

Duty Counsel Services Virtual Case Management Courts

Time-limited Duty Counsel Services

- The duty counsel services referred to in this document are of a time-limited nature and are intended to assist the Ontario Court of Justice as it addresses the backlog of cases in the criminal justice system as a result of the COVID-19 pandemic.
- All Duty Counsel services will be provided remotely.

The Role of Duty Counsel

- Duty counsel will continue to financially test all out of custody (adult) accused.
- Duty counsel will continue to follow the DC Service Guide from July 2019 with one exception with respect to out of custody agency matters (explained under Agency Adjournments).
- Duty Counsel may be present in the virtual courtroom to provide adjournment services. The availability of this service be based on local resources.
- Duty counsel will continue to assist eligible accused with disclosure review, crown pre-trials, resolutions and referrals to the certificate program or senior counsel.
- Duty counsel will continue to provide accused with legal information and referrals to other resources.
- Same-day assistance is not guaranteed at this time.

Agency Adjournments

- Duty counsel will continue to speak to agency matters on behalf of counsel for any in-custody accused (at the bail and video remand stages).
- Duty counsel will no longer be speaking to agency adjournments on behalf of the private bar with respect to out of custody accused regardless of whether the accused is a client of LAO.

Where Accused Does Not Attend Court

- Duty counsel will not be calling accused to advise them of their next court dates.
- These accused are being presumptively adjourned for 5 weeks with a bench warrant with discretion.

How clients can contact LAO/DC

- In order to ensure that each appearance is meaningful, accused are being asked to contact LAO well before the day of their case management court appearance (see attached notice).
- For general advice or certificate applications, clients are encouraged to call LAO's number at 1-800-668-8258
- Local duty counsel office numbers are also provided offering the possibility of local services.