ONTARIO SUPERIOR COURT OF JUSTICE: MODERNIZING THE JUSTICE SYSTEM



2019-2023 REPORT

Over the past five years, the Ontario Superior Court of Justice has undergone significant transformational change — from paper to electronic filing, from in-person to virtual and hybrid hearings, and from the sharing of material in bound hard copies to sharing these materials through an online platform. During this period, the Court has remained steadfastly committed to serving the people of Ontario and to upholding the bedrock principles of our justice system: the rule of law, access to justice, fairness, equality, and openness. This commitment will continue to inform the Court's modernization evolution.

ONTARIO SUPERIOR COURT OF JUSTICE: MODERNIZING THE JUSTICE SYSTEM

2019-2023 REPORT

MESSAGE FROM THE CHIEF JUSTICE

Welcome to the seventh Ontario Superior Court of Justice annual report. As Chief Justice, I am proud of our Court's significant transformation over the last five years in collaboration with our justice system partners, and I am pleased to present this report covering the Court's activities from 2019 to 2023. Our last report was issued in 2018 and the Court was scheduled to publish its next annual report in 2020. Then COVID-19 hit. And a silver lining developed.

The Court's need to modernize had been obvious long before the pandemic. For years, many of us had been calling for the modernization of the judicial system. When I was appointed Chief Justice on July 1, 2019, I envisioned a modernization of our judicial system which would include two major transformations: an end to the paper-based justice system and a complete reform of the *Rules of Civil Procedure*. Both would require the Ministry of the Attorney General's commitment and support and the former, in particular, would require a significant investment in technology. At the pandemic's outset, however, the Court's continued and safe administration of justice became its immediate priority.

In March 2020, as Ontario and the rest of the world reacted to the threat of COVID-19, I made an order to close courthouses to ensure public safety. Nevertheless, the Court needed to remain open to provide access to justice. While urgent matters in Civil, Family, Criminal, and Small Claims Court were heard by telephone or video conference, finding new solutions to delivering justice became more important than ever and, ultimately, propelled the Court into its long-overdue modernization. While it took the pandemic to motivate this modernization (as it did for many judicial systems, not just in Canada, but around the world), the need to keep the Court open brought about sweeping change at unprecedented speed and scale. These sweeping modernization changes would not have been possible without the support and determined efforts of so many in our justice system. The collaboration between the Court, the Bar, and the Government during this period was remarkable and should be applauded.

Within a week of the Court's suspension of in-person operations, the Ontario Bar Association offered us Zoom videoconference lines. The Advocates' Society, the Federation of Ontario Law Associations, the Ontario Bar Association, and the Ontario Trial Lawyers Association struck an e-hearings task force and developed guidelines and best practices for remote hearings. The Ministry of the Attorney General's Criminal Law Division and the Criminal Lawyers' Association worked with our Court to pave the way for the use of Zoom in criminal matters. In collaboration with the Bar and the Ministry of the Attorney General, the Court established working groups in Civil, Criminal, Family, and Small Claims Court to provide support and input on continuing the Court's operations during the pandemic. These working groups were critical to the Court's rapid pivot to delivering justice from paper filings to electronic and from in-person attendances to virtual.

Ultimately, the Ministry of the Attorney General purchased Zoom video conferencing lines and the document-sharing platform CaseLines, thereby supporting the Court's ability to conduct virtual and hybrid hearings and enabling all justice participants to share electronic material during a hearing. The Ministry of the Attorney General also developed and expanded an online portal for electronic filing called Justice Services Online, which, with limited exceptions, now allows counsel and litigants to electronically submit documents to the Court for filing or issuance in Civil, Family, Divisional Court, Bankruptcy, and Small Claims Court matters.

During this time, I approached the Attorney General with a request that the government procure an off-the-shelf product for an end-to-end digital solution that would completely modernize and streamline all the Court's processes. Attorney General Doug Downey shared my vision for a modernized justice system, and together with the Ontario Court of Justice, we established the Courts Digital Transformation ("CDT") initiative. Ultimately, the Ministry of the Attorney General selected Thomson Reuters as the vendor to provide this digital solution. This is a significant transformational initiative that will provide a comprehensive filing, case management, and hearing management system.

The Court has also worked with the Ministry of the Attorney General to secure a commitment for new commercialgrade equipment in our courtrooms to facilitate and ensure seamless transitions for virtual, hybrid, and in-person hearings and the use and sharing of digital evidence and material during those hearings.

During this same critical period of transition, the Court released its Guidelines to Determine Mode of Proceedings in Criminal, Civil, Family, and Small Claims Court. These Guidelines, which were recently revised based on further consultation with the Bar and judiciary, capture the benefits of virtual hearings for more procedural and routine matters while maintaining in-person attendances for more substantive matters, including ensuring access to justice for self-represented litigants.

The Court has also been able to streamline the many notices to the profession that were issued over the last several years by updating and revising its Consolidated Provincial Practice Directions in Criminal, Civil, Family, Divisional Court, and Commercial List matters.

The Rules governing the Court's proceedings have also evolved over this period. Changes to the *Rules of Civil Procedure* and the *Rules of the Small Claims Court* were made to support the Court's transition to electronic filing and virtual hearings. In Family, the many changes made to the *Family Law Rules* are detailed in this report. In Criminal, the Court completely revised and updated the *Criminal Proceedings Rules*.

While the amendments to the *Rules of Civil Procedure* made over the last several years have been helpful, their piecemeal additions have not addressed the over-arching need to respond to the issues still plaguing our civil justice system. I am very pleased that we now have a mandate for a complete and comprehensive review of the *Rules of Civil Procedure*. The Attorney General and I have partnered on this project, and we have set a goal post — the end of 2025 — to get this reform and revision completed.

Looking back to how starkly different the justice system looked when I was appointed Chief Justice, I realize how far we have come in a relatively short period of time. Throughout this period of tremendous change, one constant has remained: the Court's commitment to maintain and improve the administration of justice for the people who live in Ontario. In the over 50 Superior Court of Justice locations across the province, many people work hard to support this commitment. We are tremendously grateful for the hard work and dedication of all the staff who so capably support

the Court and the administration of justice. Thank you. I would also like to sincerely thank the Executive of the Court, our 341 judges and 15 associate judges, the deputy judges of the Small Claims Court, and the Small Claims Court Administrative Judge for their hard work and commitment to the public interest. The Court is also grateful for the leadership and support of Attorney General Doug Downey and Deputy Attorney General David Corbett.

Thank you for reading this report on the work of the Ontario Superior Court of Justice. I am proud of the transformational changes already made and excited about the continued progress towards the Court's modernization. I hope you will also feel positive and hopeful for our justice system's future.

Sincerely,

Geoffrey B. Morawetz, Chief Justice



The Hon. Geoffrey B. Morawetz Chief Justice

MESSAGE FROM THE ASSOCIATE CHIEF JUSTICE

I am pleased to join Chief Justice Morawetz in presenting this annual report for 2019 to 2023. This report is an opportunity to outline important developments at the Ontario Superior Court of Justice over the past five years.

I was appointed Associate Chief Justice in December 2020 after serving as a judge in the Toronto Region, presiding over criminal, family, and civil law matters, for 20 years. As Associate Chief Justice, I am a member of the Court's Executive Council and oversee the Small Claims Court and Divisional Court.

With respect to the Small Claims Court, many exciting changes have taken place since 2019, beginning with an increase in the Court's monetary jurisdiction to \$35,000 in January 2020. Known as "the people's court" for civil disputes, the Small Claim Court's mandate is simple: speedy justice. Its processes are meant to ensure judicial determination of cases on their merits in the most expeditious and least expensive way possible. The increase to the Small Claims Court's monetary jurisdiction means that more Ontarians can now use its summary processes to resolve their civil disputes.

From 2019 to 2023, the Small Claims Court also experienced a significant shift from paper-based to digital processes. This involved several accomplishments, but I wish to highlight two from 2021. First, the Ministry of the Attorney General's launch of the Small Claims Court Submissions Online Portal was monumental, allowing nearly all court documents to be filed electronically. Second, significant parts of the *Rules of the Small Claims Court* were updated to account for new technologies being used by the parties and the Court.

In the same vein, 2022 also saw the release of the Guidelines to Determine Hearing Mode in Small Claims Court. These Guidelines reflect the Court's and parties' need to embrace modern technology and greater efficiency while, at the same time, maintain the flexibility necessary to ensure access to justice for all.

The Small Claims Court's growth over this period would not have been possible without the hard work of several groups. The Deputy Judges Council provided the Court's deputy judges with several technology training sessions and a mentorship program for new appointees. The Committee of Administrative Judges for the Small Claims Court provided extraordinary advice and leadership to help each region through this period of major change. The Small Claims Court Working Group was also a crucial source of input into the recovery of our operations. I thank them all.

The Divisional Court also evolved over the last several years. The Divisional Court has broad jurisdiction: it is the primary forum for judicial review of government action in Ontario and hears a range of appeals from administrative tribunals as well as in some family and civil matters, making it one of the busiest appeal courts in Canada. For that reason, it introduced judicial case management in 2020 for all incoming matters. This initiative was effective in improving the Court's efficiency and has been strongly endorsed by counsel.

As part of its response to the pandemic, the Divisional Court was also an early adopter of virtual hearings and CaseLines. Both developments provided valuable learning opportunities and helped the Court as a whole to chart the course for providing more modern access to justice.

More recently, the Divisional Court implemented a system of regional administrative judges. In essence, this system is based on a designated judge leading the Divisional Court in their region. Among other things, this change facilitated greater coordination between, and consistency across, the Court's regions, improving the Divisional Court overall.

All these changes have improved the way in which the Ontario Superior Court of Justice delivers justice to the public. For that I am proud. I also want to take this opportunity to express my sincere appreciation to all our court staff. Your resilience, dedication, and hard work is commendable. The Court's judges could not perform their role without you.

Thank you.

Yours truly,

Faye McWatt, Associate Chief Justice



The Hon. Faye McWatt Associate Chief Justice

MESSAGE FROM THE SENIOR FAMILY JUDGE

I am pleased to contribute to this annual report of the Ontario Superior Court of Justice to address issues relating to the family law and child protection work of our Court.

The pandemic had a profound impact on family matters in our Court. The Court had to not only remain accessible, but it had to adapt quickly as the public health crisis highlighted the critical significance of the Court's work to children and families that we serve. This report reflects the remarkable transformations the past five years have brought to the family justice system.

Since 2019, the Court has continued to work with the Ministry of the Attorney General on several important technological initiatives: digital filing is now in place for most family documents, virtual and hybrid hearings are widely available, and the digital platform CaseLines is now relied upon for most Family Court events.

The Court remains committed to expanding the Family Court Branch, which is often referred to as the Unified Family Court. The Family Court offers the public a more straightforward system to navigate and a specialized bench of family judges operating under a case management model. In 2019, the Family Court was expanded to eight new locations, in cooperation with our partners at the Ontario Court of Justice, the Ministry of the Attorney General of Ontario, and the Government of Canada. Although facilities challenges remain at the 25 non-unified locations, we continue to lay the groundwork for the Family Court's expansion there as well.

In the past few years, the Court has also contributed to a number of significant changes to the *Family Law Rules*. Some of these changes enhance children's privacy rights, encourage early disclosure and settlement, and further enable judges to manage cases in ways that are just and proportionate. These changes are also focused on making the best use of the stretched resources of litigants and the family justice system.

The Court also introduced a new pilot for resolving certain family cases: Binding Judicial Dispute Resolution. The pilot has continued to grow across the province, and I am optimistic that this new method of addressing cases in ways that are accessible and proportionate to their complexity will further assist litigants with timely resolution of their cases.

As a member of the Court's Education Committee, I have prioritized the delivery of judicial education in the areas of family violence and the rights of Indigenous families involved in child welfare litigation and will continue to do so.

I want to thank all the judges of our Court who preside in the challenging and rewarding areas of family and child protection law. I thank the family lawyers who act as Dispute Resolution Officers, as well as each member of the Family Court's Community Liaison and Resource Committees for your important contributions. I thank the members of the Court's Family Law Working Group that was created in 2020 to address access to justice during the pandemic, and included private bar representation, participation from the Ministry of the Attorney General, and several judges. And I thank those of you who work more broadly within the family justice system for the creativity and pragmatism that you bring to today's challenges.

The work of improving the family justice system is an ongoing process requiring steady commitment. These improvements must reflect the rich, cultural diversity in our province, and must not leave behind our most vulnerable litigants. Having seen the tremendous energy, compassion, and collaboration within the family justice community, I am confident that we are headed in the right direction.

Sincerely,

Suzanne Stevenson, Senior Family Judge



The Hon. Suzanne Stevenson Senior Family Judge



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SECTION 1 ABOUT THE ONTARIO SUPERIOR COURT OF JUSTICE

ABOUT THE ONTARIO SUPERIOR COURT OF JUSTICE

OVERVIEW OF THE COURT

The Ontario Superior Court of Justice is unique among the province's courts: it is a court of inherent jurisdiction, meaning that, unlike the province's other courts, it does not derive its existence from legislation. Rather, the Court's jurisdiction is rooted in the history of the first courts of England, whose authority over government actions was based in the Magna Carta.

The Ontario Superior Court of Justice has jurisdiction over matters in five main areas:

1. CRIMINAL: 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 Court generally tries only the most serious offences. These include murder, manslaughter, serious violent offences such as aggravated assault and sexual assault, firearm-related offences, robberies, home invasions, criminal organization offences, and drug trafficking, or conspiracy to commit one of these offences. An individual accused of any of these offences is tried by a judge of the Court sitting either with or without a jury.

2. CIVIL: The Court hears all civil proceedings in Ontario including cases involving personal injury, contract disputes, bankruptcy and insolvency, employment matters, and litigation involving wills and estates. The Court also has some appellate jurisdiction under various statutes.

3. FAMILY: The Family Court branch hears all family matters, including divorce, division of property, child and spousal support, child custody and access, child protection, and adoption. However, not all of the Court's locations include a Family Court branch. In those locations, the Court generally shares jurisdiction over family matters with the Ontario Court of Justice, which has exclusive jurisdiction over certain limited issues.

4. DIVISIONAL COURT: The Divisional Court is an appellate branch of the Court. It functions as the primary forum for judicial review of government action in Ontario and hears statutory appeals from decisions of provincial administrative tribunals. The Divisional Court also hears some family and civil appeals.

5. SMALL CLAIMS: The Small Claims Court provides an efficient and cost-effective forum for Ontarians to bring or defend civil claims seeking damages or the return of personal property up to \$35,000.

The Ontario Superior Court of Justice sits in 52 locations across Ontario. As of December 31, 2023, it had a complement of 341 federally appointed judges, 15 provincially appointed associate judges, 276 deputy judges of the Small Claims Court, and a Small Claims Court Administrative Judge. The Court's judicial officials and staff work to provide Ontarians with effective and timely justice. Their dedication and integrity make the Ontario Superior Court of Justice one of the most respected courts in Canada.

