § RCP 27.04:1**
title, **RCP-27.02, RCP-27.03, § RCP 27.03:1 [27.02, 27.03]**
Crossclaim
amending defence to add, **RCP-28.03**
between defendants to counterclaim, **RCP-28.11**
between third parties, **RCP-28.11**
counterclaim by defendant, **RCP-27.10, § RCP 27.10:1**
defence, **RCP-28.05, RCP-28.06 [28.05(1) (2), 28.06]**
generally, **RCP-25.01, § RCP 25.01:1, § RCP 28:1 [25.01(3), 28]**
reply by plaintiff, **RCP-28.06 [28.06(4)]**
reply to defence, **RCP-28.08**
service, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2), (3)]**
statement of defence and crossclaim, **RCP-28.02, RCP-28.04, § RCP 28.04:1 [28.02, 28.04]**
third party claim by defendant, **RCP-29.13**
title, **RCP-28.02**
Damages, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(9)]**
Defences
admissions, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(1), (2)]**
affirmative defences, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(4)]**
amount of damages, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(6)]**
denial, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(2)]**
denial of agreement, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(5)]**
different version of facts, **RCP-25.07, § RCP 25.07:1, § RCP 25.07:2 [25.07(3)]**

PLEADINGS—Cont'd
Delivery commences proceeding, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
Demand for particulars, **RCP-25.10, § RCP 25.10:1, § RCP 25.10:2**
Discontinuance of action, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
after close, **RCP-23.01, § RCP 23.01:1 [23.01(1)(b)]**
Documents or conversations, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(7)]**
Form of, **RCP-25.02**
Forms
counterclaim (against parties to main action only), **APP C § C:53 [Form 27A]**
counterclaim (against plaintiff and person not already party to main action), **APP C § C:54 [Form 27B]**
crossclaim, **APP C § C:57 [Form 28A]**
defence to counterclaim, **APP C § C:55 [Form 27C]**
defence to crossclaim, **APP C § C:58 [Form 28B]**
notice of intent to defend, **APP C § C:39 [Form 18B]**
reply, **APP C § C:52 [Form 25A]**
reply to defence to counterclaim, **APP C § C:56 [Form 27D]**
reply to defence to crossclaim, **APP C § C:59 [Form 28C]**
reply to third party defence, **APP C § C:62 [Form 29C]**
statement of claim (action commenced by notice of action), **APP C § C:24 [Form 14D]**
statement of claim (general), **APP C § C:21 [Form 14A]**
statement of claim (mortgage action), **APP C § C:22 [Form 14B]**
statement of defence, **APP C § C:38 [Form 18A]**
third party claim, **APP C § C:60 [Form 29A]**
third party defence, **APP C § C:61 [Form 29B]**
Fraud, misrepresentation, breach of trust, malice or intent, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(8)]**
French, **RCP-4.02.1**

PLEADINGS—Cont'd
Frivolous, vexatious or scandalous, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Generally, **§ RCP 25:1 to § RCP 29:1 [25 to 29]**
Inconsistent, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(4), (5)]**
Inspection of documents mentioned therein, **RCP-30.04, § RCP 30.04:1 [30.04(2)]**
Issuing, when not required, **RCP-14.01, § RCP 14.01:1 [14.01(2), (2.1)]**
Material facts, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(1)]**
New ground of claim, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(5)]**
Notice, allegation of, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(6)]**
Offer to settle not to be disclosed, **RCP-49.06, § RCP 49.06:1 [49.06(1)]**
Pleading law, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(2)]**
Prejudicial, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(a)]**
Questions of law, determination before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1)]**
Reply
admissions, **RCP-25.09 [25.09(1)]**
affirmative reply, **RCP-25.08 [25.08(2)]**
deemed denial if none delivered, **RCP-25.08, RCP-25.09 [25.08(4), 25.09(2)]**
defence to counterclaim, **RCP-27.06**
denial of agreement, **RCP-25.09 [25.09(2)]**
different version of facts, **RCP-25.08 [25.08(1)]**
plaintiff's claim against cross-claiming defendant, **RCP-28.06 [28.06(4)]**
where required, **RCP-25.08 [25.08(3)]**
Resulting in delay, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Service
added parties, **RCP-25.03 [25.03(2)]**
amended pleading, **RCP-26.04**
documents referred to, **RCP-25.03 [25.03(4)]**
parties served, **RCP-25.03 [25.03(1)]**

PLEADINGS—Cont'd
Service—Cont'd
personal service not required, **RCP-25.03 [25.03(3)]**
Striking out, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2, RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [21.01(1), (2), 25.11]**
Subsequent to reply, **RCP-25.01, § RCP 25.01:1 [25.01(5)]**
Third party claim
counterclaim by third party, **RCP-27.10, § RCP 27.10:1**
crossclaim between third parties, **RCP-28.11**
defence
defendants to counterclaims, crossclaims, **RCP-29.13**
fourth and subsequent party claims, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11(1), (3), 29.12]**
generally, **RCP-29.03**
main action by third party, **RCP-29.05, § RCP 29.05:1**
generally, **§ RCP 29:1**
issuing, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
prejudice or delay to plaintiff, **RCP-29.09, § RCP 29.09:1**
reply to defence, **RCP-29.04**
service, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2), (3)]**
Time for delivery
notice of intent to defend, **RCP-18.02, § RCP 18.02:1 [18.02(1)]**
statement of defence, **RCP-18.01, § RCP 18.01:1, RCP-18.02, § RCP 18.02:1 [18.01, 18.02(2), (3)]**
Time for service
counterclaim, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3), (4)]**
crossclaim, **RCP-24.04 [24.04(5)]**
reply, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3)]**
statement of claim, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(1)]**
statement of defence, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(2)]**

PLEADINGS—Cont'd
Time for service—Cont'd
third party claim, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(6)]**

POSSESSION OF LAND
Action for, service outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(e)]**
Claim, joinder in mortgage action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7, RCP-64.04, § RCP 64.04:1, § RCP 64.04:2, RCP-64.05, § RCP 64.05:1 [64.03(5), 64.04(4), 64.05(3)]**
Writ of possession, **RCP-60.03, RCP-60.10, § RCP 60.10:1, APP C § C:120 [60.03, 60.10, Form 60C]**

POSTJUDGMENT INTEREST
See Interest

PRACTICE DIRECTIONS
See also Index to Notices, **APP D § D:2**
Court of Appeal, **RCP-1.07, APP D § D:2 [1.07(1)]**
Effective date, **RCP-1.07, RCP-1.07**
Superior Court of Justice, **RCP-1.07 [1.07(2)]**

PRE-TRIAL CONFERENCES
Applications, in, **RCP-50.03**
Attendance, **RCP-50.05, § RCP 50.05:1**
Brief, **RCP-50.04**
Certificate of readiness (actions), **RCP-50.03.1**
Consequences of listing for trial, **RCP-50.12**
Costs, **RCP-50.09, § RCP 50.09:1**
Disclosure to court not permitted, **RCP-50.11**
Documents to be made available, **RCP-50.05, § RCP 50.05:1**
Generally, **§ RCP 50:1**
Hearing motions in absence of public, **RCP-37.11 [37.11(1)]**
Matters to be considered, **RCP-50.06**
Powers, **RCP-50.07, § RCP 50.07:1**
Pre-trial conferences, **RCP-50.04; RCP-50.08**
Pre-trial judge not to be trial judge, **RCP-50.10, § RCP 50.10:1**
exceptions, generally, **RCP-50.10, § RCP 50.10:1 [50.10(2)]**

PRE-TRIAL CONFERENCES—Cont'd
Pre-trial judge not to be trial judge, **RCP-50.10, § RCP 50.10:1**—Cont'd
simplified procedure, **RCP-76.10**
Report, **RCP 50.08**
Scheduling, **RCP-50.02**

PRECEDENT
See cases following 22.03

PREJUDGMENT INTEREST
See Interest

PREJUDICE
Amendment of pleadings, **RCP-26.01, § RCP 26.01:1, § RCP 26.01:2**
Counterclaim, **RCP-27.08, § RCP 27.08:1, § RCP 27.08:2 [27.08(2)]**
Crossclaim, **RCP-28.10**
leave to deliver defence and crossclaim, **RCP-28.04, § RCP 28.04:1 [28.04(1)(b)]**
Discovery
leave to withhold disclosure or production, **RCP-30.04, § RCP 30.04:1 [30.04(8)]**
leave to withhold information, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2 [31.06(6)]**
Documents, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(a)]**
Failure to deliver bill of costs, **RCP-58.04 [58.04(4)]**
Issuing third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
Offer to settle, **RCP-49.05, § RCP 49.05:1**
Pleadings, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Third party claim, **RCP-29.09, § RCP 29.09:1**

PREROGATIVE REMEDIES
See Judicial Review

PRESERVATION OF PROPERTY
See Interim Preservation of Property

PRESERVATION OF RIGHTS
Certificate of pending litigation, see Certificates, pending litigation
Injunctions, see Injunctions

PRESERVATION OF RIGHTS—Cont'd
Interim preservation of property, see Interim Preservation of Property
Interim recovery of personal property, see Interim Recovery of Personal Property
Interpleader, see Interpleader
Mandatory orders
extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(2)]**
generally, **§ RCP 40:1**
how obtained, **RCP-40.01, § RCP 40.01:1**
maximum duration without notice, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(1)]**
period of extension, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(3)]**
undertakings concerning damages, **RCP-40.03, § RCP 40.03:1**
Receivers
appointment, **RCP-41.02, § RCP 41.02:1, RCP-41.03 [41.02, 41.03]**
definition, **RCP-41.01**
discharge, **RCP-41.06**
generally, **§ RCP 41:1**
motion for directions, **RCP-41.05**
referring conduct of receivership, **RCP-41.04**

PRIORITIES
Application of purchase money, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(13)]**
Determining entitlement to redeem, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(10), (11)]**
More than one party entitled to redeem, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13), (14)]**
Mortgage reference, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(16)]**

PRIVILEGE
Affidavit of documents, **RCP-30.06, § RCP 30.06:1, § RCP 30.06:2**
Documents
determination of claim of privilege, **RCP-30.04, § RCP 30.04:1 [30.04(6)]**

PRIVILEGE—Cont'd
Documents—Cont'd
disclosure, **RCP-30.02, § RCP 30.02:1, § RCP 30.02:2**
use at trial, **RCP-30.09, § RCP 30.09:1, § RCP 30.09:2, RCP-31.07, § RCP 31.07:1, § RCP 31.07:2 [30.09, 31.07(1)]**
Requirements concerning notice of motion or motion record, **RCP-15.04, § RCP 15.04:1 [15.04(4), (5)]**
Waiver after action set down for trial, **RCP-30.09, § RCP 30.09:1, § RCP 30.09:2**

PROCEEDINGS
See also Actions; Applications
Action, commencement, **RCP-14.02, RCP-14.03, § RCP 14.03:1, § RCP 14.03:2, RCP-14.03.1 [14.02, 14.03, 14.03.1]**
Administration, see Administration
Against minors, representation by Children's Lawyer, **RCP-7.03, § RCP 7.03:1 [7.03(2)]**
Another proceeding pending, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Appeals, see Appeals
Application, **RCP-14.05, § RCP 14.05:1**
Appointment of receiver, **§ RCP 41:1**
Assessment of costs, see Costs
Commencement
delivery of pleading, **RCP-14.01, § RCP 14.01:1 [14.01(2)]**
motions before, **RCP-37.17, § RCP 37.17:1**
originating process, **RCP-14.01, § RCP 14.01:1 [14.01(1)]**
place of commencement, **RCP-13.1.01, § RCP 13.1.01:1**
pleading subsequent facts, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(10)]**
Consolidation, **CJA-107, § CJA 107:1 to § CJA 107:3; RCP-6.01, § RCP 6.01:1 [s. 107; 6.01]**
Constitutional questions, **CJA-109, § CJA 109:1 to § CJA 109:3 [s. 109]**
Continuation, non-compliance with accepted offer, **RCP-49.09, § RCP 49.09:1, § RCP 49.09:2**

PROCEEDINGS—Cont'd
Cost, see Costs
Counterclaims, see Counterclaims
Crossclaims, see Crossclaims
Default, see Default Proceedings
Definition, **RCP-1.03, § RCP 1.03:1**
Determination of issue before trial, see Determination of an Issue Before Trial
Directing reference, **RCP-54.02, § RCP 54.02:1**
Discontinuance, see Discontinuance
Dismissal, see also Dismissal
default or misconduct, examination out of court, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
estate proceedings not properly constituted, **RCP-9.03, § RCP 9.03:1 [9.03(6)]**
failure to pay costs of motion, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(2)]**
failure to provide medical examination, **RCP-33.07, § RCP 33.07:1**
Dismissal of action for delay, see Dismissal for Delay
Estates, see Estates, see Estate Trustees, see Wills and Codicils
Family Court, see Family Court
Family law proceedings, see Family Law Proceedings
Foreclosure actions, see Foreclosure, Sale and Redemption
Fourth and subsequent party claims, see Third Parties
Generally, **§ RCP 14:1**
Hearings throughout year, **RCP-3.03 [3.03(1)]**
Interpleader, see Interpleader
Joinder of claims, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2**
Joinder of parties, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2**
Judicial review, see Judicial Review
Lawyer required, **RCP-15.01, § RCP 15.01:1**
Minors' estates, see Minors
Misjoinder or non-joinder of parties, **RCP-5.04, § RCP 5.04:1, § RCP 5.04:2 [5.04(1)]**
Mortgage actions, see Foreclosure, Sale and Redemption

PROCEEDINGS—Cont'd
Motions, see Motions
Non-compliance with Rules an irregularity, **RCP-2.01, § RCP 2.01:1**
Offers to settle, see Offers to Settle
Partition or sale of land
action, **RCP-66.01, § RCP 66.01:1**
application, **RCP-66.01, § RCP 66.01:1**
judgment, **RCP-66.02**
proceeding by or on behalf of minor, **RCP-66.01, § RCP 66.01:1 [66.01(2)]**
proceeds of sale, **RCP-66.03**
Partnerships, see Partnerships
Payment into and out of court, see Payment Into Court; Payment Out of Court
Pleadings, see Pleadings
Pre-trial conference, **RCP-50.01**
Redemption actions, see Foreclosure, Sale and Redemption
References, see References
Relief from joinder, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**
Representation of persons under disability, **RCP-7.01, § RCP 7.01:1**
Representative, **RCP-12.07, § RCP 12.07:1**
Sale actions, see Foreclosure, Sale and Redemption
Separate hearings, **RCP-6.1.01, § RCP 6.1.01:1, § RCP 6.1.01:2**
Series of proceedings, motions, **RCP-37.15, § RCP 37.15:1**
Simplified procedure, see Simplified Procedure
Sole proprietorships, **RCP-8.07, § RCP 8.07:1**
Special case for opinion of court, see Special Case
Stays, see Stay of Proceedings
Summary judgment, see Summary Judgment
Third party claims, see Third Parties
Title of proceeding, **RCP-14.06, § RCP 14.06:1, § RCP 14.06:2 [14.06(1)]**

PRODUCTION OF DOCUMENTS
See Discovery; Documents; Examinations Out of Court

PROOF OF SERVICE
See Service

PROPERTY
Claims respecting, service outside Ontario, **RCP-17.02, § RCP 17.02:1**
Disposition of property of minor
affidavit in support of application, **RCP-67.02**
consent of minor over age of sixteen, **RCP-67.03**
lawyer's affidavit, **RCP-67.03 [67.03(1), (2)]**
notice of application for approval, **RCP-67.01**
Foreclosure, sale, redemption, see Foreclosure, Sale and Redemption
Holding income under writ of sequestration, **RCP-60.09 [60.09(1)]**
Inspection
by court, **RCP-52.05, § RCP 52.05:1**
generally, **RCP-32.01, § RCP 32.01:1**
Interpleader, see Interpleader
Perishable, order for sale, **RCP-45.01, § RCP 45.01:1 [45.01(2)]**
Personal
interim recovery, see Interim Recovery of Personal Property
interpleader, see Interpleader
order for delivery, **RCP-60.04, § RCP 60.04:1, APP C § C:121 [60.04, Form 60D]**
order for inspection, **RCP-32.01, § RCP 32.01:1**
seizure and sale under writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(15), (16), (23), (24)]**
writ of sequestration, **RCP-60.04, § RCP 60.04:1, RCP-60.09, APP C § C:119 [60.04(2), 60.09, Form 60B]**
Preservation, see Interim Preservation of Property
Procedure on mortgage references, see References
Reference
administration proceeding, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**
conduct of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2**

PROPERTY—Cont'd
Sale, see also Foreclosure, Sale and Redemption; Sale, land
Seized by sheriff, dispute of ownership, **RCP-60.13**
Vesting order, **CJA-100, § CJA 100:1 [s. 100]**
Writ
seizure and sale, **RCP-60.07, § RCP 60.07:1**
sequestration, **RCP-60.04, § RCP 60.04:1, RCP-60.09 [60.04(2), 60.09]**

