

***Brahm Siegel's Guide to the
Family Law Courts in the Toronto Area***

Volume III, Edition 1
(Spring 2002)

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A few changes from previous editions include two new categories (strictness with the Rules & ease to obtain motion dates before case conferences), the dropping of a few categories (court clerks & counter staff (they were all pretty good)) and the addition of a new "overall ranking" scheme. Note: Any court that requires a Form 14B to be filed in person will never get higher than a C+ and is totally missing the point. I also deleted the chapters on Hamilton as I never go there anymore and the Family Responsibility Office as things never seem to change there.

The general trend is (thankfully) towards consistency and I foresee a time (again, thankfully) in the not-so-distant future when there will be harmony across all of the courts and thus no further need for the Guide. Amen.

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Brahm D. Siegel
April 1, 2002

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BRAMPTON COURT (#1)

OFFICIAL NAME OF COURT: Ontario Court of Justice

ADDRESS: 7755 Hurontario Street, Suite 100
Brampton, Ontario, L6W 4T6

PHONE/FAX: Tel: (905) 456-4702 Fax: (905) 456-4723

CONTACT PEOPLE: Gerri Wyatt, Supervisor, Tel: (905) 456-4714

FAMILY LAW RULES? Yes

UNIFIED? No

FILING FEES ARE: None

FIRST APPEARANCE IS: Before the First Appearance Clerk (FAC)

Note: Always a judge sits on same day as FAC; counsel may now address him on an issue if they feel it cannot wait until the case conference.

Note: If answer and affidavit have been filed, counsel can send a letter to the Trial Scheduler Nancy Jennings and request the case to go straight to a case conference.

NEED TO GOWN?: No

TIME TO FIRST COURT DATE: 6-8 weeks to FAC. About 3-5 thereafter to the case conference, depending on the judge's schedule.

FAX CONFIRMATION FORM: (905) 456-4723 - 2 days prior - very strict.

PROCEDURE RE:
CONTINUING RECORD: Issue original application at court and include in Continuing Record which must be filed at time of issue. Bring two copies of the application, one to serve, one for your file. After the application has been served, file Affidavit of Service in Continuing Record two days before your first appearance.

PROCEDURE FOR: No consent adjournments are ever granted by

<u>CONSENT ADJOURNMENTS:</u>	fax or phone. For FAC, an adjournment will be granted only if both parties attend or a consent is filed with available dates by one of the parties or counsel. Only one adjournment is available. For case conferences and other hearings before a judge, adjournment requests must be made directly to the presiding judge.
<u>PROCEDURE FOR EX PARTE MOTIONS:</u>	You must file your documents in person. Wait up to 4 days. You must then call in and see if the motion was dealt with. If it was, the clerk will fax you a copy of the endorsement or call you.
<u>PROCEDURE FOR FORM 14B MOTIONS:</u>	You must file your documents in person. Wait about 4 days. You must then call in and see if the motion was dealt with. If it was, the clerk will fax you a copy of the endorsement or they will call you.
<u>CURRENT BENCH:</u>	Mr. Justice Karswick, Madam Justice Kerrigan-Brownridge, Mr. Justice Dunn and Madam Justice Boldock.
<u>PARKING:</u>	Excellent. The best in our survey.
<u>PHOTOCOPYING:</u>	You have to wait until the court clerk brings the file downstairs and wait until someone the counter either makes you a copy or faxes your office. No need to take a number.
behind it to	
<u>ROOM:</u>	Excellent. Lots of room for lawyers to negotiate, meet with clients, plus the lawyer's lounge is very quiet and well-appointed (but it needs a copier).
<u>IS LSUC CARD NECESSARY?:</u>	Yes.
<u>GETTING ORDERS BACK:</u>	Slow - at least 5-6 weeks.
<u>STRICT ON FILING RULES?</u>	The most. If your briefs/motion materials are not in on time, you need to file a Form 14B and obtain the judge's consent. Simply obtaining the other side's consent is not sufficient.
<u>EASY TO HAVE MOTION BEFORE CASE CONFERENCE?</u>	No, but it is possible and they do hear them. File a Form 14B.

