

ONTARIO



# THE SUPERIOR COURT OF JUSTICE

2008 – 2010 REPORT

20<sup>th</sup> Anniversary Edition





CONFERENCE HALL  
FLOOR NO. 1 S & 4

**At this juncture in the Court's development, with the knowledge of our solid underpinnings, I am driven to look ahead. I have no doubt that in the next 20 years we will witness remarkable advances in the resources that support the Superior Court in service to the public.**

*Chief Justice Heather J. Smith*

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## MESSAGE FROM THE CHIEF JUSTICE

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The 20th anniversary of the Superior Court of Justice is an event that I am most proud to celebrate through the publication of this special Report. Our Court's provenance is inspiring; its earliest antecedent was established under the Magna Carta, as a guarantee of redress for individuals against the unlawful exercise of state authority. Today's Superior Court of Justice is the evolutionary result of that meaningful beginning — a modern constitutionally guaranteed court of plenary jurisdiction, serving the mature 21st century legal requirements of all Ontarians.

Our inaugural Annual Report, published in 2009, focussed on the institutional history of the Court and the way that history has shaped today's Superior Court of Justice. By contrast, this biennial Report aims to celebrate the Court's 20 year milestone through a comprehensive but concise regional focus. The Report highlights activities, achievements and challenges in each of our eight distinct regions and provides the salient regional statistics of the Court's proceedings over the last two years. I hope that readers will enjoy learning more about the distinctive regional aspects of the Superior Court.

At this juncture in the Court's development, with the knowledge of our solid underpinnings, I am driven to look ahead. I have no doubt that in the next 20 years we will witness remarkable advances in the resources that support the Superior Court in service to the public. As the regional accounts in this Report indicate, we are well on the way to having thoroughly modernized courthouses with state-of-the art facilities in every region. The near future will bring sophisticated court information technology as the norm, with innovative and enhanced public access to court services and processes. With the committed collaboration of the Attorney General and his Ministry, numerous projects that will modernize the support services for the Court's core functions are also underway; here, I refer to projects to transform or streamline court reporting, transcript production, court file management and judicial decision-making, as examples.

While this future view embraces many changes, I am confident that our Court will sustain one constant — the fine quality of the judicial decisions that has characterized the Superior Court of Justice throughout its 20 years. I am tremendously proud of our Court's judges' continuing accomplishments and the high regard in which the work of the Court is held by the public, the bar and other Canadian courts. I extend my sincere appreciation to the judges of this Court for their dedication to the highest values of judicial service. Our judges' ability to maintain the highest quality of judicial decision-making is supported by a very dedicated judicial executive comprised of the Associate Chief Justice, the Regional Senior Judges and the Senior Family Judge. I express my sincere thanks to each of them for their contribution to the Court over the past two years and for their unfailing commitment in shaping this Court's very optimistic future.

Throughout the modern history of the Superior Court, the members of the Court have been so fortunate to have a wonderfully able and supportive staff. The judges could not perform their vital function without their assistance. I express my great thanks to the staff of the Court and the Office of the Chief Justice for their contribution to the excellence that the Court has achieved.



Heather J. Smith  
Chief Justice



*The Hon. Madam Justice Heather J. Smith,  
Chief Justice*

**This document provides an opportunity to showcase the diligence and hard work undertaken by all of our judges.**

*Associate Chief Justice J. Douglas Cunningham*

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## MESSAGE FROM THE ASSOCIATE CHIEF JUSTICE

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I am very proud to join in presenting this special Report marking the 20th anniversary of the Superior Court of Justice. This document provides an opportunity to showcase the diligence and hard work undertaken by all of our judges.

Below, I have highlighted some of my own activities from 2008 to 2010. In addition to these tasks, I try to maintain as full a sitting schedule as possible to play my part in managing the Court's large and growing workload.

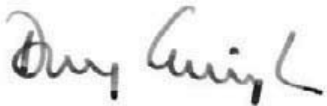
While I frequently sit in trial, mediation and settlement proceedings, the lion's share of my time presiding is spent at the Divisional Court. The Divisional Court is one of the most active appellate courts in Canada, second only to the Court of Appeal for Ontario by volume of new proceedings. Everyone at the Superior Court can take great pride in the efficient, timely and cost-effective manner in which these proceedings are disposed.

I also continue in my role as Chair of the Court's Deputy Judges' Council, which oversees the operations of the Small Claims Court, the busiest branch of the Superior Court. On January 1, 2010, the jurisdiction of the Small Claims Court increased from \$10,000 to \$25,000. As a result, we fully expect significant increases in the overall volume and complexity of matters heard by the Small Claims Court in the coming years.

At the Canadian Judicial Council, I continue as a member of the Executive Committee. It is also my honour to chair the council's Administration of Justice Committee, which has established a working group that will collaborate with partners across the country to enhance access to justice in civil and family proceedings.

On a final note, let me extend my sincere appreciation to all our court staff. Their daily efforts support our work in maintaining a fair, effective and efficient justice system in Ontario.

I hope you enjoy this Report for 2008–2010!



J. Douglas Cunningham  
Associate Chief Justice



*The Hon. Mr. Justice J. Douglas Cunningham,  
Associate Chief Justice*

**The way in which family law proceedings take place has changed dramatically over the last 20 years. We have moved away from the days when family law litigation was marked by the “ugly affidavit wars” and towards a system intended to encourage settlement.**

*Senior Family Justice Mary Jane Hatton*



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## MESSAGE FROM THE SENIOR FAMILY JUDGE

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The way in which family law proceedings take place has changed dramatically over the last 20 years. We have moved away from the days when family law litigation was marked by the “ugly affidavit wars” and towards a system intended to encourage settlement.

One of the hallmarks of this change was the expansion of the *Family Law Rules* across the province. The advent of the new Rules enhanced the case management nature of family proceedings, extending the judge’s role beyond adjudication. Today’s Rules-based family law system focuses heavily on fostering early resolution through conference proceedings.

The common set of *Family Law Rules* to govern all family proceedings in Ontario has promoted less adversarial approaches to family law. Nevertheless, the family courts have undoubtedly faced many challenges over the years. Family law proceedings have increased in both number and complexity throughout the province. At the same time, a steady growth has occurred in the ranks of litigants who appear before the Court without legal representation. Whether these individuals are self-represented by circumstance or choice, there is no denying that their rising number has had a significant impact on the development of family law over the years and will continue to do so in the future.

These challenges have placed additional pressures on the judges, who are more actively engaged in the management, organization and settlement of cases, in addition to the adjudication of motions and trials. In an effort to assist judges in managing these pressures, over the years, the Superior Court of Justice has developed a variety of strategic goals, policy objectives and guiding principles aimed at improving the family law system. Many of these initiatives are outlined in more detail in the Family Law section of this Report. These include more up-front information, more assistance to litigants to make their cases judge-ready and enhanced legal aid services. As the Senior Family Judge, I have had the pleasure of working closely with the Regional Senior Judges Council, my judicial colleagues and other justice partners in bringing many of these goals and objectives to fruition.

I would like to extend my deepest thanks to all those who have worked so hard to implement the many new projects that will improve family proceedings for both the litigants and the judges in our Courts. I would also like to thank all of my judicial colleagues: as judges hearing family law cases, you have all demonstrated your extraordinary commitment and dedication to the needs of children and families in the justice system.

I hope you find this 20th Anniversary Report both interesting and informative, and that you will take a few moments to consider the challenges we have overcome and the tremendous achievements we have made in family law over the last two decades.

M. J. Hatton

Mary Jane Hatton  
Senior Family Judge



The Hon. Madam Justice Mary Jane Hatton,  
Senior Family Judge

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## TABLE OF CONTENTS

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<b>03</b>	MESSAGE FROM THE CHIEF JUSTICE
<b>05</b>	MESSAGE FROM THE ASSOCIATE CHIEF JUSTICE
<b>07</b>	MESSAGE FROM THE SENIOR FAMILY JUDGE
<b>09</b>	INTRODUCTION
<b>11</b>	JURISDICTION OF THE SUPERIOR COURT OF JUSTICE
<b>17</b>	ADMINISTRATIVE STRUCTURE AND ACTIVITIES
<b>23</b>	REGIONS OF THE SUPERIOR COURT OF JUSTICE
<b>72</b>	RETIRED JUDGES
<b>73</b>	IN MEMORIAM
<b>74</b>	ENDNOTES

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## INTRODUCTION

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The newest iteration of the Superior Court in Ontario is celebrating its 20th anniversary in 2010. This most recent restructuring of the province's superior court was established under the *Courts of Justice Amendment Act, 1989*, when the High Court of Justice for Ontario merged with the District Court and the Surrogate Court on September 1, 1990. This was the first major reform of the Ontario court system in more than 100 years. This seminal event created the largest superior court in Canada and also regionalized courts administration through the formation of eight judicial regions. The Small Claims Court and the Divisional Court were continued by the legislation as branches of the new court. Initially known as the Ontario Court (General Division), the new court received its current name, the Superior Court of Justice, in April 1999.

With jurisdiction over criminal, civil, and family cases, the Superior Court of Justice presides in 50 locations throughout Ontario. It currently has a complement of 242 full-time judges, as well as 75 supernumerary judges. Over the last 20 year period, the Court has not only experienced and adapted to profound changes in the law, but also in the social fabric of Ontario, since what takes place inside the courthouse is generally a reflection of what happens in the community around it.

Each of the Court's regions has its own physical beauty or unique points of interest. So too, the courthouses in each region are unique. Some structures are wonderfully historic, reflecting the classical architectural rules and philosophy of earlier eras; others are striking, modern styles; while still others are a mix of the two approaches.

The business of the Court varies somewhat from region to region as the statistics in this Report demonstrate. The work of the Court also differs between regions that have Family Court branch sites and those that do not. Moreover, every region faces distinct challenges; vast distances between centres, meeting the needs of expanding demographics and employing the best new technologies to enhance access to justice.

The constant that binds this Court together, despite these many regional differences, is the commitment of its judges who meet the challenges and improve the Court's service to the public. This Report aims to highlight the Court's diverse regional features and each Regional Senior Judge is pleased to provide that perspective in this 20th Anniversary Report.

The following pages look back over the past two decades and also recount the highlights of the past two years, 2008–2009 (ending March 31, 2009) and 2009–2010 (ending March 31, 2010).



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## JURISDICTION OF THE SUPERIOR COURT

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The Superior Court of Justice in Ontario has inherent jurisdiction over criminal, civil and family cases, arising from Ontario's common law traditions. The Court's inherent jurisdiction gives it authority to hear any matter that is not specifically assigned to another level of court. The Court also has authority over matters granted to it by federal and provincial statutes.

### CRIMINAL

20 years ago, the Supreme Court of Canada released its decision in *R. v. Askov*, delineating the Charter right to a trial within a reasonable timeframe. In any criminal case, both the accused person and society at large have an interest in the fair and efficient disposition of the matter. The Superior Court has worked steadily with other partners in the justice system to make the criminal justice process more efficient, while carefully safeguarding the right to a fair trial. These efforts continue.

Case management has proven an important tool in improving efficiency. A significant step forward was taken in 2006, when the Court introduced reforms to pre-trial procedures. In each matter, the parties must participate in a judicial pre-trial conference and complete a pre-trial conference report. The aim is to ensure that parties have considered key issues in advance and are prepared for trial. The process can facilitate an early resolution of the matter where appropriate. Case management has often conserved valuable court time.

The Superior Court also has appellate authority over summary conviction cases heard in the Ontario Court of Justice. Very shortly, the Superior Court will complete a streamlining of the summary conviction appeal process. Parties will be required to comply with new timelines, and cases in which timelines are not met will come before a judge without delay. Historically, appeals based on an allegation of ineffective assistance of counsel moved slowly through the system. Under the new process, a case management judge will oversee these cases from an early stage, thereby ensuring a timely resolution.

The Court continues to review the criminal trial process for further opportunities to increase efficiency through proactive case management. It also continues to liaise with key stakeholders to refine other crucial aspects of its business, such as the jury process.

The total number of criminal proceedings commenced in the Superior Court of Justice was **4,059** during the year ending March 31, 2009 and **4,107** during the year ending March 31, 2010.

## CIVIL

Over the past 20 years, extensive reviews of the civil justice system have been undertaken. In 1996, the Ontario Civil Justice Review released its final report, which generated significant civil justice reforms in Ontario, including the introduction of simplified procedures, case management and mandatory mediation. Throughout 2008 and 2009, judges of the Superior Court of Justice took a leading role in reviewing and analyzing the recommendations made by former justice The Honourable Coulter A.A. Osborne in his 2007 report on the Civil Justice Reform Project. The Honourable Osborne's mandate was to recommend improvements that would ensure a more accessible and affordable civil justice system.

The Osborne recommendations were considered by the Civil Rules Committee — comprising judges, lawyers and Ministry of the Attorney General representatives — which makes civil court rules, subject to the approval of the Attorney General. The Chief Justice, the Associate Chief Justice and several Regional Senior Judges are members of the Rules Committee. As well, two Superior Court judges were members of an advisory committee that made recommendations to the Rules Committee on how to translate the Osborne reforms into rule amendments. Virtually all of the reforms proposed by The Honourable Osborne were implemented effective January 1, 2010.

During 2009, the Superior Court undertook planning for implementation of the new court rules. Highlights of these efforts are outlined in the sections of this Report on the Court's regions.

A total of **93,035** civil proceedings were commenced in the Superior Court of Justice between April 1, 2008 and March 31, 2009. The following year, between April 1, 2009 and March 31, 2010, the total rose to **96,003**

*(These numbers do not include the approximately 20,000 uncontested estates cases commenced in Ontario every year).*

## FAMILY

The last two decades have been formative years for family law in Ontario, with the development of both the Family Court branch of the Superior Court and the *Family Law Rules*.

### Structure of Family Courts

In Ontario, family law consists of statutes from both the federal and provincial jurisdictions. Under federal law, the Superior Court has sole jurisdiction in any case involving divorce and the division of property. In most locations in Ontario, both the Superior Court and the Ontario Court of Justice have jurisdiction over child and spousal support and child custody and access, while child protection and adoption cases, which fall under provincial law, must be commenced in the Ontario Court.

However, in 17 of the 50 Superior Court locations, this split jurisdiction has been unified to create the Family Court as a branch of the Superior Court. At any Family Court site, all family matters are heard, including divorce, division of property, support, custody and access, child protection and adoption. The roots of the Family Court go back to a pilot project that began in Hamilton in the 1970s. The Family Court was established in 1995 in five locations and expanded to include 12 more in 1999. Outside the Family Court sites, however, family law cases make up a very substantial portion of the Superior Court workload at every one of the Superior Court's 50 locations.

### Evolving Rules and Practices

The Superior Court's rules, policies and practices in family law matters have likewise evolved over the past 20 years. A significant milestone was reached on July 1, 2004; since that date, all family law proceedings commenced in any court in Ontario have been governed by the same *Family Law Rules*. The primary objective behind the rules is to enable the Court to deal with cases justly. This is promoted through active case management including encouraging the use of alternatives to the court process and helping the parties settle all or part of the dispute.

Following the Family Court expansion in 1999, a series of policy statements were issued to clarify the scheduling and assignment practices of the Superior Court with respect to family cases in both Family Court and non-Family Court sites across the province. These documents included: the 2001 Principles and Procedures regarding Family Law Matters from former Chief Justice LeSage, the 2003 Superior Court of Justice Family Law Statement of Policy from Chief Justice Smith and the 2004 Statement of the Regional Senior Judges Council. The principles espoused in these foundational statements have influenced the further development of family law practices and initiatives at the Court.

Since the *Family Law Rules* were extended across the province, family law proceedings have increased in both number and complexity. To address these challenges, the Superior Court has implemented family law policies, programs and practice directions that have improved the efficiency and effectiveness of family proceedings.

In 2007, former Senior Family Justice David R. Aston developed a series of Best Practices for Trial Management Conferences, which included the guideline for scheduling trial management conferences two weeks before the trial. The same year, another important document compiled by Justice Aston — Guiding Principles for Conferencing in Family Law Proceedings — was issued, providing a framework for streamlining conference proceedings in family law.

An increasingly large proportion of litigants who appear before the Court in family cases are self-represented, increasing the need for front-end services to help litigants make their cases judge-ready. Various support services, developed collaboratively between the Ministry of the Attorney General and the judiciary, are offered at the Family Court sites — including Family Law Information Centres, mediation services, parent information sessions, supervised access exchange facilities, and legal aid duty counsel and advice counsel. However, much less support is available at all other Court locations.

To address the growing quantity and complexity of family law cases, and the clear imperative for front-end services, the Superior Court released a comprehensive Family Law Strategic Plan in April 2009. Developed by Senior Family Justice Mary Jane Hatton, the strategic plan provides a framework for the development of policies, practices and initiatives to achieve the goal of meaningful access to justice for family law litigants at all Superior Court sites across Ontario.

These planning efforts have evolved into the development of concrete initiatives, as work has begun to introduce some of the programs called for in the Family Law Strategic Plan, including setting up new front-end services in court locations in serious need of these resources. The first measures have been implemented in the Central West and Central East Regions — through collaboration by the Courts, the Ministry of the Attorney General and local justice partners — and are described in the regional sections of this Report.

Between April 1, 2008 and March 31, 2009, a total of **59,190** new family proceedings were commenced in the Superior Court of Justice: **31,758** in Family Court locations and **27,432** in non-Family Court locations.

The figures were similar the next year, from April 1, 2009 to March 31, 2010, when a total of **59,545** new family proceedings were commenced: **31,829** in Family Court sites and **27,716** in non-Family Court sites.



## SMALL CLAIMS COURT

The Small Claims Court, a branch of the Superior Court of Justice, has historically been referred to as the “people’s court” as it provides a forum for dispute resolution for Ontarians with simpler rules and lower costs than higher courts. It operates in more than 90 locations across the province and provides a forum to bring or defend civil claims for a maximum amount of \$25,000 in money or property. The Court’s monetary limit has been increased periodically over the past 20 years, to \$6,000 in 1993, \$10,000 in 2001 and \$25,000 as of January 1, 2010. The current level reflects the Osborne recommendations and is in line with other Canadian jurisdictions such as British Columbia and Alberta.

The Rules of the Small Claims Court offer streamlined procedures, so cases can be determined at a lower cost and in less time. Amendments to the Rules effective January 1, 2010 reflect the reality that a large proportion of litigants who appear before the Small Claims Court are self-represented and the Court seeks to provide a straightforward, efficient and effective forum for use by Ontarians.

Small Claims Court matters are typically presided over by deputy judges appointed by the Regional Senior Judge, with the approval of the Ontario Attorney General, for a three-year term. As of March 31, 2010, the roster of the Small Claims Court included 407 deputy judges, plus three *per diem* provincially appointed judges.

A total of **63,753** new small claims proceedings were commenced between April 1, 2008 and March 31, 2009 and **64,254** between April 1, 2009 and March 31, 2010.

