



# ONTARIO SUPERIOR COURT OF JUSTICE

## MEDIA GUIDE

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## 1. Introduction

This guide was published to help members of the news media and broader public to better understand how the Ontario Superior Court of Justice operates. To that end, it offers an overview of the Court and its judiciary, along with information on several topics related to the media and public's access to court proceedings and materials. In doing so, this guide attempts to foster greater public awareness of, and accurate reporting on, both the Court and the province's justice system. Those who find this guide helpful may also want to read the Court's [annual reports](#) or the Canadian Judicial Council's publication "[The Canadian Justice System and the Media](#)" for further information about the justice system and its legal processes.

To ensure that this guide is beneficial to all readers, it provides general information about the Court and its judiciary before addressing more specific issues related to accessing proceedings and materials. The Court recognizes that readers may come from diverse educational backgrounds and have varying levels of familiarity with Ontario's legal system. By including these more foundational explanations, this guide aims to create a resource that is inclusive and informative for everyone, regardless of their prior knowledge.

Please note that this guide is published for informational purposes only. It does not provide legal advice, nor does it limit or interfere in any way with the discretion that judges or associate judges have in the matters that come before them, or the Ministry of the Attorney General's authority in jointly administering the Court.

For information not addressed in this guide, please contact the Ontario Superior Court of Justice's Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca)

## 2. The Superior Court of Justice: A Brief Overview

The Ontario Superior Court of Justice is the province's superior trial court. Established in the 1790s, when what is now Ontario was Upper Canada, its jurisdiction can be traced back to the first courts of England whose authority to review government action was based in the Magna Carta. As its history suggests, the Court plays a vital role in upholding the rule of law and ensuring access to justice for Ontarians.

In fact, as a provincial superior trial court, the Court is one of "inherent jurisdiction." This means that its essential nature and powers are not derived from legislation but, instead, are enshrined in Canada's Constitution. Thus, while legislation may inform the Court's jurisdiction, its status and core function as a superior court—one intended to uphold the rule of law—is constitutionally protected.

### A. The Court's Jurisdiction

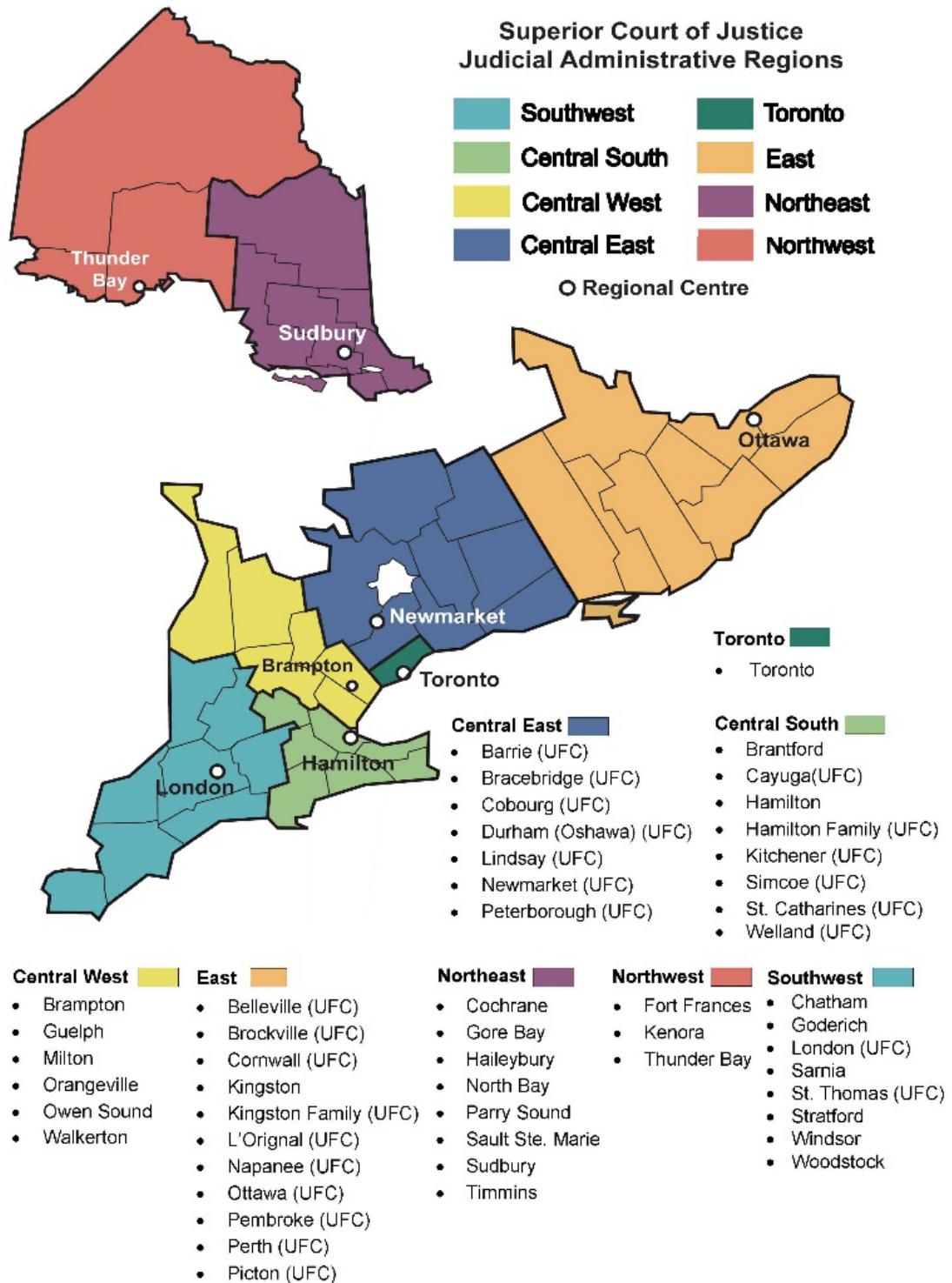
The Court is the largest superior trial court in Canada, both in terms of its caseload and number of judges. Its jurisdiction spans the following five areas:

- **Civil:** The Court hears all civil proceedings in Ontario, including cases involving personal injury, contract disputes, employment matters, debt collection, bankruptcy and insolvency, and litigation involving wills and estates. The Court also exercises appellate jurisdiction over certain civil matters under various statutes. In this respect, the civil justice system allows individuals to assert and defend their rights, as well as hold people and organizations accountable for their actions, a role critical to the province's social and economic stability.
- **Family:** All the Court's locations across the province hear family law matters, though the extent of its jurisdiction depends on the specific location. Under federal law, the Court has sole jurisdiction in all cases involving divorce and the division of property, while, under provincial law, child protection and adoption cases must be heard in the Ontario Court of Justice. Both courts hear family matters involving parenting issues, financial support for spouses and children, and urgent safety issues. Importantly, in 25 locations across Ontario, this split jurisdiction has been consolidated into a single court known as the Court's Family Court Branch or the Unified Family Court. Given its ability to hear all family matters, the Court's Family Court Branch provides Ontarians with a more specialized and efficient avenue for resolving their family law issues.
- **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 sitting either with or without a jury. The Court also reviews certain bail decisions made by the Ontario Court of Justice, and addresses bail at first instance for the most serious criminal offences.
- **Divisional Court:** The Divisional Court is a specialized administrative law and 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. As its name suggests, the Divisional Court normally hears cases using panels or "divisions" of multiple judges.
- **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. As of October 1, 2025, this limit will increase to \$50,000.

