



Memorandum

To: Provincial Crown Attorneys, Federal Crown Prosecutors,
Thunder Bay, Kenora and Rainy River Law Associations
CSD Management and Court Staff, Northwest Region

From: Regional Senior Justice B. R. Warkentin

Subject: Video/Teleconferences and Court Call, SCJ, Northwest Region

Date: August 17, 2018

Changes to Video and Telephone Conferencing in the NW Region, Superior Court of Justice, Northwest Region

Requests for video or teleconference appearances are authorized for civil proceedings under Rule 1.08 of the *Rules of Civil Procedure*, for family proceedings under subrule 5 (2) (g) of the *Family Law Rules* and for criminal proceedings under the Superior Court's *Provincial Practice Direction Regarding Criminal Proceedings* and various provisions of the *Criminal Code*.

For many years the Superior Court in the Northwest Region has offered counsel and parties (participants) the opportunity to attend certain court appearances by video or telephone conference (video/teleconference). The practice has been that the requesting participant file a completed "Request to Attend by Videoconference or Teleconference Form" request with the appropriate Trial Coordinator's office seeking the Court's approval. Once the request was approved by the Court, it fell to the Trial Coordinator to set up the video/teleconference call and provide the call-in numbers to the participant and with the Court Services staff facilitating the call.

Over the past few years, there have been an increasing number of video/teleconference requests in all business lines. These include, but have not been wholly limited to, appearances for short civil/family motions, Assignment Court, civil pre-trials, case management conferences and family conferences. Our Trial Coordination and Court Services staff are no longer able to manage the volume of requests for video/teleconference in conjunction with their other duties.

When there are multiple parties attending by video/teleconference, for example on a regular motions day or at Assignment Court, managing the callers is often problematic, with individuals unable to hear, background noise interfering with the proceeding before the Court, dropped calls or difficulties managing numerous files as well as the court reporter being unable to adequately identify the individual speaking.

INTRODUCTION OF COURTCALL

CourtCall is a third-party remote appearance service that may now be used to make video/teleconference appearances in the Superior Court of Justice, Northwest Region.

Beginning August 22, 2018, CourtCall will be available to make arrangements to attend various hearings by video or teleconference.

A CourtCall appearance is voluntary; however, the alternative to CourtCall is personal attendance or authorization by the presiding judge for alternate accommodation. This will include parties who are required or expected to attend the appearance such as with civil pre-trials and family conferencing.

No prior court approval is required for attendance by a participant using CourtCall. However, a participant who wishes to appear by video/teleconference through means other than the CourtCall service must, in a manner in accordance with the applicable rules, obtain the Court's prior approval to appear by the means proposed then make the necessary arrangements.

The Consolidated Practice Direction for the Northwest Region and the Consolidated Practice Direction Concerning Family Cases in the Northwest Region will be amended accordingly.

Please note that the addition of CourtCall will not alter the video/teleconferencing facilities currently in place between courthouses at Thunder Bay, Kenora or Fort Frances. In these circumstances, the usual Court Services video/teleconferencing service will be provided.

CourtCall will be available to participants from outside the Northwest Region or within the Northwest Region who are unable to travel to the jurisdiction where their court matter is proceeding. This is an opportunity to provide access to justice to everyone in our Region.

Appearing by video/teleconference using CourtCall (no prior Court approval required)

1. CourtCall is a third-party video conferencing service that is available for the following court matters and events:
 - a. Assignment Court;
 - b. Regular Motions;
 - c. Civil and Criminal pre-trials;
 - d. Family Conferences; and
 - e. All other matters for which video/teleconference appearances are authorized.
2. A CourtCall video/teleconference appearance is voluntary. All participants wishing to appear by video/teleconference using CourtCall must contact CourtCall directly to make the necessary arrangements. The process for doing so is as follows:
 - i. If not already registered with CourtCall as a client, register at courtcall.com.
 - ii. **At least two (2) business days before the hearing**, book the appearance by logging into the CourtCall website (courtcall.com) and completing a “New Appearance” request, or by contacting CourtCall at 1-888-882-6878.
 - iii. Pay the fee set by CourtCall for the video/teleconference appearance.
 - iv. CourtCall will email or fax a confirmation upon completion of the booking and payment.
 - v. The participant appearing by video/teleconference must supply his or her own telephone and computer with a camera and internet connection with sufficient bandwidth to allow them to connect and participate.
 - vi. On the day of the hearing, the participant must initiate the video/teleconference appearance by clicking on the link and dialing the toll-free teleconference number provided in the confirmation sent by CourtCall.
 - vii. A pre-hearing/connection check-in is required fifteen minutes before the scheduled hearing time.
 - viii. For further information, please refer to the CourtCall website (courtcall.com) or contact CourtCall at 1-888-882-6878.
3. The requesting participant must also advise the Court and any other party prior to the hearing in writing by indicating on their Confirmation or Scheduling Form in accordance with the prescribed timelines for filing these forms that they will be attending the court event using the CourtCall service. If the requesting participant fails to provide this notice, they must seek the permission of the Judge hearing the

matter before they will be permitted to attend by CourtCall, or any other means other than in person.

4. All persons who have made the necessary arrangements with CourtCall and advised the Court, in accordance with the steps outlined above, may assume that they have the Court's permission to appear for the event by video/teleconference using CourtCall, unless otherwise directed by a judge.

Dated: August 17, 2018

Heather J. F. Smith
Chief Justice
Superior Court of Justice (Ontario)

Bonnie R. Warkentin
Regional Senior Judge
Superior Court of Justice, Northwest Region

Note: Counsel and parties can begin scheduling appearances by video/teleconference on CourtCall's website on or after August 27, 2018. Counsel and parties may begin scheduling appearances on CourtCall's website as of August 22, 2018 for appearances on or after August 27, 2018.

BRW/pc