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| Superior Court of Justice: Realizing our Vision |
| **Report for 2015 and 2016** |

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# MESSAGE FROM THE CHIEF JUSTICE

Welcome to the fifth Superior Court of Justice Annual Report, covering the court’s activities for 2015 and 2016.

September 2015 marked the 25th anniversary of the creation of the Superior Court of Justice through the merger of the County and District Courts and the High Court of Justice. However, as a court of original, full and plenary jurisdiction, the Superior Court of Justice’s origins reach back much further. They can be traced to the *Magna Carta*, which celebrated its 800th anniversary that same year. The members of the Superior Court of Justice are fiercely proud of our court’s history and tradition. At the same time, we look to the future, continually striving to find new ways to deliver meaningful, accessible and affordable justice to the people of Ontario.

Our court’s future course is guided by the vision statement we adopted at the end of 2015. The vision — *Independent, responsive justice, open to all* — sets out three core judicial ideals. This statement represents the principlesof our court that we hope will inspire our judges in discharging their judicial responsibilities. Equally, our visionunderpins our court’s public commitment to deliver judicial services that fulfill the needs of the public we serve. Our report for 2015 and 2016 outlines the court’s activities and accomplishments over those years in our mission to meet each of the vision statement’s three principles.

I am very proud of the comprehensive “best practices” review begun in 2013, and our achievements on that initiative, to date. Through a comprehensive review of scheduling practices, we wanted to identify and establish standards and practices that would ensure every step in every proceeding meaningfully moves the case forward. Having completed that task in early 2015, our court then focussed its efforts on province-wide implementation of those best practices. By the time we completed the court’s 2016 schedules, the best scheduling practices were fully incorporated province-wide. This resulted in more efficient scheduling and assignment of our judicial complement and its judicial workload. These best practices were also incorporated into the court’s comprehensive set of Practice Directions in every region. The Practice Directions inform counsel and litigants about what they should expect from the court — and what is expected of them.

The Court undertook many of the initiatives described in this report at an institutional level, through RSJ Council and the committees of RSJ Council. I am truly grateful to the remarkable Executive of the court — Associate Chief Justice Marrocco, the eight Regional Senior Judges and the Senior Family Judge — for the wise counsel they provide to me and to their fellow judges, and for their tremendous contribution to this court’s administration.

At the same time, I am keenly aware that the “heavy lifting” needed to realize our court’s vision is achieved by each and every member of our court. Every day, the judges deliver the highest quality of judicial services — in the courtroom, the conference room, the pre-trial room, and in the well-reasoned, quality judgments they render. The judges of the Superior Court of Justice are remarkable in the commitment, dedication and wisdom they bring to their judicial roles. I am very proud to serve as their Chief Justice.

Our court’s achievements are also the product of the vital support and determined efforts of the dedicated, professional, courts’ administration staff. The court could not perform its work without their able assistance. I thank them for their invaluable contributions to all our efforts, both past and future.

This report reflects our court’s commitment to embrace every challenge and to continuously improve the way we deliver justice to the people of Ontario. Energized and encouraged by the progress we’ve made in these last two years, we look to the future with confidence, purpose and vision. I hope you also be encouraged by, and enjoy, what you read in the pages that follow.

Yours truly,

Heather J. Smith

Chief Justice

# MESSAGE FROM THE ASSOCIATE CHIEF JUSTICE

I am very pleased to join Chief Justice Smith in welcoming you to the Superior Court of Justice’s Annual Report for 2015 and 2016. This report provides an opportunity to describe the diligence and hard work of our judicial colleagues.

Below, I have highlighted some of my own activities in 2015 and 2016 that I undertook in addition my schedule as a sitting judge. As Associate Chief Justice, my responsibilities include management of the Small Claims Court and the Divisional Court. I also serve on the Civil Rules Committee.

The Small Claims Court accounts for just over 45 per cent of all civil proceedings in Ontario. It serves as an accessibility leader by trying to ensure the affordable delivery of justice. There are two provincially-appointed Judges and 360 Deputy Judges who preside over proceedings in the Small Claims Court. Deputy Judges are senior lawyers that the Regional Senior Judge appoints with the approval of the Attorney General. I would like to thank the Deputy Judges of the Small Claims Court for their dedicated work across the entire province. Their service ensures that the Small Claims Court continues to provide timely and reasoned decisions. To assist them in discharging their important duties, a new Deputy Judges Council website was created in 2015 and, in 2016, a new Small Claims Court Judicial Reference Guide was distributed to Deputy Judges and posted on the website.

In March 2015, the Small Claims e-filing service pilot project expanded to cover all of Ontario. Initially limited to liquidated claims (i.e., claims for money owing under an agreement), the service expanded again in April 2016 to include e-filing of all types of claims. By the end of 2016, almost 48 per cent of all claims filed with the court were filed online. I welcome the Ministry of the Attorney General’s proposal to build on this success and begin e-filing in Superior Court of Justice civil matters in 2017.

The Divisional Court continues its effective and efficient administration of justice as an appellate court. It is unique to Ontario and demonstrates continued excellence in administrative law. As an appellate branch of the Superior Court, the Divisional Court is the primary forum for judicial review of government action in Ontario. It also hears statutory appeals from decisions of provincial administrative tribunals and has some family and civil appellate jurisdiction. This court is one of the busiest appellate courts in Canada. The Chief Justice and I thank the Divisional Court judges for meeting the challenges of its heavy caseload.

At the Civil Rules Committee, our court has worked to make civil proceedings more efficient and effective. The *Rules of Civil Procedure* (a regulation under the *Courts of Justice Act*) set out court procedures for the Superior Court of Justiceand Court of Appeal. Accomplishments of this committee in 2015 and 2016 are set out later in this report under theheading “Civil Jurisdiction”.

In July 2016, the Superior Court launched its own publication ban notification system. The system enhances the openness of court proceedings by providing parties seeking discretionary publication bans with an easy and effective method to notify the media.

On a final note, I want to express my sincere appreciation to all our court staff. Their daily efforts support our work in maintaining a fair, effective and efficient justice system in Ontario.

I hope you enjoy this Report for 2015 and 2016.

Yours truly,

Frank N. Marrocco,

Associate Chief Justice

# MESSAGE FROM THE SENIOR FAMILY JUDGE

It is my pleasure to contribute to the Superior Court of Justice’s report and to specifically address issues relating to the Family Court branch of our court.

Family proceedings make up a significant proportion of new cases in all Superior Court of Justice locations in Ontario. They involve complex legal, social and interpersonal issues. These proceedings have a significant impact on the lives of the children and families that we serve, most of whom are going through what is, no doubt, the most challenging experience of their lives. As noted in the Law Society of Upper Canada’s report, *Listening to Ontarians: Report of the* *Ontario Civil Legal Needs Project*,1 Ontario residents are more likely to have a dispute concerning a familial relationship than any other serious legal problem. In his contribution to the 2012 book, *Middle Income Access to Justice,*2 Professor Nicholas Bala notes what makes family cases different from other court cases:

*“Most types of court cases are retrospective, with a judicial focus on ending a relationship on just terms. However family cases, especially those involving children, are largely prospective… It is the restructuring of familial relationships rather than their terminology that is the central objective of the family justice process”.*

As the Senior Family Judge, I have had the opportunity to preside over family cases in many different locations across the province. I have also travelled across Ontario to participate in several family law continuing education programs and to meet with family justice partners and stakeholders. Those visits have contributed immensely to my understanding of the challenges that we continue to face in this area, at both provincial and local levels.

Over the past two years, the Superior Court has worked hard to improve our management of family and child protection cases. We have developed new judicial resources (e.g., Justice Linhares de Sousa’s *Child Protection Electronic Bench* *Book*), new resources for the public (e.g., *Guide to Processes for Family Law Cases at the Superior Court of Justice*) and improved the family law content in our court’s Practice Directions. We have also implemented our court’s family law and child protection best practices to ensure that we are doing our part to address access to justice challenges.

Chief Justice Smith and I have also devoted considerable energy to supporting Unified Family Court expansion in Ontario, with support from both the current and past Attorneys General, Chief Justice Lise Maisonneuve and Senior Family Advisory Justice Debora Paulseth from the Ontario Court of Justice, Chief Justice Strathy, Ministry of the Attorney General representatives, the family bar, and family justice organizations.

I have also sat as a member of the Superior Court of Justice’s Education Committee and participated in many different educational programs for our judges, including our new child protection seminar established in honour of our late colleague, Justice Heidi Polowin. In addition, I have continued to serve as a member of the Family Law Rules Committee along with several colleagues from our court, representatives from the Ontario Court of Justice, the Ministry of the Attorney General and the family bar.

Before closing, I want to reiterate the request I made in the previous Annual Report, for each of you who work within the family justice system to join the Superior Court and other partners to do what you can, within your own sphere of responsibility and through working collaboratively with others, to achieve concrete change and improvement for our family justice system. I am pleased to support Chief Justice Smith as we continue to work at this endeavor.

Finally, I want to thank all the judges of our court who work tirelessly to preside over family cases. I also want to thank the members of each Community Liaison and Resource Committee and each member of my Consultation Committee for their remarkable commitment to this important work.

Yours truly,

George Czutrin,

Senior Family Judge

# INTRODUCTION

The Ontario Superior Court of Justice has a vision. The vision is embodied in three simple, distinct attributes that the court aspires to sustain:

INDEPENDENT, RESPONSIVE JUSTICE, OPEN TO ALL.

Each concept is rich in historic and modern understandings about the judicial branch of our Canadian legal system. This Annual Report aims to illuminate these concepts through the Superior Court’s activities and accomplishments in 2015 and 2016.

The vision statement is the result of an extended and thoughtful process of the court engaging its judges to gain their perspectives on two central questions:

*What are the core attributes a court requires to maintain the public’s confidence and, most importantly, to serve the public well?*

*What are the underlying principles that will successfully guide this court in deciding where and how to deploy its valuable judicial resources most effectively?*

Within the context of the vision statement and its three principles, the court provides this report, describing its achievements and initiatives over the last two years. Through this report, the court aims to demonstrate that it is not resting on its past successes or reputation, but is actively striving to meet the needs of the public today, in every way that is within the court’s judicial authority.

In addition to reflecting and guiding the court at an institutional level, the vision statement inspires and reflects the contributions and accomplishments of every member of the court. The court’s vision is embodied and realized in the service that its judges provide each day — in the courtroom, the conference room and in chambers. Whether it is reviewing written submissions, evidence and materials, crafting reasons, fulfilling case management duties or performing judicial administration, much of our judges’ work takes place outside of court hours and outside of the public eye. For that reason, this report includes quotes from some members of the Superior Court offering insight into the challenges, rewards and significance of the office they hold and the work they do.

The court’s vision states what the court represents now and what it aspires to embody in the future. It is a vision that has already charted the court’s direction and driven much of the court’s recent accomplishments, detailed in this report. The vision will continue to guide and support the court as it plans for the future.

# SECTION 1: ABOUT THE SUPERIOR COURT OF JUSTICE

The origins of the Superior Court of Justice can be traced back to the 1700s, when the English legal system was imported to Ontario (then known as Upper Canada) and, beyond that, to the first courts of England, whose authority over government actions were based in the *Magna Carta* over 800 years ago.

What is currently known as the Superior Court of Justice was established in 1990, when amendments to the *Courts of Justice Act* created one large superior trial court in Ontario, through the merger of the High Court of Justice for Ontario with the District Court and the Surrogate Court. This new superior trial court – the largest and busiest in Canada – was named the Ontario Court (General Division). In 1999, the name of the Ontario Court (General Division) was changed to the Superior Court of Justice.

The structure and administration of the Superior Court of Justice is a function of the Canadian constitution, which divides the responsibility for maintaining the provincial superior courts such as the Superior Court of Justice between the federal and provincial governments. Under the constitution, the federal Attorney General appoints, provides judicial education for, and pays the salaries of the Superior Court’s judges; the provincial Attorney General is obligated to support all aspects of the Superior Court’s administration. In addition, the principle of judicial independence requires that all aspects of judicial administration that touch upon the judicial function – such as judicial scheduling and assignment – must remain under the control of the judiciary themselves.

