

The 2021 Ontario Rules of Civil Procedure – A Step Towards a Paperless System?

Stephanie Mills

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On January 1, 2021, the *Ontario Rules of Civil Procedure* were amended. Many of the changes memorialized the temporary measures the Ontario Court put in place to meet the challenges of COVID-19. The Court's implementation of these amendments and additions creates an ecological step forward to a paperless system, whether intentional or not. Although digitalization has not been completely embraced by the Court, the new *Rules* offer a glimpse of how the legal community can operate with less paper and an increased use of technology. While new issues with respect to management and security of technology will no doubt arise, the amendments to the *Rules* below will surely lead us to reduce our ecological footprint in the use of paper.

Take for example Rule 4.05, the filing and issuing of Court Documents. Multiple copies for issuance or service are no longer necessary. Use of the Court's online portal allows for direct filing of a court document and electronic issuing of documents may now be done by the Registrar dating, signing and sealing a copy of the document in electronic format. This includes orders and judgments, which would be signed by the Court electronically. With online signature capabilities, the wait time should reduce, along with the dependency on the hard copy document. Filing, issuing and serving documents electronically will increase the ability to collaborate internally with clients and externally with outside counsel. An issued order can be provided by the Court via email, or through CaseLines, which brings us to Rule 4.05.3.

Rule 4.05.3 has been added to memorialize the use of CaseLines, the authorized software of the Ministry of the Attorney General. While filing documents with the Court and serving electronically is still required, CaseLines will act as a repository to provide the Court and counsel the materials necessary for the hearing, pre-trial or case conference. This platform provides access to all necessary documents in one location for review and display during the hearing. A court endorsed platform to facilitate the use and review of court material will increase efficiency, providing material that is easily searched, retrieved, and assembled. This will make processes more straightforward to implement, more cost efficient, and highly beneficial for productivity and client experience. As there is no longer the need to print and deliver multiple copies, the result is a reduction of the legal community's carbon footprint with less use of paper, in addition to the time and costs savings to the client.

The changes are a promising step forward to modernization. They allow the legal community to be more conscious of our environmental impact, which have direct benefits with the public and clients.

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