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**MEMORANDUM**

**JBM-C 1-2021**

**Subject:** Court Services COVID-19 Update  
**Date:** January 28, 2021  
**To:** Joint Board of Management, Niagara Courts  
**From:** Miranda Vink, Manager, Court Services

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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 14-2020 from December 17, 2020, as well as 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 alignment with the Stay at Home Order, the Niagara Region's POA Courthouse building closed temporarily to the public with alternative services being offered effective Friday January 15, 2021.

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 since the last report and a projection of expected service delivery moving forward.

**Highlights of operational changes to Court Services:**

- Courthouse building closed temporarily to the public with alternative services being offered effective Friday January 15, 2021. The POA Courthouse building

had been previously opened to the public for counter service only since September 14, 2020 (no in-person court matters have resumed)

- Providing customer service 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 at least 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. The key components to resuming in-person matters at Niagara POA will be a) site readiness and b) availability of judicial resources.
- Continuing to provide judicial pre-trial matters and early resolution guilty pleas remotely where eligible, before a Justice of the Peace via audio conference (commenced July 6, 2020)
- Continuing to conduct all eligible non-trial matters remotely via audio conference (resumed as of October 19, 2020)
- Virtual matters via video are being gradually implemented at POA Courthouses across Ontario starting the week of January 25<sup>th</sup>.
- 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 1 document camera and graphics processor in November 2020 and the procurement of 2 Zoom Business licenses to facilitate readiness for the commencement of virtual court via video in 2 of 3 courtrooms onsite. Zoom was obtained as the preferred video conferencing software for virtual court matters identified by MAG.
- Collaboration with Facilities, Court Services Joint Health & Safety Committee and Corporate Health & Safety to prepare the Courthouse building for resumption of in-person matters utilizing the Recovery Secretariat Guidelines provided by MAG has continued. A site assessment was completed on January 19, 2021 by

Corporate Health & Safety, which confirmed site readiness. The required survey of the building HVAC system was completed Facilities and submitted to the Province on January 22, 2021. The next step is a site assessment by the Public Services Health & Safety Association (PSHSA) that is scheduled to occur virtually on January 28, 2021, to be followed by final approval by the Niagara Region's CAO.

- MAG 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 will now take place in 2021 subject to 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 has been facilitated where possible. Two staff members remain out of the workplace on approved leave and we are currently gapping two Court Administration Clerk vacancies based on operational needs.
- The Staffing Restructuring plan which was introduced to JBM (JBM- C-11-2020) and Court Services Staff in November 2020 has been effectively executed to this point. Recruitments outstanding include the Court Services Business Analyst, which is anticipated to be completed by February 2021, as well as the recruitment of any FTE's as required following the approval and implementation of Vision Zero.

### **Operational Outlook**

- January to February 2021:
  - Continue to provide service to the public via telephone/email until resuming counter service
  - 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 with document cameras and graphics processor,

- procuring a 3<sup>rd</sup> Zoom Business license to enable virtual proceedings in the final courtroom.
- Ongoing recovery planning in collaboration with MAG, PSHSA and the Recovery Secretariat for resumption of in-person matters
- Recruitment of Court Services Business Analyst in February 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

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Miranda Vink  
Manager, Court Services