
MEMORANDUM

JBM-C 14-2020

Subject: Court Services COVID-19 Update

Date: December 17, 2020

To: Joint Board of Management, Court Services

From: Miranda Vink, Manager, Court Services

The purpose of this memorandum is to provide the Joint Board of Management (JBM) with an update regarding the operational impacts of the COVID-19 pandemic and associated declaration of emergency on Court Services. This memorandum is a follow-up to JBM-C 7-2020 from August 13, 2020.

As a result of the pandemic, the POA Courthouse building was closed to the public as of March 16, 2020 and reopened for counter service on September 14, 2020. In addition, a number of Court Services staff were redeployed to provide critical support to Long Term Care (LTC) within Niagara Region's Community Services department, however as of November 2, 2020 all redeployed staff member have returned to Court Services.

Court Services has participated in regular teleconferences with the Ministry of the Attorney General to keep apprised of Provincial developments affecting court operations and has issued a number of communications to JBM, Regional Council, and other stakeholders, including enforcement agencies, to provide updates regarding key changes. The Region's website has been updated regularly to ensure the public is informed of developments as they occur.

The following provides an updated overview of activity that has taken place and a projection of expected service delivery moving forward.

Current Status of Operations

Highlights of operational changes to Court Services:

- POA Courthouse building reopened to the public for counter service only (no in-person court matters have resumed)
- Providing customer service in person, via telephone and email to individuals
- Providing onsite service for enforcement agencies related to receipt of charges for filing
- Direction from the Ministry of the Attorney General (MAG) has been received indicating that all in-person matters have been adjourned to January 25, 2021, however they have emphasized that virtual matters via audio and video will continue be the primary mechanism, with in-person matters occurring only when mandatory
- Beginning July 6, 2020 judicial pre-trial matters and early resolution guilty pleas began remotely where eligible, before a Justice of the Peace via audio conference
- As of October 19, 2020 all non-trial matters resumed remotely where eligible, via audio conference. Virtual matters via video have not yet commenced for Provincial Offences courts
 - Judiciary are participating in court matters via audio in the majority of cases, however in some circumstances do attend the courthouse for court matters to participate onsite
- A memorandum received from MAG on November 25, 2020 indicated the extension of time limitations and the pause on enforcement as a result of Provincial and Judicial Orders set to end on December 1, 2020 are now extended to February 26, 2021. This has implications for what would have been Infraction and Delinquent revenue realized in 2020. Due to the extension of time limitations and paused enforcement actions related to the pandemic, Court Services anticipate the revenue will be realized in 2021 and add to the overall 2021 gross revenue figures

- Procurement and installation of document camera and graphics processor in November 2020 to facilitate readiness for the commencement of virtual court via video in 1 of 3 courtrooms onsite
- Collaboration with IT Services and Procurement to explore licensing opportunities for Zoom Pro as the preferred video conferencing software for virtual court matters identified by MAG
- Continued collaboration with Facilities and Corporate Health & Safety to prepare a plan for reopening utilizing the Recovery Secretariat Guidelines, which have just recently been provided by the MAG
- MAG has advised that the proposed transfer of Part III prosecutions will be delayed with an implementation date to be determined. The Ministry is continuing to plan for a phased approach to the transfer of this Part III work and the timing of individual transfers across the Province will be informed by local site readiness and capacity to assume this important responsibility.
- Implementation of Vision Zero Project (Red Light Camera and Automated Speed Enforcement) has been delayed. The implementation was originally targeted for September 2020, however an implementation goal of Spring 2021 is set, pending the approval of the necessary amendment to the Intermunicipal Agreement.

Staffing

- Court Services is presently operating with regular staffing resources in order to meet essential business functions. A hybrid of in-office and remote work arrangements have been facilitated where possible. Two staff members remain out of the workplace on approved leave.
- All team members have returned from redeployment as of November 2, 2020. Please note that 2020 salary expenses related to any hours worked at a redeployment site have been charged back to Community Services and will not impact Court Services budget.

Operational Outlook

- December 2020 & January 2021:
 - Continue to provide service to the public both in-person where possible and via telephone/email
 - Continue to conduct matters where eligible via audio conference while awaiting resumption of in-person court proceedings and/or virtual matters via video
 - Ongoing site preparation for virtual matters via video – equipping the remaining 2 courtrooms for video capabilities
 - Ongoing recovery planning and site preparation for resumption of in-person matters for January 25, 2021
 - Recruitment and training in December related to Court Services staffing restructuring plan (as previously reported to JBM November 17 in Report JBM- C-11-2020) – start date effective January 4, 2021
- February to April 2021:
 - Continued facilitation of hybrid service delivery - court matters via audio, video and in-person (to the extent possible)
 - Preparation for Vision Zero launch subject to approval of the amendment to the Intermunicipal Agreement, including staffing recruitment and adaptation of processes as a result

Respectfully submitted and signed by

Miranda Vink
Manager, Court Services