

# NOTICE TO MUNICIPAL COURT MANAGERS FROM THE ONTARIO COURT OF JUSTICE

September 13, 2021

NOT FOR PUBLIC POSTING

On September 9, 2021 Ontario's three Chief Justices of Ontario issued a joint statement that courts in Ontario will be closed to mark September 30, 2021, the National Day for Truth and Reconciliation. The statement is posted on the Ontario Court of Justice's website: <https://www.ontariocourts.ca/en/public-statement.pdf>.

## Adjournments

All *Provincial Offences Act* matters that are scheduled for September 30, 2021 will be adjourned. Parties and witnesses are not to attend court.

On September 30<sup>th</sup>, 2021 justices of the peace will not be attending courts to adjourn matters and will not be presiding in POA intake courts or any other POA court.

The Regional Senior Justice of the Peace (RSJP) will instruct the clerk of the court to adjourn matters pursuant s. 49(5) of the *Provincial Offences Act*. These adjournments should be made on the record in court where possible.

We understand that some municipalities may also be closing their offices in recognition of September 30, 2021. If this is the case it is not necessary for a clerk to attend to adjourn the matters. Adjournments can occur administratively, also pursuant to s. 49(5) of the POA.

All efforts will be made to advise parties that they do not need to attend for the purposes of this adjournment.

Following the adjournments, the clerk of the court will need to send notices of new court dates to the parties. The RSJP will direct the date(s) the matters will be rescheduled to. Scheduling will depend on the availability of court dates and judicial resources and will be specific to the court location.

For Part I trial matters, new Notices of Trial will need to be sent. At this time, summonses will not be issued for rescheduled Part III trials and non-trial POA matters. Letters should be sent for Part III matters informing the parties the new court date. Should a party not attend at the rescheduled court date the presiding justice of the peace will have the discretion to issue a bench summons at that time.

## **Communication**

The Office of the Chief Justice has provided you with Notices to the public through the POA Unit. We ask that you post the French and English notices to the public that the Court will be closed on September 30, 2021 in prominent locations in your courthouses, such as on the doors entering the courthouse, and courtroom.

We also ask for your assistance in communicating to parties, witnesses, stakeholders (e.g. prosecutors, Crown Attorney, representatives of the defence bar/paralegals) and members of the public that they do not need to attend any scheduled court proceedings in POA courts on September 30, 2021.

We will be notifying the public on our website. MAG has also agreed to post a notice on their website as well.