

Guelph OCJ Family Court Bench and Bar Meeting Minutes
 Meeting Held: Thursday March 31, 2022

| <p>Attendees</p> | <p>A Henbrey (LAO), T. Circelli, C. Unruh, J. Stanfield, J. Krashinsky, J. Pietrangelo (WLA), M. Purves-Smith, M. Poole, O. Rebeiro (CAS), P. Woodhatch, M. Krist, T. Howells, R. Roy (OCL) A. Vanderheyden (LAO), Arnab Quadry (CAS), Sandra Hanna (FRO), M. Leuty (AXIS), Kaitlyn McCabe (LAO) Regrets: Colin Thurston, Luke Weiler</p> | | |
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| <p>Item No.</p> | <p>Topic</p> | <p>Speaker</p> | <p>Minutes</p> |
| <p>1</p> | <p>Notice to the Public dated March 29, 2022, regarding Return to In Person Appearances</p> | <p>Justice Caspers</p> | <ul style="list-style-type: none"> - This is an interim notice - The Advisory Committee re: “Mode of Appearance” (Family) of which Justice Caspers is a member, will provide a final notice when the consultation is complete - Gayle will be retiring in July of 2022; we will miss her very much and we wish her a happy and healthy retirement. - Marilyn will be taking over First Appearance court and has already begun. - All rule 40 FA court will be virtual. - First Case Conferences will be virtual. - Beginning July 1st, 2022, Settlement Conferences will be in person. - Files that have been outstanding with the court for many years will continue to be heard by Justice Caspers for the purpose of Settlement Conferences. - The court is giving plenty of notice to give Counsel time to reschedule any out-of-town appearances that may affect the scheduling of in person appearances. - Scheduling matters to specific time slots will continue for now. - Unless there is a compelling reason, all counsel will be expected to attend on in-person matters, no Hybrid is available. - Trial Management Conferences – In-person - Motions – Virtual - Trials – In-person - FRO Default hearings – In person (feedback from FRO counsel is expected before assigning in-person appearances) - Trials, Focused Hearings, Summary Judgment Motions- In- person - Woodstock and Stratford Family courts are adopting the same practices for in-person appearances. - In Courtroom 4 Guelph, masking will be required during in person appearances - All of the foregoing is subject to Judicial discretion. |
| <p>2</p> | <p>Legal Aid</p> | <p>Kaitlyn McCabe</p> | <ul style="list-style-type: none"> - Looking at a Hybrid model - Still determining how many Duty Counsel Lawyers will be on site for Guelph locations - LAO will not likely meet the April 4th date for in-person Duty Counsel Services. |

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| | | <p>Justice Caspers – Comment</p> <p>Marilyn Krist</p> | <ul style="list-style-type: none"> - The plan is to continue with virtual assistance - The court should notify LAO if there is a requirement for in-person assistance. - The Guelph court appreciates all of the assistance that we receive from LAO, but it is noted that they have been largely non-existent for many litigants who say they have reached out for help. - Ms. McCabe comments that LAO is mostly litigant driven. - Marilyn Krist as Trial Coordinator sends out the information to unrepresented litigants before they appear in court, which has the email and phone number for the local Duty Counsel office and the Toll-Free number as well. |
| 3 | <p>Local Duty Counsel Office</p> | <p>Ashley Hembrey Angela Vanderheyden</p> | <ul style="list-style-type: none"> - Local Duty Counsel has a variety of concerns about returning to in person appearances in Guelph, the size of Courtroom 4, ventilation, masking, crowding in the hallways - Duty counsel will continue to provide the Guelph Court with assistance virtually on Tuesdays and Thursdays - A reminder that they do not provide assistance with Settlement Conferences, Summary Judgment Motions, Trials or to litigants who do not meet financial eligibility - (Justice Caspers) The court will continue to look for ways to reduce traffic, 14B motions for final orders or procedural orders that can be done without a court appearance are welcome, emails to the TC can provide assistance if required |
| 4 | <p>Family and Children’s Services – Guelph and Wellington County</p> | <p>Olivia Rebeiro</p> <p>Justice Caspers- comments</p> | <ul style="list-style-type: none"> - Ms. Rebeiro wanted to make sure that CAS is clear on the expectations for In-person CAS appearances. - The challenges of how small Courtroom 4 is remains an issue for CAS days in Guelph. - A discussion regarding limiting workers and court attendees was held. - Length of the timeslots of one hour each seems to be fine. - Discussion regarding vaccinated and unvaccinated participants was held. - Since the court has had to limit the number of cases heard in a day, a backlog has been created for Family Matters across the Province, a statistical report has been created by the Guelph TC. - Continued conversations with Judicial colleagues are being held and solutions are being looked at for Guelph Family Court. - Counsel should continue to be cognizant of alerting the court about possible adjournments or final orders, to keep spots open for other matters. Administrative adjournments can be done by the TC if they are on consent, |

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| | | | <p>Minutes of Settlement can be filed with the court with 14B motions and dates will be vacated.</p> <ul style="list-style-type: none"> - An email with ideas/challenges can be sent to the TC - (Ms. Rebeiro) asked for clarification regarding the in-person appearances for Settlement conferences, which will begin the week of July 5, 2022. |
| 5 | Guelph Court Office | Sandra Della-Croce | <ul style="list-style-type: none"> - With the lifting of the mandates regarding masking and physical distancing, there will be no enforcement of these practices after April 4th, screening upon entry to the building will no longer be done. - The plexi- glass will slowly be removed from the courtrooms. - Sandra is looking into possible options for space within the court location for unvaccinated litigants on site, who require space to attend their hearing virtually as they are not permitted in Courtroom #4 as per Justice Caspers' s direction.- - There will be no porters provided to clean between matters in the Courtrooms - (Justice Caspers comment) This issue needs to be addressed with Court Services |
| 6 | AXIS Mediation | Mike Leuty | <ul style="list-style-type: none"> - Mr. Leuty was kind enough to attend with short notice for Tamara Bodnaruk-Wide - Following what was considered to be a successful remote system for Mediation practices AXIS is looking into options for what will remain as remote. - The Courts and Legal Aid are partners, in this process and this is still being assessed. - Strategies for easing into some in-person appearances are being reviewed. - A question was asked about consideration for a Consent Court for Litigants to come to as an exit strategy from proceedings if they want to file consents, withdraw the matter, or adjourn. - Exchange of materials is still a concern. - An email with ideas/challenges can be sent to the OCJ Family TC - Mr. Leuty will forward an email with a proposal for integration of services |
| 7 | Family Responsibility Office | Sandra Hanna | <ul style="list-style-type: none"> - Discussions regarding In-person court appearances for FRO days in Guelph included possibly selecting a day every month in which litigants will be required to attend in-person. - Ms. Hanna will send an email to the OCJ TC with her suggestions for returning some matters to in-person. - Duty Counsel plays an important role on FRO days and information sharing remains a challenge. - Legal Aid finds that document sharing remains a problem with FRO litigants |

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| 8 | Office of the Children's Lawyer | Renee Roy | <ul style="list-style-type: none">- The OCL is continuing to work on a back log of files being assigned to Counsel- The question of empanelment was raised by Justice Caspers, Ms. Roy sent this email after the conclusion of the meeting, with respect to this inquiry regarding Applications from Guelph Lawyers to help answer the query |
| 9 | Conclusion | Justice Caspers | Your time and feedback were appreciated today, please continue to provide your comments and feedback through Marilyn Krist. Thank you |
| Next Meeting: TBD | | | |

Prepared by Marilyn Krist, OCJ Family Trial Coordinator, Guelph

Date: April 19, 2022