

## City Council

### Notice of Motion

MM6.12	ACTION			Ward: All
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### **Deeming Members of Council Ineligible for Jury Duty - by Councillor James Pasternak, seconded by Councillor Paula Fletcher**

*\* 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 James Pasternak, seconded by Councillor Paula Fletcher, recommends that:

1. City Council request the Premier of Ontario and the Attorney General of Ontario to amend the Juries Act such that members of City Council be deemed ineligible from jury duty while serving as elected officials.

### **Summary**

According to the Juries Act, federally elected officials, and those serving in the Executive Council of Ontario are ineligible to serve as jurors while in office.

Toronto City Councillors serve not only to assist their constituents in solving local issues but also assist with the legislative aspects of City governance. Councillors participate in the creation of community safety plans, resolve communities' crime concerns and provide oversight on the Toronto Police Services Board. Councillors vote on policy and funding for police and court services. Based on this, it would be totally inappropriate for Councillors to have to make decisions on various court cases.

Councillors also serve on regional councils, standing committees, and various agency boards and commissions. The Oath of Office requires Councillors to attend these meetings and compose quorum. Additionally, some of these Committees often contain time sensitive items which require immediate responses. Municipal elected officials sitting as jurors on long trials could negatively affect the operations of government.

In 2018, the City of Toronto council size was cut in half from 44 to 25 and the number of constituents each Councillor represented grew exponentially. Increasing the daily responsibilities of Councillors and requirements of community engagement nearly two-fold.

For all of the reasons mentioned above, City Council members should be deemed ineligible to serve as jurors while serving as elected officials.

### **Background Information (City Council)**

Member Motion MM6.12

