

Chapter 4

2004/05 Corporate Initiatives

Access to Justice

Court Accessibility for Persons with Disabilities

During the 2005 Opening of Courts, Chief Justice McMurtry announced the creation of a joint committee, including members of the bench, bar and the Ministry of the Attorney General, to improve the accessibility of the justice system to persons with disabilities. The Court Services Division is an active participant on this committee and is committed to providing services that support accessible justice for all members of the public, regardless of disability.

In 2004/05, CSD improved the court address database on the Ministry of the Attorney General website, indicating barrier-free court locations and providing a contact number for court users to call at each location to receive assistance. The CSD Intranet system was upgraded and public forms, guides and brochures continued to be created in compliance with accessibility standards. The Ontario Realty Corporation developed and released new accessibility standards for government facilities, in consultation with persons living with disabilities. All current and future courthouse construction projects must comply with these standards and the standards must be considered for all lease renewals.

“The judiciary is determined to play its part and we look forward to working with the Ontario government and the bar in providing persons with disabilities better access to our justice facilities.”

Chief Justice McMurtry, Opening of Courts Speech, January 2005

Fee Waiver

As of January 28, 2005, economically disadvantaged litigants can apply for a fee waiver for court and enforcement fees. The fee waiver applies to fees payable under the *Administration of Justice Act* for civil, small claims and family court matters, appeals and the enforcement of court or tribunal orders. The new fee waiver ensures that low-income Ontarians are not denied access to justice due to their financial circumstances.

Video Conferencing

Northern Ontario's remote locations present many program delivery challenges. CSD has been using video technology to help meet these challenges and to ensure that court services are accessible. Video conferencing has been successfully used for bail remands, assessment hearings, sentencing hearings, child protection matters, case conferences and motions.

In 2004/05, the Division expanded the use of video conferencing by establishing linkages between the courts video network and a federal government/First Nations partnership using the high-speed Northern Ontario Network (KNET). This linkage allows individuals in remote and northern communities to participate in court hearings via video.

Jury Deliberation Rooms

CSD continues to renovate jury deliberation rooms in courthouses across the province, to provide improved accessibility services and an ergonomic and comfortable environment.

Courthouse Signage

CSD began replacing courthouse exterior signage to increase visibility. The new signs conform to CSD signage standards, Ontario Public Services visual identity requirements and government accessibility criteria. Where possible, the signs are illuminated.

Working with Our Justice Partners

Provincial Offences Support to Municipalities

The *Provincial Offences Act* (POA) governs non-*Criminal Code* offences, such as parking, traffic and liquor licence violations and offences under the *Ontario Health and Safety Act* and the *Environmental Protection Act*. Municipalities are responsible for administering POA offences and prosecuting selected POA offences. The province is responsible for prosecuting serious POA offences and for the quality of the justice system as a whole.

As part of its oversight and monitoring role, CSD conducts regularly scheduled audits of selected POA courts. In 2004/05, CSD audited 15 municipal POA courts across the province, including: Dryden, Fort Frances, Kawartha Lakes, Kenora, Kingston, London, L'Orignal, Napanee, Newmarket, Richmond Hill, Owen Sound, Peterborough, Sault Ste. Marie, St. Thomas and Woodstock.

CSD also reviews semi-annual financial and performance reports from all municipalities that administer POA courts. In 2004/05, the Division developed additional monitoring mechanisms in consultation with the municipal courts, including monthly reports of POA workload and financial data. The Division also established the POA Table with representation from the ministry, municipal courts and the judiciary to facilitate communication, collaboration and consultation.

Ontario Justice International

Ontario Justice International (OJI) is the Ministry of the Attorney General's international consulting service. By drawing upon the Ontario government's experience operating one of the largest justice systems in North America, OJI consults with foreign governments on the design and operation of impartial, accessible and efficient justice systems.

As part of OJI, CSD welcomed New Zealand's General Manager for Fine Collections for two days in January 2005. The visit focused on effective mechanisms for the enforcement of criminal fines, and was part of a larger international tour by New Zealand to learn best practices and understand the variables affecting collection rates.

Also in 2004/05, CSD met with international delegations from China, Jamaica and the Philippines, to provide information on the civil justice system in Ontario and to discuss Ontario's case management and mandatory mediation programs.

Justice Summit

The Deputy Attorney General and the Chief Justices of the Superior and Ontario Courts of Justice co-hosted annual Justice Summits in 2002, 2003 and 2004 to address growing backlogs in criminal and child protection cases.

As a result of these meetings, committees have been established to investigate and report on:

- Bail and remand issues
- Criminal case scheduling improvements
- Initiatives to address child protection backlogs

The committees have been central to the development of best practices to improve the efficiency of bail and remand, the Criminal Case Management Protocol (see page 16), recommendations to address child protection matters in remote northern locations, research on the use of mediation in child protection cases and training and educational conferences on child protection law (see page 18).