PROVINCIAL JUDGES
Accommodation of needs, **CJA-45 [s. 45]**
Appointment, **CJA-42, § CJA 42:1 [s. 42(1)]**
Associate Chief Judge—Co-ordinator of Justices of the Peace
appointment, **CJA-42, § CJA 42:1 [s. 42(5)]**
Associate chief judges
appointment, **CJA-42, § CJA 42:1 [s. 42(4)]**
expiry of term, **CJA-42, § CJA 42:1 [s. 42(8), (10)]**
resignation, **CJA-48, § CJA 48:1 [s. 48(2), (4)]**
retirement and continuation in office, **CJA-47 [s. 47(5), (6), (7)]**
term of office, **CJA-42, § CJA 42:1 [s. 42(7)]**
Chief Justice of Provincial Division
appointment, **CJA-42, § CJA 42:1 [s. 42(3)]**
expiry of term, **CJA-42, § CJA 42:1 [s. 42(8), (9)]**
resignation, **CJA-48, § CJA 48:1 [s. 48(2), (4)]**
retirement and continuation in office, **CJA-47 [s. 47(5), (6), (7)]**
term of office, **CJA-42, § CJA 42:1 [s. 42(7), (7.1), (7.2)]**
Complaints of misconduct
against associate chief judge, **CJA-50, § CJA 50:1 [s. 50(3)]**
against Chief Justice, **CJA-50, § CJA 50:1 [s. 50(1), (2)]**
against regional senior judge, **CJA-50, § CJA 50:1 [s. 50(3)]**

PROVINCIAL JUDGES—Cont'd
Complaints of misconduct—Cont'd
compensation, **CJA-51.7, § CJA 51.7:1 [s. 51.7]**
mediation, **CJA-51.5, § CJA 51.5:1 [s. 51.5]**
to Judicial Council, **CJA-51.3, § CJA 51.3:1 [s. 51.3]**
review by subcommittee, **CJA-51.4, § CJA 51.4:1 [s. 51.4]**
Continuing education, **CJA-51.10, § CJA 51.10:1, CJA-51.12, § CJA 51.12:1 [ss. 51.10, 51.12]**
Full-time service, **CJA-44, § CJA 44:1 [s. 44(1)]**
Information to be maintained in confidence, **CJA-42, § CJA 42:1 [s. 42(11)]**
Judicial Appointments Advisory Committee
annual report, **CJA-43, § CJA 43:1 [s. 43(8) to (10)]**
candidate recommendation process, **CJA-43.1 [s. 43.1]**
chair, **CJA-43, § CJA 43:1 [s. 43(5)]**
term of office, **CJA-43, § CJA 43:1 [s. 43(6)]**
committee function, **CJA-43.1 [s. 43.1(1)]**
composition, **CJA-43, § CJA 43:1 [s. 43(2)]**
Crown liability, **CJA-43, § CJA 43:1 [s. 43(12)]**
established, **CJA-43, § CJA 43:1 [s. 43(1)]**
meetings, **CJA-43, § CJA 43:1 [s. 43(7)]**
operating, manner of, **CJA-43.1 [s. 43.1(2)]**
personal liability, **CJA-43, § CJA 43:1 [s. 43(11)]**
term of office, **CJA-43, § CJA 43:1 [s. 43(4)]**
Ontario Judicial Council, **CJA-49, § CJA 49:1 [s. 49]**
chair, **CJA-49, § CJA 49:1 [s. 49(8), (9), (10)]**
composition, **CJA-49, § CJA 49:1 [s. 49(2), (3), (4)]**
confidential records, **CJA-49, § CJA 49:1 [s. 49(24), (25), (26)]**

PROVINCIAL JUDGES—Cont'd
Ontario Judicial Council, **CJA-49, § CJA 49:1 [s. 49]**—Cont'd
expert assistance, **CJA-49, § CJA 49:1 [s. 49(21)]**
hearing panels, **CJA-49, § CJA 49:1 [s. 49(16), (25), (26)]**
hearings, **CJA-51.6, § CJA 51.6:1 [s. 51.6]**
hearings and meetings, **CJA-49, § CJA 49:1 [s. 49(11)]**
official languages, use of, **CJA-51.2, § CJA 51.2:1 [s. 51.2]**
participation restricted, **CJA-49, § CJA 49:1 [s. 49(19), (20)]**
personal liability, **CJA-49, § CJA 49:1 [s. 49(27)]**
provision of information to public, **CJA-51, § CJA 51:1 [s. 51]**
quorum, **CJA-49, § CJA 49:1 [s. 49(13)]**
remuneration, **CJA-49, § CJA 49:1 [s. 49(28)]**
review panels, **CJA-49, § CJA 49:1 [s. 49(14), (15), (18)]**
rules, **CJA-51.1, § CJA 51.1:1 [s. 51.1]**
support services, **CJA-49, § CJA 49:1 [s. 49(22), (23)]**
term of office, **CJA-49, § CJA 49:1 [s. 49(5), (6)]**
vacancies, **CJA-49, § CJA 49:1 [s. 49(12)]**
Outside activities, **CJA-46 [s. 46]**
Part-time service, **CJA-44, § CJA 44:1 [s. 44(1), (2), (3), (4)]**
Performance evaluation, **CJA-51.11, § CJA 51.11:1, CJA-51.12, § CJA 51.12:1 [ss. 51.11, 51.12]**
Provincial Judges Remuneration Commission
composition, **CJA-51.13, § CJA 51.13:1 [s. 51.13(2), Schedule]**
function, **CJA-51.13, § CJA 51.13:1 [s. 51.13(2), Schedule]**
Qualifications, **CJA-42, § CJA 42:1 [ss. 42(6), (6.1)]**
Regional assignment, **CJA-37, § CJA 37:1 [s. 37]**
Regional senior judges
appointment, **CJA-42, § CJA 42:1 [s. 42(6), (6.2)]**

PROVINCIAL JUDGES—Cont'd
Regional senior judges—Cont'd
continuation in office after retirement, **CJA-47 [s. 47(4), (7)]**
expiry of term, **CJA-42, § CJA 42:1 [s. 42(9), (9.1), (10)]**
resignation, **CJA-48, § CJA 48:1 [s. 48(2), (4)]**
salary, transitional, **CJA-42, § CJA 42:1 [s. 42(9.2)]**
term of office, **CJA-42, § CJA 42:1 [s. 42(7)]**
Removal for cause, **CJA-51.8, § CJA 51.8:1 [s. 51.8]**
Resignation, **CJA-48, § CJA 48:1 [s. 48(1), (4)]**
Retirement
continuation in office, **CJA-47 [s. 47(3)]**
generally, **CJA-47 [s. 47(1), (2)]**
Standards of conduct, **CJA-51.9, § CJA 51.9:1, CJA-51.12, § CJA 51.12:1 [ss. 51.9, 51.12]**

PROVINCIAL OFFENCES
Jurisdiction, **CJA-38, § CJA 38:1 [s. 38(2)]**
Provincial offences rules, **CJA-70.1 [s. 70.1]**

PUBLIC GUARDIAN AND TRUSTEE
Appointment as litigation guardian, **RCP-7.03, § RCP 7.03:1, RCP-7.04, § RCP 7.04:1 [7.03, 7.04]**
Leave to examine for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(5)]**
Notice of discontinuance of action, **RCP-23.01, § RCP 23.01:1 [23.01(2)]**
Notice of motion to dismiss for delay, **RCP-24.02**
Payment out of court
party under disability, **RCP-72.03, § RCP 72.03:1 [72.03(10) to (14)]**
payment out under order or report, **RCP-72.03, § RCP 72.03:1 [72.03(3)]**
Representation of persons under disability, **RCP-7.01, § RCP 7.01:1**
Service on, **RCP-16.03, § RCP 16.03:1 [16.03(9)]**
Service on, for absentee, **RCP-16.02, § RCP 16.02:1 [16.02(1)(i)]**

PUBLIC GUARDIAN AND TRUSTEE —Cont'd
Service on, for mentally incapable person, **RCP-16.02, § RCP 16.02:1 [16.02(1)(k)]**

QUESTIONS
Appeals, notice of motion and factum to state, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(4)]**
Examination by written questions, see Examinations for Discovery
Examination out of court
answering questions objected to, **RCP-34.12, § RCP 34.12:1 [34.12(2)]**
rulings on propriety of questions, **RCP-34.12, § RCP 34.12:1 [34.12(3)]**
Law, determination before trial, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(1), (2)]**
Motion for summary judgment, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(4)]**
Scope of examination for discovery, **RCP-31.06, § RCP 31.06:1, § RCP 31.06:2**
Special case for opinion of court, **RCP-22.01, § RCP 22.01:1 [22.01(1), (2)]**
Transcripts of evidence, standards, **RCP-4.09 [4.09(5)]**

RECEIVERS
Application for as ancillary relief, **RCP-14.05, § RCP 14.05:1 [14.05(3)(g)]**
Appointment
enforcement of orders, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2 [60.02(1)]**
enforcement of writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(14)]**
form of order, **RCP-41.03**
how obtained, **RCP-41.02, § RCP 41.02:1**
Directing reference, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**
Discharge, **RCP-41.06**
Generally, **§ RCP 41:1**
Motion for directions, **RCP-41.05**
Power to appoint, **CJA-101, § CJA 101:1 to § CJA 101:3 [s. 101]**
References, referee to settle and approve security, **RCP-55.07 [55.07(1)]**

RECEIVERS—Cont'd
Referring conduct of receivership, **RCP-41.04**

RECORDS
Appeal
appeals from interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7) to (9)]**
Application, **RCP-38.09**
Binding
backsheet, **RCP-4.07 [4.07(1)]**
front cover, **RCP-4.07 [4.07(1.1)]**
Endorsement of order, **RCP-59.02 [59.02(1)]**
Hospital, providing copies of records on discovery, **RCP-33.04, § RCP 33.04:1**
Judicial review, **RCP-68.04**
failure of applicant to file, **RCP-68.06**
material filed on application, **RCP-68.04 [68.04(8)]**
transcript of evidence, **RCP-68.04 [68.04(9)]**
Motion
generally, **RCP-37.10, § RCP 37.10:1**
leave to appeal, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2, RCP-61.03.1, § RCP 61.03.1:1 [61.03(1) to (4), 61.03.1(4) to (8)]**
motions in appellate court, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4)]**
Perfecting appeals, **RCP-61.09, § RCP 61.09:1 [61.09(2), (3)]**
Place of filing, **RCP-4.05 [4.05(3)]**
Trial, **RCP-48.03**
recording jury verdict, **RCP-52.09, § RCP 52.09:1**

RECOVERY OF COSTS
See Costs

RECOVERY OF POSSESSION OF LAND
See Enforcement of Orders

REFEREES
See References

REFERENCES
Absence of opposite party, **RCP-3.03 [3.03(2)]**

REFERENCES—Cont'd
Adding parties, **RCP-55.02 [55.02(5), (6)]**
Administration proceedings, **RCP-65.02, § RCP 65.02:1**
Adopting different procedure, **RCP-55.01 [55.01(1)]**
Amendment of pleadings, **RCP-55.02 [55.02(10)]**
Appeals by way of, **RCP-61.01**
Application of Rules 54–55, **RCP-54.01**
Assessment of costs, **RCP-58.02, § RCP 58.02:1, § RCP 58.02:2 [58.02(2)]**
Carriage of reference
order designating who has carriage, **RCP-54.04, § RCP 54.04:1 [54.04(1)]**
transferring to other party, **RCP-55.02 [55.02(12)]**
Charging interest, **RCP-55.07 [55.07(2)]**
Claims of interested persons
adjudication, **RCP-55.03 [55.03(4)]**
examination, **RCP-55.03 [55.03(3)]**
filing, **RCP-55.03 [55.03(2)]**
notice of contested claim, **RCP-55.03 [55.03(4)]**
publication of advertisement, **RCP-55.03 [55.03(1)]**
Compelling attendance at reference, **RCP-55.02 [55.02(14)]**
Conditions of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2, APP C § C:106 [55.06(2), (3), Form 55F]**
Conduct of sale
advertisements, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(2)]**
conditions of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(3)]**
deposit, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(9)]**
hearing for directions, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(4)]**
interim report, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(10)]**
method of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(1)]**
objections to sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(11)]**

REFERENCES—Cont'd
Conduct of sale—Cont'd
payment of purchase money, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(12)]**
payment out of purchase money, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(14)]**
purchaser to sign agreement, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(8)]**
referee must be satisfied money paid into court, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(15)]**
who may bid at sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(5), (6)]**
who shall conduct sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(7)]**
writ of possession, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(13)]**
Delivery of instruments, **RCP-55.02 [55.02(17)]**
Direction for payment of money
money belonging to minor, **RCP-55.05 [55.05(4)]**
money to be paid to creditors, **RCP-55.05 [55.05(5)]**
payment into financial institution, **RCP-55.05 [55.05(1)]**
payment out, **RCP-55.05 [55.05(2), (3)]**
Directions
disallowing compensation, **RCP-55.07 [55.07(2)]**
dispensing with unnecessary procedures, **RCP-55.01 [55.01(1)]**
hearing, **RCP-55.02 [55.02(1), (2)]**
variation or supplementation, **RCP-55.02 [55.02(4)]**
what directions may be given, **RCP-55.02 [55.02(3)]**
Documents, **RCP-55.02 [55.02(15), (16)]**
Evidence of witnesses, **RCP-55.02 [55.02(13), (14)]**
Execution of instrument, **RCP-55.02 [55.02(17)]**
Expert appointed by referee, **RCP-55.02 [55.02(14.2)]**

REFERENCES—Cont'd
Expert witnesses, **RCP-55.02 [55.02(14.1)]**
Failure to appear, **RCP-55.02 [55.02(7)]**
Foreclosure actions
adding subsequent encumbrancer as defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(2), (3)]**
request for sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
amending judgment to judgment for sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
conversion from foreclosure to sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(22)]**
default judgment, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(9), (10), (11)]**
defendant noted in default, notice of reference, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
failure of subsequent encumbrancer to prove claim, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(14), (15)]**
final order of foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(15), (16)]**
judgment for sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(24)]**
power of referee to convert to sale, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(22)]**
power of referee to reconvert to foreclosure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(23)]**
procedure, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(26)]**
redemption by subsequent encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(8)]**
report, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6)]**
fixing time for redemption, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12), (13)]**

REFERENCES—Cont'd
Foreclosure actions—Cont'd
security for costs, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(20), (21)]**
time for request to redeem, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
Forms
conditions of sale, **APP C § C:106 [Form 55F]**
default judgment for foreclosure with a reference, **APP C § C:155 [Form 64B]**
interim report on sale, **APP C § C:107 [Form 55G]**
notice of contested claim, **APP C § C:104 [Form 55D]**
notice of hearing for directions, **APP C § C:101 [Form 55A]**
notice of party added on reference, **APP C § C:102 [Form 55B]**
notice of reference to original defendants, **APP C § C:169 [Form 64P]**
notice of reference to subsequent encumbrancer added on reference, **APP C § C:167 [Form 64N]**
notice of reference to subsequent encumbrancer named as original party, **APP C § C:168 [Form 64O]**

REGISTRARS
Amended statement of defence and counterclaim, issuance, **RCP-27.07 [27.07(2)]**
Appeals
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1) to (3)]**
automatic, **RCP-61.13.0.1**
fixing date for review of single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
refusal to accept appeal book and compendium, **RCP-61.10, § RCP 61.10:1 [61.10(2)]**
Blank summons to witness, examinations out of court, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(6)]**
Certificate of pending litigation, issuance, **RCP-42.01**

REGISTRARS—Cont'd
Certificate of stay pending appeal, issuance, **RCP-63.03, § RCP 63.03:1 [63.03(4), (5)]**
Certified copies of court documents, issuance, **RCP-4.03**
Commission and letter of request, issuance, **RCP-34.07, § RCP 34.07:1 [34.07(3)]**
Communications by, **RCP-4.12, § RCP 4.12:1**
Definition, **RCP-1.03, § RCP 1.03:1**
for appeals, **RCP-61.02, § RCP 61.02:1**
Deposit of wills and codicils, **RCP-74.02**
Depositing documents with registrar, **RCP-30.11, § RCP 30.11:1, § RCP 30.11:2**
Dismissal
actions for delay, **RCP-48.14, § RCP 48.14:1 [48.14(1), (2)]**
appeals for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1) to (3)]**
cross-appeals for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
judicial review applications for delay, **RCP-68.06**
automatic, **RCP-68.07 [68.07(1)]**
Exhibits for trial
holding exhibits, **RCP-52.04, § RCP 52.04:1 [52.04(3)]**
listing, **RCP-52.04, § RCP 52.04:1 [52.04(1)]**
Fixing hearing date, motions in appellate court, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(3)]**
Garnishment proceedings, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(4)]**
Informing of settlement, **RCP-48.12**
Judicial review applications
dismissal for delay, **RCP-68.06, RCP-68.07 [68.06, 68.07]**
fixing hearing date in Divisional Court, **RCP-68.03**
listing for hearing, **RCP-68.05 [68.05(2)]**
transfer of Divisional Court applications, **RCP-68.01, § RCP 68.01:1 [68.01(2)]**

