

## Superior Court Gowning & Electronic Case Citation Requirements – *last amended January 1, 2017*

<http://www.ontariocourts.ca/scj/practice/practice-directions/provincial/>

### **Part V: General Practice Directions Applicable to all Proceedings**

#### **A. Gowning for Counsel**

57. Counsel are required to gown for all trials, motions and appeals before the presiding judge in the Ontario Superior Court of Justice. 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. (*amended Jan 1, 2017*)
58. Counsel are not required to gown for appearances before masters or judges and deputy judges of the Small Claims Court (a branch of the Superior Court of Justice).
59. Counsel are not required to gown before a Superior Court Judge of Ontario when appearing in Assignment Court, case conferences, settlement conferences, trial management conferences, trial scheduling courts, or pre-trials, **unless** a region-specific Practice Direction states otherwise.

#### **Middlesex-specific gowning requirements:**

Superior Court: (Effective October 1, 2015)

Counsel are not required to gown for Civil Assignment Court. Effective immediately, counsel are not required to gown for Criminal Assignment Court if attending solely to schedule a date. However, counsel must gown if appearing for any other reason, such as entering a guilty plea. Business attire is required in both Civil and Criminal Assignment Court if gowning is not required.

Counsel are still required to gown for motions, special appointments and summary matters. Counsel are not required to gown for case conferences, settlement conferences, trial management conferences or pre-trials.

Superior Court – Family Court

Counsel are required to gown for motions, special appointments and summary matters. Counsel are not required to gown for case conferences, settlement conferences, trial management conferences, pre-trials or assignment court/trial-scheduling. (Chris Bird, June 2014)

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

Filing of Judicial Decisions from Electronic Databases

99. 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).

100. 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

101. 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.
102. Parties should provide the date that the copy of any decision was obtained from an electronic database, as part of the citation information.
103. 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.