The Division will continue working within the Ministry and with the judiciary to support the ongoing work of these committees and host future Justice Summit meetings.

Customer Service

Client Satisfaction Survey

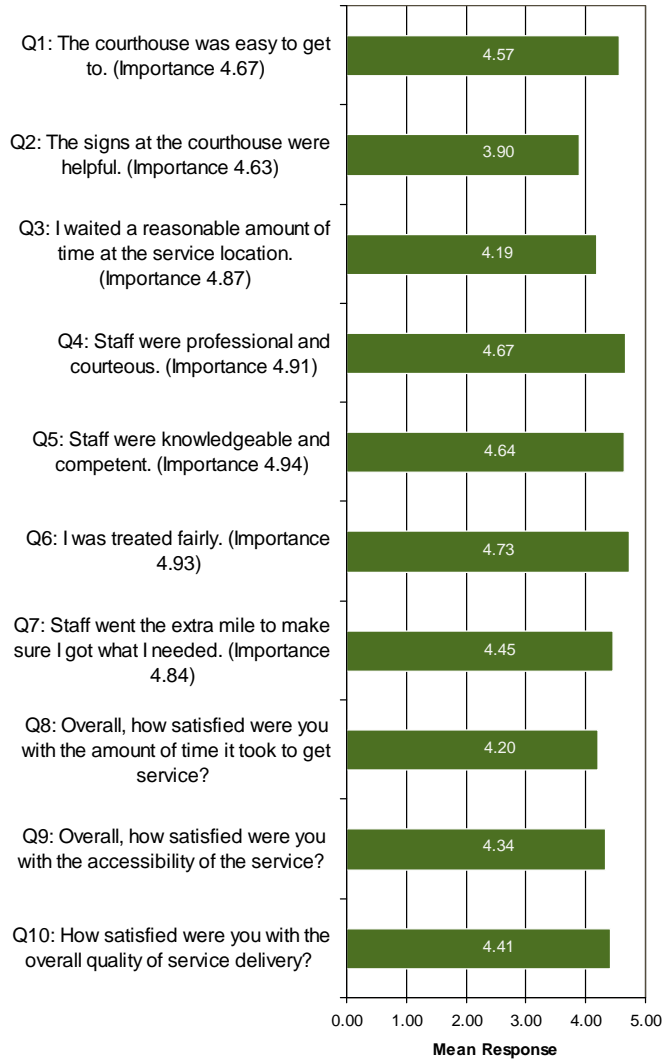
In 2004, CSD developed and implemented an annual client satisfaction survey for use in the courts across Ontario to fulfill one of the commitments under our Five-Year Plan.

The survey focused on client satisfaction with court counter services for the civil, family and Small Claims Court practice areas. It did not pertain to criminal court services.

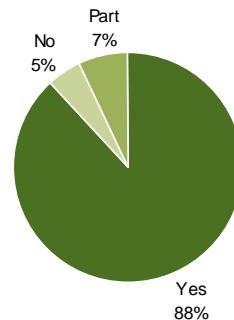
One large, one medium and one small court location were chosen from each of the seven CSD regions for participation in the survey (see note below for a list of locations).

The surveys were administered by interview after clients had accessed services at the court counters. For questions 1 through 7, clients were asked to rank their agreement with the statement, on a scale of 1 (strongly disagree) to 5 (strongly agree). Clients were also asked to rank the importance of each aspect of service delivery on a scale of 1 (not at all important) to 5 (very important). For questions 8 through 10, clients were asked to rank their satisfaction on a scale of 1 (very dissatisfied) to 5 (very satisfied). Clients were also asked if, in the end, they got what they needed.

In total, 3,667 surveys were collected from across the province. The survey results consistently indicated high levels of client satisfaction across the province for all practice areas and locations. Respondents ranked fair treatment, knowledgeable and competent staff and professional and courteous staff as the most important aspects of service delivery. These aspects also received the highest scores for client satisfaction.



Q11: In the end, did you get what you needed?



Note: Surveys were conducted in Thunder Bay, Kenora, Sudbury, North Bay, Gore Bay, Ottawa, Belleville, Perth, Newmarket, Oshawa, Lindsay, 393 University and 47 Sheppard in Toronto, Hamilton, Welland, Simcoe, London, Chatham and St. Thomas. There was no court location in the Northwest Region that qualified as large, and there was no court location in the Toronto Region that qualified as small.

Managing Court Facilities

Since 1996, Ontario has committed \$269M to the courts construction program, which focuses on the consolidation of Superior and Ontario Courts of Justice. New courthouses have been constructed in Brampton, Cornwall, Hamilton, Owen Sound, Toronto (Civil/Family), Welland, Windsor, Brockville and Chatham. The planned Pembroke court consolidation project remains a Ministry priority in the 2005/06 Infrastructure Plan.

