

CITATION: Bruni v. Daunheimer-Bruni, 2020 ONSC 2017
COURT FILE NO.: FC-16-FS-51576
DATE: 2020-04-02

SUPERIOR COURT OF JUSTICE - ONTARIO

RE: Philip Bruni, Applicant
Tracey Daunheimer-Bruni, Respondent

BEFORE: Madam Justice L. Madsen

COUNSEL: Leanne E. Way, Counsel for the Respondent

HEARD: In Chambers

ENDORSEMENT – COVID-19 PROTOCOL

[1] **AS A RESULT OF COVID-19** the regular operations of the Superior Court of Justice have been suspended at this time, as set out in the Notice to the Profession dated March 15, 2020 available at <https://www.ontariocourts.ca/scj/covid-19-suspension-fam/>.

[2] The Notice of the Chief Justice provides that “urgent and emergency” matters shall continue to be heard by the Superior Court of Justice during the suspension of operations due to COVID-19, and that urgency is “as determined by the presiding justice.” The Notice specifies that such matters may include requests for urgent relief relating to the safety and wellbeing of a child, as well as “dire issues related to the parties’ financial circumstances.” This preliminary determination of urgency is an exercise of judicial discretion.

[3] Ms. Daunheimer-Bruni has brought a motion to change certain child support and parenting terms set out in two final court orders. Specifically, she seeks the following changes:

- a. permission to travel with the children without Mr. Bruni’s consent;
- b. an increase to child support from \$2,280 per month to \$2,314 per month;
- c. enrollment in Our Family Wizard;
- d. application of RESP funds to post-secondary expenses;

[4] The following documents have been provided through the Court email address:

- a. Motion to Change (Form 15);
- b. Change Information Form (Form 15(a));

- c. Sworn Financial Statement;
- d. Final Order of Justice Taylor dated September 28, 2018; and
- e. Final Order of Justice Madsen dated October 12, 2018.

[5] The Motion to Change has not been issued. There is no affidavit of service.

[6] There is no affidavit setting out how *any* of the issues raised in the motion could be considered urgent at this time. There is a federal travel advisory recommending against all international travel; all Ontarians are being urged to stay at home and not travel provincially; the increase to child support sought is nominal; and there are no children pursuing post-secondary studies at this time.

[7] If Ms. Daunheimer-Bruni wishes to pursue her motion to change, she should have her Form 15 issued and served. The matter would then be dealt with in the ordinary course once regular court operations resume. If an urgent matter arises, either party may bring a motion in accordance with the Notice to the Profession of the Chief Justice referred to in paragraph 1 herein, and the Central South Regional Notice to the Profession dated March 24, 2020.

[8] Ms. Daunheimer-Bruni shall serve a copy of this endorsement on Mr. Brunni forthwith.

[9] In view of the current circumstances of the court, this endorsement is effective when made. There is no need for a formal order of the court.

L. Madsen J

DATE: April 2, 2020