## DIVISIONAL COURT

Founded in the 1970s, the Divisional Court is an appellate branch of the Superior Court. It plays a role that is unique in Canada, functioning as the primary forum for judicial review of government action in Ontario and also hearing statutory appeals from decisions of hundreds of provincial administrative tribunals. As well, the Divisional Court has some family and civil appellate jurisdiction. Proceedings are generally heard by panels of three judges, but may be heard by a single judge in some circumstances.

The Divisional Court sits regularly throughout the year in Toronto and has regularly scheduled sittings in all other regions of the province at various times.

It is one of the busiest appellate courts in Canada with **1,272** new proceedings commenced in the year ending March 31, 2009 and **1,263** in the year ending March 31, 2010.

Justice Katherine Swinton is the administrative team lead for the Divisional Court in Toronto. Justice Swinton works in tandem with Associate Chief Justice Cunningham to coordinate sittings in Toronto and across the province. Together they assist the dedicated Divisional Court staff to make this appellate branch a model of effectiveness and efficiency.

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## ADMINISTRATIVE STRUCTURE AND ACTIVITIES

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The Chief Justice has the statutory authority to direct and supervise the sittings of the Superior Court as well as the assignment of judicial duties. These powers are delegated by the authority of the Chief Justice to eight Regional Senior Judges to exercise in their respective regions. In turn, the Regional Senior Judges may designate Local Administrative Judges to assign and schedule cases at certain court sites or in special jurisdictions. The Chief Justice chairs the Regional Senior Judges Council, which includes the Associate Chief Justice, the Regional Senior Judges and the Senior Family Judge. This Council advises the Chief Justice on high-level policy and governance issues affecting the administration of the Court.

A significant document guiding the work of the Court remains the scheduling conventions established in 1992 by then Chief Justice F.W. Callaghan. In essence, these conventions mean that workload is assessed regionally, not locally. Judicial resources are allocated to each court location based on a flexible formula that takes into account not only pending caseloads at each site, but also any unusually lengthy or complex trials requiring special expertise, equipment or facilities.

To assist the Chief Justice and the Regional Senior Judges Council in managing the affairs of the Court, a series of committees have been formed.

### **Workload and Wellness Committee**

In mid-2007, the Chief Justice established the Workload and Wellness Committee to address the issues raised in the Ontario Superior Court Judges' Association (OSCJA) 2007 Survey Report. The committee was given a mandate to study and report on the topics of communications, family law, judicial complement, judicial scheduling and government relations.

Between January 2008 and March 2010, the committee addressed each of the five mandated topics and issued reports on government relations, judicial scheduling and other issues. On the advice of the Regional Senior Judges Council, the Chief Justice adopted the recommendations in all of the committee reports, with few amendments. In her remarks to the Court at the May 2010 education conference, the Chief Justice conveyed her appreciation for the efforts of the Workload and Wellness Committee and the collegial and collaborative way its members had achieved a consensus on the many questions under consideration.

The Committee was chaired, initially, by Associate Chief Justice Cunningham and, later, by Regional Senior Justice C. Stephen Glithero. Committee members on behalf of the Regional Senior Judges Council included Justice Edward F. Then, Justice Michael Brown and, *ex officio*, the Senior Family Judge — initially Justice David R. Aston and later Justice Mary Jane Hatton. Representatives of the OSCJA included, at the outset, Justice Ruth E. Mesbur and Justice George T. Valin and, later, Justice S. Casey Hill and Justice Sarah E. Pepall.

## **Security Committee**

The security of judges is critical to the Court's ability to function. In 2008, the Chief Justice renewed the Security Committee's mandate to evaluate existing security measures, identify gaps and develop security programs to remedy areas of vulnerability. Since its renewal, the Security Committee has developed tools for judges to proactively prevent security incidents at home and at work. It has also streamlined processes to ensure an immediate and comprehensive response to any security incident.

The Security Committee is chaired by Regional Senior Justice Edward Then. Committee members include Regional Senior Justice Stephen Glithero, Regional Senior Justice Charles Hackland and Justice John B. McMahon.

## **Facilities Committee**

Reporting to the Chief Justice, the Facilities Committee has a mandate to consider, review and provide strategic advice on courthouse facility issues. Working with the relevant Regional Senior Judge, the committee provided comments and helpful advice on the first of four new consolidated courthouses that are being planned, designed or built in St. Thomas, Waterloo region, Belleville and Thunder Bay. In addition, the Committee regularly provides input to the Ontario government on various planning initiatives to meet the needs of the Court in the years to come.

In February 2010, Justice Anne Malloy ended her term with the Committee, completing five years of dedicated and immensely valuable service. Regional Senior Justice Lynne Leitch filled Justice Malloy's vacancy. She joins Justice Ian V. B. Nordheimer and Justice Bryan J. Shaughnessy on the Committee.

## **Education Committee**

The Chief Justice's Education Committee is responsible for developing the learning content of court-wide judicial education seminars. Under the mandate from the Chief Justice, the committee liaises with the National Judicial Institute to organize the two educational conferences held each year, in spring and fall. Three members of the Committee are appointed by the Chief Justice directly and three on the recommendation of the Ontario Superior Court Judges' Association.

Preparation for each conference begins early, and is often well underway shortly after the current education conference is completed. Working with judicial colleagues, the committee develops materials and crafts the program. The committee members often participate on panels and arrange for informative and lively guest speakers. The goal is to deliver quality continuing legal education to the entire Superior Court.

The members of the Education Committee are: Senior Family Justice Mary Jane Hatton, Justice Michelle Fuerst, Justice G. Patrick Smith, Justice Paul M. Perell, Justice Michael H. Tulloch and Justice Elizabeth M. Stewart.

### **Library Committee**

The Chief Justice's Library Committee provides advice to the Manager of Judicial Library Services on the Court's library and research needs. To help the Court remain an effective bench in an increasingly digital world, the committee sponsors training for judges on the use of electronic legal databases and develops internal tools to manage digital resources. Launched in 2009–2010 was the Judges Toolkit, a series of practical guides developed by experienced judges, for judges, on such issues as trial management. These electronic resources complement the print library collections and other services offered by the library.

The Committee is comprised of: Regional Senior Justice Louise L. Gauthier, Justice Lynn D. Ratushny, Justice Michelle Fuerst, Justice Sidney N. Lederman (OSCJA designate) and Ms. Louise Hamel, Manager, Judicial Library Services, *ex-officio*.

### **Articling Committee**

The Superior Court's Legal Research Facility consists of law clerks who provide support to all Superior Court judges located throughout the province. The clerks are articling students who are fulfilling professional licensing requirements with the Law Society of Upper Canada following completion of law school. The Articling Committee oversees the coordination of the clerkship program.

Recognizing that law clerks are a valuable resource to the judiciary, a new law clerk position based in Thunder Bay in the Northwest Region will be added, bringing the province-wide total to 22. As of the 2010–2011 articling year, every judicial region of the Superior Court will have law clerk support based in one of its courthouses.

The Committee Members are: Justice Alison Harvison Young (Co-chair), Justice Thea P. Herman (Co-chair), Regional Senior Justice Edward Ducharme and Justice Heidi S. Levenson Polowin.

### **Senior Family Judge's Consultation Committee**

One of the goals set out in the Superior Court of Justice Family Law Strategic Plan is to improve communication and consultation with judges. As a step in this direction, a Consultation Committee has been established to advise and assist the Senior Family Judge with family law initiatives. In early 2009, in consultation with the Chief Justice, the Associate Chief Justice and the Regional Senior Judges, Justice Hatton selected one judge from each region to serve on the committee for a two-year term. Members were chosen to reflect an array of family law perspectives. In addition to assisting the Senior Family Judge, their role is to obtain input from other family judges in their regions.

The Committee is chaired by Senior Family Justice Mary Jane Hatton. Membership is comprised of Justice Douglas C. Shaw (Northwest Region), Justice Robert A. Riopelle (Northeast Region), Justice Jennifer A. Blishen (East Region), Justice Ramona A. Wildman (Central East Region), Justice J. Wilma Scott (Central South Region), Justice Kendra D. Coats (Central West Region),



Justice R. John Harper (Southwest Region), Justice Ruth E. Mesbur (Toronto) and Justice George Czutrin (Toronto).

### **Technology Initiatives**

The Court is taking advantage of information technology to continually improve the efficiency of operations and the quality of service.

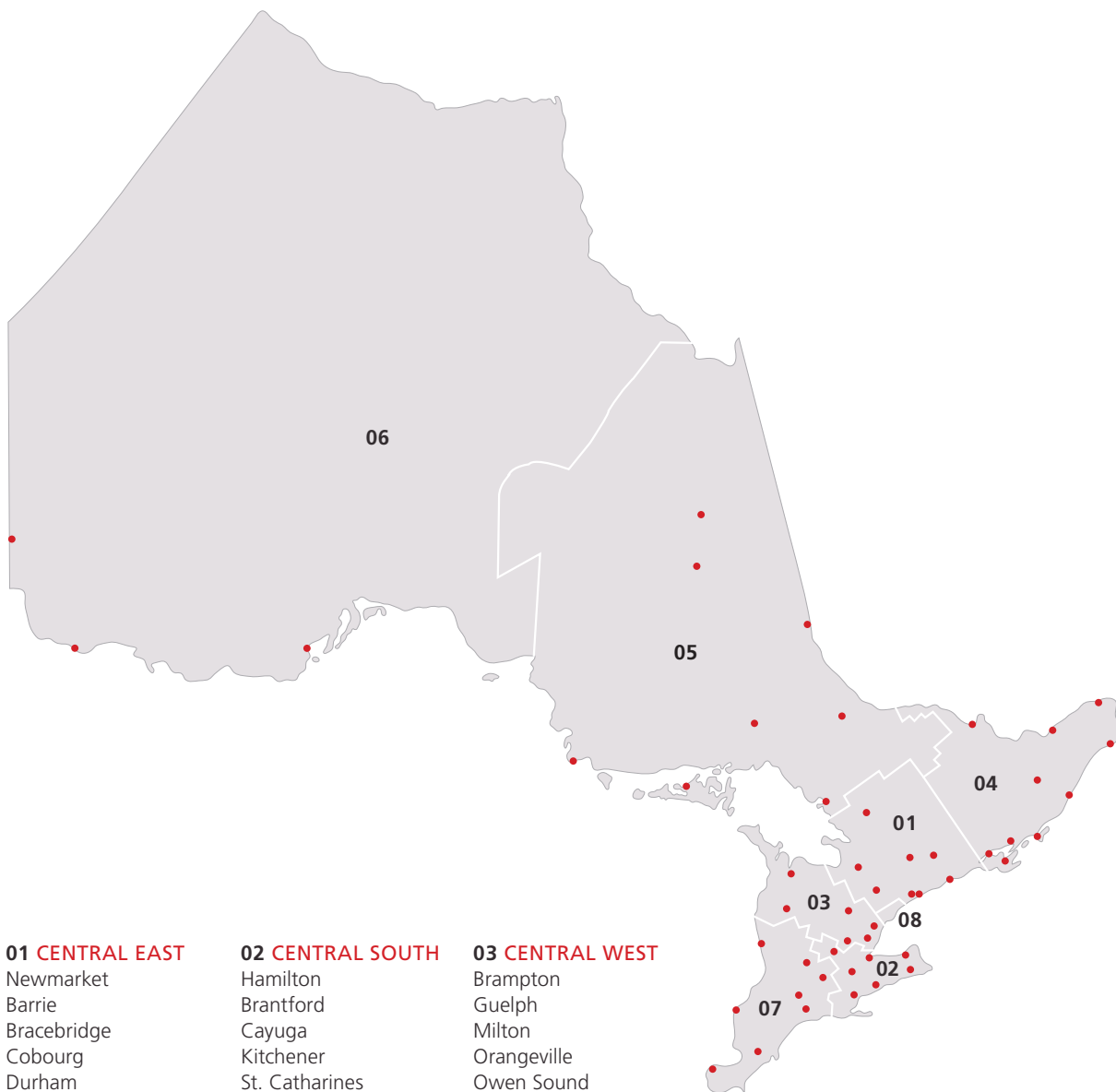
In 2008, the electronic case management system used to track matters before the Court, known as FRANK, was implemented in all courthouses, replacing several older applications and providing uniform statistical reporting across the province. Since then, the FRANK application has received significant enhancements and improvements, several in response to the Osborne report.

The Court has begun preparation to consult on the new Court Information Management System (CIMS) being developed to replace the FRANK and Estates applications. The CIMS initiative will build upon the current functionality while adding new capabilities to manage courthouse workflows and support service to the public.

In the course of their work, judges gather, produce and use much confidential information, such as emails, research, bench books and draft judgments. The Judicial Information Technology Office (JITO) was created in April 2008. Accountable to the Chief Justices of the three Courts of Ontario, its mandate is to support judges by managing the security and segregation of their information. Through JITO, the Court has control over judicial information, which is kept separately from ministry or government information.

In January 2010, the Court began adding Neutral Citations to its decisions. Searches are now commonly based on these citations, which reflect a standard numbering convention for case law.

In the future, the Court looks forward to the benefits of enhanced clarity of courtroom recordings and timely access for playbacks in court, in chambers and for transcriptions by court reporters.



**01 CENTRAL EAST**

Newmarket  
 Barrie  
 Bracebridge  
 Cobourg  
 Durham  
 Lindsay  
 Peterborough

**02 CENTRAL SOUTH**

Hamilton  
 Brantford  
 Cayuga  
 Kitchener  
 St. Catharines  
 Simcoe  
 Welland

**03 CENTRAL WEST**

Brampton  
 Guelph  
 Milton  
 Orangeville  
 Owen Sound  
 Walkerton

**04 EAST**

Ottawa  
 Belleville  
 Brockville  
 Cornwall  
 Kingston  
 L'Orignal  
 Napanee  
 Pembroke  
 Perth  
 Picton

**05 NORTHEAST**

Sudbury  
 Cochrane  
 Gore Bay  
 Haileybury  
 North Bay  
 Parry Sound  
 Sault Ste. Marie  
 Timmins

**06 NORTHWEST**

Thunder Bay  
 Fort Frances  
 Kenora

**07 SOUTHWEST**

London  
 Chatham  
 Goderich  
 Sarnia  
 St. Thomas  
 Stratford  
 Windsor  
 Woodstock

**08 TORONTO**



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REGIONS OF THE SUPERIOR  
COURT OF JUSTICE

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POPULATION 2008 – 2009

01 CENTRAL EAST

**2,421,200**

02 CENTRAL SOUTH

**1,709,710**

03 CENTRAL WEST

**2,238,250**

04 EAST

**1,673,460**

05 NORTHEAST

**562,190**

06 NORTHWEST

**234,810**

07 SOUTHWEST

**1,425,510**

08 TORONTO

**2,654,500**

POPULATION 2009 – 2010

01 CENTRAL EAST

**2,469,060**

02 CENTRAL SOUTH

**1,722,130**

03 CENTRAL WEST

**2,285,930**

04 EAST

**1,683,430**

05 NORTHEAST

**560,590**

06 NORTHWEST

**233,110**

07 SOUTHWEST

**1,432,200**

08 TORONTO

**2,664,290**



## 01 CENTRAL EAST REGION

The Honourable Mr. Justice Michael Brown is the Regional Senior Judge in Central East. As of March 31, 2010, the region had 37 full-time and four supernumerary judges.

The Central East Region includes the regional judicial centre of Newmarket and six other court locations – in Barrie, Bracebridge, Cobourg, Durham, Lindsay and Peterborough.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

Geographically, the Central East Region is extensive and varied, including two regional municipalities in the Greater Toronto Area — York and Durham — as well as adjoining rural and cottage areas with smaller communities. The region spans the territory from the eastern border of Toronto to the western border of Hastings County and north to include the District of Muskoka — and also reaches from the northern border of Toronto through Simcoe County.

In 1995, a Family Court branch was established in Barrie. In the 1999 Family Court expansion, six additional sites were opened in the region, making Central East the first and only region to have a Family Court branch at each of its court locations.

The population of Central East has grown steadily, almost doubling from just over 1.25 million in 1990 to 2.5 million in 2010. During this period, the bench in the region expanded from 20 to 41 judges. Over the next five years, the region's population is projected to increase by close to one quarter million people.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

The most notable highlight in Central East Region over the past two decades is the completion of the new Durham Consolidated Courthouse, which markedly improves access to justice and the delivery of justice services.

Built on time and on budget, the new courthouse consolidates justice services formerly provided by the Superior Court of Justice and the Ontario Court of Justice in eight different locations. Construction began in May 2007 and the facility became operational in March 2010. Sustainable design and cutting-edge technology have promoted comfort, convenience and safety throughout the 446,000 square-foot courthouse.

Features include:

- 33 courtrooms, three motions rooms, three conference/settlement rooms.
- Six courtrooms outfitted for video remand conferencing and additional courtrooms with video conferencing capabilities.
- Two remote video testimony rooms for vulnerable and child witnesses.
- An interpretation/translation facility.
- Capacity to accommodate trials requiring additional security and multiple accused persons.

### FORMER REGIONAL SENIOR JUDGES IN THE CENTRAL EAST REGION

#### 1990–1996

The Hon. Madam Justice J. MacFarland

#### 1996–1999

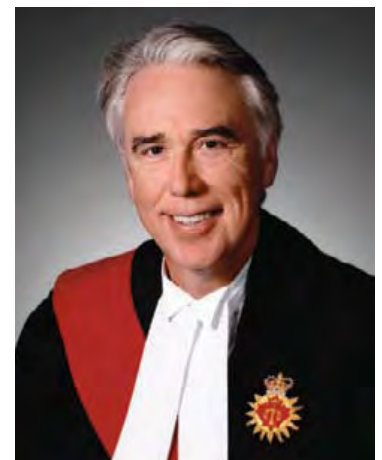
The Hon. Mr. Justice D. Logan

#### 2000–2007

The Hon. Mr. Justice B. Shaughnessy

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Madam Justice P. Eberhard, *Barrie*
- The Hon. Mr. Justice T. Wood, *Bracebridge*
- The Hon. Mr. Justice E. Minden, *Newmarket*
- The Hon. Mr. Justice A. Rowsell, *Durham*
- The Hon. Mr. Justice D. Gunsolus,  
*Tri-Counties*  
(*Peterborough, Cobourg and Lindsay*)



The Hon. Mr. Justice Michael Brown,  
Regional Senior Judge

The facility was built to achieve LEED–NC Silver Certification (Leadership in Energy and Environmental Design), which includes rigorous requirements for energy management and conservation.

### **REGIONAL SCHEDULING INITIATIVES**

Over the years the region has undertaken many successful regional scheduling initiatives. Some examples:

#### **Civil/Family Concentrated Trial Sittings**

Twice yearly for three-week periods, trial sittings take place at all judicial centres with all Central East judges presiding. More than 750 civil and family matters are dealt with in each period, with a resolution rate, before trial, of almost 70 per cent.

