**Bail Courts in Newmarket**

**Purpose**

To ensure timely bail hearings

* Appearances will not be restricted to video/audio slots provided by correctional institutions
* In-person appearances will be increased to afford more time for counsel and the Toronto Bail Program (Newmarket) to meet with in-custody individuals
* In-person appearances will increase flexibility, such as traversing between courts and allowing more matters to be heard at the same time

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| 100 court | 104 court | 103 court |
| **New Arrests** | **Bail Phase** | **Contested Bail Hearings** |
| *This court will address new arrests as follows*:   * consent releases * consent detentions * focused hearings   Once completed, these matters will be adjourned to a Case Management Court or other court as determined by the Judicial Officer.  *All other matters will be remanded as follows:*   * to 104 court for bail phase purpose (either in-person or by video) * to 103 court for a bail hearing * to a resolution court or any other court as determined by the Judicial Officer | *This court will address bail phase matters as follows:*   * remand to a future date in 103 court for a contested bail hearing (primarily in-person but may be by video subject to the discretion of the Judicial Officer) * remand to a future date in 104 court for bail phase purpose (either in-person or by video subject to the discretion of the Judicial Officer) * remand to a resolution court or any other court as determined by the Judicial Officer   *Other matters may be addressed in this court as follows:*   * bail hearings * focused hearings * consent releases * consent detentions   If bail is determined, these matters will be adjourned to a Case Management Court or other court as determined by the Judicial Officer. | *This court will hear contested bail hearings*  If bail is determined, these matters will be adjourned to a Case Management Court or other court as determined by the Judicial Officer.  *All other matters will be traversed to another court or remanded as follows:*   * for bail hearing or bail hearing continuation * to 104 for bail phase purpose * to a resolution court or any other court as determined by the Judicial Officer |
| This is a virtual court  All matters are managed virtually | This is a hybrid court  All video appearances are deemed to be 10 minutes | This is a hybrid court  Contested bail hearings will be primarily in-person |
| This court assists 103 & 104 courts with all bail matters virtually | This court assists 100 court & 103 court with all bail matters | This court assists 100 court & 104 court with all bail matters |

**BAIL HEARING CONFERENCES**

Bail Hearing Conferences (BHC) will be conducted for bail hearings requiring more than 2 hours of court time.

Counsel will request a BHC through the Trial Coordinator’s office in Newmarket pursuant to the Newmarket Bail Hearing Conference Procedure (See Link below):



At the conclusion of the BHC, the judicial officer who conducted the BHC will determine the following:

* If the Bail Hearing requires less than 3 hours to complete, the parties will set the bail hearing on the next scheduled court date
* If the Bail Hearing requires 3 hours or more to complete, the Special Bail Hearing Protocol must be followed

**SPECIAL BAIL HEARING PROTOCOL** (see link below):

* The Trial Coordinator will contact the parties (defence and crown) to schedule the Special Bail Hearing.
* The parties will set the Special Bail Hearing in court on the next scheduled court date

[Direction for Scheduling Special Bail Hearing Courts](https://www.ontariocourts.ca/ocj/legal-professionals/practice-directions/bail-hearing-courts/)