Much responsibility for safeguarding the independence of the judiciary lies with the Chief Justice, who has the statutory authority to direct and supervise the sittings of the Superior Court and the assignment of judicial duties. In addition, the Chief Justice’s overarching responsibility to protect the court’s institutional independence requires the Chief Justice to communicate and liaise with the federal and provincial governments and many other participants in the justice system.

The Superior Court sits in over 50 court locations and is divided into eight administrative regions. Each region is headed by a regional senior judge, who carries out the powers and duties of the Chief Justice, as her delegate. That means regional senior judges have the responsibility for scheduling judges’ sittings and assigning cases within in their own region.

The executive of the Superior Court of Justice includes the Chief Justice, the Associate Chief Justice, eight Regional Senior Judges, and the Senior Judge of the Family Court. These 11 judges make up the Regional Senior Judges Council, which advises the Chief Justice on policy and governance issues affecting the administration of the Court.

### Judges of the Superior Court of Justice

Superior Court judges are appointed under section 96 of the *Constitution Act, 1867*. The Governor General makes the appointments, acting on the advice of the federal Cabinet and recommendations from the Minister of Justice and Attorney General of Canada. The Minister makes recommendations after receiving the advice of a Judicial Advisory Committee that has reviewed all the candidates.

A candidate for a judicial appointment must be a lawyer who has practised law for at least 10 years, is proficient in the law, and has the personal qualities, professional skills, abilities, and life experiences that are appropriate to undertake the role of a judge. Once appointed to the Superior Court, a judge can remain in office until the mandatory retirement age of 75.

### Case Management Masters

Case management masters are provincially appointed judicial officers who have the authority to hear and determine certain matters in civil cases, including motions, pre-trials and case conferences. Case management masters may also adjudicate *Construction Lien Act* trials and mortgage and general references, provide dispute resolution services, and serve as registrars in bankruptcy under the *Bankruptcy and Insolvency Act*. Under a pilot project in Ottawa, established under the *Family Law Rules*, case management masters also hear specified matters in family proceedings. Prior to their appointment, masters are experienced lawyers with a minimum of 10 years at the bar.

The Superior Court currently has 16 case management masters... Fourteen masters sit in Toronto and two masters sit in Ottawa. Masters who sit in Toronto also circuit to the Central East and Central West Regions to conduct pre-trial conferences and to hear civil motions.

“The office of Master has been in existence in this province since 1837. Nevertheless, we are often asked what this role entails. In addition to hearing and determining matters under the *Construction Lien Act* and the *Bankruptcy and Insolvency Act*, Masters case manage civil proceedings and preside over motions and pre-trials. Given that most civil matters resolve without proceeding to trial, masters play a crucial role in delivering timely and cost-effective justice. Today’s masters are honoured to continue a 180 year tradition of providing quality judicial service to Ontarians.”

**Master Barbara McAfee**, Administrative Master, Toronto Region

### Deputy Judges and Provincial Judges of the Small Claims Court

Deputy Judges are senior lawyers appointed to preside over proceedings in the Small Claims Court. They are appointed for a term by the Regional Senior Judge of the region in which they will preside, with the approval of the Attorney General. There are currently approximately 360 deputy judges in Ontario.

Under the [*Courts of Justice Act*,](https://www.ontario.ca/laws/statute/90c43)a Small Claims Court proceeding may also be adjudicated by a [provincial judge](http://www.ontariocourts.ca/scj/judges/current/provincial-deputy/) assigned to the Provincial Court (Civil Division) before September 1, 1990. Currently, the Small Claims Court has two Provincial Judges, both of whom serve on a *per diem* basis.

# SECTION 2: JURISDICTION OF THE SUPERIOR COURT OF JUSTICE

The Superior Court of Justice in Ontario is unique among the courts of the province: it is a court of “inherent jurisdiction”, meaning that it does not derive its existence from legislation, as the other courts of the province do. The Superior Court of Justice in Ontario has inherent jurisdiction over criminal, civil and family cases, arising from England’s common law traditions. This inherent jurisdiction authorizes the court to hear any and all matters that are not assigned to another level of court. The court also has authority over matters granted to it by federal and provincial statutes.

### Criminal Jurisdiction

The Superior Court of Justice is a Superior Court of criminal jurisdiction. The court has the power to try any indictable offence under the *Criminal Code* and other federal statutes, such as the *Controlled Drugs and Substances Act*. However, the Superior Court generally tries only the most serious criminal offences. These include murder, manslaughter, drug trafficking, robbery and other offences against the security of the state, or an attempt or conspiracy to commit one of these offences. An individual accused of any of these offences is tried by a judge of the Superior Court sitting with or without a jury.

The Superior Court also conducts reviews of bail hearings held in the Ontario Court of Justice and hears appeals from summary conviction cases tried in the Ontario Court of Justice.

Under the *Criminal Code*, the Superior Court has the authority to establish rules governing criminal proceedings in the Superior Court. The Superior Court of Justice’s Criminal Rules Committee advises the Chief Justice about these rules. Mr. Justice Bruce Durno chairs the Committee; the other Committee members are designated by the Chief Justice, in consultation with the chairs and the Regional Senior Judges.

In 2015, 3,184 new criminal proceedings commenced in the Superior Court of Justice. In 2016, there were 3,171 new criminal proceedings.

The Regional Statistics in Section 4 of this report detail the number of new criminal proceedings commenced in each Superior Court of Justice region in each of the last two years.

### Civil Jurisdiction

The Superior Court of Justice hears all civil proceedings in Ontario. These include commercial matters, personal injury, bankruptcy and insolvency cases, and litigation involving wills and estates. The Superior Court also has some appellate jurisdiction under various statutes. The *Rules of Civil Procedure* generally govern proceedings in the Superior Court.

The Civil Rules Committee makes the *Rules of Civil Procedure*, subject to the approval of the Attorney General. The Civil Rules Committee has 29 members. Of the 16 judicial members, eight are judges that the Chief Justice of the Superior Court of Justice appoints. To ensure the consideration of regional perspectives in proposed civil rule amendments, Superior Court judges from eight regions are members of the Civil Rules Committee.

The *Rules of Civil Procedure* set out the court processes that litigants with civil matters in the Superior Court of Justice and Court of Appeal must follow. Many rule changes that became effective in 2015 were identified through a rules review conducted by this court in 2014. These changes included adjustments to administrative dismissals for delay, requirements that applications for leave to appeal to the Divisional Court be heard in writing, establishment of a judge’s authority to order a pre-trial or case conference, and introduction of a new venue rule for mortgage actions. Additional rule changes introduced in 2016 that will take effect in 2017 include changes to permit e-filing in civil matters, and to make Divisional Court leave to appeal proceedings more efficient.

In addition to the rules, the Superior Court of Justice has Practice Directions that govern how civil proceedings are conducted. This includes a provincial Practice Direction that applies to all locations as well as one or more Practice Directions for each region in the province. These Practice Directions are found on the “Practice Directions and Policies” page of the Superior Court of Justice’s website.

In 2015, 74,111 new civil proceedings were commenced in the Superior Court of Justice. In 2016, 72,667 new civil proceedings were commenced. (These numbers do not include the approximately 20,000 uncontested estates cases commenced in Ontario each year. They also do not include Small Claims Court or Divisional Court cases, which are described in the following sections of this report.)

The Regional Statistics in Section 4 of this report provide details of the number of new civil proceedings commenced in each Superior Court of Justice region in each of the last two years.

### Family Jurisdiction

Family law involves both federal and provincial statutes. In most locations in Ontario, jurisdiction over family proceedings is divided between the Superior Court of Justice and the Ontario Court of Justice. Both courts preside over child and spousal support and child custody and access. Under federal law, the Superior Court has sole jurisdiction in all cases involving divorce and the division of property. Under provincial law, child protection and adoption cases must be heard in the Ontario Court of Justice.

The *Courts of Justice Act* has uniﬁed this split jurisdiction in 17 of the 50 Superior Court locations, through the creation of the Family Court, a branch of the Superior Court. At each Family Court site, the court hears all family matters, including divorce, division of property, support, custody and access, child protection and adoption. The Family Court began as a pilot project in Hamilton in 1977. It was referred to as the “Unified Family Court” and, for that reason, the Family Court is still sometimes referred to as the Unified Family Court. Since then, the Family Court has expanded to St. Catharines, Barrie, London, Kingston and Napanee, Ottawa, Perth, Brockville, L’Orignal, Cornwall, Perth, Cobourg, Lindsay, Newmarket, Bracebridge, Peterborough and Durham Region.

As this system evolved and the Family Court expanded to various locations throughout the province, the philosophy and approach of family law proceedings changed. In the past, “ugly afﬁdavit wars” were a constant feature in family law litigation. However, since July 1, 2004, the *Family Law Rules* have governed all family law proceedings commenced in either the Superior Court of Justice or the Ontario Court of Justice. The same procedures, forms and steps apply in both courts. As a result, we have seen the system develop an emphasis on case management and encouraging settlement. Ultimately, this has led to a less adversarial approach to resolving family law disputes.

The Family Rules Committee, established under the *Courts of Justice Act*, makes rules for the practice and procedure of family proceedings in Ontario, subject to the approval of the Attorney General. Members of the committee are appointed by and include representatives from the Superior Court of Justice, the Ontario Court of Justice, the Ministry of the Attorney General, and the family law bar.

The Regional Statistics in Section 4 of this report detail the number of new family proceedings commenced in each Superior Court of Justice region in each of the last two years.

### Small Claims Court

The Small Claims Court branch of the Superior Court of Justice is an extremely busy court. It handles nearly half of all civil claims in Ontario. In 2015 and 2016 (as in previous years), over 45 per cent of all civil cases heard in Ontario courts commenced in the Small Claims Court.

In 2015, a total of 62,925 new small claims proceedings were commenced; in 2016, 59,885 new small claims proceedings were commenced.

The Small Claims Court provides an efficient and cost-effective forum for Ontarians to bring or defend civil claims for up to $25,000 in monetary or property damages. The *Rules of the Small Claims Court* provide for streamlined procedures, allowing litigants to have their cases determined at a lower cost and in less time than cases commenced in the Superior Court.

Typically, Deputy Judges preside over proceedings in the Small Claims Court. Deputy Judges are senior lawyers appointed by the Regional Senior Judge with the approval of the Attorney General. Provincially appointed judges may also hear Small Claims Court proceedings. As of December 31, 2016, the Small Claims Court roster included 360 deputy judges and two *per diem* provincially appointed judges.

The *Courts of Justice Act* establishes a Deputy Judges Council for the Small Claims Court. Chaired by Associate Chief Justice Frank Marrocco, the Deputy Judges Council serves the following functions:

* reviewing and approving standards of conduct for deputy judges as established by the Chief Justice;
* reviewing and approving a plan for the continuing education of deputy judges as established by the Chief Justice; and
* making recommendations on matters affecting deputy judges.

In each region, the Regional Senior Judge delegates the responsibility for overseeing the Small Claims Court to a Superior Court judge, who serves as the Administrative Smalls Claims Court Judge for that region. The Committee of Administrative Judges for the Small Claims Court includes judicial representatives from each of the Superior Court’s eight regions. From 2014 until June 2016, the committee was chaired by Regional Senior Justice James Turnbull; in June 2016 Regional Senior Judge Peter Daley assumed duties as chair. The Administrative Judges meet at least twice a year to discuss matters related to the Small Claims Court.

While the number of new Superior Court civil proceedings in the province exceeded the number of new Small Claims Court proceedings in 2015 and 2016, five regions had more Small Claims Court proceedings than Superior Court civil proceedings in both years (Central East, Central West, East, Northeast and Northwest).

The Regional Statistics in Section 4 of this report detail the number of new civil proceedings commenced in the Small Claims Court branch in each of the last two years.

### Divisional Court

The Divisional Court is an appellate branch of the Superior Court. The Divisional Court is the primary forum for judicial review of government action in Ontario, hearing statutory appeals from decisions of provincial administrative tribunals across Ontario. The Divisional Court also has some family and civil appellate jurisdiction. Usually, a panel of three judges hears and decides a case; in some circumstances, a single judge hears and decides.

In Toronto, the Divisional Court sits regularly throughout the year. In each of the other seven judicial regions, the Divisional Court is scheduled to hear matters several times a year.

