

# Superior Court Gowning & Electronic Case Citation Requirements

<http://www.ontariocourts.ca/scj/practice/practice-directions/provincial/> -last amended January 2017

(unless a region-specific Practice Direction states otherwise.)

## Gowning requirements in Middlesex County:

### Do Not Gown for:

#### Superior Court:

- Case Conferences
- Civil Assignment Court
- Civil Express Motions (unless an application or other matter that must be transferred to a regular judges' list, then gown)
- Criminal Assignment Court (date scheduling only) - counsel must gown if appearing for any other reason, such as entering a guilty plea
- Pre-Trials
- Settlement Conferences
- Small Claims Court
- Trial Management Conference
- Trial Scheduling Courts

Business attire is required in both Civil and Criminal Assignment Court if gowning is not required.

#### Superior Court – Family Court (in addition to Superior Court list above)

- CYFSA matters that aren't contested motions and trials
- Express Motions (unless you are seeking a declaration of urgency and go in front of a judge immediately, then gown)
- First Appearance
- Procedural Motions

### Gown for:

#### Superior Court:

- Appeals
- Motions
- Special Appointments
- Summary Matters
- Trials

#### Bankruptcy Matters:

- Same as Superior Court

#### CYFSA Matters:

- Contested Motions
- Trials

### Divisional Court:

- Same as Superior Court

### **Gowning is Your Choice for:**

- Opening of the Courts
- Swearing-In Ceremonies
- Swearing-Out Ceremonies

### **Gowning During Pregnancy:**

Counsel who are pregnant are free to modify their traditional court attire in order to accommodate their pregnancy as they see fit, including dispensing with a waistcoat and tabs.

### ***When in Doubt...Gown!***

## **Filing of Judicial Decisions from Electronic Databases and Citation of all Judicial Decisions**

(excerpted from the Practice Direction)

### *Filing of Judicial Decisions from Electronic Databases*

- Copies of judicial decisions obtained from approved electronic databases are acceptable for filing provided the report of the judicial decision contains paragraph numeration consistent with the numbering of the paragraphs in the decision as released by the court. “Approved electronic databases” are databases that are dedicated to the publication of judicial decisions (e.g. Quicklaw, CanLII, and Westlaw).
- Counsel and parties should be aware that judicial decisions posted on electronic databases may be subject to correction or editing within a few days of the initial posting and, accordingly, parties should ensure that any decision obtained from an electronic database has not been subsequently amended.

### *Citation of all Judicial Decisions*

- Parties citing decisions from electronic databases should provide the citations for any paper versions of the decision in addition to the citation of the electronic database.
- Parties should provide the date that the copy of any decision was obtained from an electronic database, as part of the citation information.
- For decisions of the Ontario Superior Court of Justice released on or after January 1, 2010, parties should provide the neutral citation number (e.g. 2010 ONSC 1) in addition to the other required citations.