

Chapter 3 2007/2008 Court Activity

Statistical data about court activity is extracted from several operational systems in use in Ontario. Criminal statistics for the Ontario Court of Justice are extracted from an operational system called ICON. Statistical data for other courts are obtained from SUSTAIN and from the new FRANK system.

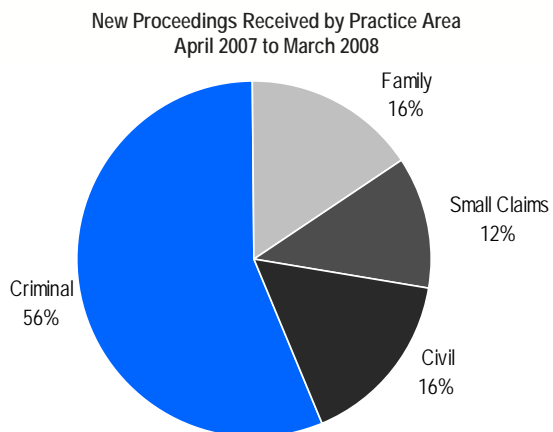
The FRANK court case tracking system was developed as a standard operational system for Ontario's courts. The system collects data and facilitates tracking activity for civil, family, Small Claims Court, and criminal proceedings in the Superior Court of Justice. As of March 31, 2008, all court locations, with the exception of Toronto, use FRANK to track court activities. Toronto will continue to use the older operational system until mid-2008.

Province-wide combined data from the FRANK and SUSTAIN systems became available as of April 1, 2005 and has replaced the data for civil, family, Small Claims Court, and criminal proceedings in the Superior Court of Justice that was previously reported. Older court statistics derived from previous data are not comparable with data from the new system. Therefore, only data from 2005/2006 to 2007/2008 are included in this report for those practice areas. We will once again be able to report five-year trends in these practice areas starting in fiscal year 2010/2011.

This chapter highlights some of the trends that CSD is currently tracking for all practice areas. More information and definitions are included in the Appendix.

New Proceedings Received by Practice Area

In 2007/2008, criminal matters comprised over half of all new proceedings; followed by civil and family matters, which accounted for 16 per cent each, and Small Claims Court proceedings, which comprised 12 per cent.



The Criminal Courts - Ontario Court of Justice

Five-Year Trends

Charges Received, Disposed, Pending

All criminal charges are initially filed in the Ontario Court of Justice, and most of those charges are disposed of in the Ontario Court of Justice. Some charges proceed to the Superior Court of Justice by way of indictment.

In 2007/2008, the Ontario Court of Justice received almost 600,000 criminal charges. Adult *Criminal Code of Canada* charges comprised 77 per cent of total charges received, while adult federally prosecuted charges comprised 9 per cent and youth charges 14.5 per cent.

Over the past five fiscal years, the number of charges received increased 12 per cent. Adult *Criminal Code of Canada* charges increased 13 per cent, while youth charges remained relatively stable.

The Court disposed of 8 per cent more charges last year than it did in 2003/2004, with adult *Criminal Code of Canada* and federally prosecuted charges accounting for most of the increase (11 per cent and 10 per cent, respectively).

The number of all charges pending has increased 20 per cent. Over the past five years, the number of charges pending for adult *Criminal Code of Canada* and federally prosecuted charges increased 21 per cent and 22 per cent, respectively.

Events

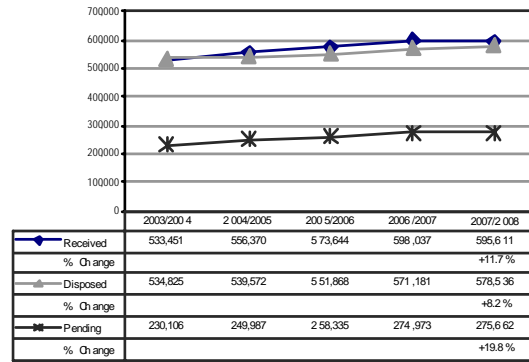
An event is a court appearance. Over the past five years, events heard in the Ontario Court of Justice have increased 29 per cent.

Criminal events heard in the Ontario Court of Justice are collected for each charge that was before the court. For example, if a person has been charged with two offences, the courts database shows two events for each court appearance.