The Divisional Court is one of the busiest appellate courts in Canada, with 1,463 new proceedings commenced in 2015, and 1,394 in 2016. The Regional Statistics in Section 4 of this report detail the number of new proceedings commenced in the Divisional Court branch in each of the last two years.

Despite the Divisional Court’s large and complex caseload, the court continues to offer timely hearing dates.

The Divisional Court continues to benefit from exceptional leadership. In 2015, Madam Justice Harriet Sachs held the administrative lead position for the Divisional Court, working alongside Associate Chief Justice Marrocco. Partway through 2016, Mr. Justice Ian Nordheimer assumed this position. The dedicated staff in the Divisional Court office coordinate sittings in Toronto and the rest of the province.

In February 2016, the Superior Court’s Consolidated Divisional Court Practice Direction was amended to encourage parties to file electronic versions of materials field in support of motions for leave to appeal from an interlocutory order of a judge under rule 62.02 of the *Rules of Civil Procedure*. These changes built upon amendments to rule 62.02 made in 2015, requiring these motions to be heard in writing to promote efficiency in the assignment and disposition of these motions. Additional rule changes introduced in 2016, which will take effect in 2017, will make Divisional Court leave to appeal proceedings even more efficient.

# SECTION 3: KEY ACHIEVEMENTS AND INITIATIVES

Throughout 2015 and 2016, the Superior Court of Justice actively worked to deliver the achievements and initiatives described below. These accomplishments aimed to bring the court’s vision statement – ***Independent, responsive justice, open to all***– to life.

## I**NDEPENDENT JUSTICE**

Judicial independence is the foundation of public confidence in a fair and objective justice system. The principle of judicial independence is generally recognized as comprising two aspects. The first applies to the individual judge and embodies the imperative that a judge be, and be seen to be, free to decide every case honestly and impartially on the basis of the law and the evidence, without external pressure or influence and without fear of interference in the matters over which the judge presides. The second facet of judicial independence is institutional independence, which relates to the necessary separation of powers between the judicial branch and the executive and legislative branches of government. This separation is indispensable to maintaining public confidence in the Canadian justice system. At the institutional level, judicial independence involves issues such as ensuring the security and integrity of judicial information, and ensuring that judges have the resources and support they require to discharge their judicial duties fairly and effectively.

Set out below are some examples of the Superior Court’s initiatives and achievements in 2015 and 2016 to preserve the independence that is so vital to the work judges do.

*“I am keenly aware that the red sash I put on means something to people. They are entrusting me with the most important and precious things in their life – including their children – because they believe that I will be fair and impartial, that I will listen to them, and that I will decide their case based solely on what I hear in their case and on the law. We must never take that trust for granted.”*

 **Justice Ronald Kaufman,** Family Court branch of the Superior Court of Justice, Central East Region

### Superior Court of Justice Clerkship Program

Since its inception twenty years ago, the Superior Court of Justice clerkship program has grown in strength and numbers. Each year, the program attracts highly qualified candidates from law faculties across Canada. Twenty-five judicial law clerks staff the program. Collectively, they support over 330 judges in Ontario’s eight judicial regions.

The court’s law clerks provide judges with critical support by conducting legal research and analysis, and editing draft judgments in every area of the court’s substantive jurisdiction.

Throughout their clerkship, clerks receive formal and informal mentorship from the judiciary. The program provides law clerks with an unparalleled opportunity to gain knowledge across every area of the law, to develop skills in legal research and in oral and written advocacy, and to learn about the court process from the judicial perspective.

The Clerkship Committee provides advice to the Chief Justice on law clerk recruitment issues, assignment of judicial mentors to law clerks and law clerk educational programming that meets the Law Society of Upper Canada’s articling requirements. In 2016, the Clerkship Committee was co-chaired by Madam Justice Barbara Conway and Madam Justice Wendy Matheson along with judicial members Mr. Justice Bruce Thomas and Mr. Justice Steve Coroza.

### Judicial Information Technology Office

The security of judicial information is a critical component of judicial independence. The Judicial Information Technology Organization (JITO) is dedicated to ensuring the integrity and security of the information of the Superior Court.

Established through an agreement between the Ministry of the Attorney General and the three Ontario courts, JITO is directed by each court’s Chief Justice, through the executive legal officers of each Chief Justice’s office. In the Superior Court, the SCJ Information Technology Committee provides advice to Chief Justice Smith on information technology plans, policies, and proposals that affect the Superior Court. With respect to matters common to all three courts, JITO receives direction from the Tri-Courts Information Technology Committee Chief Justices’ Information Technology Steering Committee, which has judicial representatives from each of the three Ontario courts.

Through JITO, the court has control over judicial information, which is segregated from ministry or government information in accordance with the Canadian Judicial Council’s *Blueprint for the Security of Judicial Information*. Beyond this, JITO plays a critical role in providing technical information, analysis, and advice to the court on technology initiatives. JITO also provides technology education to the judiciary, including seminars on information technology security.

In 2015 and 2016, JITO provided key technical support to a number of Superior Court initiatives, including the establishment of the court’s publication ban notification system, the re-launch of the SCJ judicial intranet, the creation of a new website for deputy judges, the implementation of a new database for judicial conferences and the creation of a new Superior Court of Justice judicial scheduling tool.

### Library Committee

To effectively discharge their judicial duties, judges require secure and ready access to case law, leading legal analysis and a broad range of publications and other resources and tools. The Chief Justice’s Library Committee consults with and advises the Manager of Judicial Library Services (JLS) on the legal research and information needs of the Superior Court of Justice.

The committee was chaired in 2015 by Regional Senior Justice James Turnbull who was succeeded by Regional Senior Justice Robbie Gordon in 2016. The committee consults with JLS to ensure judicial officers’ legal research, information and training needs are met. The committee includes judges and from across the province a case management master.

The Library Committee has been reinvigorated over the last two years as JLS leads the ongoing transition of library resources from print to digital. To manage the digital transition, the committee led the creation of a multi-phased plan for JLS to modernize the provision of library services and create a judicial training program to ensure judges can effectively use online tools.

### Superior Court of Justice Judicial Intranet

In 2016, the Office of the Chief Justice, the Justice Information Technology Office (JITO) and Judicial Library Services (JLS) jointly undertook a project to redesign the Superior Court of Justice judicial intranet. The new SCJ judicial intranet, launched in November 2016, serves as a “one-stop” electronic resource for judges and the judicial secretaries and law clerks who support them.

The new intranet features legal resources such as bench books, papers and other tools in each area of the court’s work. It also has pages dedicated to issues that may apply to all court proceedings. These include judgment preparation, accommodation of persons with disabilities, addressing self-represented parties, First Nations/Indigenous persons’ interests and French language services. Most of the materials on the SCJ judicial intranet were created by judges of the court for the benefit of their judicial colleagues.

The intranet also contains information on Superior Court governance, policy and administration. The intranet includes pages dedicated to covering important topics such as security and information technology from the unique perspective of the judiciary.

Making these resources available on a single, well-organized site with enhanced search functions and other user-friendly features will ensure that judges and those who support them, have immediate, current and easy access to the informational resources they need to discharge their critical judicial responsibilities.

### Security Committee

The Superior Court of Justice Security Committee addresses all matters to do with the security of judges and masters in their official and personal capacities. The mandate of the committee is to evaluate the status of existing security measures, to identify gaps in security, and to develop and promote security programs that remedy areas of vulnerability.

The Security Committee continues to work closely with the court’s security partners, the Justice Sector Security Office and local police services. Over the period of this report, the Security Committee surveyed Local Court Security Committees (LCSCs) at all court locations. LCSCs act in an advisory capacity to the local Chief of Police and meet regularly to address local security concerns. Based on feedback from LCSCs, the Security Committee evaluated the status of existing security measures and reported its findings to the Chief Justice.

The Security Committee continued to raise the judiciary’s awareness of security by developing a video presentation subsequently posted on the judges’ secure intranet site, along with other security resources for judges. The committee also worked with the Judicial Information Technology Office on information-technology-related security measures.

### Judicial Education

In addition to appointing the judges of the Superior Court of Justice, the federal government also provides funding for judicial education. Although funded through the federal government, the content and provision of judicial education remains within the exclusive authority of the judiciary to preserve the core principles of judicial independence and impartiality.

Every year, the Superior Court holds two education seminars for all judges of the court. The annual spring and fall seminars are administered and coordinated through the National Judicial Institute (NJI), an independent, not-for-profit organization led by judges to support judicial education. The seminars cover a wide range of topics, including substantive and procedural law across all of the court’s lines of business and issues relating to the broader social context in which judges discharge their judicial duties. The Chief Justice’s Education Committee is responsible for developing the content of these seminars. The Chief Justice appoints three committee members directly and three on the recommendation of the Ontario Superior Court Judges’ Association. In 2015 and 2016, the Education Committee members were Chief Justice Heather Smith, Regional Senior Justice Michelle Fuerst, Senior Family Justice George Czutrin, Madam Justice Giovanna Toscano Roccamo, Madam Justice Helen Rady, Mr. Justice Paul Perell and Madam Justice Deena Baltman.

In addition, each of the Superior Court’s eight regions holds an annual meeting, pursuant to s. 52 of the *Courts of Justice Act*, which includes a judicial education component. Those programs are developed and administered by the judiciary within each region.

Apart from these court-specific programs, Superior Court judges also attend a number of judicial educational conferences. For example, all recently-appointed Superior Court judges attend comprehensive seminars for new federally-appointed judges jointly organized by the NJI and the Canadian Institute for the Administration of Justice. Judges are also encouraged to attend national and international educational conferences organized by judicial organizations or other legal groups, to develop expertise in particular areas of the law.

### Masters Education

Case management masters attend two education conferences each year, as approved by the Chief Justice. The conferences are held in the spring and fall. The Executive of the Masters’ Association of Ontario establishes the focus of the conferences. In 2015 and 2016, the executive of the Masters’ Association included Master Graham, Master Abrams, Master MacLeod and Master Short. Master Mills replaced Master MacLeod on the Executive following his appointment as Judge of the Superior Court of Justice in June 2016.

The content of the conferences include a variety of topics relating to substantive and procedural law and other issues concerning the discharge of masters’ duties. In 2015 and 2016, the areas of focus included self-represented litigants, motor vehicle accident personal injury actions, employment law, class actions, insurance issues, reasons for decision and technology.

Individual masters also attend supplementary educational courses throughout the year. These include intensive French language training, judgment writing courses, seminars on construction law and other courses relating to the particular areas of law over which masters preside.

### Deputy Judges Education

The Caswell Seminars are an annual educational seminar held for deputy judges of the Small Claims Court in each region. First established in 2002, the Caswell Seminars were re-named the *Caswell Education Seminars for Deputy Judges* in 2003 in honour of the late Madam Justice Moira Caswell, a former Administrative Judge of the Small Claims Court who made great contributions to deputy judges’ education.

The Caswell Seminars are organized by the Deputy Judges Council, whose mandate includes reviewing and approving a plan for the continuing education of deputy judges as established by the Chief Justice. Every year, the Caswell seminars cover a broad range of substantive and procedural topics relevant to Small Claims Court proceedings and typically include presentations from Superior Court judges, deputy judges, counsel, service providers and other professionals.

*“It is hard to imagine a more important area of the Superior Court’s jurisdiction that directly touches the lives of families and children than those family law cases involving children at risk.”*

**Justice Maria Linhares DeSousa**, Introduction, *Superior Court of Justice for Ontario Electronic Bench Book on Child Protection*, (October 2015).

