

Ministry of the Attorney General

Court Services Division
Operational Support Branch

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Ministère du Procureur général

Division des services aux tribunaux
Direction du soutien opérationnel

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September 15, 2026

Dear Members of the Legal Community,

Re: Potential Elimination of Civil Notice of Action

The Ministry of the Attorney General is seeking views on a potential change to eliminate the notice of action process currently set out in Rule 14.03(2) of the *Rules of Civil Procedure*. This change is being explored as part of the work to streamline originating processes, building on the Civil Rules Review Working Group's recommendations released in December 2025.

In their Final Policy Report, the Working Group recommended eliminating the distinction between the forms used to commence an action or application and replacing them with a single-entry point for civil proceedings. To further simplify the court process to commence an action and improve navigation of the civil system, the ministry is considering eliminating the process to start an action through the issuance of a Notice of Action (Form 14C) that is available when there is insufficient time to prepare the statement of claim. This process requires the plaintiff to file a statement of claim within 30 days after the notice of action is issued and to serve the notice of action together with the statement of claim.

The notice of action was initially adopted in Ontario in 1985 to address concerns about insufficient time to prepare the then-new Statement of Claim form which was to replace the Writ of Summons. Given the current familiarity with the statement of claim, our understanding that there is a relatively low volume of Notices of Action filed annually, and considering the continued ability to amend a statement of claim, the need for a secondary process to start an action is unclear. By streamlining the commencement process, the proposed reform would complement and support ongoing efforts to simplify civil procedure. This change would also align the process to commence an action in Ontario with that of most other jurisdictions in Canada, including British Columbia, Alberta, Saskatchewan, Manitoba, Quebec, Nova Scotia, Newfoundland, Yukon, Northwest Territories, and Nunavut, where a similar notice of action process does not exist.

If pursued, the new reform would take effect with advance notice to the bar and after any necessary operational steps have been taken, including updating public-facing guidance and resources for litigants.

The ministry would be grateful for any comments, including other suggestions with respect to narrowing the notice of action process, by October 2, 2026. Comments can be shared by emailing csd.operationalsupportbranch@ontario.ca. Thank you for considering this proposed improvement to civil court processes.

Sincerely,

A handwritten signature in black ink, appearing to read 'Vaia Pappas', with a stylized flourish at the end.

Vaia Pappas
Director, Operational Support Branch
Court Services Division
Ministry of the Attorney General

c: Katie Wood, Assistant Deputy Attorney General, Court Services Division
David Corbett, Deputy Attorney General, Ministry of the Attorney General