Major proposed reforms to Ontario's Rules of Civil Procedure

April 03, 2025

Significant reforms are being proposed to Ontario's *Rules of Civil Procedure* which will substantially change the way civil litigation Ontario is conducted. These changes are being proposed to be implemented in early 2026. A full explanation and the most current report can be found here.

BLG's leading Disputes group will be providing regular updates. Stay tuned for our coverage.

In the meantime, key proposed reforms are as follows:

- **The end of "complete" discoveries:** A significant reduction in pre-trial discovery procedures, including the complete elimination of oral examinations for discovery, which would be replaced with the early exchange of written witness statements.
- **Upfront exchange of evidence:** The proposed "evidence-first" approach would require parties to start producing their evidence as early as when they serve their pleadings.
- **Limited documentary disclosure:** Parties would only exchange documents they intend to rely on, rather than all documents deemed to be relevant, plus any known adverse documents in their possession. This would be supported by specific rights to request additional documents when necessary, including through an arbitration-style "redfern" process.
- **Pre-litigation protocols:** The introduction of early information and document exchanges for specific types of cases, such as personal injury claims, debt collection actions, and will challenges.
- **Form-based pleadings:** A universal online, fillable form for commencing all types of cases, whether they began as a claim or application.
- **Expanded methods of service:** Personal service would become easier, including allowing service by email and requiring defendants to confirm acceptance of service where it comes to their attention "in any manner".
- **Streamlined motions:** Parties would have to ask to bring a motion at a "Directions Conference", during which the presiding judge could decide the motion without evidence or submissions, request evidence of submissions only a particular point, or schedule a formal motion hearing.

- **Limitations on experts:** A maximum of one expert per party per issue, and a requirement that the parties jointly retain an expert for a specified list of issues, including business valuations and the standard of care.
- **Significant consequences to delay**: Delays, such as missing a hearing date or a deadline, would come with significant consequences, including striking a party's pleading and costs payable to the opposing party.
- **General duty of cooperation:** Parties or their legal representatives would be required to work together, including discussing and agreeing on how the case should proceed.
- **Mandatory case conferences:** Aimed at reducing the reliance on motions for resolving procedural disputes.
- **Timely scheduling of merits hearings:** Most claims would see hearings scheduled within two years of the claim's initiation, following a transition period.

Moving towards implementation

The government-appointed working group is now holding a consultation period that will run until June 16, 2025. BLG looks forward to assisting its clients with submissions to this consultation process. Draft regulations are then expected by December 2025. If these regulations are finalized as planned, the new rules could be implemented as early as 2026.

By

Ian C. Matthews, Graham Splawski, Brianne Taylor

Expertise

Disputes

BLG | Canada's Law Firm

As the largest, truly full-service Canadian law firm, Borden Ladner Gervais LLP (BLG) delivers practical legal advice for domestic and international clients across more practices and industries than any Canadian firm. With over 800 lawyers, intellectual property agents and other professionals, BLG serves the legal needs of businesses and institutions across Canada and beyond – from M&A and capital markets, to disputes, financing, and trademark & patent registration.

blg.com

BLG Offices

Calgary
Centennial Place, East Tower
520 3rd Avenue S.W.
Calgary, AB, Canada
T2P 0R3

T 403.232.9500
F 403.266.1395

Ottawa
World Exchange Plaza
100 Queen Street
Ottawa, ON, Canada
K1P 1J9

T 613.237.5160
F 613.230.8842

Vancouver
1200 Waterfront Centre
200 Burrard Street
Vancouver, BC, Canada
V7X 1T2

T 604.687.5744
F 604.687.1415

Montréal

1000 De La Gauchetière Street West
Suite 900
Montréal, QC, Canada
H3B 5H4

T 514.954.2555
F 514.879.9015

Toronto

Bay Adelaide Centre, East Tower
22 Adelaide Street West
Toronto, ON, Canada
M5H 4E3

T 416.367.6000
F 416.367.6749

The information contained herein is of a general nature and is not intended to constitute legal advice, a complete statement of the law, or an opinion on any subject. No one should act upon it or refrain from acting without a thorough examination of the law after the facts of a specific situation are considered. You are urged to consult your legal adviser in cases of specific questions or concerns. BLG does not warrant or guarantee the accuracy, currency or completeness of this publication. No part of this publication may be reproduced without prior written permission of Borden Ladner Gervais LLP. If this publication was sent to you by BLG and you do not wish to receive further publications from BLG, you may ask to remove your contact information from our mailing lists by emailing unsubscribe@blg.com or manage your subscription preferences at blg.com/MyPreferences. If you feel you have received this message in error please contact communications@blg.com. BLG's privacy policy for publications may be found at blg.com/en/privacy.

© 2026 Borden Ladner Gervais LLP. Borden Ladner Gervais LLP is an Ontario Limited Liability Partnership.