

**Ontario Superior
Court of Justice**



**Ministry of the
Attorney General**

Civil Rules Review – Phase 2 Proposals and Process

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KEY POINTS TO COVER

- The Need for Change
- Civil Rules Review Mandate and Process
- The Proposed Reforms
- An Overview of the Proposed Framework
- Discussion and Feedback

The Need for Change

- Excessive Costs
- Oppressive Delays
- Complexity & Inefficiency
- Barriers to Access
- Process over Substance
- *The list goes on...*

Civil Rules Review – Mandate

“[T]he objective is not just to tinker with the Rules, it is a wholesale reform. The group is tasked with conducting a comprehensive and complete review of the Rules to identify the necessary changes which would increase efficiency and access to justice for Ontarians, reduce complexity and costs, and maximize the effective use of court resources.”

– Chief Justice Morawetz, Opening of the Courts, September 2024

Civil Rules Review – Mandate

Terms of Reference

CRRWG is mandated to identify *Rules* changes which will

- increase **efficiency** and **access to justice** for Ontarians
- reduce the **complexity** of the civil justice system
- reduce **costs** for litigants
- maximize the **effective use** of court **resources**
- reduce **delay**
- leverage technical solutions

Civil Rules Review – Process

Phase 1: Scoping

January 2024 – May 2024

- Issue identification
- Targeted consultation
- Scoping potential reforms for further investigation

Phase 2: Proposal Development

June 2024 – July 2025*

- CRRWG + 8 sub-groups
- Research, study, interviews
- Broad consultation
- Significant debate
- Ongoing consultation
- Not a *fait accompli*
- Need your feedback before final proposals submitted

Phase 3: Implementation

August 2025 – December 2026

- Approval by AG and CJSCJ
- Refinement and drafting
- Implementation
- Transition planning

Proposed Reforms

Civil Rules Review – Phase 2 Consultation Paper, April 2025

<https://www.ontariocourts.ca/scj/civil-rules-review/>

~100 individual proposed reforms across ~30 subjects/areas:

Up-Front Evidence Model

- Pre-litigation protocols
- Witness statements
- Reliance documents
- Adverse documents
- Redfern requests
- Written interrogatories
- No oral discoveries

Curbing Motions Culture

- Directions Conference
- Increasing cooperation
- Procedural directions
- Reducing materials
- Consolidating Pleadings Rules
- No failed SJ motions

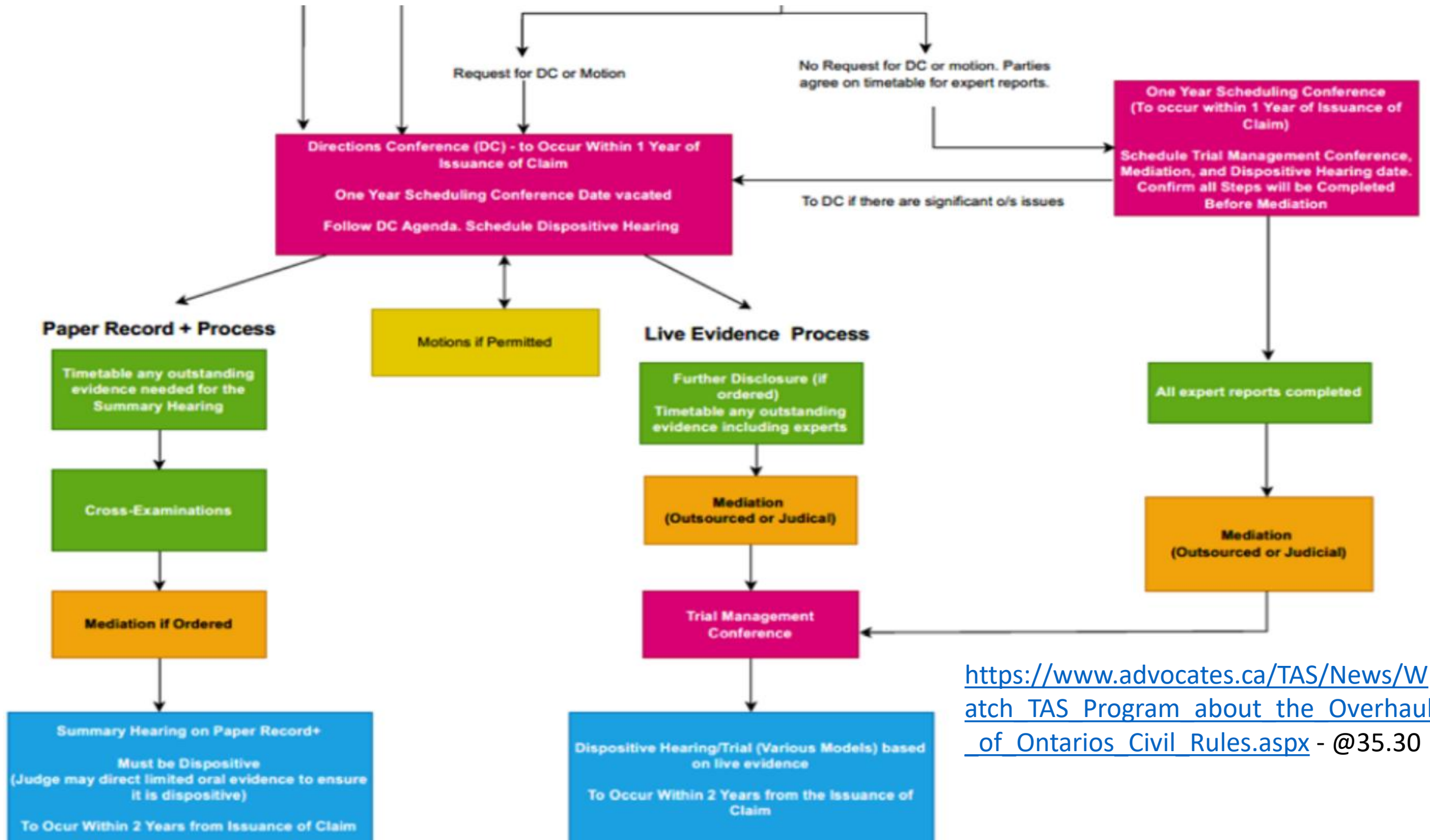
Experts

- Court oversight
- Codifying common law
- Expand joint experts
- Standard form reports
- “Hot-tubbing”
- Resequencing trial evidence

Trial Management

- Mediation & JDR
- TMCs / Checklists
- Chronology
- Joint Book of Docs
- Glossary of Definitions
- Hearing plan

[https://www.advocates.ca/TAS/News/Watch
TAS Program about the Overhaul of Ontario
Civil Rules.aspx](https://www.advocates.ca/TAS/News/Watch-TAS-Program-about-the-Overhaul-of-Ontario-Civil-Rules.aspx) - @35.30



<https://www.advocates.ca/TAS/News/Watch TAS Program about the Overhaul of Ontarios Civil Rules.aspx> - @35.30

We Want to Hear from You

Send Consultation Feedback To:

jennifer.smart@ontario.ca – Deadline: June 16, 2025

Remember the CRRWG's mandate to identify Rules changes which will

- increase efficiency and access to justice for Ontarians
- reduce the complexity of the civil justice system
- reduce costs for litigants
- maximize the effective use of court resources
- reduce delay
- leverage technical solutions

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Dive deeper May 12, 2025 1:00pm-4:30pm: LSO Free Hybrid Program -
<https://store.lso.ca/civil-rules-review-a-deeper-dive-into-the-proposed-changes>