### Child Protection Electronic Bench Book

**Child protection cases represent a significant amount of the court’s work.** Timely**, appropriate and effective resolution of these cases is critical and continues to be a top priority for the Superior Court. In 2015, the Superior Court implemented new *Best Practices for Child Protection Cases*, which address the scheduling, assignment and conduct of each step in a child protection case.**

To further **support judges who preside over child protection cases, Madam Justice Maria Linhares De Sousa, a judge with the Ottawa Family Court, prepared a new *Child Protection Electronic Bench Book*. The Bench Book is a comprehensive resource that outlines** **each step in a child protection case for judges presiding over or case managing child protection cases**. **It also** addresses the procedural and substantive issues that may arise in this area, with reference to statutory provisions, case law and other resources**. The Bench Book also incorporates the Superior Court’s *Child Protection Best Practices* and includes** a section devoted to how child protection cases are case managed**.**

**First published in October 2015, the Bench Book was updated in October 2016.**

### Heidi Polowin Child Protection Seminar

**In 2016, the Superior Court launched a new annual child protection seminar for members of the court, established in honour of the late Justice Heidi Polowin. Before her untimely passing in May 2016, Justice Polowin presided over civil, family and child protection cases in Ottawa and dedicated significant efforts to develop the court’s approach to child protection cases.**

**The first annual Justice Heidi Polowin Child Protection seminar was held in November 2016 in conjunction with the Statutory Meeting of the Family Court Branch. Co-chaired by Justice Mark Shelston and Justice Paul Nicholson, the inaugural Justice Heidi Polowin Child Protection Seminar was a huge success and a wonderful legacy to honour Justice Polowin’s ground-breaking contributions to this critical area of the court’s work.**

 *“A fundamental part of what we bring to the system as judges is the independence and discipline to dissuade any external influence in deciding cases. I do this by being prepared, by ensuring I am bringing an open mind and independent analysis to every case and my own efforts to understand and resolve that case. My decisions flow from how the facts and the law resonate with me.”*

**Justice Fred Myers**, Superior Court of Justice, Toronto Region

## RESPONSIVE JUSTICE

The second principle of the vision statement commits the Superior Court of Justice to delivering “responsive justice”. Responsiveness, as a principle, speaks to the *timeliness* of judicial proceedings; it also speaks to *understanding public needs*. Ontarians rightly expect a justice system that is efficient, accessible and accountable to the public, and that adapts to changing societal needs.

For the Superior Court, delivering responsive justice has included establishing and implementing processes that ensure every court event is timely and meaningful; developing a modern court system; and addressing the challenges and changes that occur on the legal landscape.

*“The Nortel insolvency was extremely large. In its final stages, the court had to allocate 7.3 billion dollars in assets among various estates. What was at stake was how much each estate would get, and also how much the pensioners, or the people with long-term disabilities, or people with health claims would get. Thousands and thousands of claimants were waiting for our decision. Employees and pensioners are severely impacted if a company does not survive. When you get down to the bottom of it, a huge number of people are being affected by what we do – I never lose sight of that.”*

**Justice Frank Newbould,** Judicial Team Lead (Commercial List), Superior Court of Justice, Toronto Region

*“The work we do is a service to the public. I am always conscious of this: we must not get it wrong. We just cannot go into a courtroom thinking, ‘I’ll give it my best shot.’ That is just not good enough. It has got to be your highest performance every day, all day. It’s hugely rewarding.”*

 **Justice Louise Gauthier**,Superior Court of Justice,
 Northeast Region

### Family Law and Child Protection Best Practices

**Over the past two years, under the leadership of Senior Family Justice George Czutrin and with valuable input from family judges across the province, the Superior Court developed and implemented new best practices for child protection and family cases.**

**Guiding principles for the court’s child protection and family best practices include (i) timely dispositions of all cases involving children at risk, (ii) moving the case to resolution and being as productive as possible at each step in a family case, and (iii) timely court events, especially at the outset of a family case.**

The Superior Court’s child protection best practices require the court to make all reasonable efforts to meet the required statutory and regulatory timelines for issuing a final determination on a child’s care, particularly those in section 70 of the *Child and Family Services Act*.

**These best practices govern the scheduling, assignment and conduct of child protection and family cases, providing guidance to each Superior Court centre and each Superior Court judge on how best to manage these important cases that comprise a significant amount of the court’s work. Achieving these best practices will require ongoing cooperation from both levels of government, the family law bar, children’s aid societies and community service providers.**

### Family Law Practice Directions

**Another example of the court’s efforts to improve the Family Court process is the introduction of significant changes to the province-wide and regional Practice Directions relating to family proceedings. The new family Practice Directions incorporate the f**amily law and child protection best practices **and bring consistency, transparency and rigour to the conduct of a family law cases in the Superior Court.**

**Providing litigants with clear direction on the requirements that apply to each stage of a family case allows them to be prepared for every court attendance. This will help ensure that their case moves forward to resolution as effectively and quickly as possible.**

### Implementation of Civil Best Practices

The best practices for civil cases, developed through the Superior Court’s best practices review and through the Greater Toronto Area’s Civil Review Project led by Regional Senior Justice Geoffrey Morawetz, continued to be implemented and expanded in 2015 and 2016.

In Toronto, changes introduced as part of a pilot in 2014 proved successful in effecting greater scheduling efficiencies and, consequently, were incorporated permanently into the Toronto region’s civil scheduling practices through a new practice direction in July 2015. This included the establishment of Civil Practice Court to assist in scheduling particularly complex motions or trials or in identifying cases that would benefit from case management.

Several other regions adopted new Practice Directions incorporating the civil best practices established by the court and introducing clear and comprehensive directions for the scheduling and management of civil proceedings, including the Central South Region (June 2016), the Southwest Region (August 2016) and the Central East Region (January 2017).

In Ottawa, a civil case management “re-boot” was launched in May 2015. Initiatives introduced as part of the re-boot, such as a trial management court and an express case conference court, were met with enthusiasm by the Ottawa civil bar and continued into 2016. In Hamilton, a pilot initiative introduced in June 2014 to provide civil litigants with early intervention to encourage early resolution where appropriate, continued to yield very positive results – well over 90% of the cases in the pilot resolved.

### Expanded Case Management Masters Responsibilities in the Central East and Central West Regions

In 2012, the court launched a pilot project for case management masters to circuit to Newmarket (Central East) and Brampton and Milton (Central West) for one week each month to conduct pre-trials in simplified procedure cases. This pilot was expanded in February 2015. Masters’ responsibilities in those centres were expanded to include civil pre-trials and civil motions within the jurisdiction of a master and their scheduled time in each region was increased to two weeks each month. Based on the success of that expansion, masters’ scheduled time in the Central West and Central East regions will be further increased in the court’s 2017 schedules.

### Physician-Assisted Death Applications

In Carter v. Canada (Attorney General), 2016 SCC 4, released on January 15, 2016, the Supreme Court of Canada directed that, as of February 6, 2016, applications may be brought to provincial superior courts for exemptions from the Criminal Code prohibition against physician-assisted death pending the anticipated introduction of amendments to the *Criminal Code*.

While the Supreme Court’s previous decision, Carter v. Canada (Attorney General), 2015 SCC 5, provided some guidance on the criteria for such an application, the Superior Court recognized the need for clarity on the process to be followed by those seeking the Superior Court’s authorization for a physician-assisted death. The court also recognized that, given the nature of the applications, timely scheduling and disposition of these applications was critical.

On January 29, 2016, the Superior Court issued a Practice Advisory governing applications for judicial authorization of physician-assisted death. The Practice Advisory offered procedural guidance to counsel and parties. It also listed the evidentiary requirements for such an application, consistent with the Supreme Court of Canada’s decision in *Carter*. The first of its kind throughout Canada, the Practice Advisory served as a model for courts in other provinces crafting their own procedures for these applications.

The Court also responded fairly, effectively and efficiently in scheduling and determining the 13 urgent applications brought in the weeks that followed. Each application was heard within seven days. The judges who heard those applications rendered thoughtful and prompt reasons for their decisions, each within 24 hours of hearing the application.

### *R. v. Jordan* Response

The Superior Court of Justice has had the benefit of a rigorous criminal case management system, introduced in 2006 in response to the recommendations in the report that Justices David Watt and Bruce Durno prepared, *New Approaches to Criminal Trials: Report of the Chief Justice’s Advisory Committee on Criminal Trials in the Superior Court of Justice*.

Nevertheless, following the July 2016 release of the Supreme Court of Canada’s decision in *R. v. Jordan*, 2017 SCC 27, the Superior Court embraced the “clarion call” for all justice system players–including the courts–to take action to ensure the timely disposition of criminal cases. The court immediately began re-examining and refining its own processes to improve efficiency. On September 1, 2016, the court implemented a new practice direction. It governs applications under s 11(b) of the *Charter* to ensure that they are scheduled and conducted fairly and efficiently.

The court established new procedures governing informations and indictments, to reduce delay and to ensure judges have the information they need to proactively monitor and manage cases to disposition. A judicial working group reviewed the court’s criminal rules and forms to further strengthen criminal case management (including judicial pre-trials) and trial management. The Superior Court has also engaged at an institutional level with other justice system partners to identify ways to work together to ensure the fair and timely disposition of criminal matters. The court’s partners in this initiative include the Ontario Court of Justice, the Ministry of the Attorney General’s Court Services and Modernization Divisions, federal and provincial Crown prosecutors and the Defence bar.

### Judicial Complement

The Superior Court of Justice’s court schedule is set almost a year in advance, taking into account each region’s current and anticipated judicial complement. For that reason, judicial vacancies can create significant scheduling challenges for the court. At various times in 2015 and 2016, outstanding judicial vacancies imposed significant pressures on several regions of the court. During those times, the judges of the Superior Court went above and beyond – deferring and contributing holidays and non-sit time, expanding their individual court dockets and conference lists and caseloads, and travelling to preside at other court locations within or outside of their regions – to manage the court’s caseload and meet the public’s needs despite the challenges caused by outstanding judicial vacancies.

The timely filling of judicial vacancies is critical to the court meeting its obligations to Ontarians. The Superior Court has a long-established policy designed to permit most judicial vacancies to be anticipated well in advance and therefore filled seamlessly through timely judicial appointments. Judges are expected, wherever possible, to provide at least six months’ notice of a retirement or supernumerary election that will create a judicial vacancy on the court. This notice is provided to the federal Minister of Justice, who is responsible for recommending judicial appointments to the federal cabinet, so that the vacancy can be anticipated and therefore filled on a timely basis.

### Modernization Committee

The Superior Court is committed to modernizing the court system and its processes – a common goal it shares with the Ministry of the Attorney General, which has the constitutional responsibility for the administration of justice. In 2015, the Chief Justice announced the court’s modernization initiative and established the Modernization Committee (ModCom) to proactively engage with the ministry on modernization issues. Former Regional Senior Judge (RSJ) James Turnbull was the ModCom’s first chair, with members RSJ Geoff Morawetz (Toronto), RSJ Michelle Fuerst (Central East) and Senior Family Justice George Czutrin. RSJ Geoff Morawetz is the current chair.

Underlying the court’s approach to modernization is the core principle that court modernization must balance a review of courtroom staffing needs with the delivery of modern courtroom technology. Upon the ministry’s confirmation that it shared that holistic approach, the ModCom began a series of meaningful discussions with the Assistant Deputy Attorneys General for the ministry’s Court Services Division and its new Modernization Division that continued throughout the second half of 2016.

With the understanding that the ministry would be considering a new courtroom staffing model as part of its courtroom modernization initiative, the ModCom produced reports that identified all essential court staff functions required *before*, *during* and *after* a court proceeding, in all areas of the court’s work. These comprehensive reports, developed with the assistance of representatives of the Ontario Superior Court Judges’ Association, covered essential court staff functions for civil, family, criminal, child protection and Divisional Court proceedings. They have formed and will continue to form the basis for all modernization discussions with the ministry.

The ModCom tackled several issues that are pre-conditions to implementing courtroom modernization. These include ensuring accurate data entry for every proceeding and a sound court staff training plan. It identified the many technologies that a modern courtroom requires. Importantly, the ModCom established the court’s technology priorities and the required delivery timing to achieve a successful, holistic approach to modernizing the Superior Court experience for the benefit of judges, counsel, litigants, jurors, witnesses and the public.

### Dispute Resolution Officer Program

Dispute Resolution Officers (DROs) are senior family law lawyers. The local regional senior judge appoints DROs to conduct case conferences pursuant to Rule 17(9) and (9.1) of the *Family Law Rules*.

Launched as a pilot program in Toronto in 1995, the DRO program is now in Brampton and Milton (Central West), Newmarket, Barrie and Durham (Central East), Hamilton and St. Catharines (Central South) and London (South West). In locations with the DRO program, the first appearance on a motion to change an order comes before a DRO, not a judge. The DRO meets with the parties to determine the issues, explore settlement options and determine if the file is ready to go before a judge. DROs can also assist parties in setting a schedule for disclosure and the next steps in the proceeding.

