

City Council**Notice of Motion**

MM23.19	ACTION			Ward:All
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Jury Duty - by Councillor Adam Vaughan, seconded by Councillor Michael Thompson

**Notice of this Motion has been given.*

**This Motion is subject to referral to the Executive Committee. A two-thirds vote is required to waive referral.*

Recommendations

Councillor Adam Vaughan, seconded by Councillor Michael Thompson, recommends that:

1. City Council request the City Manager and the Mayor to write to the Premier of Ontario and the Attorney-General, Province of Ontario to request that City Councillors in Toronto be deemed ineligible from jury duty while sitting as elected officials.

Summary

Toronto City Councillors serve many diverse and important roles in the administration of justice which make me wonder if it is time to reconsider whether it is appropriate or wise for sitting City Councillors to be summonsed as potential jury members.

Councillors provide oversight on the Toronto Police Services Board, participate in the creation of community safety plans, and are involved in co-ordinating law enforcement action and the City's response to crime concerns in communities.

Many parts of the enforcement of the Highway Traffic Act as it relates to infrastructure design, approval and implementation are core responsibilities of a City Councillor. Business licensing and regulation is also a core City function. Appointments to tribunals that conduct quasi-judicial hearings are also a core City function and a role executed or administered by City Councillors.

City Councillors also have legislative responsibilities which include, but are not limited, to City Council, Community Council, Standing Committees and various agency boards and commissions. The Oath of Office requires Councillors to attend these meetings and compose quorum.

Finally, there are legal and political responsibilities for Councillors with respect to matters considered by Committees of Adjustment which are often time sensitive and require immediate responses.

For all of these reasons it is both impractical and inappropriate to require a sitting City Councillor to serve on a jury at the expense of their other public duties.

(Submitted to City Council on May 8 and 9, 2012 as MM23.19)

Background Information (City Council)

Member Motion MM23.19