

Ministry of the
Attorney General Court
Services Division Central East
Region

Superior Court of Justice
50 Eagle Street West,
Newmarket, Ontario L3Y 6B1

Ministère du
Procureur général
Division des services aux tribunaux
Région du Centre-Est

Cour de justice de l'Ontario
50, rue Égale Ouest,
Newmarket, Ontario L3Y 6B1



Attention Legal Profession and Stakeholders,

In an effort to provide effective and quality customer service to clients, stakeholder and to the Legal Profession, the Newmarket Court is reaching out to the Legal Profession with issues that have arisen with documents being filed at the Newmarket Court.

Justice Services Online Filing Portal

We are encouraging the Legal Profession to use the Justice Service Online Filing Portal **rather than email**. Court hearings are currently being held virtually. **To assist the Judiciary in reviewing the documents prior to the hearing, the judiciary requires electronic documents that can be accessed offsite.**

On August 5, 2020, the Justice Services Online platform (ontario.ca/familyclaims and ontario.ca/page/file-civil-claim-online) was expanded to enable the online submission of close to 400 more types of civil and family court documents.

The new services, “Civil Submissions Online” and “Family Submissions Online,” will provide simple and quick ways to electronically submit court documents, at every step in a case, in any new or existing:

- civil action or application in the Superior Court of Justice (SCJ); and
- family proceeding in the SCJ

Users can pay court filing fees online securely by debit or credit card. Individuals can also use the system to request a fee waiver certificate or submit documents with an existing fee waiver certificate.

By making it possible to submit most civil and family court documents online, the Ministry is increasing efforts to protect the health and safety of Ontarians by reducing the need to attend a courthouse in person.

The new services complement Civil Claims Online and Family Claims Online as reflected in the prior Notice to the Profession and **REPLACES** email filing processes established in response to COVID-19

The Benefits of Justice Services Online Filing Portal

- Original Documents are not required to be filed in person
- Payments are processed Online as the document has been accepted for filing.
- When filing the documents through the Portal, an email confirmation will be sent to advise the court has received the document through the Online Portal.
- Once the documents have been processed, an additional email will be sent to advise if the documents have been accepted or rejected for filing.

Getting Access to Justice Services Online Filing Portal

To access Justice Services Online Filing Portal, users are required to create an account using their Ontario ONE-Key ID. ONE-key is a unique electronic credential that allows you to communicate securely with online government services. Setting up your ONE-Key ID is fast and simple. To learn more, visit <https://www.one-key.gov.on.ca/iaalogin/overview.jsp>.

Providing Feed back for Justice Services Online Filing Portal

The Ministry will enhance the service based on user feedback. If you have any questions or would like to provide feedback about the service, please contact Alexey Togunov, Director, Project Implementation Branch at Alexey.Togunov@ontario.ca.

Filing Documents by Email

The Administration Office has been receiving multiple duplications of filings. Documents are being emailed **AND** sent through the Justice Service Online Portal. This causes a duplication of work for the Administration Office and the Judiciary.

The Newmarket Court is asking **that** documents are **ONLY** to be emailed if the matter is urgent and requires to be processed prior to five business days and a court date has been set and, pursuant to the rules which may indicate that documents are to be filed less than five business days.

Example of Urgent Matters:

- **MOTION WITHOUT NOTICE.** (RULE 14. 12.A motion may be made without notice if,
 - (a) the nature or circumstances of the motion make notice unnecessary or not reasonably possible;
 - (b) there is an immediate danger of a child's removal from Ontario, and the delay involved in serving a notice of motion would probably have serious consequences;

(c) there is an immediate danger to the health or safety of a child or of the party making the motion, and the delay involved in serving a notice of motion would probably have serious consequences; or

(d) service of a notice of motion would probably have serious consequences. O. Reg. 114/99, r. 14 (12). **EXPAMPLE: Restraining Order,**

