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|  | **L****evels of Courts and Types of** **Proceedings in Ontario Courts** |

**Court of Appeal for Ontario**

The Court of Appeal for Ontario hears civil and criminal appeals from decisions of Ontario's two trial courts, the Superior Court of Justice and Ontario Court of Justice.

**Superior Court of Justice:**

The Superior Court of Justice is a higher level of court than the Ontario Court of Justice and hears:

* Serious criminal offences;
* Civil cases involving large amounts of money;
* Challenges to the *Canadian Charter of Rights and Freedoms*;
* Judge and jury trials;
* Appeals from the decisions of the Ontario Court of Justice in summary conviction matters;
* **Divisional Court**, **Small Claims Court** and **Family Court** are all branches of the Superior Court of Justice

**Note:** The Superior Court of Justice can decide family law disputes involving divorce, division of property, child and spousal support, and custody and access. The court does not hear adoption and child protection matters, except on appeal.

**Ontario Court of Justice:**

The Ontario court of Justice presides over:

* Adult criminal, youth criminal, family law, child welfare, and provincial offence matters;
* Provincial offences matters (heard by the municipal POA courts);
* Appeals from the decisions of Justices of the Peace in provincial offences matters;
* Preliminary Hearings in criminal cases that will go to the Superior Court of Justice;

**Note:** The Ontario Court of Justice (Family Court) hears family law disputes that fall under most Ontario legislation. Issues include: custody, access, child and spousal support, adoption and child protection applications. The Ontario Court of Justice does not deal with divorce or division of property matters.

**Superior Court of Justice (Family Court) and Ontario Court of Justice (Family Court)**

* In Ontario, family law matters are heard in the Ontario Court of Justice, the Superior Court of Justice, or the Superior Court of Justice (Family Court) depending upon the location in the province and the type of matter.
* The Superior Court of Justice (Family Court) court hears all family law matters, including divorce, division of property, child and spousal support, custody and access, adoption, and child protection applications. This court is sometimes referred to as a Unified Family Court.
* Note: In court sites across the province where there is not a Superior Court of Justice (Family Court), matters are heard either in the Ontario Court of Justice or the Superior Court of Justice depending on the type of proceeding.

**Types of Proceedings**

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| **Superior Court of Justice** | **Ontario Court of Justice** | **Ontario Court of Justice (Family Court)****Superior Court of Justice (Family Court)****or Superior Court** |
| Appeals (from OCJ)Assignment CourtCivil and Criminal MotionsCivil Settlement ConferencesCriminal PretrialsCriminal Bail EstreatsCriminal Bail ReviewsCriminal Pleas InjunctionsCivil Trials (Jury and non-Jury)Criminal Trials (Jury and non-Jury)**Solicitor Client Taxations**(Heard by Assessment Officers)**Small Claims Court** (Presiding over by Deputy Judges)Judgment Debtor ExaminationsMotionsPretrialsTrials | Appeals (from POA)Criminal Bail HearingsCriminal First AppearanceCriminal Pleas Criminal *Pré-enquêtes*Criminal Preliminary HearingsCriminal Pre-trialsCriminal Trials*Youth Criminal Justice Act* matters**Intake Court** (Presided over by Justices of the Peace) | Adoption HearingsAssignment CourtCase ConferencesChild Welfare TrialsDivorce ProceedingsFamily Trials MotionsSettlement ConferencesTrial Management Conferences**Note:** In Ontario, family law matters are heard in the Ontario Court of Justice, the Superior Court of Justice, or the Superior Court of Justice (Family Court), depending upon the issue in dispute and the location within the province. |