COMMENTS:

Strong bench but rules regarding Form 14Bs, consent adjournments and difficulties and delays in getting copies of Consents, endorsements and SDOIFs at court leave much room for improvement. Court is still not as user friendly as it could be but there have been improvements. Court has new policy of requiring counsel to insert the interest rate on orders, which is unfortunate.

OVERALL RANKING:

C

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BRAMPTON COURT (#2)

OFFICIAL NAME OF COURT: Superior Court of Justice

ADDRESS: 7755 Hurontario Street, Suite 100
Brampton, Ontario, L6W 4T6

PHONE/FAX: Tel: (905) 456-4744 Fax: (905) 456-4879

CONTACT: Vivian, motions clerk
Tel: (905) 456-4878, ext. 5476

FAMILY NEW RULES? No - Use Ontario Rules of Civil Procedure

UNIFIED? No

FILING FEES ARE: Expensive. See 393 University for list.

FIRST APPEARANCE IS: Almost always a motion (no need for factum).

NEED TO GOWN FOR: All appearances.

TIME TO FIRST COURT DATE: No real delay. After filing material, a party can bring a motion provided it's on a Tuesday, Thursday or Friday.

FAX CONFIRMATION FORM: (905) 456-4879, by 1:00 p.m. the day before the motion.

PROCEDURE RE: No need to file one.
CONTINUING RECORD:

PROCEDURE FOR: Fax Vivian at (905) 456-4879 by 2 p.m. the day
CONSENT ADJOURNMENTS: before your motion and it will be granted with no need to appear.

PROCEDURE FOR
EX PARTE MOTIONS: Can be held any day of the week but wise to bring it only on a Tuesday, Thursday or Friday as those are the regular motion days. You can either file your materials and let a judge read them in chambers without an appearance or try to push yourself onto a judge's list and get heard that day. We suggest the latter.

PROCEDURE FOR
FORM 14B MOTIONS: Not applicable.

<u>CURRENT BENCH:</u>	Rotating.
<u>PARKING:</u>	Excellent.
<u>PHOTOCOPYING:</u>	Poor. You have to wait until the court clerk brings the file downstairs and wait until someone behind the counter either makes you a copy or faxes it to your office.
<u>ROOM:</u>	Excellent. Lots of room for lawyers to negotiate, meet with clients, plus the lawyer's lounge is very quiet and well-appointed (but it needs a copier).
<u>IS LSUC CARD NECESSARY?:</u>	Yes.
<u>GETTING ORDERS BACK:</u>	Very slow turnaround. If you don't get it issued on the spot, the wait can be up to two months.
<u>EASY TO HAVE MOTION BEFORE CASE CONFERENCE?</u>	Not applicable.
<u>STRICT ON FILING RULES?:</u>	Not that strict.
<u>COMMENTS:</u> plague	Court is easy to use and many appreciate the lack of conferences and first appearance court which and bog down many other courts; however, most family practitioners appreciate a strong family bench which is lacking here.
<u>OVERALL RANKING:</u>	B

NEWMARKET COURT

OFFICIAL NAME OF COURT: Family Court of the Superior Court of Justice

ADDRESS: 50 Eagle Street West
Newmarket, Ontario
L3Y 6B1

PHONE/FAX: Tel: 1 (905) 853-4809, then press 5
Fax: 1 (905) 853-4864

CONTACT PEOPLE: Hilda Litkee 905 853-4809 (Group Leader)
or Mike Terzievski (Manager)

FAMILY LAW RULES? Yes

UNIFIED? Yes

FILING FEES ARE: Expensive.

\$160.00 for application for divorce (includes clearance certificate)	\$150.00 for application w/ property
No application fee if case is only for support and/or custody	\$18.00 for divorce certificate
\$280.00 for divorce setdown	\$280.00 to file Continuing Record if case involves property claim

Note: No fee to file Continuing Record if no divorce or property claim

FIRST APPEARANCE IS: If case does not involve property or divorce (fast track), first appearance is before First Appearance Clerk (FAC). If case involves divorce or property (standard track), the first appearance is before a judge at a case conference. If both counsel agree, they can both sign a Waiver of First Appearance form (available from court support, tel 905 853-4811)

NEED TO GOWN FOR: Only motions (can be any day of the week) and trials.

TIME TO FIRST COURT DATE: Fast track - 30 days to FAC (they give you the date right away). For standard track cases, first court date (a case conference) is also 30 days

away and you only get it once the opposing side files an Answer.

