



Ontario Court of Justice First Appearance Court Before A Clerk Waiver

(September 2, 2020)

Until further notice, the First Appearance Court or First Court Date before a clerk under rule 40(4) of the Family Law Rules is waived at the Ontario Court of Justice.

This Waiver allows parties to waive the Family Law Rules rule 40(4) First Appearance Court or First Court Date before a court clerk. Instead, your first appearance in court will be a case conference before a judge to be held remotely.

You must complete this form and certify that you have served and filed all documents necessary for the case conference before a judge. You must also certify that you are aware of the mediation services that are available for your case.

This form is to be completed by all parties and/or lawyers and is to be filed in the court along with the Confirmation form (form 17F).

Applicant Last Name: Applicant First Name:
Court File Number:
Lawyer's Name:

Respondent Last Name: Respondent First Name:
Court File Number:
Lawyer's Name:

I, (name) (party / counsel) certify that:

I have served and filed my pleadings and all necessary documents / Financial Statements and necessary attachments / and Form 35.1 affidavits

I am aware of Alternative Dispute Resolution and the mediation services that are available by the Ministry of the Attorney General, I understand the referral process and I have considered the possibility of using such services for my case.

If this case is suitable for mediation, please check this box:

This case is suitable for mediation.

Name Signature:

Date _____

Information about the Ministry of the Attorney General's mediation services can be found here:

[Ministry of the Attorney General – Mediators by Court Location](#)