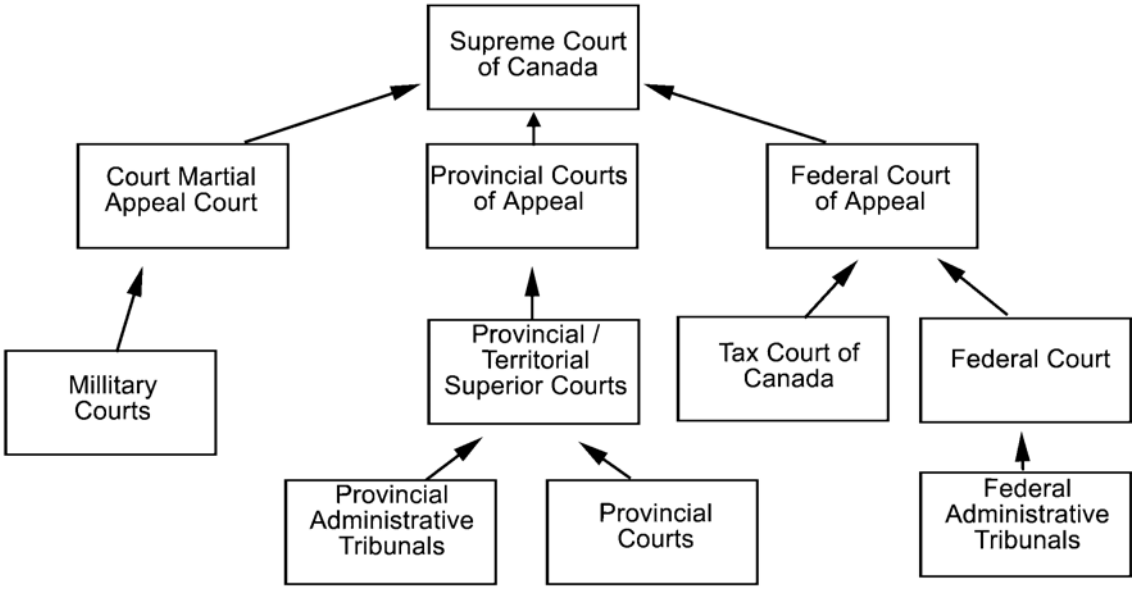
Ontario Justice Education Network
Handout: Structure of the Courts in Canada



SUPREME COURT OF CANADA

The Supreme Court of Canada is Canada's highest court. It is the final court of appeal for all litigants, whether individuals, organizations or government. Its jurisdiction includes both the civil law of the province of Quebec and the common law of the other provinces (including Ontario) and the territories. The Supreme Court has jurisdiction over disputes in all areas of the law, including constitutional law, administrative law, criminal law and civil law.

PROVINCIAL AND TERRITORIAL COURTS

Each Canadian province and territory has it own court system, with trial courts, (provincial/territorial court and superior court) and a Court of Appeal or appellate division that hears appeals from the lower courts (with the exception of Nunavut, which only has one level of trial court). Ontario has the Ontario Court of Justice, the Superior Court of Justice, and the Court of Appeal for Ontario.

FEDERAL COURT SYSTEM

Parallel to the Ontario court system and the court systems of other Canadian provinces and territories, is the Federal court system. The Federal Court of Canada hears certain matters of federal concern that are set out in statute, including claims against the Government of Canada and civil suits in federally-regulated areas such as immigration, and intellectual property (e.g. copyright). The Federal Court of Appeal hears appeals from the Federal Court of Canada, the Tax Court of Canada and the Immigration and Refugee Board and other Boards created by the Federal government. In some cases, parties may be able to sue in either the federal court system or the Ontario court system.