To better understand the volume and nature of the Court's caseload, please see the data posted on the [Court's website](#). Also, those wanting information about how the Court is situated within the justice system as a whole might want to consult the Department of Justice's overview [here](#). Similarly, for information about the difference between the

Superior Court of Justice and the Ontario Court of Justice, see the Ministry of the Attorney General's description [here](#) or the Ontario Justice Education Network's overview [here](#).

The Court sits in 52 locations across Ontario. For administrative purposes, the Court is divided into eight regions: Central East, Central South, Central West, East, Northeast, Northwest, Southwest, and Toronto. These regions are outlined in the following map, which also includes a list of the Court's locations:



## **B. The Court's Executive**

### *The Chief Justice*

The Court is led by the Chief Justice, who, as the Court's president, oversees its governance and administration. The Chief Justice has numerous responsibilities. Fundamentally, the Chief Justice is responsible for maintaining and safeguarding the Court's institutional impartiality and independence, an essential component of the rule of law and Canada's constitutional democracy. As the Court's leader, the Chief Justice also determines court policy and governance issues in consultation with, and on the advice of, the rest of RSJ Council, described further below.

The Chief Justice has numerous other duties and powers outlined in *Courts of Justice Act* ("CJA") and other legislation. This includes, under the CJA, assigning judges to the Court's regions, directing and supervising the Court's sittings, and assigning cases and other judicial duties to individual judges: see [s. 14\(1\)](#) and [s. 15\(1\)](#). Some of the Chief Justice's other statutory powers include appointing various officials and representatives, such as Registrars in Bankruptcy, members of the Civil Rules Committee, Family Court Community Liaisons, and *ad hoc* appointments to the Court of Appeal for Ontario.

Given these responsibilities, the Chief Justice is regularly required to communicate and liaise with the federal and provincial governments, other courts, and the justice system's many stakeholders, including the Bar.

### *RSJ Council*

The Court's executive leadership team, known as the Council of Regional Senior Judges or RSJ Council, is composed of the Chief Justice, the Associate Chief Justice, the Court's eight Regional Senior Judges, and the Senior Judge of the Family Court, each of whom are described in more detail below. In addition to performing their individual judicial functions, RSJ Council meets, typically quarterly, to consider issues relevant to the Court's administration of justice in Ontario: see [s. 52\(2.2\)](#) of the CJA.

### *The Associate Chief Justice*

The Associate Chief Justice exercises and performs the Chief Justice's powers and duties whenever the Chief Justice is absent from Ontario or unable to act: see [s. 14\(4\)](#) of the CJA. Along with this important responsibility, the Associate Chief Justice also performs specific duties assigned either by the Chief Justice or under legislation. This includes helping to oversee the Divisional Court, serving as a member of both the Civil Rules Committee and Family Rules Committee, and serving as the Chair of the Deputy Judges Council, which reviews and approves standards of conduct for the Small Claims Court's deputy judges.

### *The Senior Family Judge*

The Senior Family Judge provides advice to the Chief Justice on specific matters concerning the Family Court, including judicial education, practice and procedure, and

Family Court's expansion: see s. 14(5) of the CJA. Additionally, the Senior Family Judge advises on issues, and performs all other duties, relating to the family law work in all the Court's locations as assigned by the Chief Justice. This includes advising the Chief Justice on all aspects relating to the scheduling and assignment of judges to family and child protection proceedings, as well as working with the Regional Senior Judges in each region to help administer the Family Court branch in their regions. The Senior Family Judge is also a member of the Family Rules Committee and meets with the Community Liaison and Community Resources Committees established under the CJA: see s. 21.13 and s. 21.14.

### *The Regional Senior Judges*

Each of the Court's regions is headed by a Regional Senior Judge who exercises the powers and performs the duties of the Chief Justice in their region: see s. 14(2) and s. 75(1) of the CJA. This allows each Regional Senior Judge to manage the judicial sittings, assignment of cases, and otherwise administer the Court's operations in their region on the Chief's behalf.

In turn, each Regional Senior Judge has the authority to delegate to a judge in his or her region the authority to exercise specified functions: see s. 14(3) of the CJA. These Local Administrative Judges or Team Leads, as they are called, who are not part of the Court's executive, may be responsible for the day-to-day administration of a specific court location or substantive area of the Court's work.

Aside from their judicial and administrative duties, the Court's Regional Senior Judges have many other responsibilities related to the administration of justice in their respective regions on which they regularly advise the Chief Justice. This includes monitoring and reporting reserved judgements, addressing security issues, and acting as a member of various judicial and other committees.

## **C. The Court's Judicial Complement**

The Court's composition is set out in s. 12 of the CJA and Ontario Regulation 502/99 enacted thereunder. As of December 1, 2025, the Court had a complement of 341 judges, 24 associate judges, 251 deputy judges of the Small Claims Court, and a Small Claims Court Administrative Judge.

For a list of the Court's judges and the regions in which they sit, please visit the Court's website [here](#).

### *Judges*

The Court's judges are appointed under s. 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. More information about these Judicial Advisory Committees can be found [here](#).

Further to the federal *Judges Act*, candidates for judicial appointments must be members of the Bar of a Canadian province, and are required to have practiced law or have held a full-time position of a judicial nature for 10 years or more: see s. 3. 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: see s. 8(1).

#### **Associate Judges**

Associate judges preside over certain matters in civil cases. This includes motions, references, pre-trial conferences, and *Construction Act* trials. Associate Judges also serve as Registrars in Bankruptcy under the *Bankruptcy and Insolvency Act*. Associate judges can also perform case management in certain family cases in accordance with rule 42 of the *Family Law Rules*.

Associate judges are appointed under s. 86.1 of the CJA by the provincial Cabinet upon recommendation of the Attorney General of Ontario. As outlined therein, Candidates 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. Following their appointment, associate judges may hold office until they reach 65 years of age. Thereafter, their terms are reviewed on an annual basis, after which 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.

#### ***Deputy Judges and the 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*.

Pursuant to s. 32 of the CJA, 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 any number of additional three-year terms until they reach 65 years of age. At that point, and as with associate judges, their terms are reviewed annually and may be renewed for a further year by the Regional Senior Judge. A deputy judge may not hold office once they reach 75 years of age.

Deputy judges are supervised by the Small Claims Court Administrative Judge, who exercises the Chief Justice's delegated responsibility to oversee the Small Claims Court's day-to-day administration: s. 14(5.1) of the CJA. In addition to presiding in Small Claims Court and serving on several statutory committees, the Small Claims Court Administrative Judge advises the Chief Justice and the rest of the Court's Executive on issues related to the Small Claims Court. The Small Claims Court Administrative Judge is appointed by the provincial Cabinet, on the recommendation of the Attorney General, for a five-year term, which can be renewed for another five-year term on the recommendation of the Chief Justice: see s. 87.2 of the CJA.

#### **D. Judicial Independence and Judicial Accountability**

## *Judicial Independence*

Canada's constitutional democracy is composed of three branches of government. Each of these branches play an important role in ensuring that Canada's governance is based upon both a clear separation of powers and a system of checks and balances:

- *The legislative branch.* The legislative branch makes policy choices, adopts laws, and controls public spending.
- *The executive branch.* The executive branch implements and administers the legislature's policy choices and laws, as well as manages the day-to-day affairs of the province or country with the assistance of a professional public service.
- *The judiciary.* The judiciary maintains the rule of law by interpreting and applying laws through the independent and impartial adjudication of disputes and legal issues. This includes supervising the legality of executive and legislative action, along with protecting the public's fundamental liberties and freedoms guaranteed under the *Canadian Charter of Rights and Freedoms*.