The Division works in partnership with the Ministry's Facilities Management Branch to manage courthouse facilities across the province. The Facilities Management Branch is responsible for major infrastructure planning and controllership, leasing administration and coordination services, including project planning, tendering, design and construction. Since 2002, CSD has managed courthouse renovation projects under \$50,000. CSD facilitates consultation with the judiciary, Crowns, police and other courthouse users during project planning and implementation, to ensure that the needs of stakeholders are addressed.

New Courthouses

Durham: On March 31, 2005, the Ontario Realty Corporation issued a new Request for Qualifications to identify potential bidders to construct a consolidated courthouse in Durham by using an alternative financing model. The courthouse will consist of 38 judicial hearing rooms, will be approximately 350,000 square feet and is expected to be completed by winter 2008/09.

Pembroke: The Ontario and Superior Courts of Justice in Pembroke will be consolidated and moved into a newly constructed courthouse consisting of six courtrooms. The estimated cost of this project is \$23M and it is expected to be completed by summer 2007. In December 2004, the Pembroke Ontario Court of Justice was relocated to an interim site on Agnes Street. The estimated cost for the interim building is \$2.2M.

Brockville: The government invested \$15.1M to consolidate the Ontario Court of Justice with the historic Superior Court of Justice courthouse. The renovated and expanded five-courtroom heritage courthouse began operations on August 23, 2004.

Investment in Existing Courthouses

Justice Delay Reduction Initiative: As part of the Ministry's Justice Delay Reduction Initiative (JDRI) to reduce the number of criminal cases in the Ontario courts, the Ministry invested \$12.0M in 2004/05 to provide additional space in various court locations. The additional space will include new courtrooms, holding cells and facilities to accommodate the judiciary, Crowns, support staff, victim services, duty counsel and court administration staff.

Orangeville: The expansion of the Orangeville courthouse within the adjacent county building is underway to accommodate caseload growth and changes in program delivery. The Ministry has identified this facility as a priority project for infrastructure funding, involving the acquisition of over 7,500 square feet to build two additional courtrooms and ancillary space. By the end of construction, the Ministry expects to have invested a total of \$6.55M, plus an additional \$730,000 that was invested in 2004/05 as part of the JDRI initiative. Estimated completion is for fall 2005/06.

Holding Cell Initiative: In order to comply with the *Youth Criminal Justice Act* and to address overcrowding and health and safety issues, the Ministry invested \$2.5M in 2004/05 to improve holding cells and related areas for in-custody persons in courthouses across the province. The Ministry intends to continue improvements to holding cells in 2005/06.

Ongoing Repair and Rehabilitation

In addition to these projects, the Ministry allocated \$8.6M in 2004/05 for the ongoing repair and rehabilitation of facilities to manage health, safety and security issues.

Modernizing Service Delivery

Civil/Family Court Case Tracking System

CSD has developed an automated court case tracking system to more effectively manage civil, family, Small Claims Court, Divisional Court and Superior Court criminal cases. The system provides extensive user-friendly features including electronic scheduling and time standard tracking. Version 1 was rolled-out to the final 55 sites this year, completing implementation province-wide to 83 total sites.

WRITS System

The WRITS System is used in 49 enforcement offices across the province to maintain an index of writs of execution, in accordance with the *Executions Act*. The system captures data pertaining to the creation, updating, withdrawal and re-filing of writs.

In 2004/05, with a private sector partner, the WRITS System was redeveloped to be accessible via the Internet. Pilot testing was successfully completed in three enforcement offices. Implementation is planned for 2005/06.

Estates System

The Estates System is a web-enabled application that allows estates office staff to enter and retrieve local estates court data and electronically submit applications. The Estates System is used in each of the 49 Superior Court of Justice locations across the province.

In 2004/05, a public access module of the application was developed and tested in the Toronto Region. This enhancement is expected to improve customer service by allowing the public to easily perform name searches without waiting in line. Implementation is planned for 2005/06.

Planning for the Future

Court Services Five-Year Plan

Following the initial development of a Five-Year Plan in 2002/03, CSD continues to focus on public service and innovation. CSD is in the process of establishing measures by which to judge its success in achieving its goals in consultation with staff, our justice sector partners, the judiciary and court users. See Appendix A of this report for the updated 2004/05 edition of the CSD Five-Year Plan.

Understanding Trends through Management Information

CSD statistics, collected by court staff across the province, comprise the largest source of statistical data used by the Ministry of the Attorney General. CSD continues to develop its management information systems to improve the accuracy and scope of court statistics and to support planning, decision-making and performance reporting. See Appendix B of this report for court statistics over the past five years.

The Division continues to work with the judiciary, court users and staff to explore and explain statistical trends in court activity. CSD has developed a new standard statistical report to increase the accessibility of court statistics and the transparency of the justice system. CSD plans to post the reports quarterly on the Ministry of the Attorney General Internet site.

