



Memorandum

To: Peel Law Association

From: Regional Senior Justice Leonard Ricchetti

Date: December 2, 2021

Re: *Notice to the Profession Re- Brampton Civil Motions Lists – Basket Motions*

It has recently come to my attention that there are a very large number of motions on the family/civil Brampton regular motions list which are clearly, and should have been filed as, basket motions. On some days, the number of such motions exceeds 50 per cent of the scheduled motions to be heard.

This unfortunate practice has results in a lengthy delay in parties obtaining/scheduling new regular motion dates and negatively impacts counsel and parties who need access to justice in a timely fashion.

Sometimes, counsel do this because of the perceived delay in processing basket motions. A new process has been put into place with the judiciary to ensure that basket motions will be dealt with expeditiously.

Accordingly, procedural motions such as substituted service, consent matters, unopposed motions such as WAGG motions, motions agreed to be heard in writing, and non-urgent *ex parte* motions must NOT be scheduled to be heard on the regular civil motions list.

Commencing January 17, 2022, any motion, which should have been brought as a basket motion, absent exceptional and urgent circumstances, will be **dismissed** by the presiding motion's judge and counsel will be required to re-file the motion as a basket motion.

Counsel are urged to carefully consider the nature of the motion before it is submitted for inclusion on a regular motions list.

A handwritten signature in blue ink, appearing to read "Ronald Ricchetti". The signature is fluid and cursive, with a long horizontal stroke at the end.

RSJ Ricchetti

c.c. Brampton Superior Court Judges
Dorothy Spraggett, Supervisor, SCJ Civil
Rose D'Orazio, Trial Coordinator and staff