

Notice to the Profession and the Public: Update regarding Criminal Case Management Appearances (Published July 28, 2020)

This Notice provides an update regarding criminal case management appearances in the Ontario Court of Justice by accused persons who are out of custody. Further information about criminal proceedings in the Ontario Court of Justice, including the definition of “case management appearances”, is available in the [COVID-19: Notice to Counsel and the Public re: Criminal Matters in the Ontario Court of Justice](#).

Although the Ontario Court of Justice has resumed hearing trials and preliminary inquiries at a limited number of courthouses, 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. For this reason, in-person attendances for criminal court case management appearances can not currently be accommodated.

The Court has been actively working to adopt technology that will allow accused persons and/or counsel to attend criminal case management appearances using remote technology. On Monday August 10, 2020, a virtual criminal case management court pilot will be launched in Ottawa and Kitchener, in which criminal case management appearances will be conducted by videoconference or audioconference. The Court expects to begin implementing virtual criminal case management courts at other court locations later in August.

Case management appearances by accused persons who are in custody will continue to be conducted using remote technology as they have been since March 2020.

Please continue to check the [Ontario Court of Justice website](#) for updates.

1) Ottawa and Kitchener – Virtual Criminal Case Management Courts Pilot Launching Monday August 10, 2020

Commencing Monday August 10, 2020, criminal case management court appearances for out of custody accused will resume at Ottawa and Kitchener using remote technology.

Beginning Monday August 10, 2020, counsel and accused persons who are out of custody will be able to attend for criminal case management appearances in Kitchener and Ottawa by audioconference (telephone) or videoconference using Zoom.

Criminal case management appearances will be conducted by remote appearance (audioconference or videoconference) only. If you have a case management criminal court appearance in the Ontario Court of Justice in Kitchener or Ottawa, do not attend court in person.

Details regarding the pilot in Kitchener and Ottawa, including information about how counsel and accused persons may connect to the court by videoconference or audioconference, will be published the week of August 4, 2020.

Criminal case management appearances in Ottawa and Kitchener before the pilot begins on August 10, 2020 will continue to be automatically adjourned, in the absence of the accused, as described in section 4.3a of the [COVID-19: Notice to Counsel and the Public re: Criminal Matters in the Ontario Court of Justice](#).

2) Criminal Case Management Court Appearances in Other Court Locations

The Court expects to begin conducting criminal case management appearances by audioconference or videoconference at additional court locations later in August.

In the meantime, the automatic adjournment of criminal court appearances for accused persons who are not in custody, described in section 4.3a of the [COVID-19: Notice to Counsel and the Public re: Criminal Matters in the Ontario Court of Justice](#), will be extended to August 21, 2020, at court locations across Ontario except Ottawa and Kitchener.

If you have a case management criminal court appearance in the Ontario Court of Justice, on or before August 21, 2020, in a location other than Ottawa or Kitchener, do not attend court. The court will adjourn your matter without you being present, using a court order called a “[bench warrant with discretion](#)”, which will require you to attend court on the new date.

To find out what date your matter is being adjourned to, see the [list of adjournment dates](#).

3) Accused persons who are in custody

Criminal case management appearances for accused persons who are in custody will continue to be conducted by remote appearances (audioconference or videoconference), in accordance with the procedures in place since March 2020.