



COVID-19 & THE PRACTICE OF LAW

WEEKLY UPDATE

Fola.ca

SECTOR CHECK IN LOG #75 December 8, 2021 Summary

Invited Participants: Sector Calls

OBA, FOLA, LSO, LAO, the Advocates' Society, & OTLA

Superior Court of Justices in Ontario, Court of Appeal for Ontario, & Ontario Court of Justice

MAG -Department staff and the Recovery Secretariat

Issues discussed:

1. COURTS

- ❖ **CAO STATEMENT:** On November 26, 2021, the Court of Appeal for Ontario issued a [Statement from the Chief Justice of Ontario and the Associate Chief Justice of Ontario Regarding Submissions from Counsel](#).
- ❖ **REMINDER - SCJ JDR PILOT PROGRAM:** In the Spring of 2021, MAG launched an innovative family pilot to help get simpler cases to conclusion more quickly. The pilot is already available in Barrie, Muskoka, Cornwall, and Ottawa, as well as in the Northeast and Northwest centres. Additional centres are expected to be added in early 2022. Parties in the above locations may now, on consent, choose to participate in a Binding JDR hearing to reach a final resolution of their family law dispute more quickly and through less formal processes. Learn more [here](#).
- ❖ **REMINDER - SCJ SMALL CLAIMS COURT WORKING GROUP:** FOLA is requesting that practitioners as well as Deputy Judges take a moment to consider and comment on what works well and also what could use improvement in our Small Claims Court so that constructive feedback can continue to flow to the Small Claims Court Working Group. Please send comments to Jane Robertson (FOLA Treasurer) at jajadiver@bellnet.ca.
- ❖ **SCJ NOTICE:** On November 19, 2021, the SCJ made significant updates to the family law section of Toronto's Notice to the profession which comes into effect today (except as otherwise noted in the Notice which is available [here](#).) This includes significant updates to provisions regarding in-person attendances (B.2), electronic filing and restrictions on materials (B.3), page limits (B.4), new early judicial intervention and procedural direction attendances (B.5), the scheduling of motion dates (B.6) and urgent matters (B.7).
- ❖ **OCJ & CASELINES:** The OCJ has begun to roll out CaseLines across the Province. You can learn more [here](#).

2. MINISTRY OF THE ATTORNEY GENERAL (MAG)

- ❖ MAG will be proposing changes to the court transcript fee structure that align with the move to digital documents in Ontario's courts and is currently seeking input. You can learn more (and comment through) [this page](#). And if you have any questions, please contact Court Reporting Services, Court Services Division at CourtReportingServices@Ontario.ca.

- ❖ The Judicial Appointments Advisory Committee has two vacancies posted. One for the OCJ in Guelph (deadline: December 13th) and one for the OCJ in Halton (deadline: December 20th). You can learn more about both [here](#).
- ❖ Together with its justice partners, the Ministry of the Attorney General's Court Services Division (CSD) continues to explore ways to streamline and improve the processing of submissions received through the Ministry's online Justice Services Online (JSO) submissions portals: Family Submissions Online, Civil Submissions Online, Small Claims Court Submissions. To facilitate these efforts, CSD is seeking feedback from members of the bar in identifying the top 5-10 reasons that documents uploaded to the portals for filing are rejected (e.g., lack of proof of service; document already filed with the court). While only recently implemented, has the enhancement to include the memo to court staff assisted your members? You can send comments to Katie at katie.robinette@fola.ca.

3. RECOVERY SECRETARIAT

- ❖ **UPDATED GUIDEBOOK:** MAG has updated their [COVID-19: Recommended Precautionary Measures for Resuming Court Operations Guidebook \(English\)](#). For the French version, [click here](#). Key changes deal with mask wearing; HVAC; and Vaccination.
- ❖ **REMINDER:** Questions about Courthouse operations during COVID-19 can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