- **RESPONSES TO RESPONSE TO NOTICE OF MOTION.** (Rule 14.11.3 A response by a person to a motion made using a notice of motion (Form 14) shall be served and filed not later than four days before the motion date. O. Reg. 298/18, s. 10 (2).)
- **RESPONSE TO MOTION FORM.** (Rule 14.11.4 A response by a person to a motion made using a motion form (Form 14B) shall be served and filed not later than four days after the motion form is served on the person. O. Reg. 298/18, s. 10 (2).)
- **REPLY TO RESPONSE PERMITTED, NOTICE OF MOTION.** (Rule 14.11.5 A party who uses a notice of motion (Form 14) and who is served with a response to it may serve and file a reply not later than 2 p.m. three days before the motion date. O. Reg. 298/18, s. 10 (2).)
- **RESPONDING CONFERENCE/SETTLEMENT BRIEFS.** (Rule 17.13.1)

Documents filed electronically should only be sent to the Administration Office for processing and shall be sent to **ONLY ONE** following email address. **Please do not send documents to multiple email box or CC the Trial Coordinators email.** All filings must be filed with the Administration Office **ONLY** for processing.

Due to the high number of calls the Administration Office receives daily, we request inquires and procedural questions to be submitted by email.

Materials and procedural inquiries shall be sent to **ONE** of the following applicable email addresses:

Civil

Newmarket.scj.courts@ontario.ca

Family Matters

Newmarket.scj.family@ontario.ca

Estate Matters

Newmarket.scj.estates@ontario.ca

Small Claims matters

Email Subject Line

All documents filed must be clearly labelled. The subject line of the email must contain the file number and parties' names and the name of the document as follows.

Example: FC-20-00000503-0000 – DOE vs. DOE – Affidavit of Jane Doe sworn June 23, 2020

FC-20-00000520-0000 Brown vs. Brown- Case Conference Brief- September 30, 2020.

Documents that are not properly named may be rejected by the filing office and may not be forwarded to the presiding judge until properly named.

If a document has been filed by email, kindly do not send the same documents through the Justice Services Online Portal.

If a party files a document by email the party **must** file, the original documents in person. Please ensure the material is tabbed and in order when filing.

Phone Calls

The Administration Office and the Trial Scheduling Office is currently being inundated with calls and emails to inquire if documents have been received and processed. Using the Portal allows Court Service Division staff members to focus on working on the documents received as opposed to answering email and phone calls to see if the documents have been received and processed which can result **in better usage of time** to ensure documents are processed prior to the five-business day expectation.

Case Conference and Settlement Conference Briefs

Case Conference Briefs should be limited to the four-page form set out in the *Family Law Rules* with a maximum of two additional pages of narrative and proposals, other than supporting material such as lists of outstanding disclosure or professional reports. Case conference briefs that exceed the six-page maximum may be returned to the parties, and the matter may be placed at the bottom of the list. Lengthy or unduly adversarial case or settlement conference briefs may not be read. The matter may also be placed at the bottom of the list and costs may be awarded. For additional information please review the Practice Direction issued on July 1st, 2018

[https://www.ontariocourts.ca/scj/practice/practice-directions/central-east/family/#Part 4 Conferences](https://www.ontariocourts.ca/scj/practice/practice-directions/central-east/family/#Part_4_Conferences)

Motion Materials

There shall be a strict page limit for affidavits in support of motions. Affidavits shall not exceed ten pages of narrative and the total number of pages of exhibits shall not exceed ten pages. Copies of relevant court orders are excluded from the page limit and should be included. If a party believes that a longer affidavit is necessary, they must obtain leave in advance by 14B motion. For additional information please review the Notice to Profession issued June 26, 2020. [https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/notice-ce-family-june/#V FILING OF DOCUMENTS](https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/notice-ce-family-june/#V_FILING_OF_DOCUMENTS)

Thank you,

Antonella Addeo

Supervisor of Court Operations