While each of these programs initially operated on a *pro bono* basis, funding is currently available for all DRO programs except in London and St. Catharines. These two sites currently operate on a pilot basis, with funding scheduled to start in the fall of 2017. The Superior Court wishes to extend its sincere gratitude to both the DRO lawyers who have provided *pro bono* services for several years and to the Ministry of the Attorney General for funding the DRO program to ensure its long-term sustainability.

### Update on Courthouse Facilities

Each year, Chief Justice Smith, with input from each regional senior judge, has delivered a prioritized list of facilities projects to the Ministry of the Attorney General. A primary criterion for setting priorities is whether the facility project is required to permit the court’s judges to perform their constitutionally mandated judicial duties.

Through this process, the court identified a number of court locations requiring large-scale facilities additions and upgrades because they lack sufficient courtrooms, jury facilities, conference/settlement rooms and chambers or because they suffer from significant security deficiencies. Two such locations, Barrie and Newmarket, received much-needed relief when the construction of modular additions to those courthouses was completed in 2014. The Ontario government has also committed to addressing significant facility deficiencies at two of the Superior Court of Justice’s busiest centres, Brampton and Toronto.

In Brampton, the government has agreed to construct an addition to the existing courthouse. This will create additional criminal jury courtrooms, non-jury courtrooms and additional conference/settlement rooms. The new space will provide much needed relief; as an interim measure, some Brampton cases continue to be transferred to other nearby centres where courtrooms are available.

In Toronto, the Ontario government has committed to moving family matters out of 393 University Avenue and into new, secure hearing rooms that will be constructed within the existing courthouse at 361 University Avenue. The Ontario government has also agreed to consolidate most Superior Court civil operations into 330 University Avenue. This will create internal efficiencies and reduce confusion for litigants and members of the bar. The court eagerly awaits completion of both projects.

For several years, the court has identified the need for a new courthouse in Milton as its top priority. The Chief Justice remains optimistic that the Ontario government will shortly announce the approval of this project, which is desperately required to serve Canada’s fastest growing community.

### Resources for Deputy Judges

Deputy judges deliver justice to tens of thousands of Ontarians who come before the Small Claims Court each year, most of whom represent themselves. To assist deputy judges in discharging their judicial duties, a number of resources have been developed specifically for them. In 2015, a new dedicated and secure website for deputy judges was launched. The website contains information about the Deputy Judges Council and its mandate, standards of conduct for deputy judges, education materials, security information and other useful resources, including new judgment writing templates created specifically for Small Claims Court proceedings. In addition to serving as a resource tool, the website can also be used to post news and information of interest to deputy judges.

The *Small Claims Court Judicial Reference Guide* was created in 2016 to provide deputy judges with a helpful, central repository of key policy and procedural guidelines for the Small Claims Court. The *Guide* was distributed to all deputy judges and posted on the Deputy Judges Council website.

## JUSTICE, OPEN TO ALL

*“The most advanced justice system in the world is a failure if it does not provide justice to the people it is meant to serve. Access to justice is therefore critical.”*

**Rt. Hon. Beverley McLachlin, P.C.**, Chief Justice of Canada, 2007, “Justice in our courts and the challenges we face”[[1]](#footnote-2)

The third principle of the Superior Court of Justice vision statement requires the court to be “open to all”. This principle consists of two distinct elements, the first of which is *openness and transparency*. The open court principle has been described as a “hallmark of a democratic society”.[[2]](#footnote-3) The transparency and accountability that result from it is essential to ensuring the integrity of the court system and to enhancing public confidence in the courts and the justice system.

The second element is *access to justice* – an issue that, while universally recognized as critically important, is not always easy to define, because it has so many facets. Access to justice requires identifying and removing barriers to accessing the court system, whether they are physical, legal, financial, linguistic or cultural. It includes making justice timely and affordable by ensuring that court processes are efficient and effective and that every court event is meaningful. It involves making the court system easier to navigate by simplifying court processes and making information readily available and written in plain language. Providing meaningful access to justice in a diverse society also requires earning the confidence of all members of the public that, if and when they engage with the justice system, they will be heard, respected and treated fairly. This requires court processes that are alive to cultural issues and that judges have the essential skills and awareness they need to be able to look beyond their own personal perspective and to hear and judge cases in a fair and impartial manner.

In 2015 and 2016, the Superior Court of Justice worked creatively and diligently, both within its own judicial sphere of authority and in collaboration with other justice system partners, to enhance the openness of court proceedings and to enhance access to justice. A number of those initiatives and achievements are described in this section.

 *“The justice system is there to serve the public. It follows that we, as judges, are public servants. We are there to serve and not to be served. There are many facets to this: we have an obligation to ensure that everyone who comes before the courts, either with counsel or without counsel, is treated with dignity and respect, and with patience and compassion. It is also important that everyone be given a meaningful opportunity to be heard. I see this as critical to our role and to maintaining public confidence in the administration of justice.”*

**Justice Renee Pomerance**, Local Administrative Judge (Windsor) Southwest Region

### Publication Ban Notification System

As the “eyes and ears” of the public, the media play an essential role in preserving the openness of court proceedings. To assist the media in fulfilling that important role, the Superior Court of Justice launched a publication ban notification system in July 2016. Associate Chief Justice Frank Marrocco and Justice Ian Nordheimer led this initiative, supported by the Office of the Chief Justice and the Judicial Information Technology Office.

The publication ban notification system enhances access to justice and the transparency of court proceedings by clarifying the process for parties to follow if they intend to ask the court to impose a discretionary publication ban in a proceeding. The court’s new notification service provides parties with a free and effective way notify the media of a publication ban request.

Under the system, any person seeking a discretionary publication ban in a Superior Court proceeding must serve and file a written notice of application/motion. The requesting party must also provide notice to the media through the court’s publication ban notification service by completing and submitting a Notice of Request for Publication Ban form (available through the court’s website). Then, the court emails the notice to members of the media on the Superior Court of Justice Publication Ban Notification Media Subscriber List.

Since its launch in July 2016, more than on hundred media representatives from across Ontario have joined the Media Subscriber List. Publication ban notices have been sent relating to all areas of the court’s work.

### Unified Family Courts

In April 2016, then Attorney General, the Honourable Madeleine Meilleur, Chief Justice Smith and Chief Justice Lise Maisonneuve of the Ontario Court of Justice began discussions about the potential for expanding Unified Family Courts in Ontario. Currently, there are Unified Family Courts at 17 of the 50 Superior Court of Justice sites.

Uniting family proceedings – which would otherwise be divided between the Superior Court of Justice and the Ontario Court of Justice – into a single Unified Family Court benefits family litigants in many ways: avoiding confusion and duplication; enhancing consistent and dedicated case management of family cases; and allowing for the consolidation of critical front-end services. These services assist families in understanding their options, empower them to make more informed choices and, ultimately, make family law proceedings more timely and effective.

Both Chief Justices expressed their support for expanding Unified Family Courts, if there is proper resourcing for the expansion. Both the provincial and federal governments have expressed interest in expanding Unified Family Courts in Ontario. The current Attorney General for Ontario, the Honourable Yasir Naqvi, has confirmed his support for Family Court expansion. Accordingly, a Working Group was struck with representatives from the Ministry of the Attorney General, the Superior Court of Justice and the Ontario Court of Justice. Its mandate was to identify immediate sites for expansion, primarily at centres where there are no facility impediments to expansion, and to develop a plan for expansion to all remaining sites in Ontario. The objective is to achieve province-wide expansion by 2025.

The Working Group is developing a proposal for the federal government. The proposal is expected to identify sites for immediately establishing Unified Family Courts, provided the necessary number of additional members of the Family Court are appointed.

*“One thing that is evident when a litigant is in front of you, whether they be self-represented or not, is that they hope to have everything resolved that day. They want an end to their dispute. They have been thinking about appearing in court non-stop, and they are anxious, nervous. They just want to resolve things. I try to make every court appearance count. Even if we cannot resolve it all, I do my best to resolve one or two smaller issues so that the parties do not think it’s a day wasted or that their efforts to prepare and file their materials and to come to court have been for nothing. As a judge, you have to show compassion. We will make a difference in someone’s life. It is not just the law we are dealing with. It is psychology. I want everyone who comes before me to go home with the sense that something has been accomplished.”*

**Justice Johanne Lafrance-Cardinal**, Family Court branch of the Superior Court of Justice, East Region

### Guide to Process for Family Law Cases

In 2016, the Superior Court produced the new *Guide to Process for Family Cases at the Superior Court of Justice*. Members of the Family Law bar, Legal Aid Ontario and Community Legal Education Ontario (CLEO) assisted the court with this work and The Action Group on Access to Justice (TAG)[[3]](#footnote-4) also provided support. In clear, easy-to-understand language, this comprehensive guide summarizes the requirements under the *Family Law Rules* and the Superior Court’s Practice Directions for each step in a family law case.

The guide is available on the Superior Court’s website and will be available shortly in Family Law Information Centres across Ontario.

### Steps to Justice

The Superior Court of Justice is a proud partner of the new, innovative public website, Steps to Justice **(**[**https://stepstojustice.ca/**](https://stepstojustice.ca/)**). Launched with support from** TAG**, Steps to Justice covers several areas of law, including family law. Steps to Justice is different from other websites that provide legal information. Its question and answer format is user-friendly, and its legal content undergoes an extensive review process before it is posted.**

The new site allows litigants to find clear answers to their legal questions much more easily and receive suggested next steps and referrals for additional information.

### Criminal *Rowbotham* pilot project

The Superior Court of Justice was pleased to support the development of a pilot project to streamline *Rowbotham* applications (i.e. applications for state funded counsel in criminal proceedings). The pilot project was initiated by Mr. Justice John McMahon in Toronto, who raised concerns about the number of court appearances and associated delays in criminal cases arising from *Rowbotham* applications, most of which are, ultimately, resolved on consent.

The pilot streamlines *Rowbotham* applications through early identification of cases that are likely to be resolved on consent, and by having a standardized process to allow those cases to be resolved without the need for a formal court application. The Ministry of the Attorney General’s Agency and Tribunal Relations Division and Legal Aid Ontario, in consultation with the Superior Court, Court Services Division, Crown prosecutors and the Criminal Lawyer’s Association developed this project.

The *Rowbotham* pilot project launched in April 2015 in the Superior Court in Toronto. In April 2016, it expanded into Brampton. Based upon its success, the pilot expanded into four additional sites in fall 2016 (Ottawa, Cornwall, Barrie and Hamilton) with province-wide expansion expected to be completed in April 2017.

### SCJ Video Conferencing Pilot Project

The Superior Court of Justice Video Conferencing Project, a joint project of the court, the Ministry of the Attorney General’s Innovation Office and the Justice Video Network (a division of Justice Technology Services), launched in July 2015. The pilot involved select civil and family proceedings in eight court locations: Toronto, Ottawa, Belleville, Oshawa, Newmarket, Sudbury, Cochrane and Timmins.

The pilot was overseen by Superior Court of Justice Video Conference Steering Committee, whose mandate is to identify how video conferencing technology could be used to enhance access to justice. Using existing technology, the pilot introduced a standardized Video Conference Request form to streamline the process for requesting, scheduling and tracking a video conference. While the limited scope of the pilot kept the overall number of video conferences conducted under the pilot quite modest, counsel and parties who participated in the pilot provided very positive feedback, reporting that the video conferencing saved them significant time and money through.

### Small Claims E-Filing

The Small Claims Court e-filing service, which launched in August 2014 in four pilot locations, expanded province-wide in March 2015. Small Claims Court litigants can use the service to file certain court forms and pay fees online, 24 hours a day. The service transmits litigants’ uploaded documents to the court’s case tracking system. Electronically-issued claims and default judgments are then returned to the filers by email, requiring fewer trips to the court office. Initially limited to claims for money owing under an agreement, enhancements in April 2016 made e-filing possible for all types of claims.

There are two ways to e-file documents:

* Filing Wizard guides users through the process of creating and submitting Small Claims Court documents and paying fees. This is a good option for first time filers who are unfamiliar with the court process and people who are representing themselves in court.
* Quick File gives legal professionals and others who frequently file small claims the option of uploading already completed forms.

In 2015, 28 per cent of all plaintiff’s claims filed with the Small Claims Court were filed online. By 2016, this had risen to 48 per cent. Visit [www.ontario.ca/smallclaims](http://ontario.ca/smallclaims) for more information.

