



How-To Guide: How to Find Forms and Precedents

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A. Overview

- **What are forms and precedents?**
 - Samples of common legal documents.
 - Forms that are legislated by statute or regulation.
 - Can also include materials that have evolved through common use to become accepted standards.
- **Why would I want to use them?**
 - To save time.
 - To help you understand what information to include and what structure to use.
 - Some forms are legislated and must be used in certain situations.
- **How would I use them?**
 - Find a sample form or precedent that suits your situation as closely as possible.
 - Tailor the precedent to suit your client's needs. Remember, these are sample wordings or frameworks, not complete "fill in the blanks."
 - Ensure that the resulting form addresses all the necessary issues and does not do anything you don't want it to do.

B. How to Find Sample Forms and Precedents

Forms and precedents can be found in [multi-volumes sets](#) such as *O'Brien's Encyclopedia of Forms*. Use the index found in the last volume of such sets to locate the specific form you need. [Subject specific publications](#) may also contain useful forms. Some examples are listed below.

To locate further sources of forms, search [AdvoCAT](#), the Great Library's online catalogue, using the following search strategy:

- Use the **Guided Keyword Search** option.
- In the first **Search for** box, enter your subject terms. Leave the **Search in** box at **Keyword Anywhere**.
- In the second **Search for** box, enter the term **forms**. Leave the **Search In** box at **Keyword Anywhere**.
- For example, **partnership** and **forms**.

- Click **Search**.

Keep in mind that forms can also be prescribed by legislation and therefore included as part of an act or regulation. Check relevant legislation, or commonly used office consolidations such as the *Ontario Civil Practice* or *Martin's Ontario Criminal Practice*. The Ontario government provides access to selected family law, civil procedure and Small Claims Court forms on the [Ontario Court Services website](#). Selected criminal proceedings forms are available on the [Guide to Ontario Courts website](#).

C. A Selection of Sources Containing Forms and Precedents

The following publications can be found in the Law Society of Upper Canada's Great Library and in some cases in your local county and district law library. Check [AdvoCAT](#), the Great Library's catalogue, for specific locations.

General Collections

Canadian Sources

Canadian Forms & Precedents, 10 vols., looseleaf (Markham, Ont.: LexisNexis Butterworths, 1991-). ([KF 170 C36...](#))

Contains sample precedents on a wide variety of topics.

Law Society of Upper Canada, *Annotated Document Series* (Toronto: Law Society of Upper Canada, 2002-).

Each title in this series contains a sample document annotated with clause by clause commentary and drafting tips written by specialists in the field. To date over 20 topics have been covered. To locate individual titles in the [catalogue](#), use the **Guided Keyword Search** option and enter the phrase **Annotated Document Series** in the **Search For** box. In the **Search In** box, click on the dropdown choice **Series**.

O'Brien's Encyclopedia of Forms, 11th ed., 29 vols., looseleaf (Aurora, Ont.: Canada Law Book, 1987-). ([KF 170 O27 1987](#)) Also online in [O'Brien's Internet](#) available on Great Library workstations.

Forms, sample clauses, commentary and checklists are included for a number of topics. The publisher has released most divisions in an online version. Available in print in the library stacks and on library workstations.

American and British Sources

Use and adapt these sources when you cannot find a Canadian form on your topic.

The Encyclopaedia of Forms and Precedents [Ask a Law Librarian](#) to access this resource for you.

A British multi-volume set containing complete precedents, sample clauses, commentary and checklists on a wide variety of topics updated by looseleaf service volumes.

West's Legal Forms Full text available from [Westlaw](#) (Accessible on Great Library computers)

An American multi-volume set containing complete precedents, sample clauses, commentary and checklists on a wide variety of topics.

American Jurisprudence Legal Forms Full text available from [Westlaw](#) (Accessible on Great Library computers)

An American multi-volume set containing complete forms, commentary, checklists and practice aids on a wide variety of topics.

Subject Specific Sources

Bankruptcy

Bennett, Frank, *Bennett on Bankruptcy Precedents*, 2nd ed. (Toronto: CCH Canadian, 2008). ([KF 1536 ZA2 B4662 2008](#))

Civil Procedure

Bullen & Leake & Jacob's Precedents of Pleadings, 16th ed., 2 vols. (London: Sweet & Maxwell, 2008). ([KF 8868.1 B93 2008](#)) Full text available from [Westlaw](#) (Accessible on Great Library computers)

This well known British publication sets out numerous sample pleadings arranged by area of law.