#### **Criminal Pre-trials**

Dedicated criminal pre-trial judges preside in each centre. Both the Court and the parties experience judicial continuity as each criminal matter makes its way through the Superior Court.

#### **Long Civil Motions**

For locations with an abundance of long motions, dedicated weeks have been set aside with designated judges for fixed-date motions. Since the volume of motions is managed, counsel are always guaranteed that a judge will be available.

#### **Family Motions**

Wait times and the number of adjournments for family motions have been reduced since the Newmarket Family Court implemented a fixed-date family motions scheduling practice.

#### **Dedicated Civil and Family Pre-trial Weeks**

Prior to each of the concentrated trial sittings mentioned above, several judges with civil and family expertise are assigned, for a week at a time, to conduct pre-trial conferences. This has proven extremely successful in resolving cases.

### **JUDGES**

The Hon. Mr. Justice Michael F. Brown,  
Regional Senior Judge

#### **BARRIE**

- The Hon. Mr. Justice Guy P. DiTomaso
- The Hon. Madam Justice Margaret P. Eberhard
- The Hon. Mr. Justice Fred Graham
- The Hon. Madam Justice Susan E. Healey
- The Hon. Mr. Justice Peter H. Howden
- The Hon. Mr. Justice J. Robert Mackinnon
- The Hon. Mr. Justice John R. McIsaac
- The Hon. Mr. Justice Gregory M. Mulligan
- The Hon. Madam Justice Lydia M. Olah
- The Hon. Madam Justice Elizabeth A. Quinlan
- The Hon. Mr. Justice Alfred J. Stong
- The Hon. Madam Justice Ramona A. Wildman

#### **BRACEBRIDGE**

- The Hon. Mr. Justice Thomas M. Wood

#### **LINDSAY**

- The Hon. Mr. Justice Drew S. Gunsolus

#### **DURHAM**

- The Hon. Madam Justice Jane E. Ferguson
- The Hon. Mr. Justice Bruce A. Glass
- The Hon. Madam Justice Jayne E. Hughes
- The Hon. Madam Justice Myrna L. Lack
- The Hon. Mr. Justice Hugh K. O'Connell
- The Hon. Mr. Justice Allan R. Rowsell
- The Hon. Mr. Justice David W.E. Salmers
- The Hon. Madam Justice Margaret A.C. Scott
- The Hon. Mr. Justice J. Bryan Shaughnessy
- The Hon. Mr. Justice Alexander Sosna
- The Hon. Mr. Justice D. Roger Timms

#### **NEWMARKET**

- The Hon. Mr. Justice R. Cary Boswell
- The Hon. Madam Justice Michelle K. Fuerst
- The Hon. Madam Justice Cory A. Gilmore
- The Hon. Mr. Justice Ronald P. Kaufman
- The Hon. Mr. Justice Peter D. Lauwers
- The Hon. Mr. Justice Thomas J. McEwen
- The Hon. Madam Justice Heather A. McGee
- The Hon. Mr. Justice Edwin (Ted) B. Minden
- The Hon. Madam Justice Anne M. Mullins
- The Hon. Mr. Justice Clifford S. Nelson
- The Hon. Madam Justice Sherrill M. Rogers

## PETERBOROUGH

- The Hon. Mr. Justice J. Christopher Corkery
- The Hon. Mr. Justice Alan P. Ingram
- The Hon. Mr. Justice Barry G.A. MacDougall
- The Hon. Mr. Justice Peter Z. Magda

## CHALLENGES

One of the greatest challenges faced by Central East Region began in March 2000, when mould was discovered in the Newmarket courthouse. By the end of June, once the full extent of the problem was known, the government had closed the building for extensive remediation work.

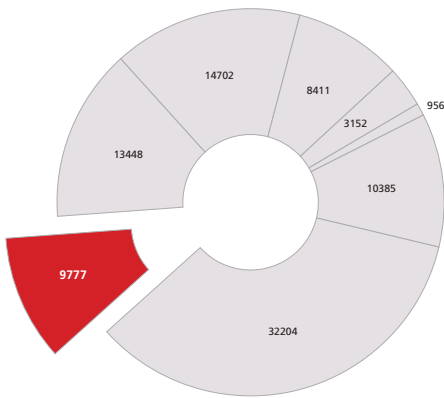
With superb organization, a trailer park was created to house court operations in the parking lot at the courthouse on only three days notice. The courts got up and running in trailers over a long weekend without creating major delays. At its height, the trailer park contained 39 trailers.

Although the original return date to the courthouse was scheduled for October 2000, air quality problems and other construction issues resulted in delays. With deteriorating weather conditions, the ministry decided to lease temporary quarters and reconfigure them for court use. For the second time in six months, almost the entire courthouse operation and all of its work were moved with a minimum of disruption. Finally, after many months of temporary accommodation, the Newmarket Courthouse reopened and normal operations resumed.

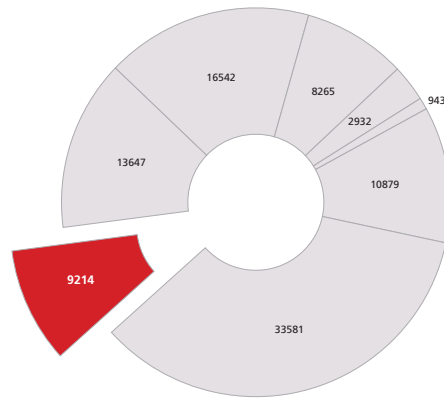
## SUCSESSES

The Central East Region views its greatest success as the continuing ability to meet the needs of the public in civil, criminal and family matters, despite a rapidly growing population, especially in York and Durham regions. This has been achieved in part by the implementation of the scheduling initiatives outlined above.

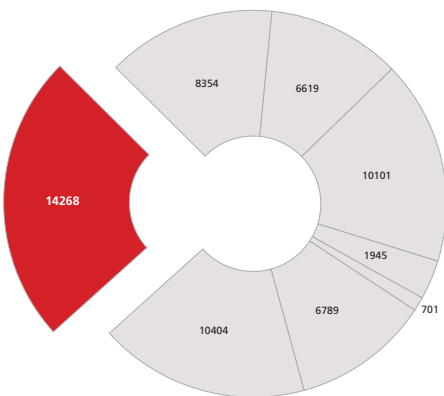
# New Proceedings for the Central East Region and Ontario



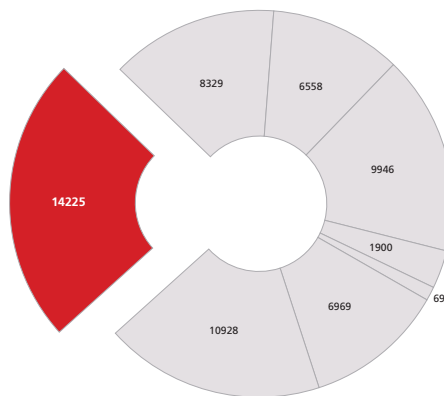
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



**9,214**  
 CE: NEW CIVIL PROCEEDINGS 09/10  
**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10



**14,268**  
 CE: NEW FAMILY PROCEEDINGS 08/09  
**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



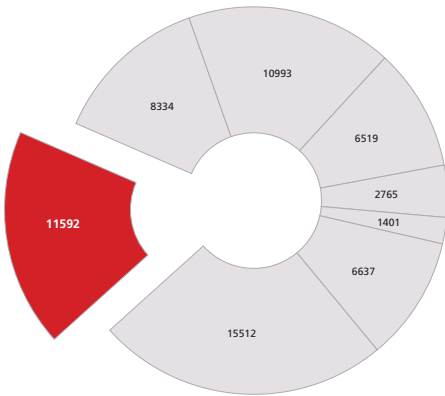
**14,225**  
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**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10



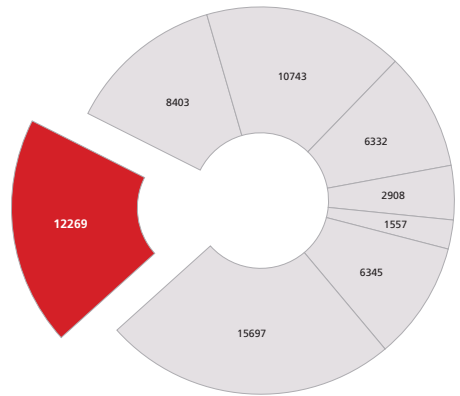
**483**  
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**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



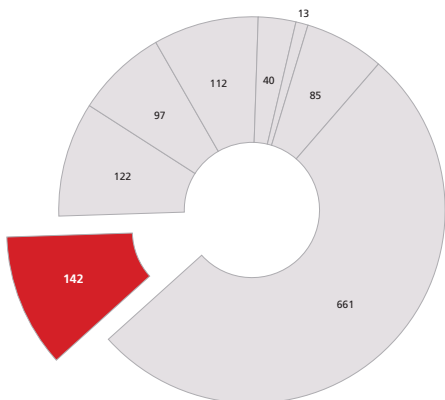
**436**  
 CE: NEW CRIMINAL PROCEEDINGS 09/10  
**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



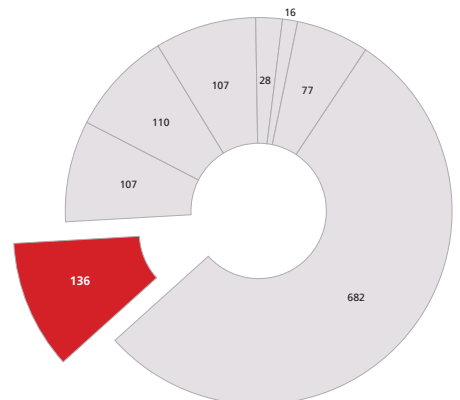
**11,592**  
 CE: NEW SCC PROCEEDINGS 08/09  
**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**12,269**  
 CE: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**142**  
 CE: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**136**  
 CE: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10





## 02 CENTRAL SOUTH REGION

The Honourable Mr. Justice Stephen Glithero is the Regional Senior Judge in Central South Region. As of March 31, 2010, the region had 26 full-time judges and 10 supernumerary judges.

The Central South Region includes the regional judicial centre of Hamilton, as well as six other court locations – in Brantford, Cayuga, Kitchener, St. Catharines, Simcoe and Welland. Family Court sites are located in Hamilton and St. Catharines.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

Extending from Elmira to Welland, the Central South Region covers the regional municipalities of Haldimand-Norfolk, Hamilton-Wentworth, Niagara and Waterloo as well as the County of Brant. Its make-up blends urban and rural elements. Two of the court sites serve populations of more than 500,000, while the smallest centre serves a population of just over 50,000.

The region is home to eight very distinctive courthouses, the oldest built in 1851 and the newest currently under construction.

The 1851 structure is a classical landmark in the village of Cayuga. It was partially rebuilt in 1923 after a fire and is noted for the balcony seating in courtroom #1.

The Superior Court's current courthouse in Kitchener features a unique overhang at the front doors that resembles the canvas covering on a Conestoga wagon. Operations from this building will merge with those of the Ontario Court's Cambridge and Kitchener facilities in the new Waterloo Region Consolidated Courthouse now under construction at 59 Weber Street in Kitchener. This modern new courthouse is urgently needed, as demographic trends project a dramatic population increase continuing over the next 25 years.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

The Central South Region regards its greatest achievement over the last 20 years as its capacity to adapt to population growth and the rising complexity of court proceedings, while continuing to conclude matters in a timely manner. In 2009, the region served a population of more than 1.7 million, an increase of 30 per cent from 1990. Population growth has resulted in a larger caseload; trial duration has also increased. By closely monitoring statistics, revisiting scheduling practices, introducing new scheduling initiatives and simple hard work, the Central South Region has succeeded in keeping pace with the ever-increasing demands.

### FORMER REGIONAL SENIOR JUDGES IN THE CENTRAL SOUTH REGION

#### 1990–1992

The Hon. Mr. Justice J.G.M. White

#### 1992–2001

The Hon. Mr. Justice E.B. Fedak

#### 2001–2006

The Hon. Mr. Justice J.C. Kent

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Mr. Justice A.C. Whitten, *Hamilton*
- The Hon. Madam Justice C.A. Lafreniere, *Hamilton Family Court*
- The Hon. Mr. Justice P.J. Flynn, *Kitchener*
- The Hon. Madam Justice L.A. Walters, *St. Catharines*
- The Hon. Mr. Justice J.R. Henderson, *Welland*
- Mr. Justice H.S. Arrell, *Brantford*
- The Hon. Mr. Justice J.R. Turnbull, *Simcoe*
- The Hon. Mr. Justice B.H. Matheson, *Cayuga*



The Hon. Mr. Justice C. Stephen Glithero,  
Regional Senior Judge

## REGIONAL SCHEDULING INITIATIVES

One of several effective scheduling initiatives in the Central South Region was the creation of a regional long-trial list in 2005, designed to accommodate all civil trials projected to last longer than 15 days. Sittings for these trials are held twice a year and all cases on the list commence on the first scheduled day. Significant judicial resources are dedicated to the long-trial team in order to deal with these matters.

Prior to creation of the list, scheduling lengthy trials was a significant challenge; however, the long-trial team has accommodated each and every trial assigned to the list since its inception. In addition, counsel find it helpful to receive a fixed date for the start of a trial and to be assured that the trial will, indeed, be heard as scheduled. The long-trial list eliminated the backlog for lengthy civil trials in Central South Region. Long trials are scheduled and heard within six months of readiness for trial.

## JUDGES

The Hon. Mr. Justice C. Stephen Glithero,  
Regional Senior Judge

### BRANTFORD

- The Hon. Mr. Justice Harrison S. Arrell
- The Hon. Mr. Justice James C. Kent

### HAMILTON

- The Hon. Mr. Justice Nick Borkovich
- The Hon. Madam Justice Kim A. Carpenter-Gunn
- The Hon. Mr. Justice John J. Cavarzan
- The Hon. Mr. Justice David S. Crane
- The Hon. Mr. Justice William J. Festeryga
- The Hon. Mr. Justice C. Raymond Harris
- The Hon. Madam Justice Cheryl Lafreniere
- The Hon. Mr. Justice Richard A. Lococo
- The Hon. Mr. Justice Thomas R. Lofchik
- The Hon. Madam Justice Jane A. Milanetti
- The Hon. Mr. Justice James A. Ramsay
- The Hon. Mr. Justice Alan C.R. Whitten
- The Hon. Madam Justice Caroline E. Brown
- The Hon. Mr. Justice Randolph J.D. Mazza
- The Hon. Madam Justice Mary Jo McLaren
- The Hon. Mr. Justice Alex Pazaratz
- The Hon. Mr. Justice David M. Steinberg

### KITCHENER

- The Hon. Mr. Justice Patrick J. Flynn
- The Hon. Mr. Justice Donald J. Gordon
- The Hon. Mr. Justice Peter B. Hambly
- The Hon. Madam Justice Wendy L. MacPherson
- The Hon. Mr. Justice Michael D. Parayeski
- The Hon. Mr. Justice Robert D. Reilly
- The Hon. Mr. Justice Gerald E. Taylor

### SIMCOE

- The Hon. Mr. Justice James R.H. Turnbull

### ST. CATHARINES

- The Hon. Mr. Justice Joseph W. Quinn
- The Hon. Madam Justice J. Wilma Scott
- The Hon. Mr. Justice Donald J. Taliano
- The Hon. Madam Justice Linda M. Walters

### WELLAND

- The Hon. Mr. Justice Joseph R. Henderson
- The Hon. Madam Justice Theresa Maddalena
- The Hon. Mr. Justice Barry M. Matheson
- The Hon. Madam Justice C. Anne Tucker

## CHALLENGES

One of the biggest challenges in Central South Region involves requests for adjournment or advising of a resolution in a matter without prior communication with the Court. This can lead to less than optimum use of judicial resources. In order to address this issue, the Region has put a number of procedures in place, including:

- Actively matching judges with a strong background in a particular area of law to conduct pre-trials in matters related to their expertise so as to optimize the chance of resolution, or at least the achievement of accurate scheduling commitments, at the judicial pre-trial stage.
- Having trial coordinators contact counsel on all criminal matters one to two days in advance of the scheduled trial date to ensure that the matter is still proceeding as scheduled.
- For civil trial sittings at the two largest sites in Central South Region, asking that all counsel on scheduled civil trial sittings confirm in writing that the matter is proceeding as scheduled or, alternatively, personally attend at a “speak to” court to advise as to the status of the trial.
- Continuing to educate counsel at Bench & Bar Committee meetings of the significant impact this lack of communication has on scheduling and on judicial resources.

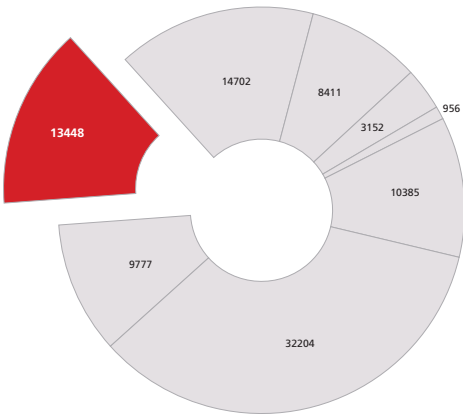
## SUCSESSES

One of Central South Region’s main successes is the implementation of concentrated trial sittings at two of its largest centres.

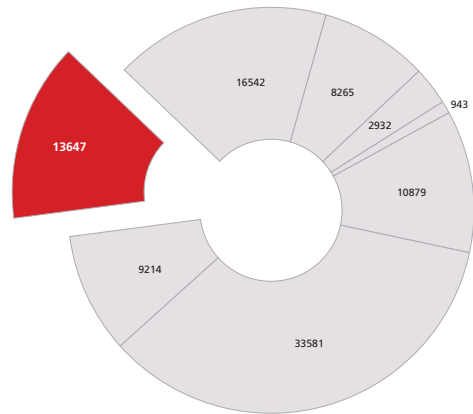
In 2002, Kitchener developed concentrated sittings for all civil and family trials. These sessions occur four times a year, with each lasting three weeks. Extra judicial resources are allocated to Kitchener during these periods to ensure that, for the most part, all scheduled matters on the list can be heard.

Prior to these concentrated sittings, there was a backlog in civil and family trials, with listed cases often not reached and the caseload increasing year after year. Currently, the backlog has been eliminated and the caseload is manageable. Similarly, in 2007, Hamilton adopted the same concentrated sittings system for civil trials, with much the same success.