Note: A procedure lawyers can use, which is very helpful, is if you expect the other side to file an Answer and don't want to wait until this has been done before booking your case conference date, you can simply call June McRae (tel 905 853-4823) and book the date with her. The date must be some time after the 30 day service period, however, and you need a Notice of Case Conference form to be signed and issued.

FAX CONFIRMATION FORM: (905) 853-4864 - 2 days prior, by 2 p.m. -very strict.

PROCEDURE RE:
CONTINUING RECORD: Issue original application at court and include in Continuing Record which must be filed at time of issue. Bring two copies of the application, one to serve, one for your file. After the application has been served, file Affidavit of Service in Record.

PROCEDURE FOR:
CONSENT ADJOURNMENTS: Fax in a letter or Form 14B (which is preferred) to Ms. McRae at (905) 853-4829, but you can only do this if request is sent in at least 2 days before case (this is not as strictly upheld as before).

PROCEDURE FOR
EX PARTE MOTIONS: File your materials & 3 copies of your draft order (w/ Cont. Rec.) in person. Materials are then given to judge who reads them in chambers - no appearance allowed. Judge takes usually 7 days to deal with the matter. Whether the motion is granted or not, it will either be mailed to you or your process server can pick it up. They do not call you when it's ready but if you call they usually tell you if it is ready or not for pick up (but they're not happy about it).

PROCEDURE FOR
FORM 14B MOTIONS: File in person with proof of service. Same procedure as for ex parte motions.

CURRENT BENCH: Madam Justice Rogers, Madam Justice Wildman, Mr. Justice Perkins, Mr. Justice Nelson and Madam Justice Goodman.

PARKING: Good.

PHOTOCOPYING: There's a copier in the library on the 3rd floor. The filing office charges \$2.00 per page; endorsements

and consents are free and available from the court clerks and/or CSOs.

ROOM:

Good. Lots of hallway space for lawyers to negotiate and meet with clients. Lack of meeting rooms, however, makes it sometimes necessary to do deals in the cafeteria downstairs.

IS LSUC CARD NECESSARY?:

No.

GETTING ORDERS BACK:

3-4 weeks. Sometimes, however, an Affidavit of Service is required to prove you've served the other side with a draft Order.

EASY TO HAVE MOTION BEFORE CASE CONFERENCE?

No, very very hard. Unless your child has been apprehended and is about to board the plane or you have a life-threatening situation, forget about it.

STRICT ON FILING RULES?:

Very.

COMMENTS:

could
Form 14Bs.
mystery to
process servers call
14B motion has been
mystery. This court
improvement on basic service for

Unwarranted and unnecessary strictness re: motions before case conferences make this court the court to avoid if you have a true emergency. Service very much be improved re: handling of Why they have to be filed in person is a users. Why counter staff insist them to find out if their Form granted or not is more of a needs much better users.

OVERALL RANKING:

C

NORTH YORK COURT

OFFICIAL NAME OF COURT: Ontario Court of Justice

ADDRESS: 47 Sheppard Avenue East
3rd Floor
Toronto, Ontario
M2N 5N1

PHONE/FAX: Tel: (416) 326-3592 Fax: (416) 326-3569

CONTACT PEOPLE: Sylvia Bradley (Supervisor) Tel: (416) 326-3033
(new, used to be in charge at Scarborough)

Josue (Josh) Harroch Tel: (416) 326-7757
Family Court Intake Co-Ordinator

FAMILY LAW RULES?: Yes

UNIFIED? No

FILING FEES ARE: None

FIRST APPEARANCE IS: Before Ms. Bernadette Baghat. She'll put matter before judge if one party/counsel requests it, accept consents and/or point unrepresented to duty counsel.

Note: Some of the judges will grant temporary relief at a 1st appearance, some will require motion materials to be served and filed first.

NEED TO GOWN? No

TIME TO FIRST COURT DATE: FAC - 5-6 weeks away
Case Conference usually 4-5 weeks thereafter.

Note: This court is very good at filling up dates which come available after a trial settles - just keep in touch with Mr. Harroch.

FAX CONFIRMATION FORM: (416) 326-1154 - 2 days prior - not that strict.