REGISTRARS—Cont'd
Money paid to joint credit, **RCP-55.05 [55.05(1)]**
Motion jurisdiction, **RCP-37.02, § RCP 37.02:1 [37.02(3)]**
Notice of garnishment, issuance, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(3)]**
Noting
amendment of pleadings, **RCP-26.03, § RCP 26.03:1 [26.03(2)]**
default, **RCP-19.01, § RCP 19.01:1 [19.01(1) to (3)]**
Orders
entry of order of Court of Appeal, **RCP-59.05, § RCP 59.05:1 [59.05(3)]**
motion to vary or set aside, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1), (2)]**
review of registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
Originating process, issuance, **RCP-14.07, § RCP 14.07:1 [14.07(1)]**
Payment into and out of court, see Payment into Court: Payment out of Court, see Accountant
References
default judgment in mortgage action, **RCP-64.02**
money paid to joint credit, **RCP-55.05 [55.05(1)]**
payment out of money, **RCP-55.05 [55.05(3)]**
Request for directions from judge, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(20)]**
Return of exhibits, **RCP-52.04, § RCP 52.04:1 [52.04(2) to (4)]**
Settling orders, **RCP-59.04, § RCP 59.04:1 [59.04(9) to (13)]**
Signing and returning orders, **RCP-59.04, § RCP 59.04:1**
Signing default judgment
foreclosure actions
conversion to sale action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17), (18)]**
no request to redeem, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(9)]**

REGISTRARS—Cont'd
Signing default judgment—Cont'd
foreclosure actions—Cont'd
request to redeem filed, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(10)]**
generally
availability, **RCP-19.04, § RCP 19.04:1 [19.04(1)]**
costs, **RCP-19.04, § RCP 19.04:1 [19.04(6)]**
filing requisition for, **RCP-19.04, § RCP 19.04:1 [19.04(2)]**
refusal by registrar, **RCP-19.04, § RCP 19.04:1 [19.04(3)]**
redemption, **RCP-64.05, § RCP 64.05:1 [64.05(4), (5)]**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(8)]**
Signing orders, **RCP-59.04, § RCP 59.04:1**
Speedy trial list, **RCP-48.09**
Summons to witness, issuance in blank form, **RCP-53.04, § RCP 53.04:1 [53.04(2)]**
Transmission of documents or exhibits, **RCP-4.10 [4.10(1)]**
Trials, sending copies of expert's report to parties, **RCP-52.03, § RCP 52.03:1 [52.03(7)]**
Writ of seizure and sale not filed with sheriff, renewal, **RCP-60.07, § RCP 60.07:1 [60.07(9)]**

REGULATIONS
Application for interpretation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Bilingual proceedings, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126]**
Money paid into court, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2**
Proceedings for interpretation, representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Small Claims Court, jurisdiction, **CJA-23, § CJA 23:1 to § CJA 23:3 [s. 23]**

REPLEVIN
See Interim Recovery of Personal Property

REPLY
See also Pleadings

REPLY—Cont'd
Admissions, **RCP-25.09 [25.09(1)]**
Close of pleadings, **RCP-25.05, § RCP 25.05:1**
Deemed denial where none delivered, **RCP-25.08 [25.08(4)]**
effect, **RCP-25.09 [25.09(2)]**
Defence
counterclaim, **RCP-27.06**
crossclaim, **RCP-28.08**
main action by third party, **RCP-29.05, § RCP 29.05:1 [29.05(4)]**
plaintiff's claim against co-defendant, **RCP-28.06 [28.06(4)]**
Delivery with defence to counterclaim, **RCP-27.05 [27.05(2)]**
Effect of denial of agreement, **RCP-25.09 [25.09(2)]**
Forms
reply, **APP C § C:52 [Form 25A]**
reply to defence to counterclaim, **APP C § C:56 [Form 27D]**
reply to defence to crossclaim, **APP C § C:59 [Form 28C]**
reply to third party defence, **APP C § C:62 [Form 29C]**
Mandatory requirement, **RCP-25.08 [25.08(1), (2)]**
Motions and applications, service and filing of affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(3)]**
Objections to assessment of costs, **RCP-58.10, § RCP 58.10:1 [58.10(2)]**
Restriction on delivery, **RCP-25.08 [25.08(3)]**
Striking out, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
Subsequent pleading, **RCP-25.01, § RCP 25.01:1 [25.01(5)]**
Time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3)]**
To defence to counterclaim, **RCP-25.01, § RCP 25.01:1 [25.01(2)]**
To defence to crossclaim, **RCP-25.01, § RCP 25.01:1 [25.01(3)]**
To statement of defence, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
To third party defence, **RCP-25.01, § RCP 25.01:1, RCP-29.04 [25.01(4), 29.04]**

REPORT
Forms
sheriffs, **APP C § C:134 [Form 60N]**

REPRESENTATION BY LAWYER
See Lawyers

REPRESENTATION ORDERS
Availability, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Deceased persons, **RCP-10.02, § RCP 10.02:1**
Estates, **RCP-10.02, § RCP 10.02:1**
Order in proceeding binds person or class, **RCP-10.01, § RCP 10.01:1 [10.01(2)]**
Relief from binding effect of order, **RCP-10.03**
Settlement affecting person represented but not a party, **RCP-10.01, § RCP 10.01:1 [10.01(3), (4)]**
Unborn persons, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

REPRESENTATIVE PROCEEDINGS
See also Class Proceedings
Generally, **RCP-12.07, § RCP 12.07:1**

REQUESTS TO ADMIT
See Admissions

REQUISITIONS
Default judgment, **RCP-19.04, § RCP 19.04:1 [19.04(2)]**
Forms
requisition, **APP C § C:15 [Form 4E]**
requisition for default judgment, **APP C § C:43 [Form 19D]**
Garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(2)]**
Generally, **RCP-4.08**
Payment into court, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2**
Payment out of court, **RCP-72.03, § RCP 72.03:1**
Writ of delivery, **RCP-60.04, § RCP 60.04:1 [60.04(1)]**
Writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(1)]**

RESPONDENTS
Appeals, see Appeals
Application record and factum, **RCP-38.09 [38.09(3) to (5)]**

RESPONDENTS—Cont'd
Definition, **RCP-1.03, § RCP 1.03:1**
Joinder, **RCP-5.02, § RCP 5.02:1, § RCP 5.02:2 [5.02(2)]**
Judicial review proceedings
application record, **RCP-68.04 [68.04(4), (5), (7)]**
factum, **RCP-68.04 [68.04(4), (6), (7)]**
References, adding, **RCP-55.02 [55.02(5)]**
Sued in different capacities, **RCP-5.01, § RCP 5.01:1, § RCP 5.01:2 [5.01(2), (3)]**

REVIVOR
See Transfer or Transmission of Interest or Liability

RIGHTS
Preservation, see Preservation of Rights

RULES
Application of Rules
Family Court, no application, **RCP-1.02, § RCP 1.02:1 [1.02(1), (2)]**
generally, **RCP-1.02, § RCP 1.02:1 [1.02(1), (2), (4)]**
Citation of Rules, **RCP-1.01**
Civil Rules Committee
composition, **CJA-65, § CJA 65:1 [s. 65]**
scope of rule-making authority, **CJA-66, § CJA 66:1, § CJA 66:2; CJA-68.1 [s. 66, 68.1]**
Criminal Rules Committee
composition, **CJA-69, § CJA 69:1 [s. 69]**
scope of rule-making authority, **CJA-70, § CJA 70:1 [s. 70]**
Definitions, **RCP-1.03, § RCP 1.03:1**
Family Rules Committee
composition, **CJA-67, § CJA 67:1 [s. 67]**
forms, **RCP-1.06, § RCP 1.06:1**
generally, **§ RCP 1:1**
interpretation, **RCP-1.04, § RCP 1.04:1 [1.04(1)]**
matters not provided for, **RCP-1.04, § RCP 1.04:1 [1.04(2)]**
parties acting in person, **RCP-1.04, § RCP 1.04:1 [1.04(3)]**

RULES—Cont'd
Family Rules Committee—Cont'd
presiding member, **CJA-65, § CJA 65:1; CJA-67, § CJA 67:1 [s. 65(3), 67(3)]**
scope of rule-making authority, **CJA-68, § CJA 68:1; CJA-68.1 [s. 68, 68.1(2)]**
Non-compliance
attacking irregularity, **RCP-2.02, § RCP 2.02:1**
consequences, **RCP-2.01, § RCP 2.01:1 [2.01(1)]**
dispensing with compliance, **RCP-2.03, § RCP 2.03:1**
Orders on terms or directions, **RCP-1.05, § RCP 1.05:1**
Parties acting in person, **RCP-1.04, § RCP 1.04:1 [1.04(3)]**
Provincial offences rules, **CJA-70.1**
Simplified procedure, **§ RCP 76:1**
Transitional provisions, **RCP-1.02, § RCP 1.02:1 [1.02(2) to (4)]**

RULINGS
Examination out of court, **RCP-34.12, § RCP 34.12:1, RCP-34.13 [34.12, 34.13]**
References, **RCP-55.02 [55.02(18)]**

SALE
Approval
application, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Conduct, directing reference, **RCP-54.02, § RCP 54.02:1 [54.02(2)]**
Forms
judgment for sale or partition, **APP C § C:172 [Form 66A]**
Land, see also Foreclosure, Sale, and Redemption
partition proceedings, **§ RCP 66:1**
seized under writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(17) to (24)]**
Perishable property, interim preservation, **RCP-45.01, § RCP 45.01:1 [45.01(2)]**
Personal property seized under writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(16), (23), (24)]**

SALE—Cont'd
Property of minor
affidavit in support of application, **RCP-67.02**
consent of minor over age of sixteen, **RCP-67.03**
lawyer's affidavit, **RCP-67.01 [67.01(1), (2)]**
notice of application for approval, **RCP-67.01**
Reference for conduct of sale
advertisement, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(2)]**
conditions of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2, APP C § C:106 [55.06(3), Form 55F]**
conditions precedent for transfer, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(15)]**
deposit, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(9)]**
hearing for directions, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(4)]**
interim report, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2, APP C § C:107 [55.06(10), Form 55G]**
method of sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(1)]**
objections to sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(11)]**
payment into court, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(12)]**
payment out of court, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(14)]**
purchaser to sign agreement, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(8)]**
who may bid, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(5), (6)]**
who shall conduct, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(7)]**
writ of possession, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(13)]**
Sale actions, see Foreclosure, Sale and Redemption

SALE—Cont'd
Service of claim outside Ontario, **RCP-17.02, § RCP 17.02:1**

SECURITY
Interim recovery of personal property
condition and form, **RCP-44.04**
order to pay into court, **RCP-44.03, § RCP 44.03:1**
release of security, **RCP-44.06**
Receiver, appointment, **RCP-41.03**
Recovery of personal property held as security, **RCP-45.03, § RCP 45.03:1 [45.03(1)]**
Reference to appoint committee, guardian or receiver, **RCP-55.07 [55.07(1)]**
Remuneration of experts at trials, **RCP-52.03, § RCP 52.03:1 [52.03(6)]**
Setting aside writ of execution, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**

SECURITY FOR COSTS
Amount and form, **RCP-56.04, § RCP 56.04:1**
Appeals, **RCP-61.06, § RCP 61.06:1**
Availability, **RCP-56.01, § RCP 56.01:1, § RCP 56.01:2, RCP-56.09, § RCP 55.09:1 [56.01, 56.09]**
Declaration of place of residence, **RCP-56.02, § RCP 56.02:1**
Default of plaintiff, **RCP-56.06, § RCP 56.06:1**
Discretion of court, **RCP-56.09, § RCP 55.09:1**
Effect of order, **RCP-56.05**
Form of order, **RCP-56.05, APP C § C:108 [56.05, Form 56A]**
Generally, **§ RCP 56:1**
Motion for security, **RCP-56.03, § RCP 56.03:1**
Notice of compliance, **RCP-56.08**
Payment out of court
payment directly to lawyer, **RCP-72.03, § RCP 72.03:1 [72.03(8)]**
payment out on consent, **RCP-72.03, § RCP 72.03:1 [72.03(4)]**
Request for sale by subsequent encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(18) to (21)]**
Summary judgment, order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(2), (6)]**

SECURITY FOR COSTS—Cont'd
Time for furnishing, **RCP-56.04, § RCP 56.04:1**
Variation of amount, **RCP-56.07, § RCP 56.07:1**

SEIZURE AND SALE
See Writs, seizure and sale

SEQUESTRATION
See Writs, sequestration

SERVICE
See also Service Outside Ontario
Alternatives to personal service
acceptance of service by lawyer, **RCP-16.03, § RCP 16.03:1 [16.03(2), (3)]**
availability, **RCP-16.03, § RCP 16.03:1, RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [16.03(1), 60.18(7)]**
e-mail, **RCP-16.05, § RCP 16.05:1, RCP-16.06.1 [16.05(1)(f), 16.06.1]**
ervice on the Crown in right of Ontario, Attorney General, **RCP-16.03, § RCP 16.03:1 [16.03(7)]**
service at place of residence, **RCP-16.03, § RCP 16.03:1 [16.03(5)]**
service by mail generally, **RCP-16.06, § RCP 16.06:1 [16.06(1)]**
service by mail to last known address, **RCP-16.03, § RCP 16.03:1 [16.03(4)]**
service on children's lawyer, **RCP-16.03, § RCP 16.03:1 [16.03(8)]**
service on corporation by mail, **RCP-16.03, § RCP 16.03:1 [16.03(6)]**
service on lawyer of record, **RCP-16.05, § RCP 16.05:1**
courier, **RCP-16.06.2**
document exchange, **RCP-16.05, § RCP 16.05:1 [16.05(2)]**
telephone transmission, **RCP-16.05, § RCP 16.05:1 [16.05, (3.1)]**
service on public guardian and trustee, **RCP-16.03, § RCP 16.03:1 [16.03(9)]**
Attempts to evade service, **RCP-16.08, § RCP 16.08:1**
Deemed service, email, **RCP-16.03, § RCP 16.03:1 [16.03(10)]**

SERVICE—Cont'd
Dispensing with service
grounds for order, **RCP-16.04, § RCP 16.04:1 [16.04(1)]**
when deemed served, **RCP-16.04, § RCP 16.04:1 [16.04(3)]**
Document not reaching party, **RCP-16.07, § RCP 16.07:1**
Documents
exhibits, **RCP-4.06 [4.06(3)]**
extending or abridging time, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2 [3.02(1), (4)]**
not requiring personal service, **RCP-16.01, § RCP 16.01:1 [16.01(3)]**
E-mail
effective service, **RCP-16.05, § RCP 16.05:1 [16.05(1)(f)]**
required information, **RCP-16.06.1**
Extension of time for service, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
Forms
acknowledgment of receipt card, **APP C § C:31 [Form 16A]**
affidavit of service, **APP C § C:32 [Form 16B]**
certificate of service by sheriff, **APP C § C:34 [Form 16C]**
lawyers certificate of, **APP C § C:33 [Form 16B.1]**
Generally, **§ RCP 16:1**
Lawyer of record, **RCP-15.04, § RCP 15.04:1, RCP-15.06, RCP-16.01, § RCP 16.01:1, RCP-16.05, § RCP 16.05:1 [15.04, 15.06, 16.01(4), 16.05]**
Mail
effective date, **RCP-16.06, § RCP 16.06:1 [16.06(2)]**
manner of service, **RCP-16.06, § RCP 16.06:1 [16.06(1)]**
Non-party, **RCP-16.01, § RCP 16.01:1 [16.01(4)]**
Notice
action, of, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(4)]**
appearance, of, **RCP-38.07**
application, of, **RCP-38.06, § RCP 38.06:1**
examination in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(7)]**

SERVICE—Cont'd
Notice—Cont'd
garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(4)]**
motion, of, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2**
Orders
affecting minors, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
dispensing with service, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**
without notice, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(4)]**
Originating process, **RCP-16.01, § RCP 16.01:1 [16.01(1), (2)]**
Party acting in person, **RCP-16.01, § RCP 16.01:1 [16.01(4)]**
Personal service
absentee, **RCP-16.02, § RCP 16.02:1 [16.02(1)(i)]**
Attorney General of Ontario, **RCP-16.02, § RCP 16.02:1 [16.02(1)(h)]**
board or commission, **RCP-16.02, § RCP 16.02:1 [16.02(1)(d)]**
corporation, **RCP-16.02, § RCP 16.02:1 [16.02(1)(c)]**
Crown in right of Canada, **RCP-16.02, § RCP 16.02:1 [16.02(1)(f)]**
Crown in right of Ontario, **RCP-16.02, § RCP 16.02:1 [16.02(1)(g)]**
individual, **RCP-16.02, § RCP 16.02:1 [16.02(1)(a)]**
mentally incapable persons, **RCP-16.02, § RCP 16.02:1 [16.02(1)(k)]**
minor, **RCP-16.02, § RCP 16.02:1 [16.02(1)(j)]**
municipality, **RCP-16.02, § RCP 16.02:1 [16.02(1)(b)]**
original not required while serving, **RCP-16.02, § RCP 16.02:1 [16.02(2)]**
partnership, **RCP-16.02, § RCP 16.02:1 [16.02(1)(m)]**
person outside Ontario carrying on business in Ontario, **RCP-16.02, § RCP 16.02:1 [16.02(1)(e)]**
sole proprietorship, **RCP-16.02, § RCP 16.02:1 [16.02(1)(n)]**
Proof of service
affidavit of service, **RCP-16.09 [16.09(1), (5)]**

