

RULE 8.1: MANDATORY INFORMATION PROGRAM IN THE SUPERIOR COURT OF JUSTICE IN TORONTO

APPLICATION OF RULE

8.1 (1) This rule applies to,

- (a) divorce cases started in the Superior Court of Justice in Toronto after July 1, 1998 in which any claim, other than a divorce, costs and the incorporation of the terms of an agreement or prior court order, is made; and
- (b) cases governed by Parts I, II and III of the *Family Law Act* and Part III of the *Children's Law Reform Act* and started in the Superior Court of Justice in Toronto after July 1, 1998 in which any claim, other than costs, the incorporation of the terms of an agreement or prior court order and change of the terms of a final order, is made. O. Reg. 89/04, s. 3.

EXCEPTION

(2) Subrules (4) to (7) do not apply to,

- (a) a person or agency referred to in subsection 33 (3) of the *Family Law Act*;
- (b) the Director of the Family Responsibility Office. O. Reg. 89/04, s. 3.

CONTENT OF PROGRAM

(3) The program referred to in this rule shall provide parties to cases referred to in subrule (1) with information about separation and the legal process, and may include information on topics such as,

- (a) the options available for resolving differences, including alternatives to going to court;
- (b) the impact the separation of parents has on children; and
- (c) resources available to deal with problems arising from separation. O. Reg. 89/04, s. 3.

ATTENDANCE COMPULSORY

(4) Each party to a case shall attend the program no later than 45 days after the case is started. O. Reg. 89/04, s. 3.

APPOINTMENTS TO ATTEND

(5) The applicant shall arrange his or her own appointment to attend the program, obtain an appointment for the respondent from the person who conducts the program, and serve notice of the respondent's appointment with the application. O. Reg. 89/04, s. 3.

CERTIFICATE

(6) The person who conducts the program shall provide for each party who attends a certificate of attendance, which shall be filed as soon as possible, and in any event not later than 2 p.m. on the second day before the day of the case conference, if one is scheduled. O. Reg. 89/04, s. 3.

NO OTHER STEPS

(7) A party shall not take any step in the case before his or her certificate of attendance is filed, except that a respondent may serve and file an answer and a party may make an appointment for a case conference. O. Reg. 89/04, s. 3.

EXCEPTION

(8) The court may, on motion, order that any or all of subrules (4) to (7) do not apply to the party because of urgency or hardship or for some other reason in the interest of justice. O. Reg. 89/04, s. 3.

REVOCATION

(9) This rule is revoked on December 31, 2007. O. Reg. 89/04, s. 3.