**Authorized Court Transcriptionist (ACT) Complaint System Q&A**

The authorized court transcriptionists ACT complaint system enables Arkley to review in-scope complaints that cannot be resolved directly between complainants and (ACTs).

|  |  |
| --- | --- |
| **1.** | **What is an in-scope complaint?** |
| In-scope complaints are incidents which:1. Occurred between an ACT and a complainant (i.e., ordering parties, court staff and/or the ministry):
	1. on or after March 8, 2024; and
	2. within the last twelve (12) months from the date in which the complaint occurred; and
2. is in relation to a failure of an ACT to adhere to the *ACT Standards*.
 |
| **2.** | **How do I initiate a complaint against an ACT?** |
| Complainants wishing to submit a complaint against an ACT must:1. complete the ***Complaint Initiation and Request Form*** posted on: <https://courttranscriptontario.ca/en/resources/>; and
2. email the completed form, along with all supporting documentation, to: complaints@courttranscriptontario.ca.

It is important for the complainant to ensure they include supporting documentation/evidence to support their complaint. Otherwise, it will be difficult to conduct a substantive review and/or substantiate the complaint.  |
| **3.** | **What if I submit a complaint that is not-in-scope?** |
| If we determine that a complaint is not in-scope, we will notify you within 20 business days of the receipt of your complaint and advise that a substantive review will not be conducted. Substantive reviews of complaints are only conducted on in-scope complaints.  |
| **4.** | **What is a “substantive review” of in-scope complaints?** |
| A substantive review is an in-depth review of the in-scope complaint and supporting documentation. The purpose is to determine whether the complaint can be substantiated and that a failure to comply with the ACT Standards has occurred.  |
| **5.** | **What is the “ACT Standards”?** |
| ACTs on the [Registry of ACTs](https://courttranscriptontario.ca/actsearch/) are required to comply with the *ACT standards,* which sets out the standards that all ACTs must adhere to in relation to:1. the quality of transcripts they produce of appeal, civil, criminal, family, or small claims court proceedings conducted in the **Superior Court of Justice** and/or the **Ontario Court of Justice**;
2. their conduct during their dealings with complainants (ordering parties, the court staff, and/or the ministry) in relation to producing transcripts; and
3. renewal of registration requirements.

  |
| **6.** | **Where can I find a copy of the ACT Standards?** |
| A copy of the ACT Standards is posted on <https://courttranscriptontario.ca/en/resources/> |
| **7.** | **What are the possible outcomes of an in-scope complaint?** |
| In-scope complaints **that cannot be substantiated** after a substantive review will be dismissed and will not result in the ACT receiving Breach Points. In-scope complaints **that can be substantiated** after a substantive review will result in the ACT receiving Breach Points. ACTs who receive/accumulate 5 Breach Points will be removed from the [Registry of ACTs](https://courttranscriptontario.ca/actsearch/).  |
| **8.** | **What are Breach Points?** |
| Breach points are points that are allocated for substantiated breaches of the ACT Standards. Breach points are cumulative and remain on an ACTs record for 2 years.Here are some examples of Breach Points:* Failure to deliver the ordered transcripts, which does not create a delay to court proceedings (1 Breach Point).
* Releasing transcripts that require judicial approval without first seeking judicial approval (2 Breach Points).
* Engaging in forgery in relation to transcript production (5 Breach Points).
* Publishing or broadcasting court recordings (5 Breach Points/Lifetime removal from the Registry of ACTs).
 |
| **9.** | **How long is the entire process from beginning to end?**  |
| It can take up to 150 business days to come up with a final decision. During this time, the following things take place:* an initial review of the complaint to determine whether it is in-scope or not-in-scope.
* a substantive review of in-scope complaints, which includes reviewing supporting documentation/obtaining further details from the complainant (as required).
* sending a *Decision Letter* to ACTs for in-scope complaints that can be substantiated.

 * giving the ACT an opportunity to respond to the complaint decision by submitting a *Request for Reconsideration Letter.*
* reviewing the *Request for Reconsideration Letter* and making a final decision on the complaint.

For more information on the life cycle of a complaint, please refer to the *ACT Complaint System Process* document posted on <https://courttranscriptontario.ca/en/resources/> |
| **10.** | **What is a Decision letter?** |
| ACTs receive a Decision Letter if an in-scope complaint can be substantiated after a substantive review. The Decision Letter includes:* a summary of the in-scope complaint.
* the number of Breach Points applied.
* the consequences of the Breach Points.
* Information on how the ACT can submit a *Request for Reconsideration Letter* for Arkley to reconsider their decision.

  |
| **11.** | **What is a *Request for Reconsideration Letter?*** |
| ACTs can submit a *Request for Reconsideration Letter* to Arkleywithin 30 days of receipt of the Decision Letter.ACTs are required to provide new facts or evidence in support of their request for reconsideration that may alter the decision. Arkley will review the *Request for Reconsideration Letter* and any and all supporting documentation provided and determine within 30 days whether its original decision in relation to the in-scope complaint should be revised. Arkley will communicate its Final Decision to the ACT and complainant. |
| **12.** | **What if I disagree with a decision Arkley makes on a complaint I submitted?** |
| Complainants are notified of the following:* when complaints are dismissed for being not-in-scope.
* when in-scope complaints are dismissed if it cannot be substantiated after a substantive review.
* the Final Decision after the request for reconsideration period lapses.

These decisions are final. This is why it is important for in-scope complaints to be supported with supporting documentation. This helps during the substantive review process.  |