The Court is divided into eight administrative regions: Central East, Central South, Central West, East, Northeast, Northwest, Southwest, and Toronto. More information on each of these regions, along with a map outlining the areas they cover, can be found in Section 4.

COURT'S EXECUTIVE

The Ontario Superior Court of Justice is led by the Chief Justice, who oversees its governance and administration. The Chief Justice has numerous responsibilities, including those outlined in Ontario's *Courts of Justice Act*. These include determining the Court's sittings and assigning cases and other judicial duties to individual judges.

Each of the Court's regions is headed by a Regional Senior Judge who, further to s. 14(2) of the *Courts of Justice Act*, exercises the powers and performs the duties of the Chief Justice in their region. This allows each Regional Senior Judge to manage the judicial sittings and assignment of cases in their 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 Council of Regional Senior Judges, which advises the Chief Justice on policy and governance issues affecting the administration of the Court.

JUDICIARY

JUDGES

Judges of the Ontario Superior Court of Justice have the authority to hear and determine any matter within the Court's jurisdiction. Because the Court is one of inherent jurisdiction, its judges can hear and determine any matter unless legislation assigns it to another level of court. This jurisdiction includes all civil, criminal, and family matters not assigned to another level of court, judicial review of government action in Ontario, and statutory appeals from certain provincial administrative tribunals.

The judges are appointed under section 96 of the *Constitution Act*, *1867*. These appointments are made by the Governor General, who acts on advice from the federal Cabinet and recommendations from the Minister of Justice and Attorney General of Canada. The Minister makes recommendations after receiving advice from a Judicial Advisory Committee that has assessed the qualifications of the candidates who apply.

Candidates for judicial appointments must be members of the Bar of a Canadian province. They are required to have practiced law or have held a full-time position of a judicial nature for 10 years or more. Candidates are assessed for their knowledge, skills, experience, and personal characteristics relevant to the judicial function. Once a candidate becomes a judge, they can serve in office until they are 75 years of age.

Judges are expected to uphold the Canadian Judicial Council's *Ethical Principles for Judges*. Those principles are judicial independence, integrity, respect, diligence, competence, equality, and impartiality. The Council is a federal organization whose roles include establishing conduct standards for federally appointed judges and investigating conduct complaints, including those about any superior court judge in Canada.

ASSOCIATE JUDGES

Associate judges of the Ontario Superior Court of Justice adjudicate or preside over certain matters in civil cases. These include motions, references, pre-trial conferences, and *Construction Act* trials. Associates judges also serve as Registrars in Bankruptcy under the *Bankruptcy and Insolvency Act*. In Ottawa, an associate judge can perform case management in certain family cases in accordance with rule 42 of the *Family Law Rules*.

The title of associate judge was created on September 1, 2021, to replace the former title of master and case management master. Associate judges are appointed under s. 86.1 of the *Courts of Justice Act* by the provincial Cabinet upon recommendation of the Attorney General of Ontario. Following their appointment, associate judges may hold office until they reach 65 years of age. Thereafter, their terms are reviewed on an annual basis, and they may be given additional one-year terms at the recommendation of the Chief Justice. An associate judge may not hold office once they reach 75 years of age.

Candidates for an appointment as an associate judge must have been a member of a Canadian provincial or territorial bar for a minimum of 10 years and have practiced law or have been a judge in Canada for at least 10 years.

As with judges, associate judges are expected to uphold the Canadian Judicial Council's *Ethical Principles for Judges*. Complaints about the conduct of an associate judge are addressed by the Chief Justice, in accordance with the *Courts of Justice Act*.

DEPUTY JUDGES & SMALL CLAIMS COURT ADMINISTRATIVE JUDGE

Deputy judges preside over Small Claims Court proceedings. They may also serve as referees in lien actions under the *Construction Act*.

Deputy judges are appointed by a Regional Senior Judge with approval of the Attorney General of Ontario. To qualify as a deputy judge, candidates must be a lawyer with a minimum of 10 years' experience in legal practice. A deputy judge serves a term of three years, which can be renewed for further three-year terms until they reach 65 years of age. At that point, similar to associate judges, their terms are reviewed annually and may be renewed for a further one-year by the Regional Senior Judge. A deputy judge may not hold office once they reach 75 years of age.

Deputy judges are subject to the *Ethical Principles for Deputy Judges*, which are standards of conduct established by the Chief Justice. Complaints about the conduct of deputy judges are addressed by the Superior Court judge assigned by the Regional Senior Judge to oversee the region in which the deputy judge sits.

The work of the Small Claims Court and its deputy judges is also informed by the Small Claims Court Administrative Judge. In addition to presiding in Small Claims

Court, the Small Claims Court Administrative Judge advises the Court's Executive on Small Claims Court scheduling, assignment, policy, and administration issues. The Small Claims Court Administrative Judge also serves on several statutory committees. This position was created in March 2017 through amendments to the *Courts of Justice Act* and is appointed by the provincial Cabinet for a five-year term, which can be renewed for another five-year term on the recommendation of the Chief Justice.

Complaints regarding the conduct of the Small Claims Court Administrative Judge are addressed by the Chief Justice, in accordance with the *Courts of Justice Act*.

JUDICIAL INDEPENDENCE & ACCOUNTABILITY

An independent judiciary protects the public, not just judges. It is the cornerstone of our constitutional democracy. It means a society governed by the Rule of Law. In Canada, this means, as is set out in section 52 of the *Constitution Act, 1982*, that the Constitution is the supreme law of the country. Our constitutional democracy is comprised of three branches of government — the executive, the legislative and the judicial — and all three branches of government must exercise their power and authority in accordance with the Constitution. While it is the legislature that enacts legislation, it is the role of a judge to interpret and apply the law. To fulfill this role, judges must be distinct from, and operate independently of, all other justice system participants, including the other two branches of government.

The principle of judicial independence is particularly important given that the provincial Attorney General is responsible for the Court's administration. This includes providing the Court with courthouses, staff, and technology. Ontario's *Courts of Justice Act* recognizes that the Attorney General's responsibility to support the Court must be fulfilled in a way that maintains judicial independence. Among other things, this requires that all aspects of administration relating to the judicial function, including the direction and supervision of the Court's sittings and the assignment of judicial duties, remain solely under the judiciary's control.

This relationship is the subject of a Memorandum of Understanding ("MOU") executed in 2008 between the Chief Justice and the Attorney General. Available online, this MOU provides the framework within which the Chief Justice and Attorney General work collaboratively to address areas of mutual concern while, at the same time, preserving judicial independence.

The principle of judicial independence is generally recognized as having two dimensions. The first applies to individual judges and embodies the fundamental principle that a judge must be, and must be seen to be, free to decide each case on its own merits, without interference or influence of any kind from any source, including politicians. The second applies to the Court as an institution. It requires the Court, as a whole to be, and appear to be independent of the legislative and executive branches of government. Together, both dimensions safeguard the judicial decision-making process and, in turn, the public that the Court serves.

Every Canadian has the constitutional right to have their legal issues decided by fair and impartial judges. Our justice system is founded on public confidence that decisions, whether popular or not, are fully heard and fairly made. It is crucial that judges are both actually independent and appear to be independent so the public can be confident that judicial decisions are made without bias. To guarantee the

right to an independent and impartial judiciary, the law in Canada has three constitutional protections or "essential conditions" that ensure judicial independence:

- Security of tenure, preventing the arbitrary removal of judges;
- Financial security, providing an arm's length mechanism, through an independent remuneration commission, for determining the salaries and benefits of judges; and
- Administrative independence, enabling a court to manage itself, rather than be managed by others.

While these protections apply to judges, they are for the public's benefit. They allow courts to apply the Rule of Law that Canadians, through the electoral and legislative processes, have decided should govern them.

Judicial independence does not mean, however, that the Court's judges are unaccountable. In most cases, litigants may appeal the Court's decisions. Additionally, the Court's judges are accountable to the Canadian Judicial Council, which is directed by the federal *Judges Act* to investigate and respond to any allegation of misconduct by a superior court judge.

OFFICE OF THE CHIEF JUSTICE

The Office of the Chief Justice supports the Chief Justice and the Court's executive in fulfilling their duties and responsibilities. The office is led by the Executive Legal Officer, who provides policy and legal advice to the Chief Justice and the Court's executive, and is the primary liaison between the judicial and executive branch of government (provincial and federal). The office is also supported by the Executive Administrative Officer, who oversees and coordinates the office's operational, administrative, and executive services and personnel, including the Court's regional managers and trial coordinators.

The Office of the Chief Justice includes:

- Legal counsel who provide the Chief Justice and the Court's executive with legal and policy advice related to the Court's operations and initiatives and who regularly liaise with government Ministries, the Bar, the public, and other justice sector stakeholders on the Chief Justice's behalf;
- A team dedicated to implementing the Court's Digital Transformation initiative discussed in detail later in this report; and
- A Legal Research Facility, composed of judicial law clerks who conduct legal research for the judiciary.

COURT COMMITTEES

The Court's committees and working groups are established by the Chief Justice and provide advice to the Court's executive on issues within their respective mandates. They include the following committees and working groups.

EDUCATION COMMITTEE

The Education Committee is tasked with organizing judicial education programs for all members of the Court. The Education Committee's mandate is to organize and present continuing education programs in order to assist the judges, to stay on top of current developments in substantive law, enhance judicial skills, and learn about social context and philosophical and ethical issues which relate to the Court's work. As mandated by the Chief Justice, the Committee collaborates with the National Judicial Institute (an independent and judge-led not-for-profit organization supporting judicial education) to organize two educational conferences held each year in the spring and fall.

ASSOCIATE JUDGES EDUCATION COMMITTEE

The Associate Judges Education Committee hosts an annual seminar specifically for associate judges and maintains orientation materials for newly appointed associate judges.

EQUITY, DIVERSITY, AND INCLUSION COMMITTEE

The Equity, Diversity, and Inclusion Committee's mandate is to provide advice and recommendations to the Chief Justice and Council of Regional Senior Judges on diversity, inclusion, and access to justice issues. It has been tasked with developing a strategy to ensure that the Court's judicial officers have access to high-quality, effective support and ongoing judicial education on issues related to diversity and inclusion.

LIBRARY COMMITTEE

The Library Committee advises the Chief Justice with respect to all matters relating to judicial libraries within the province. To that end, it consults with and advises the Manager of Judicial Library Services on the Court's legal research and information needs. Its membership represents a broad range of judicial library needs, accounting for court location size, regional variation, and the requirements of bilingual judges.

SECURITY COMMITTEE

The Security Committee oversees all security matters affecting the Court. Its priorities are to promote security best practices, collaborate with security partners, assist the judiciary, and evaluate security measures at court locations.

SENIOR FAMILY JUDGE'S CONSULTATION COMMITTEE

The Senior Family Judge's Consultation Committee advises the Senior Family Judge on family law initiatives that have been referred to it. Each region of the Court is represented on the Committee, and members also consult with the judges in their regions. Issues are sent to the Consultation Committee for input at the request of the Senior Family Judge. The Senior Family Judge also shares family law information with members of the Consultation Committee for wider distribution.

REGIONAL POINT PERSONS FOR FRENCH LANGUAGE ISSUES

One judge from each region has been appointed to identify barriers to access to justice in French, to promote French-language resources and training opportunities for judges, and to provide advice and recommendations to their regional senior judge on best practices, policies, and processes to improve access to justice in French in the region.

COMMITTEE OF ADMINISTRATIVE JUDGES FOR THE SMALL CLAIMS COURT

Each regional senior judge delegates responsibility for overseeing the Small Claims Court in their region to a judge of the Court, known as the region's Administrative Judge for the Small Claims Court. Together, the Administrative Judges in each region compose this Committee, along with the provincially appointed Small Claims Court Administrative Judge who is an ad hoc member. Chaired by a regional senior judge, this Committee discusses matters related to the Small Claims Court, including the scheduling and assignment of deputy judges, and monitoring reserved judgments for timely release.

CLERKSHIP COMMITTEE

The Clerkship Committee advises the Chief Justice on issues relating to the judicial law clerk and summer student programs. These include recruitment, assignment of judicial mentors, educational programming for the clerks, and outreach to Canadian law schools regarding the clerkship and summer law student programs.

The Court's judiciary also participate on other committees and working groups across the justice system.

WORKING GROUPS AND EXTERNAL COMMITTEES

Civil, Family, Criminal, and Small Claims Court Working Groups

The Chief Justice and the Attorney General jointly established a civil working group, family working group, criminal working group, and a Small Claims Court working group to provide advice to the Court's executive on keeping the Court operational during the pandemic. The groups were formed with representation from the judiciary, the legal profession, and the Ministry of the Attorney General. These groups developed proposals and provided critical advice to address access to justice during the pandemic in relation to the Court's in-person and virtual operations.

BENCH-BAR LIAISON COMMITTEES

The Court's judiciary participate in many bench-bar liaison committees. The mandate of some committees is specific to a particular court location or practice area within a court location, while other committees have province-wide application. Examples of provincial bench-bar liaison committees are the Divisional Court Users' Group, the Ontario Estates Bench-Bar Liaison Committee and the Class Actions Bench-Bar Liaison Committee. These committees provide a forum for the judiciary and members of the legal profession to communicate and work together to address issues relating to their areas of concern.

RULES COMMITTEES

Judges of the Court also sit on committees responsible for making the rules of court and court forms. The Civil Rules Committee and the Family Rules Committee are statutory committees established under the *Courts of Justice Act*. Membership on these committees also includes representatives from the legal profession and the Ministry of the Attorney General. The Criminal Working Group is responsible for making rules of the Court and court forms for criminal matters. The Court has jurisdiction under s. 482(1) of the *Criminal Code* to construct its own criminal proceedings rules provided they are consistent with the *Criminal Code* and other federal laws.

FAMILY COURT JOINT COMMUNITY LIAISON & RESOURCE COMMITTEES

Pursuant to the *Courts of Justice Act*, every Family Court location has a joint Community Liaison and Resource Committee to consider matters affecting the general operations of the Court, develop links between the Court and social services resources available in the community, and to identify needed resources and develop strategies for putting them in place. These committees report annually to the Office of the Chief Justice. These committees are composed of judges, lawyers, members of social services agencies, persons employed in court administration, and community members. The most recent committee appointment term ended on December 31, 2023, when over 400 new or returning members throughout the province were appointed by Chief Justice Morawetz to serve for a term of four years.

