

ONTARIO
SUPERIOR COURT OF JUSTICE
(EAST REGION)

BETWEEN:

HER MAJESTY THE QUEEN

-and-

DEIRDRE MOORE

ORDER APPOINTING *AMICUS CURIAE*

UPON THE APPLICATION made on the 21st day of October, 2019, at the Superior Court of Justice at Ottawa, by the presiding justice of the Superior Court of Justice, for an Order that Her Majesty the Queen in right of Ontario fund *amicus curiae* counsel;

UPON HEARING the oral submissions of counsel for the Attorney General of Ontario, and of the accused Deirdre Moore (in person);

AND WHEREAS Legal Aid Ontario ("LAO") will be managing the account in this matter on behalf of Her Majesty the Queen in right of Ontario;

THIS COURT ORDERS THAT:

1. Her Majesty the Queen in right of Ontario shall provide funding for the *amicus* counsel in accordance with the terms of this order.

Funding for *amicus curiae*

2. Mr. John Hale is appointed as *amicus* in this matter.
3. The *amicus* shall be paid at the Legal Aid rate.
4. Legal Aid Ontario shall manage funding of the *amicus* in accordance with this order and Legal Aid Ontario's policies and procedures, including

authorization for disbursements, budget setting, monitoring and review of accounts, billing practices, and payment rules.

5. The *amicus* shall abide by Legal Aid Ontario's policies and procedures, including authorization for disbursements, budget setting, monitoring and review of accounts, billing practices, and payment rules.
6. The *amicus* shall promptly advise Legal Aid Ontario if this court subsequently alters the scope of this appointment.
7. Counsel for the Attorney General of Ontario and Legal Aid Ontario shall promptly return to court to address necessary variations or in the event of non-compliance with this Order.
8. The *amicus* shall provide Legal Aid Ontario with a copy of this order.

Terms and conditions for the *amicus curiae*

9. The *amicus* is hereby appointed to assist this court pursuant to the following terms and conditions:
 - a. To ensure a fair hearing, *amicus* is to raise all issues that should be explored that have not already been raised by the Crown or Ms. Moore, *Amicus* may question any professional or expert witnesses called by the Crown. *Amicus* will not call witnesses or question witnesses presented by Ms. Moore unless requested to do so by the court.
 - b. *Amicus* will conduct the cross-examination of Crown witness Johnathan Kiska.
 - c. At the court's request, *Amicus* will make submissions on uncertain, complex and important points of law or of fact.
 - d. *Amicus* shall provide instructions to the accused about the correct procedure for subpoenaing witnesses, and may assist by facilitating this process.
 - e. Concerning any applications the accused wishes to bring, *Amicus* will provide legal information relating to the procedures and relevant legal principles that apply. This may include assisting the accused with filing a

Notice of Application and obtaining and filing supporting material for the application, including case law.

10. The *amicus* shall follow the directions of the court and will not take instructions from Ms. Moore.

The Honourable Justice Laliberte
Of the Superior Court of Justice