All three branches must exercise their power and authority in accordance with the Constitution. To fulfill its role, the judiciary must be independent. This independence assures the public that the Court's decisions are free from any outside interest or influence. As such, judicial independence is the cornerstone of our democracy, and is fundamental to a society governed by the rule of law.

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 any outside interference or influence. The second applies to the Court as a whole. It requires the Court to be, and to appear to be, independent of the other branches of government, particularly the executive. Together, both dimensions safeguard the judicial decision-making process and, in turn, the public that the Court serves.

To guarantee the right to an independent and impartial judiciary, the Supreme Court of Canada has recognized, in *Valente v. The Queen*, [1985] 2 S.C.R. 673, three constitutional protections or "essential conditions" that ensure judicial independence:

- security of tenure, which prevents the arbitrary removal of judges;
- financial security, which ensures that judges' salaries and benefits are established by law and cannot be arbitrarily changed by the executive branch; and
- administrative independence, which provides the Court control over the administrative decisions bearing on the exercise of the judicial function.

Each of these essential conditions ensures that the Court and its judiciary remain independent to decide the cases that come before them based solely on the relevant facts and law.

## *Judicial Accountability*

Judicial independence does not mean that the Court’s judges are unaccountable. Indeed, the Court’s judges are held accountable in several ways.

To begin, and as described in Section 4, the Court is governed by the open court principle, which requires that court proceedings be open and accessible to the public and media. This transparency ensures that the legal process and judicial decisions are subject to public scrutiny and comment, thereby holding judges accountable for their decisions.

Additionally, litigants may also appeal, or seek permission or “leave” to appeal, the Court’s decisions. This ability empowers an appellate court, primarily the Court of Appeal for Ontario, to remedy any significant legal error in the Court’s decisions.

Lastly, the Court’s judiciary may be held accountable through the complaints process that applies to them:

- Judges and associate 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 standards of conduct for federally appointed judges and investigating conduct complaints, including those about any superior court judge in Canada. Information about how to make a complaint about a judge can be found on the Canadian Judicial Council’s website [here](#).
- As provided in s. 86.2(1) and s. 87.3(1) of the *Courts of Justice Act* (“CJA”), complaints about the conduct of an associate judge or the Small Claims Court Administrative Judge should be made in writing to the Chief Justice of the Ontario Superior Court of Justice.
- Deputy judges are subject to the *Ethical Principles for Deputy Judges*, the standards of conduct established by the Chief Justice. As outlined in s. 33.1(1) of the CJA, complaints about the conduct of deputy judges should be made in writing to the Local Administrative Judge assigned by the Regional Senior Judge to oversee the Small Claims Court in the region in which the deputy judge sits.

## **E. The 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 plays a critical role in managing the Court’s relationship with the provincial government. As discussed in Section 3 below, the Ministry of the Attorney General is jointly responsible for the Court’s administration. Given this necessary proximity between the Court and the executive branch of government, the Executive Legal Officer acts as the principal liaison between them, safeguarding the judiciary’s independence. The Executive Legal Officer is also the direct reporting officer for all Office of the Chief Justice

staff across the province, including all regional managers and trial coordination staff responsible for the Court's scheduling functions.

The Office is also supported by the Deputy Executive Legal Officer, Executive Administrative Officer, Chief Communications Officer, and multiple legal counsel. Together, those in the Office of the Chief Justice support the Court's Executive and administration by, among other things, providing them legal and policy advice, helping develop and implement the Court's policy and operational initiatives, and helping to manage other important aspects of judicial independence, such as judicial security.

#### **F. The Chief Communications Officer**

As mentioned above, one of the personnel in the Office of the Chief Justice is the Court's Chief Communications Officer. The Court's Chief Communications Officer acts as the Court's primary point of contact for receiving and responding to media requests. Members of the media with questions about the Court, or who are unable to find the information or materials they need after following the processes described elsewhere in this guide, should email the Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca), who will respond as soon as possible and, in any event, on a same-day basis. For urgent requests, members of the media can call the Chief Communications Officer at 647-207-4026.

### **3. The Ministry of the Attorney General and Court Administration**

In addition to creating three branches of government, Canada's constitutional framework also prescribes certain powers to be exercised by the federal and provincial governments. As described above, the federal government is responsible for appointing Superior Court judges. However, s. 92(14) of the *Constitution Act, 1867* vests the provinces with the responsibility for administering justice within their borders.

Pursuant to this power, the province has enacted various laws and regulations governing the Court's administration. Most notably, this includes the *Courts of Justice Act* ("CJA"), which, in s. 72, provides that the Attorney General shall, subject to certain limited exceptions, "superintend all matters connected with the administration of the courts". Thus, while responsible for leading the Court, the Chief Justice must necessarily share responsibility for the Court's administration with the Attorney General of Ontario. Importantly, s. 71 of the CJA provides that this must be done in a way that maintains the judiciary's independence. Among other things, this requires that all aspects of the Court's 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.

Further to its responsibility under the CJA, the Ministry of the Attorney General provides the Court with the facilities and technology necessary to support court operations. It also provides the Court with all staff responsible for processing court filings, serving as clerks or in-court registrars, processing prospective jurors, and recording hearings. Nevertheless, as the CJA makes clear, Ministry staff assigned to, or who are present in,

a courtroom act at the direction of the presiding judicial official while court is in session: see s. 76(2).

In 2008, the Ontario Superior Court of Justice and the Attorney General of Ontario entered a Memorandum of Understanding concerning the Court's shared administration. It sets out the Chief Justice and Attorney General of Ontario's respective roles, along with the terms under which they agreed to work together for the administration of justice in Ontario. Like the CJA, this agreement recognizes the Court's independence and the constitutional framework within which the judiciary and Attorney General operate as separate branches of government.

#### **4. The Open Court Principle and the Media**

The Court is governed by the open court principle, which requires court proceedings to be open and accessible to the public. In doing so, the open court principle has several benefits:

- it ensures that citizens and the media have access to the courts and can understand the decisions that affect them and how justice is administered;
- by providing this transparency into judicial processes and decisions, it promotes accountability within the justice system;
- it enhances the integrity of the evidentiary and truth-finding process; and
- it enhances confidence in the administration of justice and reinforces the rule of law by allowing the media and public to see that justice is being administered impartially, independently, and fairly.

For these reasons, the open court principle is essential to the justice system's integrity and legitimacy, as well as the public's confidence in the administration of justice. An open court hearing is one that is more likely to be fair and seen to be fair. Indeed, describing it as "the very soul of justice" and "a hallmark of a democratic society," the Supreme Court of Canada has recognized the open court principle as a fundamental aspect of the right to free speech guaranteed by s. 2(b) of the *Charter of Rights and Freedoms*.

Accordingly, as described elsewhere in this Guide, the Court's general rule is that its proceedings and any related documents are accessible to the public.

Still, the modern reality is that most members of the public do not observe court proceedings or want access to court files. Instead, they depend on the news media to inform them about what occurs in the justice system. As the Supreme Court of Canada has routinely recognized, the news media serve as the public's "eyes and ears," allowing them to understand and form an opinion on the justice system, hold it accountable, and, ultimately, have confidence in it: see, e.g., *Canadian Broadcasting Corp. v. Named Person*, 2024 SCC 21 at para. 31. Thus, the Court recognizes the essential role that journalists play when reporting on the justice system.