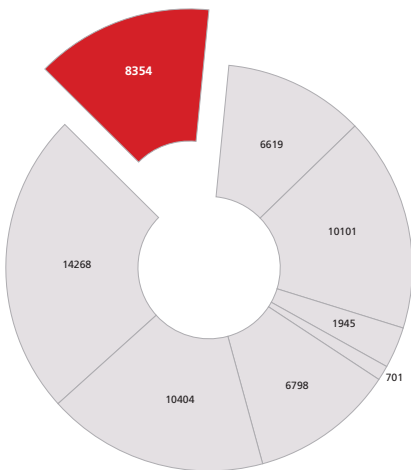
# New Proceedings for the Central South Region and Ontario



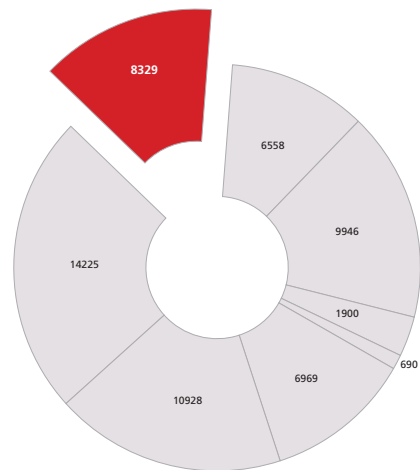
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



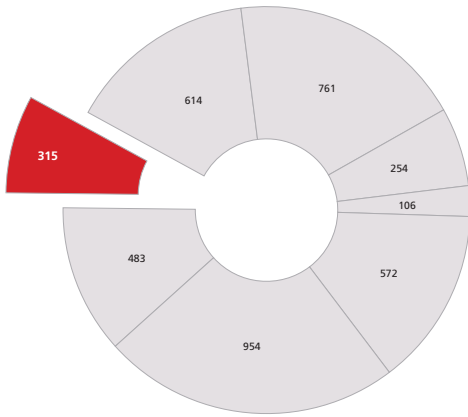
**13,647**  
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**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10



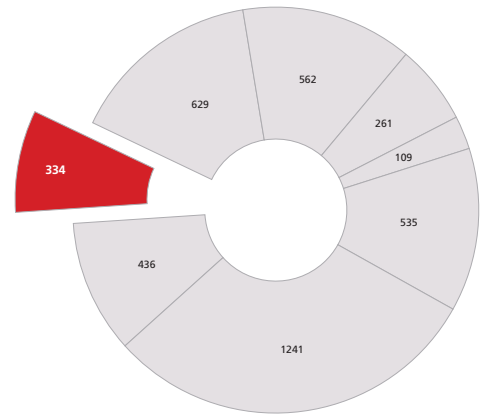
**8,354**  
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**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



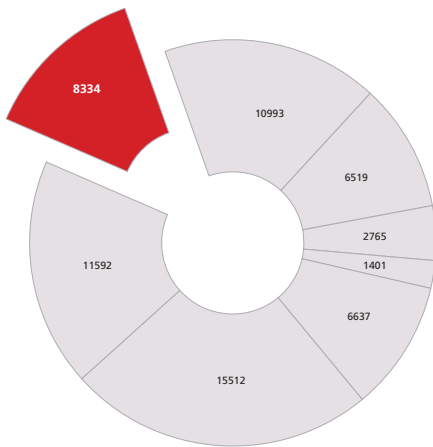
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**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10



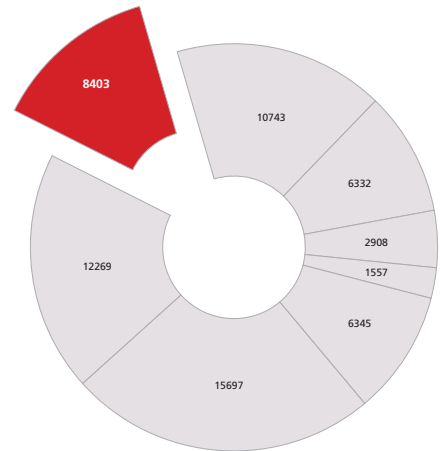
**315**  
 CS: NEW CRIMINAL PROCEEDINGS 08/09  
**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



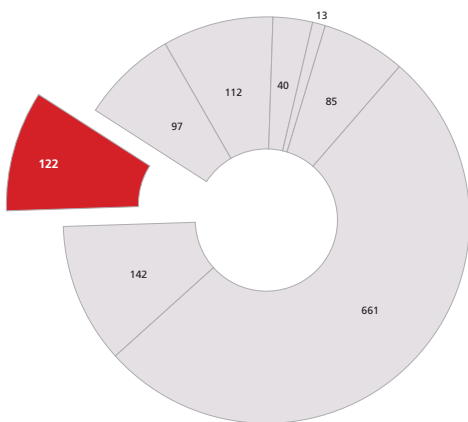
**334**  
 CS: NEW CRIMINAL PROCEEDINGS 09/10  
**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



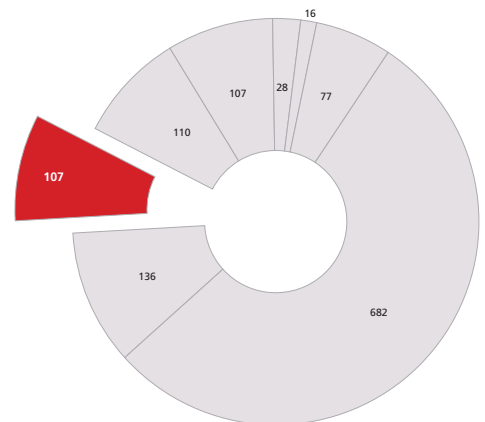
**8,334**  
 CS: NEW SCC PROCEEDINGS 08/09  
**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**8,403**  
 CS: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**122**  
 CS: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**107**  
 CS: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10



## 03 CENTRAL WEST REGION

The Honourable Madam Justice Francine Van Melle is the Regional Senior Judge in the Central West Region. The region is home to 27 full-time judges and seven supernumerary judges.

The Central West Region includes the regional judicial centre of Brampton, as well as five other court locations – in Guelph, Milton, Orangeville, Owen Sound and Walkerton.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

The Central West Region of the Superior Court serves the Regional Municipalities of Peel and Halton in the Greater Toronto Area as well as the more rural and less populous Counties of Bruce, Dufferin, Grey and Wellington. The region comprises a number of cities with substantial and growing populations – including Mississauga, the sixth largest city in Canada; Brampton, the tenth largest; and Milton, one of the two fastest growing cities in the country.

Of historical note, the *Askov* case – the first to address the Charter right of accused persons to a trial within a reasonable time, and ultimately decided by the Supreme Court of Canada – originated in Brampton in Central West Region.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

The most significant and visible achievement in Central West has been the construction of two new courthouses – one in Brampton and one in Owen Sound.

In Brampton, the 40-courtroom A. Grenville & William Davis Courthouse opened in 2000, replacing several court facilities in Peel Region and responding to the area's population growth and consequent increase in proceedings. The consolidated facility houses both the Superior Court of Justice and the Ontario Court of Justice.

### FORMER REGIONAL SENIOR JUDGES IN THE CENTRAL WEST REGION

#### 1990–1994

The Hon. Mr. Justice J.B. Webber

#### 1994–1999

The Hon. Mr. Justice J.D. Carnwath

#### 1999–2000

The Hon. Madam Justice J.M. Simmons

#### 2000–2009

The Hon. Mr. Justice S.B. Durno

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Mr. Justice E.R. Kruzick,  
*Orangeville*
- The Hon. Mr. Justice D.K. Gray, *Milton*
- The Hon. Mr. Justice R.M. Thompson,  
*Walkerton/Owen Sound*
- The Hon. Mr. Justice C.N. Herold, *Guelph*



*The Hon. Madam Justice Francine E. Van Melle,  
Regional Senior Judge*

## REGIONAL SCHEDULING INITIATIVES

Over the past 20 years, the region has introduced a number of scheduling and other initiatives to address the increasing volume of proceedings.

The region implemented its own best practices for criminal pre-trial conferences years before the success of this initiative led to the mandating of the process for the whole province. As a result of the hard work of judges and staff, the region has avoided a repeat of the circumstances that led to the *Askov* case.

To promote scheduling efficiency, three panels of judges are scheduled, one for each area of the Court's jurisdiction – civil, criminal and family. Judges from each panel preside over pre-trial and case conferences according to their expertise, whenever possible. Case management of high conflict cases in each area of law is also a feature of scheduling in the region.

The Central West Region combines the sittings for criminal and civil matters. The Regional Senior Judge delegates certain responsibilities to Criminal and Civil Administrative Judges, while administering family proceedings herself.

In the past, case management masters have not been available in this region. However, in April 2010, a pilot project is set to begin to support the use of the simplified procedure under *Rule 76*, now available for civil claims up to \$100,000. Toronto masters will come to Brampton and Milton four days each month to preside at pre-trial conferences and seek an early resolution in *Simplified Rules* cases. This initiative is intended to promote timely and effective settlements at the pre-trial stage and free up judicial time for other matters.

Measures such as “blitz lists” for civil proceedings, “heads-up” Monday morning pre-trial conferences for cases starting trial that week and early case conferences in family matters have helped the region manage a growing case-load. Efforts have also been made by judges to use their law clerks' research capabilities more effectively.

Assignment Court, where trial readiness is confirmed and trial dates are set, has been streamlined and consistency has been achieved by scheduling the same judges to sit in that court. Attendance at Assignment Court has been eliminated in many instances through the introduction of certification forms.

## JUDGES

The Hon. Madam Justice Francine E. Van Melle,  
Regional Senior Judge

### BRAMPTON

- The Hon. Madam Justice Deena F. Baltman
- The Hon. Mr. Justice Thomas A. Bielby
- The Hon. Mr. Justice David L. Corbett
- The Hon. Mr. Justice Peter A. Daley
- The Hon. Mr. Justice Fletcher Dawson
- The Hon. Mr. Justice Thomas M. Dunn
- The Hon. Mr. Justice S. Bruce Durno
- The Hon. Mr. Justice Joseph Michael Fragomeni
- The Hon. Mr. Justice S. Casey Hill
- The Hon. Mr. Justice Kenneth A. Langdon
- The Hon. Mr. Justice Gordon D. Lemon
- The Hon. Mr. Justice A. Donald MacKenzie
- The Hon. Madam Justice Nancy M. Mossip
- The Hon. Mr. Justice Terrance P. O'Connor
- The Hon. Mr. Justice David G. Price
- The Hon. Mr. Justice Leonard Ricchetti
- The Hon. Madam Justice Silja S. Seppi
- The Hon. Madam Justice Lorna-Lee Snowie
- The Hon. Mr. Justice John R. Sproat
- The Hon. Mr. Justice Ronald G. Thomas
- The Hon. Mr. Justice Michael H. Tulloch
- The Hon. Madam Justice Katherine M. van Rensburg
- The Hon. Madam Justice Bonnie J. Wein

### GUELPH

- The Hon. Mr. Justice John R. Bellegem
- The Hon. Mr. Justice Casimir N. Herold

### MILTON

- The Hon. Madam Justice Kendra D. Coats
- The Hon. Mr. Justice Douglas K. Gray
- The Hon. Mr. Justice C. William Hourigan
- The Hon. Madam Justice Gisele M. Miller
- The Hon. Mr. Justice John C. Murray
- The Hon. Mr. Justice Michael G. Quigley

### ORANGEVILLE

- The Hon. Mr. Justice Emile R. Kruzick

### OWEN SOUND

- The Hon. Mr. Justice Robert M. Thompson



## CHALLENGES

Keeping pace with a rising caseload poses a continuing challenge for the Central West Region. Population growth is one factor behind the increasing volume of cases. Another is the location of the Toronto Pearson International Airport in Peel, which generates a large number of criminal cases, particularly in Brampton. In addition, the demand for family law resources has proven much higher than anticipated.

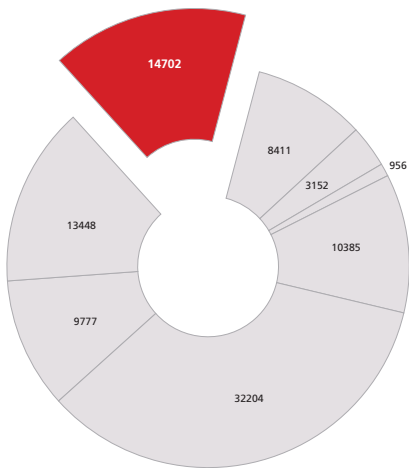
The region's court facilities are also under pressure. Although the Brampton courthouse is only 10 years old, space for standard judicial chambers has run out and it is often a challenge to find enough courtrooms for trials and other proceedings. As well, the courthouse in Milton no longer meets the needs of local residents or the Courts.

## SUCSESSES

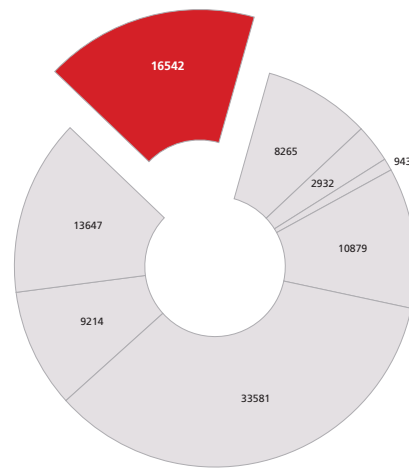
In family law, the region introduced early case conferences through practice directions in Brampton and Milton in 2008. The number of court appearances in family cases has been reduced by ensuring that trial dates are set at the required case conferences. Early trial dates are given to litigants in cases involving the custody of children. Mandatory information sessions and enhanced legal aid services recently have been established in Brampton and Milton. The Central West Region counts among its successes the work to improve the response to family law cases attributable to these initiatives.

Another success has been the ability to avoid a recurrence of *Askov*-type circumstances through effective management of the criminal caseload. The region's judges have also developed an excellent program for law clerks, which provides a very well-rounded articling experience.

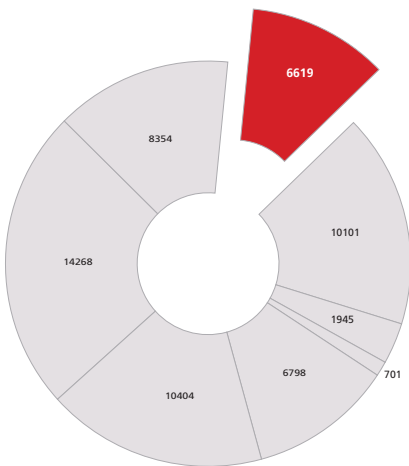
# New Proceedings for the Central West Region and Ontario



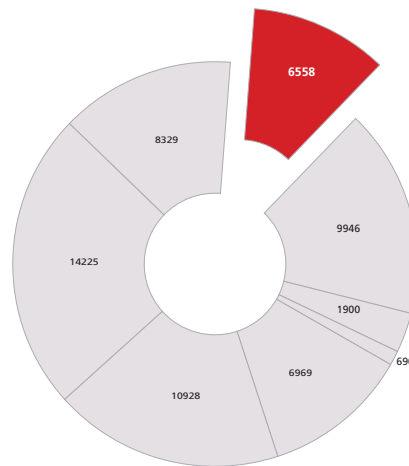
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



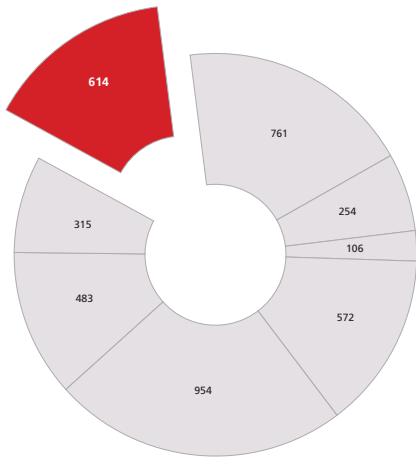
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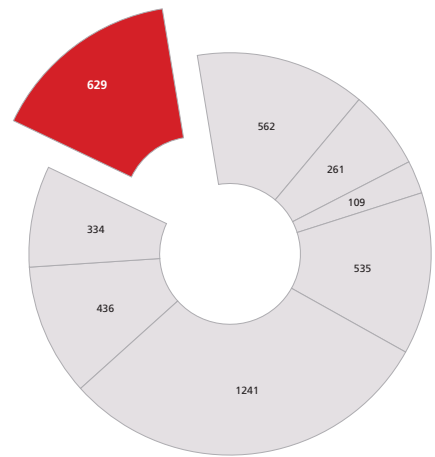
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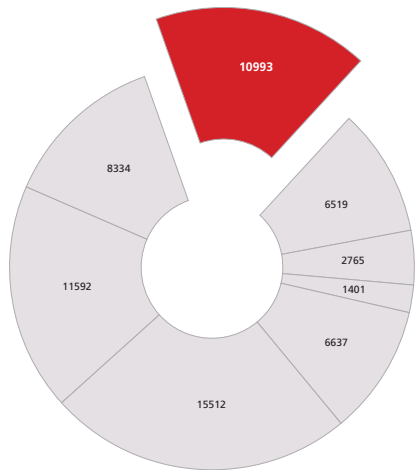
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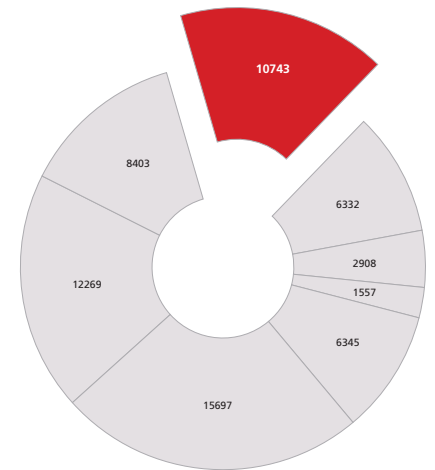
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**4,059**  
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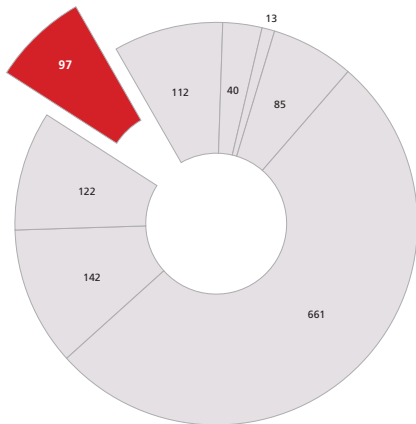
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**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



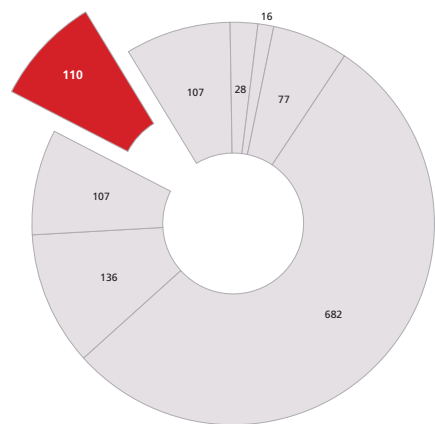
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**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**10,743**  
 CW: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**97**  
 CW: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**110**  
 CW: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10



## 04 EAST REGION

The Honourable Mr. Justice Charles Hackland is the Regional Senior Judge in the East Region. As of March 31, 2010, the region had 34 full-time judges and seven supernumerary judges with two case management masters.