PROCEDURE RE: Bring original and one copy of application plus
CONTINUING RECORD: table of contents. Court will give you date for first appearance and return original to you, keeping copy in file. You then serve a copy, prepare Continuing Record and file it with court.

Include original application and Affidavit of
Service in Record.

PROCEDURE FOR: Send in Form 14B by fax to Josh at (416)
CONSENT ADJOURNMENTS: 326-1154. It's a good idea to call him first to find
out if the date is available. He will fax back the
form to you.

Note: In Justice Nevins's court, if two adjournments have already been granted, you will not get a third unless you appear before him and explain why you need it.

PROCEDURE FOR
EX PARTE MOTIONS: File your materials and wait to see a judge.
Easiest court in survey in which to receive an ex
parte order.

PROCEDURE FOR
FORM 14B MOTIONS: File 14B by fax with Affidavit of Service. Wait
a few days and then call Mr. Harroch. He'll fax you
the results. Again, top quality service from bench
and staff.

CURRENT BENCH: Mr. Justice Nevins, Mr. Justice Zuker and Mr.
Justice Brownstone.

PARKING: The worst in our survey. Totally inadequate,
especially considering that there are rumours next
year Scarborough family court will be merging with
this court.

PHOTOCOPYING: Justices Zuker and Brownstone have a copier in
their courtroom which is terrific. If your case is
before Justice Nevins, ask the court clerk to give the
file to Mr. Harroch who will make you a copy of
endorsement in his office.

the

ROOM: The worst in our survey. Totally inadequate.

IS LSUC CARD NECESSARY?: No.

GETTING ORDERS BACK: Pretty good, about one month.

EASY TO HAVE MOTION
BEFORE CASE CONFERENCE? Yes. The court here is very focussed on allowing
people the chance to be heard which is what it's all
about. Watch out though if you claim to have an

emergency and the court determines you do not. You still need a Form 14B however.

STRICT ON FILING RULES?:

Used to be the least strict, now very strict.

COMMENTS:

Despite various problems between the bench and administration regarding the smooth implementation of the merger and setting out consistent rules for filing, this court works extremely hard at doing what courts should do - letting people have access to justice and taking the time to helping them get their problems resolved. Judges here spend more time with the parties than any other court except Scarborough and it pays off.

comments
active and healthy
and Bar committee has
effort to improve all aspects of

The court here is very receptive to the
and concerns of users and a very
relationship with the Bench
led to a consistent
service.

OVERALL RANKING:

B+

OSHAWA COURT

OFFICIAL NAME OF COURT: Family Court of the Superior Court of Justice

ADDRESS: 33 King Street West, 1st Floor
Oshawa, Ontario, L1H 1A1

PHONE/FAX: Tel: 1 (905) 430-4900
Fax: 1 (905) 430-4901

CONTACT PEOPLE: For questions re: divorce/property (standard track) files ask for divorce clerk Joelin Eye

For questions re: all other (fast track) files ask for senior clerk Josie Fogel

FAMILY LAW RULES? Yes

UNIFIED? Yes

FILING FEES ARE: Expensive.

\$160.00 for application for divorce (includes clearance certificate)	\$150.00 for application w/property
No application fee if case is only for support and/or custody	\$18.00 for divorce certificate
\$280.00 to file Continuing Record if case involves property claim	\$280.00 for divorce setdown

Note: No fee to file Continuing Record if no divorce or property claim

FIRST APPEARANCE IS: Before the First Appearance Clerk (FAC), regardless of whether the case is standard or fast track.

NEED TO GOWN? Only for motions and trials.

TIME TO FIRST COURT DATE: Approx. 55 days to FAC
Approx. 4-8 weeks thereafter for case conference

Note: You will not be given a date for a case conference unless and until you have your FAC or an Answer has been filed.