SERVICE—Cont'd
Proof of service—Cont'd
document exchange, **RCP-16.09 [16.09(4)]**
lawyer's admission or acceptance, **RCP-16.09 [16.09(3)]**
service outside Ontario, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(4)]**
sheriff's certificate, **RCP-16.09 [16.09(2), (5)]**
Statement of claim
failure to serve within prescribed time, **RCP-24.01, § RCP 24.01:1**
generally, **RCP-14.08, § RCP 14.08:1**
Statement of defence, **§ RCP 18:1**
Substituted service
availability, **RCP-16.04, § RCP 16.04:1 [16.04(1)]**
effective date, **RCP-16.04, § RCP 16.04:1 [16.04(2)]**
Summons to witness, **RCP-53.04, § RCP 53.04:1 [53.04(4), (5)]**
extension of, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
Time, **RCP-14.08, § RCP 14.08:1**
Validating service, **RCP-16.08, § RCP 16.08:1**

SERVICE OUTSIDE ONTARIO
Contracting state, definition, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(1)]**
Convention, definition, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(1)]**
Forms
notice and summary of document, **APP C § C:37 [Form 17C]**
request for service abroad of judicial or extra-judicial documents, **APP C § C:35 [Form 17A]**
summary of the document to be served, **APP C § C:36 [Form 17B]**
Generally, **§ RCP 17:1**
Manner
contracting states, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(3)]**
non-contracting states, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(2)]**

SERVICE OUTSIDE ONTARIO —Cont'd
Motion for leave, **RCP-17.03, § RCP 17.03:1 [17.03(2)]**
Originating process, **RCP-17.01, RCP-17.04, § RCP 17.04:1 [17.01, 17.04(1)]**
Proof of service, **RCP-17.05, § RCP 17.05:1, § RCP 17.05:2 [17.05(4)]**
Setting aside service
grounds for order, **RCP-17.06, § RCP 17.06:1, § RCP 17.06:2 [17.06(2)]**
motion to set aside, **RCP-17.06, § RCP 17.06:1, § RCP 17.06:2**
Validating service, **RCP-17.06, § RCP 17.06:1, § RCP 17.06:2 [17.06(3)]**
With leave, **RCP-17.03, § RCP 17.03:1, RCP-17.04, § RCP 17.04:1 [17.03(1), 17.04(2)]**
Without leave
administration of estates, **RCP-17.02, § RCP 17.02:1 [17.02(b)]**
authorized by statute, **RCP-17.02, § RCP 17.02:1 [17.02(n)]**
contracts, **RCP-17.02, § RCP 17.02:1 [17.02(f)]**
counterclaim, crossclaim or third party claim, **RCP-17.02, § RCP 17.02:1 [17.02(q)]**
damage sustained in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(h)]**
injunctions, **RCP-17.02, § RCP 17.02:1 [17.02(i)]**
interpretation of instrument, **RCP-17.02, § RCP 17.02:1 [17.02(c)]**
judgment of court outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(m)]**
mortgage on property in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(e)]**
necessary or proper party, **RCP-17.02, § RCP 17.02:1 [17.02(o)]**
person resident or carrying on business in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(p)]**
property in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(a)]**
taxes, **RCP-17.02, § RCP 17.02:1 [17.02(r)]**
tort committed in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(g)]**

SERVICE OUTSIDE ONTARIO —Cont'd
Without leave—Cont'd
trustees where trust property in Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(d)]**

SETTING ASIDE
Application without notice, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
Contempt order, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Cross-appeal, **RCP-61.07, § RCP 61.07:1**
Default judgment, **RCP-19.02, § RCP 19.02:1 [19.02(1)]**
Dismissal of judicial review application for delay, **RCP-68.06 [68.06(4)]**
party under disability, **RCP-68.07 [68.07(2)]**
Interim order for recovery of personal property, **RCP-44.05, § RCP 44.05:1**
Judgment against party who failed to attend trial, **RCP-52.01, § RCP 52.01:1 [52.01(3)]**
Judgment in mortgage action
party other than encumbrancer added on reference, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(12)]**
subsequent encumbrancer added on reference, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6)]**
Jurisdiction to hear motion, **RCP-37.02, § RCP 37.02:1**
Mortgage reference
order adding party other than encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(12)]**
order adding subsequent encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6)]**
Motion to referee to set aside sale, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(11)]**
Non-compliance with Rules, **RCP-2.01, § RCP 2.01:1 [2.01(1), (2)]**
Order
adding party, on reference, **RCP-55.02 [55.02(6)]**
allowing affidavit evidence at trial, **RCP-53.02, § RCP 53.02:1 [53.02(2)]**

SETTING ASIDE—Cont'd
Order—Cont'd
directing reference, **RCP-55.02 [55.02(6)]**
generally, **RCP-59.06, § RCP 59.06:1**
judge of an appellate court, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
motion or application without notice, **RCP-39.01, § RCP 39.01:1 [39.01(6)]**
motions generally, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2**
Registrar's order in appeal proceeding, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
stay pending appeal, **RCP-63.02, § RCP 63.02:1 [63.02(2)]**
Service
document not reaching party, **RCP-16.07, § RCP 16.07:1**
notice of application outside Ontario, **RCP-38.07 [38.07(3)]**
outside Ontario, **RCP-17.06, § RCP 17.06:1, § RCP 17.06:2 [17.06(1)]**
Writ of execution, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**

SETTING DOWN
Actions remaining at conclusion of sitting, **RCP-48.10**
Consequences of action being placed on trial list, **RCP-48.07**
Consequences of setting down or consent, **RCP-48.04, § RCP 48.04:1**
Defended actions
placing on trial list, **RCP-48.05**
service of trial record, **RCP-48.02 [48.02(1)]**
simplified procedure, **RCP-76.08**
trial record, **RCP-48.03**
Defended third party claim
service of trial record, **RCP-48.02 [48.02(3)]**
Dismissal for delay, **RCP-48.14, § RCP 48.14:1**
Failure to make motion to restore action to list, **RCP-24.01, § RCP 24.01:1**
Failure to set action down for trial, **RCP-24.01, § RCP 24.01:1**
Forms
order dismissing action for delay, **APP C § C:85 [Form 48D]**

SETTING DOWN—Cont'd
Generally, **§ RCP 48:1**
Informing registrar of settlement, **RCP-48.12**
Materials to be filed, **RCP-48.03 [48.03(2)]**
Motion for summary judgment, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(1)]**
Notice
defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
order dispensing with notice or abridging time, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**
Placing action on trial list, **RCP-48.05**
Placing action previously struck off on trial list, **RCP-48.11, § RCP 48.11:1**
Separate jury and non-jury trial lists, **RCP-48.08**
Speedy trial list, **RCP-48.09**
Speedy trial list, disposition of motion, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
Status hearing, **RCP-48.14, § RCP 48.14:1 [48.14(5) to (7)]**
Telephone and video conferences, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
Trial at another place, **RCP-48.02 [48.02(5)]**
Trial list, **RCP-48.08**
Trial of issue, **RCP-48.13**
Trial record, **RCP-48.03**
Undefended actions, **RCP-48.02, RCP-48.05 [48.02(2), 48.05]**
Undefended third party claims
service of trial record, **RCP-48.02 [48.02(4)]**
When action may be set down, **RCP-48.01**
Who may set action down, **RCP-48.01**

SETTLEMENTS
Approval
persons under disability, **RCP-7.08, § RCP 7.08:1**
representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Costs, **RCP-57.04**
Duty to inform registrar, **RCP-48.12**

SETTLEMENTS—Cont'd
Forms
rejection, **APP C § C:237 [Form 75.12]**
Mary Carter Agreements, **RCP-49.07, § RCP 49.07:1**
Notice to Children's Lawyer or Public Guardian and Trustee, **RCP-7.08, § RCP 7.08:1 [7.08(5)]**
Offers to settle, see Offers to Settle
Pre-trial conference, **RCP-50.06**
Representative proceedings, payment into court, **RCP-12.02**

SETTLING AND SIGNING ORDERS
See Orders

SHERIFF
Amending writ of seizure and sale, **RCP-60.07, § RCP 60.07:1**
Assessment of costs, **RCP-58.12, § RCP 58.12:1**
Certificate of service, **RCP-16.09 [16.09(2)]**
Certificate of stay pending appeal, **RCP-63.03, § RCP 63.03:1 [63.03(4)]**
Endorsement of renewal on writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(8)]**
Enforcement of interim order for recovery of personal property, **RCP-44.07, RCP-44.08 [44.07, 44.08]**
Fees, **APP E2 § E2:1 to APP E2 § E2:4**
Forms
certificate of service by sheriff, **APP C § C:34 [Form 16C]**
Interpleader
dispute of ownership of property seized by sheriff, **RCP-60.13 [60.13(4)]**
Motion for directions concerning enforcement of order, **RCP-60.17, § RCP 60.17:1**
Notice to creditors of abortive sale, **RCP-60.07, § RCP 60.07:1 [60.07(23), (24)]**
Releasing property where claim admitted, **RCP-60.13 [60.13(3)]**
Removal of expired, executed or withdrawn writs, **RCP-60.15**
Report on execution of writs, **RCP-60.14**
Seizure of personal property, delivery of inventory, **RCP-60.07, § RCP 60.07:1 [60.07(15)]**

SIMPLIFIED PROCEDURE
Affidavit of documents
cost of reproduction of documents, **RCP-76.03 [76.03(1)]**
failure to disclose, **RCP-76.04, § RCP 76.04:1 [76.04(2)]**
lawyer's certificate, **RCP-76.04, § RCP 76.04:1 [76.04(3)]**
list of potential witnesses, **RCP-76.04, § RCP 76.04:1 [76.04(1)]**
Application of other Rules, **RCP-76.01, § RCP 76.01:1 [76.01(3)]**
Application of Rule 76, **RCP-14.03.1, RCP-76.01, § RCP 76.01:1 [14.03.01, 76.01(1), (2)]**
Availability
abandonment of claims by plaintiff, **RCP-76.02, § RCP 76.02:1 [76.02(5), (6)]**
counterclaim, crossclaim or third party claim, **RCP-76.02, § RCP 76.02:1 [76.02(9), (10), (11)]**
defendant objecting, **RCP-76.02, § RCP 76.02:1 [76.02(4), (7)]**
multiple plaintiffs, **RCP-76.02, § RCP 76.02:1 [76.02(8)]**
when mandatory, **RCP-76.02, § RCP 76.02:1 [76.02(1)]**
when optional, **RCP-76.02, § RCP 76.02:1 [76.02(2)]**
Change from, **RCP-76.04, § RCP 76.04:1 [76.04(6), (7)]**
Change to
action to, **RCP-76.03 [76.03(1), (2)]**
counterclaim, crossclaim or third party claim, **RCP-76.03 [76.03(3), (4)]**
liability for costs, **RCP-76.03 [76.03(5)]**
Costs, limits on, **RCP-76.12.1**
Costs consequences
burden of proof, **RCP-76.13, § RCP 76.13:1 [76.13(8)]**
counterclaims, crossclaims, third party claims, **RCP-76.13, § RCP 76.13:1 [76.13(9)]**
defendant objecting to simplified procedure, **RCP-76.13, § RCP 76.13:1 [76.13(7)]**
opting in, **RCP-76.13, § RCP 76.13:1 [76.13(1)]**
plaintiff denied costs, **RCP-76.13, § RCP 76.13:1 [75.13(2) to (5)]**

SIMPLIFIED PROCEDURE—Cont'd
Costs consequences—Cont'd
plaintiff ordered to pay defendant's costs, **RCP-76.13, § RCP 76.13:1 [76.13(6)]**
Cross-examination of deponent not permitted, **RCP-76.05**
Disbursements, limits on, **RCP-76.12.1**
Examination for discovery not permitted, **RCP-76.05**
Examination of witness not permitted, **RCP-76.05**
Expert affidavits, **RCP-76.09.1**
Jury trial not available, **RCP-76.02.1, § RCP 76.02.1:1**
Jury trials, transition, **RCP-76.14, § RCP 76.14:1**
Motion form, **APP C § C:241 [Form 76B]**
Motions
place of hearing, **RCP-13.1.01, § RCP 13.1.01:1, RCP-76.05 [13.1.01, 76.05(2)]**
Placing defended action on trial list, **RCP-76.11**
Pre-trial conference, **RCP-76.10**
Procedural summary, **APP A1**
Procedure for listing for trial, **RCP-76.09**
Setting down defended action, **RCP-76.08**
lawyer's certificate, **RCP-76.08 [76.08(2)]**
notice whether action under Rule 76, **APP C § C:240 [Form 76A]**
trial record, **RCP-76.08 [76.08(3)]**
Summary trial, **RCP-76.12, § RCP 76.12:1**
Trial list, defended action, **RCP-76.09**
Trial Management Checklist, **APP C § C:243 [Form 76D]**

SMALL CLAIMS COURT
Generally, **APP F § F:1 to APP F § F:140**
Administrative judge, **CJA-14, § CJA 14:1, § CJA 14:2, CJA-87.2 [ss. 14(5.1), 87.2]**
Appeals from, **CJA-31, § CJA 31:1 to § CJA 31:3 [s. 31]**
Branch of Superior Court of Justice, **CJA-22, § CJA 22:1 [s. 22(1)]**
Composition, **CJA-22, § CJA 22:1 [s. 22(2)]**
deputy judge, **CJA-24, § CJA 24:1, § CJA 24:2 [s. 24(2), (3)]**

SMALL CLAIMS COURT—Cont'd
Composition, **CJA-22, § CJA 22:1 [s. 22(2)]**—Cont'd
hearings, **CJA-24, § CJA 24:1, § CJA 24:2 [s. 24(1)]**
provincial judge, **CJA-24, § CJA 24:1, § CJA 24:2 [s. 24(2)]**
Contempt, **CJA-30 [s. 30]**
Costs limitation, **CJA-29, § CJA 29:1 [s. 29]**
Costs where recovery within monetary jurisdiction of Small Claims Court, **RCP-57.05, § RCP 57.05:1, § RCP 57.05:2 [57.05(1) to (3)]**
Deputy judges, **CJA-32, § CJA 32:1 [s. 32]**
complaints alleging misconduct of, **CJA-33.1 [s. 33.1]**
Deputy Judges Council, **CJA-33, § CJA 33:1 [s. 33]**
Documents filed in French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(1)]**
Enforcement of orders, **CJA-30 [s. 30]**
Evidence, **CJA-27, § CJA 27:1, § CJA 27:2 [s. 27]**
Installment orders, **CJA-28, § CJA 28:1 [s. 28]**
Judges, **CJA-22, § CJA 22:1, CJA-32, § CJA 32:1 [ss. 22(3), 32]**
Jurisdiction, **CJA-23, § CJA 23:1 to § CJA 23:3 [s. 23]**
Referees, **CJA-24, § CJA 24:1, § CJA 24:2 [s. 24(2)]**
Representation of parties, **CJA-26, § CJA 26:1, § CJA 26:2 [s. 26]**
Summary hearings, **CJA-25, § CJA 25:1, § CJA 25:2 [s. 25]**
Transfer of action from Superior Court of Justice, **CJA-23, § CJA 23:1 to § CJA 23:3 [s. 23(2), (3)]**
Transfer of proceeding to Superior Court of Justice, **CJA-107, § CJA 107:1 to § CJA 107:3 [s. 107(2) to (6)]**
Translation of documents or process into French, **CJA-126, § CJA 126:1, § CJA 126:2 [s. 126(2)]**

SMALL ESTATES
Generally, **§ RCP 74.1:1, RCP-75.01, § RCP 75.01:1 [74.1, 75.01]**

SOLE PROPRIETORSHIPS
Adverse party, securing attendance at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(4)]**
Examination in aid of execution, **RCP-60.18, § RCP 60.18:1, § RCP 60.18:2 [60.18(3)]**
Personal service, **RCP-16.02, § RCP 16.02:1 [16.02(1)]**
Proceedings by or against, **RCP-8.07, § RCP 8.07:1**

