



October 16, 2020

Notice to the Profession and Public Regarding In-Person Operations in Newmarket

Today, the Premier announced a return to a modified Stage Two in York Region as a result of significant increases in COVID cases. As a result, I have made the difficult decision that our Court must adjust our operations in the Newmarket Courthouse.

Jury trials

Jury Selection

New jury selection in Newmarket is suspended for the next 28 days.

In-progress jury trials and non-jury trials and proceedings

The decision to continue matters that are in progress, including jury trials, will be made by the trial judge.

Upcoming non-jury trials and other in-person proceedings – 10 persons or less

In-person non-jury trials and other in-person proceedings (including civil and family matters) that are upcoming in Newmarket can proceed as scheduled *in-person* if they are limited to 10 persons or less in the courtroom. However, efforts should be made to hear matters remotely, wherever possible.

I recognize that some counsel, parties and justice participants may be uncomfortable attending a courthouse during this time. Some may have underlying health conditions, or live with someone who does, or have other issues arising from the pandemic. In view of the concerning public health situation in these three centres, the Court must respond with great flexibility. I have encouraged all judicial officers, when exercising their authority, to be flexible and to respect the various reasons why an individual may not be comfortable attending a courthouse in person. The feasibility of a virtual hearing is to be explored, when requested. Similarly, I encourage counsel and parties to be accommodating when requests for virtual hearings are made by opposing counsel or parties.

I wish to thank the Recovery Secretariat for the enormous efforts made in the past months to resume court operations and jury matters. It has been a monumental task.

This is a very difficult time. I did not make this decision lightly. We must continue to do what we can to move matters forward but also to make every effort to support public health efforts to stabilize the situation.

Geoffrey B. Morawetz
Chief Justice
Ontario Superior Court of Justice