Nevertheless, while public access to court proceedings is a constitutionally protected right, the open court principle is not absolute. The open court principle relates to the Court's exercise of its adjudicative function and does not create a right of access to the court's administrative records, judicial information, court data, or other information protected by judicial independence. Additionally, as discussed in further detail in Section 9 on Publication Bans, legislation may, in some limited cases, impose mandatory restrictions on court openness. Similarly, the judiciary is responsible for protecting the administration of justice and other important public interests that, as such, may warrant limiting public access to specific aspects of court proceedings or records.

## **5. The Court's Modes of Proceedings**

The Court hears a wide array of different matters ranging from brief case conferences to trials spanning weeks or even months. The matter's nature will often dictate the mode in which it is heard, whether through videoconferencing (i.e., Zoom), in writing, in person, by telephone, or a hybrid method involving both remote and in person attendances.

Each of the Court's Consolidated Provincial Practice Directions include guidelines outlining the presumptive mode for a matter's attendance. These guidelines also include overarching principles that the Court will consider when applying or departing from them, including considering the needs of self-represented litigants and ensuring access to justice. Ultimately, however, the final determination of how an event will proceed is subject to the Court's discretion. To see these presumptive guidelines governing the Court's hearings, please see the following:

- Part V of the Consolidated Civil Provincial Practice Direction;
- Part III of the Consolidated Provincial Practice Direction for Family Proceedings;
- Part VIII of the Consolidated Provincial Practice Direction for Criminal Proceedings;
- Part V of the Consolidated Practice Direction for Divisional Court Proceedings; and
- the Guidelines to Determine Hearing Method in the Small Claims Court.

As these guidelines also make clear, they should also be read in conjunction with the relevant regional practice direction, which also include scheduling protocols based on the application of the same presumptive guidelines.

## **6. Finding Information About Current Proceedings**

There are several ways in which members of the media and public can access information about matters currently before the Court.

## **A. Daily Media Reports**

To support the media's ability to access and report on its proceedings, the Court emails Daily Media Reports to those on its Media Notification List. These Daily Media Reports outline the Court's daily, province-wide dockets for all civil, family, criminal, Divisional Court, and small claims hearings, subject to limited exceptions. They outline what proceedings will be heard, including the case's name, the hearing's location and time, a brief reason for the hearing (e.g., motion, trial, case conference, etc.), the mode of proceeding (e.g. in person, by videoconference, teleconference, or hybrid), as well as the Zoom link that has been created for any matter.

Members of the media can ask to be added to the Media Subscriber List by completing the relevant form on the Court's website. Once added, they will receive the Court's Daily Media Reports in two batches: (a) they will receive dockets for all matters outside of Toronto, along with all Toronto criminal matters, between 4:00 p.m. and 5:00 p.m. the day before they are heard, and (b) they will receive dockets for all Toronto matters, excluding criminal matters, by 6:00 a.m. of the day they will be heard.

Those reading the Daily Media Reports and Court's dockets elsewhere may find it helpful to know that the Court's file numbers include prefixes used to identify their case type. More specifically, the following prefixes denote the associated type of case:

- CV – Civil
- BK – Bankruptcy
- DC – Divisional Court
- SC – Small Claims Court
- FC – Family (Family Court Branch)
- FS – Family (Non-Family Court Branch)
- CR – Criminal
- YC – Young Person
- YO – Young Offender

## **B. The Daily Court Lists Website**

The Court's dockets can also be accessed using the Daily Court Lists website. Each day at 8:00 a.m., this website publishes the Court's province-wide dockets for all civil, family, criminal, Divisional Court, bankruptcy, and small claims matters being heard that day and the next, subject to limited exceptions. For all upcoming hearings listed, the site provides the case's name, the hearing's location and time, the reason it is being heard, as well as the mode of proceeding.

### **C. Justice Services Online and the Ontario Courts Public Portal**

Additional information about the Court's civil and adult criminal proceedings can also be found using [Justice Services Online](#). JSO, as it is known, is the Ministry of the Attorney General's online platform litigants use to file and issue documents in a variety of court matters in Ontario. More importantly, it includes a Court Case Search tool. With this tool, one can use a file number to search for that matter or use a party's name to search for any matter in which that party has been or is involved. While this Court Case Search tool does not provide a full history of matters, it may provide certain information that users may find helpful. For example, when looking up a civil or criminal matter with only a party's name, users can find out any related file number, the date and type of the next scheduled court event, and the relevant court location.

To use JSO, you must register for a My Ontario account. The guide available [here](#) will help you through that process.

However, in October 2025, the Ministry of the Attorney General launched a new public portal as part of the Courts Digital Transformation initiative. This new portal, called the [Ontario Courts Public Portal](#) (the "OCPP"), now serves as the Court's online public portal for e-filing, court record searches, online payments, hearing information, and document access for all Toronto civil and family matters. For civil matters, this includes commercial and bankruptcy matters, contested estates matters, small claims and Divisional Court matters, as well as certain Enforcement Office proceedings. The OCPP will be gradually rolled out to all regions in Ontario and will replace JSO.

Members of the public do not need a My Ontario account to access the information about the Court's files or dockets available through the OCPP.

### **D. Telephone and In-Person Requests**

Lastly, members of the media and public can find out general information about a court case, such as its next hearing date, by contacting the courthouse at which the matter was filed or is being heard. The addresses and phone numbers of the Court's locations can be found on the Ministry of the Attorney General's website [here](#). As the Ministry's website provides, counter services are currently offered between 9:00 a.m. and 11 a.m. and 2:00 p.m. to 4:00 p.m. However, court staff will accommodate urgent requests outside of those times.

### **E. The Chief Communications Officer**

If you are unable to find information about an ongoing matter using the resources described above, please contact the Court's Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca).

## 7. Attending Courthouses

### A. Hours of Operation

The public areas of courthouses are open to everyone during normal hours of operation, namely 8:30 a.m. to 5 p.m. Monday to Friday. Depending on the location and hearing at issue, members of the public, including the media, may be searched before entering the courthouse and/or before entering any courtroom. Members of the media and public attending hearings in person are therefore encouraged to arrive early to allow sufficient time for security screening. They should ensure that they are not carrying any pocket or utility knives, or anything else, that may be considered a weapon, since these items will be confiscated and entry into the courthouse may be denied.

### B. Rules Concerning Photography and Recordings Inside a Courthouse

Sections 136(1)(a)(ii) and (iii) of the *Courts of Justice Act* prohibit anyone from taking any photograph, video recording, or audio recording inside a courthouse of “any person entering or leaving the room in which a court hearing is to be or has been convened” or “any person in the building in which a court hearing is to be or has been convened where there is reasonable ground for believing that the person is there for the purpose of attending or leaving the hearing.” To do so is an offence for which one may be fined not more than \$25,000, imprisoned for a term of not more than six months, or both: see s. 136(4).

Additionally, the Court’s *Rules on Electronic Devices in Court* prohibit anyone from taking any photographs, video recordings, or audio recordings inside any courthouse unless previously authorized to do so by the Regional Senior Justice of the region in which the courthouse is located. Thus, any media request to film the inside of a courthouse should be made in writing to the responsible Regional Senior Justice. Additionally, any requests to film inside of a courthouse also need to be made in writing to Infrastructure Ontario at [OntarioSpace.io@cbre.com](mailto:OntarioSpace.io@cbre.com) using the request form [here](#).

Members of the media who want to record a hearing for the sole purpose of supplementing or replacing handwritten notes are required to ask the presiding judge to do so, as described in section 8.B below and as required under s. 136(2)(b) of the CJA.