JUDICIAL EDUCATION

Continuing judicial education is a key priority of the Ontario Superior Court of Justice. It is imperative that judges have and maintain knowledge of the law. This includes staying on top of current developments in substantive and procedural law and education on social context issues affecting the administration of justice. This means understanding the impact of the law and the reality of the lives of the people who appear in court and includes the history, heritage and laws related to Indigenous peoples, as well as matters of gender, race, ethnicity, religion, culture, sexual orientation, gender identity or expression, differing mental or physical abilities, age, and socioeconomic background. Over the last several years, this social context education has included:

- Sexual assault law which is mandatory for all new judges who are also assigned a mentor (and is available to all judges);
- Education on Intimate Partner Violence including, among other topics, training on coercive control in intimate partner and family relationships and the impacts of this violence on children;
- The Truth and Reconciliation Commission's Report and its Calls to Action;
- LGBTQ+ issues which were the focus of a 3-day judicial education conference;
- First Nations, Inuit and Métis issues in the context of child protection cases; and
- Cultural competence and unconscious bias education.

SECTION 2 WORK OF THE COURT

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WORK OF THE COURT

CRIMINAL

The Ontario Superior Court of Justice is a superior court of criminal jurisdiction and has the power to try any indictable offence under the *Criminal Code* and other federal statutes, such as the *Controlled Drugs and Substances Act*. The Court generally only tries the most serious criminal offences, including murder, manslaughter, serious violent offences such as aggravated assault and sexual assault, firearm-related offences, robberies, home invasions, criminal organization offences, and drug trafficking, or conspiracy to commit one of these offences.

For most indictable offences the accused can elect to have a trial by a provincial court judge without a jury; by a superior court judge alone (without a jury); or by a superior court judge with a jury. However, there are some offences, listed in s. 469 of the *Criminal Code*, for which the accused person does not have an election and their trial must be heard in the superior court.

The indictable offences over which the Court has jurisdiction includes:

- Indictable offences listed under section 469 of the Criminal Code, for example murder and treason;
- Any indictable offences in respect of which the accused has elected to be tried by a Superior Court of Justice judge with or without a jury;
- Appeals from summary conviction offences; and
- Bail reviews, including 90-day detention reviews.

When the Court suspended in-person court appearances in March 2020, in collaboration with the Attorney General, the Court formed the Criminal Working Group which included judges from across the province and representation from the Ministry of the Attorney General's Criminal Law Division and Court Services Division, the Ministry of the Solicitor General, the Public Prosecution Service of Canada, the Criminal Lawyers' Association, and other justice system participants. The working group, chaired by Justice Durno, also created a sub-committee called the Trial Resumption Committee. This committee focused on how the Court could continue to operate while in-person proceedings were suspended. During the early days of the pandemic, urgent matters were scheduled by teleconference. Other working group initiatives, such as electronic indictments which replaced paper indictments, the email accounts for litigants to file their materials electronically, and the creation of an online portal for the media and lawyers to search court dockets online, were instrumental in keeping the criminal justice system operating.

The Court also advocated for the implementation of virtual proceedings using the Zoom video conferencing platform. This initiative required the support of all justice system participants, and the Criminal Working Group was instrumental in the development of policy and protocols for conducting virtual non-jury trials in compliance with the *Criminal Code*. The first remote virtual Zoom hearing in Criminal occurred in May 2020.

Jury trials and jurors (including the jury selection process) required special attention — the health and safety of the public was the Court's primary concern. Chief Justice Morawetz made orders automatically deferring prospective jurors who tested positive for COVID-19, were at high risk of infection, or were living with a person with high risk of infection, or were healthcare professionals. When people were permitted to congregate, the Court, with the support of the Attorney General, held jury selections at offsite locations so that large groups of prospective jurors could be accommodated while maintaining social distancing and other safety measures.

The Trial Resumption Committee also provided critical input on a plan for resuming jury trials and other in-person trials which included developing health and safety protocols to support these in-person trials. Guided by Ontario Public Health advice, the Ministry of the Attorney General and, in particular the Ministry's Recovery Secretariat, worked diligently to implement health and safety precautions in the Court's courtrooms across the province. This work enabled in-court appearances and jury trials to resume and included providing video conferencing links that were available for members of the public and media to observe court proceedings, especially in jury trials where public seating was limited due to social distancing.

Through a collaborative effort and the shared objective of ensuring that the interests of all justice system participants were considered, the Criminal Working Group developed rules of practice to allow for virtual appearances by accused persons and witnesses which technological solutions had made possible.

Under the *Criminal Code*, the Court has the authority to establish its own criminal proceedings rules. This past year, the Court's Judicial Criminal Working Group, which is currently chaired by Regional Senior Justice Pomerance, revised the *Criminal Proceedings Rules*. The new *Criminal Proceedings Rules* will come into effect on May 13, 2024. The revision consolidated a number of rules developed over the last several years to support electronic filing and other modernization revisions including:

- Simplified language and clear procedures;
- Gender neutral terminology;
- Updated references to statutes and regulations;
- Electronic filing and service requirements, including the use of electronic signatures;
- Timelines for uploading documents to the Court's document sharing platform;
- Updated definitions and the additions of "National Day for Truth and Reconciliation" and "Family Day" under the definition of "holiday";
- New rules pertaining to judicial pre-trial conference reports aligned with the new judicial pre-trial conference form;
- Time limits for oral argument for summary conviction appeal hearings;
- Requirements for bail-pending appeal applications; and
- Parole ineligibility rules.

In addition, the Criminal Working Group has developed a new judicial pre-trial conference form. The new digital and dynamic, fillable form is user-friendly and will ensure that all parties can clearly identify their positions on issues at trial on the same form for the judge to review. It will also ensure consistency across the province. To assist counsel and litigants, the Court has created videos demonstrating how to use the form and how to upload it to CaseLines.

FAMILY

Family litigation and child protection matters make up a significant portion of the Court's work, addressing such issues as: divorce; parenting time and contact with children; how major decisions about children are made; children's safety in the home; adoption; financial and property matters; and urgent safety issues.

In 50% of the province, jurisdiction over family law issues is divided between the Superior Court of Justice and the Ontario Court of Justice. In those locations, both courts can preside over parenting, support, and safety issues. However, only the Superior Court of Justice has the jurisdiction to deal with certain issues, such as divorce and property, whereas cases involving child protection and adoption must be started at the Ontario Court of Justice in those locations.

In the remaining 50% of the province, there is a Family Court Branch of the Superior Court of Justice, also known as the Unified Family Court (UFC), where any family law case can be heard. By consolidating all family cases into a unified court, litigants benefit from a family justice system that is easier to navigate, along with enhanced case management by a core group of specialized family judges. In 2019, the Family Court was expanded for the first time in twenty years to eight additional sites.

The *Family Law Rules* govern the process for all family law cases, including child protection proceedings. The Rules aim to bring fairness, efficiency and proportionality to family litigation. The Family Rules Committee, established under the *Courts of Justice Act*, is responsible for amendments to the Rules, 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. Thanks to the work of this Committee, a number of notable amendments were made to the *Family Law Rules* over the past five years.

- A new rule was introduced to ensure the prompt disposition of international child abduction cases.
- Children's privacy was enhanced by a new process. Any members of the public who wish to review a court file containing information about children must first provide notice to parties. Parties may then bring a motion asking the Court to limit the disclosure of sensitive information.
- The procedures for producing expert opinion evidence were clarified, including new distinctions between litigation experts and participant experts, and the addition of a rule on court-appointed experts.
- New rules were introduced to support the modernization of court services, such as expanding the availability of email service and allowing court documents to be filed, issued and stored electronically.
- Processes were added to ensure each court appearance is productive, such as introducing automatic orders for financial disclosure, requiring parties to confer on disputed issues prior to a court event (where it is safe to do so), and directing the judge to determine early on the most efficient and just process for resolving a motion to change a final order or agreement.
- The Rules were also amended to reflect major legislative changes that came into effect in 2021, including the updated language of "decision-making responsibility", "parenting time" and "contact", and the possibility of moving through the court process more quickly if parties have engaged in mediation.

The Court also worked to improve access to family justice through other important initiatives, including the Court's Binding Judicial Dispute Resolution ("JDR") pilot which began in May 2021. Binding JDR is an innovative hearing designed to provide a proportionate and accessible process for resolving certain family cases without the need for a trial. At a Binding JDR hearing, the judge works with the parties to attempt to settle the disputed issues on consent. Then, at the same hearing, the judge adjudicates any remaining issues that cannot be resolved. The process has proven successful at resolving simpler family law cases. In 2023, an updated Binding JDR Practice Advisory was published on the Superior Court of Justice website and the pilot continues to expand to more locations throughout the province. Family litigants may now access Binding JDR at the Court in the entire Central East, Central South, Northwest, Northeast and Toronto regions, as well as at court locations in Cornwall, L'Orignal, Ottawa, Pembroke, and London.

The Dispute Resolution Officer ("DRO") Program was also expanded. DROs are senior family lawyers appointed to conduct family case conferences and provide family litigants with an early, neutral evaluation of their case. This service often narrows the issues in dispute and facilitates settlement. In 2021, the DRO program was successfully expanded to Kingston, Kitchener, and Welland, bringing it to a total of 12 court locations. A provincial roster of bilingual DRO panel-members was also created in 2024 to improve access to DRO services in French.

With support from both the Superior Court of Justice and the Ontario Court of Justice, the Law Society of Ontario launched a pilot project in January 2022 that allows articling and Law Practice Program students to attend more routine events in a family case without first needing to obtain the court's consent.

The Court's Guide to Process in Family Law Cases at the Superior Court of Justice provides basic legal information about the stages in a family law proceeding, along with links to further self-help resources and family justice supports. The Guide was updated in 2023 to reflect major changes to the family laws and court processes. A downloadable PDF version of the Guide is published on the Court's website.

CIVIL

The Ontario Superior Court of Justice hears and decides all civil proceedings in Ontario. These include cases involving personal injury, contract disputes, bankruptcy and insolvency, employment matters, and litigation involving wills and estates. The Court also has some appellate jurisdiction under various statutes.

Civil proceedings in the Court are governed by the *Rules of Civil Procedure*, which are made by the Civil Rules Committee, subject to the approval of the Attorney General.

In the past five years, the Rules received several notable amendments.

In 2020, the monetary limit for simplified procedure actions, governed by Rule 76, was increased to \$200,000, thereby allowing more claims to benefit from this more streamlined process. Additionally, the rule was amended to eliminate civil juries in the trial of these matters, to impose a new five-day maximum on such trials, and to place a cap on parties' recoverable costs and disbursements. These changes promote access to justice by reducing the expense of pursuing lower value claims.

- In early 2021, amendments to the *Rules of Civil Procedure* and court forms were made to support e-filing and virtual hearings. The efforts of the Civil Working Group were critical for guickly identifying needed rule and form amendments.
- Also in 2021, a new procedure for applying for a certificate of appointment of estate trustee was introduced for estates valued up to \$150,000, specifically through the implementation of new forms that made it easier for self-represented applicants. The court forms required for obtaining probate in higher value estates were also streamlined to assist applicants.
- In 2022, the *Rules* were amended to introduce a Certificate of Readiness for Pre-trial Conference form. This change requires parties to confirm they have exchanged expert reports before their pre-trial conference or, alternatively, that they have agreed on an extension or have obtained a court order allowing them to exchange such reports later. This change attempts to eliminate the delay in bringing cases to conclusion caused by the parties' failure to exchange expert reports.

Over the last several years, the Class Actions Bench-Bar Liaison Committee and the Ontario Estates Bench-Bar Liaison Committee developed model orders to assist litigants and the Court. These are available online through links provided in the Consolidated Provincial Practice Direction for Civil Proceedings. The Class Actions Bench-Bar Liaison Committee also created the Best Practices Guide for Class Actions in Ontario, a link to which is also included in the same practice direction.

Heeding Chief Justice Morawetz's call for a complete reform of the *Rules* and recognizing that fundamental changes are needed to the way in which civil justice is administered in Ontario, on September 28, 2023, Attorney General Downey and Chief Justice Morawetz announced that a Civil Rules Review ("CRR") would be launched in early 2024 with the mandate for a full review of the *Rules*. While acknowledging the important and ongoing work of the Civil Rules Committee established under the *Courts of Justice Act*, the establishment of the CRR recognizes that a comprehensive review effort is needed at this time. The CRR's objective includes identifying issues and developing proposals for reforming the *Rules* to make civil proceedings more efficient, affordable, and accessible to all Ontarians.

The CRR working group, co-chaired by Justice Boswell and Alison Speigel, is comprised of practising members of the Bar, both private and public, a judge and an academic — John Adair, Tamara Barclay, Justice Jennifer Bezaire, Suzanne Chiodo, Chantelle Cseh, Jacob Damstra, Trevor Guy, Rebecca Jones, Sunil Mathai, Zain Naqi, Jeremy Opolsky, Darcy Romaine and Jennifer Hall, Project Coordinator and Senior Counsel in the Deputy Attorney General's office.

The CRR working group will consult with a wide variety of civil justice system participants, conduct a full review of the *Rules* and, within two years, deliver its recommended changes to the *Rules* for approval and implementation.

DIVISIONAL COURT

The Divisional Court is the appellate branch of the Superior Court of Justice and the primary forum for judicial review of government decision-making in Ontario. It hears applications for judicial review and statutory appeals from a wide array of administrative tribunals and has appellate jurisdiction in some civil and family court matters. The Divisional Court sits in Toronto throughout the year and has scheduled sittings in all other regions of the province.

The Divisional Court is led by the Associate Chief Justice of the Ontario Superior Court of Justice. However, in 2021 the Court adopted a system of each judicial region having a designated local administrative judge. This new structure has facilitated greater coordination between the Court's regions, which, in turn, has created greater consistency and efficiency in the Divisional Court across the province. It has also enhanced the development of local Divisional Court expertise.

In 2020, the Divisional Court also implemented judicial case management for all incoming matters. In addition to serving access to justice, this initiative has increased the Court's efficiency in several respects. Case management allows the Court to quickly identify fundamentally flawed proceedings, such as those brought in the absence of the Court's jurisdiction, along with those requiring scheduling priority. The Court may also proactively manage cases that would otherwise create unnecessary delays in any ongoing judicial or administrative matters being challenged and reduce unnecessary motions in the process.

SMALL CLAIMS COURT

The Small Claims Court hears civil claims valued up to \$35,000, where the claim is for money or the recovery of personal property. This limit was increased from \$25,000 on January 1, 2020. The Court also hears applications for the determination of rights under section 23 of the *Repair and Storage Liens Act*. It also provides enforcement processes for various tribunal, board, and agency orders.

Proceedings in the Small Claims Court are governed by the *Rules of the Small Claims Court*. The streamlined procedure under these rules allows litigants to obtain a judicial determination of their case faster and at less expense than in the Superior Court of Justice.

Small Claims Court cases are typically presided over by a deputy judge. However, the Small Claims Court Administrative Judge and all judges of the Court may also preside in Small Claims Court matters.

In 2021, the Ministry of the Attorney General launched the Small Claims Court Submissions Online portal for electronic issuance and filing of court documents. This supplements the Small Claims Court E-Filing Service Portal, which members of the public can use to issue their claims. Email and paper filings continue to be accepted to ensure full access to the Court.

