

PLA LIBRARY NOTICE

Dear Member,

Please see below for a letter from Justice Paul F. Monahan (LAJ Criminal, Brampton).

*Thank you,
Peel Law Association*

Dear Counsel, paralegals and members of the public.

I am writing to you in my capacity as LAJ Criminal in Brampton. I am writing to confirm what the Ontario Court of Justice (OCJ) (Criminal) in Brampton is doing to bring into effect the directive of the Chief Justice of the OCJ made April 21, 2021 and found at <https://www.ontariocourts.ca/ocj/covid-19/criminal-notice-april-21-21/>. Please circulate this email to your colleagues.

The directive and related steps to bring the Chief's directive into effect in Brampton may be summarized as follows:

1. For the weeks of April 26 and May 3, 2021, we will be adjourning all out of custody trials and preliminary inquiries (including discoveries), whether they were scheduled to proceed remotely, in person or hybrid. **In custody trials and preliminary hearings will still proceed.**
2. Out of custody cases set for trial or preliminary inquiry **during the week of April 26** will be traversed to 106 court on the day they are currently scheduled for trial/preliminary and then adjourned to June 11, 2021 in 409 court at 10 am by zoom with a discretionary bench warrant. Counsel do not have to speak to their case to be adjourned during the week of April 26.
3. Triage court on April 26, 2021 will proceed. Any out of custody cases set for trial or preliminary inquiry **during the week of May 3, 2021** will be adjourned from triage court on April 26, 2021 to June 11, 2021 in 409 court at 10 am by zoom with a discretionary bench warrant. Counsel do not have to speak to their out of custody case in triage court on April 26.
4. Counsel who have an in custody case scheduled for trial or preliminary inquiry during the week of May 3, 2021, should zoom into triage court on April 26 and the case will be triaged and confirmed for trial/preliminary during the week of May 3. Counsel are strongly encouraged to have their in custody case proceed remotely but the court may permit the case to proceed in person if it is required to ensure meaningful access to justice.
5. For out of custody cases adjourned during the weeks of April 26 and May 3, 2021 by reason of the Chief Justice's directive, the trial coordinator's office will get in touch with counsel prior to June 11, 2021 to schedule a new trial or preliminary inquiry date. That new date will then be confirmed on the record by crown and defence on June 11, 2021 at 10 am in 409 court.
6. The zoom details for 409 court on June 11, 2021 are as follows:

1 647 374 4685

Meeting ID: 675 6583 3516

Passcode: 086254

<https://ca01web.zoom.us/j/67565833516?pwd=TC9TdCtyN082aEJSUXBzK0E5UzhsQT09>

During the weeks of April 26 and May 3, 2021, the following types of hearings will still proceed:

1. Trials or preliminary inquiries where one or more defendants is in custody whether it is remote or in person. As indicated above, the court may permit a case to proceed in person where it is required to ensure meaningful access to justice.
2. Other criminal matters involving in or out of custody accused persons, such as case management appearances and pleas/resolutions may proceed as scheduled. This will include "early resolution courts" presided over by a judge who judicially pre-tried a case. These will usually be held remotely but a judge may direct that they proceed in person.
3. Judicial pre-trials for counsel held remotely by phone or zoom.
4. Judicial pre-trials for self represented persons held remotely by zoom (video or audio).
5. Continuation dates for trials and preliminary inquiries in or out of custody, including judgments, sentencing submissions, sentencings or further evidence days, falling into the weeks of April 26 and May 3, **if the presiding judge so directs**. These may be remote or in person. If you are not sure if your continuation date during the week of April 26 and May 3 is proceeding, please contact the trial coordinator at Brampton.OCJ.trialcoordinator@ontario.ca
6. As indicated above, we will also still run triage court on April 26 and May 3, 2021.
7. Bail hearings are not affected by the most recent directive of the Chief Justice.

Thank-you in advance for your cooperation

Paul F. Monahan

Judge

Ontario Court of Justice,

7755 Hurontario Street,

Brampton, Ontario

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