FAX CONFIRMATION FORM: (905) 430-4901 (new) - 2 days prior

<u>PROCEDURE RE: CONTINUING RECORD:</u>	Issue original application at court and include in Continuing Record which must be filed at time of issue. Bring two copies of the application, one to serve, one for your file. After the application has been served, file Affidavit of Service in Continuing Record.
<u>PROCEDURE FOR: CONSENT ADJOURNMENTS:</u>	Fax in 14B 2 days before court with requested dates and trial co-ordinator will fax a response.
<u>PROCEDURE FOR EX PARTE MOTIONS:</u>	File your materials and wait to see a judge. It will be heard that day, usually in chambers but sometimes in open court.
<u>PROCEDURE FOR FORM 14B MOTIONS:</u>	Fax in with Affidavit of Service. It will be faxed back with judge's endorsement. Very efficient.
<u>CURRENT BENCH:</u>	Mr. Justice James, Madam Justice Hatton, Madam Justice Scott and a fourth rotating judge.
<u>PARKING:</u>	There is lots of parking in the back but it's not free.
<u>PHOTOCOPYING:</u>	There's a copier in the barrister's lounge which is not free. Clerks will make free copies of consents or endorsements.
<u>ROOM:</u>	Not great. Chairs are too close together to allow for confidential discussions. There are not enough meeting rooms.
<u>IS LSUC CARD NECESSARY?:</u>	No.
<u>GETTING ORDERS BACK:</u>	Pretty good, about one month.
<u>EASY TO HAVE MOTION BEFORE CASE CONFERENCE?</u>	No. Court is not as strict as Newmarket, but pretty close.
<u>STRICT ON FILING RULES?:</u>	Yes.
<u>COMMENTS:</u>	This court runs well and has some very common-sense policies regarding Form 14B motions and adjournments. Take note that effective April 1, 2002, all child protection matters will now be heard

(and filed) at 605 Rossland Road in Whitby. If you have a domestic and child protection matter on the same day, you must adjourn it to the child protection day or else you will be in two different courts on the same day. One area which needs improvement is that counsel frequently report that despite being a "case managed" court, they often a different judge each time up.

see

OVERALL RANKING:

B

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SCARBOROUGH COURT

OFFICIAL NAME OF COURT: Ontario Court of Justice

ADDRESS: 1911 Eglinton Avenue East
Toronto, Ontario M1L 4P4

PHONE/FAX: Tel: (416) 325-0976 Fax: (416) 325-7807

CONTACT PEOPLE: Cynthia Campoli, Family Law Co-Ordinator/
First Appearance Clerk (FAC), Tel: (416) 325-0356

Maryann Medak, Family Court Supervisor
Tel: (416) 327-6439 (formerly at North York)

NEW RULES? Yes

UNIFIED? No

FILING FEES ARE: None

FIRST APPEARANCE IS: Before Ms. Campoli (FAC). She has general
criteria/guidelines from Justices Katarynych and
Waldman as to when a case can go before a judge;
generally, however, a case will be heard by a judge
on first appearance if one party insists on seeing the
judge. Otherwise, either a consent is filed or
conference date is given.

a case

NEED TO GOWN? No

TIME TO FIRST COURT DATE: 5 weeks to FAC
4-6 weeks thereafter to case conference

FAX CONFIRMATION FORM: (416) 325-7807 - 2 days prior, not that strict.

PROCEDURE RE: Bring in original and two copies of application plus
CONTINUING RECORD: the table of contents. Clerk will issue original
application and you will true up copies, one for you,
one for service. Clerk will then give you date for
first appearance and return original application plus
copy to you, keeping one in file. You then serve the
copy, prepare Continuing Record and file it with
court. Original application and Affidavit of Service
must be in Record.

<u>PROCEDURE FOR: CONSENT ADJOURNMENTS:</u>	Fax in Form 14B to Ms. Campoli at (416) 325-7807. She will fax it back to you.
<u>PROCEDURE FOR EX PARTE MOTIONS:</u>	File your documents and hope you get heard that day.
<u>CURRENT BENCH:</u>	Madam Justices Waldman & Katarynych.
<u>PARKING:</u>	There is lots of free parking in the back.
<u>PHOTOCOPYING:</u>	There's a copier in the lobby outside Ms. Campoli's office. If you're polite, she will sometimes give you the code so you can use it for free.
<u>ROOM:</u>	The worst. On a busy day, it feels like a sardine can. No rooms to negotiate; deals often drafted on top of a garbage can. Creates unnecessary tension for everyone.
<u>IS LSUC CARD NECESSARY?:</u>	Yes.
<u>GETTING ORDERS BACK:</u>	Good. About three weeks.
<u>EASY TO HAVE MOTION BEFORE CASE CONFERENCE?</u>	It's easier than in Newmarket & Oshawa but harder than in North York.
<u>STRICT ON FILING RULES?:</u>	Not as strict as Newmarket & Oshawa but much stricter than last survey. Slightly less strict than in North York.
<u>COMMENTS:</u>	This court continues to improve and anyone who regularly appears here cannot help but fail to be impressed with the length of time each judge devotes to each case. With not enough judges for the caseload, the bench here is very aware that case that doesn't settle needs to be set for trial and accordingly, they work really hard at trying to prevent that from happening. Court will undergo radical transformation in May 2002 when Justice Katarynych will be moving to 311 Jarvis. A big task falls on the new judge to keep up with her workload which is enormous. She should be replaced with 2 judges and court will continue to need improvement until judicial resources match volume of cases. Merging with North York won't solve the problem.