The East Region encompasses the regional judicial centre of Ottawa, along with nine other court locations – in Belleville, Brockville, Cornwall, Kingston, L'Orignal, Napanee, Pembroke, Perth and Picton. Seven of the ten court sites in the region include a Family Court.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

The East Region stretches more than 300 kilometres from Belleville and Trenton in the west to L'Orignal and Hawkesbury along the Quebec border in the east, and encompasses a population of more than 1.7 million in ten municipalities. The hub of the region is Ottawa, with a population of 900,000. The judges of the East Region frequently travel between the various courthouses to preside over family, civil or criminal proceedings. Many proceedings in Ottawa, Cornwall and L'Orignal are heard in French, reflecting Canada's bilingual character.

Several courthouses in the region date from the 19th century and contain treasures from Canada's early legal history. The two oldest, in Picton and L'Orignal, were both built in the 1820s and are used today in much the same way as they were then. Sir John A. McDonald practised law in Picton and Kingston before entering politics, and pleaded many cases in courtrooms that have been preserved in their original condition.

In recent years, historic courthouses in Pembroke, Brockville, Perth and Napanee have been renovated and expanded in a way that preserves their architectural heritage while meeting modern security and information technology requirements. Planning is underway for a new or renovated courthouse in Kingston that will include a criminal courtroom for criminal cases involving multiple defendants and requiring high levels of security.

The East Region boasts modern courthouses in Ottawa and Cornwall, and construction will begin shortly for a new courthouse in Belleville to serve the 140,000 people of Hastings County. The 36-room courthouse in Ottawa, built in 1985, is undergoing a green roof project that will replace the existing roof with grass and plantings for environmental purposes.

### FORMER REGIONAL SENIOR JUDGES IN THE EAST REGION

#### 1990–1994

The Hon. Mr. Justice R.C. Desmarais

#### 1995–2000

The Hon. Mr. Justice J.B. Chadwick

#### 2000–2002

The Hon. Mr. Justice J.D. Cunningham

#### 2002–2003

The Hon. Mr. Justice J.B. Chadwick (acting)

#### 2002–2008

The Hon. Madam Justice M. Métivier

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Mr. Justice D.M. Belch, *Kingston/Napanee*
- The Hon. Mr. Justice R.B. Byers, *Picton*
- The Hon. Mr. Justice M.Z. Charbonneau, *L'Orignal*
- The Hon. Madam Justice J. Lafrance-Cardinal, *Cornwall*
- The Hon. Mr. Justice J. McNamara, *Pembroke*
- The Hon. Mr. Justice M. Quigley, *Brockville/Perth*
- The Hon. Mr. Justice R.F. Scott, *Belleville*
- The Hon. Madam Justice A.C. Trousdale, *Kingston Family Court*
- The Hon. Madam Justice J.A. Blishen, *Ottawa Family Court*
- The Hon. Madam Justice L.D. Ratushny, *Ottawa Criminal Court*
- The Hon. Mr. Justice R.N. Beaudoin, *Ottawa Civil Court*
- The Hon. Mr. Justice R.L. Maranger, *Small Claims Court*



The Hon. Mr. Justice Charles T. Hackland,  
Regional Senior Judge

## GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

In 1995, Ottawa had a backlog of more than 1,500 civil cases and then Regional Senior Justice James Chadwick launched an initiative to eliminate it. Law students helped purge that inventory of old, unresolved cases and the remaining cases were called for trial. In the evenings, a panel of 48 experienced lawyers volunteered their time to hold pre-trial conferences to attempt to resolve the cases on the list. A team of judges was assembled from the region to immediately try those cases that did not settle. The backlog was dissolved over the following 18 months.

On January 1, 1997, with the help of a newly appointed case management master, Ottawa implemented case-flow management pursuant to *Rule 77* for all of its civil cases. This initiative required close cooperation between the bench, the bar and court staff. New software to manage the inventory of cases was installed. At the same time, a practice direction for the referral of all cases to a roster of mediators was put in place. This practice direction became the precursor to the present *Rule 24.1* on mandatory mediation.

Backlogs are now non-existent and the average civil case can be brought to trial with a fixed date within two to three years of the commencement of proceedings. Referral to mediation is firmly entrenched in the local legal culture. Ottawa's success with these initiatives is widely recognized and has drawn international attention.

## REGIONAL SCHEDULING INITIATIVES

The East Region has embarked on several initiatives to promote settlement at an early stage of proceedings. In family law, case management masters conduct early case conferences to narrow the dispute and encourage resolution of issues before parties' positions become entrenched. In civil matters, as noted above, mandatory mediation is in place, requiring all litigants to explore settlement with a mediator. Settlement rates exceed 50 per cent in certain types of cases. Case conferences to identify the issue and mandatory settlement conferences also encourage settlement before trial. Judges hold pre-trial conferences for all criminal cases, in order to promote pre-trial resolution.

## JUDGES

The Hon. Mr. Justice Charles T. Hackland,  
Regional Senior Judge

### BELLEVILLE

- The Hon. Mr. Justice Robert F.B. Scott

### BROCKVILLE

- The Hon. Mr. Justice Kenneth E. Pedlar

### CORNWALL

- The Hon. Madam Justice Johanne Lafrance-Cardinal
- The Hon. Mr. Justice Rick T. Leroy
- The Hon. Mr. Justice Robert Pelletier

### KINGSTON

- The Hon. Mr. Justice Douglas M. Belch
- The Hon. Madam Justice Helen K. MacLeod
- The Hon. Madam Justice Cheryl Robertson
- The Hon. Madam Justice Anne C. Trousdale

### L'ORIGNAL

- The Hon. Mr. Justice Michel Z. Charbonneau

### OTTAWA

- The Hon. Madam Justice Catherine D. Aitken
- The Hon. Mr. Justice Robert N. Beaudoin
- The Hon. Madam Justice Jennifer A. Blishen
- The Hon. Mr. Justice W.J. Lloyd Brennan
- The Hon. Mr. Justice Robert C. Desmarais
- The Hon. Mr. Justice Paul B. Kane
- The Hon. Mr. Justice Roydon J. Kealey
- The Hon. Mr. Justice Stanley J. Kershman
- The Hon. Mr. Justice Paul F. Lalonde
- The Hon. Madam Justice Maria T. Linhares de Sousa
- The Hon. Madam Justice V. Jennifer Mackinnon
- The Hon. Mr. Justice Bernard J. Manton
- The Hon. Mr. Justice Robert L. Maranger
- The Hon. Mr. Justice Colin D.A. McKinnon
- The Hon. Mr. Justice Hugh R. McLean
- The Hon. Mr. Justice James E. McNamara
- The Hon. Madam Justice Monique Métivier
- The Hon. Madam Justice Julianne A. Parfett
- The Hon. Madam Justice Heidi S. Levenson Polowin
- The Hon. Mr. Justice Denis J. Power
- The Hon. Madam Justice Lynn D. Ratushny
- The Hon. Mr. Justice Timothy D. Ray
- The Hon. Madam Justice Giovanna Roccamo
- The Hon. Mr. Justice Albert J. Roy
- The Hon. Mr. Justice Douglas J.A. Rutherford
- The Hon. Mr. Justice Alan D. Sheffield
- The Hon. Mr. Justice Robert J. Smith

#### PEMBROKE

- The Hon. Mr. Justice Martin S. James

#### PERTH

- The Hon. Mr. Justice Michael J. Quigley

#### PICTON

- The Hon. Mr. Justice Richard G. Byers

## CHALLENGES

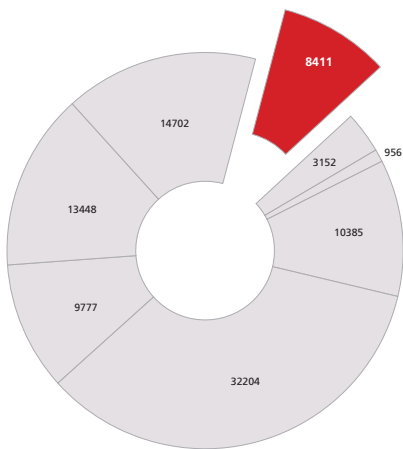
Scheduling the case lists in a way that ensures bilingual judges preside whenever and wherever a French language case is listed requires deft scheduling practices. Francophone residents of the East Region are accorded French language services in their dealings with the Courts. Ottawa, Cornwall, L'Orignal, Kingston and Pembroke have all been designated bilingual centres. In each of these centres, services to the public are available in the French language. In this regard, 15 of the judges in the East Region are fluently bilingual, as is one of the two case management masters.

## SUCCESES

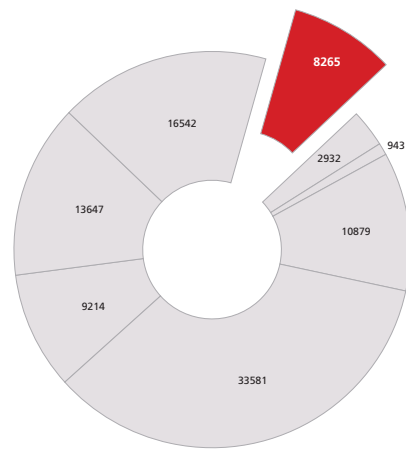
The East Region has succeeded in meeting the demands of a heavy caseload. In particular, the Court responded effectively to the sharp increase in the number of long criminal trials between 2008 and 2009. Through the cooperative efforts of the judiciary, the Court not only dealt with these criminal cases in a timely fashion, but also met its obligations with respect to child protection, family and civil law trials.

In the family area, in March 2007 a new *Rule 42* was added to the *Family Law Rules*, empowering a master to preside over family law matters in Ottawa with certain limitations. This pilot project has proven effective in reducing the family law case backlog and accordingly has been extended beyond its initial three-year term and will run until June 2012.

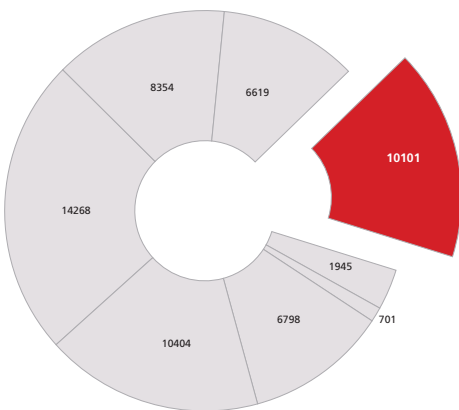
## New Proceedings for the East Region and Ontario



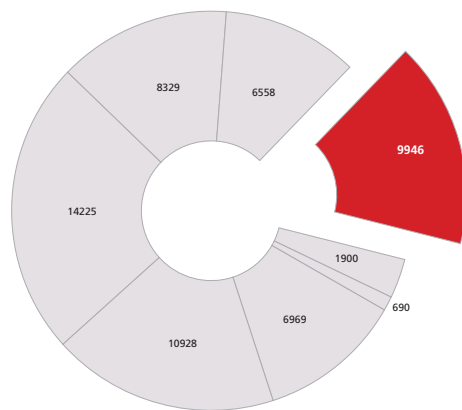
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



**8,265**  
 E: NEW CIVIL PROCEEDINGS 09/10  
**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10

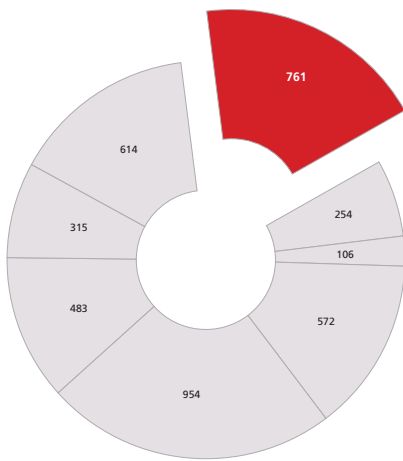


**10,101**  
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**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



**9,946**  
 E: NEW FAMILY PROCEEDINGS 09/10  
**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10



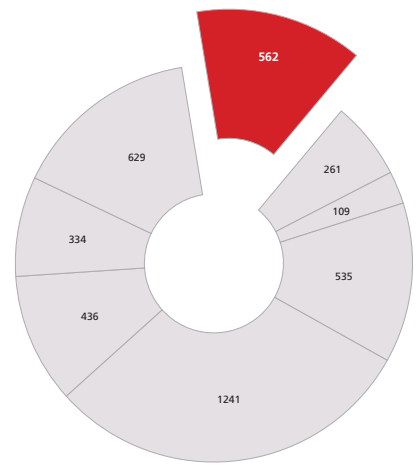


**761**

E: NEW CRIMINAL PROCEEDINGS 08/09

**4,059**

ON: NEW CRIMINAL PROCEEDINGS 08/09

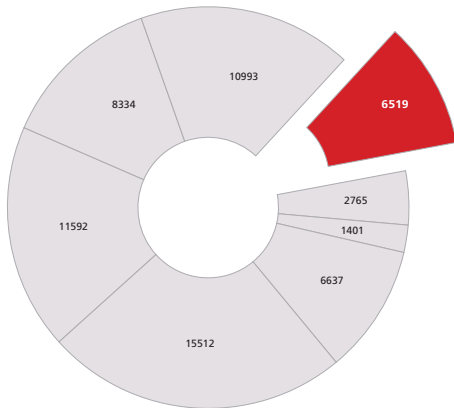


**562**

E: NEW CRIMINAL PROCEEDINGS 09/10

**4,107**

ON: NEW CRIMINAL PROCEEDINGS 09/10

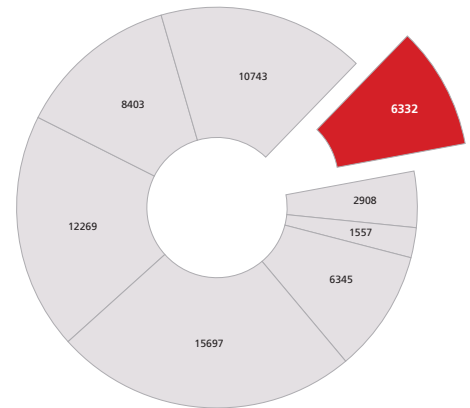


**6,519**

E: NEW SCC PROCEEDINGS 08/09

**63,753**

ON: NEW SCC PROCEEDINGS 08/09

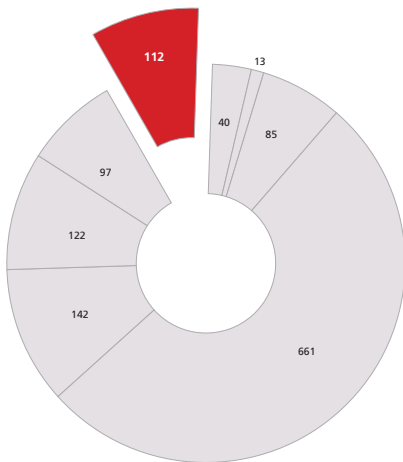


**6,332**

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**64,254**

ON: NEW SCC PROCEEDINGS 09/10

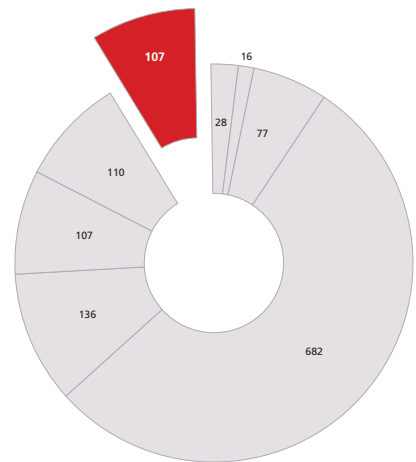


**112**

E: NEW DIVISIONAL PROCEEDINGS 08/09

**1,272**

ON: NEW DIVISIONAL PROCEEDINGS 08/09



**107**

E: NEW DIVISIONAL PROCEEDINGS 09/10

**1,263**

ON: NEW DIVISIONAL PROCEEDINGS 09/10



## 05 NORTHEAST REGION

The Honourable Madam Justice Louise Gauthier is the Regional Senior Judge in the Northeast Region. As of March 31, 2010, the region had 15 full-time judges and six supernumerary judges.

The Northeast Region includes the regional judicial centre of Sudbury, as well as seven other court locations – in Cochrane, Gore Bay, Haileybury, North Bay, Parry Sound, Sault Ste. Marie, and Timmins.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

The Northeast Region is vast, covering approximately 300,000 square kilometres. It extends south from Hudson Bay to Parry Sound and Manitoulin Island, and east from Sault Ste. Marie and Wawa to Mattawa and the Quebec border. The total population of the region is 560,590. There is a sizable aboriginal population in three large treaty areas.

The region encompasses the territorial districts of Algoma, Cochrane, Manitoulin, Nipissing, Parry Sound, Sudbury and Temiskaming. To assist the Northwest Region, the Northeast Region assumes criminal jurisdiction for upper James Bay, beyond the Albany River.

Northeastern Ontario has no large metropolitan areas. Small and medium-sized centres – many of them single-enterprise or single-resource communities – are vital to the region's economy. The major industries are forestry and mining. In recent years, the economic base has become more diverse, with manufacturing, transportation, public services and tourism making a strong impact.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

In 1998, the late Justice R. Trainor was appointed by then Chief Justice LeSage as the Resolution Officer for a large number of native residential school claims. Every such claim commenced in the Superior Court was successfully resolved by Justice Trainor after lengthy settlement meetings. Based on Justice Trainor's efforts and the knowledge he shared with his colleagues and successors, the Northeast Region has developed expertise in the judicial resolution of complex cases.

Over the past four years the Northeast has succeeded in increasing access to judicial resources and reducing delay through the use of videoconferencing for assignment courts, bail reviews, case and settlement conferences, pre-trial conferences and motions.

### FORMER REGIONAL SENIOR JUDGES IN THE NORTHEAST REGION

#### 1999–1995

The Hon. Mr. Justice S.D. Loukidelis

#### 1995–1998

The Hon. Mr. Justice J.D. Bernstein

#### 1998–2003

The Hon. Mr. Justice I.M. Gordon

#### 2003–2009

The Hon. Mr. Justice J.S. Poupore

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Mr. Justice R.G.S. Del Frate, *Gore Bay*
- The Hon. Mr. Justice R.A. Riopelle, *Timmins*
- The Hon. Madam Justice C.A.M. MacDonald, *Cochrane*
- The Hon. Mr. Justice R.P. Boissonneault, *Haileybury*
- The Hon. Mr. Justice I.S. McMillan, *Sault Ste Marie*
- The Hon. Mr. Justice J.S. O'Neill, *Parry Sound*
- The Hon. Mr. Justice P.U. Rivard, *North Bay*



The Hon. Madam Justice Louise L. Gauthier,  
Regional Senior Judge

## REGIONAL SCHEDULING INITIATIVES

In the Northeast Region, the need for scheduling judges is evaluated every year and judicial resources are reallocated accordingly.

Four court locations have only one judge. Scheduling practices ensure that judges from other locations support these sites by conducting settlement and pre-trial conferences and accommodating conflict issues and judicial vacations. Significant travel within the region is a necessity. In 2008–2009, for example, the judges in the Northeast Region logged a collective total of more than 69,000 kilometres in the regular discharge of their duties.

