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COVID-19: Notice to Counsel/Paralegals and the Public Re: Provincial Offences Act Matters in the Ontario Court of Justice (May 19, 2020)

**This Notice supersedes previously announced notices.*

Effective Date: May 19, 2020

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1. INTRODUCTION

To help prevent the spread of COVID-19, the Province of Ontario extended the Declaration of Emergency until June 2, 2020. In light of the uncertainty about the duration of the state of emergency in Ontario, the Ontario Court of Justice will continue to operate on a reduced schedule.

Until further notice, no *Provincial Offences Act* proceedings will be conducted until July 6, 2020, except for remote judicial pre-trials as described below in [s. 4.3](#).

The Court is working closely with its justice partners, including the Ministry of the Attorney General and representatives of Provincial Offences courts, to determine if technology can be used to increase participants' ability to access courthouse services using remote means, such as by the electronic filing of court material, remote scheduling processes, and remote hearings. The Court is also working with

justice partners to plan for the eventual resumption of in-person attendances in a way that protects the health and safety of all participants.

Given the continued recommendations by public health authorities for everyone to stay home as much as possible and to maintain a safe distance from others, people are strongly discouraged from attending any courthouse.

Do not come into a courthouse if you have been advised by public health officials, your doctor, or the [Ontario Ministry of Health](#) website to self-isolate.

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

2. APPLICATION

This Notice applies to all *Provincial Offences Act* matters before the Ontario Court of Justice.

3. LIMITATION PERIODS UNDER THE PROVINCIAL OFFENCES ACT

All limitation periods under the *Provincial Offences Act* have been suspended by an order under s.

7.1.2(2) of the *Emergency Management and Civil Protection Act*. This order is available

here: <https://www.ontario.ca/laws/regulation/200073>

4. SCHEDULING DIRECTIVES

4.1 Suspension of All Proceedings

Except as otherwise noted in this practice direction, all *Provincial Offences Act* (POA) proceedings scheduled from Monday, March 16, 2020 through to and including Friday, July 3, 2020 will be adjourned and rescheduled to a later date. If you have a proceeding scheduled during this time, **do not attend court**. This applies to all Provincial Offences courts in Ontario.

Judicial pre-trials may proceed during this time by audio or video conference. If this applies to your case, you will be notified with the date and time and the audio or video conferencing details. Judicial pre-trials are addressed below in [section 4.3](#).

A notice of the new court date will be sent to both parties by mail to the address on file with the court.

For more information, please contact your local Provincial Offences court.

Contact information for all Provincial Offences courts is available

here: <https://www.attorneygeneral.jus.gov.on.ca/english/courts/Court Addresses/poa/>

4.2 Suspension of All Appeals

All *Provincial Offences Act* appeals to a judge of the Ontario Court of Justice scheduled from Monday, March 16, 2020 through to and including Friday, July 3, 2020 will be adjourned.

All POA appeals scheduled between Monday March 16 and Friday May 29 will be adjourned to a date approximately 10 weeks from the original date. To find out what date your matter is being adjourned to, see the [list of adjournment dates](#). **These dates are subject to change.** Please check back on this website before your next court date to confirm the date.

The Court will publish an update shortly regarding POA appeals that are currently scheduled to occur on or after June 1, 2020.

If you need to update your address with the court, please contact the courthouse where the appeal is scheduled to be heard. A listing of all court addresses is available

here: https://www.attorneygeneral.jus.gov.on.ca/english/courts/Court_Addresses/

4.3 Judicial Pre-Trials

Judicial pre-trials will be held by audio or video conference. Cases subject to judicial pre-trials will be determined by local protocol. Parties will be notified of the date and time of the judicial pre-trial and the information for attending the audio or video conference.

4.4 Young Persons

Provincial Offences Act matters where the defendant is a young person (individual under 16 years of age) are scheduled to appear and be heard in a provincially-administered Ontario Court of Justice. As a result, these matters will be adjourned consistent with adjournments in criminal court.

These matters scheduled between Monday March 16 and Friday May 29 will be rescheduled to a date approximately 10 weeks from the original date. To find out what date your matter is being adjourned to, see the [list of adjournment dates](#). **These dates are subject to change.** Please check back on this website before your next court date to confirm the date.

The Court will publish an update shortly regarding court appearances that are currently scheduled to occur on or after June 1, 2020.

If you need to update your address with the court, please contact the courthouse where the matter is scheduled to be heard. A listing of all provincially-administered court addresses is available

here: https://www.attorneygeneral.jus.gov.on.ca/english/courts/Court_Addresses/

5. ELECTRONIC SIGNATURES

5.1 Electronic Signatures

The Ontario Court of Justice will accept electronically signed documents where a signature is required.

An electronic signature consists of electronic information that identifies the signatory and the date and place of signing. For example, you may type your name as your signature.