Notice to the Profession and the Public: Virtual Criminal Case Management Appearances in ORANGEVILLE

Beginning Monday, August 24th, 2020

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The Court has been actively working to adopt technology that will allow accused persons and/or counsel to attend criminal case management appearances using remote technology. Beginning **Monday, August 24th, 2020**, counsel and accused persons who are out of custody will be able to attend for criminal case management appearances in Orangeville by videoconference or audioconference (telephone) using Zoom.

Further information about criminal proceedings in the Ontario Court of Justice is available in the COVID-19: Notice to Counsel and the Public re: Criminal Matters in the Ontario Court of Justice.

Note: The automatic adjournment of criminal case management appearances due to the COVID-19 pandemic has resulted in large dockets. In addition, it will likely take all participants some time to adapt to the new procedures and technology involved in conducting these appearances using remote technology. The Court encourages and appreciates the cooperation and patience of all participants, particularly at the beginning of this initiative. The Court will revise and refine the procedures for these virtual case management courts, as appropriate, based on feedback and as court operations continue to evolve in response to the COVID-19 pandemic.

1) Virtual Criminal Case Management Appearances in Orangeville

Beginning **Monday, August 24th, 2020**, counsel and accused persons who are out of custody will be able to attend for criminal case management appearances in Orangeville by audioconference (telephone) or videoconference using Zoom.

Case management appearances include a "first appearance" and matters scheduled "to be spoken to" or to "set a date". They do not include trials, preliminary hearings, guilty pleas or sentencings.

This Notice applies to matters involving accused persons who are out of custody scheduled in the following criminal case management courts in Orangeville:

MATTER TYPE:	DAYS AND TIMES:	COURTROOM:
Youth Case Management Court	Mondays at 0900 am to 0930 am	202
Federal Case Management Court	Mondays at 0930 to 1000 am	202
Adult Criminal Case Management Court	Mondays at 1000 am to 1100 am Tuesdays & Thursdays at 0900 to 1100 AM	202

This Notice applies to all matters on the docket in the courtroom listed above, and may include matters in other courtrooms, such as trials or preliminary inquiries, that were adjourned to the case management court.

2) Remote Appearances Using Zoom

Criminal case management appearances will be conducted using Zoom, which allows participants to join by videoconference or audioconference (telephone).

A Zoom account is not required to participate in Zoom hearings. You can download Zoom at https://zoom.us/ free of charge. User tutorials for Zoom are available at: https://support.zoom.us/hc/en-us/articles/206618765-Zoom-Video-Tutorials

Until further notice, criminal case management appearances will be conducted by remote appearance (audioconference or videoconference) only. Attendance in criminal case management courtrooms will be restricted to the judicial official and essential court staff, unless a judicial official directs otherwise.

The number of people who may be present in the courthouse and in the courtroom remains restricted in order to comply with health and safety precautions and maintain safe physical distancing to prevent the spread of COVID-19. For this reason, in-person attendances for criminal court case management appearances can not currently be accommodated. If you have a case management criminal court appearance in the Ontario Court of Justice in Orangeville, **do not attend court in person**.

3) Appearances by Counsel

Counsel are strongly encouraged to attend case management court appearances by videoconference.

The Court expects that counsel will notify their clients that criminal case management appearances have resumed and that the client is required to attend by videoconference or audioconference, unless counsel is appearing on their behalf.

4) Appearances by Accused Persons

Accused persons are encouraged to attend case management court appearances by videoconference. However, accused persons who cannot attend by videoconference may attend by audioconference (telephone).

Self-represented accused persons are encouraged to contact Legal Aid Ontario **before** the day of their criminal case management appearance. Legal Aid Ontario has provided the following information for self-represented accused persons:

> Please contact Legal Aid Ontario well in advance of your court appearance. If you would like general legal advice, or if you want to apply for legal aid, call the central Legal Aid Ontario number at 1-800-668-8258. If you want to speak to a local Duty Counsel, and are eligible, Duty Counsel may provide you with legal advice and assistance for your court appearance. At this time local Duty Counsel cannot guarantee same day assistance; it is therefore strongly recommended that you contact Legal Aid Ontario and/or Duty Counsel well in advance of your court date. The Orangeville local Duty Counsel office can be reached by email at dcc.orangeville@lao.on.ca or by phone at 519.938.8671.

The COVID-19 pandemic continues to present an extraordinary situation requiring ongoing restrictions on persons being able to attend courthouses in person. The Court recognizes that there may be accused persons who are

unable to attend case management court by audioconference or videoconference. If an accused person does not attend for their criminal case management appearance, their matter will be adjourned to a date five (5) weeks from the scheduled appearance date, with a "bench warrant with discretion" returnable on the next date.

The presiding judicial official may adjourn a matter to a different date where satisfied that it is in the interest of justice to do so, for example, where the accused person, although unable to attend court, has requested that their matter be adjourned to a specific date.

5) Accused persons who are in custody

Criminal case management appearances in Orangeville for accused persons who are in custody will continue to be conducted by remote appearance (audioconference or videoconference), in accordance with the procedures in place since March 2020.

6) Enhanced Designations of Counsel

In response to the COVID-19 pandemic, and in order to limit the number of people who are required to attend court, the Court has issued a Practice Direction Authorizing Alternate Form of Appearance where an Enhanced Designation of Counsel has been Filed.

Accused persons who are represented by counsel and who have filed an Enhanced Designation of Counsel may have their matters adjourned, without the accused personally appearing, in accordance with the procedure set out in the Practice Direction and in accordance with rule 4.5 of the Criminal Rules of the Ontario Court of Justice.

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Join Zoom Meeting:

https://ca01web.zoom.us/j/62693261958?pwd=cFlBeHJRbzN3NXowT01BeThxZWlvZz09

Meeting ID: 626 9326 1958

Passcode: 102054

Join by Telephone:

855 703 8985 Canada Toll-free

Meeting ID: 626 9326 1958

Passcode: 102054