In addition, scheduling calls for the assignment of bilingual judges primarily to the Cochrane court location, where a significant amount of the judicial work is done in French. Almost half the region's judges can conduct trials in French.

## JUDGES

The Hon. Madam Justice Louise L. Gauthier,  
Regional Senior Judge

### COCHRANE

- The Hon. Madam Justice Cindy A.M. MacDonald

### HAILEYBURY

- The Hon. Mr. Justice Robert P. Boissonneault
- The Hon. Mr. Justice Ian M. Gordon

### NORTH BAY

- The Hon. Mr. Justice Norman M.J. Karam
- The Hon. Mr. Justice David J. Nadeau
- The Hon. Mr. Justice Paul U. Rivard
- The Hon. Mr. Justice George T.S. Valin

### PARRY SOUND

- The Hon. Mr. Justice J. Stephen O'Neill

### SAULT STE. MARIE

- The Hon. Mr. Justice Frank R. Caputo
- The Hon. Mr. Justice Edward E. Gareau
- The Hon. Mr. Justice Edward J. Koke
- The Hon. Mr. Justice Ian S. McMillan
- The Hon. Mr. Justice Gary W. Tranmer
- The Hon. Mr. Justice W. Lawrence Whalen

### SUDBURY

- The Hon. Mr. Justice R. Dan Cornell
- The Hon. Mr. Justice Robert G.S. Del Frate
- The Hon. Mr. Justice Robbie D. Gordon
- The Hon. Madam Justice Patricia C. Hennessy
- The Hon. Mr. Justice John S. Poupore

### TIMMINS

- The Hon. Mr. Justice Robert A. Riopelle

## CHALLENGES

The vast distances between court sites — which range from about 100 to more than 600 kilometres — stand out as the biggest challenge to the allocation of judicial resources in the region.

Much travel must be done by road since only four of the eight court locations are served by commercial aircraft. Highway travel is not only time-consuming but also leads to concern about seasonal weather conditions.

## SUCSESSES

### Justice Education Projects

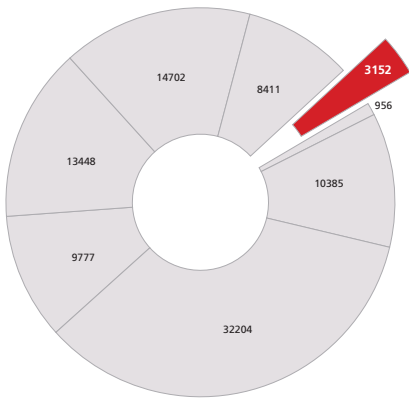
In 2001, the Superior Court in Sudbury launched a mock trial project in partnership with boards of education and the Sudbury District Law Association. This has become an annual event. Over the last 10 years, almost 800 high school students have been coached by local lawyers, with Superior Court and Ontario Court judges presiding at the mock trials. In 2010, an articling student from the Sudbury Crown Attorney's office acted as one of the coaches; he had participated in the very first mock trial as a grade 12 student.

Over the last three years, the Court has also initiated education projects on Manitoulin Island that involve representatives from the justice system in a full-day school-based program for over 100 students.

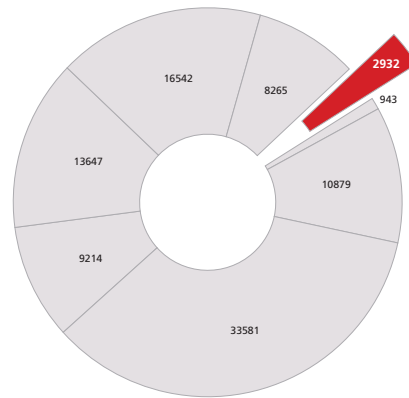
### Strike at Vale INCO

From July 2009, 3,000 members of the United Steelworkers union at Vale INCO were engaged in a year-long strike. In this high-profile situation, the Court was seen as providing an accessible, timely, effective and neutral forum for the resolution of tense disputes over picketing and other strike-related issues. From the outset, the Court provided judicial assistance to help the parties negotiate protocols to deal with these matters. Some issues were argued in open court, before large numbers of union members. Both parties expressed their sincere gratitude to the Court for the assistance it provided.

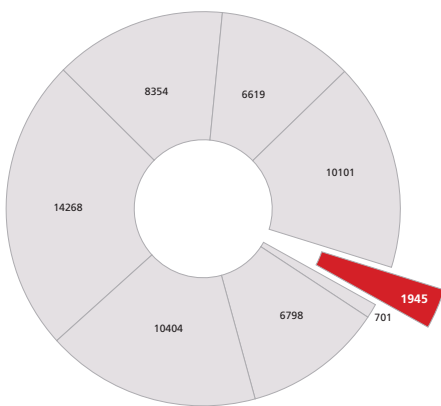
# New Proceedings for the Northeast Region and Ontario



**3,152**  
 NE: NEW CIVIL PROCEEDINGS 08/09  
**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



**2,932**  
 NE: NEW CIVIL PROCEEDINGS 09/10  
**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10



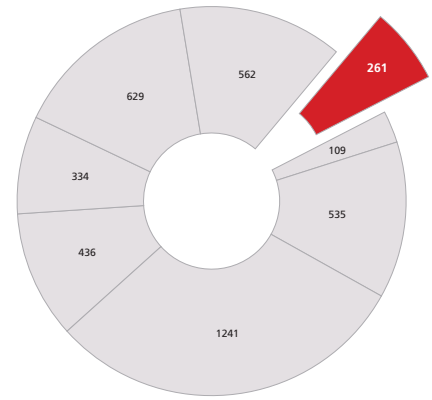
**1,945**  
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**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



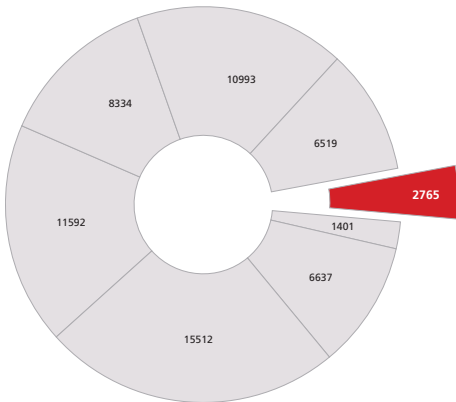
**1,900**  
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**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10



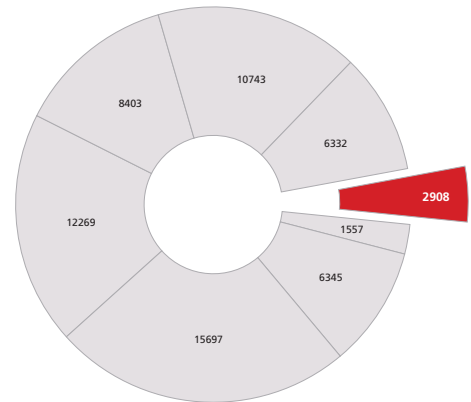
**254**  
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**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



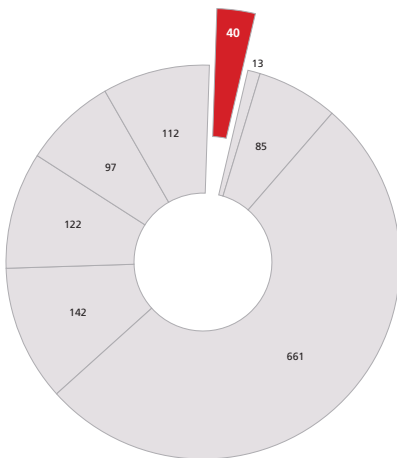
**261**  
 NE: NEW CRIMINAL PROCEEDINGS 09/10  
**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



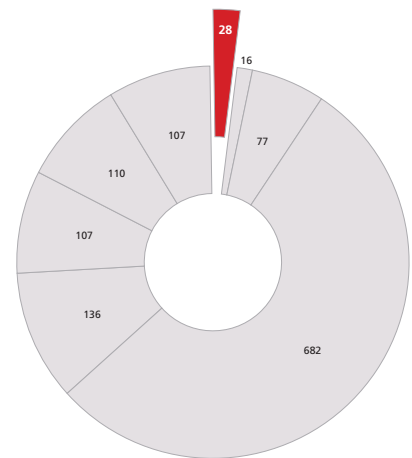
**2,765**  
 NE: NEW SCC PROCEEDINGS 08/09  
**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**2,908**  
 NE: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**40**  
 NE: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**28**  
 NE: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10





## 06 NORTHWEST REGION

The Honourable Madam Justice Helen Pierce is the Regional Senior Judge in the Northwest. The region had five full-time judges and four supernumerary judges as of March 31, 2010.

The Northwest Region includes the regional judicial centre of Thunder Bay, along with two other court locations in Fort Frances and Kenora.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

The Northwest Region comprises 48 per cent of Ontario's land mass, but only two per cent of its population. Covering the territorial districts of Kenora, Rainy River and Thunder Bay, the region is bracketed by Lake Superior in the south-east and the Lake of the Woods in the northwest. The region encompasses two time zones, with Thunder Bay on Eastern time and Kenora and Fort Frances on Central time. The region's population is approximately 240,000.

The Northwest Region is home to the Ojibway people. The area was opened to European settlement by the Northwest Company engaging in the fur trade. With the coming of the railway, shipping gained prominence. Western grain was transported by rail to the present location of Thunder Bay for shipment east on the Great Lakes. The region was settled by European immigrants and the forestry and mining industries flourished. More recently, Kenora, Fort Frances and Thunder Bay have developed as regional centres for education, medical care, tourism, and legal and commercial activity.

The distances between the main centres of the Northwest Region and the rest of the province are vast. For example, Thunder Bay is as far from Toronto – nearly 1,400 kilometres – as Toronto is from Fredericton, New Brunswick. Within the region, the judicial centres are also far apart: Thunder Bay is 335 kilometres from Fort Frances and 490 kilometres from Kenora.

There is no resident judge in Fort Frances, while Kenora has one supernumerary judge. Both of these centres are served by judges circuiting from Thunder Bay. Travel between Thunder Bay and Fort Frances or Kenora is usually done by small aircraft, weather permitting. In addition, one judge from the Northwest is currently assigned to the Federal Government's Specific Claims Tribunal, which was created to deal with certain aboriginal land claims in an efficient and effective manner.

### FORMER REGIONAL SENIOR JUDGES IN THE NORTHWEST REGION

#### 1990–1997

The Hon. Mr. Justice A.W. Maloney

#### 1997–2005

The Hon. Mr. Justice Terrence A. Platana

#### 2005–2009

The Hon. Mr. Justice John F. McCartney

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Madam Justice H.M. Pierce, *Thunder Bay*
- The Hon. Mr. Justice J.S. Fregeau, *Fort Frances*
- The Hon. Mr. Justice E.W. Stach, *Kenora*



*The Hon. Madam Justice Helen M. Pierce,  
Regional Senior Judge*

## GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

The region has embraced technology to overcome the challenges of distance, with videoconferencing and teleconferencing used as appropriate to conduct the Court's business. These alternatives have facilitated the deployment of judges, reduced travel expenses for litigants and counsel and helped to cope with adverse winter conditions.

The bar in Thunder Bay has developed continuing legal education programs for its members as well as community initiatives such a mock trial program for high schools in Thunder Bay. The judiciary has supported these activities.

## REGIONAL SCHEDULING INITIATIVES

A high level of judicial service has been maintained in the Northwest, in spite of the distance between court locations in the region. The Regional Senior Judge, Local Administrative Judges and staff thoroughly analyze caseload statistics, time to first available trial date, judicial availability and teleconference and videoconference resources to schedule matters as soon as possible.

While Thunder Bay is the home base for most of the judges, judicial time is allotted equally among the court locations in the region. All judges travel to all three sites and each judge hears matters in all areas of the Court's business. On a number of occasions, judges from the Northwest have provided judicial assistance to other regions.

## JUDGES

The Hon. Madam Justice Helen M. Pierce,  
Regional Senior Judge

### KENORA

- The Hon. Mr. Justice Erwin W. Stach

### THUNDER BAY

- The Hon. Mr. Justice John S. Fregeau
- The Hon. Mr. Justice John F. McCartney
- The Hon. Mr. Justice Terrence A. Platana
- The Hon. Mr. Justice Douglas C. Shaw
- The Hon. Mr. Justice G. Patrick Smith
- The Hon. Madam Justice Bonnie R. Warkentin
- The Hon. Mr. Justice John dePencier Wright

## CHALLENGES

The growing number of unrepresented litigants presents an ongoing challenge for the bench, court staff and the bar. The Superior Court in the Northwest Region is not served by Legal Aid duty counsel and there is no Family Law Information Centre at any judicial site.

High unemployment and economic struggles in the Northwest are factors in many of the matters that come before the Court. The interface of a European system of law with aboriginal culture presents a unique challenge in the region. Plans for a new courthouse for Thunder Bay are currently underway. This new regional centre courthouse will incorporate unique features for aboriginal proceedings, reflecting the character of the region. With judicial time scheduled as much for resolution as for adjudication as well as the increasing number of staff and judges, facilities needed to be adapted, resulting in complex retrofits of existing courthouses.

## SUCCESES

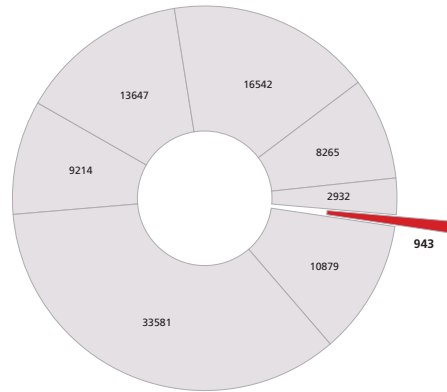
The Superior Court in the Northwest has provided timely justice to myriad litigants and has earned a reputation for thoughtful judgments. It enjoys the respect of the communities it serves and the support of the bar in those communities.

Judges and staff have worked collaboratively to adapt the courthouses to new demands. As of summer 2010, the Northwest will have its first law clerk devoted solely to the region, providing valuable research support for the judges.

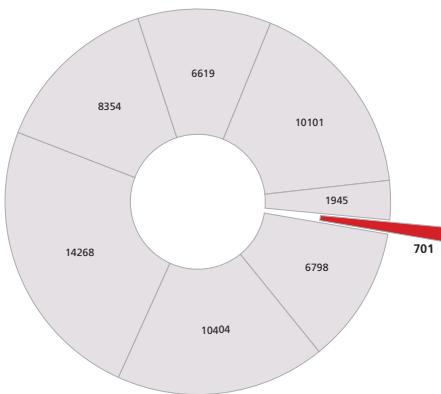
# New Proceedings for the Northwest Region and Ontario



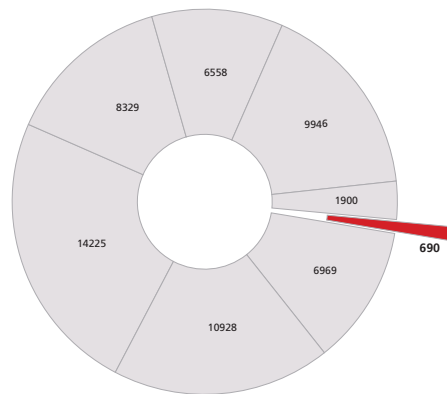
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



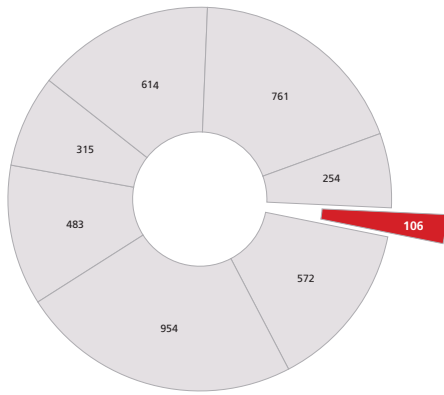
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**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10



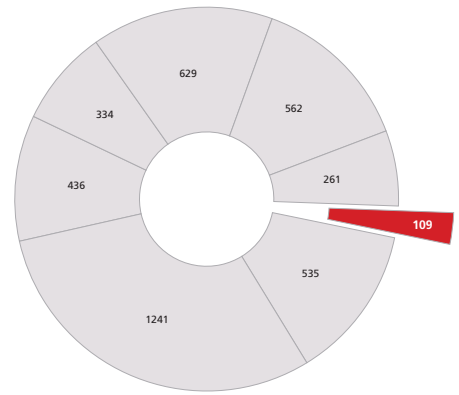
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**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



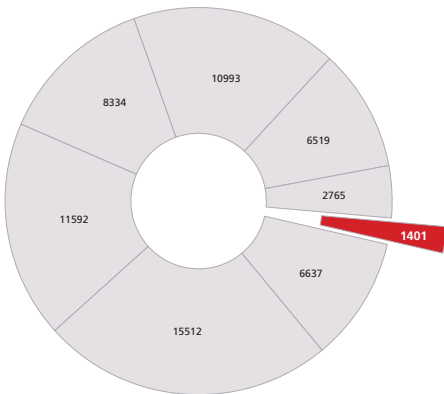
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**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10



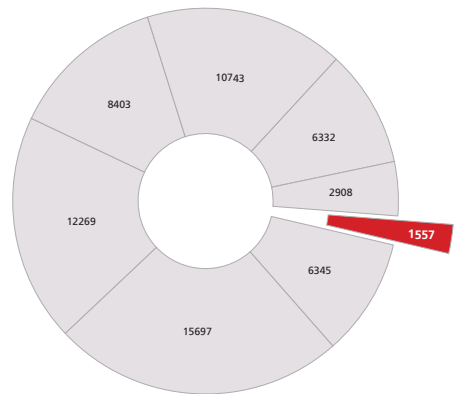
**106**  
 NW: NEW CRIMINAL PROCEEDINGS 08/09  
**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



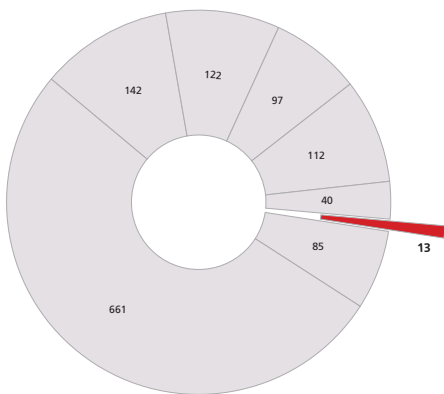
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**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



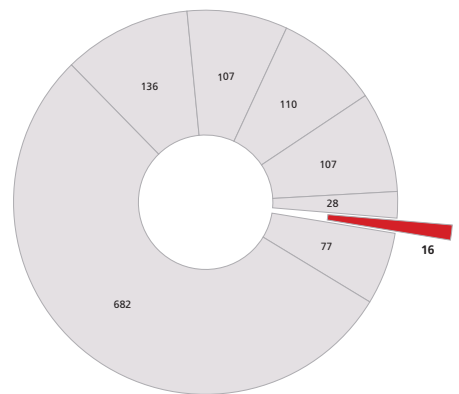
**1,401**  
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**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**1,557**  
 NW: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**13**  
 NW: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**16**  
 NW: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10



## 07 SOUTHWEST REGION

The Honourable Mr. Justice Edward Ducharme is the Regional Senior Judge in the Southwest. As of March 31, 2010, the region had 24 full-time judges, nine supernumerary judges and one case management master.