SPECIAL CASE
Appeals by way of, **RCP-61.01**
Determination by judge, **RCP-22.01, § RCP 22.01:1 [22.01(2)]**
Factums, **RCP-22.02**
Form of, **RCP-22.04, § RCP 22.04:1**
Forms
special case, **APP C § C:44 [Form 22A]**
Hearing
determination of question of law, **RCP-22.05 [22.05(2)]**
inferences, **RCP-22.05 [22.05(1)]**
Question of law for opinion of court, **RCP-22.01, § RCP 22.01:1 [22.01(1)]**
Removal into Court of Appeal, **RCP-22.03, § RCP 22.03:1**

SPECIAL EXAMINERS
See Official Examiners

STANDING
Dismissal for lack of, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)(b)]**

STARE DECISIS
Generally, **RCP-22.03, § RCP 22.03:1**

STATED CASE
See also Special Case
Appeals by way of, **RCP-61.01**

STATEMENT
Forms
issues, **APP C § C:50 [Form 24.1C]**
submission of rights to court, **APP C § C:235 [Form 75.10]**

STATEMENT OF CLAIM
See also Pleadings
Deemed admitted, defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(1)]**
Defined as originating process, **RCP-1.03, § RCP 1.03:1**
Estate proceedings, **RCP-75.07**
Failure to serve within prescribed time, **RCP-24.01, § RCP 24.01:1**
Foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(4)]**
naming defendants, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(1) to (3)]**
statement of claim (general), **APP C § C:21 [Form 14A]**
statement of claim (mortgage actions), **APP C § C:22 [Form 14B]**
Insufficient time to prepare, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(2)]**
Motion for judgment, **RCP-19.05, § RCP 19.05:1**
Motion for summary judgment, **RCP-20.01, § RCP 20.01:1 [20.01(1)]**
Motion for summary judgment dismissing, **RCP-20.01, § RCP 20.01:1 [20.01(3)]**
Naming place of trial, **RCP-46.01, RCP-46.02 [46.01(1), 46.02]**
Notice of action, **RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [14.03(3), (4)]**
Originating process, **RCP-1.03, § RCP 1.03:1, RCP-14.03, § RCP 14.03:1, § RCP 14.03:2 [1.03, 14.03(1)]**
Pleadings, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
time for service, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(1)]**
Pursuant to order giving directions, **APP C § C:232 [Form 75.7]**
Redemption actions, persons to be joined, **RCP-64.05, § RCP 64.05:1 [64.05(1), (2)]**
Sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(1), (3)]**
Simplified procedure, **RCP-76.02, § RCP 76.02:1 [76.02(3)]**
Striking out, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2, RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [21.01(1), 25.11]**

STATEMENT OF CLAIM—Cont'd
Time for service
together with notice of action, **RCP-14.08, § RCP 14.08:1 [14.08(2)]**
where commences action, **RCP-14.08, § RCP 14.08:1 [14.08(1)]**

STATEMENT OF DEFENCE
See also Defences; Pleadings
Amending to add counterclaim, **RCP-27.07**
Amending to add crossclaim, **RCP-28.03**
Consent of plaintiff to delivery, **RCP-19.03, § RCP 19.03:1 [19.03(2)]**
Defence of main action by third party, **RCP-29.05, § RCP 29.05:1**
Effect of failure to comply with order concerning medical examinations, **RCP-33.07, § RCP 33.07:1**
Effect of failure to comply with order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(6), (7)]**
Estate proceedings, **RCP-75.07**
Failure to deliver, see also Default Proceedings
effect on service of crossclaim, **RCP-28.04, § RCP 28.04:1 [28.04(2)]**
failure to note defendant in default, **RCP-24.01, § RCP 24.01:1**
fourth and subsequent party, **RCP-29.11, § RCP 29.11:1 [29.11(2)]**
service of counterclaim, **RCP-27.04, § RCP 27.04:1 [27.04(3)]**
Forms
notice of intent to defend, **APP C § C:39 [Form 18B]**
statement of defence, **APP C § C:38 [Form 18A]**
Generally, **§ RCP 18:1**
Late delivery, **RCP-19.01, § RCP 19.01:1 [19.01(5)]**
Notice of intent to defend, **RCP-18.02, § RCP 18.02:1**
Pleadings, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(2)]**
Reply, **RCP-25.01, § RCP 25.01:1 [25.01(1)]**
estate proceedings, **RCP-75.07**

STATEMENT OF DEFENCE—Cont'd
Statement of defence and counterclaim, **RCP-27.02**
amended, **RCP-27.07**
delivery or service, **RCP-27.04, § RCP 27.04:1**
where defendant not party to main action, **RCP-27.03, § RCP 27.03:1**
Statement of defence and crossclaim, **RCP-28.02, RCP-28.04, § RCP 28.04:1, RCP-28.05 [28.02, 28.04, 28.05]**
Striking out, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2, RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [21.01, 25.11]**
Third party defence, **RCP-29.03**
effect, **RCP-29.06**
reply, **RCP-29.04**
Time for delivery, **RCP-18.01, § RCP 18.01:1**
counterclaim, **RCP-18.02, § RCP 18.02:1 [18.02(3)]**
third party, **RCP-18.02, § RCP 18.02:1 [18.02(3)]**
where notice of intent to defend, **RCP-18.02, § RCP 18.02:1 [18.02(2)]**
Withdrawal, **RCP-23.06, § RCP 23.06:1**

STATEMENTS OF FACTS AND LAW
See Factums

STATUS HEARING
See Setting Down

STATUTES
Application for interpretation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
Conferring power to grant relief, motions and applications, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
Definition, **RCP-1.03, § RCP 1.03:1**
Proceedings for interpretation, representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**

STATUTORY POWERS PROCEDURE ACT
Generally, **APP K1 § K1:1 to APP K1 § K1:100**
Forms, **APP K2 § K2:1 to APP K2 § K2:6**

STAY OF PROCEEDINGS
Administration proceeding, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
Availability generally, **CJA-106, § CJA 106:1, § CJA 106:2 [s. 106]**
Counterclaim, **RCP-27.09, § RCP 27.09:1**
claim in main action not disputed, **RCP-27.09, § RCP 27.09:1 [27.09(1)]**
Declaration of authority to commence not served after demand, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(1)]**
Determination of issue before trial
factums, **RCP-21.03**
failure to make motion promptly, **RCP-21.02, § RCP 21.02:1**
motion by defendant, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(3)]**
Discontinuance of earlier action, **RCP-23.04, § RCP 23.04:1 [23.04(2)]**
Dismissal of earlier action for delay, **RCP-24.05, § RCP 24.05:1 [24.05(2)]**
Enforcement of summary judgment, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Failure
to comply with interlocutory order, **RCP-60.12, § RCP 60.12:1**
to declare plaintiff's place of residence, **RCP-56.02, § RCP 56.02:1**
to pay costs of motion, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(2)]**
to provide names and addresses of partners, **RCP-8.05 [8.05(2)]**
Interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(2)]**
Multiple proceedings in court, **RCP-6.01, § RCP 6.01:1 [6.01(1)]**
Proceeding
commenced without client's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(3), (4)]**
commenced without lawyer's authority, **RCP-15.02, § RCP 15.02:1, § RCP 15.02:2 [15.02(2), (4)]**
Relief against joinder, **RCP-5.05, § RCP 5.05:1, § RCP 5.05:2**

STAY OF PROCEEDINGS—Cont'd
Subsequent action, **RCP-23.04, § RCP 23.04:1 [23.04(2)]**
Transmission of interest or liability, **RCP-11.01, § RCP 11.01:1**
Where service outside Ontario, **RCP-17.06, § RCP 17.06:1, § RCP 17.06:2**

STAY PENDING APPEAL
Automatic, on delivery of notice of appeal, **RCP-63.01, § RCP 63.01:1**
co-operative housing orders, **RCP-63.01, § RCP 63.01:1 [63.01(4)]**
exceptions, **RCP-63.01, § RCP 63.01:1 [63.01(1), (2)]**
lifting of stay, **RCP-63.01, § RCP 63.01:1 [63.01(5)]**
Tenant Protection Act orders, **RCP-63.01, § RCP 63.01:1 [63.01(3)]**
By appeal court, **RCP-63.02, § RCP 63.02:1 [63.02(1)]**
By trial court, **RCP-63.02, § RCP 63.02:1 [63.02(1)]**
Certificate of stay, **RCP-63.03, § RCP 63.03:1 [63.03(4), (5)]**
Chart, **§ RCP 63:1**
Effect, **RCP-63.03, § RCP 63.03:1**
Forms
certificate of stay, **APP C § C:152, APP C § C:153 [Form 63A, Form 63B]**
writ of execution, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**
Order of Ontario Rental Housing Tribunal, **RCP-63.03, § RCP 63.03:1 [63.03(5.1), (5.2)]**
Stay by order, **RCP-63.02, § RCP 63.02:1 [63.02(1)]**
expiry, **RCP-63.02, § RCP 63.02:1 [63.02(2)]**
setting aside or varying, **RCP-63.02, § RCP 63.02:1 [63.02(3)]**
support order, **RCP-63.02, § RCP 63.02:1 [63.02(4)]**

STOP ORDERS
Forms
stop order, **APP C § C:179 [Form 72C]**
Order for payment out, **RCP-72.05, § RCP 72.05:1 [72.05(3)]**

STOP ORDERS—Cont'd
Payment out of court, **RCP-72.05, § RCP 72.05:1**

STRIKING OUT
Affidavit
default or misconduct, examination out of court, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
failure to provide medical information on discovery, **RCP-33.07, § RCP 33.07:1**
Defence
default or misconduct, examination out of court, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
failure to answer written question, examination for discovery, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
failure to comply with interlocutory order, **RCP-60.12, § RCP 60.12:1**
failure to pay costs of motion, **RCP-57.03, § RCP 57.03:1, § RCP 57.03:2 [57.03(2)]**
failure to provide names and addresses of partners, **RCP-8.05 [8.05(2)]**
Evidence
default or misconduct, examination out of court, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2**
failure to answer written question, examination for discovery, **RCP-35.04, § RCP 35.04:1 [35.04(4)]**
Jury notice, **RCP-47.02, § RCP 47.02:1, § RCP 47.02:2**
Originating process, **RCP-14.09, § RCP 14.09:1**
Pleadings, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2**
no cause of action or defence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2, RCP-21.02, § RCP 21.02:1 [21.01(1), (2), 21.02]**
Statement of defence
failure to comply with order, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(6), (7)]**
failure to provide medical information on discovery, **RCP-33.07, § RCP 33.07:1**

STYLE OF CAUSE
See Title of Proceeding

SUBSEQUENT ACTIONS
See Actions

SUBSEQUENT ENCUMBRANCERS
See Foreclosure, Sale and Redemption

SUBSTITUTE DECISIONS ACT APPLICATIONS
See Parties Under Disability

SUMMARIES OF PROCEDURE
Generally, **APP A1 § A1:1**

SUMMARY JUDGMENT
Affidavit, **RCP-20.02, § RCP 20.02:1**
Availability, **RCP-20.01, § RCP 20.01:1**
Costs sanctions for improper use, **RCP-20.06, § RCP 20.06:1**
Counterclaims, crossclaims, third party claims, **RCP-20.09, § RCP 20.09:1**
Disposition of motion
no genuine issue for trial, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(2)]**
powers, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(2.1)]**
where only claim is for an accounting, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(5)]**
where only genuine issue is amount, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(3)]**
where only genuine issue is question of law, **RCP-20.04, § RCP 20.04:1, § RCP 20.04:2 [20.04(4)]**
Effect, **RCP-20.07, § RCP 20.07:1**
Factums, **RCP-20.03**
Generally, **§ RCP 20:1**
Order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(1)]**
failure to comply with terms, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(6), (7)]**
imposition of terms, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(2)]**
specified facts deemed established, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2 [20.05(3)]**
Simplified procedure, see Simplified Procedure
Stay of execution, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**

SUMMONS TO WITNESS
Attendance money, **RCP-53.04, § RCP 53.04:1 [53.04(4)]**
Contents, **RCP-53.04, § RCP 53.04:1 [53.04(1)]**
Detention of witness, **RCP-53.04, § RCP 53.04:1 [53.04(8)]**
Documents that may be proved by copy, **RCP-53.04, § RCP 53.04:1 [53.04(3)]**
Duration, **RCP-53.04, § RCP 53.04:1 [53.04(6)]**
Examinations out of court
issued in blank, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(6)]**
persons not parties, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2 [34.04(4)]**
production for inspection, **RCP-34.10, § RCP 34.10:1 [34.10(3)]**
sanctions for failure to obey, **RCP-34.15, § RCP 34.15:1, § RCP 34.15:2 [34.15(1)]**
Failure to obey, **RCP-53.04, § RCP 53.04:1 [53.04(7)]**
Issued in blank, **RCP-53.04, § RCP 53.04:1 [53.04(2)]**
Motion or application, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(5)]**
Outside Ontario, **RCP-53.05, § RCP 53.05:1**
Personal service, **RCP-53.04, § RCP 53.04:1 [53.04(4)]**
Persons in Ontario, **RCP-53.04, § RCP 53.04:1**
Proof of service, **RCP-53.04, § RCP 53.04:1 [53.04(5)]**
Securing attendance of adverse parties at trial, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Warrant for arrest, defaulting witness, **RCP-53.04, § RCP 53.04:1 [53.04(7)]**

SUPERIOR COURT OF JUSTICE
See also Divisional Court; Small Claims Court
Appeal from interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2**
Appeal from Superior Court of Justice
generally, **CJA-40, § CJA 40:1 [s. 40]**

SUPERIOR COURT OF JUSTICE —Cont'd
Appeals to Superior Court of Justice, **CJA-17, § CJA 17:1 to § CJA 17:3 [s. 17]**
Application of rules of court, **RCP-1.02, § RCP 1.02:1 [1.02(1)]**
Applications
date of hearing, **RCP-38.03, § RCP 38.03:1 [38.03(2), (3), (3.1)]**
proceeding for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
to whom made, **RCP-38.02, § RCP 38.02:1**
under rule, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
under statute, **RCP-14.05, § RCP 14.05:1 [14.05(2)]**
Chief Justice of Superior Court of Justice
absence, **CJA-14, § CJA 14:1, § CJA 14:2 [s. 14(4)]**
meetings, **CJA-14, § CJA 14:1, § CJA 14:2 [s. 14(7)]**
powers and duties, **CJA-14, § CJA 14:1, § CJA 14:2 [s. 14(1)]**
Commercial List, **§ RCP 37:1, § RCP 38:1 [37, 38]**
Composition
generally, **CJA-12, § CJA 12:1 [12(1)]**
hearings, **CJA-16, § CJA 16:1, § CJA 16:2**
Default judgment with reference, mortgage action, **RCP-64.02**
Directing reference, **RCP-54.03, § RCP 54.03:1 [54.03(1)]**
Judges
additional judges, **CJA-12, § CJA 12:1 [s. 12(2)]**
assignment of Court of Appeal judges to Superior Court of Justice, **CJA-13, § CJA 13:1, § CJA 13:2 [s. 13]**
assignment of Superior Court of Justice judges to Court of Appeal, **CJA-4, § CJA 4:1 [s. 4]**
former High Court and District Court judges, **CJA-15, § CJA 15:1 [s. 15(3)]**
regional assignment, **CJA-15, § CJA 15:1 [s. 15]**
regional senior judges, **CJA-14, § CJA 14:1, § CJA 14:2 [s. 14(2), (3), (5), (6)]**

SUPERIOR COURT OF JUSTICE —Cont'd
Judges—Cont'd
supernumerary judges, **CJA-12, § CJA 12:1 [s. 12(3)]**
Jurisdiction, **CJA-11, § CJA 11:1, § CJA 11:2 [s. 11(2)]**
Jury trials, **CJA-108, § CJA 108:1 to § CJA 108:3 [s. 108(1)]**
Motions
jurisdiction, **RCP-37.02, § RCP 37.02:1**
obtaining hearing date, **RCP-37.05 [37.05(1), (2), (3)]**
record, **RCP-37.10, § RCP 37.10:1 [37.10(1)]**
to whom made, **RCP-37.04**
Payment into court, **RCP-72.02, § RCP 72.02:1, § RCP 72.02:2**
Practice directions, **RCP-1.07**
see also Index to Practice Directions
Proceedings concerning estates of minors, **RCP-67.01**
Seal, **CJA-147 [s. 147]**
Sittings outside Toronto, trial list, **RCP-48.08**
Stop orders, **RCP-72.05, § RCP 72.05:1**
Superior court of record, **CJA-11, § CJA 11:1, § CJA 11:2 [s. 11(1)]**

TAKING ACCOUNTS
See Accounts, see Foreclosure, Sale and Redemption, see References

TAKING EVIDENCE BEFORE TRIAL
See Evidence, see Examinations Out of Court

TARIFFS
See also Costs
Generally, **RCP TA, RCP TB, RCP TC**

TAXING OFFICER
See Assessment Officer

TELEPHONE AND VIDEO CONFERENCE
Electing method of hearing, **RCP-1.08, § RCP 1.08:1 [1.08(1)]**
Exception, case conferences, **RCP-1.08, § RCP 1.08:1 [1.08(3)]**
Exception, Court of Appeal, **RCP-1.08, § RCP 1.08:1 [1.08(2)]**

