

NOTICE TO THE FAMILY BAR – STRATFORD

ONTARIO COURT OF JUSTICE (FAMILY)

June 19, 2020

Dear Colleagues:

Further to Notice to the Family Bar in Stratford dated May 11, 2020, I am providing the following update of new developments and procedures as a result of the Notice regarding Scheduling of Family Matters in the Ontario Court of Justice posted on June 17, 2020.

1. The Ministry of the Attorney General has now established an incremental plan for the opening of the courts commencing on July 6, 2020. Stratford is not one of the sites in Phase One and will not have in-person court appearances at this time. However, the Ministry is working towards implementing health and safety measures in our courthouse for safe in-person court appearances.
2. No trials will be conducted until further notice, but it is anticipated that our scheduled trial week from **September 28 to October 2, 2020** will proceed.
3. Unless an urgent matter, no new Applications/Motions to Change (except for Status Review Applications) will be issued until further notice.
4. The court will continue to hear matters in writing, such as adoptions and consent/procedural matters. Form 14B motions may still be received by fax or email. If the consent is with respect to support, a Support Deduction Information Sheet should be submitted to assist in the preparation of a Support Deduction Order. I would **encourage** parties to continue negotiations and file a consent with a Form 14B motion where appropriate.

5. Urgent child protection matters (place of safety hearings, temporary care and custody hearings, urgent motions, restraining orders, and secure treatment hearings), and urgent domestic matters (motions for restraining orders, Hague applications and non-Hague abduction cases, refraining motions, urgent custody/access/support motions) will continue to be heard. The decision on whether a domestic motion is urgent will be made by the local justice after the materials are reviewed. Requests for urgent motions can be made by contacting the trial coordinator at Stratford.OCJ.Criminal.TrialCoordinator@ontario.ca. If it is deemed urgent, then a date will be set for the hearing of the motion and counsel/litigants will be notified.

6. **Matters scheduled on or after July 6, 2020:**

- All non-urgent matters scheduled prior to July 6, 2020 have been adjourned to a date to be determined by the court.
- Priority matters that have been previously scheduled by the court after July 6, 2020 will continue to proceed at the scheduled time by teleconference.
- Non-urgent matters scheduled on July 6 and 7, 2020 will continue to be adjourned to a date to be determined by the court subject to the following:
 - (a) If a **domestic matter** presently scheduled for **July 7, 2020** and **all parties are self-represented**, the matter will be addressed by teleconference to determine next steps. The court will contact the parties with the scheduled time to call into the court at 1-866-633-1033, conference code # 1421240.
 - (b) If a **child protection matter**, please contact your lawyer or worker to determine the next court date.

(c) Parties on both domestic and child protection matters may request a **priority case conference** after July 6, 2020 to address up to two issues, if there is a possibility of resolution, or if there are pressing issues that require a conference on a priority basis. All requests for a case conference are to be made to the trial coordinator by email at Stratford.OCJ.Criminal.TrialCoordinator@ontario.ca. The trial coordinator will schedule a date for the matter to be heard by teleconference. Unless it is anticipated that the matter will proceed on consent, **case conference briefs** will be required and shall be limited to **10 pages, excluding orders and endorsements that are attached. Materials are to be filed by email to: Stratford.Courthouse@ontario.ca**

7. If the matter is adjourned, court staff will continue to contact unrepresented parties and counsel not provided with this notice to advise them that the matter will be adjourned. It is anticipated that the Society will advise unrepresented parties if their matter will be adjourned.
8. Materials for urgent motions/applications or priority case conferences may be filed by either faxing the materials to the court office at 519-271-8080, or by emailing them to Stratford.Courthouse@ontario.ca
9. Parties should not assume that the judge has access to the entire court file when hearing the motion/priority case conference so all relevant orders/endorsements should be attached to the materials.
10. Where it is not possible to email a sworn affidavit, affidavits may be delivered unsworn but the affiant must be available to participate in any telephone or videoconference hearing to swear or affirm the contents of the affidavit.

11. The family court counter services continues to remain open between the hours of 10 a.m. to 12 p.m. and 2 p.m. to 4 p.m. However, in-person contact should be avoided whenever possible.

12. The **in-person** FLIC clinic continues to be suspended until further notice. MIP programs will be arranged by phone. A Pro Bono Ontario hotline will be posted to assist self-represented litigants. The number is 1-800-668-8258. Clients may contact the Legal Aid Ontario Stratford office at 519-273-8120 to set up a time during FLIC hours on Wednesdays of 9am-12pm and 1pm-3pm to speak with a lawyer with respect to Family Law and Child Protection cases. Local duty counsel, Mr. Warman may be contacted by email at warmanr@lao.on.ca.

For further details regarding the scheduling of family matters in the Ontario Court of Justice, please see the Notice dated June 17, 2020 on the Ontario Court of Justice website.

Once again, thank you all for your cooperation in these challenging times.

Justice K. Stacy Neill