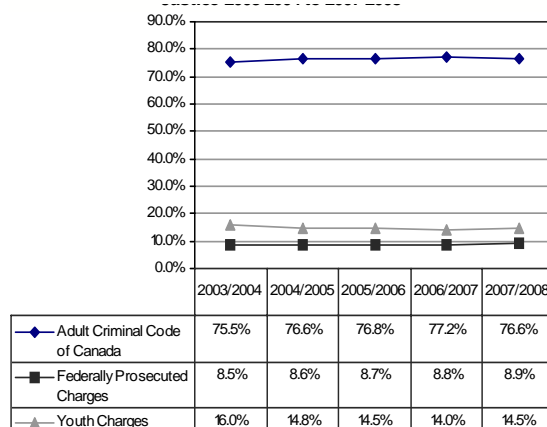
Courtroom Operating Hours*

Province-wide, courtroom operating hours increased 9 per cent.

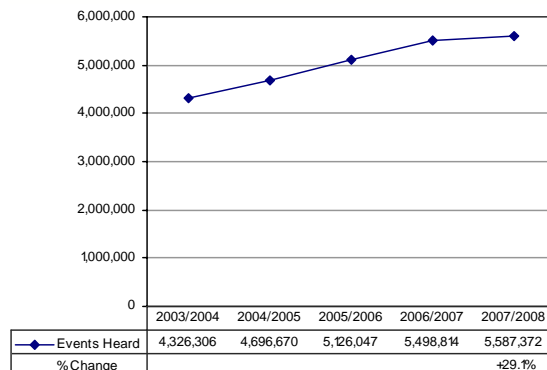
Charges Received, Disposed and Pending in the Ontario Court of Justice 2003/04 to 2007/08



Per cent of Charges Received by Statute in the Ontario Court of Justice 2003/04 to 2007/08



Events Heard in the Ontario Court of Justice 2003/04 to 2007/08



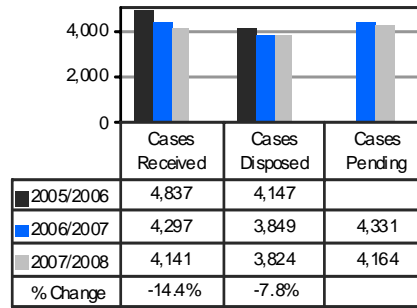
*Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

The Criminal Courts - Superior Court of Justice

Three-Year Trends *

Proceedings Received, Disposed and Pending
 In 2007/2008, the Superior Court of Justice received 4,141 criminal proceedings and disposed of 3,824 proceedings (indictments and appeals). Both proceedings received and proceedings disposed decreased over the last three years (14 percent, and 8 percent respectively). As of March 2008, 4,164 criminal proceedings were pending.

Proceedings Received, Disposed and Pending in the Superior Court of Justice, Criminal



Courtroom Operating Hours **

Courtroom operating hours decreased 4 per cent.

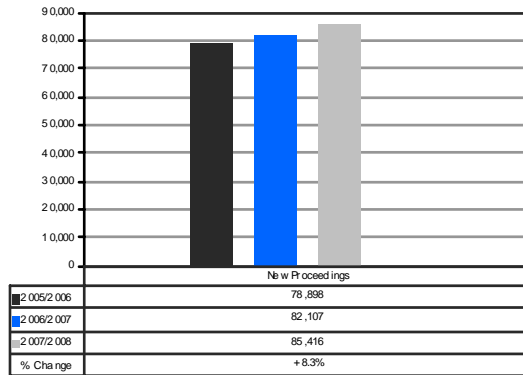
The Civil Courts

Three-Year Trends

New Proceedings

In 2007/2008, there were 85,416 new civil proceedings initiated in the Superior Court of Justice, up 8 per cent from 2005/2006. Approximately 1,400 of these proceedings were heard in the Divisional Court.

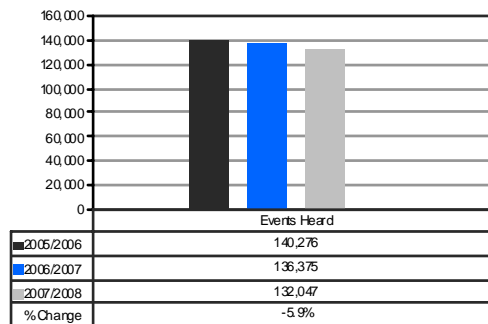
New Proceedings in the Superior Court of Justice, Civil



Events Heard

Over the last three years, the number of civil events heard decreased 6 per cent.

