

**This Notice has been superseded or replaced by subsequent directives published on the Ontario Court of Justice website. This is an archived version provided for reference only.**

## **COVID-19 Pandemic – Scheduling of Family Matters in the Ontario Court of Justice (March 28, 2020)**

In order to protect the health and safety of all court users and to help contain the spread of COVID-19, we ask members of the legal profession and members of the public to NOT attend courthouses in person at this time unless a judge orders otherwise or if you are unable to email family court documents relating to an urgent family matter.

Under no circumstances should you come into a courthouse if you have been advised by public health officials, your doctor or the Ontario Ministry of Health (MOH) website (<https://www.ontario.ca/page/2019-novel-coronavirus>) to self-isolate.

This directive applies to all family court matters scheduled in the Ontario Court of Justice up to Friday May 29, 2020.

Please continue to check the Ontario Court of Justice website for updates (<https://www.ontariocourts.ca/ocj/>).

### **Urgent Family Matters**

**Urgent family law hearings will be held by conference call, unless a judge orders otherwise.**

Where an in-court attendance must occur, your local courthouse will make arrangements for your appearance.

Urgent family court matters will proceed on a prioritized basis. These matters include:


- *Child, Youth and Family Services Act*: place of safety hearings (s. 90); temporary care and custody hearings (s. 94), restraining orders (s. 137), status review hearings (s. 113), and secure treatment orders (s. 161);
- Domestic matters: urgent custody/access motions; motions for restraining orders; Hague applications and non-Hague abduction cases; and
- *Family Responsibility and Support Arrears Enforcement Act*: refraining motions (s. 35).

Instructions for filing urgent documents are as follows:

**Filing Urgent Documents:**

1. Determine if your motion, application or request relates to an urgent family court matter as described in the notices on the [Ontario Court of Justice](http://www.ontariocourts.ca) website.
2. Documents and requests shall be sent by email to the appropriate courthouse. The list of email addresses for each court may be found here <https://www.ontariocourts.ca/ocj/covid-19/courthouse-email-addresses/>.
3. In order to ensure your request is received and processed by the appropriate court office, the subject line should include the following information:
  - LEVEL OF COURT (OCJ)
  - TYPE OF MATTER (Criminal, Family)
  - FILE NUMBER (Indicate NEW if no court file number exists)
  - TYPE OF DOCUMENT (Urgent Motion, Urgent Application, Bring Forward Request, Consent Bail Variation, Other Request)

For example:

	To...	
	Cc...	
	Subject	OCJ - CRIMINAL - NEW - OTHER REQUEST

4. The body of the email should include the following information if applicable:
  - i. court file number (if it is an existing file)
  - ii. short title of proceeding
  - iii. list of documents attached (note: attachments cannot exceed 35MB)
  - iv. type of request
  - v. name, role (i.e. legal representative, party, etc.,) and contact information of person submitting the request (email and phone number)

**If you are unable to file urgent documents in a family court matter by email,** contact your local courthouse to determine other options available or attend your local courthouse. Note that entry into

the courthouse will be controlled and court counters are only open between 10 a.m. to 12:00 p.m. and 2:00 p.m. to 4:00 p.m.

**Additional Important Information – Urgent Matters**

By submitting documents via email to the court, the party/legal representative agrees to accept email communication from the court with respect to the proceeding.

Materials sent by email must indicate when and how service on any other party was made. Legal representatives/ parties should retain a copy of the relevant affidavit of service and/or related documents (e.g. email confirmations) and be prepared to produce it to the Court on request.

The materials should also include any prior orders or endorsements that were issued and that are relevant to the urgent matter.

Where it is not possible to email a sworn affidavit, affidavits may be delivered unsworn but the affiant must be available to participate in any telephone or videoconference hearing to swear or affirm the contents of the affidavit.

Requests for an urgent domestic family hearing will be determined by a judge. Where a court attendance is required, contact your local courthouses to make arrangements for your attendance.

If a judge does not declare your matter to be “urgent”, the documents which you submitted to the court may not be processed until regular court operations resume.

**Non-urgent matters**

All non-urgent matters, including trials, will be adjourned for 8-12 weeks. Parties with a non-urgent family court matter between Friday March 28, 2020 and Friday May 29, 2020 should request an adjournment, preferably by a 17F confirmation form by emailing or faxing the trial coordinator. Contact information for all courts in Ontario is available on the Ministry of the Attorney General website: [https://www.attorneygeneral.jus.gov.on.ca/english/courts/Court\\_Addresses/](https://www.attorneygeneral.jus.gov.on.ca/english/courts/Court_Addresses/) Court services will be limited to non-urgent matters. If your matter is non-urgent, your documents and/or requests may not be processed until regular court operations resume.

## **Legal Resources**

### ***Legal Aid Ontario***

People who would have received in-person legal aid services through the Family Law Information

Centres will be able to get help from LAO over the phone by calling **1-800-668-8258**.

### ***Law Society of Ontario emergency family referral line during COVID-19***

The Law Society of Ontario has launched a telephone line to provide assistance to people who are self-represented (SRLs) and who are trying to determine whether or not their family court matter meets the criteria to be heard by the court on an 'urgent' basis and, if so, how to proceed in making their request. The emergency service will connect SRLs with family lawyers, working on a pro bono basis, who will provide 30 minutes of legal advice specific to determining whether or not their family court matter is urgent and referrals to other available legal services.

SRLs may contact the law society by phone at the following numbers to access the service: Toll-free: 1-800-268-7568; General: 416-947-3310.

### ***Law Society of Ontario Referral Service***

The Law Society of Ontario's Referral Service will give you the name of a lawyer within or near your community, who will provide a free consultation of up to 30 minutes to help you determine your rights and options. You can start the online process of obtaining a lawyer referral

at <http://www.findlegalhelp.ca/>, 24 hours per day.