### C. Guest Wi-Fi

All the Court’s locations across the province offer Guest Wi-Fi. For better and more reliable connectivity and bandwidth at the Court’s locations, members of the media and public are encouraged to register for the OPS Guest Wi-Fi using the process outlined [here](#). Once registered, they will then have province-wide access for six months, after which they can renew their account.

## 8. Observing In-Person and Virtual Proceedings

### A. The General Rule

Further to the open court principle, the Court's hearings, whether in person or virtual, are generally open to the public. However, given their nature, some proceedings are held "*in camera*" – that is, in the absence of the public and media. Most commonly, this includes the following:

- *Civil pre-trial conferences or chambers appointments.* Whether held in actions or applications, a pre-trial conference is a meeting at which the presiding judge explores whether the parties can settle their dispute without the need for trial or, alternatively, narrow the issues in dispute to streamline the trial process. Similarly, a chambers appointment, which can be a case conference or scheduling appointment, is a meeting at which the presiding judge typically deals with some procedural or interlocutory issue to case manage the parties' dispute. As a result of the conference or appointment, the judge may make an order outlining timelines and future steps to ensure the parties' trial-readiness and the trial's efficiency. Any orders made during, or as a result of, a pre-trial conference or chambers appointment are part of the Court's publicly available record.
- *Judicial mediations.* The parties to a civil dispute may ask a judge to mediate a civil dispute. As with the settlement portion of a pre-trial conference, a judicial mediation involves a judge facilitating a discussion to see whether the parties can reach a mutually acceptable agreement. These discussions are not open to the public, nor are the parties' mediation briefs, which the parties send to the individual judge (as opposed to the court) before the mediation, part of the court file.
- *Family conferences.* Family matters may be the subject of a case conference, settlement conference, trial management conference (also called a trial scheduling conference), and/or a conference combining all or part of these three conferences. As outlined in the *Family Law Rules*, the purpose of each is, in part, to explore settlement: see Rules 17(4)(a), 17(5)(a), 17(6)(a). These conferences are held in private. Additionally, unless ordered otherwise, the parties' case conference briefs and settlement briefs do not form part of the Court's continuing record. Even if the court orders that a case conference brief form part of the continuing record, that portion of the brief dealing with settlement shall be deleted: Rules 17(22)-(22.2). Trial management briefs and scheduling endorsement briefs do form part of the court's continuing record, as do any agreements reached as part of a conference: Rules 17(11) and 17(20)-(21).
- *Criminal judicial pre-trial conferences.* In Ontario, a criminal judicial pre-trial conference or JPT is a confidential meeting between a judge, the Crown, and defence counsel. While the JPT's primary purpose is to help the parties

prepare for trial, they also provide an opportunity for the judge to explore early resolution. These conferences are therefore held in private. However, should the JPT result in an agreed resolution, the judge will schedule a future attendance at which the court will hear the accused person's plea and determine the appropriate sentence.

As discussed in Section 9 on Publication Bans, there may also be circumstances in which legislation requires, or a judge orders, that a proceeding or part thereof be held *in camera*. Notable examples include the following:

- s. 135 of the *Courts of Justice Act* provides that all court hearings shall be open to the public, but allows the Court to exclude the public from a hearing where “the possibility of serious harm or injustice to any person justifies a departure from [that] general principle”;
- the *Criminal Code* allows a judge to order a proceeding or part thereof to be held *in camera* to determine whether certain evidence in sexual assault cases should be produced or admitted: see, e.g., sections 278.4(1), 278.6(2), 278.93(3), and 278.94(1).
- s. 87(4) of the *Child, Youth and Family Services Act, 2017* provides that child protection hearings shall be heard in the public’s absence unless the court orders otherwise after considering the parties’ wishes and interests, and whether the public’s presence would cause emotional harm to a child who is a witness at, participant in, or is the subject of, the hearing. While a limited number of media representatives may be present at the hearing, the court is authorized to exclude them as well.

Where legislation requires an in-person hearing, or a judge has used their discretion to order a hearing, *in camera*, a sign will be posted on the courtroom door informing the public that they cannot observe the hearing.

## **B. Rules Concerning Photography and Recordings of Court Proceedings**

Section 136(1)(a)(i) of the *Courts of Justice Act* (“CJA”) prohibits anyone from taking any photographs, video recordings, or audio recordings at a court hearing, whether in person or virtual. To do so is an offence: see s. 136(4).

However, as the Court’s *Rules on Electronic Devices in Court* and s. 136(2)(b) of the CJA provide, journalists may seek judicial authorization to unobtrusively audio record a hearing for the sole purpose of supplementing or replacing handwritten notes. Accordingly, journalists who wish to do so should seek the presiding judicial official’s permission at the hearing’s outset. Even where such permission is granted, the following conditions apply:

- the audio recording may only be taken when the proceeding is in session;

- the electronic device cannot interfere with courtroom decorum, any other court recording or courtroom technology, or otherwise interfere with the proper administration of justice; and
- the audio recording must not be transcribed, copied, shared, or transmitted in any other fashion.

### **C. Rules Concerning Other Electronic Devices**

Unless the presiding judicial official orders otherwise, members of the media observing an in person or virtual hearing may use their cellular phone or computer for the sole purpose of communication. However, as outlined in the Court's Rules on Electronic Devices in Court, any such device must be used in silent mode and in a discreet and unobtrusive manner. Talking on any electronic device is prohibited while court is in session.

Other members of the public are required to have their electronic devices turned off and kept out of site.

### **D. Obtaining Links to Virtual Hearings**

As mentioned in Section 5A, the Court's Daily Media Reports, which are distributed to those on the Court's Media Notification List, include links to the Court's virtual hearings. Members of the media who are not on the Media Notification List or who would like to obtain a link to a virtual hearing should contact the Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca) or, for urgent requests, at 647-207-4026.

The public's access to virtual hearings may be made available, upon request, at the discretion of the presiding judge. Members of the public who want access to a virtual hearing are required to email the relevant courthouse, using the subject line "Virtual Hearing Access Request" and identify the case they want to attend. Members of the public can find the email addresses for all courthouses [here](#).

In all cases, requests for links to virtual hearings should be made as early as possible in advance of the hearing.

### **E. Requesting Links for In-Person Hearings**

Ordinarily, the Court will not create a link to allow in-person hearings to be viewed virtually. However, in certain matters that have attracted significant public interest, and recognizing the special role that the media plays in society, the Court may decide to create a link to provide the media virtual access to an otherwise in-person hearing. Such a decision, which will be made on a case-by-case basis in accordance with the presiding judicial official's discretion. Any media request to create a link for a proceeding scheduled to be heard in person should be made to the presiding judicial official.

## **F. Courtroom Etiquette**

In addition to the rules outlined elsewhere in this Section, members of the media and public attending in-person hearings should observe the following rules of courtroom etiquette, which are subject to any further directions issued by the presiding judicial official:

- Be on time. Because people entering and exiting the courtroom can be distracting or disruptive, you may be required to wait outside of the courtroom until an appropriate break in the proceedings.
- Hats or headwear are not permitted inside courtrooms, except for religious reasons. Please also remove your sunglasses before entering the courtroom unless they are required to accommodate a medical condition.
- When entering or leaving a courtroom that is in session, it is customary, as a matter of respect, to bow at the door before doing so.
- When the courtroom is open, please find a seat in the gallery. Standing is generally not permitted in courtrooms.
- When the judge enters or leaves the courtroom, everyone in the room must rise, if able, to show respect. Please rise and remain standing until the registrar invites you to be seated.
- Please remain silent throughout the proceedings. If you need to speak to someone, please step outside the courtroom.
- If you need to address one of the Court's judges or associate judges, you should call him or her "Your Honour" or "Justice/Associate Justice (last name)". Deputy judges should also be called "Your Honour".
- Consuming food or beverages or chewing gum is not allowed in courtrooms.
- Court staff are responsible for maintaining security and decorum in the courtroom. Please comply with any direction that they give you. If you fail to comply with any such direction, you may be asked to leave the courtroom.