TELEPHONE AND VIDEO CONFERENCE—Cont'd
Mandatory mediation, **RCP-1.08, § RCP 1.08:1 [1.08(8)]**
Objections, **RCP-1.08, § RCP 1.08:1 [1.08(4), (5), (7)]**
Oral examinations for discovery, **RCP-1.08, § RCP 1.08:1 [1.08(8)]**
Order directing method of hearing, **RCP-1.08, § RCP 1.08:1 [1.08(6)]**

TERMS
Adding parties mortgage references, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(11)]**
Adjournment of trial, **RCP-52.02, § RCP 52.02:1**
Disposition of application, **RCP-38.10, § RCP 38.10:1 [38.10(1)]**
Disposition of motion, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
Estate proceedings, **RCP-9.03, § RCP 9.03:1 [9.03(7)]**
Leave to deliver affidavit after cross-examination, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(2)]**
Order altering time for redemption, change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(27)]**
Order for stay pending appeal, **RCP-63.02, § RCP 63.02:1 [63.02(1)]**
setting aside or varying, **RCP-63.02, § RCP 63.02:1 [63.02(2)]**
Order varying automatic stay pending appeal, **RCP-63.01, § RCP 63.01:1 [63.01(3)]**
Postponement of trial, **RCP-52.02, § RCP 52.02:1**
Power of court to impose when making orders, **RCP-1.05, § RCP 1.05:1**
Security for costs as term of relief, **RCP-56.09, § RCP 55.09:1**
Setting aside or varying judgment on application, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2 [38.11(3)]**
Setting aside or varying orders, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(2)]**
Writ of seizure and sale, leave required, **RCP-60.07, § RCP 60.07:1 [60.07(2)]**

TESTIMONY
See Evidence

THIRD PARTIES
Agreement preventing claim invalid, **CJA-113, § CJA 113:1 [s. 113]**
Amendment of pleadings, service, **RCP-26.04 [26.04(1), (2)]**
Availability of third party claim, **RCP-29.01, § RCP 29.01:1**
Costs of discontinuance of main action, **RCP-23.05, § RCP 23.05:1**
Counterclaims, **RCP-27.10, § RCP 27.10:1**
Crossclaims, **RCP-28.11**
Default of third party, **RCP-29.07, § RCP 29.07:1**
Default proceedings, **§ RCP 19:1 et seq.**
Defence, **RCP-29.03, RCP-29.06 [29.03, 29.06]**
Defence of main action by third party, **RCP-29.05, § RCP 29.05:1 [29.05(1)]**
consequences, **RCP-29.05, § RCP 29.05:1 [29.05(2)]**
consequences of not defending, **RCP-29.05, § RCP 29.05:1 [29.05(5)]**
rights and obligations, **RCP-29.05, § RCP 29.05:1 [29.05(2)(a)]**
time for reply, **RCP-29.05, § RCP 29.05:1 [29.05(4)]**
time for statement of defence, **RCP-29.05, § RCP 29.05:1 [29.05(3)]**
Defendants to counterclaims, crossclaims, **RCP-29.13**
Directions, **RCP-29.10, § RCP 29.10:1**
Discontinuance of main action, **RCP-23.03, RCP-23.05, § RCP 23.05:1 [23.03, 23.05]**
Dismissal for delay
main action, **RCP-24.04**
third party claim, **RCP-24.06**
Forms
reply to third party defence, **APP C § C:62 [Form 29C]**
third party claim, **APP C § C:60 [Form 29A]**
third party defence, **APP C § C:61 [Form 29B]**
Fourth and subsequent party claims, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**
service, **RCP-29.11, § RCP 29.11:1 [29.11(2), (2.1)]**

THIRD PARTIES—Cont'd
Fourth and subsequent party claims, **RCP-29.11, § RCP 29.11:1, RCP-29.12 [29.11, 29.12]**—Cont'd
service of third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2)]**
Generally, **§ RCP 29:1**
Issuing third party claim, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
exceptions, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1.1), (1.2)]**
Listing for trial, **RCP-29.08, § RCP 29.08:1, RCP-48.05 [29.08(1), 48.05]**
Pleadings, **RCP-25.01, § RCP 25.01:1 [25.01(4)]**
service, **RCP-25.03 [25.03(1)]**
service on added parties, **RCP-25.03 [25.03(2)]**
time for delivery, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(6)]**
Prejudice or delay to plaintiff, **RCP-29.09, § RCP 29.09:1**
Reply to defence, **RCP-29.04**
Service
generally, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2), (3)]**
outside Ontario, **RCP-17.02, § RCP 17.02:1 [17.02(q)]**
Summary judgment, **RCP-20.09, § RCP 20.09:1**
stay of execution, pending, **RCP-20.08, § RCP 20.08:1, § RCP 20.08:2**
Time for delivery of statement of defence, **RCP-18.02, § RCP 18.02:1 [18.02(3)]**
Trial, **RCP-29.08, § RCP 29.08:1 [29.08(2)]**
Withdrawal by defendant, **RCP-23.07**
Withdrawal of statement of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**

TIME
Abridgment, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
generally, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**

TIME—Cont'd
Abridgment, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**—Cont'd
placing action on trial list, consolidation, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**
where associate judge not to hear motion, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
Affidavit of documents, service, **RCP-30.03, § RCP 30.03:1, § RCP 30.03:2 [30.03(1)]**
Amendment of pleadings, **RCP-26.02, § RCP 26.02:1**
Appeals
agreement respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
amendment of notice of appeal or cross-appeal, **RCP-61.08, § RCP 61.08:1 [61.08(1)]**
commencement, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(1)]**
deemed abandonment, **RCP-61.14, § RCP 61.14:1 [61.14(2)]**
delivery of notice of appeal, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(4)]**
delivery of respondent's factum, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(2)]**
dismissal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1) to (4)]**
automatic, **RCP-61.13.0.1**
dismissal of cross-appeal for delay, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(4), (5)]**
dismissal of motion for leave, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(6), (7)]**
election to proceed with cross-appeal, **RCP-61.15**
factum of respondent to cross-appeal, **RCP-61.12, § RCP 61.12:1, § RCP 61.12:2 [61.12(4)]**
filing notice of appeal, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(4)]**
filing record and factum in appellate court motions, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(4)]**

TIME—Cont'd
Appeals—Cont'd
motion record and factum, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(2)]**
notice of cross-appeal, **RCP-61.07, § RCP 61.07:1 [61.07(1), (2)]**
notice of motion for leave, **RCP-61.03, § RCP 61.03:1, § RCP 61.03:2 [61.03(1)]**
ordering transcripts, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(5)]**
perfecting, **RCP-61.09, § RCP 61.09:1 [61.09(1)]**
respondent's certificate respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(2)]**
review
Registrar's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
single judge's order, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
Appeals from interlocutory orders, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(2)]**
appellant's certificate respecting evidence, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(8)]**
appellant's record and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(7), (9)]**
factums on motion for leave, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(5)]**
filing notice of appeal, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(5)]**
hearing date, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(3)]**
notice of appeal, **RCP-62.02, § RCP 62.02:1, § RCP 62.02:2 [62.02(8)]**
respondent's material and factum, **RCP-62.01, § RCP 62.01:1, § RCP 62.01:2 [62.01(8), (9)]**
Applications
application record and factum, **RCP-38.09 [38.09(1), (2)]**
date for hearing at Toronto, **RCP-38.03, § RCP 38.03:1 [38.03(2)]**

TIME—Cont'd
Applications—Cont'd
filing affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2), (3)]**
filing proof of service, **RCP-38.06, § RCP 38.06:1 [38.06(4)]**
issuing of notice, **RCP-38.05**
motion to set aside or vary judgment, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2 [38.11(1)]**
service of notice, **RCP-38.06, § RCP 38.06:1 [38.06(3)]**
Assessment of costs
appeals, **RCP-58.11, § RCP 58.11:1**
reply to objections to decision, **RCP-58.10, § RCP 58.10:1 [58.10(2)]**
withholding certificate of assessment, **RCP-58.10, § RCP 58.10:1 [58.10(1)]**
Bill of costs, service, **RCP-58.03, § RCP 58.03:1 [58.03(2)]**
Close of pleadings, **RCP-25.05, § RCP 25.05:1**
Compliance with notice to deliver bill of costs, **RCP-58.04 [58.04(3)]**
Computation, **RCP-3.01, § RCP 3.01:1**
Crossclaims
defence, **RCP-28.05 [28.05(1)]**
reply to defence, **RCP-28.08**
reply to defence to plaintiff's claim, **RCP-28.06 [28.06(4)]**
statement of defence and crossclaim, **RCP-28.04, § RCP 28.04:1 [28.04(1)]**
Defence to counterclaim, **RCP-27.05**
Determination of issue before trial, factum, **RCP-21.03**
Discontinuance, **RCP-23.01, § RCP 23.01:1 [23.01(1)]**
dismissal of crossclaim, third party claim, **RCP-23.03**
Dismissal for delay
failure to make motion to restore action to trial list, **RCP-24.01, § RCP 24.01:1**
failure to note defendant in default, **RCP-24.01, § RCP 24.01:1**
failure to serve statement of claim, **RCP-24.01, § RCP 24.01:1**
failure to set action down for trial, **RCP-24.01, § RCP 24.01:1**

TIME—Cont'd
Dismissal of action where claim paid, **RCP-14.10 [14.10(1)]**
Disputing garnishment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(10)]**
Examinations for discovery
service of affidavit answering questions, **RCP-35.02**
service of further answers, **RCP-35.04, § RCP 35.04:1 [35.04(2)]**
Examinations out of court
notice of examination, **RCP-34.05, § RCP 34.05:1 [34.05(1), (2)]**
preparation of transcripts, **RCP-34.17**
Expert's report, service, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(1)]**
supplementary report, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(3)]**
Extension, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
generally, **RCP-3.02, § RCP 3.02:1, § RCP 3.02:2**
service, document not reaching person, **RCP-16.07, § RCP 16.07:1**
where associate judge not to hear motion, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
Garnishee becoming liable for payment, **RCP-60.08, § RCP 60.08:1, § RCP 60.08:2 [60.08(7)]**
Hearings of proceedings, **RCP-3.03**
Interest on accounts, administration proceedings, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
Interlocutory injunctions, duration, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(1)]**
Judicial review applications
applicant's record and factum, **RCP-68.04 [68.04(1)]**
dismissal for delay, **RCP-68.06**
respondent's record and factum, **RCP-68.04 [68.04(4)]**
List of further questions, examination for discovery, **RCP-35.04, § RCP 35.04:1 [35.04(1)]**
Mandatory order, duration, **RCP-40.02, § RCP 40.02:1, § RCP 40.02:2 [40.02(1)]**

TIME—Cont'd
Mortgage references
change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(24), (26), (27)]**
notice of change of account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(21) to (26)]**
taking of new account, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(18)]**
Motions
factum, **RCP-37.10, § RCP 37.10:1 [37.10(6)]**
filing affidavits, **RCP-39.01, § RCP 39.01:1 [39.01(2), (3)]**
filing notice of motion, **RCP-37.08**
motion record, **RCP-37.10, § RCP 37.10:1 [37.10(1), (2) to (4)]**
notice, **RCP-37.07, § RCP 37.07:1, § RCP 37.07:2 [37.07(6)]**
setting aside or varying orders, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(1)]**
Notice admitting or disputing claims, property seized by sheriff, **RCP-60.13**
Notice of assessment of costs, service, **RCP-58.03, § RCP 58.03:1 [58.03(2)]**
Notice of election to proceed with counterclaim, **RCP-23.02, § RCP 23.02:1, RCP-24.03 [23.02, 24.03]**
Notice of intent to call adverse party as witness, service, **RCP-53.07, § RCP 53.07:1 [53.07(1), (2)]**
Notice of intent to defend, **RCP-18.02, § RCP 18.02:1 [18.02(1)]**
Notice to alleged partner, service, **RCP-8.05 [8.05(3)]**
Notice to deliver bill of costs, service, **RCP-58.04 [58.04(2)]**
Offers to settle, **RCP-49.03, § RCP 49.03:1, RCP-49.04, § RCP 49.04:1 [49.03, 49.04(3)]**
Particulars, **RCP-25.10, § RCP 25.10:1, § RCP 25.10:2**
Pleadings
counterclaims, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3), (4)]**

TIME—Cont'd
Pleadings—Cont'd
crossclaims, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(5)]**
further particulars of special damages, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(9)]**
particulars, **RCP-25.10, § RCP 25.10:1, § RCP 25.10:2**
reply, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(3)]**
response to amended pleadings, **RCP-26.05, § RCP 26.05:1 [26.05(1)]**
statement of defence, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(2)]**
subsequent to reply, **RCP-25.01, § RCP 25.01:1 [25.01(5)]**
third party claims, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(6)]**
Production of documents admitted at examination out of court, **RCP-34.10, § RCP 34.10:1 [34.10(4)]**
Providing copies of medical and hospital reports, **RCP-33.04, § RCP 33.04:1 [33.04(1), (2)]**
Redemption
after taking of accounts in foreclosure action, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(8)]**
defendant in sale action, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(9)]**
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(12), (13)]**
payment by all parties entitled, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(13)]**
redemption action, plaintiff declared foreclosed, **RCP-64.05, § RCP 64.05:1 [64.05(9)]**
References
motion for immediate confirmation of report, **RCP-54.09, § RCP 54.09:1 [54.09(4)]**
motion set aside or variation of order made on motion, **RCP-54.05 [54.05(3)]**
opposing confirmation of report, **RCP-54.09, § RCP 54.09:1 [54.09(1), (3)]**

TIME—Cont'd
References—Cont'd
service of notice of hearing for directions, **RCP-55.02 [55.02(2)]**
service of notice of motion, **RCP-55.02 [55.02(6)]**
signing and entering order directing reference, **RCP-55.02 [55.02(1)]**
Reply
defence to counterclaim, to, **RCP-27.06**
request to inspect documents, to, **RCP-30.04, § RCP 30.04:1 [30.04(3)]**
statement of defence of third party, to, **RCP-29.05, § RCP 29.05:1 [29.05(4)]**
third party defence, to, **RCP-29.04**
Request for sale
defendant, not a subsequent encumbrancer, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(17)]**
subsequent encumbrancer added on reference, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(19)]**
subsequent encumbrancer named as defendant, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(18)]**
Request to admit, response, **RCP-51.03, § RCP 51.03:1 [51.03(1)]**
Request to redeem
foreclosure actions, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(6)]**
sale actions, **RCP-64.04, § RCP 64.04:1, § RCP 64.04:2 [64.04(5)]**
Respondent's application record and factum, judicial review, **RCP-68.04 [68.04(4)]**
Responding to amended pleadings, **RCP-26.05, § RCP 26.05:1 [26.05(1)]**
Responding to requests to admit, **RCP-51.03, § RCP 51.03:1 [51.03(1)]**
Return of exhibits, **RCP-52.04, § RCP 52.04:1 [52.04(3)]**
Sale of land, writ of seizure and sale, **RCP-60.07, § RCP 60.07:1 [60.07(17), (18)]**
Security for costs
motion, **RCP-56.03, § RCP 56.03:1**

TIME—Cont'd
Security for costs—Cont'd
payment into court, **RCP-56.04, § RCP 56.04:1**
Seizure of personal property
delivery of inventory by sheriff, **RCP-60.07, § RCP 60.07:1 [60.07(15)]**
Service, extension where document not reaching person, **RCP-16.07, § RCP 16.07:1**
Service by mail, **RCP-16.06, § RCP 16.06:1 [16.06(1)]**
notice of sale, **RCP-60.07, § RCP 60.07:1 [60.07(16)]**
to last known address, **RCP-16.03, § RCP 16.03:1 [16.03(4)]**
to place of residence, **RCP-16.03, § RCP 16.03:1 [16.03(5)]**
Service through document exchange, **RCP-16.05, § RCP 16.05:1 [16.05(2)]**
Setting aside or varying
judgment in mortgage action
added party other than encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(12)]**
added subsequent encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6)]**
judgment on application, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2 [38.11(1)]**
order adding party on reference
added party other than encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(12)]**
added subsequent encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6)]**
Settling and signing order, objection taken to proposed form, **RCP-59.04, § RCP 59.04:1**
Special case
filing factums and proof of service, **RCP-22.02**
removal into Court of Appeal, **RCP-22.03, § RCP 22.03:1 [22.03(2)]**
Statement of claim, service, **RCP-25.04, § RCP 25.04:1, § RCP 25.04:2 [25.04(1)]**