every

OVERALL RANKING: B-

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311 JARVIS

OFFICIAL NAME OF COURT: Ontario Court of Justice

ADDRESS: 311 Jarvis Street
Toronto, Ontario
M5B 2C4

PHONE/FAX: Team "A" - Tel: (416) 327-6874
- Fax: (416) 327-6980

Team "B" - Tel: (416) 327-6867
- Fax: (416) 327-6852

CONTACT PEOPLE: Team "A" - Michelle Badley-Comma
Case Management Co-Ordinator

Team "B" - Jestina Mitchell
Case Management Co-Ordinator

Court supervisor - David Medeiros
Tel: (416) 327-6855

FAMILY LAW RULES? Yes

UNIFIED? No

FILING FEES ARE: None

FIRST APPEARANCE IS: Before a First Appearance Clerk (FAC) Amit
Thakore, Tel: (416) 327-6970

Court is very strict on being able to see a judge
at FAC. The only way is by filing a Form 14B prior
to the FAC and obtaining leave which will usually
only be granted if all materials have been filed by
both sides or it's a super emergency.

NEED TO GOWN? No.

TIME TO FIRST COURT DATE: 6 weeks to FAC
2-3 weeks thereafter to case conference.

FAX CONFIRMATION FORM: Team "A" = (416) 327-6980 - 2 days prior, by 2 pm
Team "B" = (416) 327-6852 - 2 days prior, by 2 pm

PROCEDURE RE:
CONTINUING RECORD: Bring in original and one copy of application plus table of contents. Court will give you date for first appearance and return original application to you, keeping one in file. You then serve a copy of the original, prepare Continuing Record and file it with court. Original application and Affidavit of Service must be in Record.

PROCEDURE FOR:
CONSENT ADJOURNMENTS: Fax in Form 14B. Send in a letter only if you are adjourning your First Appearance.

PROCEDURE FOR
EX PARTE MOTIONS: File your documents and you'll get heard that day.

PROCEDURE FOR
FORM 14B MOTIONS: Fax in Form 14B & Affidavit of Service. Very good turnaround time. If you are asking for substantive relief, you will get a date for a contested motion.

CURRENT BENCH: Team "A" - Madam Justice Cohen, Mr. Justice Weagant and Mr. Justice Reinhart.

(Note: In May 2002, Justice Katarynych from Scarborough will replace Justice Reinhart).

Team "B" - Madam Justice Jones, Mr. Justice Bean and Madam Justice King.

PARKING: You must use paid parking, either in lots or in the back of the court on sidestreets.

PHOTOCOPYING: None although the clerks will quickly make you a copy of the endorsement or consent.

ROOM: Although there are no meeting rooms, there is sufficient room to have meaningful confidential discussions with counsel and clients.

IS LSUC CARD NECESSARY?: No.

GETTING ORDERS BACK: Slow - about 6 weeks.

EASY TO HAVE MOTION
BEFORE CASE CONFERENCE: It's only slightly easier than in Newmarket & Oshawa but much harder than in North York & Scarborough.

STRICT ON FILING RULES?: Very. North York and Scarborough have modelled themselves after 311 Jarvis and are becoming much similar in terms of filing rules.