Members of the public, including the media, who attend a virtual court proceeding must conduct themselves as if they were attending an in-person hearing and, accordingly, observe the same rules of etiquette outlined above. However, those attending virtual hearings should observe the following additional rules:

- Try to locate a quiet area and minimize interruptions and distractions by others who may be around while you participate in the proceeding.

- Turn off all electronic devices before entering the virtual proceeding apart from the one you are using to enter the virtual proceeding. This includes muting any notifications on your computer/device.
- To minimize distractions during the court proceeding, log in a few minutes before the scheduled start time. This will allow you to test your connectivity and audio before the judge arrives to ensure you have a stable connection.
- If you are joining the courtroom through Zoom, leave your video turned on unless the Court directs you otherwise. Any background pictures or details in your video feed should be appropriate.
- Identify yourself. When doing so in a Zoom courtroom, sign in with your last name followed by your first name, along with the name of any organization you represent. If you are appearing by phone, please disclose your identity immediately upon inquiry so that the court can rename you.
- Dress as if you were attending court in person.
- Sit or stand in a manner demonstrating respect for the process.
- The only beverage permitted is water, which must be in a clear glass or container.

The failure to comply with the Court's rules of etiquette may result in the presiding judge removing you from the proceeding.

## **9. Publication Bans and Other Restrictions**

A publication ban is a statutory or judicial prohibition on publicly sharing certain information from a court proceeding or file, or the identity of an individual participating in, a court matter. A publication ban may be legislated or ordered for several reasons: to protect the fairness of a trial; safeguard the privacy of victims, witnesses, or jurors; or prevent the identification of a young person involved in a court matter. Ultimately, publication bans attempt to ensure that justice is administered without undue influence or harm to those participating in the process.

To be clear, a publication ban does not mean that the court's hearing, or the information related to it, is shielded entirely from the public. Proceedings, including court files, to which a publication ban applies are still generally open and accessible to the public as a matter of right. Rather, depending on its terms, the ban simply restricts the extent to which certain information can be shared publicly, whether permanently or for a time-limited period. For that reason, court staff will ordinary notify those accessing files to which a publican ban applies that the file or its contents is under a publication ban, and explain that publication, broadcasting, or transmitting in any way the information governed by the publication ban could be a violation of law.

Breaching a publication ban can lead to serious consequences, including criminal charges. Thus, those wanting to publish or broadcast information about a court matter must understand whether a publication ban applies and, if so, the publication ban's scope. The Court's Communications Officer can confirm that information that for you. You can contact the Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca) or, for urgent requests, at 647-207-4026.

There are two types of publication bans: mandatory and discretionary. These are described in more detail below.

### **A. Mandatory Publication Bans**

Mandatory publication bans are those required by law in certain circumstances. In some types of cases, legislation provides that a publication ban applies automatically. In other types of cases, legislation may require a party to ask the Court to issue a publication ban, which the Court is then required to order. Some common examples of mandatory publication bans that apply to the Court's proceedings are the following:

- *Evidence concerning a complainant's sexual history.* Where an accused person makes an application to introduce evidence of a complainant's sexual history or the complainant's records that are in the accused's possession or control, [s. 278.95\(1\)](#) of the *Criminal Code* imposes a publication ban on that application and, unless the evidence is admissible or ordered otherwise, the judge's decision and reasons.
- *Voir dires and other pre-trial motions.* In criminal jury trials, no information regarding portions of the trial at which the jury is not present, particularly any evidence taken, can be published until the jury retires to consider its verdict: see [s. 648\(1\)](#) of the *Criminal Code*.
- *Protecting child victims or witnesses regarding certain crimes.* The *Criminal Code* prohibits the identification of a victim under 18 years of age in certain sexual offence cases: see [s. 486.4\(2\)\(b\)](#).
- *Youth criminal matters.* The federal *Youth Criminal Justice Act* prohibits, subject to limited exceptions, the publication of any information identifying a young person dealt with under the Act: see [s. 110\(1\)](#). The Act also prohibits the publication of any information identifying a child or young person as having been a victim of, or witness in a proceeding concerning, a young person under the Act: see [s. 111\(1\)](#).
- *Child protection hearings.* *The Child, Youth and Family Services Act, 2017* prohibits the publication of any information identifying a child who is witness at, participant in, or who is the subject of a child protection hearing, along with any information identifying the child's parent, foster parent, or member of the child's family: see [s. 87\(8\)](#).

## **B. Discretionary Publication Bans**

A discretionary publication ban is one the Court is not required to order but, instead, may use its discretion to order in certain specific circumstances. Some discretionary publication bans are codified in legislation. For example, in certain cases, the *Criminal Code* provides that the Court may impose a publication ban on any information identifying a victim or witness where it is “in the interest of the proper administration of justice” to do so: see s. 486.5(1).

More typically, a discretionary publication ban refers to one issued at common law. To make such an order, the Court must follow the framework outlined in *Sherman Estate v. Donovan*, 2021 SCC 25. In that case, the Supreme Court of Canada held that a discretionary order limiting the open court principle may only be ordered where (1) court openness poses a serious risk to an important public interest, (2) the restriction is necessary to prevent this serious risk to the identified interest because reasonably alternative measures will not prevent this risk; and (3), as a matter of proportionality, the restriction’s benefits outweigh its negative effects on the public’s right of access: see para. 38. Importantly, if a court decides that a public ban is warranted, it is required at law to be as limited in scope and time as is necessary to prevent the serious risk at issue: see para. 105.

## **C. Other Limits on the Open Court Principle**

Publication bans are not the only limits on the open court principle that members of the media and public may encounter. In certain cases, the Court may make other types of orders intended to protect important interests that, in the circumstances, outweigh limiting the open court principle. This includes an order sealing or redacting the whole or part of a court file, an order excluding the public from a hearing, or an order anonymizing the names of litigants or witnesses. Again, however, such orders may only be made following the framework outlined in *Sherman Estate v. Donovan*, 2021 SCC 25, which the Supreme Court held applies to all discretionary limits on court openness, subject only to valid legislative enactments: see para. 38.

## **D. Notice to the Media**

Any party seeking a discretionary publication ban is required to notify the media of their request by completing the Notice to Media form on the Court’s website. The information on the form will then be distributed to those on the Court’s Media Notification List. This requirement is outlined in each of the Court’s Consolidated Practice Directions. While the notice period for such requests varies depending on the nature of the case (i.e., civil, family, criminal, Divisional Court), it provides the media at least several clear days’ notice. This ensures that members of the media are aware of the request and, if inclined, can be prepared to attend court to oppose the request.

At common law, there is a presumption in favour of notice to the media before any discretionary order limiting the open court principle. For that reason, the applicant party should consider notifying the media of their request or be prepared to explain to the Court

why notice is not justified in the circumstances. The Court recognizes that, as a matter of practice, it should always consider whether notice should be given to the media or anyone else directly affected before implementing any measure that would limit court openness, a practice providing those affected with an opportunity to make submissions on the issue. However, the hearing judge ultimately has the discretion to decide whether such notice is required and, if it is, when notice should be given.

