

**Ministry of the  
Attorney General**

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Dear Members of the Legal Community,

Recently EY Canada completed a line-by-line review of Government Expenditures, identifying opportunities to move toward full cost recovery for court and transactional services.

In response, the Ministry of the Attorney General (the ministry) is proposing court fee changes to bring some of its business lines closer to full cost recovery. If approved, these changes – which involve increases to existing court fees and fee waiver eligibility – would take effect April 1, 2019.

As you may recall, there were changes to civil and small claims fees and the fee waiver eligibility criteria in 2016. Family fees have not changed since 2004 (or 2000 in some cases).

The current fee levels help to partially offset the ministry's cost of providing specific court services in relation to the steps taken by the parties for which the fee is charged. However, even with the recent changes in 2016, the ministry is currently recovering less than one third of what it costs to deliver civil, small claims and family justice services.

The ministry's current proposal builds on the court fee changes from 2016. Our proposal includes:

- Increasing certain civil and family court fees based on the Ontario Consumer Price Index since each fee was last increased;
- Increasing certain filing fees in Small Claims Court to bring them to 50% of the civil court fee amounts; and
- Increasing civil and small claims filing fees that attach to "in-court" services (such as filing a trial record) by 100% as the cost recovery rates for court filings that result in courtroom time are significantly lower. As a result, fees need to be increased by more than the Consumer Price Index in order to improve cost

recovery for in-court services. An increase of 50% is also being proposed to the existing family filing fees that attach to “in-court” services.

The proposed increases are a way for the ministry to ensure that the costs of providing a program or service that has an individual benefit are paid by the beneficiary of that program or service.

To ensure that higher fees do not have an undue impact on access to justice, the ministry is also proposing to raise the fee waiver eligibility threshold to \$30,000 for individuals and up to \$73,200 for families. The increase to the fee waiver threshold will mean that more litigants will have access to fee waivers.

If you have any questions or comments, please contact Vaia Pappas, Director of the Operational Support Branch at (416) 326-2514 or by email at [Vaia.Pappas@ontario.ca](mailto:Vaia.Pappas@ontario.ca).

A summary of our proposal will also be available on the Regulatory Registry shortly. For your information, the Registry can be accessed at: [www.ontariocanada.com/registry](http://www.ontariocanada.com/registry).

Thank you very much for your co-operation and support.

Sincerely,



Sheila Bristo  
Assistant Deputy Attorney General  
Court Services Division  
Ministry of the Attorney General

c: Vaia Pappas, Director, Operational Support Branch, Court Services Division