How Do You Plead? Breaking the Bonds of Boilerplate, 2 vols. (Toronto: Dept. of Continuing Legal Education, Law Society of Upper Canada, 1994). ([KF 8870 A2 H68 1994](#))

O'Brien's Encyclopedia of Forms: Ontario - Court Forms, 11th ed., 4 vols., looseleaf (Aurora, Ont.: Canada Law Book, 1987-). ([KF 170 O27 1987](#)) Also online in [O'Brien's Internet](#) available on Great Library workstations.

See Division VIII, Ontario - Court Forms

Includes forms, commentary and checklists. An index and tables of contents to chapters make useful finding aids.

[Ontario Civil Litigation Resource Centre.](#)

This website contains sample pleadings and precedents on its Wrongful Dismissal Resources Page and on its Personal Injury Resources Page. Access through Great Library workstations or register for a free password.

Pleading Your Causes of Action to Win (Toronto: Continuing Legal Education, Ontario Bar Association, 2005). ([KF 8870 A2 O583 2005](#))

Stockwood, David, *Civil Litigation: A Practical Handbook*, 5th ed. (Toronto: Thomson, 2004). ([KF 8840 ZB3 S86 2004](#))

Appendix B of this text contains nearly a hundred pages of sample forms that document a wrongful dismissal action from start to finish.

Williston and Rolls Court Forms, 2nd ed., 4 vols., looseleaf (Markham, Ont.: LexisNexis Canada, 1986-). ([KF 8836 W54 1986](#))

These volumes set out forms ranging from preliminary matters to pleadings to appeals and points in between. There is an index but as the materials are organized in logical sequence, simply browsing the table of contents for the chapters can be helpful.

Corporate and Commercial

Harris, Gregory Harrington & Paul Richard LeBreux, *Annotated Business Agreements*, 2 vols., looseleaf (Toronto: Carswell, 2002-). ([KF 889 H37 1993](#))

McGuinness, Kevin, *Sale and Supply of Goods*. 2nd ed. (Markham, Ont.: LexisNexis Canada, 2010). ([KF 913.1 M34 2010](#))

Contains checklists and extensive forms and precedents for commercial transactions.

Thibault, Gilles, *Carswell's Form and Precedent Collection: Corporate Precedents*, 3 vols., looseleaf (Toronto: Carswell, 2007). ([KF 1415 .ZA2 T45 2007](#))

Criminal

Gold, Alan D., *The Practitioner's Criminal Precedents*, 2nd ed. (Markham, Ont.: LexisNexis, 2008). ([KF 9620 .ZA2 G65 2008](#))

Kenkel, Joseph F., *Criminal Lawyers' Trial Book*, looseleaf (Toronto: Butterworths, 1985-). ([KF 9656 K46 1985](#))

Watt, David, *Carswell's Form and Precedent Collection: Criminal Law Precedents*, 2nd ed., looseleaf (Toronto: Thomson Carswell, 2007-). ([KF 9620 .ZA2 W37 2007](#))

Estates

Armstrong, Anne E.P., *Estate Administration: A Solicitor's Reference Manual*, 2 vols., looseleaf (Toronto: Carswell, 1984-). ([KF 765 A95](#)). Contains a "precedents" chapter and a "letters" chapter.

Histrop, Lindsay Ann, *Estate Planning Precedents: A Solicitor's Manual*, 2 vols., looseleaf (Toronto: Carswell, 2004-). ([KF 755 H57 1995](#))

Family

MacDonald, James C., *Handling a Family Law Matter in Ontario*, looseleaf (Toronto: Carswell, 2003-). ([KF 505 ZB3 H36 2002](#))

Forms, precedents and checklists are included for each stage of a family law matter.

Stark, Hugh G. & Kirstie J. MacLise, *Domestic Contracts: A Comprehensive Guide to Marriage, Cohabitation and Separation Agreements in British Columbia and Ontario*, 2nd ed., 2 vols., looseleaf (Toronto: Thomson, 2004-). ([KF 529 S82 2004](#))

Real Estate

Lipson, Barry D., *The Art of the Real Estate Deal* (Toronto: Thomson Carswell, 2006). ([KF 665 L57 2006](#))

Forms and checklists for a variety of real estate agreements are found in Part Four - Forms.

Technology

Abe, Lisa K., *Canadian Forms & Precedents: Commercial Transactions: Information Technology & Entertainment*, looseleaf (Markham, Ont.: LexisNexis Canada, 2007-). ([KF 170 C36845 2007](#))

Torts

Rainaldi, L.D., ed., *Remedies in Tort*, 4 vols., looseleaf (Toronto: Carswell, 1987-). ([KF 1250 R45 1987](#))

Each chapter covers a different type of tort action and includes a sample statement of claim.

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