

## **Notice to the Profession and the Public: Virtual Criminal Case Management Appearances in Kitchener and Ottawa Beginning August 10, 2020 (Published August 6, 2020)**

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This Notice provides information about the virtual criminal case management court pilot being launched in Ottawa and Kitchener on Monday August 10, 2020.

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. 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 videoconference or audioconference (telephone) using Zoom.

The Court expects to begin implementing virtual criminal case management courts at other court locations later in August. Please continue to check the [Ontario Court of Justice website](#) for updates.

Further information about criminal proceedings in the Ontario Court of Justice is available in the [COVID-19: Notice to Counsel and the Public re: Criminal Matters in the Ontario Court of Justice](#).

**Note:** The automatic adjournment of criminal case management appearances due to the COVID-19 pandemic has resulted in large dockets. In addition, it will likely take all participants some time to adapt to the new procedures and technology involved in conducting these appearances using remote technology. The Court encourages and appreciates the cooperation and patience of all participants, particularly at the beginning of this initiative. The Court will revise and refine the procedures for these virtual case management courts, as appropriate, based on feedback and as court operations continue to evolve in response to the COVID-19 pandemic.

### **1) Virtual Criminal Case Management Appearances in Ottawa and Kitchener**

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.

Case management appearances include a “first appearance” and matters scheduled “to be spoken to” or to “set a date”. They do not include trials, preliminary hearings, guilty pleas or sentencing.

This Notice applies to matters involving accused persons who are out of custody scheduled in the following criminal case management courts in Kitchener and Ottawa:

#### Ottawa

Youth Court (Monday, 8:30 am, Courtroom 5)

Federal Matters (Tuesday, 9 am, Courtroom 9)

Adult Criminal Case Management Court (Tuesday – Friday, 8:30 am, Courtroom 5)

#### Kitchener

Adult Criminal Case Management Court (Monday – Thursday, 9 am, Courtroom 106)

Youth court (Friday, 9 am, Courtroom 106)

Intimate Partner Violence (IPV) Offences Case Management Court (Thursday, 9 am, Courtroom 101)

Federal Matters and Impaired Driving Offences Case Management Court (Friday, 9 am, Courtroom 101)

This Notice applies to all matters on the docket in the courtrooms listed above, and may include matters in other courtrooms, such as trials or preliminary inquiries, that were adjourned to the case management court.

This Notice does not apply to the Certificate of Readiness Court held in Ottawa on Friday in courtroom 7. Counsel and parties do not need to attend and address cases in Certificate of Readiness Court; the hearing will be deemed confirmed and the case will be adjourned to the trial readiness court described in the [Notice to the Profession and the Public re: Resumption of Criminal Trials and Preliminary Hearings as of July 6, 2020](#) (published June 17, 2020).

## **2) Remote Appearances Using Zoom**

Criminal case management appearances will be conducted using Zoom, which allows participants to join by videoconference or audioconference (telephone).

A Zoom account is not required to participate in Zoom hearings. You can download Zoom at <https://zoom.us/> free of charge. User tutorials for Zoom are available at: <https://support.zoom.us/hc/en-us/articles/206618765->

## Zoom-Video-Tutorials

Until further notice, criminal case management appearances will be conducted by remote appearance (audioconference or videoconference) only. Attendance in criminal case management courtrooms will be restricted to the judicial official and essential court staff, unless a judicial official directs otherwise.

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 this reason, in-person attendances for criminal court case management appearances can not currently be accommodated. 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.

### **3) Appearances by Counsel**

Counsel are strongly encouraged to attend case management court appearances by videoconference.

The Court expects that counsel will notify their clients that criminal case management appearances have resumed and that the client is required to attend by videoconference or audioconference, unless counsel is appearing on their behalf.

### **4) Appearances by Accused Persons**

Accused persons are encouraged to attend case management court appearances by videoconference. However, accused persons who cannot attend by videoconference may attend by audioconference (telephone).

Self-represented accused persons are encouraged to contact Legal Aid Ontario before the day of their criminal case management appearance. Legal Aid Ontario has provided the following information for self-represented accused persons:

Please contact Legal Aid Ontario well in advance of your court appearance. If you would like general legal advice, or if you want to apply for legal aid, call the central Legal Aid Ontario number at 1-800-668-8258. If you want to speak to a local Duty Counsel, and are eligible, Duty Counsel may provide you with legal advice and assistance for your court appearance. At this time local Duty Counsel cannot guarantee same day assistance; it is therefore strongly recommended that you contact Legal Aid Ontario and/or Duty Counsel well in advance of your court date. The Kitchener local Duty Counsel office can be reached by email at [dcc.kitchener@lao.on.ca](mailto:dcc.kitchener@lao.on.ca) or by phone at 519-578-0869. The Ottawa local Duty Counsel office can be reached by phone at 613-238-7931 ext 7001.