The Southwest Region includes the regional judicial centre of London, as well as seven other court locations – in Chatham, Goderich, Sarnia, St. Thomas, Stratford, Windsor and Woodstock. London is the site of the region’s only Family Court.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

The Southwest Region stretches from Windsor to Woodstock and includes the counties of Elgin, Essex, Huron, Kent, Lambton, Middlesex, Oxford and Perth. The twin pillars of the region are London and Windsor, which are its busiest court locations.

Court reform in September 1990 combined the region’s complement of District Court judges with three renowned High Court judges — the Honourable Justices Thomas G. Zuber, James M. Donnelly and B. Thomas Granger. The region was enhanced in 1995 by the addition of a Family Court branch in London. One of the first judges on this bench, the Honourable Justice David R. Aston, later became Senior Family Judge for the Superior Court as a whole.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

In essence, the Southwest Region is the sum of the many and diverse talents of its judges. The following are but few examples of significant contributions to the life of the Court over the past two decades.

Justice Thomas Zuber had already fashioned a brilliant career on the Ontario Court of Appeal when he was asked to take charge of the initiative that led to the merger of the courts in 1990. The Zuber Report was the blueprint for our present court system, a simpler and more convenient system than the one it replaced, designed to make the Courts more accessible to the people they serve. Justice Zuber became the first Regional Senior Judge in the Southwest Region.

Justice James Donnelly retired from the Court in 2005 after 20 years of remarkable service. He is perhaps the only judge in history to have presided in every Superior Court location in Ontario. His colleagues regard him as the inspiration for today’s nationwide standard charges for criminal and civil jury trials, as he was the first to create a comprehensive set of charges and shared them with anyone who asked.

During his tenure as Regional Senior Judge, Justice Dougald R. McDermid served as chair of the Court’s Library Committee at the request of then Chief Justice LeSage. Under his leadership, the committee transformed judicial library services and made them current, comprehensive and cost-effective.

More recently, Justice John F. McGarry of London co-authored the electronic bench book titled *Domestic Violence Family Law*, an incisive analysis of the problem of domestic violence, the harm it visits upon families, and what the judge can do to help.

### FORMER REGIONAL SENIOR JUDGES IN THE SOUTHWEST REGION

#### 1990–1992

The Hon. Mr. Justice T.G. Zuber

#### 1992–1998

The Hon. Mr. Justice B.T. Granger

#### 1998–2003

The Hon. Mr. Justice D.R. McDermid

#### 2003–2009

The Hon. Madam Justice L. Leitch

### CURRENT LOCAL ADMINISTRATIVE JUDGES BY CENTRE

- The Hon. Mr. Justice B.G. Thomas, *Chatham / Windsor*
- The Hon. Mr. Justice J.C. Kennedy, *Goderich*
- The Hon. Madam Justice H.A. Rady, *London*
- The Hon. Madam Justice M.E. Marshman, *London Family Court*
- The Hon. Mr. Justice J.A. Desotti, *Sarnia*
- The Hon. Mr. Justice T.A. Heeney, *St. Thomas / Woodstock*
- The Hon. Mr. Justice R.A. Haines, *Stratford*



*The Hon. Mr. Justice Edward W. Ducharme,  
Regional Senior Judge*

The federal Bankruptcy Court for the Southwest Region is located in London and its jurisdiction extends well beyond the region's boundaries to include the counties of Waterloo, Wellington, Grey-Bruce and Dufferin. As a result, London has long been the regional centre for insolvency, receivership and other types of complex commercial litigation.

### REGIONAL SCHEDULING INITIATIVES

The region's longstanding practice has been to assign judges to each court location on a six-month basis, with all changes to the judicial schedules made through the Office of the Regional Senior Judge. This means the Regional Senior Judge, working in tandem with staff, is aware of the demands placed on every judge on a daily, weekly and monthly basis in each of the region's eight court locations.

This flow of information creates the capacity to foresee emerging complications and make timely, efficient adjustments when necessary, based upon specific, well-defined and agreed upon scheduling factors. One of the several factors is a judge's special competence in a particular area of law. Thus, as a matter of policy, where circumstances permit judges are assigned to preside over cases involving their specific interests, experience and expertise.

### JUDGES

The Hon. Mr. Justice Edward W. Ducharme,  
Regional Senior Judge

#### GODERICH

- The Hon. Mr. Justice John C. Kennedy

#### LONDON

- The Hon. Mr. Justice Alan W. Bryant
- The Hon. Mr. Justice Grant A. Campbell
- The Hon. Madam Justice Kelly Gorman
- The Hon. Mr. Justice B. Thomas Granger
- The Hon. Mr. Justice R. John Harper
- The Hon. Mr. Justice Peter B. Hockin
- The Hon. Mr. Justice William A. Jenkins
- The Hon. Madam Justice Lynne C. Leitch
- The Hon. Mr. Justice T. David Little
- The Hon. Madam Justice Mary E. Marshman
- The Hon. Mr. Justice Dougal R. McDermid
- The Hon. Mr. Justice John F. McGarry
- The Hon. Madam Justice Johanne N. Morissette
- The Hon. Madam Justice Helen A. Rady
- The Hon. Mr. Justice Wolfram U. Tausendfreund
- The Hon. Madam Justice Lynda C. Templeton
- The Hon. Mr. Justice Henry A. Vogelsang

#### SARNIA

- The Hon. Mr. Justice John A. Desotti
- The Hon. Mr. Justice Joseph M.W. Donohue

#### STRATFORD

- The Hon. Mr. Justice Roland J. Haines

#### WINDSOR

- The Hon. Mr. Justice Scott K. Campbell
- The Hon. Mr. Justice Anthony E. Cusinato
- The Hon. Mr. Justice Richard C. Gates
- The Hon. Madam Justice Mary J. Nolan
- The Hon. Mr. Justice Terrence L.J. Patterson
- The Hon. Madam Justice Renee M. Pomerance
- The Hon. Mr. Justice Joseph G. Quinn
- The Hon. Mr. Justice Steven Rogin
- The Hon. Mr. Justice Bruce G. Thomas
- The Hon. Mr. Justice Gordon I. Thomson

#### WOODSTOCK

- The Hon. Mr. Justice Thomas A. Heeney



## CHALLENGES

The main challenge facing the Southwest Region has been to respond effectively to the pressures created by lengthy, complex criminal and civil trials. For example, two recent homicide cases in London and Windsor consumed months of trial time. The Windsor trial lasted nearly 11 months, while the London one lasted seven months. The judges who presided over these trials saw them through to the finish, but their long absences from the regular judicial schedule placed enormous stress on the region's scheduling process. One unsettling effect of such lengthy trials is the increased time to an available trial date for long criminal and civil jury trials in busy centres such as London and Windsor. The challenge is to ensure that the difficulties posed by long, complex trials do not impair the public's right of access to a fair and efficient justice system.

A second challenge relates to the issue of security and safety in some of the older courthouses in the region. Security is the responsibility of the local municipalities and their police services. The Southwest Region is working with these offices to redress all security deficiencies that could put the safety of court users at risk.

## SUCSESSES

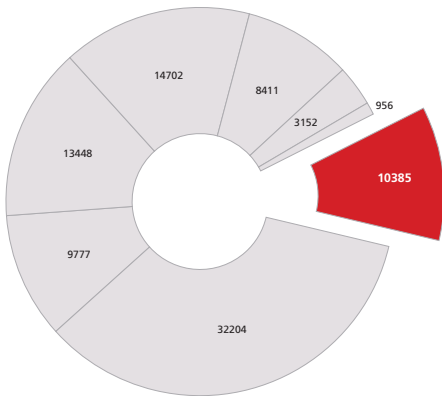
In consultation with the judiciary, the region's first high-security criminal court room has been established in London. It was utilized in 2009 for a long criminal trial, which involved six accused persons charged with murdering eight members of a biker gang in or near the village of Shedden.

Several ambitious facility projects have begun. In London, the Family Court branch will soon have new courtrooms and meeting rooms on the ground floor, easily accessible to the public. Improvements are underway in Woodstock and Sarnia and a feasibility study for upgrades is in progress in Goderich.

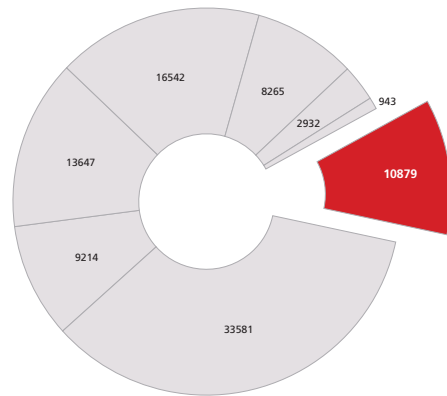
In St. Thomas, plans for a new consolidated courthouse have advanced to the design phase, and construction is scheduled to begin in spring 2011. The consolidated facility will be located on the site of the existing historic courthouse, built in the 1850s. The new structure will be a complicated heritage retrofit and, according to the design architects, is the most challenging retrofit yet undertaken by the Ministry of the Attorney General.

Due to the judges' hard work and generous teamwork, the merger of the Courts and the accompanying regionalization have met with great success in the Southwest. The region has fulfilled Justice Zuber's promise to create a simpler, more convenient system; more accessible to the people it serves.

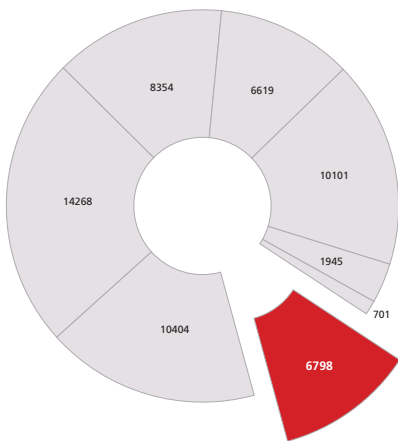
# New Proceedings for the Southwest Region and Ontario



**10,385**  
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**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



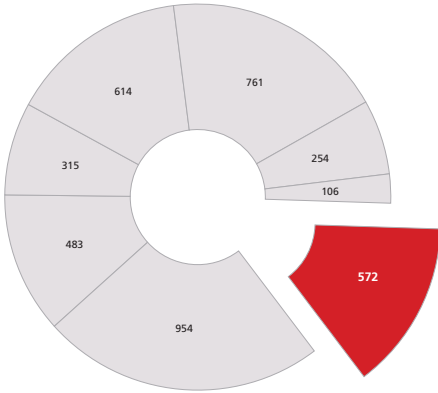
**10,879**  
 SW: NEW CIVIL PROCEEDINGS 09/10  
**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10



**6,798**  
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**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09



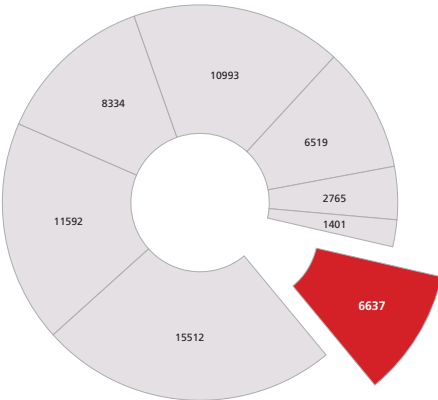
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**572**  
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**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



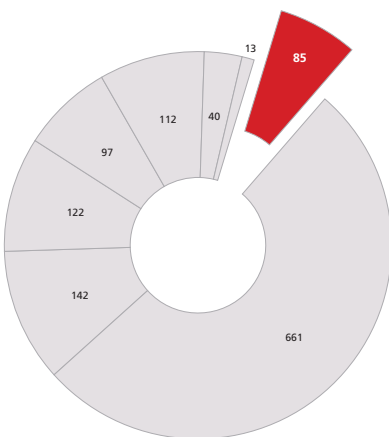
**535**  
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**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



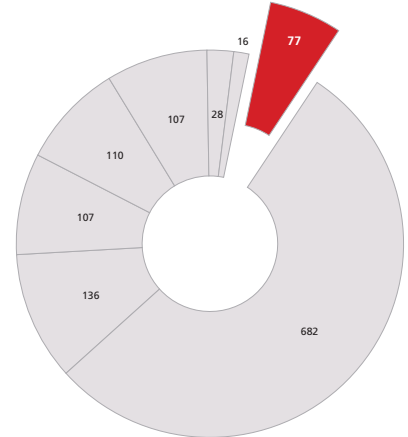
**6,637**  
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**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**6,345**  
 SW: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**85**  
 SW: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**77**  
 SW: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10



## 08 TORONTO REGION

The Honourable Mr. Justice Edward Then is the Regional Senior Judge of the Toronto Region. As of March 31, 2010, the region had 68 full-time and 22 supernumerary judges. In addition, there were 13 case management masters and two traditional masters.

The Toronto Region does not have Local Administrative Judges but instead divides the judicial complement and masters into a series of teams. Each team is supervised by a Team Leader designated by the Regional Senior Judge to assign judges to cases and on some teams to schedule cases.

### HISTORICAL AND CURRENT REGIONAL BACKGROUND

Upon the merger in 1990, the total complement of judges in the Toronto Region was 76, consisting of 41 High Court Judges and 35 District Court Judges. By 2010, the complement had increased to 90 judges – only eight of whom were appointed prior to the merger. Over the 20 year period, the population served by the Toronto Region courts grew from approximately 2.1 million to approximately 2.7 million.

In 1990, all lines of judicial work in Toronto were dealt with in Osgoode Hall and the courthouse at 361 University. One sign of the rising volume of cases is that virtually no civil work is currently done in the courthouse, which is fully occupied with criminal matters. The family team as well as both civil teams are located at 393 University, while the Commercial List and the Estates List operate from 330 University.

### GREAT ACHIEVEMENTS IN THE LAST 20 YEARS

One of the main achievements of the Toronto Region has been the successful integration of the judges of the High Court and the District Court into a collegial and effective unit. Credit for this achievement is very much due to the leadership of the late Regional Senior Justice Trainor, whose fairness, patience and dedication overcame some initial growing pains.

Another notable accomplishment is the creation by two former Judges, The Honourable Edward Saunders and The Honourable James M. Farley of the Commercial Court, as a distinct team of judges dealing exclusively with commercial, restructuring and insolvency matters. This team continues to address high profile and complex matters with proven expertise.

Similarly, the creation of a dedicated class actions team developed and sustained by the efforts of Justice Warren K. Winkler (as he was then), Justice Peter A. Cumming and Justice Maurice C. Cullity, among others, has made Toronto a pivotal centre for class action litigation in Canada.

The practice direction developed by then Regional Senior Justice Winkler instituting “light touch” case management – thereby shifting responsibility back to the profession for advancing the trial of civil cases – produced substantial efficiencies to address the backlog of civil cases.

### FORMER REGIONAL SENIOR JUDGES IN THE TORONTO REGION

#### 1990-1993

The Hon. Mr. Justice R. Trainor

#### 1993-1996

The Hon. Mr. Justice A. Campbell

#### 1996-1999

The Hon. Madam Justice S.E. Lang

#### 1999-2004

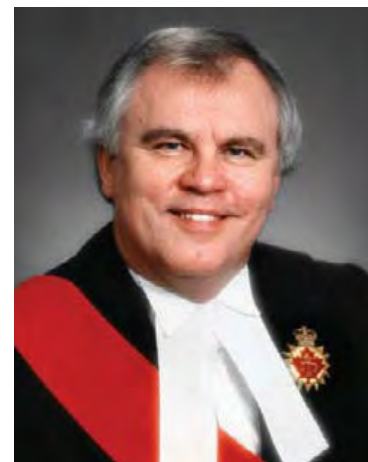
The Hon. Mr. Justice R.A. Blair

#### 2004-2007

The Hon. Mr. Justice W. Winkler

### TEAM LEADERS OF THE RESPECTIVE TEAMS

- The Hon. Madam Justice S. Himel, *Civil (Motions, Short Trials, Estates)*
- The Hon. Mr. Justice P. Moore, *Long Trials Civil*
- The Hon. Mr. Justice P. Perell, *Class Actions*
- The Hon. Madam Justice S. Pepall, *Commercial List*
- The Hon. Mr. Justice G. Czutrin, *Family*
- The Hon. Madam Justice K. Swinton, *Divisional Court*
- The Hon. Mr. Justice I. Nordheimer, *Long Trials Criminal*
- The Hon. Madam Justice B. Croll *and*
- The Hon. Mr. Justice T. Archibald, *Short Criminal Trials*
- The Hon. Madam Justice F. Kiteley, *Federal Criminal Trials*
- Master Glustein, *Masters*



The Hon. Mr. Justice Edward F. Then,  
Regional Senior Judge

Finally, the refinement of the team approach to every line of business has led to the assignment of judges according to their strengths, while also tapping their expertise to mentor and develop judges who prefer a more generalist schedule.

### REGIONAL SCHEDULING INITIATIVES

With the advent of rule changes recommended by the Osborne report that took effect January 1, 2010, a committee of judges from the civil team in the Toronto Region developed a practice direction, in consultation with the local bar. The revised procedures are designed to take advantage of potential efficiencies in scheduling, leading to more cost-effective civil litigation. An important feature of the new practice direction is the Motions Scheduling Court or “triage court” presided over by the Team Leader. It processes summary judgment matters, long motions, urgent motions and emergency injunctions, among other issues. The operation of this court has resulted in more accurate time estimates, timelier and firmer hearing dates and more preparation time for judges.

A new scheduling protocol for the civil team was developed whereby a large team of approximately 16–18 judges deals with motions and applications, short trials under two weeks, estate matters and pre-trial motions and conferences. The goal is to provide a greater variety of matters in a judge’s schedule and reduce the burden of a large number of reserved judgments that are characteristic of certain proceedings.