TIME—Cont'd
Statement of defence, **RCP-18.01, § RCP 18.01:1**
counterclaim, **RCP-18.02, § RCP 18.02:1 [18.02(3)(a)]**
defence of main action by third party, **RCP-29.05, § RCP 29.05:1 [29.05(3)]**
third party, **RCP-18.02, § RCP 18.02:1 [18.02(3)(b)]**
where notice of intent to defend, **RCP-18.02, § RCP 18.02:1 [18.02(2)]**
Statement of defence and counterclaim
all parties to main action, **RCP-27.04, § RCP 27.04:1 [27.04(1)]**
issuance where defendant not party to main action, **RCP-27.03, § RCP 27.03:1**
new party brought in, **RCP-27.04, § RCP 27.04:1 [27.04(2)]**
Stay pending appeal, expiration of order, **RCP-63.02, § RCP 63.02:1 [63.02(1)]**
Summary judgment, factum on motion, **RCP-20.03**
Third party claims
issuing, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(1)]**
service, **RCP-29.02, § RCP 29.02:1, § RCP 29.02:2 [29.02(2), (3)]**
trial, **RCP-29.08, § RCP 29.08:1 [29.08(2)]**
Third party defence, **RCP-29.03**
Timetables, **RCP-3.04, § RCP 3.04:1**
amendment, **RCP-3.04, § RCP 3.04:1 [3.04(1) to (3)]**
non-compliance, **RCP-3.04, § RCP 3.04:1 [3.04(4)]**
Withdrawal, **RCP-23.06, § RCP 23.06:1**
Writ of possession, duration, **RCP-60.10, § RCP 60.10:1 [60.10(3)]**
Writ of seizure and sale
duration of leave to issue, **RCP-60.07, § RCP 60.07:1 [60.07(3)]**
where leave required, **RCP-60.07, § RCP 60.07:1 [60.07(2)]**

TITLE OF PROCEEDING
Appeals, **RCP-61.04, § RCP 61.04:1, § RCP 61.04:2 [61.04(2)]**
Backsheets, **RCP-4.02 [4.02(3)]**
Class proceedings, **RCP-12.02**

TITLE OF PROCEEDING—Cont'd
Estate proceedings, **RCP-4.02 [4.02(1)(b)]**
amending, **RCP-9.03, § RCP 9.03:1 [9.03(2) to (4)]**
General heading in appellate courts, **APP C § C:138 [Form 61B]**
Proceedings by or against partnerships, amending, **RCP-8.04**
Statement of defence and counterclaim, **RCP-27.03, § RCP 27.03:1**
Statement of defence and crossclaim, **RCP-28.02**

TRANSCRIPTS
Agreement respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(4)]**
Appellant's certificate respecting evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(1)]**
Application record, **RCP-38.09 [38.09(1)]**
Binding, **RCP-4.07 [4.07(3)]**
Costs sanctions for unnecessary evidence, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(8)]**
Cross-examination, purchase and service, **RCP-39.02, § RCP 39.02:1, § RCP 39.02:2 [39.02(4)]**
Estate claims, **RCP-75.08**
Evidence
applications, **RCP-38.09 [38.09(5)]**
motions, **RCP-37.10, § RCP 37.10:1 [37.10(5)]**
persons out of Ontario, **RCP-34.07, § RCP 34.07:1 [34.07(6), (7)]**
Evidence for appeal, binding, **RCP-4.07 [4.07(3)]**
Evidence taken before trial, **RCP-36.04, § RCP 36.04:1 [36.04(1), (4)]**
Evidence taken out of court, additional contents, **RCP-4.09 [4.09(11)]**
Examination for discovery of non-parties, **RCP-31.09, § RCP 31.09:1 [31.09(3)]**
Examination of witnesses on motion or application, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(1), (2)]**
Examinations out of court, **RCP-34.17**
copy filed for use in court, **RCP-34.18, § RCP 34.18:1 [34.18(2)]**

TRANSCRIPTS—Cont'd
Examinations out of court, **RCP-34.17**—Cont'd
filing, use on motions, applications, trials, **RCP-34.18, § RCP 34.18:1**
Failure of appellant to file, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(2)]**
Form and contents, **RCP-4.09**
Headings, **RCP-4.09 [4.09(2)]**
Judicial review, applicant's application record, **RCP-68.04 [68.04(2), (9)]**
Motion record, **RCP-37.10, § RCP 37.10:1 [37.10(2)]**
Ordering, appeals, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(5)]**
complying with certificates or agreement, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(6)]**
failure to file proof, **RCP-61.13, § RCP 61.13:1, § RCP 61.13:2 [61.13(1)]**
notice from court reporter when transcribed, **RCP-61.05, § RCP 61.05:1, § RCP 61.05:2 [61.05(7)]**
Paper size, **RCP-4.09 [4.09(1)]**
Perfecting appeals
relief from compliance with Rules, **RCP-61.09, § RCP 61.09:1 [61.09(4)]**
service and filing, **RCP-61.09, § RCP 61.09:1 [61.09(3)]**
time, **RCP-61.09, § RCP 61.09:1 [61.09(1)]**
Place of filing, **RCP-4.05 [4.05(3)]**
Text, standards, **RCP-4.09 [4.09(3) to (11)]**
Volumes, **RCP-4.07 [4.07(3)]**

TRANSFER OR TRANSMISSION OF INTEREST OR LIABILITY
Effect, **RCP-11.01, § RCP 11.01:1**
Forms
order to continue (transfer or transmission of interest), **APP C § C:20 [Form 11A]**
Order to continue, **RCP-11.02, § RCP 11.02:1 [11.02(1)]**
failure to obtain order, **RCP-11.03, § RCP 11.03:1**
service, **RCP-11.02, § RCP 11.02:1 [11.02(2)]**

TRANSFERS
Carriage of sale where sale requested, **RCP-64.03, § RCP 64.03:1 to § RCP 64.03:7 [64.03(25)]**
Mortgaged property where redeemed, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(19)]**
Payment out of court to personal representative, **RCP-72.03, § RCP 72.03:1 [72.03(9)]**

TRANSITIONAL PROVISIONS
Application of Rules, **RCP-1.02, § RCP 1.02:1 [1.02(2) to (4)]**
References to counties for judicial purposes, **CJA-151 [s. 151]**
Renewal of writ, **CJA-150 [s. 150]**

TRIAL LISTS
Actions
remaining on list, **RCP-48.10**
struck off, relisting for trial, **RCP-48.11, § RCP 48.11:1**
traversed to next sitting, **RCP-48.10**
Consequences of listing, **RCP-48.07**
Dismissal of action for delay, **RCP-48.14, § RCP 48.14:1**
Failure to attend trial, **RCP-52.01, § RCP 52.01:1**
Jury cases, **RCP-48.08 [48.08(1)]**
Non-jury cases, **RCP-48.08 [48.08(2)]**
Practice directions, **§ RCP 48:1**
Restoring action to list, failure to make motion, **RCP-24.01, § RCP 24.01:1**
Speedy, **RCP-48.09**
Status hearing, **RCP-48.14, § RCP 48.14:1 [48.14(5) to (7)]**
Undefended action, **RCP-48.05**

TRIAL OF ISSUE
Application, treated as action, **RCP-38.10, § RCP 38.10:1**
Interpleader, **RCP-43.04, § RCP 43.04:1 [43.04(2)]**
Listing for trial, **RCP-48.13**
Motion, **RCP-37.13, § RCP 37.13:1 [37.13(2), (3)]**

TRIAL RECORDS
Backsheets, **RCP-4.07 [4.07(1)]**
Endorsement of jury verdict on record, **RCP-52.09, § RCP 52.09:1**
Front covers, **RCP-4.07 [4.07(1.1)]**

TRIAL RECORDS—Cont'd
Listing for trial, **RCP-48.03**
contents, **RCP-48.03 [48.03(1)]**
material to accompany, **RCP-48.03 [48.03(2)]**
simplified procedure, **RCP-76.08**
Pre-trial conference, **RCP-50.02**

TRIALS
Amendment of pleadings, **RCP-26.06, § RCP 26.06:1, § RCP 26.06:2**
Application, **RCP-38.10, § RCP 38.10:1**
Assessment of damages, **CJA-117, § CJA 117:1, § CJA 117:2; RCP-19.05, § RCP 19.05:1 [s. 117; 19.05]**
Compelling attendance of witness in custody, **RCP-53.06, § RCP 53.06:1**
Counterclaims
at trial of main action, **RCP-27.08, § RCP 27.08:1, § RCP 27.08:2 [27.08(1)]**
separate trial or as separate action, **RCP-27.08, § RCP 27.08:1, § RCP 27.08:2 [27.08(2)]**
Crossclaims, **RCP-28.09**
defendant noted in default, **RCP-28.07**
defending plaintiff's claim against co-defendant, **RCP-28.06 [28.06(3)(a)]**
Defendant noted in default, **RCP-19.05, § RCP 19.05:1**
Delayed decisions, **CJA-123, § CJA 123:1, § CJA 123:2 [s. 123]**
Determination of issue before trial, **RCP-21.03**
admissibility of evidence, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)]**
availability, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2**
failure to make motion promptly, **RCP-21.02, § RCP 21.02:1**
striking out pleading, **RCP-21.01, § RCP 21.01:1, § RCP 21.01:2 [21.01(2)(b)]**
Discount rate for future pecuniary damages, **RCP-53.09, § RCP 53.09:1**
Documents required to be taken to trial, **RCP-30.04, § RCP 30.04:1 [30.04(4)]**
Estate claims, **RCP-75.08**

TRIALS—Cont'd
Evidence
admission with leave, **RCP-53.08, § RCP 53.08:1, § RCP 53.08:2**
affidavits, **RCP-53.02, § RCP 53.02:1**
compelling attendance of witness in custody, **RCP-53.06, § RCP 53.06:1**
disallowing vexatious or irrelevant questions, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**
generally, **§ RCP 53:1**
interprovincial summonses, **RCP-53.05, § RCP 53.05:1**
judge to exercise control, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**
leading questions, where permitted, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(4)]**
oral examination as general rule, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(1)]**
protecting witness from harassment, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**
recall of witness, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(3)]**
use of evidence from discovery, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2**
witnesses, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2**
Exclusion of persons interfering in conduct, **RCP-52.06, § RCP 52.06:1 [52.06(4)]**
Failure to make motion to restore action to trial list, **RCP-24.01, § RCP 24.01:1**
Filing transcripts of examination, **RCP-34.18, § RCP 34.18:1**
Forms
order for attendance of witness in custody, **APP C § C:100 [Form 53D]**
summons to witness (at hearing), **APP C § C:97 [Form 53A]**
summons to witness outside Ontario, **APP C § C:99 [Form 53C]**
warrant for arrest (defaulting witness), **APP C § C:98 [Form 53B]**

TRIALS—Cont'd
Generally, **§ RCP 52:1 to § RCP 55:1 [52 to 55]**
Hearings throughout year, **RCP-3.03 [3.03(1)]**
Interpreters
duty to interpret accurately, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5)]**
who shall provide, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(6)]**
Interprovincial summonses, **RCP-53.05, § RCP 53.05:1**
Jury action, see also Juries
discretion to try case without jury, **RCP-47.02, § RCP 47.02:1, § RCP 47.02:2 [47.02(3)]**
Listing for trial
speedy trial list, disposition of motion, **RCP-37.13, § RCP 37.13:1 [37.13(1)]**
third party claims, **RCP-29.08, § RCP 29.08:1 [29.08(1)]**
Notice of listing
order dispensing with notice, two proceedings in same court, **RCP-6.01, § RCP 6.01:1 [6.01(2)]**
service on defendant noted in default, **RCP-19.02, § RCP 19.02:1 [19.02(3)]**
Oaths, administration, **CJA-92 [s. 92]**
Official languages, **CJA-125, § CJA 125:1, § CJA 125:2 [s. 125]**
Photography at, **CJA-136, § CJA 136:1, § CJA 136:2 [s. 136]**
Place of trial
named by plaintiff, **RCP-46.01, RCP-46.02 [46.01(1), 46.02]**
order changing place, **RCP-46.03**
required by statute, **RCP-13.1.01, § RCP 13.1.01:1, RCP-46.01, RCP-46.02 [13.1.01, 46.01(2), 46.02]**
Prejudice or delay
resulting from documents, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(a)]**
resulting from pleadings, **RCP-25.11, § RCP 25.11:1, § RCP 25.11:2 [25.11(a)]**
Procedure
adjournments, **RCP-52.02, § RCP 52.02:1**

TRIALS—Cont'd
Procedure—Cont'd
exclusion of witnesses, **RCP-52.06, § RCP 52.06:1**
exhibits, **RCP-52.04, § RCP 52.04:1**
experts
appointment, **RCP-52.03, § RCP 52.03:1 [52.03(1)]**
contents of order of appointment, **RCP-52.03, § RCP 52.03:1 [52.03(3)]**
cross-examination, **RCP-52.03, § RCP 52.03:1 [52.03(10)]**
named by judge, **RCP-52.03, § RCP 52.03:1 [52.03(2)]**
remuneration, **RCP-52.03, § RCP 52.03:1 [52.03(4) to (6), (11)]**
reports, **RCP-52.03, § RCP 52.03:1 [52.03(7) to (9)]**
failure to attend, **RCP-52.01, § RCP 52.01:1**
failure to prove fact or document, **RCP-52.10, § RCP 52.10:1**
generally, **§ RCP 52:1**
jury verdicts, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2**
judgment only on some claims, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(2)]**
recording, **RCP-52.09, § RCP 52.09:1**
where judge may direct action be retried, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
order of presentation in jury trial, **RCP-52.07, § RCP 52.07:1**
postponements, **RCP-52.02, § RCP 52.02:1**
recording jury verdict, **RCP-52.09, § RCP 52.09:1**
setting aside or varying judgment against party who failed to attend, **RCP-52.01, § RCP 52.01:1 [52.01(3)]**
view, **RCP-52.05, § RCP 52.05:1**
Protocol on the Use of Electronic Devices in the Courtroom, **CJA-136, § CJA 136:1, § CJA 136:2 [s. 136]**
Public access, **CJA-135, § CJA 135:1 to § CJA 135:3 [s. 135]**

TRIALS—Cont'd
References
application of Rules 54–55, **RCP-54.01**
confirmation of report, **RCP-54.07, § RCP 54.07:1**
motion for immediate confirmation, **RCP-54.09, § RCP 54.09:1 [54.09(4), (5)]**
motion to oppose confirmation, **RCP-54.09, § RCP 54.09:1 [54.09(2), (3)]**
motion where report back was required, **RCP-54.08, § RCP 54.08:1 [54.08(1), (2)]**
passage of time where report back not required, **RCP-54.09, § RCP 54.09:1 [54.09(1)]**
generally, **§ RCP 54:1 to § RCP 55:1 [54 to 55]**
order directing reference, **RCP-54.04, § RCP 54.04:1**
report must be confirmed, **RCP-54.07, § RCP 54.07:1**
report of findings and conclusions, **RCP-54.06**
to whom directed, **RCP-54.03, § RCP 54.03:1 [54.03(1)]**
Setting down, see Setting Down
Summary judgment, order to proceed to trial, **RCP-20.05, § RCP 20.05:1, § RCP 20.05:2**
Summons to witness
attendance money, **RCP-53.04, § RCP 53.04:1 [53.04(4)]**
contents, **RCP-53.04, § RCP 53.04:1 [53.04(1)]**
detention of witness, **RCP-53.04, § RCP 53.04:1 [53.04(8)]**
documents that may be proved by copy, **RCP-53.04, § RCP 53.04:1 [53.04(3)]**
duration summons in force, **RCP-53.04, § RCP 53.04:1 [53.04(6)]**
failure to obey summons, **RCP-53.04, § RCP 53.04:1 [53.04(7)]**
issued in blank, **RCP-53.04, § RCP 53.04:1 [53.04(2)]**
personal service, **RCP-53.04, § RCP 53.04:1 [53.04(4)]**
persons in Ontario, **RCP-53.04, § RCP 53.04:1**

TRIALS—Cont'd
Summons to witness—Cont'd
proof of service, **RCP-53.04, § RCP 53.04:1 [53.04(5)]**
warrant for arrest (defaulting witness), **RCP-53.04, § RCP 53.04:1 [53.04(7)]**
Third party claims, **RCP-29.08, § RCP 29.08:1 [29.08(2)]**
defence of main action by third party, **RCP-29.05, § RCP 29.05:1 [29.05(2)]**
listing for trial, **RCP-29.08, § RCP 29.08:1 [29.08(1)]**
third party in default, **RCP-29.07, § RCP 29.07:1**
Where judge hearing motions not to preside, **RCP-37.15, § RCP 37.15:1 [37.15(2)]**
Witnesses, **RCP-53.04, § RCP 53.04:1**
calling adverse party as witness, **RCP-53.07, § RCP 53.07:1**
expert witnesses, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3**
leave required where report not served, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(2)]**
service of report as condition of testifying, **RCP-53.03, § RCP 53.03:1 to § RCP 53.03:3 [53.03(1)]**