COMMENTS: While brutally efficient and to be applauded for its common-sense policies on Form 14B motions and consent adjournments, the sense among many in the family law bar is that somehow this court has lost some of its lustre as the court of preferred choice family law in Toronto. Why? Perhaps because the courts in North York and Scarborough, while way more hectic, offer better dispute resolution. They spend much more time with the parties, make orders more often (creating peace faster and leading to fewer court appearances) and seem more driven to help settle cases. Justice Katarynych's arrival in May 2002 will definitely improve this aspect of the court.

OVERALL RANKING: B

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393 UNIVERSITY

OFFICIAL NAME OF COURT: Superior Court of Justice

ADDRESS: 393 University Avenue, 10th Floor
Toronto, Ontario M5G 1E6

PHONE/FAX: Tel: (416) 327-6192 Fax: (416) 327-6137

CONTACT PEOPLE: Steve Cameron, Trial Co-Ordinator, Family Law
Office tel: (416) 327-5548, or

Enza Cassano, Acting Co-Ordinator for Motions
and Case Conferences (416) 327-6192; or

Sue Seto, Court Operations (416) 327-6709

NEW RULES? No - Use Rules of Civil Procedure

UNIFIED? No

FILING FEES ARE: Expensive.

\$170.00 for petition for divorce (includes clearance certificate)	\$125.00 for answer
\$157.00 for application or statement of claim	\$90.00 for motion
\$125.00 for statement of defence or notice of intent to defend	\$19.00 for div. certificate
\$195.00 for setdown	\$293.00 for trial record
\$225.00 for notice of appeal	\$89.00 for notice of appearance

FIRST APPEARANCE IS: Before a Dispute Resolution Officer (DRO) if it's a
motion to vary access or support (Tues & Thu)
All other matters must have case conference first
(Mondays, Wednesdays or Fridays)

NEED TO GOWN? Only for motions (Tuesdays or Thursdays)

TIME TO FIRST COURT DATE: D.R.O. - 6 weeks Case Conference - 6 weeks

FAX CONFIRMATION FORM: (416) 327-6137 - 2 days prior, by 2:00 p.m.

<u>PROCEDURE RE: CONTINUING RECORD:</u>	No need to file continuing record.
<u>PROCEDURE FOR: CONSENT ADJOURNMENTS:</u>	Send in Form 3 by fax to (416) 327-6137 - 2 days . prior. They'll call you if the date and/or time you picked is not available.
<u>PROCEDURE FOR EX PARTE MOTIONS:</u>	File your documents and hope you get heard that day.
<u>CURRENT BENCH:</u>	Madam Justice Mesbur, Mr. Justice Ferrier, Madam Justice Kiteley, Madam Justice Sachs plus other rotating judges.
<u>PARKING:</u>	Plenty, but very expensive.
<u>PHOTOCOPYING:</u> you	There is a machine on the 9th floor. Copy cards can be purchased on the 7th floor. Clerks will make a copy of the endorsement or consent for free.
<u>ROOM:</u>	Although some have been taken up by duty counsel and advice counsel, if you arrive early you can usually get a room to yourself. Also, plenty of hallway and chair space for confidential discussions. Courtrooms are also very spacious allowing for room for discussion.
<u>IS LSUC CARD NECESSARY?:</u>	Yes.
<u>GETTING ORDERS BACK:</u>	New system allows you to get consent orders issued on spot.
<u>EASY TO HAVE MOTION BEFORE CASE CONFERENCE:</u>	Not as easy as you think. You don't have to file any specific form (unlike the Family Law Rules- courts) but judges, even rotating ones, will grill counsel to find out what the urgency is. If there is none, you will be bumped to a DRO or a case conference - perhaps with costs.
<u>STRICT ON FILING RULES?:</u>	Generally pretty consistently strict but sometimes things get filed when perhaps they shouldn't and vice versa.
<u>COMMENTS:</u>	This used to be the court that everyone wanted to avoid. Now, due the strictness of the Family Law Rules-courts, this court is often the court of choice.

issuing
of case
much less waiting
courts) are all reasons
much improved over years past.
procedures for filing consent
almost no more "lost files" and case
ordinators who call you up and let
the date you've requested is good or not
welcome. Major kudos to Sue Seto and
the staff at this court for major improvement.

Duty counsel, advice counsel, prompt
of orders and staggered scheduling
conferences (which leads to
around than in some other
why this court is
Reasonable
adjournments,
conference co-
you know if
are all very
all of

OVERALL RANKING: B+

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