The Court led the development of several amendments to the *Rules of the Small Claims Court*. Enacted in 2021, these amendments brought the litigation process under the Rules up to date with the technology being used by the Court and parties to resolve such disputes. These included: expanding the availability of email service, authorizing electronic signatures and issuance of court documents, and allowing remote commissioning.

In 2020, the Court began scheduling its virtual hearings on a regional basis. Virtual hearings can now be conducted by any deputy judge in a region. This has assisted busier locations to resolve their backlog and has allowed locations with fewer deputy judges to draw on judicial resources based elsewhere.

The Small Claims Court Working Group delivered two educational webinars to help professionals and interested members of the public understand recent changes in Small Claims Court procedures. It also developed content for an updated Small Claims Court section on the Superior Court of Justice's website. The updated section provides litigants with clear explanations and links for the litigation process from claim to enforcement.

Deputy judges are also provided education through the Court's annual Caswell Education Seminars. Newly appointed deputy judges are also assisted by the Deputy Judges Council with a mentorship program to acquaint them with the Court's processes from the judicial perspective.

SECTION 3 KEY DEVELOPMENTS & MODERNIZATION INITIATIVES





KEY DEVELOPMENTS & MODERNIZATION INITIATIVES

VIDEO CONFERENCING & VIRTUAL HEARINGS

When in-person hearings were suspended in March of 2020, the Ontario Superior Court of Justice needed an immediate solution to ensure access to justice and thus the Court provided for the hearing of any urgent matter by teleconference. However, a solution that enabled the virtual appearance of parties and litigants by video was necessary. Ultimately, the Ministry of the Attorney General procured Zoom as the video conferencing platform which, at the time, was superior to other video conferencing platforms for several reasons including that it enabled breakout rooms, allowing counsel to have private discussions with their client during a hearing when necessary.

The Court embraced the use of this video conferencing technology as a permanent feature of our justice system. This is reflected in the Court's presumptive guidelines relating to the mode of proceeding — a balance of presumptive virtual and inperson events. The Court's embrace of this technology and modernization is evident in the data: whereas in 2019, nearly 300,000 of the Court's events were heard in person and 530 virtually by video, in 2023, approximately 51,000 of the Court's events were heard virtually by video conference.

ELECTRONIC FILING & HEARING MANAGEMENT

ELECTRONIC FILING

Prior to the pandemic, the Ministry of the Attorney General in collaboration with the Ministry of the Solicitor General created and piloted an online portal for electronic filing called Justice Services Online ("JSO"). However, the need for online filing accelerated with the pandemic. As a result, the first JSO portals for Civil, Family and Small Claims Court were launched in August of 2020.

Since August 2020, this online filing portal has been considerably expanded, streamlined, and improved. Today, the online filing options in JSO allow counsel and litigants to electronically submit most (nearly 800) documents to the Court for filing or issuance in all Superior Court of Justice matters — Civil, Family, Divisional Court, Bankruptcy, and Small Claims Court — except for documents that are sealed or those relating to child protection, adoption, non-contentious estates, enforcement, and criminal matters.

Additionally, counsel and litigants can securely pay court filing fees or request fee waivers through the portals.

Where filing is not yet available through JSO, it must be done electronically by email to the trial scheduling office at the applicable courthouse.

The Court is mindful that access to justice may require exceptions for those who are not able to access technology meaningfully. Therefore, the Court recognizes that,

for those self-represented litigants who are unable to file electronically, exceptions to allow for paper filing must remain.

Again, the modernization transformation over the last several years at the Court is evident in the data: whereas in 2019, over 1.6 million submissions were filed at a counter in person and largely in paper, by 2023, over 1.5 million submissions were filed electronically through JSO.

ELECTRONIC DOCUMENT SHARING PLATFORM: CASELINES

Neither the Ministry of the Attorney General's case activity management system FRANK (the Court's current case activity management system), nor its electronic online filing portal JSO, are designed to allow for the sharing and viewing of documents between counsel, parties, and the Court. The pandemic therefore created the immediate need for another solution — a solution that could facilitate the sharing of documents and materials before, during, and after a hearing. As a result, the Court initiated the Ministry's procurement of CaseLines (an electronic document sharing platform) in August 2020 and led its implementation across all regions in Ontario.

Today, CaseLines is used in most hearings before the Court and its use is mandatory regardless of whether the hearing is virtual, hybrid, or in person.

CaseLines was first piloted in the Toronto region for select Civil events before expanding to include select events in Toronto across all areas of the Court's responsibility. In early 2021, the Court then began a phased rollout to all other judicial regions and events in Civil, Divisional, Family, and Criminal Courts. CaseLines has now been expanded to all areas of the Court's responsibility except for Small Claims Court, child protection matters in Family, and self-represented litigants in Criminal. Counsel and parties have been directed that use of CaseLines is mandatory whether the hearing is virtual, hybrid or in person, as set out in each of the Consolidated Provincial Practice Directions in Civil, Family, Criminal, Divisional, and Commercial proceedings.

The early days of the CaseLines rollout was very challenging — it was implemented relatively soon after the pandemic began and support and training was largely shouldered by the Office of the Chief Justice. While we are not without our challenges today, the regular use of CaseLines, the enhancements to the functionality of the platform, and the support now available from the Ministry of the Attorney General and Thomson Reuters, have considerably improved its use in the last couple of years.

The Office of the Chief Justice continues to work with the Ministry of the Attorney General and Thomson Reuters to identify necessary enhancements and improvements to the platform's functionality. Moreover, the Ministry of the Attorney General's contract with Thomson Reuters for a complete digital transformation of our case management, filing management, and hearing management systems, means that CaseLines will be integrated with Thomson Reuters' case management product, C-Track. In turn, this means, for the Bar, litigants and the public, a more streamlined process — only filing once and no longer additionally requiring uploading to CaseLines.

In the meantime, to support counsel and self-represented litigants in the use of CaseLines, the Office of the Chief Justice has created a guide outlining helpful tips and 'how-to' instructional videos which can be found on the Court's website.

MEDIA & PUBLIC ACCESS TO VIRTUAL HEARINGS

When the Ontario Superior Court of Justice, by necessity, pivoted to virtual hearings, the Court also grappled with the issue of how to facilitate access to those virtual hearings for the media and the public. At the time, members of the media, who were subscribed to the Court's Publication Ban Notification Media Subscriber List were automatically provided Zoom links, on a daily basis, to select criminal events while the public's access to virtual hearings was provided upon request to the Court.

Since that time, the Court has expanded the media's access to the Court's virtual hearings. Today, media subscribed to the Court's Media Subscriber List are automatically provided Zoom links, on a daily basis, to all events, in all areas of the Court's responsibility — Criminal, Civil, Family, Divisional Court and Small Claims Court — with the exception of certain specific events, for example, pre-trial conferences and in-camera hearings.

The public can continue to attend virtual hearings upon request to the local courthouse.

GUIDELINES TO DETERMINE THE MODE OF PROCEEDING

The Court's Guidelines to Determine the Mode of Proceeding in Civil, Family, Criminal, and Small Claims Court were developed as the Court considered its path forward towards modernization and the continued use of technology. There was a general recognition that the Court needed to maintain the opportunities presented and advantages gained by continuing with virtual hearings for at least some of the Court's events. At the same time, there was also a recognition of the continuing need for in-person hearings and the barriers to technology which could create access to justice issues, particularly for self-represented litigants. The Guidelines to Determine the Mode of Proceedings in Civil, Family, Criminal, and Small Claims Proceedings, which were released by the Court in April of 2022, aimed to balance those needs. They identified which events in each area of the Court's responsibility would be presumptively heard in person and which would be presumptively virtual. The Guidelines were also accompanied by over-arching principles which were central in the framing of the Guidelines and identified the factors the Court would consider in exercising its discretion to deviate from the presumptive hearing method. At the time they were released, Chief Justice Morawetz expressed that the Guidelines are living documents and would be reviewed in the following year after the Bar and the Court had some time to work with them.

In early 2023, the Office of the Chief Justice sought the input of the Bar and organizations including the Law Society of Ontario, Legal Aid Ontario, and the National Self-Represented Litigants Project. The Bar suggested very few changes and the overall consensus was that the Guidelines, for the most part, were balanced and working well. Judicial input from the Court's working groups and from the Ontario Superior Court Judges' Association and the Ontario Associate Judges' Association were also sought. As a result, the Court released its revised Guidelines, with the few revisions as identified by the input received, on February 1, 2024.

TECHNOLOGY IN THE COURTROOM

Virtual and hybrid hearings and attendances alongside in-person hearings are now permanent features of proceedings in the Ontario Superior Court of Justice.

While the use of Zoom enabled the Court to effectively conduct virtual hearings and attendances, the use of Zoom for hybrid hearings, where some parties and witnesses attend virtually and others attend in person, was limited and/or hampered by the lack of necessary technology in our courtrooms. While there was some equipment to facilitate connections with correctional institutions and remote testimony rooms prior to the pandemic, this equipment was not widely available in our courtrooms. Hence, the Court was left to modify cameras, screens, and other equipment in the courtroom to try and facilitate the digital sharing of evidence and the use of hybrid hearings.

In early 2021, the Ministry of the Attorney General began planning for the procurement of standardized, commercial-grade equipment to be installed in courtrooms that could seamlessly support all modes of hearing (virtual, hybrid, in-person) and the sharing of digital evidence and materials for those hearings. This multi-year plan, called the Virtual Hybrid Hearings Initiative ("VHH"), would include installing commercial-grade equipment in Superior Court of Justice and Ontario Court of Justice courtrooms across the province including providing the courtrooms with a dedicated network connection that did not rely on courthouse Wi-Fi and data connections.

As supply chain issues improved, in May of 2023, Chief Justice Morawetz and the Office of the Chief Justice identified the necessity for an acceleration of this VHH equipment installation plan and, in particular, the acceleration of what is called the VHH "B+" courtroom equipment standard, described below. The Ministry of the Attorney General agreed and has committed to accelerating the installation of this commercial grade equipment for many courtrooms across the province in the next couple of years — this is a significant financial investment in the modernization of the judicial system and the modernization of our courtrooms in particular.

A VHH B+ courtroom equipment standard includes:

- A dedicated network connection (i.e., one that does not rely on the courthouse's bandwidth or Wi-Fi to feed in a remote witness for hybrid hearings and does not require in-person participants to connect to Zoom to share evidence or interact with the remote witness);
- Commercial-grade cameras that can be controlled by the registrar and screens that allow courtroom participants to view remote participants and evidence; and
- Integrated commercial-grade audio to capture a clear recording of the proceeding, support participants' ability to hear the proceeding whether they are attending in person or virtually, and to support simultaneous interpretation and connection to assisted listening devices.

The Ministry's commitment to accelerate these installations will equip 50% of the Court's courtrooms with this B+ standard by the Spring of 2026.

COURTS DIGITAL TRANSFORMATION

In the Spring of 2020, Chief Justice Morawetz presented the Court's need for better technology and pressed the Ministry of the Attorney General to procure a new end-to-end, off-the-shelf digital solution to modernize all our court processes.

While JSO, CaseLines and Zoom were and remain necessary to support the transition from paper and in-person hearings to electronic documents and virtual hearings, these technologies were not designed nor intended to be the final technological solution for a modernized justice system.

Indeed, the Court's advocacy for an end-to-end solution marked the beginning of a project that would become known as the Courts Digital Transformation (CDT) initiative. This work would establish Ontario's courts as one of the largest jurisdictions to pursue a technology transformation of this scope and scale — digitizing an entire justice system in all aspects, case management, filing, and hearing management — for both the Superior Court of Justice and the Ontario Court of Justice.

Ultimately, in the Spring of 2020, the Ministry of the Attorney General agreed to begin the process of searching for an end-to-end, off-the-shelf digital solution by procuring Price Waterhouse Coopers ("PwC"), first to evaluate the issues caused by the current state of technology in our judicial system and, second, to conduct jurisdictional scans to understand what products existed in the market and were used in other jurisdictions across the world.

What this jurisdictional scan revealed is that while there were some jurisdictions that had 'digitized' *parts* of their systems for *parts* of their court's areas of responsibility, no jurisdiction of our scale had implemented an end-to-end digital solution for the *whole* of their justice system including case management, filing management, judicial scheduling management, document management, hearing management, exhibit management and in all areas — civil, criminal, family, small claims.

With this research in hand, the procurement for the end-to-end solution began and an unprecedented partnership between the courts and the Ministry was formed. A dedicated team with representation from the Superior Court of Justice, the Ontario Court of Justice, the Ministry of the Attorney General, the Ministry of the Solicitor General, and other "IT" and technology partners formed one large, multi-disciplinary team. The people on the team specialize in different fields, from court operations to technology and project management.

The new integrated team drafted over a thousand business requirements — needs that the vendor's solution must meet in order to work for our judicial system. The procurement process allowed vendors to present how their solutions might be able to serve the complexity of these needs. Ultimately after due diligence, the contract was awarded to Thomson Reuters in June 2023 — a \$166 million dollar investment in transforming our justice system.

The procured solution is a cloud-based Software as a Service ("SaaS") solution a software that will be accessible through the web. This SaaS solution will support the Court's main functions from the initiation of a case to its disposition, namely filing, scheduling, case management, hearings, document management, and exhibit management. It will support all areas of the Court's responsibility: civil law (including Bankruptcy, Commercial, Estates, the Small Claims Court, and Divisional Court), family law, and criminal law.
This digital system will replace current disconnected technology (FRANK and JSO) with one seamless system to support all areas of the Court's responsibility and the Court's main functions.

The solution is made up of three modules: (1) a Public Portal that will be used for e-filing and public access to information (such as daily dockets); (2) C-Track, the internal case management and scheduling system; and (3) CaseLines (soon to be renamed Case Center) which will be used for hearings. These modules will be integrated to allow information to flow seamlessly.

What will the solution look like? Here are the highlights:

- Counsel, litigants, parties, and other justice system participants will use the solution to file court material. They will log onto the public portal and upload documents for filing with all party and any other relevant information.
- Once submitted, staff will receive an alert on C-Track and will vet the material filed. Once vetted by court staff, and if accepted, the material will be automatically placed into the digital court record.
- Trial coordinators will schedule the hearing using the same system.
- As the hearing date approaches, staff will be able to push relevant documents from the court record automatically through to CaseLines.
- Because CaseLines will be integrated with C-Track, counsel, litigants, and other justice system participants will only have to file materials once. In other words, it eliminates the two-steps now required of first filing material and later uploading to CaseLines. It also means judiciary and staff are no longer going to have to chase after missing documents.
- During the hearing, material will be viewable through CaseLines.
- Following the hearing, orders and endorsements will be created and distributed to parties and to the court record through the same solution.
- The solution will also manage exhibits, meaning we will be able to admit, mark and store them into the court record.
- This digital solution will also enable better, more reliable, and accurate data management and reporting.