*“The first part of the Small Claims Court process, the settlement conference, is a very informal one. The parties meet with a deputy judge to discuss the case and often, they reach resolution on terms agreeable to all parties. On many occasions, the parties walk out of settlement conferences smiling, shaking hands, and thanking the deputy judge for their assistance. For matters that are not resolved at the settlement conference and that do proceed to trial, our decisions are made expeditiously – either the same day or in a very short timeframe. This is important because we know that our decisions impact the lives of people. It allows us to minimize any hardship that may exist from monetary loss, and it allows us to reduce the stress associated with litigation. The work we do directly impacts the lives of people in a very positive way.”*

**Deputy Judge Laura Ntoukas**, Administrative Deputy Judge of the Small Claims Court, Toronto Region

### French Language Services Initiatives

The Superior Court of Justice remains committed to developing judicial awareness of the language rights of French-speaking litigants and ensuring that litigants’ French language rights are respected. The court has worked collaboratively with members of the Ontario Attorney General’s French Language Services Bench and Bar Committee to implement all of recommendations in its 2012 report, *Access to Justice in French*,[[4]](#footnote-5) and its follow-up 2015 report, *Enhancing Access to Justice in French: A Response to the Access to Justice in French Report*.[[5]](#footnote-6)

Madam Justice Julie Thorburn, the court’s judicial lead on French language issues, is a member of the Bench and Bar Committee and co-chaired its Response Steering Committee, which produced the 2015 report. Justice Thorburn and Justice Johanne Lafrance-Cardinal are members of the implementation committee for a pilot project to deliver seamless access to French language services within the Ottawa courthouse. Launched in May 2015 by the Ministry of the Attorney General in partnership with the three Ontario courts, the pilot will serve as a template for actively offering French language services throughout Ontario.

The Office of the Chief Justice continues to work with the Minister of Justice and the Commissioner of Federal Judicial Affairs to ensure that the court maintains a core complement of bilingual judges across the province though the appointment of qualified French-speaking judges.

All judges newly appointed to the Superior Court receive information on French language rights as part of their initial orientation. In addition, each of the court’s semi-annual education conferences features a dedicated clinic for bilingual judges to discuss French language challenges, develop common practices and brush-up on new French common law legal terminology and resources. The Chief Justice continues to support attendance by Superior Court judges and case management masters at the annual week-long, high-proficiency-level French language training courses sponsored by the Commissioner for Federal Judicial Affairs.

“La cour supérieure de l’Ontario reconnait que les limites du langage signifient les limites de son propre monde. L’offre active de services en français à la cour fait en sorte qu’avec préavis, les francophones reçoivent leurs services juridiques dans la langue officielle de leur choix, et que les services soient accessibles et de qualité comparable à celle des services offerts dans l’autre langue. Car il n’y a pas de justice sans avoir accès à la justice.”

**Justice Julie Thorburn**, Superior Court of Justice, Toronto Region

### Indigenous Justice

In June 2015, the Truth and Reconciliation Commission of Canada (TRC) released its final report, *Honouring the Truth, Reconciling for the Future*,and issued 94 Calls to Action. The report culminated the TRC’s six-year mandate to document the testimonies of Indian Residential School survivors from across Canada. The 94 Calls to Action aim to redress the legacy of residential schools and advance the process of Canadian reconciliation.

The Honourable Erwin Stach, a former judge of the Superior Court, is the Chief Justice’s designate on the Debwewin Jury Review Implementation Committee, which was established in 2013 to implement the recommendations of the Honourable Frank Iacobucci’s *Report on First Nations Representation on Ontario Juries*. In March 2015, the Committee issued a Progress Report on its efforts to enhance the representation of First Nations persons living on-reserve on provincial jury rolls.

The *Aboriginal Law: Bench Book* written by Justice Patrick Smith the Superior Court (East Region) was first published in 2014. It is currently being updated and a revised version will be released in 2017.

The Superior Court of Justice dedicated its 2016 fall educational conference to the theme of Indigenous justice. The keynote speaker was the Honourable Murray Sinclair, former chair of the Truth and Reconciliation Commission. Senator Sinclair had also presented at the court’s conference in 2011, and the court was pleased to have him return now that the Commission has issued its report and calls to action. Senator Sinclair emphasized the role of education in reconciliation, calling upon judges to be aware of the histories of indigenous individuals who come before them, and to make reconciliation part of their lives.

On the heels of Senator Sinclair’s call for deeper judicial engagement in reconciliation, in November 2016, Chief Justice Smith and four other Superior Court judges attended a three-day Gladue Summit in Thunder Bay, hosted by the Ministry of the Attorney General’s Indigenous Justice Division. At that event, Chief Justice Smith affirmed the importance of ongoing dialogue between the courts and Indigenous Peoples in advancing the objectives of reconciliation.

*“One thing that affects the delivery of court services in Northern Ontario is our geography. The Northwest Region is roughly the size of France. It covers two time zones. Weather conditions can impede people’s ability to reach the court. This is especially true for people who reside in locations other than Thunder Bay, Fort Frances or Kenora. Many of the First Nations in this region are not accessible by road, and flights to and from them are very expensive. In Thunder Bay, we have the technological capacity to videoconference and teleconference with parties who are located elsewhere. Increasingly, First Nations are acquiring the infrastructure to access these networks. With improved technology, it should be possible for people who live in remote communities to overcome distance and participate in court proceedings. Land claims disputes could be heard more often in the locations in which they arise. We need to do more to hear people where they are, and to reach out to them.”*

 **Justice Helen Pierce**, Superior Court of Justice, Northwest Region

### The Walsh Family Law Negotiation Competition

In March 2015, the Superior Court was proud to launch the first annual Walsh Family Law Negotiation Competition. This family law student negotiation competition, run in conjunction with the Walsh Family Law Moot, is named in honour of the Honourable George Walsh, a former judge of the Superior Court who was a pioneer in the development of our current approach to the resolution of family law cases.

Teams from six Ontario law schools negotiate a reality-based family law dispute in front of leading family lawyers and judges, gaining real and practical exposure to the current practice of family law.

The Superior Court is pleased to work with the Association of Family and Conciliation Courts-Ontario and members of the Ontario Court of Justice and family law bar in hosting this exceptional event.

# SECTION 4: JUDGES OF THE SUPERIOR COURT OF JUSTICE

### CENTRAL EAST REGION JUDGES

The Hon. Madam Justice

Michelle K. Fuerst

Regional Senior Judge

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Mr. Justice M. L. Edwards, Newmarket

The Hon. Mr. Justice D. S. Gunsolus, Lindsay

The Hon. Mr. Justice G. M. Mulligan, Barrie

The Hon. Mr. Justice A. R. Rowsell, Durham

The Hon. Mr. Justice T. M. Wood, Bracebridge

#### JUDGES OF THE REGION

The Hon. Mr. Justice S. Bale

The Hon. Mr. Justice R. T. Bennett

The Hon. Madam Justice L. A. Bird

The Hon. Mr. Justice R. C. Boswell

The Hon. Mr. Justice R. Charney

The Hon. Mr. Justice J. C. Corkery

The Hon. Mr. Justice J. Di Luca

The Hon. Mr. Justice G. P. Di Tomaso

The Hon. Mr. Justice P. A. Douglas

The Hon. Madam Justice M. P. Eberhard

The Hon. Madam Justice J. E. Ferguson

The Hon. Madam Justice L. E. Fryer

The Hon. Madam Justice C. A. Gilmore

The Hon. Mr. Justice B. A. Glass

The Hon. Mr. Justice F. Graham

The Hon. Madam Justice S. E. Healey

The Hon. Madam Justice J. E. Hughes

The Hon. Mr. Justice A. P. Ingram

The Hon. Mr. Justice D. A. Jarvis

The Hon. Mr. Justice R. P. Kaufman

The Hon. Madam Justice M. L. Lack

The Hon. Madam Justice S. Lavine

The Hon. Mr. Justice B. G. A. MacDougall

The Hon. Mr. Justice J. R. McCarthy

The Hon. Mr. Justice J. P. L. McDermot

The Hon. Madam Justice H. A. McGee

The Hon. Mr. Justice M. K. McKelvey

The Hon. Mr. Justice J. S. McLeod

The Hon. Mr. Justice E. B. Minden

The Hon. Madam Justice A. M. Mullins

The Hon. Mr. Justice C. S. Nelson

The Hon. Mr. Justice P. W. Nicholson

The Hon. Mr. Justice H. K. O’Connell

The Hon. Madam Justice L. M. Olah

The Hon. Madam Justice E. A. Quinlan

The Hon. Mr. Justice D. W. E. Salmers

The Hon. Madam Justice M. A. C. Scott

The Hon. Mr. Justice J. B. Shaughnessy

The Hon. Mr. Justice A. Sosna

The Hon. Mr. Justice P. W. Sutherland

The Hon. Mr. Justice D. R. Timms

The Hon. Madam Justice M. E. Vallee

The Hon. Madam Justice R. A. Wildman

The Hon. Madam Justice S. J. Woodley

### CENTRAL SOUTH REGION JUDGES

The Hon. Mr. Justice

James R. H. Turnbull

Regional Senior Judge

Until June 2016

The Hon. Mr. Justice

Harrison S. Arrell

Regional Senior Judge

As of October 2016

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Mr. Justice R. J. Harper, Brantford

The Hon. Madam Justice C. Lafrenière, Hamilton (Family)

The Hon. Madam Justice W. L. MacPherson, Simcoe

The Hon. Madam Justice T. Maddalena, Welland

The Hon. Madam Justice J. A. Milanetti, Hamilton

The Hon. Mr. Justice R. J. Nightingale, Cayuga

The Hon. Mr. Justice G. E. Taylor, Kitchener

#### JUDGES OF THE REGION

The Hon. Madam Justice C. D. Braid

The Hon. Mr. Justice D. A. Broad

The Hon. Madam Justice C. E. Brown

The Hon. Mr. Justice G. A. Campbell

The Hon. Madam Justice K. A. Carpenter-Gunn

The Hon. Madam Justice D. L. Chappel

The Hon. Mr. Justice D. L. Edwards

The Hon. Mr. Justice P. J. Flynn

The Hon. Mr. Justice C. S. Glithero

The Hon. Mr. Justice A. J. Goodman

The Hon. Mr. Justice D. J. Gordon

The Hon. Mr. Justice J. R. Henderson

The Hon. Mr. Justice R. A. Lococo

The Hon. Mr. Justice T. R. Lofchik

The Hon. Madam Justice L. Madsen

The Hon. Mr. Justice R. J. D. Mazza

The Hon. Madam Justice M. Jo McLaren

The Hon. Mr. Justice M. D. Parayeski

The Hon. Mr. Justice A. Pazaratz

The Hon. Mr. Justice J. A. Ramsay

The Hon. Mr. Justice R. B. Reid

The Hon. Mr. Justice R. D. Reilly

The Hon. Madam Justice J. W. Scott

The Hon. Mr. Justice A. Skarica

The Hon. Mr. Justice J. W. Sloan

The Hon. Mr. Justice P. R. Sweeny

The Hon. Mr. Justice R. M. Thompson

The Hon. Mr. Justice J. R. H. Turnbull

The Hon. Madam Justice L. M. Walters

The Hon. Mr. Justice A. C. R. Whitten

### CENTRAL WEST REGION JUDGES

The Hon. Madam Justice

Francine E. Van Melle

Regional Senior Judge

Until February 2015

The Hon. Mr. Justice

Peter A. Daley

Regional Senior Judge

As of February 2015

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Madam Justice D. F. Baltman, Brampton