To learn more about the Court's directions governing notice to the media, please consult the following:

- Part VI, Section H of the Consolidated Civil Provincial Practice Direction;
- Part II, Section H of the Consolidated Provincial Practice Direction for Family Proceedings;
- Part IX, Section D of the Consolidated Provincial Practice Direction for Criminal Proceedings; and
- Part IX of the Consolidated Practice Direction for Divisional Court Proceedings.

## **10. Accessing Court Documents**

Generally, court documents are available to the media and public unless legislation, a common law rule, or court order provides otherwise. This section outlines the considerations relevant to accessing materials contained in the Court's files.

### **A. The General Rule**

As discussed in Section 5, the Court is governed by the open court principle. The Supreme Court of Canada has held that, further to this principle, all materials provided to a court for the purposes of exercising its judicial power should also be publicly accessible: see, e.g., *Canadian Broadcasting Corp. v. Manitoba*, 2021 SCC 33 at para. 83. For that reason, documents filed with the Court, including exhibits accepted as evidence, are generally available to the media and public.

Nevertheless, a statutory provision may, in some cases, restrict access to the contents of the Court's file. Examples of these cases are outlined in Section C, below.

Moreover, the Court has a supervisory and protective power over its records and, as a result, may determine rules for public access: see, e.g., *A.G. (Nova Scotia) v. MacIntyre*, [1982] 1 S.C.R. 175 at 189. Thus, even in the absence of any statutory provision limiting the public's right to access the Court's records, such access is ultimately subject to judicial discretion and may be restricted where, as described in Section 9 on Publication Bans, a judge determines it necessary to protect an important interest outweighing the public's right of access.

In all cases, the Ministry of the Attorney General's Court Services Division (CSD) is responsible for the care and maintenance of the Court's files and documents on the

Court's behalf. For that reason, requests for access to court documents is governed by the CSD's Policies and Procedures on Public Access to Court Files, Documents, and Exhibits, which outlines how to obtain such access in accordance with any applicable law. Any fees required to access or copy court records are set out under regulations pursuant to the *Administration of Justice Act*.

Members of the public, including the media, who want to request access to court documents should contact the courthouse location at which the matter was or is being heard. However, where the media requires more urgent service, they should email the Ministry of the Attorney General at MAG-Media@ontario.ca, in response to which Ministry staff will provide them with a more direct point of contact who can assist.

## **B. Access to Exhibits**

Pursuant to s. 137 of the *Courts of Justice Act*, exhibits filed over the counter in any civil, family, and small claims court matter are publicly accessible unless a statutory provision, common law rule, or court order provides otherwise. The Ministry of the Attorney General takes the same approach to exhibits filed in criminal matters. This includes any exhibits attached to an affidavit filed with the court or the contents of exhibit books filed as part of an appeal process. To access such exhibits, media and members of the public should contact the courthouse at which the matter was heard, where Ministry of the Attorney General staff can help them obtain a copy.

Exhibits adduced at trial are also publicly available unless a statutory provision, common law rule, or court order provides otherwise. Media and members of the public can request access by completing the necessary request form and submitting it to the courthouse at which the matter was heard. The presiding judicial official, or the Local Administrative Justice in the presiding judicial official's absence, will provide any relevant direction, including any terms and conditions that apply to one's ability to publish exhibit contents.

## **C. Restrictions on Access to Specific Court Files**

This section outlines those circumstances in which the Court's files are not publicly accessible.

### *Civil and Small Claims Matters*

Section 137(1) of the *Courts of Justice Act* provides that, "on payment of the prescribed fee, a person is entitled to see any document filed in a civil proceeding in a court, unless an Act or an order of the court provides otherwise." However, some files, or parts thereof may still not be publicly accessible:

- **Sealing orders.** Some files, whether in whole or part, may be sealed. Section 137(2) of the CJA allows the court to order that "any document filed in a civil proceeding before it be treated as confidential, sealed and not form part of the public record." A sealing order typically provides the date the file was sealed, the name of the judicial official who made the sealing order, and does not disclose information about the content of what is sealed. The sealing order is accessible

unless otherwise ordered by a judicial official. However, if the sealing order contains confidential information that is under seal, judicial permission is required for access.

- *Evidence related to youth criminal justice matters.* Documents filed in the Small Claims Court in relation to the *Parental Responsibility Act, 2000* that include evidence obtained under the *Young Offenders Act* or *Youth Criminal Justice Act* must be treated like *Young Offenders Act* or *Youth Criminal Justice Act* documents and are not publicly accessible: see s. 3(5) of the *Parental Responsibility Act, 2000*.

### *Family Matters*

Further to s. 137(1) of the CJA, the public is also entitled to see any document filed in a family proceeding, unless legislation or a court order provides otherwise. However, several statutory provisions restrict access to the Court's family files:

- *Cases involving parenting, parentage, and child abduction.* Rule 1.3 of the [Family Law Rules](#) requires members of the public to give 10 calendar days' written notice before they can see any document filed in a case involving a claim about decision-making responsibility, parenting time, or contact with respect to a child under the [Divorce Act](#) or Part III of the [Children's Law Reform Act](#); an order under Part I of the [Children's Law Reform Act](#); or international child abduction. After receiving notice, a party then has 10 calendar days to bring a motion for a restricted access order, if they choose to do so. If a motion is made, court staff are not allowed to grant public access until the court determines the motion. If no motion is made, after the 10 calendar days have passed, the member of the public requesting access must file an affidavit confirming the date they gave notice, to whom and by what method, and that they have not been served with a motion for a restricted access order. That person may then access the court file.
- *Applications under Part III of the CLFA.* Section 70(2) of the *Children's Law Reform Act* requires the court to consider whether it is appropriate to limit public access to all or part of a court file involving an application under Part III of the Act regarding decision-making responsibility, parenting time, contact and guardianship with respect to children.
- *Child protection matters.* The *Child, Youth and Family Services Act, 2017* provides that child protection hearings and appeals of child protection decisions are closed to the public, unless otherwise ordered by the Court: see s. 87(4) and s. 121(8). Thus, court staff are not permitted to provide public or media access to court documents filed in child protection cases.
- *Adoptions.* The *Child, Youth and Family Services Act, 2017* also limits access to files concerning applications for adoption to a limited number of people that do not include general members of the public or media: see s. 204(2).

- *Secure treatment hearings.* Secure treatment hearings – those involving applications to the court to commit a child to a secure treatment program – are closed to both the public and the media: s. 161(7). Court staff are therefore not permitted to provide access to the related court file.
- *Support enforcement matters.* Certain information in cases under the *Family Responsibility and Support Arrears Enforcement Act, 1996*, which applies to the enforcement of support obligations in Ontario, must be sealed in the court file: see s. 41(24) and s. 54(10).