User-centricity is at the core of this project. Meaning, we are implementing this digital solution not just with a view to simply automate and digitize current processes but also to improve and transform how current processes can better support litigants, counsel, other justice system participants, the public, court staff, and the judiciary. This approach will not just inform the development of the solution but it will also inform how support and training for using this new solution will be provided. To that end, Bar associations and organizations and other justice stake-holder organizations can anticipate hearing from the CDT team through the course of this project.

SECTION 4 JUDICIARY & JUDICIAL REGIONS



01 CENTRAL EAST

Newmarket Barrie Bracebridge Cobourg Durham Lindsay Peterborough

05 NORTHEAST

Sudbury Cochrane Gore Bay Haileybury North Bay Parry Sound Sault Ste. Marie Timmins

02 CENTRAL SOUTH

Hamilton Brantford Cayuga Hamilton Family Court Kitchener St. Catharines Simcoe Welland

06 NORTHWEST

Thunder Bay

Fort Frances

Kenora

03 CENTRAL WEST

Brampton Guelph Milton Orangeville Owen Sound Walkerton

07 SOUTHWEST

London Chatham Goderich Sarnia St. Thomas Stratford Windsor Woodstock

08 TORONTO

Kingston Family Court

04 EAST

Ottawa

Belleville

Brockville

Cornwall

Kingston

L'Orignal

Napanee Pembroke Perth Picton

01 CENTRAL EAST REGION

The Honourable Mark L. Edwards is the Regional Senior Judge of the Central East Region. As of December 31, 2023, the region had 38 full-time judges and 8 supernumerary judges.



The Hon. Mark L. Edwards Regional Senior Judge February 2021 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. Michelle Fuerst Regional Senior Judge October 2013 – February 2021

POPULATION: 3,019, 586



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. L. A. Bird, Newmarket
- The Hon. M. Fuerst, Criminal Lead Judge
- The Hon. R. Charney, Divisional Court Lead Judge
- The Hon. A. Casullo, Bracebridge
- The Hon. L. Fryer, Oshawa, Lead Family Judge
- The Hon. S. Jain, Barrie, Lead Family Judge
- The Hon. H. Leibovich, Oshawa
- The Hon. G. MacPherson, Newmarket, Lead Family Judge
- The Hon. J. R. McCarthy, Barrie
- The Hon. S. McLeod,
- Peterborough / Cobourg / Lindsay
- The Hon. P. Sutherland, Newmarket, Civil Lead Judge

FORMER

- The Hon. J. McDermot, Barrie, Lead Family Judge
- The Hon. P. Sutherland, Newmarket,
- Civil Lead Judge
- The Hon. S. J. Woodley, Oshawa
- The Hon. C. Boswell, Barrie
- The Hon. M. L. Edwards, NewmarketThe Hon. R. Kaufman, Newmarket,
- Lead Family Judge
- The Hon. T. Wood, Bracebridge
- The Hon. S. Woodley, Oshawa

JUDGES OF THE REGION

- The Hon. S. T. Bale
- The Hon. R. T. Bennett (Family Court Branch)
- The Hon. L. A. Bird
- The Hon. R. C. Boswell
- The Hon. J. Bruhn (Family Court Branch)
- The Hon. J. C. Cameron
- The Hon. A. Casullo
- The Hon. R. Charney
- The Hon. V. V. Christie
- The Hon. J. C. Corkery
- The Hon. A. M. Daurio (Family Court Branch)
- The Hon. C. de Sa
- The Hon. J. Di Luca
- The Hon. P. A. Douglas (Family Court Branch)
- The Hon. J. A. Finlayson (Family Court Branch)
- The Hon. S. Fraser
- The Hon. L. E. Fryer (Family Court Branch)
- The Hon. M. Fuerst
- The Hon. D. S. Gunsolus
- The Hon. S. E. Healey
- The Hon. A. Himel (Family Court Branch)
- The Hon. J. E. Hughes (Family Court Branch)
- The Hon. R. S. Jain (Family Court Branch)
- The Hon. D. Jarvis (Family Court Branch)

- The Hon. R. P. Kaufman (Family Court Branch)
- The Hon. P. M. Krause (Family Court Branch)
- The Hon. M. L. Lack
- The Hon. S. Lavine
- The Hon. K. D. M. Leef (Family Court Branch)
- The Hon. H. Leibovich
- The Hon. G. MacPherson (Family Court Branch)
- The Hon. J. R. McCarthy
- The Hon. J. P. L. McDermot (Family Court Branch)
- The Hon. M. K. McKelvey
- The Hon. J. S. McLeod (Family Court Branch)
- The Hon. P. W. Nicholson (Family Court Branch)
- The Hon. H. K. O'Connell
- The Hon. A. R. Rowsell (Family Court Branch)
- The Hon. M. A. C. Scott (Family Court Branch)
- The Hon. C. Smith
- The Hon. A. Sosna
- The Hon. J. Speyer
- The Hon. P. Sutherland
- The Hon. M. E. Vallee
- The Hon. C. Verner
- The Hon. S. Woodley

The Central East Region includes the following judicial centres: Newmarket, Barrie, Bracebridge, Cobourg, Oshawa (Durham), Lindsay, and Peterborough. It also has satellite court locations in Collingwood, Midland, and Orillia. Each of these locations hosts a dedicated Family Court Branch site.

The Regional Senior Judge has designated a local administrative judge to assign and schedule cases in each of these regional centres to ensure the public's efficient access to justice.

Of the Court's eight regions, the Central East Region represents one of the largest in geography with a growing population currently numbering approximately 3,000,000 residents. It extends from the eastern border of the City of Toronto to the western border of the County of Hastings, extending north to encompass the District of Muskoka.

This is the Court's first region to include a Family Court Branch in every court location beginning with the first site in 1994. The Family Court plays a crucial role in serving one of the largest municipalities in Ontario, namely the Regional Municipality of York, or York Region, which the Government of Ontario estimates will surpass 1.5 million people by 2031.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

Undoubtedly, the pandemic presented significant challenges to the judicial system. However, the Central East Region adeptly navigated these obstacles to consistently meet the needs of the public in civil, criminal, and family matters. This was possible through the collaborative efforts of the region's judiciary and dedicated staff. By introducing and implementing various scheduling initiatives, the region effectively addressed the backlog caused by the pandemic and continues to move forward using the Court's modernization tools and strategic planning for further innovation.

Through the dedicated work of the region's Family Court judges, the region was able to maintain lapsed time between court events in family matters at a manageable level, leading to effective case dispositions. The Region recently gained new judicial appointments, which will further improve the times in which cases are completed.

Under the strategic guidance of Justice Michelle Fuerst, who acts as the region's lead criminal judge, and the tireless diligence of the judges assigned to criminal judicial pre-trials, the region was successful in meeting the challenges of providing timely criminal trial dates. The region has yet to see a successful *Charter* section 11(b) application since the pandemic.

The pandemic's impact on the Central East Region cannot be understated. While the region was successful in implementing new approaches to how it schedules civil pre-trials, its civil backlog remains a challenge. However, as a recent Notice to the Profession explains, six generalist judges are dedicated to the region's civil trials in September 2024 and January 2025, making the region hopeful that it will be able to meet the challenge of providing more timely justice to civil litigants.

02 CENTRAL SOUTH REGION

The Honourable Paul R. Sweeny is the Regional Senior Judge of the Central South Region. As of December 31, 2023, the region had 29 full-time judges and 15 supernumerary judges.



The Hon. Paul R. Sweeny Regional Senior Judge October 2020 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. Harrison S. Arrell Regional Senior Judge October 2016 – October 2020

POPULATION: 2,088,616



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. A. J. Goodman, Hamilton
- The Hon. D. C. Chappel, Hamilton, Family
- The Hon. L. Madsen, Kitchener
- The Hon. M. J. Donohue, *St. Catharines*
- The Hon. J. A. Ramsay, Welland
- The Horn D. A. Ramsay, Weiland
- The Hon. D. A. Broad, Brantford
- The Hon. R. J. Nightingale, Simcoe and Cayuga

FORMER

- The Hon. W. L. MacPherson, St. Catharines
- The Hon. T. Maddalena, Welland
- The Hon. C. Lafrenière, Hamilton, Family
- The Hon. J. W. Sloan, Kitchener
- The Hon. R. J. Harper, Brantford
- The Hon. P. R. Sweeny, Hamilton
- The Hon. G. E. Taylor, Kitchener

JUDGES OF THE REGION

- The Hon. S. Antoniani
- The Hon. H. S. Arrell
- The Hon. L. Bale (Family Court Branch)
- The Hon. K. Bingham (Family Court Branch)
- The Hon. M. Bordin
- The Hon. C. D. Braid
- The Hon. J. Breithaupt Smith
 - (Family Court Branch)
- The Hon. D. A. BroadThe Hon. C. E. Brown (Family Court Branch)
- The Hon. C. E. Brown (ranning Court Branch,
- The Hon. K. A. Carpenter-GunnThe Hon. D. L. Chappel (Family Court Branch)
- The Hon. M. Donohue
- The Hon, D. L. Edwards
- The Hon. G. Gambacorta
- The Hon. M. R. Gibson
- The Hon. A. J. Goodman
- The Hon. D. J. Gordon
- The Hon. N. Gregson (Family Court Branch)
- The Hon. J. R. Henderson
- The Hon. A. D. Hilliard
- The Hon. J. Krawchenko
- The Hon. M. A. Kril (Family Court Branch)
- The Hon. C. Lafrenière
- The Hon. R. MacLeod (Family Court Branch)
- The Hon. B. MacNeil
- The Hon. W. L. MacPherson
- The Hon. T. Maddalena (Family Court Branch)
- The Hon. L. Madsen (Family Court Branch)
- The Hon. L. McKenzie
- The Hon. R. J. Nightingale
- The Hon. D. Parayeski
- The Hon. A. Pazaratz (Family Court Branch)
- The Hon. D. Piccoli (Family Court Branch)

- The Hon. J. A. Ramsay
- The Hon. R. B. Reid
- The Hon. E. C. Sheard
- The Hon. A. Skarica
- The Hon. I. Smith
- The Hon. L. E. StandrykThe Hon. G. E. Taylor
- The Hon. M. A. Tweedie (Family Court Branch)
- The Hon. M. J. ValenteThe Hon. J. D. Walters (Family Court Branch)
- The Hon. L. M. Walters

The Central South Region includes the regional judicial centre at the John Sopinka Courthouse in Hamilton, as well as seven other court locations in Brantford, Cayuga, Hamilton Family Court, Kitchener, St. Catharines, Simcoe, and Welland.

Central South includes shorelines along two Great Lakes with a combination of urban and rural residents. It extends from Elmira to Welland, and covers the Counties of Brant, Haldimand and Norfolk, and the Regions of Niagara and Waterloo.

Of the region's eight courthouses, the City of Hamilton hosts the largest court site and serves a population of over 700,000 people, while Cayuga, the region's smallest and oldest court site, serves a population of approximately 50,000 residents. Kitchener was selected for the construction of one of the Ministry of the Attorney General's newest modernized courthouses, which was completed in 2013.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

In May 2019, Unified Family Court was expanded to Kitchener, Cayuga, Simcoe, and Welland, whose sites also received a resulting increase in judicial complement and staff. Presently, Brantford is the only site in the region that does not include Unified Family Court.

In 2021, the Dispute Resolution Officer program, which provides litigants in family proceedings with an early evaluation of their case by a neutral third party, was expanded beyond its original sites in Hamilton and St. Catharines to Welland and Kitchener.

In November 2022, the Binding Judicial Dispute Resolution pilot project was introduced in Kitchener's Unified Family Court. A process to which the parties must consent, it combines elements of both a settlement conference and trial, ultimately allowing for a final judicial determination where the parties cannot settle their dispute. Based on the success of this program in Kitchener, it was expanded to all court sites in the Central South Region.

The Central South Region also introduced the scheduling of long trial sittings twice per year. These sittings are reserved for trials that require 15 days or more to complete. The region's commitment to providing available judges for any set trial date, employing diligent case management under Rule 37.15, and implementing extended pre-trials has consistently provided timely access to justice for civil litigants.

The judges have regular Community Liaison Committee, and Bench and Bar, meetings to exchange information, as well as to receive feedback and advice from the region's Bar and stakeholders with the intention of improving access to justice in the Region.

03 CENTRAL WEST REGION

The Honourable Leonard Ricchetti is the Regional Senior Judge of the Central West Region. As of December 31, 2023, the region had 31 full-time judges and 8 supernumerary judges.



The Hon. Leonard Ricchetti Regional Senior Judge April 2020 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. Peter A. Daley Regional Senior Judge January 2015 – February 2020

POPULATION: 2,844,626



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. K. Coats, Milton
- The Hon. G. Miller, Orangeville
- The Hon. J. Sproat, Owen Sound & Walkerton
- The Hon. M. Emery, Divisional Court
- The Hon. C. Petersen, Guelph
- The Hon. L. Shaw, Small Claims Court
- The Hon. R. Tzimas, Brampton

FORMER

- The Hon. N. Mossip, Guelph
- The Hon. D. Baltman, Divisional Court
- The Hon. M. Emery, Small Claims Court

JUDGES OF THE REGION

- The Hon. R. K. Agarwal
- The Hon. I. W. André
- The Hon. D. F. Baltman
- The Hon. K. N. Barnes
- The Hon. T. A. Bielby
- The Hon. I. S. Bloom
- The Hon. C. C. Chang
- The Hon. R. Chown
- The Hon. E. Chozik
- The Hon. K. D. Coats
- The Hon. C. Conlan
- The Hon. P. A. Daley
- The Hon. F. Dawson
- The Hon. N. L. Dennison
- The Hon. M. T. Doi
- The Hon. M. G. Emery
- The Hon. J. A. Fowler ByrneThe Hon. J. M. Fragomeni
- The Hon. D. E. Harris
- The Hon. M. S. Kumaranayake
- The Hon. M. Kurz
- The Hon. W. M. LeMay
- The Hon. G. D. Lemon
- The Hon. R. J. Mandhane
- The Hon H A McGee
- The Hon. L. K. McSweeney
- The Hon. G. M. Miller
- The Hon. J. E. Mills
- The Hon. F. Mirza
- The Hon. C. Petersen
- The Hon. M. M. Rahman
- The Hon. M. Lucille Shaw
- The Hon. J. R. Sproat
- The Hon. L. B. Stewart
- The Hon. J. Stribopoulos
- The Hon. J. K. Trimble
- The Hon. E. R. Tzimas
- The Hon. M. C. Wilkinson
- The Hon. J. Woollcombe

The Central West Region includes the regional judicial centres in its courthouses in Brampton, Milton, Orangeville, Guelph, Walkerton, and Owen Sound.