The Hon. Madam Justice K. D. Coats, Milton

The Hon. Mr. Justice C. Conlan, Walkerton

The Hon. Madam Justice N. M. Mossip, Guelph

The Hon. Madam Justice B. J. Wein, Orangeville

#### JUDGES OF THE REGION

The Hon. Mr. Justice I. W. André

The Hon. Mr. Justice K. N. Barnes

The Hon. Mr. Justice T. A. Bielby

The Hon. Mr. Justice I. S. Bloom

The Hon. Mr. Justice S. A. Coroza

The Hon. Mr. Justice F. Dawson

The Hon. Madam Justice M. J. Donohue

The Hon. Mr. Justice S. B. Durno

The Hon. Mr. Justice M. G. Emery

The Hon. Mr. Justice J. M. Fairburn

The Hon. Mr. Justice D. F. Fitzpatrick

The Hon. Mr. Justice J. M. Fragomeni

The Hon. Mr. Justice M. R. Gibson

The Hon. Mr. Justice D. K. Gray

The Hon. Mr. Justice S. C. Hill

The Hon. Mr. Justice W. M. LeMay

The Hon. Mr. Justice G. D. Lemon

The Hon. Madam Justice L. K. McSweeney

The Hon. Madam Justice G. M. Miller

The Hon. Mr. Justice D. G. Price

The Hon. Mr. Justice L. Ricchetti

The Hon. Madam Justice S. S. Seppi

The Hon. Madam Justice L. Snowie

The Hon. Mr. Justice J. R. Sproat

The Hon. Mr. Justice J. K. Trimble

The Hon. Madam Justice E. R. Tzimas

The Hon. Madam Justice J. Woollcombe

### EAST REGION JUDGES

The Hon. Mr. Justice

James E. McNamara

Regional Senior Judge

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Mr. Justice R. N. Beaudoin, Ottawa (Civil)

The Hon. Madam Justice A. Doyle, Ottawa (Family)

The Hon. Mr. Justice C. T. Hackland, Ottawa (Small Claims Court)

The Hon. Mr. Justice M. S. James, Pembroke

The Hon. Mr. Justice M. R. Labrosse, Ottawa (Divisional Court)

The Hon. Madam Justice J. LaFrance-Cardinal, Cornwall

The Hon. Mr. Justice G. Mew, Napanee (Criminal and Civil)

The Hon. Mr. Justice K. E. Pedlar, Brockville

The Hon. Mr. Justice R. Pelletier, L’Orignal

The Hon. Madam Justice L. D. Ratushny, Ottawa (Criminal)

The Hon. Mr. Justice R. F. B. Scott, Picton

The Hon. Mr. Justice M. P. Shelston, Ottawa (CFSA)

The Hon. Mr. Justice W. U. Tausendfreund, Belleville

The Hon. Mr. Justice G. W. Tranmer, Kingston (Criminal and Civil)

The Hon. Madam Justice A. C. Trousdale, Kingston and Napanee (Family)

#### JUDGES OF THE REGION

The Hon. Mr. Justice B. W. Abrams

The Hon. Madam Justice C. D. Aitken

The Hon. Madam Justice J. A. Blishen

The Hon. Mr. Justice M. Z. Charbonneau

The Hon. Madam Justice S. Corthorn

The Hon. Madam Justice T. Engelking

The Hon. Mr. Justice J. M. Johnston

The Hon. Mr. Justice P. B. Kane

The Hon. Mr. Justice S. J. Kershman

The Hon. Madam Justice L. Lacelle

The Hon. Mr. Justice R. M. Laliberté

The Hon. Mr. Justice R. T. Leroy

The Hon. Madam Justice M. T. Linhares de Sousa

The Hon. Madam Justice V. J. Mackinnon

The Hon. Mr. Justice C. U. MacLeod

The Hon. Madam Justice H. K. MacLeod-Beliveau

The Hon. Mr. Justice R. L. Maranger

The Hon. Mr. Justice C. D. A. McKinnon

The Hon. Mr. Justice H. R. McLean

The Hon. Mr. Justice T. Minnema

The Hon. Madam Justice J. A. Parfett

The Hon. Mr. Justice K. B. Phillips

The Hon. Mr. Justice M. Quigley

The Hon. Mr. Justice T. D. Ray

The Hon. Madam Justice C. Robertson

The Hon. Mr. Justice P. Roger

The Hon. Madam Justice E. Sheard

The Hon. Mr. Justice G. P. Smith

The Hon. Mr. Justice R. J. Smith

The Hon. Madam Justice G. Toscano Roccamo

The Hon. Madam Justice B. R. Warkentin

#### MASTERS

Master N. Champagne

Master M. T. Fortier

### NORTHEAST REGION JUDGES

The Hon. Mr. Justice

Robbie D. Gordon

Regional Senior Judge

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Mr. Justice R. G.S. Del Frate, Gore Bay

The Hon. Mr. Justice E. E. Gareau, Sault Ste. Marie

The Hon. Mr. Justice E. J. Koke, Parry Sound

The Hon. Madam Justice C. A. M. MacDonald, Cochrane and Timmins

The Hon. Mr. Justice D. J. Nadeau, North Bay

The Hon. Mr. Justice J. A. S. Wilcox, Haileybury

#### JUDGES OF THE REGION

The Hon. Mr. Justice R. D. Cornell

The Hon. Mr. Justice M. G. Ellies

The Hon. Madam Justice L. L. Gauthier

The Hon. Madam Justice P. C. Hennessy

The Hon. Mr. Justice N. M. J. Karam

The Hon. Mr. Justice A. Kurke

The Hon. Mr. Justice I. S. McMillan

The Hon. Mr. Justice J. S. Poupore

The Hon. Madam Justice A. S. Rasaiah

The Hon. Mr. Justice R. A. Riopelle

The Hon. Mr. Justice P. U. Rivard

The Hon. Mr. Justice R. Y. Tremblay

The Hon. Mr. Justice G. T. S. Valin

The Hon. Mr. Justice M. N. Varpio

The Hon. Mr. Justice W. L. Whalen

### NORTHWEST REGION JUDGES

The Hon. Mr. Justice

Douglas C. Shaw

Regional Senior Judge

Until December 2016

#### LOCAL ADMINISTRATIVE JUDGE

The Hon. Mr. Justice J. S. Fregeau, Fort Frances and Kenora

Regional Senior Justice D. C. Shaw, Thunder Bay

#### JUDGES OF THE REGION

The Hon. Mr. Justice F. B. Fitzpatrick

The Hon. Mr. Justice W. D. Newton

The Hon. Madam Justice H. M. Pierce

The Hon. Mr. Justice T. A. Platana

### SOUTHWEST REGION JUDGES

The Hon. Mr. Justice

Thomas A. Heeney

Regional Senior Judge

#### LOCAL ADMINISTRATIVE JUDGES

The Hon. Mr. Justice J. M. W. Donohue, Goderich

The Hon. Madam Justice K. Gorman, St. Thomas and Woodstock

The Hon. Mr. Justice D. A. Grace, London

The Hon. Mr. Justice P. J. Henderson, London (Family Court Branch)

The Hon. Mr. Justice I. F. Leach, Stratford

The Hon. Madam Justice R. M. Pomerance, Windsor

The Hon. Mr. Justice B. G. Thomas, Chatham and Sarnia

#### JUDGES OF THE REGION

The Hon. Mr. Justice D. R. Aston

The Hon. Mr. Justice C. M. Bondy

The Hon. Mr. Justice S. K. Campbell

The Hon. Mr. Justice T. J. P. Carey

The Hon. Mr. Justice J. A. Desotti

The Hon. Mr. Justice M. A. Garson

The Hon. Mr. Justice J. C. George

The Hon. Madam Justice P. Hebner

The Hon. Mr. Justice P. B. Hockin

The Hon. Mr. Justice J. P. R. Howard

The Hon. Mr. Justice G. King

The Hon. Madam Justice D.M. Korpan

The Hon. Madam Justice L. C. Leitch

The Hon. Madam Justice M. McSorley

The Hon. Madam Justice A. K. Mitchell

The Hon. Mr. Justice V. Mitrow

The Hon. Madam Justice J. N. Morissette

The Hon. Mr. Justice K. W. Munroe

The Hon. Mr. Justice T. L. J. Patterson

The Hon. Madam Justice H. A. Rady

The Hon. Mr. Justice R. Raikes

The Hon. Mr. Justice S. Rogin

The Hon. Madam Justice L. C. Templeton

The Hon. Mr. Justice G. J. Verbeem

The Hon. Mr. Justice H. A. Vogelsang

### TORONTO REGION JUDGES

The Hon. Mr. Justice

Geoffrey B. Morawetz

Regional Senior Judge

#### TEAM LEADERS

The Hon. Mr. Justice S. E. Firestone, Civil

The Hon. Mr. Justice B. T. Glustein, Small Claims Court

The Hon. Madam Justice J. E. Kelly, Criminal

The Hon. Mr. Justice T. J. McEwen, Civil

The Hon. Mr. Justice J. B. McMahon, Criminal

The Hon. Mr. Justice F. J. C. Newbould, Commercial

The Hon. Mr. Justice I. V. B. Nordheimer, Divisional Court

The Hon. Mr. Justice P. M. Perell, Class Actions

The Hon. Madam Justice S. M. Stevenson, Family

The Hon. Madam Justice D. A. Wilson, Civil

#### JUDGES OF THE REGION

The Hon. Madam Justice J. T. Akbarali

The Hon. Mr. Justice S. Akhtar

The Hon. Madam Justice B. A. Allen

The Hon. Mr. Justice T. L. Archibald

The Hon. Madam Justice N. L. Backhouse

The Hon. Mr. Justice E. P. Belobaba

The Hon. Madam Justice C. J. Brown

The Hon. Mr. Justice M. F. Brown

The Hon. Mr. Justice K. L. Campbell

The Hon. Mr. Justice P. J. Cavanagh

The Hon. Madam Justice V. R. Chiappetta

The Hon. Mr. Justice R. A. Clark

The Hon. Mr. Justice M. Code

The Hon. Madam Justice B. A. Conway

The Hon. Mr. Justice D. L. Corbett

The Hon. Madam Justice K. B. Corrick

The Hon. Madam Justice B. L. Croll

The Hon. Mr. Justice M. R. Dambrot

The Hon. Mr. Justice J. F. Diamond

The Hon. Mr. Justice G. R. Dow

The Hon. Mr. Justice T. Ducharme

The Hon. Madam Justice T. M. Dunnet

The Hon. Mr. Justice S. F. Dunphy

The Hon. Mr. Justice M. D. Faieta

The Hon. Madam Justice M. D. Forestell

The Hon. Madam Justice E. E. Frank

The Hon. Mr. Justice A. M. Gans

The Hon. Madam Justice N. E. Garton

The Hon. Mr. Justice R. F. Goldstein

The Hon. Madam Justice S. R. Goodman

The Hon. Mr. Justice G. A. Hainey

The Hon. Madam Justice A. L. Harvison Young

The Hon. Madam Justice S. G. Himel

The Hon. Mr. Justice K. G. Hood

The Hon. Madam Justice C. Horkins

The Hon. Mr. Justice F. P. Kiteley

The Hon. Madam Justice F. Kristjanson

The Hon. Mr. Justice E. R. Kruzick

The Hon. Mr. Justice T. R. Lederer

The Hon. Mr. Justice S. N. Lederman

The Hon. Madam Justice W. Low

The Hon. Mr. Justice I. A. MacDonnell

The Hon. Madam Justice W. M. Matheson

The Hon. Mr. Justice J. D. McCombs

The Hon. Madam Justice F. E. McWatt

The Hon. Madam Justice R. E. Mesbur

The Hon. Madam Justice A. M. Molloy

The Hon. Mr. Justice J. P. Moore

The Hon. Mr. Justice E. M. Morgan

The Hon. Mr. Justice F. Myers

The Hon. Mr. Justice A. J. O’Marra

The Hon. Mr. Justice B. P. O’Marra

The Hon. Mr. Justice V. Paisley

The Hon. Madam Justice L. A. Pattillo

The Hon. Mr. Justice M. A. Penny

The Hon. Mr. Justice C. Perkins

The Hon. Madam Justice A. M. Pollak

The Hon. Mr. Justice M. G. Quigley

The Hon. Madam Justice H. E. Sachs

The Hon. Madam Justice M. Sanderson

The Hon. Madam Justice G. F. Speigel

The Hon. Madam Justice N. J. Spies

The Hon. Madam Justice E. M. Stewart

The Hon. Mr. Justice D. G. Stinson

The Hon. Madam Justice K. E. Swinton

The Hon. Mr. Justice E. F. Then

The Hon. Madam Justice J. A. Thorburn

The Hon. Madam Justice J. M. Wilson

The Hon. Mr. Justice H. Wilton-Siegel

The Hon. Madam Justice K. P. Wright

#### MASTERS

Master L. S. Abrams

Master C. Albert

Master R. Brott

Master R. Dash

Master A. T. Graham

Master J. Haberman

Master T. Hawkins

Master M. J. Jean

Master B. McAfee

Master J. E. Mills

Master R. A. Muir

Master L. A. M. Pope

Master D. E. Short

Master C. G. T. Wiebe

## RETIRED JUDGES: JANUARY 1, 2015 – DECEMBER 31, 2016

### CENTRAL EAST REGION

#### BARRIE

The Hon. Mr. Justice J. Robert MacKinnon (1993 – 2016)

