

Ch-ch-ch-changes: New Rules for Method of Attendance in Ontario Actions

August 12, 2021

By Jeff Cowan

Following the extensive civil rule changes that became effective January 1, 2021 to provide for more electronic court processes – in part a reaction to COVID-19 – further revisions have been made to the [Rules of Civil Procedure](#) by [O. Reg. 526/21](#), filed July 20, 2021. The changes will come in to force on September 1, 2021.

This new regulation revises and expands the procedure to fix the method of attendance for out-of-court examinations, mediations, and other steps in a proceeding covered by Rule 34. It makes amendments to six rules and four forms.

The rule amendments include:

- revising rule 1.08(8) to alter the procedure to object to the proposed method of attendance for an out-of-court step and to capture the out-of-court steps in Rule 34;
- clarifying the language in rule 1.08(1), (5), and (6) regarding the method of attendance at a hearing or other in-court step;
- clarifying that mediators shall give notice of the method of attendance in rules 24.1.09(7) and 75.1.07(7); and
- removing the reference to attending mediation sessions “in person” in rules. 75.1.03, 75.1.05(4), and 75.2.02.

Forms 24.1B, 34A, 34B, and 53C are revised to provide information to the recipient about the procedure to object to the selected method of attendance.

The revised forms are available on the [Ontario Court Forms](#) website.

The information and comments herein are for the general information of the reader and are not intended as advice or opinion to be relied upon in relation to any particular circumstances. For particular application of the law to specific situations, the reader should seek professional advice.

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