

Bench and Bar Meeting Minutes Ontario Court of Justice (Family):

November 5, 2020: 1:00pm

Meeting held remotely by Zoom

Attendees: Justice Caspers, Michelle Ladouceur, Marilyn Krist, Naomi Garcia, Sandra Della Croce, Mathew Poole, Rene Roy, Antonio Circelli, Luke Weiler, Olivia Rebeiro, Colin Thurston, Patricia Woodhatch, Ashley Henbrey, Elizabeth Renfrew.

Topics for discussion:

1. ZOOM Platform for OCJ Family Court Guelph
2. Counter Staff Requests and Reminders: Document size, SDOI's, Filing in continuing records.
3. First Appearance Court and Settlement Conference scheduling in 2021

1. ZOOM Launch

- Go live date for using ZOOM is November 16, 2020
- The link, password, meeting ID number provided on the notice will remain the same.
- The Toll-Free number will remain the same.
- It is imperative that the Court obtains email addresses and telephone numbers for all litigants.
- The court will notify all unrepresented parties of the ZOOM link and phone number, but will continue to ask counsel for help, if required.
- Ms. Rebeiro verified that CAS staff would continue to notify their clients of the ZOOM link and phone number.
- Ms. Islam verified that FRO would continue to do the same.
- The Notice with the link and all the information about connecting with ZOOM, will be posted to the local Law Association Website as soon as possible.
- The Conference number that the court has been using for Audio Appearances, will no longer be used, for in court appearances on the Judges list.
- The John Howard Society has donated tablets to the Guelph Public Library for people to use for court appearances. They have agreed to extend the service to OCJ Family Litigants.
- The court is still working with the Library to set this up at the branch at 100 Norfolk Street.
- The Library also has offered Free WIFI use at all branches for people requiring DATA.
- They did mention that privacy can be an issue because there are no designated rooms for people use, but the JHS has also donated ear buds that they can use and take with them.

[Notice of Video Conferencing with relevant ZOOM connection details.](#)

If the above link does not work copy and paste this URL into your browser:

<http://wellingtonlaw.org/wp-content/uploads/2020/11/NOTICE-OF-VIDEO-CONFERENCING-GUELPH-FAMILY-COURT-NOVEMBER-2020-WORD.docx>

Improving Efficiency

- Going forward, the court will continue to set designated time slots for matters being heard by ZOOM in courtroom 4.
- Any suggestions for improving the efficiency of running the lists is appreciated.
- Some courts are using a Triage system to set up the lists according to times needed for each matter, the court is open to using this system if it becomes feasible.

Ashley Henbrey: Legal Aid

- Legal Aid continues to assist Family Court each Tuesday and Thursday.
- Although the court has provided the contact information to litigants, most people still do not seem to be contacting Legal Aid for assistance
- CAS counsel urges their workers to encourage people to use the service.
- Court staff continues to suggest to litigants that they use the service as well.
- CAS continues to be cognizant of privacy issues before giving contact information to Duty Counsel.
- The Local Number for Duty Counsel is: 519-767-1514, if a message is left, the litigant will receive a call back within 24 hours.
- In the alternative, litigants can also call 1-800-668-8258, to speak directly with an individual for assistance.
- Justice Caspers asked if Legal Aid Ontario are still enforcing financial criteria for Duty Counsel Assistance. Ms. Henbrey advised that at this time the criteria are not being enforced for court appearances but are still being enforced for Legal Aid certificates.

Rene Roy: OCL

- Ms. Roy mentioned that the Office of the Children's Lawyer is still processing and assigning Counsel and preparing both Voice of the Child Reports and Section 112 investigations for the court.

Luke Weiler:

- Clients may ask about appropriate attire for appearing on ZOOM
- Justice Caspers commented that attire and behavior should be the same as if an individual were in the courtroom in person.
- Other people in the same room with the person appearing on ZOOM is discouraged.

2. Court Staff Comments

Michelle Ladouceur:

- Counsel must ensure that materials are filed in the Continuing Record. Endorsement Records are to be updated as soon as possible.
- The office is open from 9-11 and 2-4 daily to complete this task.

- **Note:** Reminder about size restrictions on Briefs (6 pages) and Affidavits (10 pages). Anything exceeding these limits without prior judicial authorization will be returned. The rationale for this relates to the fact that presiding Judges may not have the full file available.
- This page restriction with respect to affidavits includes exhibits.
- CAS is encouraged to condense affidavits in order to comply with limits of pages.
- Regarding new applications received by electronic filings, the office will print the Application only. The court will expect the original Application/Motion to Change, Financial Statements and 35.1 Affidavits to be filed in the Continuing Record, after service and before the First Appearance date.
- **Note:** A reminder that SDOs need to be filed at the time that the Application/Motion to Change is filed with the court. They must be filed in by or at the time the support order is made. The court currently has a backlog of SDOs that have not been sent to FRO as completed SDOs have not been received from counsel.
- Important information is being omitted from the SDO. As a result, FRO is returning the order to the court which results in significant delays in FRO enforcement.
- Justice Caspers also reminded Counsel about the amendment to the *Family Law Rules* regarding the redacting of information from the Financial Statement and the supporting documents before filing it with the court (Rule 1.2)
- The court will refuse unredacted Financial Statements and attachments.

3. First Appearance Court, Settlement Conference scheduling in 2021

Sandra Della Croce

- It was confirmed that when First Appearance Court resumes, it will be by Teleconference. ZOOM Format may be possible eventually, but not yet.
- Counsel need to file the Waiver until November 30th with all files that appear for a Case Conference without attending First Appearance court.

Justice Caspers

- Beginning in 2021, all files that have not been in front of Justice Caspers for a Settlement Conference, will be held in front of a visiting Justice.
- The week day will remain Wednesday.
- If another Courtroom can be secured for OCJ Family matters, Settlement Conferences may start to be heard in person.
- Parties and counsel will be required to file **Briefs and Confirmations no later than 2:00pm on the Friday afternoon before the conference.**
- If filing electronically, Briefs and Confirmations should be sent to the GuelphOCJFamily@ontario.ca Inbox.

Prepared by: Marilyn Krist, Trial Coordinator

November 6, 2020