The Hon. Mr. Justice John McIsaac (1992 – 2015)

The Hon. Mr. Justice Alfred Stong (1995 – 2015)

#### COBOURG

The Hon. Madam Justice Mary Jane Hatton (1999 – 2016)

#### NEWMARKET

The Hon. Madam Justice Sherrill Rogers (1999 – 2016)

#### DURHAM

The Hon. Mr. Justice Peter Magda (1999 – 2016)

### CENTRAL WEST REGION

#### BRAMPTON

The Hon. Mr. Justice Terrance O’Connor (1993 – 2015)

The Hon. Mr. Justice A. Donald Mackenzie (1992 – 2016)

#### GUELPH

The Hon. Mr. Justice John Belleghem (1992 – 2016)

The Hon. Mr. Justice Cas Herold (1989 – 2016)

### CENTRAL SOUTH REGION

#### BRANTFORD

The Hon. Mr. Justice James Kent (1982 – 2016)

#### WELLAND

The Hon. Madam Justice C. Anne Tucker (2002 – 2015)

#### KITCHENER

The Hon. Mr. Justice Peter Hambly (1999 – 2016)

#### ST. CATHARINES

The Hon. Mr. Justice Joseph Quinn (1995 – 2016)

### EAST REGION

#### OTTAWA

The Hon. Mr. Justice Paul Lalonde (1999 – 2015)

The Hon. Mr. Justice John McMunagle (2010 – 2015)

The Hon. Mr. Justice Douglas Rutherford (1991 – 2016)

The Hon. Mr. Justice Alan Sheffield (1999 – 2016)

#### KINGSTON

The Hon. Mr. Justice Douglas Belch (1998 – 2015)

#### PICTON

The Hon. Mr. Justice Richard Byers (1988 – 2016)

### NORTHEAST REGION

#### SUDBURY

The Hon. Mr. Justice J. Stephen O’Neill (1999 – 2015)

### NORTHWEST REGION

#### THUNDER BAY

The Hon. Mr. Justice John DePencier Wright (1985 – 2015)

### SOUTHWEST REGION

#### LONDON

The Hon. Mr. Justice Alan Bryant (2003 – 2015)

The Hon. Madam Justice Mary Marshman (1995 – 2015)

#### WINDSOR

The Hon. Mr. Justice Richard Gates (2003 – 2015)

#### STRATFORD

The Hon. Mr. Justice Roland Haines (1991 – 2016)

### TORONTO REGION

The Hon. Madam Justice Sandra Chapnik (1991 – 2016)

The Hon. Mr. Justice Eugene Ewaschuk (1983 – 2015)

The Hon. Mr. Justice Peter Jarvis (1991 – 2015)

The Hon. Mr. Justice John Macdonald (1991 – 2016)

The Hon. Mr. Justice Theodore Matlow (1981 – 2015)

The Hon. Mr. Justice James Spence (1993 – 2015)

The Hon. Mr. Justice Chris Speyer (1988 – 2016)

The Hon. Mr. Justice W. Brian Trafford (1993 – 2016)

The Hon. Mr. Justice John Wilkins (1993 – 2015)

The Hon. Mr. Justice Kevin Whitaker (2010 – 2016)

## IN MEMORIAM: JANUARY 1, 2015 – DECEMBER 31, 2016

The Hon. Madam Justice Heidi Polowin

May 29, 1954 – May 5, 2016

Date of Appointment: June 20, 2000

Region / Centre: East / Ottawa

# SECTION 5: REGIONAL STATISTICS

### **CENTRAL EAST REGION**

#### 2015

34,257 NEW PROCEEDINGS

REGIONAL POPULATION: 2,669,987

19% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 10,109 (14%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 338 (11%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 12,050 (24%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 11,559 (18%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 201 (14%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

34,797 NEW PROCEEDINGS

REGIONAL POPULATION: 2,708,047

19% OF ONTARIO’S POPULATION (13,959,890)

**Civil**: 10,989 (15%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal**: 351 (11%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family**: 12,130 (25%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court**: 11,132 (19%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 195 (14%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### CENTRAL SOUTH REGION

#### 2015

22,983 NEW PROCEEDINGS

REGIONAL POPULATION: 1,803,877

13% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 8,152 (11%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 310 (10%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 6,834 (14%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 7,600 (12%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 87 (6%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

22,408 NEW PROCEEDINGS

REGIONAL POPULATION: 1,820,107

13% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 7,729 (11%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 250 (8%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 6,829 (14%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 7,473 (12%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 127 (9%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### CENTRAL WEST REGION

#### 2015

29,975 NEW PROCEEDINGS

REGIONAL POPULATION: 2,446,096

18% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 11,568 (16%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 533 (17%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 5,953 (12%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 11,769 (19%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 152 (10%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

28,752 NEW PROCEEDINGS

REGIONAL POPULATION: 2,489,237

18% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 10,456 (14%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 460 (15%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 6,177 (13%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 11,504 (19%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 155 (11%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### EAST REGION

#### 2015

22,940 NEW PROCEEDINGS

REGIONAL POPULATION: 1,800,290

13% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 6,413 (9%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 457 (14%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 8,504 (17%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 7,455 (12%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 111 (8%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

22,630 NEW PROCEEDINGS

REGIONAL POPULATION: 1,818,919

13% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 6,626 (9%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 415 (13%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 8,363 (17%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 7,119 (12%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 107 (8%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### NORTHEAST REGION

#### 2015

7,390 NEW PROCEEDINGS

REGIONAL POPULATION: 558,765

4% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 2,470 (3%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 275 (9%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 1,540 (3%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 3,072 (5%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 33 (2%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

7,122 NEW PROCEEDINGS

REGIONAL POPULATION: 558,308

4% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 2,485 (3%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 258 (8%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 1,511 (3%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 2,833 (5%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 35 (3%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### NORTHWEST REGION

#### 2015

2,676 NEW PROCEEDINGS

REGIONAL POPULATION: 239,087

2% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 804 (1%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 59 (2%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 542 (1%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 1,257 (2%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 14 (1%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

2,618 NEW PROCEEDINGS

REGIONAL POPULATION: 239,610

2% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 805 (1%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 76 (2%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 545 (1%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 1,176 (2%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 16 (1%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### SOUTHWEST REGION

#### 2015

18,117 NEW PROCEEDINGS

REGIONAL POPULATION: 1,447,452

10% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 6,160 (8%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 413 (13%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 5,738 (12%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 5,724 (9%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 82 (6%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

17,578 NEW PROCEEDINGS

REGIONAL POPULATION: 1,455,266

10% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 6,287 (9%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 423 (13%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 5,409 (11%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 5,385 (9%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 74 (5%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### TORONTO REGION

#### 2015

53,146 NEW PROCEEDINGS

REGIONAL POPULATION: 2,826,498

20% OF ONTARIO’S POPULATION (13,792,052)

**Civil:** 28,435 (38%) OF ONTARIO’S 74,111 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 799 (25%) OF ONTARIO’S 3,184 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 8,640 (17%) OF ONTARIO’S 49,801 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 14,489 (23%) OF ONTARIO’S 62,925 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 783 (54%) OF ONTARIO’S 1,463 NEW SCJ DIVISIONAL COURT PROCEEDINGS

#### 2016

50,281 NEW PROCEEDINGS

REGIONAL POPULATION: 2,870,396

21% OF ONTARIO’S POPULATION (13,959,890)

**Civil:** 27,290 (38%) OF ONTARIO’S 72,667 NEW SCJ CIVIL PROCEEDINGS

**Criminal:** 938 (30%) OF ONTARIO’S 3,171 NEW SCJ CRIMINAL PROCEEDINGS

**Family:** 8,105 (17%) OF ONTARIO’S 49,069 NEW SCJ FAMILY PROCEEDINGS

**Small Claims Court:** 13,263 (22%) OF ONTARIO’S 59,885 NEW SCJ SMALL CLAIMS COURT PROCEEDINGS

**Divisional Court:** 685 (49%) OF ONTARIO’S 1,394 NEW SCJ DIVISIONAL COURT PROCEEDINGS

### ONTARIO SUPERIOR COURT OF JUSTICE NEW PROCEEDINGS

### Ontario

**2015: 191,484**

**2016: 186,186**

### Central East

2015:34,257

2016: 34,797

### Central South

2015:22,983

2016: 22,408

### Central West

2015:29,975

2016: 28,752

### East

2015:22,940

2016: 22,630

### North East

2015:7,390

2016: 7,122

### North West

2015:2,676

2016: 2,618

### Southwest

2015:18,117

2016: 17,578

### Toronto

2015:53,146

2016: 50,281

# ENDNOTES AND PHOTO DESCRIPTORS

1 Available online: <www.lsuc.on.ca/media/may3110\_oclnreport\_final.pdf>.

2 *Middle Income Access to Justice,* (2012) University of Toronto, Edited by M. Trebilcock, A. Duggan and L. Sossin.

3 Available online: <www.scc-csc.ca/court-cour/judges-juges/spe-dis/bm-2007-03-08-eng.aspx#fnb1>.

4 *Vancouver Sun (Re)*, [2004] 2 S.C.R. 332 at para. 23. See also Canadian Broadcasting Corp. v. *Canada (Attorney General)*, 2011 SCC 2 at para. 28.

5 The Action Group on Access to Justice (TAG) is catalyzing solutions to Ontario’s access to justice challenges by facilitating collaboration with institutional, political and community stakeholders. It is funded by the Law Foundation of Ontario with support from the Law Society of Upper Canada. Available online: <www.theactiongroup.ca/about >.

6 Co-chaired by Justice Paul Rouleau and Paul Le Vay. Available online: <www.attorneygeneral.jus.gov.on.ca/english/about/pubs/bench\_bar\_advisory\_committee>.

7 Co-chaired by Justice Julie Thorburn and Elizabeth Bucci. Available online: <www.attorneygeneral.jus.gov.on.ca/english/about/pubs/fls\_report\_response>.

8 All population statistics contained in the Annual Report are based on the Ontario Ministry of Finance – Ontario Population Projections (Spring 2016), 2011 Stats Can Census as at July 1, 2015.

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Left of Table of Contents: Ottawa Courthouse.

Introduction: Waterloo Region Courthouse.

Section 1 Divider: Waterloo Region Courthouse.

Section 2 Divider: Osgoode Hall.

Section 3 Divider: Waterloo Region Courthouse.

Section 4 Divider: Durham Region Courthouse.

Section 5 Divider: Durham Region Courthouse.

1. Available online at <http://www.scc-csc.ca/court-cour/judges-juges/spe-dis/bm-2007-03-08-eng.aspx#fnb1> [↑](#footnote-ref-2)
2. *Vancouver Sun (Re)*, [2004] 2 S.C.R. 332 at para. 23. See also *Canadian Broadcasting Corp. v. Canada (Attorney General)*, 2011 SCC 2 at para. 28. [↑](#footnote-ref-3)
3. The Action Group on Access to Justice (TAG) is catalyzing solutions to Ontario’s access to justice challenges by facilitating collaboration with institutional, political and community stakeholders. It is funded by the [Law Foundation of Ontario](http://www.lawfoundation.on.ca/) with support from the [Law Society of Upper Canada.](http://www.lsuc.on.ca/TAG/) Available at <https://theactiongroup.ca/about/> [↑](#footnote-ref-4)
4. Co-chaired by Justice Paul Rouleau and Paul Le Vay. Available online at <https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/bench_bar_advisory_committee/> [↑](#footnote-ref-5)
5. Co-chaired by Justice Julie Thorburn and Elizabeth Bucci. Available online at <https://www.attorneygeneral.jus.gov.on.ca/english/about/pubs/fls_report_response/> [↑](#footnote-ref-6)