### JUDGES

The Hon. Mr. Justice Edward F. Then,  
Regional Senior Judge

- The Hon. Madam Justice Beth Anna Allen
- The Hon. Mr. Justice Todd L. Archibald
- The Hon. Mr. Justice David R. Aston
- The Hon. Madam Justice Nancy L. Backhouse
- The Hon. Madam Justice Denise E. Bellamy
- The Hon. Mr. Justice Edward P. Belobaba
- The Hon. Madam Justice Mary Lou Benotto
- The Hon. Mr. Justice David M. Brown
- The Hon. Mr. Justice Donald R. Cameron
- The Hon. Mr. Justice Colin L. Campbell
- The Hon. Madam Justice Sandra Chapnik
- The Hon. Mr. Justice Robert A. Clark
- The Hon. Mr. Justice Michael Code
- The Hon. Madam Justice Barbara A. Conway
- The Hon. Madam Justice Bonnie L. Croll
- The Hon. Mr. Justice Maurice C. Cullity
- The Hon. Mr. Justice Peter A. Cumming
- The Hon. Mr. Justice George Czutrin
- The Hon. Mr. Justice Michael R. Dambrot
- The Hon. Mr. Justice Todd Ducharme
- The Hon. Madam Justice Tamarin M. Dunnet
- The Hon. Mr. Justice Randall S. Echlin
- The Hon. Mr. Justice Eugene G. Ewaschuk
- The Hon. Mr. Justice Lee K. Ferrier
- The Hon. Madam Justice Maureen D. Forestell
- The Hon. Madam Justice E. Eva Frank
- The Hon. Mr. Justice Arthur Murray Gans
- The Hon. Mr. Justice Nola E. Garton
- The Hon. Madam Justice Susanne R. Goodman
- The Hon. Mr. Justice A. Duncan Grace
- The Hon. Madam Justice Susan E. Greer
- The Hon. Mr. Justice Peter A. Grossi
- The Hon. Mr. Justice John F. Hamilton
- The Hon. Madam Justice Alison L. Harvison Young
- The Hon. Madam Justice Thea P. Herman
- The Hon. Madam Justice Susan G. Himel
- The Hon. Madam Justice Carolyn Horkins
- The Hon. Madam Justice Alexandra H. Hoy
- The Hon. Mr. Justice Peter G. Jarvis
- The Hon. Mr. Justice John R.R. Jennings
- The Hon. Madam Justice Jane E. Kelly
- The Hon. Madam Justice Frances P. Kiteley
- The Hon. Madam Justice Gloria R. Klowak
- The Hon. Madam Justice Joan L. Lax
- The Hon. Mr. Justice Thomas R. Lederer
- The Hon. Mr. Justice Sidney N. Lederman
- The Hon. Madam Justice Wailan Low
- The Hon. Mr. Justice John A.B. Macdonald

- The Hon. Madam Justice Ellen M. Macdonald
- The Hon. Mr. Justice Ian A. MacDonnell
- The Hon. Mr. Justice Frank N. Marrocco
- The Hon. Mr. Justice P. Theodore Matlow
- The Hon. Mr. Justice J. David McCombs
- The Hon. Mr. Justice John B. McMahon
- The Hon. Madam Justice Faye E. McWatt
- The Hon. Madam Justice Ruth E. Mesbur
- The Hon. Madam Justice Anne M. Molloy
- The Hon. Mr. Justice J. Patrick Moore
- The Hon. Mr. Justice Geoffrey B. Morawetz
- The Hon. Mr. Justice Francis J.C. Newbould
- The Hon. Mr. Justice Ian V.B. Nordheimer
- The Hon. Mr. Justice Alfred J.C. O'Marra
- The Hon. Mr. Justice Victor Paisley
- The Hon. Madam Justice Gladys I. Pardu
- The Hon. Mr. Justice Laurence A. Pattillo
- The Hon. Mr. Justice Michael A. Penny
- The Hon. Madam Justice Sarah E. Pepall
- The Hon. Mr. Justice Paul M. Perell
- The Hon. Mr. Justice Craig Perkins
- The Hon. Mr. Justice Romain W.M. Pitt
- The Hon. Madam Justice Andra M. Pollak
- The Hon. Madam Justice Lois B. Roberts
- The Hon. Madam Justice Harriet E. Sachs
- The Hon. Madam Justice Mary Anne Sanderson
- The Hon. Mr. Justice Herman Siegel
- The Hon. Madam Justice Gertrude F. Spiegel
- The Hon. Mr. Justice James M. Spence
- The Hon. Mr. Justice Christopher M. Speyer
- The Hon. Madam Justice Nancy J. Spies
- The Hon. Madam Justice Elizabeth M. Stewart
- The Hon. Mr. Justice David G. Stinson
- The Hon. Mr. Justice George R. Strathy
- The Hon. Madam Justice Katherine E. Swinton
- The Hon. Madam Justice Julie A. Thorburn
- The Hon. Mr. Justice W. Brian Trafford
- The Hon. Mr. Justice Gary T. Trotter
- The Hon. Mr. Justice John C. Wilkins
- The Hon. Madam Justice Darla A. Wilson
- The Hon. Madam Justice Janet M. Wilson

## CHALLENGES

Notwithstanding the concerted efforts of pre-trial judges on the civil and criminal long trials teams, as well as the hard work of the judges on both teams, the increasing number of lengthy and complicated cases poses a substantial challenge to the region's ability to deliver timely justice. The problem is particularly acute on the criminal side.

The guns and gangs projects are a relatively new phenomenon and have spawned several lengthy proceedings. For example, Project Pathfinder took one year to try and Project Green Apple 11 months. In addition, the region has encountered a high volume of other homicide cases and lengthy fraud cases. In 2009 alone, 32 homicide cases were tried. The tainted blood case took 17 months and the Drabinsky fraud case seven months.

As well as posing *Askov* concerns, the sheer volume of these cases is exhausting for trial judges, puts pressure on other judges to serve the remaining caseload over a long period, and has contributed to a backlog of summary conviction appeals.

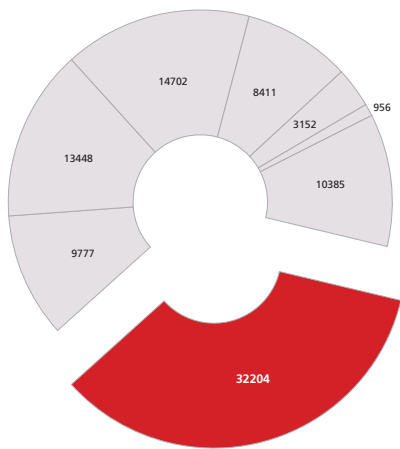
## SUCCESSSES

Especially because of guns and gangs cases, as well as the large number of homicide cases, the Toronto Region has come to appreciate the high level of perimeter security at both Osgoode Hall and the 361 University courthouse. In addition, high security courtrooms capable of accommodating several co-accused have been constructed at 361 University.

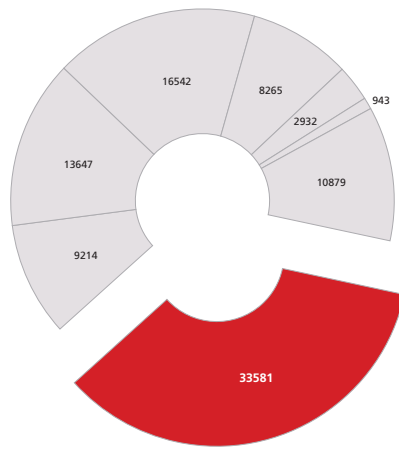
The skill and dedication of pre-trial judges in civil and criminal matters as well as in case conferences in family matters has kept the workload manageable. The utilization of front-end expertise is highly effective.

The class actions team has produced an e-bench book that serves as a handy reference tool for judges and eliminates the need for counsel to reproduce this authority. This tool has also been shared with other regions.

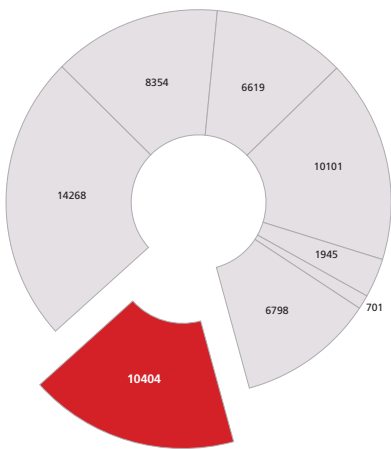
# New Proceedings for the Toronto Region and Ontario



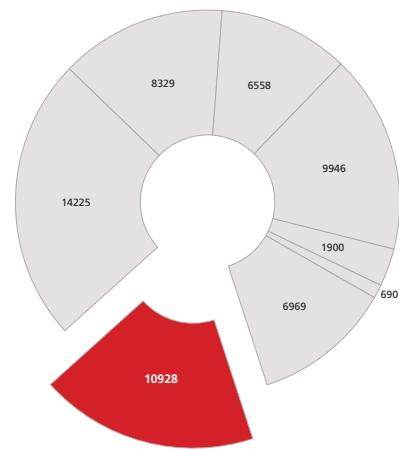
**32,204**  
 TO: NEW CIVIL PROCEEDINGS 08/09  
**93,035**  
 ON: NEW CIVIL PROCEEDINGS 08/09



**33,581**  
 TO: NEW CIVIL PROCEEDINGS 09/10  
**96,003**  
 ON: NEW CIVIL PROCEEDINGS 09/10

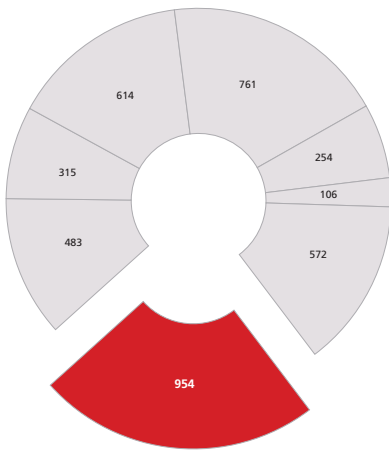


**10,404**  
 TO: NEW FAMILY PROCEEDINGS 08/09  
**59,190**  
 ON: NEW FAMILY PROCEEDINGS 08/09

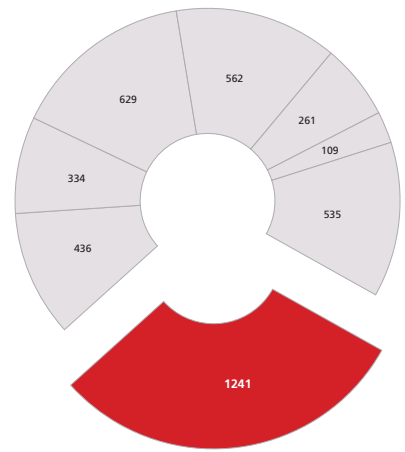


**10,928**  
 TO: NEW FAMILY PROCEEDINGS 09/10  
**59,545**  
 ON: NEW FAMILY PROCEEDINGS 09/10

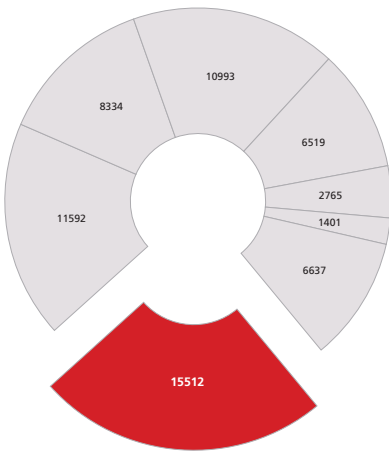




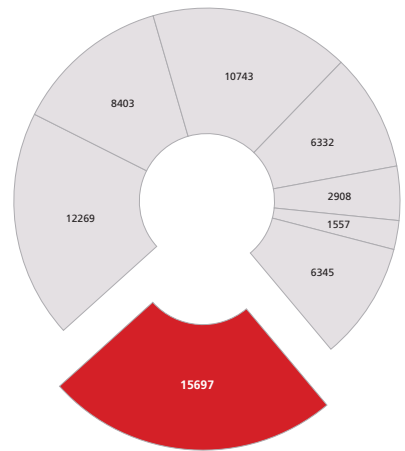
**954**  
 TO: NEW CRIMINAL PROCEEDINGS 08/09  
**4,059**  
 ON: NEW CRIMINAL PROCEEDINGS 08/09



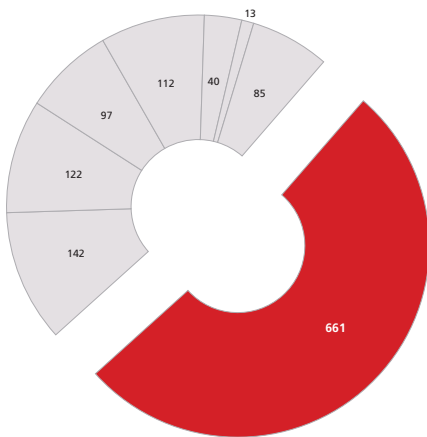
**1,241**  
 TO: NEW CRIMINAL PROCEEDINGS 09/10  
**4,107**  
 ON: NEW CRIMINAL PROCEEDINGS 09/10



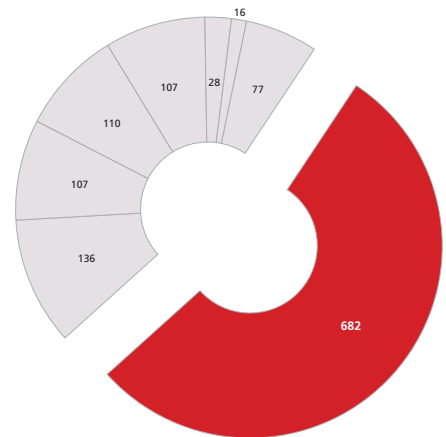
**15,512**  
 TO: NEW SCC PROCEEDINGS 08/09  
**63,753**  
 ON: NEW SCC PROCEEDINGS 08/09



**15,697**  
 TO: NEW SCC PROCEEDINGS 09/10  
**64,254**  
 ON: NEW SCC PROCEEDINGS 09/10



**661**  
 TO: NEW DIVISIONAL PROCEEDINGS 08/09  
**1,272**  
 ON: NEW DIVISIONAL PROCEEDINGS 08/09



**682**  
 TO: NEW DIVISIONAL PROCEEDINGS 09/10  
**1,263**  
 ON: NEW DIVISIONAL PROCEEDINGS 09/10

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## RETIRED JUDGES

### APRIL 1, 2008 – MARCH 31, 2010

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#### CENTRAL EAST REGION

##### BARRIE

The Hon. Mr. Justice Clair B. Marchand  
1994 – 2009

##### BRACEBRIDGE

The Honourable Mr. Justice Robert N. Weekes  
1991 – 2009

##### NEWMARKET

The Honourable Mr. Justice Jack Jenkins  
1986 – 2008

The Honourable Madam Justice Rose T. Boyko  
1994 – 2008

##### OSHAWA

The Honourable Mr. Justice Dan S. Ferguson  
1992 – 2008

#### CENTRAL SOUTH REGION

##### HAMILTON

The Honourable Madam Justice Danielle M.M. Genesee  
1996 – 2009

The Honourable Mr. Justice Walter T. Stayshyn  
1975 – 2009

The Honourable Mr. Justice Eugene B. Fedak  
1986 – 2009

##### ST. CATHARINES

The Honourable Mr. Justice John E. Sheppard  
1987 – 2008

#### CENTRAL WEST REGION

##### GUELPH

The Honourable Mr. Justice James H. Clarke  
1983 – 2008

#### EAST REGION

##### BROCKVILLE

The Honourable Mr. Justice Paul Cosgrove  
1984 – 2009

##### OTTAWA

The Honourable Mr. Justice Gerald R. Morin  
1991 – 2008

The Honourable Mr. Justice David L. McWilliam  
1976 – 2008

The Honourable Mr. Justice Jean A. Forget  
1976 – 2009

The Honourable Mr. Justice Gordon G. Sedgwick  
1993 – 2009

#### NORTHEAST REGION

##### NORTH BAY

The Honourable Mr. Justice Michael Bolan  
1981 – 2008

The Honourable Mr. Justice Ernest Loukidelis  
1980 – 2009

##### SUDBURY

The Honourable Mr. Justice G. Bourke Smith  
1977 – 2008

#### SOUTHWEST REGION

##### LONDON

The Honourable Mr. Justice Edward R. Browne  
1990 – 2008

The Honourable Mr. Justice Kenneth F. Ross  
1983 – 2009

##### WINDSOR

The Honourable Mr. Justice John H. Brockenshire  
1991 – 2009

#### TORONTO REGION

The Honourable Mr. Justice Lucien A. Beaulieu  
1993 – 2008

The Honourable Mr. Justice Blenus P. Wright  
1991 – 2009

The Honourable Mr. Justice James D. Carnwath  
1980 – 2009

The Honourable Mr. Justice Harvey Spiegel  
1997 – 2010

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## IN MEMORIAM

### APRIL 1, 2008 – MARCH 31, 2010

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The Honourable Mr. Justice Robert J. Abbey  
November 3, 1940 – December 12, 2009

**DATE OF APPOINTMENT**

July 31, 1990

**REGION / CENTRE**

Southwest / Windsor



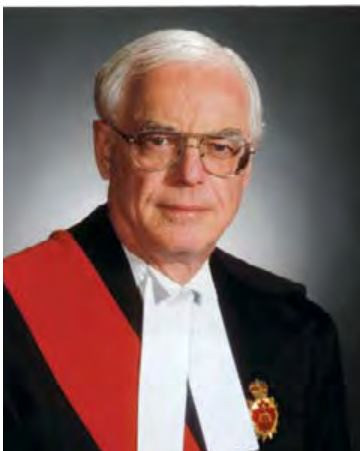
The Honourable Mr. Justice T. David Marshall  
February 23, 1939 – November 20, 2009

**DATE OF APPOINTMENT**

February 3, 1983

**REGION / CENTRE**

Central South / Cayuga



The Honourable Mr. Justice A. de Lobe Panet  
May 29, 1940 – June 24, 2009

**DATE OF APPOINTMENT**

June 29, 1998

**REGION / CENTRE**

East / Ottawa

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## ENDNOTES

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Graphic Design by Timothy Belanger

Page 01: Osgoode Hall

Photography by Shai Gil

Page 10: The Renfrew County Courthouse

Photography by Steven Evans

Page 20: The Durham Consolidated Courthouse

Photography by Shai Gil

Page 24: *Top*: The Durham Consolidated Courthouse

Photography by Shai Gil

*Bottom*: The Durham Consolidated Courthouse

Photography by Shai Gil

Page 30: *Top*: John Sopinka Courthouse

Photography provided by the Ministry of the Attorney General, Court Services Division

*Bottom*: John Sopinka Courthouse

Photography provided by the Ministry of the Attorney General, Court Services Division

Page 36: *Top*: Cayuga Courthouse

Photography provided by the Ministry of the Attorney General, Court Services Division

*Bottom*: Orangeville (County of Dufferin) Courthouse

Photography provided by the Ministry of the Attorney General, Court Services Division

Page 42: *Top*: The Renfrew County Courthouse

Photography by Steven Evans

*Bottom*: The Renfrew County Courthouse

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Page 48: *Top*: Cochrane Courthouse

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*Bottom*: Haileybury Courthouse

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Page 54: *Top*: Fort Frances Courthouse

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*Bottom*: Kenora Courthouse

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Page 60: *Top*: Goderich Courthouse

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*Bottom*: St. Thomas Courthouse

Photography provided by the Ministry of the Attorney General, Court Services Division

Page 66: *Top*: Toronto Courthouse at 361 University Avenue

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*Bottom*: Toronto Courthouse at 361 University Avenue

Photography provided by the Ministry of the Attorney General, Court Services Division



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