



# COVID-19 & THE PRACTICE OF LAW

## WEEKLY UPDATE

Fola.ca

### COVID-19 - WEEKLY CHECK IN LOG #22

August 19, 2020

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 - Political, Department staff, and the Recovery Secretariat

#### Issues discussed:

##### 1. COURTS

- ❖ While the recording from a past live webinar on CaseLines is now available [here](#), lawyers and legal assistants are invited to attend a CaseLines training session via Zoom on **Thursday, August 20, 2020 from 8:00 - 9:00 a.m.** Attend by clicking on the following link: <https://us02web.zoom.us/j/89304211356> As a reminder, CaseLines is Ontario's new, online cloud-based document sharing platform to support in-person and virtual court proceedings.
- ❖ Reminder: As of Monday August 17, the Court has been scheduling out-of-custody cases adjourned due to COVID-19 in all Court locations. In addition, the Court has revised the Trial / Preliminary Inquiry Scheduling Form that is used to schedule hearings. You can read the OCJ Notice [here](#).
- ❖ All lawyers are reminded to ensure that e-filings with the COA are in accordance with their filing requirements. You can find those [here](#).

##### 2. MAG

- ❖ Ministry of the Attorney General's online tool for searching information about criminal and civil matters in the Superior Court of Justice is now live. Further information about how to register and use it is on the [website](#).
- ❖ While not MAG, but still relevant: As you may know, the Trust in Real Estate Services Act, 2020 (TRESA, 2020) received Royal Assent in the Ontario legislature on March 4, 2020. TRESA, 2020 amends the Real Estate and Business Brokers Act, 2002 (REBBA), the legislation that governs real estate brokerages, brokers and salespersons, setting rules for how they conduct business and interact with consumers. The Ministry is now beginning consultations on the first phase of draft regulations required to bring these legislative changes into force and are currently seeking feedback from registrants, members of the public and other stakeholders on the following two issues:
  - a) Personal Real Estate Corporations (PREC)s, including the criteria to describe what a PREC is and the conditions that must be met in order for the PREC to qualify for an exemption from the requirement to be registered under the Act; and,
  - b) Changes to the existing Code of Ethics regulation to expand and clarify the terms that registrants may use in their advertising when referring to brokers and salespersons.

Further details, including a copy of the proposed regulations, can be found on the Ontario Regulatory Registry's website [here](#). FOLA will also be communicating with you shortly regarding how you might contribute to FOLA's submission. The deadline to submit feedback is September 8, 2020, by 11:59 p.m.

### 3. RECOVERY SECRETARIAT

- ❖ There will be a new Court Health & Safety Guidebook issued tomorrow. It will be found [here](#). They are also developing customizable tools that can be downloaded.
- ❖ College Park has now opened and as per the re-opening schedule, this week in Court operations resumed in Peterborough, Kenora, and Timmins. Burlington is set to open on the 24<sup>th</sup>.
- ❖ The Recovery Secretariat is issuing HVAC data daily and should be available upon request at your Courthouse or by contacting the Recovery Secretariat (see below).
- ❖ There will be "some" level of service in every Courthouse by September 14<sup>th</sup> with an eye to satellite locations following that date once discussions in Phase 3 begin.
- ❖ The office is now beginning to focus on how to resume jury trials.
- ❖ There is a new Deputy Recovery Secretariat. He started last week and is settling in. He comes from the Ministry of Labour.
- ❖ You are reminded that questions about Courthouse re-openings can be directed to Samantha Poisson at [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).

### 4. LSO

- ❖ **REMINDER:** As part of its mandate, the Law Society recommends and makes appointments to a variety of boards, councils and committees. Currently, the LSO is seeking applications for the following:
    - [Justices of the Peace Appointments Advisory Committee \(Toronto region\)](#)
    - [Federal Judicial Advisory Committee](#)
    - [Civil Rules Committee](#)
    - [Family Rules Committee](#)
- Find more information and submit an application at: [www.iso.ca/appointmentapplication](http://www.iso.ca/appointmentapplication)
- ❖ The LSO is currently recruiting for a Chair, Law Society Tribunal. More information can be found [here](#).

### 5. FOLA

#### ❖ **SUBMISSIONS:**

1. **FAMILY LEGAL SERVICES PROVIDER (FLSP) LICENSING MODEL CALL FOR COMMENT:** The Law Society's Access to Justice Committee is inviting lawyers to provide comments on a FLSP Licensing model. The proposed scope of permissible activities, required competencies, and outline of the training program are detailed in the Access to Justice Committee's FLSP License Consultation Paper. FOLA is preparing a submission and if you would like to offer input for our Submission, please email [Katie.Robinette@fola.ca](mailto:Katie.Robinette@fola.ca) and put "FLSP" in the subject line by October 15, 2020. [See more](#).
2. **REMOTE HEARINGS:** The e-Hearings Task Force (of which FOLA is a member) has drafted some documents that have been designed to help you prepare for Remote Hearings (which you can find on our Courts page [here](#)). If you have participated in a remote hearing and have some additional suggestions, FOLA would love to hear them! Please email Katie Robinette at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca) and put "REMOTE HEARINGS" in the subject line.

#### ❖ **EVENTS:**

**CASELINES TRAINING:** Lawyers and legal assistants are invited to attend a CaseLines training session via Zoom on **Thursday, August 20, 2020 from 8:00 - 9:00 a.m.** Attend by clicking on the following link:

<https://us02web.zoom.us/j/89304211356>

**SPECIAL FOR LAW ASSOCIATION MEMBERS!** Clio's Cloud Conference (Oct 13-16 - 11am-4pm EST each day) brings together the best and brightest from the legal, business, and technology worlds for the industry's top conference. All sessions are recorded and available on demand. Clio is offering all Law

Association members conference passes for only \$99 (a \$200 discount). You can learn more and register [here](#).

### **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](mailto: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. If your concerns are related to issues surrounding health and safety measures as the Courts expand in person operations, please indicate the name of the Courthouse and the steps you have already taken to address your concerns to [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).