Events Heard in the Superior Court of Justice, Civil



Civil Mediation

Mandatory mediation is a feature of civil case management in Toronto***, Ottawa and Windsor. Full settlement rates for mandatory mediation in Ottawa and Windsor have remained stable at approximately 40 per cent.

Courtroom Operating Hours**

Courtroom operating hours have decreased 11 per cent.

* Older court statistics derived from previous data are not comparable with data from the new system. Therefore, only data from 2005/2006 to 2007/2008 are included in this report for those practice areas. We will once again be able to report five-year trends in these practice areas starting in fiscal year 2010/2011.

** Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

*** Statistics for Toronto are currently unavailable.

The Family Courts

Three-Year Trends

Overview of Family Proceedings

Family matters are heard in the Superior Court of Justice, the Family Court branch of the Superior Court of Justice, and the Ontario Court of Justice. In 17 locations, a Family Court branch of the Superior Court has been established to hear all family matters. The Family Court branch has been established in all locations in the Central East Region, in most locations in the East Region and in a small number of locations in the Central West and West Regions.

New Proceedings

In 2007/2008, the family courts received 85,688 new family proceedings. Of these, 12,286 (14 per cent) were child protection proceedings under the *Child and Family Services Act* (hereinafter *CFSA*). The total number of new family proceedings decreased 6 per cent since 2005/2006, and new child protection proceedings decreased 12 per cent.

Events Heard

In 2007/2008, there were 315,852 events heard in the family courts, of which 25 per cent were events heard in child protection proceedings. Over the three years, the total number of family events heard remained relatively stable.

Time to Disposition for Child Protection Proceedings

Since 2005/2006, the percentage of child protection proceedings that took more than 4 months to be disposed increased from 41 per cent to 47 per cent in 2007/2008.

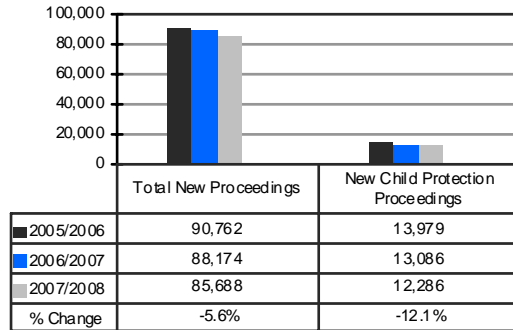
Mediation

Family mediation rates for full and partial settlement have remained relatively stable.

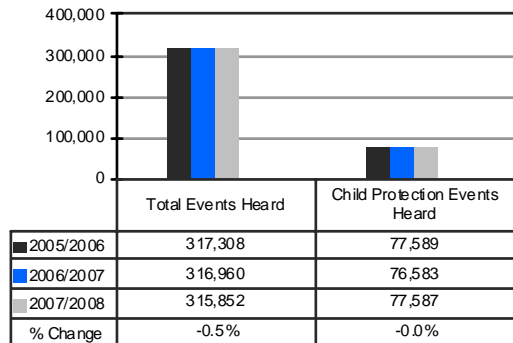
Courtroom Operating Hours *

Courtroom operating hours remained relatively stable over the three-year period.

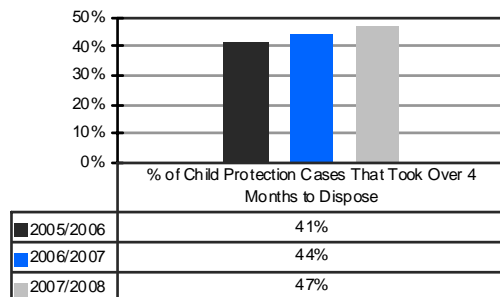
New Family Proceedings in the Superior Court of Justice, the Family Court branch of the Superior Court of Justice and the Ontario Court of Justice



Family Events Heard in the Superior Court of Justice, the Family Court branch of the Superior Court of Justice and the Ontario Court of Justice



Percentage of Child Protection Proceedings that Took Over Four Months to be Disposed of in the Family Court branch of the Superior Court of Justice and the Ontario Court of Justice



* Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.



