



Ontario Justice Education Network

Handout: The Courts of Ontario Flowchart

Ontario Court of Justice

Provincially appointed judges and justices of the peace

Criminal Law: Less serious indictable offences (s.553 of the Criminal Code), and summary offences are heard by one judge.

Family Law: Custody, access and support (not during divorce), enforcement of child support, child protection, and adoption matters are heard (where there is no Unified Family Court).

Bail Court: Determines whether a person charged with crime(s) should be held in jail until their trial is completed. Justices of the peace preside over bail hearings.

Youth Court: This specialist court, with Youth Court judges, deals with young people charged under the *Youth Criminal Justice Act*.

Mental Health Court: This specialist court deals with charges against people with mental health issues. Mental health workers, case managers and psychiatrists are involved in determining the appropriate treatment or sentence.

Gladue Court: Throughout Canada judges take into account the unique circumstances of Aboriginal accused and Aboriginal offenders (includes status and non-status Indians, Métis, and Inuit), based on the *Gladue* decision. Some areas have these specialist courts for Aboriginal people facing criminal charges.

Drug Treatment Court: This specialist court provides court-supervised treatment for individuals addicted to drugs who have been charged with drug-related offences.

Superior Court of Justice

Federally appointed judges

Criminal Law: Major offences (s.469 Criminal Code) and hybrid offences are heard, generally, by a judge and jury unless the parties consent to a judge alone.

Unified Family Court: Hears all family matters including divorce (federal) and separation (provincial), presided over by a single judge.

Family Law: Where there is no Unified Family Court, individual judges hear divorce and property issues, support, and custody and access matters.

Small Claims Court: Civil cases for claims of less than \$25 000 are heard by a judge or in some cases a master.

Divisional Court: Hears appeals of interim and final orders; appeals and judicial reviews of administrative tribunals, government agencies and boards; and appeals of civil cases where the monetary value is less than \$50 000.

Appeals: Appeals of summary offences and family matters from the OCJ are also heard by the Superior Court of Justice.

Court of Appeal for Ontario

Federally appointed judges hear appeals from the Superior Court of Justice. Appeals from the Court of Appeal are heard by the **Supreme Court of Canada**.