The Central West Region of the Ontario Superior Court of Justice serves the Regional Municipality of Peel, Dufferin County, Wellington County, and Halton Region, which are some of the most rapidly growing areas in Ontario. In fact, these four centres are expected to have the largest population percentage growth in the province over the next six years. According to the Government of Ontario's population growth projections, these areas will exceed 3.1 million people by 2030, bringing them close to the anticipated 3.4 million residents in Toronto by 2030.

In addition to its rapidly growing centres, Central West also serves the Counties of Bruce and Grey at its northern edge.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

The past five years have seen many challenges and successes in the Central West Region. In 2019, work was undertaken to expand the A. Grenville and William Davis Courthouse in Brampton to address the pressures on the court system and improve public access to justice. This expansion was completed in 2023 and has virtually doubled the courthouse's size, significantly increasing its capacity for services.

The pandemic required courthouses to close on March 17, 2020. As in other regions, the public's judicial needs in Central West were served within weeks with the use of virtual proceedings. Remote trials commenced in July 2020 and jury trials followed in September 2020, which continued until in-person court events resumed. The Milton, Guelph, and Brampton courthouses used off-site facilities for jury selection and temporary courtrooms for approximately 18 months. Except for provincially mandated closures, jury trials continued off-site until they could resume in the Brampton Courthouse. As a result, the backlog of cases in Central West was kept to a minimum.

In Halton, necessary remedial work resulted in the closure of the entire Milton Courthouse for a period of 20 months during the pandemic. In the interim, service to the public was delivered using rented space in the Oakville and Burlington Convention Centres, which were supplemented by virtual hearings in re-configured hotel rooms. With Halton's population growth at an unprecedented rate, the Ontario government, judiciary, and stakeholders collaborated to create a strategic plan to overcome existing space challenges. The project included planning the expansion of the Milton Courthouse to meet the public's current and future needs — a project currently in its first phase.

Lastly, the evolution of the region's use of technology over the past five years was dramatic. In the Milton Courthouse, the pandemic-related remedial work and renovations resulted in all courtrooms having up-to-date technology. The same is true for the newly constructed portions of the Brampton Courthouse. This technology transformation and modernization has significantly impacted the entire administration of justice in Central West to successfully increase services and move caseloads forward. The region now sees paperless files, upgraded courtroom technology, virtual hearings, internet scheduling, and electronic sharing of documents, all of which has increased the public's access to justice.

04 EAST REGION

The Honourable Calum U. C. MacLeod is the Regional Senior Judge of the East Region. As of December 23, 2023, the region had 38 full-time and 14 supernumerary judges, as well as 1 associate judge. The region was awaiting two additional judges and one associate judge to fill vacancies.



The Hon. Calum U. C. MacLeod Regional Senior Judge March 2020 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. James E. McNamara Regional Senior Judge May 2014 – March 2020

POPULATION: 2,020,059



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. P. Hurley, *Belleville / Picton, Criminal and Civil*
- The Hon. N. Tellier, *Belleville / Picton, Family*
- The Hon. J. Johnston, Brockville, Criminal. Civil and Family
- The Hon. B. Abrams, Perth,
- Criminal, Civil and Family – The Hon. H. Desormeau, L'Orignal, Criminal, Civil and Family
- The Hon. J. Lafrance-Cardinal, Cornwall, Criminal and Civil
- The Hon. H. Desormeau, Cornwall, Family
- The Hon. M. Fraser, Pembroke, Criminal, Civil and Family
- The Hon. G. Mew, Kingston / Napanee, Criminal and Civil
- The Hon. T. Minnema, Kingston / Napanee, Family
- The Hon. R. Ryan-Bell, Ottawa, Civil
- The Hon. K. Jensen, Ottawa, Divisional Court
- The Hon. M. Labrosse, Ottawa, Divisional Court
- The Hon. M. Smith, Ottawa, Small Claims Court
- The Hon, J. Audet, Ottawa, Family
- The Hon. T. Engelking, Ottawa, CYFSA
- The Hon. A. London-Weinstein, Ottawa, Criminal
- The Hon. J. Parfett, Ottawa, Criminal

FORMER

- The Hon. W. Malcolm, *Belleville / Picton, Family*
- The Hon. M. O'Bonsawin, L'Orignal,
- Criminal, Civil and Family
- The Hon. M. James, Pembroke, Criminal, Civil and Family
- The Hon. S. Gomery, Ottawa, Civil
- The Hon. R. Maranger, Ottawa, Criminal
- The Hon. R. Scott, Picton, Criminal, Civil and Family
- The Hon. K. Pedlar, Perth / Brockville, Criminal, Civil and Family
- The Hon. R. Pelletier, L'Orignal, Criminal, Civil and Family
- The Hon. G. Tranmer, Kingston, Criminal and Civil
- The Hon. A. Trousdale, Kingston / Napanee, Family
- The Hon. C. MacLeod, Ottawa, Civil
- The Hon. H. Williams, Ottawa, Small Claims Court (East)
- The Hon. M. Shelston, Ottawa, Family

JUDGES OF THE REGION

- The Hon, B. W. Abrams
- The Hon. J. Audet (Family Court Branch)
- The Hon. J. Bergeron
- The Hon. J. A. Blishen (Family Court Branch)

- The Hon. L. M. Bramwell
- The Hon. T. J. Carey
- The Hon. I. M. Carter
- The Hon. N. Champagne
- The Hon. S. Corthorn
- The Hon. H. C. Desormeau (Family Court Branch)
- The Hon. A. Doyle
- The Hon. N. Edmundson (Family Court Branch)
- The Hon. T. Engelking (Family Court Branch)
- The Hon. M. A. Fraser (Family Court Branch)
- The Hon. C. T. Hackland
- The Hon. B. C. J. Holowka
- The Hon. J. Hooper
- The Hon. P. Hurley
- The Hon. K. Jensen
- The Hon. J. M. Johnston
- The Hon, A. Kaufman
- The Hon. S. J. Kershman
- The Hon. M. R. Labrosse
- The Hon. L. Lacelle
- The Hon. J. Lafrance-Cardinal
- (Family Court Branch)
- The Hon. R. Leroy
- The Hon. A. E. London-Weinstein
- The Hon. P. MacEachern (Family Court Branch)
- The Hon. R. L. Maranger
- The Hon. H. R. McLean
- The Hon. K. L. McVev
- The Hon. G. Mew
- The Hon. T. Minnema (Family Court Branch)
- The Hon. K. Muszynski
- The Hon. J. A. Parfett
- The Hon. R. Pelletier
- The Hon. K. B. Phillips
- The Hon. O. Rees
- The Hon. C. Robertson (Family Court Branch)
- The Hon. P. E. Roger
- The Hon. R. M. Ryan-Bell
- The Hon. M. P. Shelston (Family Court Branch)
- The Hon. M. E. Smith
- The Hon. R. J. Smith
- The Hon. N. Somji
- The Hon. D. L. Summers (Family Court Branch)
- The Hon. D. Swartz (Family Court Branch)
- The Hon. N. J. Tellier (Family Court Branch)
- The Hon. G. W. Tranmer
- The Hon. A. C. Trousdale (Family Court Branch)
- The Hon. T. Waters (Family Court Branch)
- The Hon. H. J. Williams

ASSOCIATE JUDGES

- Associate Justice M. T. Fortier

The East Region encompasses the regional judicial centre of Ottawa, along with ten other court locations: Belleville, Brockville, Cornwall, Kingston, Kingston Family Court, L'Orignal, Napanee, Pembroke, Perth, and Picton. All of these locations are also Family Court sites.

The East Region comprises the geographic counties of Hastings, Prince Edward, Lennox and Addington, Frontenac, Lanark, Leeds and Grenville, Stormont, Dundas and Glengarry, Prescott and Russell, Renfrew, and the City of Ottawa. It is a vast area running eastward along Lake Ontario and the St. Lawrence River to the Quebec border, and northward along the Ottawa River to almost Mattawa. The region has a population of approximately 2 million people with half that number residing in Ottawa. The City of Ottawa adjoins the City of Gatineau in Quebec with a population of over 300,000. Many people reside in one province but work, and perhaps litigate, in the other.

The judges of the East Region frequently travel between courthouses to preside over family, civil, or criminal proceedings. Many proceedings in Ottawa, Cornwall, and L'Orignal are heard in French, which supports and reflects Canada's bilingual culture. Fortunately, the East Region has a substantial number of bilingual judges.

Several courthouses in the region date from the 19th century and contain treasures from Canada's early legal history. The two oldest courthouses, in Picton and L'Orignal, were both built in the 1820s and are used today in much the same way as they were then. Lawyers who pleaded cases in the 19th century included Sir John A. Macdonald.

The historic courthouses in Pembroke and Brockville have been expanded and modernized in a manner preserving their architectural heritage while also meeting the needs of a modern courthouse. An entirely new courthouse was built in Belleville in 2013 and is well equipped with modern technology. In Ottawa, renovations are anticipated to the 36-room courthouse opened in 1986. This should provide additional hearing space, additional judicial chambers, and accommodation for staff. Discussion is underway to address the needs of other judicial locations.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

Over the past five years, the region was forced to respond and adjust quickly to the pandemic. This included the integration of new technology into existing courtrooms to facilitate remote and hybrid hearings. While these types of hearings continue to be used in appropriate situations post-pandemic, the region has also returned to in-person hearings, in particular trials.

In May 2021, the Binding Judicial Dispute Resolution pilot project for family cases was introduced to the region in Cornwall. This pilot allowed parties to consent to participate in the program to arrive at a final resolution of their case without the need for a trial. The pilot was successfully extended to Ottawa, L'Orignal, and Pembroke, and is helping to resolve simpler family law cases.

Following the pandemic, the region also explored ways to address its civil backlog. This included implementing concentrated civil trial schedules, along with novel approaches to reducing the region's backlog of in-writing motions.

Lastly, the region played host to several international judicial delegations, including judges from Latvia, Finland, Ukraine, Vietnam, Mongolia, and Moldova, as well as from around the Commonwealth.

05 NORTHEAST REGION

The Honourable Patrick J. Boucher is the Regional Senior Judge of the Northeast Region. As of December 31, 2023, the region had 14 full-time judges and 2 supernumerary judges.



The Hon. Patrick Boucher **Regional Senior Judge** January 2024 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. M. Gregory Ellies Regional Senior Judge January 2019 – December 2023

The Hon. Robert. D. Gordon **Regional Senior Judge** January 2014 – January 2019

POPULATION: 592,947



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. R. Y. Tremblay, Cochrane
- The Hon. A. D. Kurke, Gore Bay
- The Hon. J. A. Richard, Haileybury
- The Hon. M. G. Ellies, North Bay
- The Hon. S. K. Stothart, Parry Sound
- The Hon. M. N. Varpio, Sault Ste. Marie
- The Hon. P. J. Boucher, Sudbury
- The Hon. C. A. MacDonald, Timmins

FORMER

- The Hon. J. A. S. Wilcox, Haileybury
- The Hon. E. J. Koke, Parry Sound
- The Hon. E. E. Gareau, Sault Ste. Marie
- The Hon. R. D. Gordon, Sudbury

JUDGES OF THE REGION

- The Hon. V. R. Chiappetta
- The Hon. R. D. Cornell
- The Hon, K. E. Cullin
- The Hon. M. G. Ellies
- The Hon. E. E. Gareau
- The Hon. R. D. Gordon
- The Hon. P. C. Hennessy
- The Hon. A. D. Kurke
- The Hon. C. A. M. MacDonald
- The Hon. D. J. Nadeau
- The Hon. A. S. Rasaiah
- The Hon. J. Richard
- The Hon. S. Stothart - The Hon. R. Y. Tremblay
- The Hon. M. N. Varpio
- The Hon. J. A. S. Wilcox

The Northeast Region is geographically vast, covering approximately 300,000 square kilometres. It extends south from Hudson's Bay to Parry Sound, and east from Sault Ste. Marie and Wawa to Mattawa and the Quebec border.

The region's total population is almost 600,000, which includes a significant number of Indigenous peoples. The region also hosts many Francophones, who are served by our bilingual judges. After an initial decline between 2011–2016, the region's population has consistently increased due in large part to intra-provincial and international relocation as a result of the pandemic.

The region's major industries are forestry and mining, the latter of which has been experiencing a sustained boom, though manufacturing, transportation, public service, and tourism are also significant.

The region includes the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury, and Temiskaming, each of which has a district courthouse. Timmins, which is in the Cochrane district, also has a Superior Court of Justice courthouse.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

The Northeast Region was uniquely positioned for the shift to remote courts using video conferencing; for over a decade before it had already been using video conferencing to offset geographical challenges for attendance in court. The increased use of hybrid hearings during the pandemic had a considerable impact in the region. The Court is now, when necessary, able to undertake almost every aspect of its work remotely. Given the region's vastness, this has resulted in judges and parties saving considerable time and expense while achieving access to justice.

Nevertheless, despite its expanse, the region recognized the irreplaceable advantages of being together in a courtroom. After considerable consultation with members of the Bar, the Northeast Region decided to continue to require in-person appearances as the default in long motions and applications.

A significant Indigenous population inspires our judges to strengthen their understanding of Indigenous culture and to foster their relationship with them. Over the past five years, the judiciary developed and implemented learning opportunities to increase cultural competence regarding Indigenous people. This included meetings with Elders on the National Day for Truth and Reconciliation to discuss the Court's role regarding the Calls to Action and receiving teachings on Indigenous peoples' experiences within the court system. Further, the region's judiciary also participated in Indigenous ceremonies, including teachings involving eagle feathers and the transfer of responsibility for an eagle feather in one of our districts. Responsibility for this eagle feather was granted by an Elder for use in our courts.

The region's judiciary maintained their support of continuing professional development for local lawyers and paralegals through their participation in the annual Colloquium, which gathers lawyers from the region in Sudbury for several days of education. The judiciary also led and organized an annual moot court with high school students.

Finally, the region's judiciary briefly achieved gender equality on the bench. The goal is to establish and maintain that balance in the years to come.

06 NORTHWEST REGION

The Honourable W. Danial Newton is the Regional Senior Judge of the Northwest Region. As of December 31, 2023, the region had four full-time judges and one supernumerary judge.



The Hon. W. Danial Newton Regional Senior Judge October 2023 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. Tracey J. Nieckarz Acting Regional Senior Judge June 2023 – October 2023

The Hon. Bonnie R. Warkentin Regional Senior Judge January 2017 – June 2023

POPULATION: 249,952



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. J. Fregeau, Kenora and Fort Frances
- The Hon. W. D. Newton, Thunder Bay, Criminal
- The Hon. F. B. Fitzpatrick, Thunder Bay, Civil
- The Hon. T. J. Nieckarz, Thunder Bay, Family
- The Hon. H. M. Pierce, Thunder Bay, Estates

FORMER

- The Hon. B. R. Warkentin, Thunder Bay

JUDGES OF THE REGION

- The Hon. F. B. Fitzpatrick
- The Hon. J. S. Fregeau
- The Hon. T. Nieckarz
- The Hon. H. M. Pierce
- The Hon. B. R. Warkentin

The Northwest Region includes the regional judicial centre of Thunder Bay, along with two other court locations in Fort Frances and Kenora.

