

Ministry of the Attorney General

Court Services Division
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Our Reference #: D-2022-22

September 26, 2022

Douglas W. Judson
Chair
Federation of Ontario Law Associations
731 9th Street West
Owen Sound, ON N4K 3P5

Via email: info@douglasjudson.ca

Dear Mr. Judson:

Re: Court Services Division – Document Filing and Issuance Issues

Thank you for your letter sent July 20, 2022, on behalf of the Federation of Ontario Law Associations (FOLA).

I appreciate the feedback and insights provided by FOLA, as the voice of many lawyers in Ontario with direct experience in Ontario's civil and family court systems. The Ministry regrets any difficulties with court document filing and issuance that FOLA's members may have experienced.

As part of the Ministry's approach to address concerns about the rates of rejection of documents submitted through the Justice Services Online (JSO) filing portals, the Court Services Division (CSD), in collaboration with the Offices of the Chief Justice of the Superior Court of Justice and Ontario Court of Justice, has provided staff with enhanced guidance on the processing of documents and has trained staff to accept submissions unless the rules of court, a practice direction, notice to the profession, Act or order require that documents be rejected. As FOLA's members may be aware, court staff cannot accept documents for filing and/or issuance where certain deficiencies in a document are identified, as set out in the CSD [Notice to the Public and Legal Profession regarding Electronic Court Documents: Electronic Signatures and Submissions through Online Filing Portals](#).

This notice, developed in February of 2022 and updated in April 2022, is intended to reduce the number of filing errors by clarifying the circumstances in which a document which is submitted to the court electronically can be accepted for filing.

Resources have also been directed to improving the JSO platform based on feedback received from the Courts, filers, the legal profession and court staff. I am pleased to hear that the latest JSO system improvements have been well received by FOLA. If it assists members, recent enhancements introduced by the Ministry to streamline the review process and reduce the number of documents rejected include:

- Allowing users to provide information to staff about their submission through a “Memo to Court Staff Regarding a Submission”, which can be used to explain any deficiencies in a submission;
- Permitting users to flag that a submission is time-sensitive where documents must be filed and/or issued for a hearing or deadline that is 6 or 7 business days away;
- Enabling court staff to notify users and judicial officers of any deficiencies in documents that have been accepted for filing;
- Emailing users clearer reasons why a document cannot be accepted for filing and/or issuance (in alignment with CSD’s Notice identified above); and
- Requiring users to acknowledge in the portal that they have reviewed the information and documents being submitted and that the submission complies with any applicable rules of court, statutory requirements, practice directions, notices and orders to help minimize the numbers of errors made in documents and, in turn, reduce the number of necessary rejections due to non-compliance.

The Ministry is confident that these enhancements will assist in addressing the concerns raised by FOLA’s members but also recognizes the need for ongoing improvement.

With respect to FOLA’s concerns regarding processing delays, the Ministry recognizes ongoing challenges with processing delays are being experienced at certain court locations. Although most locations successfully meet the 5-business day turnaround for processing JSO submissions, CSD continues to monitor these challenges and work with local court management to find ways to reduce delays and process documents within the required time frame. Some of the successful measures taken include realigning staff duties to focus on processing submissions, applying additional staff and management resources from other court locations, ongoing recruitment of court staff, assigning dedicated staff to respond to different types of submissions, and enhancing staff training. CSD continues to review processes and identify opportunities to further reduce processing times. Improvements to the JSO portals and business processes to create efficiencies are ongoing, informed by feedback from stakeholders, the Courts, CSD staff and other court users.

The Ministry regrets any difficulties experienced by FOLA's members in contacting court staff. To address such challenges, certain court locations have successfully implemented strategies such as monitoring call queues and applying additional staff resources to ensure low wait times. FOLA's members can contact local court management about concerns relating to the processing of JSO submissions or orders.

The sample of issues shared by FOLA's members has been shared with the local and regional court management of the specified locations for consideration and to identify the steps that can be taken to prevent similar situations in future. A reminder will be provided to staff to confirm for filing parties when documents submitted by email have been accepted or rejected by the Court for filing. For any case-specific complaints, I invite your members to provide file numbers and/or party names directly to court management for resolution.

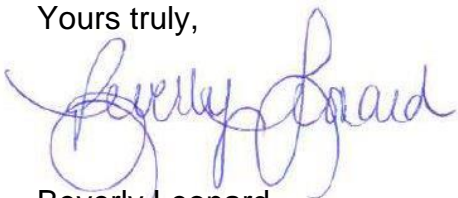
The court email addresses, which the Superior Court of Justice and Ontario Court of Justice direct to be used for the purposes of filing and scheduling, are available on the Courts' websites: [Superior Court of Justice](#) and [Ontario Court of Justice](#).

Finally, with respect to the concern about refunds, where documents have been rejected for filing and/or issuance, the Court does not retain the fees paid. The pre-authorized hold that is placed on a credit card is automatically removed following rejection, while refunds are provided within 30 days for payments made by Interac Online. Inquiries about a refund request for a fee paid through a JSO filing portal or about the online filing portals generally can be directed to CSD's Contact Centre for Online Services by phone at 1-800-980-4962 or 647-438-0403, or by email (civilclaimsonline@ontario.ca for the civil portals; SmallClaimsOnline@ontario.ca for the small claims portals; and familyclaimsonline@ontario.ca for the family portals).

The Ministry is committed to making the justice system more accessible, efficient and responsive to the needs of people across the province. Thank you again for your valuable feedback. Your feedback will help inform staff training and operational process changes. We appreciate FOLA's continued collaboration in strengthening the civil and family justice systems.

To discuss further or to provide any additional comments, please contact Vaia Pappas, Director, Operational Support Branch (Court Services Division), at 416-326-2514 or Vaia.Pappas@ontario.ca.

Yours truly,

A handwritten signature in blue ink, appearing to read "Beverly Leonard". The signature is fluid and cursive, written over a faint circular stamp.

Beverly Leonard
Assistant Deputy Attorney General
Court Services Division