### *Criminal Matters*

Generally, once process is issued – meaning an information is sworn and an arrest is made, or a summons is served – the Court’s file is publicly accessible, unless legislation, a common law rule, or a court order restricts access. However, several statutory provisions restrict access to the Court’s criminal files:

- *Youth criminal justice matters.* Court files and documents related to Youth Criminal Justice Act proceedings or other proceedings that make reference to YCJA information are not accessible to the public, unless the young person receives an adult sentence and either the appeal period has elapsed, or an appeal has been heard and the court of appeal has upheld the adult sentence: see s. 110(1).
- *Applications concerning certain evidence.* In cases involving an application to determine the admissibility of a complainant’s sexual activity (see s. 276(2) of the *Criminal Code*), the admissibility of records relating to a complainant that are in the possession of the accused (s. 278.92(2)), or to determine whether there will be production of third-party records in sexual offence cases (s. 278.2), such hearings are required to be heard *in camera*. Documents filed in advance of these hearings are not publicly accessible prior to the court hearing, except by court order. Similarly, in cases involving an application to determine whether there will be production of third-party records in non-sexual offence cases (i.e., O’Connor applications), until the judge hearing the application determines whether or not the public should be excluded from the application’s hearing, any documents filed in advance of the application are not publicly accessible, except by court order.
- Section 486.31 of the Criminal Code allows a court to restrict disclosure of any information that could identify a witness in a criminal proceeding if the order is in the interest of the proper administration of justice. Upon an application by the prosecutor or witness, a hearing will be held to determine whether the order should be made. These hearings may be held *in camera* and, until the judge hearing the application determines whether or not the public should be excluded, any documents filed in advance of the application are not publicly accessible, except by court order. If the court grants the non-disclosure order after the hearing, identifying information about the witness is not publicly accessible, without judicial permission.

- *Cases involving sealed warrants.* Search warrants and general warrants are generally accessible provided that the warrant has not been sealed by court order, the warrant has been executed and a seizure has been made, and a Report to a Justice has been filed with the court office by the relevant police or investigating service or an Order of Disposition has been made by the presiding judicial official. Court staff cannot provide any information about a search warrant or related documents, including confirming the existence of an application for a search warrant, if the warrant has not been executed, the warrant was executed but nothing was seized, or there was a seizure but a Report to a Justice has not been filed by the police or investigating service or an Order for Disposition has not been made. Under subsection 487.3(1) of the [Criminal Code](#), the presiding judicial official may, upon application, make an order prohibiting access to and disclosure of documents related to any warrant. Generally, these sealing orders are temporary and should have an expiration date. In cases where a search warrant has been sealed, anyone wanting to access the search warrant must apply to the court to unseal the file.
- *Cases involving an absolute or conditional discharge.* The [Criminal Records Act](#) denies public access to criminal records after one year, if the defendant has received an absolute discharge, or after three years, if the defendant has received a conditional discharge.
- *Cases involving a record suspension or expungement.* Further to s. 6(2) of the [Criminal Records Act](#), a record suspension or expungement has been granted, court staff will not allow access to any related court documents and will not disclose the existence of these documents to any person, other than the person who is the subject of the record suspension or expungement or counsel acting on his or her behalf.
- *Certain convictions under the CDSA.* If a person has been convicted of drug possession under section 4(1) of the [Controlled Drugs and Substances Act](#), court staff will not allow access to the record of conviction and will not disclose the existence of that conviction, in accordance with the applicable time periods in section 10.6 of the CDSA.

## 11. The Court's Decisions

The official version of the Court's decisions is the one in the court file, whether a signed original or handwritten endorsement. It takes precedence over any other version posted online.

A collection of the Court's decisions released after October 1, 2002 are available for free online on CanLII. CanLII organizes the Court's decisions into three groups: the [Superior Court of Justice](#) (i.e., family, criminal, and civil), [Divisional Court](#), and [small claims](#). However, CanLII's collection is incomplete. If there is a decision of Court you cannot find on CanLII, please contact the [courthouse](#) at which the matter was heard, where Ministry

of the Attorney General staff can help you obtain a copy. Alternatively, the Court's Chief Communications Officer can also help you obtain a copy.

## **12. Accessing Digital Recordings and Ordering Transcripts**

### *Accessing Digital Recordings*

Some matters heard in open court are recorded using digital recording devices. While the digital recordings made using these devices are not considered official court records, access to them may be obtained further to the Court's policy on Accessing a Digital Recording and Ordering Transcripts.

This policy incorporates the use of the Joint Courts' List of Designated Media for Access to Digital Court Recordings. Together with the Ontario Court of Justice, the Court maintains this list to facilitate access to digital recordings by those well-known and recognized media organizations most likely to request them. More specifically, those belonging to media organizations on the Joint Courts' List can access most digital recordings of civil, criminal, and Divisional Court hearings by completing the relevant form and undertaking and paying the prescribed fee, which Court staff will then process. For access to recordings of family trials, the judge who presided over the matter will review the completed form and undertaking and decide, in their discretion, whether access should be granted. As the policy outlines, recordings from certain type of hearings are unavailable.

Under the Court's policy, members of the public, including members of the media from organizations not on the Joint Courts' List, are generally not entitled to access digital recordings. Rather, using the same request form and undertaking, they must seek authorization from the presiding judge.

Journalists can ask for their media organizations to be added to the Joint Courts' List by emailing the Court's Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca).

### *Ordering Transcripts*

A court transcript is a certified written record of a court hearing. Transcripts from court proceedings in Ontario are produced and certified by an independent, authorized court transcriptionist or "ACT." Members of the media or public may order a transcript of any matter recorded by a court reporter by ordering a copy through the Authorized Court Transcriptionists for Ontario's website. However, unless a judge of the Superior Court of Justice orders otherwise, transcripts are not available to anyone for any trial management, settlement, or case conference, or any other *in camera* proceeding.

Additional questions about the transcript ordering process should be directed to Arkley Professional Services at 1-800-645-8133 or [info@courttranscriptontario.ca](mailto:info@courttranscriptontario.ca).

## **13. Media Packages for High-Profile Cases**

In certain matters that have attracted significant public interest, the Ministry of the Attorney General may prepare a Media Information Package, an example of which can be found at Appendix A, to proactively address media inquiries. This package will address several issues relevant to the media's coverage of the matter, including the matter's time, place, and mode of proceeding; the presiding judicial official; contact information for local court personnel; how to access exhibits and file-related materials; and any previous orders or directions relevant to the media. Generally, the Ministry aims to have these packages ready for distribution one week before the matter in question.

While the Ministry normally prepares these packages on its own initiative and based on its own assessment of the public's interest in a court matter, the Ministry may also decide to prepare one further to judicial direction or in response to a media request. Members of the media who want to ask the Ministry about an information package for any matter should email at [MAG-Media@ontario.ca](mailto:MAG-Media@ontario.ca) using the title "Media Information Package Request." Please note, however, that the Ministry will generally only create these packages for trials that have attracted significant public attention. Moreover, absent judicial direction otherwise, it is the Ministry's sole decision whether to prepare an information package.

In all cases, Media Information Packages are prepared by the Ministry of the Attorney General, not the Court. The Ministry's Media Information Packages do not displace the open court principle or the Court's authority to control the administration of justice, including access to court records.

## **14. Judicial Photos**

Members the media who would like to request an official photograph of a judge or associate judge to use as part of their work should make their request to [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca).

## **15. Data Requests**

Certain data about the Court's operations is available on the Court's website [here](#). Members of the media who would like to request additional data to use as part of their work should make their request to [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca). However, please note that, the Court works with the Ministry of the Attorney General, and as a result may take multiple weeks, to fitful such requests.

## **16. General Media Inquiries**

General media inquires should be sent to the Court's Chief Communications Officer at [SCJCommunicationsOfficer@ontario.ca](mailto:SCJCommunicationsOfficer@ontario.ca), who will answer your inquiry on a same-day basis. Where, however, more time is necessary to answer your inquiry, the Chief Communications Officer will, at the very least, acknowledge your inquiry and let you know when you can expect a response.