The Northwest Region comprises 48 percent of Ontario's land mass but, with approximately 250,000 residents, only 2 percent of its population. Covering the territorial Districts of Kenora, Rainy River, and Thunder Bay, the region is bracketed by Lake Superior in the southeast and the Lake of the Woods in the northwest. The region crosses two times zones, with Thunder Bay on Eastern Standard Time, and Kenora and Fort Frances on Central Standard Time.

The Northwest Region was settled by European immigrants and is home to the Ojibway and Métis peoples. The Northwest Company engaged in the fur trade and attracted European settlement and industry. With the development of the railway, western grain was transported by rail to the present location of Thunder Bay for shipment east to the Great Lakes. This established shipping as a prominent industry and led to the evolution and success of forestry and mining enterprises. More recently, Kenora, Fort Frances, and Thunder Bay have developed as regional centres for education, medical care, tourism, and legal and commercial activities. Lakehead University and Confederation College are at the heart of this knowledge-based economy.

The distances between the principal centres of the Northwest Region and the rest of the province are vast. For example, Thunder Bay is as far from Toronto as Toronto is from Fredericton, New Brunswick, approximately 1,400 kilometres. The region's judicial centres are also far apart: Thunder Bay is 335 kilometres from Fort Frances and 490 kilometres from Kenora.

While Kenora has one full-time judge, there is no resident judge in Fort Frances. Both centres are served by judges circuiting from Thunder Bay or by video conferencing. Travel between Thunder Bay and Fort Frances or Kenora is usually undertaken by car as commercial air service has recently been suspended.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

As with other regions, the pandemic resulted in a temporary pause to in-person court attendances, delaying proceedings and creating trial backlogs. However, the region quickly embraced technology to resume regular operations. Video conferencing and teleconferencing are now the conventional modes for hearings to conduct the Court's business. These alternatives have facilitated the deployment of judges, reduced travel expenses for litigants and counsel, and have mitigated winter weather. The use of technology has also allowed the Court to schedule proceedings on a regional basis, thereby improving access to justice for smaller communities.

The region also had a fire at the Thunder Bay Courthouse, which was forced to close as a result. The Court quickly transitioned to operating out of a temporary space at the Courthouse Hotel until repairs were completed in February 2021.

The region has also actively developed its relationships with its local bar associations, Bora Laskin Faculty of Law, and high schools, along with the broader community to further continuing legal education and enhance the public's understanding of the justice system.

07 SOUTHWEST REGION

The Honourable Renee M. Pomerance is the Regional Senior Judge of the Southwest Region. As of December 31, 2023, the region had 26 full-time and 7 supernumerary judges.



The Hon. Renee M. Pomerance Regional Senior Judge October 2023 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. A. Duncan Grace Acting Regional Senior Judge June 2023 – October 2023

The Hon. Bruce G. Thomas Regional Senior Judge June 2017 – May 2023

POPULATION: 1,647,609



LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. P. J. Howard, Windsor
- The Hon. S. K. Campbell,
- St. Thomas & Woodstock
- The Hon. R. Raikes, Sarnia & Chatham
- The Hon. M. A. Garson, Stratford & Goderich
- The Hon. A. Mitchell, London
- The Hon. K. Sah, London Family Court

FORMER

- The Hon. A. Duncan Grace, London
- The Hon. P. J. Henderson, London Family Court
- The Hon. R. M. Pomerance, Windsor
- The Hon. I. F. Leach, Stratford

JUDGES OF THE REGION

- The Hon. J. E. Bezaire
- The Hon. C. Bondy
- The Hon. S. K. Campbell
- The Hon. M. V. Carroccia
- The Hon. M. Cook
- The Hon. B. Dubé
- The Hon. M. A. Garson
- The Hon. K. A. Gorman
- The Hon. S. Hassan (Family Court Branch)
- The Hon. P. L. Hebner
- The Hon. T. A. Heeney
- The Hon. P. J. Henderson (Family Court Branch)
- The Hon. J. P. R. Howard
- The Hon. J. P. Howie
- The Hon. G. W. King
- The Hon. D. M. Korpan (Family Court Branch)
- The Hon. I. F. LeachThe Hon. L. Leitch
- The Hon. J. R. Macfarlane
- The Hon. M. D. McArthur
- The Hon. A. K. Mitchell
- The Hon. V. Mitrow (Family Court Branch)
- The Hon. P. Moore
- The Hon K W Munroe
- The Hon. S. Nicholson
- The Hon, J. Perfetto
- The Hon. T. G. Price (Family Court Branch)
- The Hon. H. A. Rady
- The Hon. R. M. Raikes
- The Hon. K. Sah (Family Court Branch)
- The Hon. G. Thomas
- The Hon. B. M. Tobin (Family Court Branch)
- The Hon. K. C. Tranquilli

The Southwest Region stretches from Windsor to Woodstock and includes the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford, and Perth. It includes the regional judicial centre of London, as well as courts in Chatham, Goderich, Sarnia, St. Thomas, Stratford, Windsor, and Woodstock. London and Windsor are the region's busiest court locations. London and St. Thomas are the only sites with a Family Court.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

The strength of the Southwest Region emanates from the collegiality amongst its judges and those who facilitate the administration of justice. Through this same cooperation and the diligent efforts of the region's judges, administrators, trial coordinators, court staff, and bar, the Southwest Region was able to forge practical solutions to the challenges posed by the pandemic. This included a new initiative to address the pandemic's resulting backlog of civil trials. From November to December 2023, the region conducted a highly successful virtual trial sitting that involved judges from outside of the region conducting pre-trials as well as hearing certain non-jury civil trials by video conference. This was the first of its kind across the Court. Based on its success, a second virtual trial sitting is scheduled for November 2024.

During and since the pandemic, the region has conducted multiple high-profile homicide trials using the Zoom video platform to ensure broad public access, including live-stream access to remote locations. During one in-person trial, a webinar link was shared with stakeholders and certain media organizations. This step facilitated the open court principle while ensuring the integrity and security of the proceedings. The Trial Coordination office in Windsor spearheaded this approach, which, notably, set a template for complex cases attracting a strong public interest.

In 2019, the region saw the expansion of the Family Court to St. Thomas. Drawing from the lessons at the Family Court Branch in London, this expansion has proven effective with the assistance of family patent judges circuiting through the region. Additionally in Family Court, the region introduced the Binding Judicial Dispute Resolution pilot project in London in December 2023. This pilot has already proven promising and is a procedure the Southwest Region hopes to roll out across the entire region.

In the Fall of 2023, the region welcomed a visit of several judges of the Court of Appeal for Ontario. Held in Windsor, the events were attended by judges of both the Ontario Court of Justice and Superior Court of Justice, including Chief Justice Geoffrey Morawetz. As well, the Friday night dinner was attended by Chief Justice of Canada Richard Wagner and Attorney General Doug Downey. These events, which took place over the course of two days, allowed for an important exchange of experiences, challenges, and ideas, ultimately fostering a sense of collegiality between courts and enhancing our respective levels of mutual understanding.

In November 2023, the region hosted the first annual Honourable Steven Rogin Lecture in Criminal Law. The lecture series was organized by the Windsor Court in honour of their late colleague Steven Rogin, who lost his battle with cancer some years ago. He remains an important part of the Windsor Court's legacy and, in honour of his memory, Justice Sheilah Martin of the Supreme Court of Canada attended to present the inaugural lecture.

More recently, the region introduced long civil trial sittings. Commencing in 2025, these will be conducted twice a year, in the spring and fall. This important development is aimed at ensuring that civil trials can be heard in a timelier way. This is a welcome development for both the Bench and Bar and will facilitate meaningful access to justice for civil litigants.

08 TORONTO REGION

The Honourable Stephen E. Firestone is the Regional Senior Judge of the Toronto Region. As of December 31, 2023, the region had 63 full-time and 32 supernumerary judges, as well as 14 associate judges who also continue to circuit in Brampton, Milton, Hamilton, and Newmarket.



The Hon. Stephen E. Firestone Regional Senior Judge February 2020 – Present

FORMER REGIONAL SENIOR JUDGE(S)

The Hon. Todd L. Archibald Acting Regional Senior Judge September 2019 – February 2020

The Hon. Geoffrey B. Morawetz Regional Senior Judge December 2013– June 2019

POPULATION: 3,135,243



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LOCAL ADMINISTRATIVE JUDGES CURRENT (AS OF DECEMBER 31, 2023)

- The Hon. D. Wilson, Civil
- The Hon. F. Myers, Civil
- The Hon. S. Shore, Family
- The Hon. B. Glustein, Class Actions
- The Hon. M. Forestell, Criminal
- The Hon. R. Goldstein, Criminal
- The Hon. J. Diamond, Family
- The Hon. W. Matheson, Divisional Court
- The Hon. B. Dietrich, Estates
- FORMER
- The Hon. S. Firestone, Civil
- The Hon. P. Perell, Class Actions
- The Hon. S. Stevenson, Family
- The Hon. J. McMahon, Criminal
- The Hon. J. Kelly, Criminal
- The Hon. G. Hainey, Commercial
- The Hon. J. Thorburn, Divisional Court
- The Hon. K. Hood, Family
- The Hon. D. Corbett, *Divisional Court*
- The Hon. L. Favreau, Divisional Court
- The Hon. T. McEwen, Commercial

JUDGES OF THE REGION

- The Hon, R. L. Akazaki
- The Hon. J. T. Akbarali
- The Hon. S. A. Q. Akhtar
- The Hon. B. A. Allen
- The Hon. N. L. Backhouse
- The Hon. J. M. Barrett
- The Hon. P. Bawden
- The Hon. W. BlackThe Hon. S. Boucher
- The Hon, C. J. Brown
- The Hon. M. F. Brown
- The Hon. L. Brownstone
- The Hon. K. P. Byrne
- The Hon. J. Callaghan
- The Hon. K. L. Campbell
- The Hon. R. P. Campbell
- The Hon. P. J. Cavanagh
- The Hon. R. Centa
- The Hon. W. S. Chalmers
- The Hon. M. Code
- The Hon. B. A. Conway
- The Hon. D. L. Corbett
- The Hon. K. B. Corrick
- The Hon. B. L. Croll
- The Hon. G. Czutrin
- The Hon. B. Davies
- The Hon. J. F. Diamond
- The Hon. B. Dietrich

- The Hon. M. Dineen
- The Hon. G. R. Dow
- The Hon. T. DucharmeThe Hon. S. F. Dunphy
- The Hon. 3.1. Durphy
- The Hon. M. D. Faieta
- The Hon. J. FergusonThe Hon. M. D. Forestell
- The Hon. N. E. Garton
- The Hon. C. A. Gilmore
- The Hon B T Glustein
- The Hon. R. F. Goldstein
- The Hon. K. F. Goldste
 The Hon. S. G. Himel
- The Hon. K. G. Hood
- The Hon. C. J. Horkins
- The Hon, J. E. Kelly
- The Hon. J. Kimmel
- The Hon, M. Koehnen
- The Hon. M. Kraft
- The Hon. F. Kristjanson
- The Hon. J. Leiper
- The Hon. R. A. Lococo
- The Hon. W. Low
- The Hon. W. M. Matheson
- The Hon. R. Maxwell
- The Hon. H. McArthur
- The Hon. J. B. McMahon
- The Hon. L. P. Merritt
- The Hon. A. M. Molloy
- The Hon. E. M. Morgan
- The Hon. F. L. Myers
- The Hon. S. S. Nakatsuru
- The Hon. E. L. Nakonechny
- The Hon. S. Nishikawa
- The Hon. S. O'Brien
- The Hon. A. J. O'Marra
- The Hon. B. P. O'Marra
- The Hon. P. J. Osborne
- The Hon. E. Papageorgiou
- The Hon. J. Penman
- The Hon. M. A. Penny
- The Hon. P. M. Perell
- The Hon. A. PintoThe Hon. A. PollakThe Hon. J. Presser

- The Hon. M. G. Quigley

- The Hon, A. P. Ramsav

- The Hon, G. E. Roberts

- The Hon. N. Des Rosiers

- The Hon. M. A. Sanderson

– The Hon. A. A. Sanfilippo

The Hon. P. B. Schabas

- The Hon, P. A. Schreck

- The Hon. M. Sharma

- The Hon. J. Shin Doi

- The Hon. S. Shore

– The Hon. H. E. Sachs

- The Hon. C. H. Rhinelander

The Toronto Region divides its judicial complement into various teams, each of which is supervised by at least one team leader designated by the Regional Senior Judge. Together, these teams cover the various matters heard in the region. In addition, the region's complement of associate judges hears various civil matters, including motions, case conferences, and pre-trials. Associate judges also adjudicate construction lien trials, mortgage and general references, and serve as Registrars in Bankruptcy.

DEVELOPMENTS AND ACHIEVEMENTS IN THE LAST FIVE YEARS

The Toronto Region's judges and associate judges have been proactive in addressing the backlog created by the pandemic.

During the pandemic, criminal jury trials were suspended for lengthy periods, resulting in a backlog. In response, the criminal team introduced a specialized *Jordan* court. The team also introduced a streamlined 90-day review pilot project: two days each month, the Court now conducts 90-day detention reviews involving self-represented individuals with the assistance from duty counsel. Additionally, the team made great progress with the use of video appearances to save time and resources. Indeed, most of the region's criminal judicial pre-trials, bail hearings, practice court, assignment court, 90-day reviews, and other administrative courts are now conducted by video conference.

The family team has also taken an innovative approach to dealing with its caseload following the pandemic. The team implemented a weekly To Be Spoken court to address urgent matters, trial adjournments, and procedural directions. The team also implemented Binding Judicial Dispute Resolution intended to resolve single-issue matters. Lastly, given the success of the team's use of concentrated case conference weeks, the team implemented a monthly "blitz" week during which the entire team generally spends the week hearing case conferences.

With the implementation of Calendly online scheduling in the region, civil matters before judges and associate judges are moving toward computerized scheduling. The triage process for short motions requests before a judge has also been streamlined. Specifically, the civil team introduced a new procedure whereby certain short motions before a judge must proceed to a case conference before a hearing date is scheduled. These case conferences have been successful in helping parties to settle their disputes and reduce the number of short motions.

The Toronto Region introduced an express court for short motions before associate judges, as well as increased number of case conferences. Judges and associate judges continue to respond to urgent motion requests.

Long motions before a judge are scheduled in Civil Practice court. Over the past five years, this has become a more proactive court. In particular, the Court is actively screening requests for summary judgment to determine whether the proposed motion's scheduling is appropriate in the circumstances. Further, parties are now encouraged to participate in mandatory mediation before scheduling court dates.