TRUSTS
Advertisement for beneficiaries on references, **RCP-55.03 [55.03(1)]**
Execution
application, **RCP-14.05, § RCP 14.05:1 [14.05(3)(a)]**
interest on accounts, **RCP-65.02, § RCP 65.02:1 [65.02(2)]**
judgment for administration, **RCP-65.01, § RCP 65.01:1 [65.01(2)]**
notice of application, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
order for rendering of proper statement of accounts, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
payment into court, **RCP-65.02, § RCP 65.02:1 [65.02(3)]**
references, **RCP-65.02, § RCP 65.02:1 [65.02(1)]**

TRUSTS—Cont'd
Forms
judgment for administration, **APP C § C:171 [Form 65A]**
Pleading breach, **RCP-25.06, § RCP 25.06:1, § RCP 25.06:2 [25.06(8)]**
Proceedings
adding persons as parties, **RCP-9.01, § RCP 9.01:1 [9.01(4)]**
beneficiaries, joinder, **RCP-9.01, § RCP 9.01:1**
trustees refusing to be joined, **RCP-9.01, § RCP 9.01:1 [9.01(3)]**
Proceedings to determine questions, representation orders, **RCP-10.01, § RCP 10.01:1 [10.01(1)]**
Trustees
application for directions, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application for removal, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
application to fix compensation, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**
assessment of costs of passing of accounts, **RCP-58.08, § RCP 58.08:1**
bankruptcy, examination for discovery, **RCP-31.03, § RCP 31.03:1 [31.03(7)]**
claim against service outside Ontario, **RCP-17.02, § RCP 17.02:1**
commencing proceedings for administration, **RCP-65.01, § RCP 65.01:1 [65.01(1)]**
offers to settle
payment to trustee, **RCP-49.07, § RCP 49.07:1 [49.07(3), (4)]**
order for rendering of proper statement of accounts, **RCP-65.01, § RCP 65.01:1 [65.01(3)]**
payment to trustee on behalf of minors, **RCP-59.03, § RCP 59.03:1 [59.03(5)]**
references
bidding on sale of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(5), (6)]**
examination of claims, **RCP-55.03 [55.03(3)]**
refusing to join in trust proceedings, **RCP-9.01, § RCP 9.01:1 [9.01(3)]**

TRUSTS—Cont'd
Trustees—Cont'd
trust proceedings, **RCP-9.01, § RCP 9.01:1**
Variation, application for approval, **RCP-14.05, § RCP 14.05:1 [14.05(3)]**

UNDEFENDED ACTIONS
Affidavit evidence at trial permitted, **RCP-53.02, § RCP 53.02:1 [53.02(3)]**
Listing for trial, **RCP-48.02, RCP-48.05 [48.02(2), (3), 48.05]**

UNDERTAKINGS
See also Deemed Undertakings
Damages
interlocutory injunctions, **RCP-40.03, § RCP 40.03:1**
mandatory orders, **RCP-40.03, § RCP 40.03:1**
Failure to answer, **RCP-31.07, § RCP 31.07:1, § RCP 31.07:2 [31.07(2)]**
Refusals and undertakings chart, **APP C § C:75 [Form 37C]**
Stop orders, **RCP-72.05, § RCP 72.05:1 [72.05(2)]**
Where motion before proceeding commenced, **RCP-37.17, § RCP 37.17:1**

URGENCY
Date for hearing of applications, **RCP-38.03, § RCP 38.03:1 [38.03(3.1)]**
Motions
absence of public, **RCP-37.11 [37.11(1)]**
before commencement of proceedings, **RCP-37.17, § RCP 37.17:1**
hearing date for motions, **RCP-37.05 [37.05(3)]**
Settling and signing orders, **RCP-59.04, § RCP 59.04:1**

VARIATION
Applications without notice, **RCP-38.11, § RCP 38.11:1, § RCP 38.11:2**
Contempt orders, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(8)]**
Cross-appeals, **RCP-61.06, § RCP 61.06:1**
Directions for conduct of reference, **RCP-55.02 [55.02(4)]**
Dismissal of judicial review application for delay, **RCP-68.06 [68.06(4)]**

VARIATION—Cont'd
Forms, **RCP-1.06, § RCP 1.06:1**
Interim orders for recovery of personal property, **RCP-44.05, § RCP 44.05:1**
Judgment against person who failed to attend at trial, **RCP-52.01, § RCP 52.01:1 [52.01(3)]**
Judgment in mortgage actions, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6), (12)]**
Order
allowing affidavit evidence at trial, **RCP-53.02, § RCP 53.02:1 [53.02(2)]**
associate judge not to hear motion, **RCP-37.02, § RCP 37.02:1 [37.02(2)]**
grounds and procedure, **RCP-59.06, § RCP 59.06:1 [59.06(2)]**
judge of an appellate court, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(6)]**
mortgage reference
adding party other than encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(12)]**
adding subsequent encumbrancer, **RCP-64.06, § RCP 64.06:1, § RCP 64.06:2 [64.06(6)]**
obtained on motion
made by associate judge, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(5)]**
made by Court of Appeal, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(6)]**
made by Divisional Court, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(6)]**
made by judge, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(4)]**
made by registrar, **RCP-37.14, § RCP 37.14:1, § RCP 37.14:2 [37.14(3)]**
reference, **RCP-55.02 [55.02(6)]**
stay pending appeal, **RCP-63.02, § RCP 63.02:1 [63.02(2)]**
References
directions, **RCP-55.02 [55.02(4)]**

VARIATION—Cont'd
References—Cont'd
order adding parties, **RCP-55.02 [55.02(6)]**
order directing reference, by added party, **RCP-55.02 [55.02(6)]**
Registrar's order in appeal proceedings, **RCP-61.16, § RCP 61.16:1, § RCP 61.16:2 [61.16(5)]**
Security for costs, **RCP-56.07, § RCP 56.07:1**
Writ of sequestration, **RCP-60.09 [60.09(4)]**

VENUE
See Place of Trial

VERDICTS
Fact or document yet to be proved, **RCP-52.10, § RCP 52.10:1**
Jury
disagreement of jury, **RCP-52.08, § RCP 52.08:1, § RCP 52.08:2 [52.08(1)]**
recording, **RCP-52.09, § RCP 52.09:1**

VEXATIOUS LITIGANT ORDER
Availability of order prohibiting, **CJA-140, § CJA 140:1 to § CJA 140:3 [s. 140(1)]**
Forms, **APP C § C:10 [Form 2.2G]**
order following initial review, **APP C § C:9 [Form 2.2F]**
reply respecting potential, **APP C § C:8 [Form 2.2E]**
response from potential subject, **APP C § C:7 [Form 2.2D]**
Leave to continue proceedings, **CJA-140, § CJA 140:1 to § CJA 140:3 [s. 140(3), (4)]**

VEXATIOUS PROCEEDINGS
See also Frivolous or Vexatious
Application for leave to commence or continue proceeding, **RCP-38.13, § RCP 38.13:1**
Court may stay or dismiss frivolous or vexatious proceeding, **RCP-2.1.01, § RCP 2.1.01:1**
Judge to control interrogation at trial, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**

VEXATIOUS PROCEEDINGS—Cont'd
Litigant orders, **RCP-2.2.02**
continued without leave, proceeding instituted, **RCP-2.2.09**
hearing, disposition, **RCP-2.2.07**
initial review, order, **RCP-2.2.06**
Judges own initiative, **RCP-2.2.04**
leave despite order, **RCP-2.2.08**
order sought by person, **RCP-2.2.03**
response, reply, **RCP-2.2.05**
Step in proceedings
consideration in assessment of costs, **RCP-58.06 [58.06(1)]**
consideration in awarding costs, **RCP-57.01, § RCP 57.01:1, § RCP 57.01:2 [57.01(1)]**

WARRANTS
Arrest
contempt motion, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:131 [60.11(4), Form 60K]**
failure to attend or remain at trial, **RCP-53.04, § RCP 53.04:1 [53.04(7), (8)]**
Committal, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2, APP C § C:132 [60.11(7), Form 60L]**
Forms
warrant for arrest (contempt), **APP C § C:131 [Form 60K]**
warrant for arrest (defaulting witness), **APP C § C:98 [Form 53B]**
warrant of committal, **APP C § C:132 [Form 60L]**
Orders enforceable by police, **CJA-144, § CJA 144:1, § CJA 144:2 [s. 144]**

WILLS AND CODICILS
See also Deeds, Wills, Instruments
Deposit with registrar
access after deposit, **RCP-74.02 [74.02(5), (6)]**
affidavit of execution, **RCP-74.02 [74.02(2)]**
delivery to Archivist of Ontario, **RCP-74.02 [74.02(8)]**
delivery to estate trustee, **RCP-74.02 [74.02(7)]**
notice to Estate Registrar of withdrawal, **RCP-74.02 [74.02(7)]**

WILLS AND CODICILS—Cont'd
Proof of
entitlement to require, **RCP-75.01, § RCP 75.01:1**
lost or destroyed will, **RCP-75.02**

WITHDRAWAL
Admissions, **RCP-23.06, § RCP 23.06:1, RCP-51.05, § RCP 51.05:1 [23.06(1), 51.05]**
Counterclaims, crossclaims, third party claims, **RCP-23.07**
Forms
notice of withdrawal of defence, **APP C § C:47 [Form 23C]**
notice of withdrawal of offer to settle, **APP C § C:89 [Form 49B]**
Offer to settle, **RCP-49.04, § RCP 49.04:1 [49.04]**
Statement of defence, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**
where crossclaim or third party claim, **RCP-23.06, § RCP 23.06:1 [23.06(1)]**
Writs, **RCP-60.15, RCP-60.16, § RCP 60.16:1 [60.15, 60.16(2), (3)]**

WITNESSES
Compelling attendance of witnesses
examinations out of court, **RCP-34.04, § RCP 34.04:1, § RCP 34.04:2**
references, **RCP-55.02 [55.02(14)]**
trial, **RCP-53.04, § RCP 53.04:1 to RCP-53.07, § RCP 53.07:1 [53.04 to 53.07]**
Evidence on reference, **RCP-55.02 [55.02(13)]**
Examination before hearing of motion or application, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2**
cross-examination, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(2)]**
re-examination, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(2)]**
refusal of examination, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(3)]**
simplified procedure, **RCP-76.05**
Examination of person out of Ontario, attendance money, **RCP-34.07, § RCP 34.07:1 [34.07(4)]**
Examination on application, consequences of failure to deliver notice of

WITNESSES—Cont'd
appearance, **RCP-38.08 [38.08(2)]**
Examination on motion or application, **RCP-39.03, § RCP 39.03:1, § RCP 39.03:2 [39.03(3), (5)]**
Examination out of court, see Examinations
Expert on reference, **RCP-55.02 [55.02(14.2)]**
Forms
summons to a witness outside Ontario, **APP C § C:99 [Form 53C]**
summons to witness (at hearing), **APP C § C:97 [Form 53A]**
summons to witness (examination out of court), **APP C § C:67 [Form 34B]**
Impeachment using evidence from discovery, **RCP-31.11, § RCP 31.11:1, § RCP 31.11:2 [31.11(2)]**
Outside Ontario
interprovincial subpoena, **RCP-53.05, § RCP 53.05:1**
prisoners, **RCP-53.06, § RCP 53.06:1**
taking evidence before trial, **RCP-36.03, § RCP 36.03:1**
Re-examination before trial, **RCP-34.11, § RCP 34.11:1, RCP-36.02 [34.11(5), 36.02(5)]**
Simplified procedure, **RCP-76.05**
Taking evidence before trial, see Examinations
Trial
adverse party, **RCP-53.07, § RCP 53.07:1**
affidavit evidence, **RCP-53.02, § RCP 53.02:1**
compelling attendance of witness in custody, **RCP-53.06, § RCP 53.06:1**
exclusion, **RCP-52.06, § RCP 52.06:1**
harassment or embarrassment, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**
interpreter, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(5), (6)]**
interprovincial subpoena, **RCP-53.05, § RCP 53.05:1**
oral, as general rule, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(1)]**

WITNESSES—Cont'd
Trial—Cont'd
recall for further examination, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(3)]**
summons, **RCP-53.04, § RCP 53.04:1**
unwilling or unable to give answers, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(4)]**
vexatious or irrelevant questions, **RCP-53.01, § RCP 53.01:1, § RCP 53.01:2 [53.01(2)]**

WRITS
Writ of execution, see also Originating Process; Actions; Applications; Statement of Claim
costs, **RCP-60.19, § RCP 60.19:1**
effect of stay pending appeal, **RCP-63.03, § RCP 63.03:1 [63.03(3)]**
executed and expired writs, **RCP-60.15 [60.15(1)]**
forms
direction to enforce writ of seizure and sale, **APP C § C:123 [Form 60F]**
request to renew, **APP C § C:122 [Form 60E]**
request to withdraw a writ, **APP C § C:135 [Form 60O]**
writ of delivery, **APP C § C:121 [Form 60D]**
writ of possession, **APP C § C:120 [Form 60C]**
writ of seizure and sale, **APP C § C:118 [Form 60A]**
writ of sequestration, **APP C § C:119 [Form 60B]**
motion for directions, **RCP-60.17, § RCP 60.17:1**
renewal, **CJA-150 [s. 150]**
set aside, **RCP-63.03, § RCP 63.03:1 [63.03(6)]**
sheriff's report on execution, **RCP-60.14 [60.14(1), (2)]**
withdrawal, **RCP-60.15, RCP-60.16, § RCP 60.16:1 [60.15(2.1), (3), 60.16(1), (2)]**
writ of delivery, enforcement, **RCP-60.04, § RCP 60.04:1**
Writ of fieri facias, see writ of seizure and sale

WRITS—Cont'd
Writ of possession
duration, **RCP-60.10, § RCP 60.10:1 [60.10(3)]**
how obtained, **RCP-60.10, § RCP 60.10:1 [60.10(1)]**
notice to persons in possession, **RCP-60.10, § RCP 60.10:1 [60.10(2)]**
references, sale of property, **RCP-55.06, § RCP 55.06:1, § RCP 55.06:2 [55.06(13)]**
renewal, **RCP-60.10, § RCP 60.10:1 [60.10(3)]**
Residential Tenancies Act, 2006, eviction orders, **RCP-60.10, § RCP 60.10:1 [60.10(4)]**
Writ of seizure and sale
amendment, change of debtor's name, **RCP-60.07, § RCP 60.07:1 [60.07(10), (11.1)]**
contact information, **RCP-60.07, § RCP 60.07:1 [60.07(12) to (12.2)]**
creditor to notify sheriff of payments received, **RCP-60.16, § RCP 60.16:1 [60.16(1)]**
direction to enforce, **RCP-60.07, § RCP 60.07:1, APP C § C:123 [60.07(13), Form 60F]**
duration, **RCP-60.07, § RCP 60.07:1 [60.07(6)]**
enforcement of order, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2, RCP-60.07, § RCP 60.07:1 [60.02(1), 60.07]**
enforcement of order for payment at future time, **RCP-60.07, § RCP 60.07:1 [60.07(5)]**
enforcement of order for payment into court, **RCP-60.07, § RCP 60.07:1 [60.07(4)]**
expiration, **RCP-60.07, § RCP 60.07:1 [60.07(6)]**
leave to issue in effect for one year, **RCP-60.07, § RCP 60.07:1 [60.07(3)]**
obtaining without leave, **RCP-60.07, § RCP 60.07:1 [60.07(1)]**
personal property, **RCP-60.07, § RCP 60.07:1 [60.07(15), (16), (23), (24)]**
property in hands of receiver, **RCP-60.07, § RCP 60.07:1 [60.07(14)]**

WRITS—Cont'd
Writ of seizure and sale—Cont'd
renewal, **RCP-60.07, § RCP 60.07:1 [60.07(8), (8.1), (9)]**
sale of land, **RCP-60.07, § RCP 60.07:1 [60.07(17) to (24)]**
sheriff may decline to enforce, **RCP-60.07, § RCP 60.07:1 [60.07(13.1)]**
Teranet software, **RCP-60.07, § RCP 60.07:1 [60.07(1.1) to (1.4)]**
where leave is required, **RCP-60.07, § RCP 60.07:1 [60.07(2)]**
Writ of sequestration
availability, **RCP-60.09**
contempt motion, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(5)]**
enforcement of order, **RCP-60.02, § RCP 60.02:1, § RCP 60.02:2, RCP-60.09 [60.02(1), 60.09]**

WRITS—Cont'd
Writ of sequestration—Cont'd
issuance for contempt, **RCP-60.11, § RCP 60.11:1, § RCP 60.11:2 [60.11(5), (6)]**
leave required, **RCP-60.09 [60.09(2)]**
property affected, **RCP-60.09 [60.09(3)]**
variation or discharge, **RCP-60.09 [60.09(4)]**

WRITTEN QUESTIONS
See Examinations for Discovery

YOUTH COURT
Jurisdiction, **CJA-38, § CJA 38:1 [s. 38(3)]**

YOUTH JUSTICE COURT
Jurisdiction, **CJA-38, § CJA 38:1 [s. 38(3)]**