Brampton, Superior Court of Justice, Ontario Court of Justice

The Family Courts - Superior Court of Justice

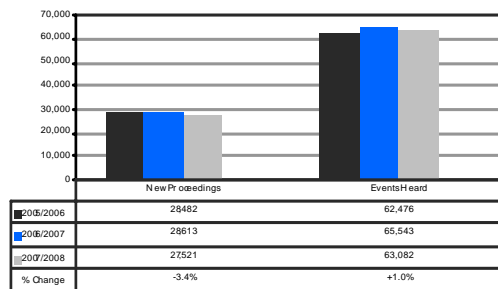
New Proceedings and Events Heard

Since 2005/2006, the number of new family proceedings heard in the Superior Court of Justice decreased 3 per cent, while the number of events heard increased 1 per cent in 2007/2008.

Courtroom Operating Hours

Courtroom operating hours increased 3 per cent.

New Family Proceedings and Events Heard
in the Superior Court of Justice



* Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

The Family Court branch of the Superior Court of Justice

New Proceedings

Over the past three years, the total number of new proceedings commenced in the Family Court branch of the Superior Court of Justice decreased 4 per cent, and new child protection proceedings commenced decreased 7 per cent.

Events Heard

In the past three years, the total number of family events heard remained relatively stable.

Time to Disposition for Child Protection Proceedings

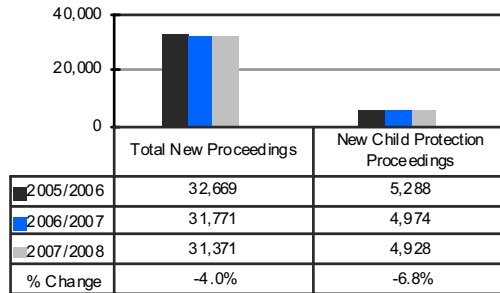
The percentage of child protection proceedings that took more than four months to be disposed increased from 41 per cent in 2005/2006 to 45 per cent in 2007/2008.

Courtroom Operating Hours*

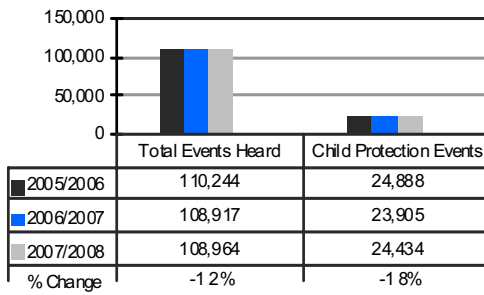
Courtroom operating hours decreased 7 per cent.

* Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

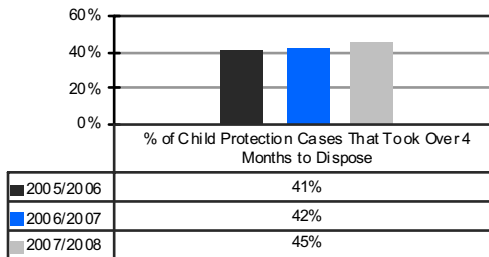
New Family Proceedings in the Family Court branch of the Superior Court of Justice



Family Events Heard in the Family Court branch of the Superior Court of Justice



Percentage of Child Protection Proceedings that Took Over Four Months to be Disposed of in the Family Court branch of the Superior Court of Justice



The Family Courts - Ontario Court of Justice

New Proceedings

In the last three years, the total number of new family proceedings commenced in the Ontario Court of Justice decreased 9.5 per cent, and new child protection proceedings commenced decreased 15 per cent.

Events Heard

The total number of family events heard remained relatively stable.

Time to Disposition for Child Protection Proceedings

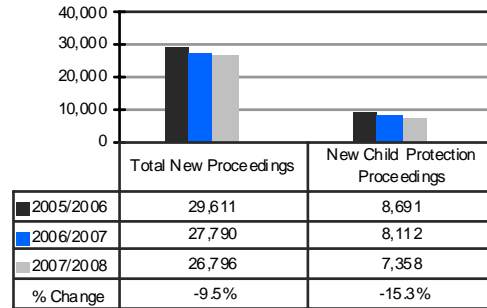
The percentage of child protection proceedings that took more than four months to be disposed increased from 41 per cent in 2005/2006 to 48 per cent in 2007/2008.