Trial scheduling court is held virtually on a weekly basis. The expectation is that counsel are ready to book the first available date. Additionally, counsel are now required to file a timetable for the delivery of expert reports at the time trial dates

- The Hon. G. F. Speigel
- The Hon. N. J. Spies
- The Hon. J. SteeleThe Hon. E. M. Stewart
- The Hon. D. G. Stinson
- The Hon. P. T. Sugunasiri
- The Hon. S. Vella
- The Hon. M. Vermette
- The Hon. D. A. Wilson
- The Hon. H. J. Wilton-Siegel

ASSOCIATE JUDGES

- Associate Justice L. S. Abrams
- Associate Justice R. Brott
- Associate Justice D. M. Brown
- Associate Justice G. Eckler
- Associate Justice R. Frank
- Associate Justice A. Ilchenko
- Associate Justice K. E. Jolley
- Associate Justice J. Josefo
- Associate Justice L. La Horey
 Associate Justice B. McAfee
- Associate Justice D. McAlce
 Associate Justice M. P. McGraw
- Associate Justice M. P. McGraw
 Associate Justice S. Rappos
- Associate Justice J. Rappos
 Associate Justice T. Robinson
- Associate Justice C. G. T. Wiebe

are confirmed. To ensure that trials proceed as scheduled, the Court also convenes case conferences to address trial management and scheduling issues, thereby avoiding the need for formal motions and moving cases forward more efficiently.

The Bench and Bar have also worked closely together to enhance quick and effective access to the Court for class proceedings through a centralized process for case management of new matters to ensure that case conferences and motions proceed on a timely basis.

The Commercial List team continues to be dedicated to hearing insolvency and complex commercial matters in the Toronto Region. The Commercial List Practice Direction was updated in June 2023 to reflect current practices. The team has regular and productive meetings with representatives of the Bar through the Commercial List Users Committee. Scheduling practices have seen a return to in-person hearings for most contested matters.

The Toronto Estates list team was created when the combined Commercial and Estates Lists was divided into two separate lists in September 2022. Since then, the Toronto Estates List Bench and Bar Committee was transformed into a provincial bench-bar committee with members, both judges and lawyers, from across the province. The Committee is currently engaged in finalizing a province-wide Estates List Practice Direction. The Estates List hears an increasingly high volume of cases, though accommodates urgent matters promptly. Active case management, judicial mediation, and pre-trial conferences lead to fewer trials and multi-day motions and applications. These practices are also proving successful in guiding parties to resolutions and avoiding unnecessary interlocutory motions.



SPECIAL RECOGNITION

Former Chief Justice Heather Forster Smith, former Associate Chief Justice Frank N. Marrocco, and former Senior Family Judge George Czutrin are recognized for their exemplary service.

The Honourable Heather Forster Smith

Chief Justice of the Superior Court of Justice

December 2002 – June 2019

For 17 years as Chief Justice, The Honourable Heather Forster Smith was deeply devoted to the Court and was responsible for a number of positive reforms to the Court's administration and process, including a significant expansion of the Unified Family Court.

The Honourable Frank N. Marrocco Associate Chief Justice of the Superior Court of Justice

June 2013 – November 2020

During his seven-year tenure as Associate Chief Justice, The Honourable Frank N. Marrocco earned significant respect from his colleagues by providing insightful and practical counsel that included a keen ability to reach the heart of any matter before him. The impact of the pandemic was successfully mitigated by the Court with his collaborative leadership and contribution on the Executive Council.

The Honourable George Czutrin

Senior Family Judge of the Superior Court of Justice

December 2013 – February 2020

Former Senior Family Judge Czutrin served the Family Court Branch of the Superior Court of Justice for seven years, during which he facilitated the Unified Family Court expansion. Throughout his career, Justice Czutrin has been a respected author, a speaker in demand, and educator on family law issues. Justice Czutrin continues to serve as a judge of the Court in the Toronto region.

RETIRED JUDGES & ASSOCIATE JUDGES JAN. 1, 2019 – DEC. 31, 2023

COURT EXECUTIVE

The Hon. Heather Forster Smith (1983–2019) The Hon. Frank N. Marrocco (2005–2020)

CENTRAL EAST REGION

The Hon. Lydia M. Olah (1999–2019) The Hon. Anne Mullins (2009–2019) The Hon. Thomas Wood (1995–2020) The Hon. Edwin B. Minden (1996–2020) The Hon. D. Roger Timms (1999–2020) The Hon. Gregory M. Mulligan (2008–2021) The Hon. Guy P. DiTomaso (2003–2021) The Hon. Fred Graham (2004–2021) The Hon. Ramona A. Wildman (1999–2022) The Hon. Margaret Eberhard (1994–2022) The Hon. Alan Ingram (1999–2022)

CENTRAL SOUTH REGION

The Hon. Jane A. Milanetti (2003–2020) The Hon. Patrick J. Flynn (2002–2020) The Hon. C. Stephen Glithero (1992–2021) The Hon. Alan C. R. Whitten (1998–2021) The Hon. James R. H. Turnbull (2005–2021) The Hon. James W. Sloan (2011–2022) The Hon. J. Wilma Scott (1999–2022) The Hon. Mary J. McLaren (1999–2023)

CENTRAL WEST REGION

The Hon. Silja S. Seppi (1999–2019) The Hon. Douglas K. Gray (2006–2020) The Hon. Dale F. Fitzpatrick (2012–2022) The Hon. David G. Price (2008–2023) The Hon. Bruce Durno (1998–2023) The Hon. Francine E. Van Melle (2000–2023) The Hon. R. John Harper (2006–2023) The Hon. Nancy M. Mossip (1997–2023)

EAST REGION

The Hon. Lynn Ratushny (1999–2019) The Hon. Maria T. Linhares de Sousa (1999–2019) The Hon. Wolfram Tausendfreund (2006-2020) The Hon. Helen K. MacLeod-Beliveau (1989-2020) The Hon. Michel Z. Charbonneau (1997–2021) The Hon, Paul B. Kane (2007–2021) The Hon. Robert N. Beaudoin (2009-2021) The Hon. Kenneth E. Pedlar (1999-2021) The Hon. Catherine D. Aitken (1997-2022) The Hon. Robert A. Riopelle (1999-2022) The Hon. James McNamara (2008-2022) The Hon. V. Jennifer Mackinnon (1999-2022) The Hon. Wendy B. Malcolm (2019-2023) The Hon. Robert F. Scott (2000-2023) The Hon. Ronald M. Laliberté (2013–2023) The Hon. Martin S. James (2009–2023)

NORTHEAST REGION

The Hon. George Valin (1990–2019) The Hon. Lawrence Whalen (1992–2019) The Hon. John S. Poupore (1995–2019) The Hon. Ian S. McMillan (2001–2020) The Hon. Robert G. S. Del Frate (2001–2020) The Hon. Paul U. Rivard (1997–2021) The Hon. Louise L. Gauthier (1999–2021) The Hon. Edward J. Koke (2008–2022)

NORTHWEST REGION

The Hon. Terrence A. Platana (1991–2019) The Hon. G. Patrick Smith (2001–2020) The Hon. Douglas C. Shaw (2005–2021)

SOUTHWEST REGION

The Hon. Henry Vogelsang (1995–2019) The Hon. Peter B. Hockin (1992–2020) The Hon. Terrence L. J. Patterson (1999–2020) The Hon. Lynda C. Payton (formerly Templeton) (1998–2021) The Hon. Joseph M. W. Donohue (1999–2021) The Hon. Gregory J. Verbeem (2014–2022) The Hon. David R. Aston (1995–2023) The Hon. A. Duncan Grace (2010–2023) The Hon. John A. Desotti (1996–2023)

TORONTO REGION

The Hon. Edward F. Then (1989–2019) The Hon. Emile R. Kruzick (1996–2019) The Hon. Tamarin M. Dunnet (1990–2019) The Hon. Robert A. Clark (2003–2020) The Hon. Victor Paisley (1989–2020) The Hon. J. Patrick Moore (2005–2020) The Hon. Todd L. Archibald (1999–2021) The Hon. Susanne Goodman (2000–2021) The Hon. Arthur Gans (1997-2021) The Hon. Frances P. Kiteley (1995–2021) The Hon. Ian A. MacDonnell (2008–2022) The Hon. Laurence A. Pattillo (2006–2022) The Hon. Janet Wilson (1992–2022) The Hon. Michael R. Dambrot (1996–2022) The Hon. Katherine E. Swinton (1997–2022) The Hon. Thomas R. Lederer (2007–2023) The Hon. Thomas McEwen (2009–2023)

ASSOCIATE JUDGES

Associate Justice Donald Short (2009–2021) Associate Justice May Jean (2005–2023) Associate Justice Andrew Graham (2006–2023)

IN MEMORIAM JAN. 1, 2019 – DEC. 31, 2023

The Hon. Janet L. Boland 1923–2019

The Hon. Robert E. Zelinski 1932–2019

The Hon. Clarence R. Harris 1939–2019

The Hon. Lorraine Gotlib 1931–2019

The Hon. John A. Pringle 1924–2019

The Hon. Bryan Shaughnessy 1949–2019

The Hon. Stanley R. Kurisko 1928–2019

The Hon. Robert M. Thompson 1947–2019

The Hon. Douglas H. Carruthers 1930–2020

The Hon. Ronald G. Thomas 1937–2020

The Hon. Romain W. M. Pitt 1935–2020

The Hon. Norman D. Dyson 1932–2020

The Hon. G. Dennis Lane 1932–2020

The Hon. John deP Wright 1940–2020

The Hon. Robert A. F. Sutherland 1929–2020

The Hon. Bernard W. Hurley 1927–2020

The Hon. James D. Bernstein 1937–2020

The Hon. R. Jeffrey Flinn 1929–2020 The Hon. Clair B. Marchand 1934–2021

The Hon. John H. Jenkins 1933–2021

The Hon. Glenn A. Hainey 1951–2021

The Hon. Carl Zalev 1928–2021

The Hon. Edward Saunders 1925–2021

The Hon. Walter T. Stayshyn 1934–2021

The Hon. Bernard J. Manton 1935–2021

The Hon. David W. E. Salmers 1954–2022

The Hon. John J. Cavarzan 1938–2022

The Hon. Patrick J. Flynn 1945–2022

The Hon. James M. Donnelly 1930–2022

The Hon. George Yates 1925–2022

The Hon. Dougald R. McDermid 1938–2022

The Hon. Abraham Mandel 1930–2022

The Hon. Donna J. Haley 1929–2023

The Hon. Edward P. Belobaba 1948–2023

The Hon. P. Theodore Matlow 1940–2023

Associate Justice Robert Muir 1963–2020

SECTION 5 COURT STATISTICS

7.5

COURT STATISTICS

In addition to outlining the number of new proceedings the Ontario Superior Court of Justice received from 2019–2023 and providing other information about the Court's operations, the following pages detail the activities that most occupied the Court's time in Civil, Family, Criminal, and Small Claims Court, along with the modes in which these activities were heard. This data also reflects the Court's significant transformation from 2019–2023.

The data included in this section was collected by the Ministry of the Attorney General on behalf of the Ontario Superior Court of Justice. This data is being provided as Ministry staff entered it into the Court's case management system FRANK. Therefore, the accuracy and reliability of this data is dependent upon staff's data entry practices and may have also been affected by the pandemic.

OVERVIEW

NEW SCJ PROCEEDINGS RECEIVED 2019–2023



New criminal proceedings include all new indictments and appeals for both adult and youth matters, as well as all new bail and detention reviews. Each of these is counted as one new proceeding, regardless of the number of accused involved. This is in contrast to the Ontario Court of Justice, which counts each new case based on the number of accused involved. New family proceedings include all new applications and motions to change a final order. They do not include enforcement proceedings or fee waiver requests. New small claims proceedings include all new files opened except for enforcement proceedings or fee waiver requests. New civil proceedings include all new files opened except for Divisional Court and uncontested estate matters, solicitor and client assessments, fee waiver requests, or restitution orders.



SCJ EVENTS HEARD BY MODE 2019–2023

The data in this section describes the total number of "events" or appearances before the Court by the mode indicated. Each appearance on a file before the Court is entered by staff into FRANK, and is included in this section's charts, as a single event. The available FRANK data cannot be reliably used to reduce the number of appearances by mode to the number of files involved.

The code used to capture hybrid events was introduced for use in FRANK in February 2021.



KEY SCJ EVENTS HEARD 2019–2023

The data in this section illustrates the most frequently occurring, or most "key", Court events. This does not include Mandatory Information Program or First Appearance Court events in Family Court, or Request for a Clerk's Order events in Small Claims Court.





Documents Processed include all documents filed with, or issued by, the Court as recorded in FRANK using a corresponding FRANK code. Documents Processed through Justice Services Online include all documents accepted for filing with, or issued by, the Court.

CIVIL

NEW CIVIL PROCEEDINGS RECEIVED 2019–2023





KEY CIVIL EVENTS HEARD BY MODE 2019–2021

KEY CIVIL EVENTS HEARD BY MODE 2022–2023


FAMILY

NEW FAMILY PROCEEDINGS RECEIVED 2019–2023





KEY UNIFIED FAMILY COURT EVENTS HEARD BY MODE 2019-2021

KEY UNIFIED FAMILY COURT EVENTS HEARD BY MODE 2022–2023





KEY SCJ (NON-UNIFIED) FAMILY EVENTS HEARD BY MODE 2019-2021

KEY SCJ (NON-UNIFIED) FAMILY EVENTS HEARD BY MODE 2022-2023



CRIMINAL

NEW CRIMINAL PROCEEDINGS RECEIVED 2019–2023





KEY CRIMINAL EVENTS HEARD BY MODE 2019–2021



KEY CRIMINAL EVENTS HEARD BY MODE 2022–2023

SMALL CLAIMS

NEW SMALL CLAIMS PROCEEDINGS RECEIVED 2019–2023





KEY SMALL CLAIMS EVENTS HEARD BY MODE 2019–2021

KEY SMALL CLAIMS EVENTS HEARD BY MODE 2022-2023



REGIONAL STATISTICS

NEW SCJ PROCEEDINGS, CENTRAL EAST REGION 2019-2023





NEW SCJ PROCEEDINGS, CENTRAL SOUTH REGION 2019–2023



NEW SCJ PROCEEDINGS, CENTRAL WEST REGION 2019–2023



NEW SCJ PROCEEDINGS, EAST REGION 2019-2023



NEW SCJ PROCEEDINGS, NORTHEAST REGION 2019–2023



NEW SCJ PROCEEDINGS, NORTHWEST REGION 2019–2023

NEW SCJ PROCEEDINGS, SOUTHWEST REGION 2019–2023





NEW SCJ PROCEEDINGS, TORONTO REGION 2019–2023

ENDNOTES & PHOTO DESCRIPTORS

Population Source: Ontario Ministry of Finance Population Projections (Summer 2023).

PREVIOUS REPORTS

2017–2018: The Superior Court of Justice: Enhancing Public Trust

2015-2016: The Superior Court of Justice: Realizing Our Vision

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