

Notice to the Legal Profession and the Public regarding the process of emailing urgent documents at the Ontario Court of Justice

The Ontario Court of Justice has modified procedures and practices as a result of the COVID-19 pandemic. For detailed information about these temporary procedures and practices, including the nature of urgent matters, please refer to the notices and updates posted to the website of the Ontario Court of Justice (<https://www.ontariocourts.ca/ocj/covid-19/>).


To further protect the health and safety of all court users and to help contain the spread of COVID-19, **we ask members of the legal profession and members of the public to NOT attend courthouses in person at this time, unless judge requires you to be in court for a hearing or if you are unable to submit an urgent filing in a criminal or family matter by email.** If you are unable to submit your urgent filing by email, contact your local courthouse to determine other options available or attend your local courthouse.

Urgent filings can be temporarily submitted by email. Instructions for doing so are as follows:

Filing Urgent Requests or Documents by Email

1. Determine if your motion, application or request relates to an urgent family matter or an in-custody or urgent out-of-custody criminal matter as described on the website of the [Ontario Court of Justice](#).
2. Documents and requests shall be sent by email to the appropriate courthouse. The list of email addresses for each court may be found [here](#).
3. In order to ensure your request is received and processed by the appropriate court office, the subject line should include the following information:
 - LEVEL OF COURT (OCJ)
 - TYPE OF MATTER (Criminal, Family)
 - FILE NUMBER (for Family matters. Indicate NEW if no court file number exists)
 - TYPE OF DOCUMENT (Urgent Motion, Urgent Application, Bring Forward Request, Consent Bail Variation, Other Request)

For example:

| | | |
|---|---------|--------------------------------------|
|  Send | To... | |
| | Cc... | |
| | Subject | OCJ - CRIMINAL - NEW - OTHER REQUEST |

4. The body of the email should include the following information if applicable:

For family matters

- i. court file number (if it is an existing file)
- ii. short title of proceeding
- iii. list of documents attached (note: attachments cannot exceed 35MB)
- iv. type of request
- v. confirmation of service, setting out when and how any other party was served.
- vi. name, role (i.e. lawyer, representative, party, etc.,) and contact information of person submitting the request (email and phone number)

For criminal matters

- i. court file number (if known)
- ii. name and date of birth of the accused
- iii. details of next scheduled court appearance (date, courtroom and nature of appearance)
Note: if unsure of the next court date, include details of the last scheduled court appearance
- iv. if a particular judicial officer is seized with the matter, the name of the officer.
- v. nature of filing / request (e.g. bring forward request, bail variation)
- vi. list and description of documents attached (note: attachments cannot exceed 35MB)
- vii. confirmation of service, setting out when and how any other party was served.
- viii. name, role (i.e. lawyer, agent, Crown, defence, etc.,) and contact information of the person submitting the request (email and phone number)

Additional Important Information

For criminal and family matters

By submitting documents via email to the court, member of the legal profession/the party agrees to accept email communication from the court with respect to the proceeding.

Member of the legal profession/ parties should retain a copy of any relevant affidavit(s) of service and/or related documents (e.g. email confirmations) and be prepared to produce it to the Court on request.

The materials should also include any prior orders or endorsements that were issued and that are relevant to the urgent matter.

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.

For family matters

Court services will be limited for non-urgent matters. If your matter is non-urgent, your documents and/or requests may not be processed until regular court operations resume.

Requests for an urgent domestic family hearing will be determined by a judge.

If a judge does not declare your matter to be "urgent", the documents which you submitted to the court may not be processed until regular court operations resume.

For criminal matters

Delivery/receipt of a document by email is not confirmation that the document has been accepted by the Court for filing.

Filings and requests will be accepted for urgent matters only in relation to accused persons who are out-of-custody.

Requests to bring forward an urgent out of custody criminal matter are subject to approval by a judicial official. If a hearing is scheduled, the lawyer/party will be contacted and provided with details regarding the hearing, including arrangements for remote attendance, e.g. attendance by telephone.

If a hearing is not required (for example, a consent bail variation), the party/counsel who submits the request and/or documents will be contacted and advised of the Court's determination.

These instructions are subject to direction from a judicial official.

Legal Resources

Legal Aid Ontario

People who would have received in-person legal aid services through the Family Law Information Centres will be able to get help from LAO over the phone by calling 1-800-668-8258.

People can also receive over-the-phone summary legal advice services for criminal matters by calling 1-800-668-8258.

Law Society emergency family referral line during COVID-19

The Law Society of Ontario has launched a telephone line to provide assistance to people who are self-represented (SRLs) and who are trying to determine whether or not their family court matter meets the criteria to be heard by the court on an 'urgent' basis and, if so, how to proceed in making their request. The emergency service will connect

SRLs with family lawyers, working on a pro bono basis, who will provide 30 minutes of legal advice specific to determining whether or not their family court matter is urgent and referrals to other available legal services.

SRLs may contact the law society by phone at the following numbers to access the service: Toll-free: 1-800-268-7568; General: 416-947-3310.

Law Society of Ontario Referral Service:

The Law Society of Ontario's Referral Service will give you the name of a lawyer within or near your community, who will provide a free consultation of up to 30 minutes to help you determine your rights and options. You can start the online process of obtaining a lawyer referral at <http://www.findlegalhelp.ca/>, 24 hours per day.