The COVID-19 pandemic continues to present an extraordinary situation requiring ongoing restrictions on persons being able to attend courthouses in person. The Court recognizes that there may be accused persons who are unable to attend case management court by audioconference or videoconference. If an

accused person does not attend for their criminal case management appearance, their matter will be adjourned to a date five (5) weeks from the scheduled appearance date, with a “[bench warrant with discretion](#)” returnable on the next date.

The presiding judicial official may adjourn a matter to a different date where satisfied that it is in the interest of justice to do so, for example, where the accused person, although unable to attend court, has requested that their matter be adjourned to a specific date.

## **5) Scheduling and Connection Information**

Each case management court has its own unique video link and its own unique telephone number / passcode combination that is needed to connect to the court. See:

[Kitchener Virtual Case Management Court – Scheduling and Connection Details](#)

[Ottawa Virtual Case Management Court – Scheduling and Connection Details](#)

To facilitate more orderly proceedings and to limit the number of people waiting on the line to have their matters addressed, case management court lists have been subdivided into tiers. Counsel and accused persons are encouraged to connect to the case management courtroom at the time specified for their tier. However, the Court recognizes that, as a result of the automatic adjournment of matters and other scheduling changes, counsel may have conflicting court obligations which will prevent counsel from being able to attend during the allotted time.

The scheduling and connection information for criminal case management courts may change in response to the COVID-19 pandemic and as court operations continue to expand. Please continue to check the [Ontario Court of Justice website](#) for updates.

## **6) Accused persons who are in custody**

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

## **7) Enhanced Designations of Counsel**

In response to the COVID-19 pandemic, and in order to limit the number of people who are required to attend court, the Court has issued a [Practice Direction Authorizing Alternate Form of Appearance where an Enhanced Designation of Counsel has been Filed](#).

Accused persons who are represented by counsel and who have filed an Enhanced Designation of Counsel may have their matters adjourned, without the accused personally appearing, in accordance with the

procedure set out in the Practice Direction and in accordance with rule 4.5 of the Criminal Rules of the Ontario Court of Justice.

## Kitchener Virtual Case Management Court – Scheduling and Connection Details

### Courtroom #106

**Adult Criminal Case Management Court (Monday – Thursday)**

**Youth court (Friday)**

Connection information (all days):

<b>Joining by video</b>			
	<a href="https://ca01web.zoom.us/j/63017177006?pwd=V2EvR05xQzBiSzNhbzBFUWNLRWZOQT09">https://ca01web.zoom.us/j/63017177006?pwd=V2EvR05xQzBiSzNhbzBFUWNLRWZOQT09</a>		
or	<a href="https://zoom.us/join">https://zoom.us/join</a>	Meeting ID: 630 1717 7006	Passcode: 677582
<b>Joining by telephone</b>			
	1-855-703-8985	Meeting ID: 630 1717 7006	Passcode: 677582

Daily schedule (all days)

<b>Time</b>	<b>Tier</b>
9 a.m.	Counsel matters
10 a.m.	Agent and paralegal matters
11:15 a.m.	Morning break
11:30 a.m.	First appearances without counsel
1 p.m.	Lunch
2 p.m.	Duty counsel matters and remaining Self represented accused person

### Courtroom 101

**Intimate Partner Violence Offences Case Management Court (Thursday)**

**Federal Matters and Impaired Driving Offences Case Management Court (Friday)**

Connection information (all days):

<b>Joining by video</b>			
	<a href="https://ca01web.zoom.us/j/67033194501?pwd=SnRiakRhZXNEZW9acEhmc0ZPRWVGQT09">https://ca01web.zoom.us/j/67033194501?pwd=SnRiakRhZXNEZW9acEhmc0ZPRWVGQT09</a>		
or	<a href="https://zoom.us/join">https://zoom.us/join</a>	Meeting ID: 670 3319 4501	Passcode: 642372
<b>Joining by telephone</b>			

Daily schedule (all days)

Time	Tier
9 a.m.	Counsel matters
10 a.m.	Agent and paralegal matters
11:15 a.m.	Morning break
11:30 a.m.	First appearances without counsel
1 p.m.	Lunch
2 p.m.	Duty counsel matters and remaining Self represented accused person

## Ottawa Virtual Case Management Court – Scheduling and Connection Details – August 10 to August 21, 2020

### Courtroom #5

**Monday: Youth Court (all matters addressed in courtroom 5)**

**Tuesday to Friday – Adult Criminal Case Management**

### **\*\*Note re Adult Criminal Case Management Court Between August 10 and 21, 2020**

Because the dockets for Ottawa's Adult Criminal Case Management Court between August 10, 2020 and August 21, 2020 are particularly large, they have been divided into two virtual courtrooms, 5 and 5A, each of which has its own connection information. The dockets are divided based on the first letter of the accused's last name. Cases involving multiple accused will be listed based on the last name of the first accused listed on the Information.

