

COVID-19 Pandemic – Update re Criminal Proceedings: resumption of out-of-custody trials and preliminary inquiries as of May 25, 2021 (published May 18, 2021)

In light of the on-going COVID-19 pandemic, the Court continues to stress the importance of limiting in-person attendance at courthouses. The Court is committed to facilitating the conduct of proceedings by remote technology (video or phone) wherever possible and urges all judicial officials, parties and counsel to use remote proceedings unless an in-person appearance is required to ensure meaningful access to justice. The Court continues to encourage all judicial officials, when exercising their authority, to be flexible and mindful of the position and circumstances of all participants, and to respect why an individual may not be able to attend a court hearing in person. Similarly, the Court encourages counsel and parties to be accommodating when requests for virtual hearings or other arrangements are made by opposing counsel or parties. Judicial officials, counsel and parties are encouraged to consider all reasonable alternatives to conducting a proceeding in person. All participants should review these guidelines prior to attending any virtual court proceeding.

The Court's decision to continue to accommodate in-person appearances where they are required to ensure meaningful access to justice has been made based on expert advice from the Office of the Chief Medical Officer of Health. In consultation with public health officials, the Ministry of the Attorney General has implemented a broad range of health and safety measures at all courthouses open to the public. It remains of critical importance that all persons attending courthouses vigilantly comply with the public health and safety protections in place at each court facility. For information about the health and safety measures implemented at Ontario's courthouses, please see the Ministry of the Attorney General website.

If you are unsure whether your case is being held by video or telephone or in person, please contact your lawyer or, if you do not have a lawyer, contact the courthouse where your case is being heard.

For details regarding out-of-custody trials and preliminary inquiries scheduled to be heard between April 26 and May 21, 2021, please see COVID-19 Pandemic – Update re Criminal Proceedings: reducing out-of-custody trials and preliminary inquiries between April 26 and May 21, 2021 (published April 21, 2021; updated May 4, 2021).