Courtroom Operating Hours

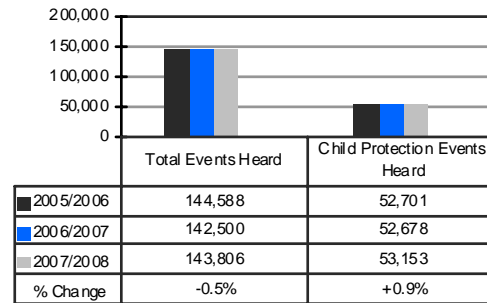
Courtroom operating hours increased 2 per cent.

Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

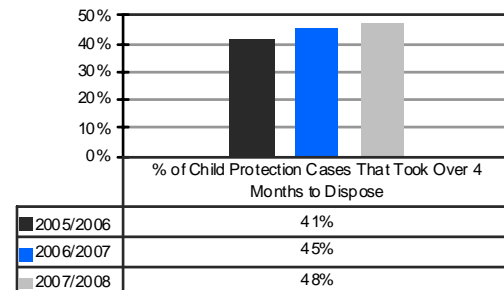
New Family Proceedings in the Ontario Court of Justice



Family Events Heard in the Ontario Court of Justice



Percentage of Child Protection Proceedings that Took Over Four Months to be Disposed of in the Ontario Court of Justice



The Small Claims Court

Three-Year Trends

New Proceedings

43 per cent of all civil cases commenced in 2007/2008 were Small Claims Court claims.

In 2007/2008, 63,633 new cases were filed in the Small Claims Court, a decrease of 15.5 per cent from 2005/2006.

Events Heard

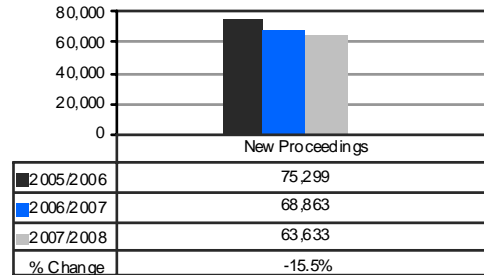
Over the past three years, events heard decreased 9 per cent.

Courtroom Operating Hours

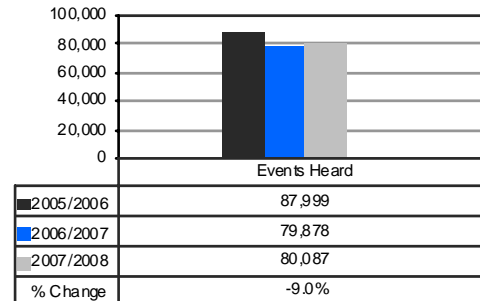
Courtroom operating hours also decreased 9 per cent.

Courtroom operating hours reflect hours during which courtrooms are in use; they do not measure working hours for judicial officers or court staff.

New Proceedings in Small Claims Court



Events Heard in Small Claims Court



The Court of Appeal

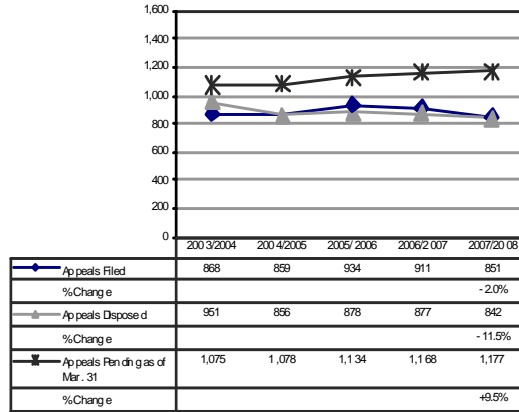
Criminal Appeals

In the last five years, the number of criminal appeals filed decreased 2 per cent, while appeals disposed decreased 11.5 per cent. Over the last five fiscal years, the number of appeals pending increased 9.5 per cent.

Civil and Family Appeals

In the last five years, the number of civil and family appeals filed and disposed decreased 20.5 per cent and 12 per cent respectively. Over the last five years, the number of appeals pending decreased 21 per cent.

Criminal Appeals Filed and Disposed in the Ontario Court of Appeal



Civil and Family Appeals Filed and Disposed in the Ontario Court of Appeal