<b>Temporary Division of Ottawa Adult Criminal Case Management Court – August 10 – 21, 2020 only</b>		
	<b>Virtual Court #5</b>	<b>Virtual Court #5A</b>
<b>Tuesday</b>	<b>A</b> (& all last names other than B-C)	<b>B-C</b>
<b>Wednesday</b>	<b>D-G</b> (& all last names other than H-J)	<b>H-J</b>
<b>Thursday</b>	<b>K-L</b> (& all last names other than M-O)	<b>M-O</b>
<b>Friday</b>	<b>P-S</b> (& all last names other than T-Z)	<b>T-Z</b>

As of August 24, 2020, all Adult Case Management matters will be addressed in (virtual) courtroom 5.

Daily schedule

Virtual Courtroom 5 (all days)		Virtual Courtroom 5A (Tuesday – Friday) August 10 – 21, 2020 only	
Time	Tier	Time	Tier
8:30 – 10:45 am	Counsel matters	8:30 – 10:45 am	Counsel matters
10:45 – 11:00 am	Morning Break	10:45 – 11:00 am	Morning Break
11 am – 12:30 pm	Duty Counsel matters	11 am – 12:30 pm	Duty Counsel matters
12:30 – 1:30 pm	Lunch	12:30 – 1:30 pm	Lunch
1:30 – 2 pm	Video remands (in-custody accused)	1:30 – 2:00 pm	Duty counsel matters (cont'd)
2:00 to 2:30 pm	Duty counsel matters (cont'd)	2:00 pm	Self represented accused
2:30 pm	Self represented accused		

Connection information

Virtual Courtroom 5 (all days)			
<b>Joining by video</b>			
	<a href="https://ca01web.zoom.us/j/64812203132?pwd=LzhvU3JUUHcvRmRzQlBzUWR0NTZoQT09">https://ca01web.zoom.us/j/64812203132?pwd=LzhvU3JUUHcvRmRzQlBzUWR0NTZoQT09</a>		
or	<a href="https://zoom.us/join">https://zoom.us/join</a>	Meeting ID: 648 1220 3132	Passcode: 606263
<b>Joining by telephone</b>			
	1-855-703-8985	Meeting ID: 648 1220 3132	Passcode: 606263

Virtual Courtroom 5A (Tuesday – Friday) August 10 – 21, 2020 only			
<b>Joining by video</b>			
	<a href="https://ca01web.zoom.us/j/61879762465?pwd=QWxmWDUvbVRiY1RRZnNxNURuZGpvQT09">https://ca01web.zoom.us/j/61879762465?pwd=QWxmWDUvbVRiY1RRZnNxNURuZGpvQT09</a>		
or	<a href="https://zoom.us/join">https://zoom.us/join</a>	Meeting ID: 618 7976 2465	Passcode: 176068
<b>Joining by telephone</b>			
	1-855-703-8985	Meeting ID: 618 7976 2465	Passcode: 176068

**Courtroom #9**

**Tuesday: Federal Matters Case Management Court**

Connection information (Tuesday only):

<b>Joining by video</b>			
	<a href="https://ca01web.zoom.us/j/64011696263?pwd=RTdwaERnY1JmQnlRcUITMTJRdkgxZz09">https://ca01web.zoom.us/j/64011696263?pwd=RTdwaERnY1JmQnlRcUITMTJRdkgxZz09</a>		
or	<a href="https://zoom.us/join">https://zoom.us/join</a>	Meeting ID: 640 1169 6263	Passcode: 813418
<b>Joining by telephone</b>			

## Schedule (Tuesday only)

<b>Time</b>	<b>Tier</b>
9:00 to 11 am	Counsel matters
11:00 to 11:15 a.m.	Morning Break
11:15 am to 12:30 pm	Duty Counsel matters
12:30 to 1:30 pm	Lunch
1:30 to 2:00 pm	Duty counsel matters (cont'd)
2:00 pm	Self represented accused

\*\*\* Although courtroom 9 has temporarily been converted to use as a trial court; the Federal Matters Case Management Court matters will continue to be placed on the docket for a virtual courtroom 9.