

This request is for a Level 2 Prosecutor and a Prosecution Legal Assistant, both starting in 2025 and funded by the tax levy. Currently, Level 1 Prosecutors manage a broad spectrum of cases, from minor Part II parking infractions to serious Part III by-law infractions with significant penalties. As the caseload increases in volume, diversity, and complexity, this approach becomes unsustainable and financially unsound. With the addition of a new Level 2 Prosecutor, existing experienced Prosecutors (Level 1) will specialize in serious cases, while new Level 2 Prosecutors will handle minor traffic offenses and conduct early resolution court, avoiding trials. Level 2 Prosecutors will also take on administrative tasks from Level 1 Prosecutors, freeing them to focus on complex cases and supervisory roles.

The need for Prosecution Legal Assistants has risen due to their specialized responsibilities: they independently manage Prosecution files, review disclosures for Part I cases, prepare court dockets, and respond to case inquiries. As caseloads expand, so does their workload. An additional Legal Assistant will support the existing team of three, bolstering their capacity to handle the increasing caseload and support the Prosecution Team effectively.

Service Impact

The Prosecution has a constitutional and legislative obligation to provide disclosure in a timely manner. Failure to meet this obligation may result in charges being withdrawn or stayed resulting in reduced Provincial Offences Act (POA) fine revenue. The addition of a Prosecution Legal Assistant and Level 2 Prosecutor will ensure disclosure requests are processed and disclosure provided in a timely manner.

Prosecuting serious Part III charges requires more preparation and in-court presence than minor offences. Introducing Level 2 Prosecutors enables Level 1 Prosecutors to prioritize these cases which will enhance preparation and improve outcomes. Successful prosecutions deter unlawful behaviour, advance road safety and regulatory compliance goals, and generate POA fine revenue.

Assigning serious cases to Level 1 Prosecutors who are at a higher salary grade than Level 2 Prosecutors is a more fiscally prudent and efficient use of prosecution resources. It is anticipated that over time, the Prosecution Team will be balanced between Level 1 and Level 2 Prosecutors to most efficiently handle the spectrum of cases and assignments.

BR #12128 – Enhancing Real Estate Legal Support

Description of Budget Request

This request is for one permanent Real Estate Law Clerk to meet an expanding workload resulting from an increase in complex infrastructure projects being undertaken by the City. Starting in 2025, this position will work alongside and assist the real estate lawyers in the areas of easements, expropriations and general contract preparation, allowing the lawyers to assume more files, thereby reducing the need to outsource files and the associated expenditures on external legal fees.