

Notice to the Profession and the Public: Criminal Case Management Appearances on or after November 30, 2020 (Published November 18, 2020)

As of Monday November 30, 2020, accused persons are required to attend for their scheduled appearance in criminal case management court – either by having counsel appear on their behalf or by appearing by telephone or video.

Previous directives of the Ontario Court of Justice, directing that criminal case management matters will be adjourned for five weeks, with a discretionary bench warrant, if the accused person does not appear, will end Friday November 27, 2020. As of Monday November 30, 2020, accused persons are required to attend for their scheduled appearance in criminal case management court – either by having counsel appear on their behalf or by appearing by telephone or video.

If you do not attend a scheduled criminal case management appearance on or after Monday November 30, 2020, the Court may (i) issue a bench summons requiring you to attend court on a specified date or, (ii) issue a warrant for your arrest, if the presiding judicial officer has reasonable and probable grounds to believe that it is necessary in the public interest to do so.

Criminal case management appearances include a “first appearance” and matters scheduled “to be spoken to” or to “set a date”.

Note: It is not necessary for the accused person or counsel to attend in court for the appearance immediately following the filing of an Enhanced Designation of Counsel. Where an Enhanced Designation of Counsel has been filed pursuant to the Practice Direction Authorizing Alternate Form of Appearance, the accused person’s matter will be adjourned to the appropriate date, without the accused or counsel personally appearing in court, in accordance with the procedure set out in the Practice Direction.

The Ministry of the Attorney General, which is responsible for courts administration and courthouse facilities, is implementing an incremental plan to prepare courthouses and courtrooms to facilitate the safe return of in-person court appearances across Ontario. The plan is expected to be completed at all base court locations by the end of December 2020. The number of people who may be present in the courthouse and in the courtroom remains restricted in order to comply with health and safety precautions and maintain safe physical distancing to prevent the spread of COVID-19. For these reasons, many court locations are currently not able to accommodate in-person criminal case management appearances even though they have resumed hearing other proceedings, such as trials and preliminary inquiries, in person.

If you have a case management criminal court appearance, you should attend by videoconference or telephone. Do not attend in person unless you have confirmed that your court location is able to accommodate an in-person criminal case management appearance.

For details about how you can attend a criminal case management appearance by videoconference or telephone, see [Scheduling and Conducting of Virtual Criminal Case Management Appearances](#).

If you do not have access to a personal telephone or a computer, you can use a payphone to call Zoom's toll-free 1-855 number (listed on the Scheduling and Connection Information notice for your court location) to join the court proceeding for free. In addition, some courthouses and local service agencies have resources and/or procedures to help people who don't have their own telephone or computer attend court by video or phone. If you are unable to attend a criminal case management appearance by video or telephone, please contact the courthouse to find out what alternatives to an in-person appearance may be available in your area.

Not sure about your next court date in a criminal case? Criminal cases for out of custody accused persons (including trials, preliminary inquiries, case management appearances, first appearances, set dates and remands) that were adjourned due to COVID-19 were put over to a standard date specified in a court notice.

If you remember the date of your last criminal court appearance you can look up your next court date. See [Criminal Case Adjournment Dates – Out-of-Custody Accused](#).

To see a list of cases that are scheduled for that day or the next day at a particular courthouse, go to the Daily Court Lists website: <http://www.ontariocourtdates.ca/>.

If you are unsure about the date of your next court appearance, whether you are required to attend court on that date, or whether you should be attending in person or by remote technology (videoconference or audioconference), please contact your lawyer. If you do not have a lawyer, please contact the courthouse and ask for assistance.