



## Simcoe County Law Association

75 Mulcaster Street  
Barrie, ON  
L4M 3P2

June 12, 2020

Attn: Ms. Amanda Iarusso  
Director of Policy and Legal Affairs  
McMurtry-Scott Bldg 11th Flr,  
720 Bay St.  
Toronto, ON M7A 2S9

Dear Ms. Amanda Iarusso,

We thank you for your letter of June 5, 2020, requesting the comments of stakeholders with respect to the possible elimination of civil jury trials in Ontario.

The Supreme Court of Canada has affirmed that the right to trial by jury is a substantive right of great importance. Indeed, jury trials have been said to enhance the public understanding of the role of judges, lawyers and the justice system generally. Jurors themselves consider it their right to participate in the pursuit of justice.

On the other hand, jury duty can be a significant burden, personally and financially, for individuals. Many are also concerned that the expense and court resources that are devoted to jury trials may be better diverted to other areas of the justice system to ensure better and more timely access to justice.

Unfortunately, there is simply insufficient time and data to enable our association to provide a fulsome response to your inquiries.

Our board includes litigators from different practice areas – all with differing views on this important issue. However, the decision to eliminate civil jury trials should not be focused on personal preferences or practice areas. Rather, the decision requires a thorough examination of the impact that such a decision will have on the administration of justice, including the rights of the litigants.

Accordingly, the Simcoe County Law Association encourages you to extend the June 15 deadline for consultation to enable our association to have a meaningful discussion with our membership on this important issue.

We thank you for the opportunity to make these submissions.

Sincerely,

A handwritten signature in black ink, which appears to read "Kathryn Whitehead". The signature is fluid and cursive, with a large loop at the end.

Kathryn Whitehead  
Simcoe County Law Association President