4. LSO

- ❖ **ANTI-MONEY LAUNDERING & TERRORIST FINANCING: NEW BY-LAW AMENDMENTS IN EFFECT JANUARY 1, 2022:** The Law Society's new by-law amendments aimed at combatting money laundering and terrorist financing will come into effect on January 1, 2022 and will have an impact on client identification and verification and cash transaction and trust accounting obligations for lawyers and paralegals. They've created resources to support licensees to assist with understanding and complying with the new requirements. [Visit: LSO.ca/amltf](http://lso.ca/amltf)
- ❖ **LAST CALL! NOMINATIONS FOR THE 2022 LAW SOCIETY AWARDS:** Each year, the Law Society proudly recognizes Ontario lawyers and paralegals who have made outstanding contributions to the legal profession. Lawyers may be nominated for the Law Society Medal and the Laura Legge Award. Paralegals may be nominated for the William J. Simpson Distinguished Paralegal Award. Both lawyers and paralegals are eligible for the J. Shirley Denison Award and the Lincoln Alexander Award. Nominations are encouraged for members from all communities, practice areas, firm sizes, and regions across the province. Submit your nomination by December 17, 2021 by visiting lso.ca/awards-nominations.
- ❖ **LSO COMPETENCE TASK FORCE:** FOLA, the HLA, the TLA, the CCLA, and RODA sent in submissions. You can read them [here](#).
- ❖ **CALL FOR APPLICATIONS:** The Law Society has posted a call for applications for a seat on the LSO's Certified Specialist Board and they are in need of a Certified Specialist from outside of Toronto! Deadline is January 31, 2022. See posting [here](#).
- ❖ **ACCESS TO INNOVATION (A2I):** The LSO has published Access to Innovation fact sheets in English and French and has begun accepting applications from providers of innovative technological legal services (ITLS). You can learn more [here](#).
- ❖ **FREE CPD FROM THE LSO:** Do you have all of your hours yet? Requirements for 2021 must be completed by December 31, 2021 and reported by March 31, 2022. To help, the LSO has some free resources for you!
 - [CPD ASSISTS:](#) 17 different topics complimentary on demand programs
 - [MENTAL HEALTH SUMMIT RECORDING:](#) 8 hours of programing over two days - on demand - 8 hours free EDI CPD
 - [eCOURSES:](#) 3 one-hour segments - EDI E-Courses (in English and French) On Demand

6. LAO

- ❖ **LEGAL AID SERVICES ACT, 2020 (LASA):** LASA, which governs legal aid in Ontario, was proclaimed on October 18, 2021. As such, LAO has established rules & policies to manage & administer legal aid. FOLA will be contributing to a joint submission by the Alliance for Sustainable Legal Aid (ASLA). If you would like to offer comments/concerns for FOLA to include in our comments, please send them to Terry Brandon, FOLA's Legal Aid Chair at terrylbrandon@acriminaldefence.ca and Katie at katie.robinette@fola.ca by **December 24th**. You can learn more [here](#).

7. FOLA

- ❖ **LOBBY DAY 2022:** FOLA is hosting our 2nd Lobby Day on February 23, 2022! While this time we'll be hosting a virtual event, the day is shaping up to be a full one! If you are interested in joining us, we have a quick [form](#) we ask that you complete. And if you want to have a look at what our 1st Lobby Day looked like back in 2020, please visit our [Lobby Day page](#).
- ❖ **MENTAL HEALTH FIRST AID:** Mental Health First Aid (MHFA) is the support provided to a person who may be experiencing a decline in their mental well-being or a mental health crisis. FOLA has partnered with an MHFA-certified trainer who offers in-person and virtual programs. Sign up individually or arrange for group training via your Association. Mention FOLA and you'll get a great discount! Learn more [here](#).
- ❖ **FOLA's FREE CPD:** Did you know that FOLA also has a library of **FREE LSO accredited CPD** videos? Get your hours in before the deadline! Check out our playlist [here](#).
- ❖ **JOB & APPOINTMENT POSTINGS:** The Public Prosecution Service of Canada (PPSC) is seeking private-sector lawyers or law firms with experience prosecuting or defending criminal matters to assume responsibility for the conduct of prosecutions and related proceedings arising from the enforcement of various federal statutes, and assist the regional office in the judicial district listed below:
 - The County of Frontenac (including Kingston and Sharbot Lake): Deadline: December 17, 2021
 - The County of Lennox & Addington (including Napanee): Deadline: December 17, 2021
 - Chatham (Kent): Deadline: December 24, 2021Learn more and apply [here](#).
- ❖ **ACCESS TO JUSTICE SURVEY:** The [Action Committee](#) is preparing its annual progress report on access to justice in Canada. New projects or initiatives that happened in 2021 are tracked according to each of the Justice Development goals. Anyone advancing A2J in Canada is invited to share their 2021 activities by completing the JDGs survey [here](#). **The survey is open until February 15, 2022.**
- ❖ **BELL LET'S TALK CAMPAIGN MANAGER:** FOLA is looking for a #BellLetsTalk Awareness Campaign Social Media Manager! If you know someone who might be interested, please share our [job posting link](#) with them.

8. REQUEST FOR FEEDBACK:

The Professional Transcriptionists and Court Reporters Association of Ontario have reached out to FOLA seeking assistance on some issues they have been dealing with related to court transcripts. Specifically, the use of Zoom and teleconference proceedings have made transcription challenging and, as such, many records may not be fully reliable. As you know, certified transcripts are an important and integral facet of the judicial system.

If you have been involved in a virtual trial, please email Katie Robinette (katie.robinette@fola.ca) highlighting any issues you recall facing related to the ability of court transcribers expressing concerns about translation, audio, speed, or anything else that required attention. Similarly, please email Katie if you have begun to appeal a matter and are experiencing challenges with the official transcripts.

QUESTIONS/CONCERNS?

Law Association members are welcome to send any issues/concerns related to the practice of law caused by the COVID-19 epidemic to FOLA at katie.robinette@fola.ca and we will continue to address them in as timely a manner as possible. Please also note that FOLA cannot assist in issues related to a specific case and the Courts will NOT provide clarification on any Notice to the Profession.