



COVID-19 & THE PRACTICE OF LAW

WEEKLY UPDATE

Fola.ca

COVID-19 - WEEKLY CHECK IN LOG #29

October 7, 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

- ❖ The SCJ posted a new Consolidated Notice on October 6 regarding the e-process to apply for a Certificate of Appointment of Estate Trustee. It is available [here](#).
- ❖ The SCJ is working with MAG to resume processing of Defaults.
- ❖ The Courts are working with MAG to address system delays in e-filing of Family matters through ONE-Key.

2. MAG

- ❖ Amendments to the Solicitors Act regarding contingency fees have been approved to come into force on July 1, 2021. You can learn more [here](#).
- ❖ MAG issued some new documents about applications regarding the resumption of Limitation Periods and are seeking a declaration that the suspension period (i.e. March 16-September 14) shall not be counted towards any applicable limitation period. These include: [The Order of Justice Myers](#) (October 6, 2020); a [Factum of the AG](#); and the [Application Record for the AG](#). All are hyperlinked.
- ❖ MAG will explore the creation of a centralized online hub for those looking for protocols and processes when planning a visit to a specific courthouse or needing to conduct matters with a specific Courthouse.
- ❖ MAG will explore ways to disseminate Dockets in a more efficient, consistent, and timely matter.

3. RECOVERY SECRETARIAT

- ❖ The Recovery Secretariat joins every other call and was not present this week.
- ❖ Site-specific Courthouse HVAC data continues to be circulated. FOLA sends this to all Librarians. To request HVAC data for your courthouse, please contact your local law librarian.
- ❖ **REMINDER:** Questions about Courthouse re-openings can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

4. 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. To ensure we hear from Law Association members in advance of drafting our Submission, FOLA scheduled three Zoom meetings and have reached out to Presidents to delegate one or two members practicing in Family Law to attend. While those meetings have passed, we still welcome input through the month of October. Please email any thoughts/comments to FOLA's Family Law Chair, Sam Misheal at sam@familyseparation.ca.

2. **MOVING ONTARIO FAMILY LAW FORWARD ACT, 2020:** Bill 207, the Moving Ontario Family Law Forward Act, has gone to the Justice Committee and public/stakeholder meetings will be held on Oct 13, 14, & 15. FOLA has been actively consulted in the drafting of this Bill and, as such, we have requested to appear to voice our support of this Legislation. You can learn more about Bill 207 [here](#) and, if you'd like to appear in front of the Justice Committee, you can request to do so [here](#).
3. **CONSULTATION ON TOPICS RELATED TO FUTURE CHANGES TO TARIION**
Tarion is seeking public input on several proposed regulatory changes to support the implementation of changes made to the Ontario New Home Warranties Plan Act as a result of the passage of the Rebuilding Consumer Confidence Act, 2020. Changes would also support the proposed designation of a regulatory authority under the New Home Construction Licensing Act, 2017. Comments are due by October 19, 2020. See Regulatory Amendment posting [here](#).
4. **PROPOSED REGULATIONS UNDER THE NEW HOME CONSTRUCTION LICENSING ACT, 2017, TO SUPPORT THE OVERHAUL OF ONTARIO'S NEW HOME WARRANTY AND PROTECTION PROGRAM.** Comments are due by October 19, 2020. See Regulatory Amendment posting [here](#).
5. **PROPOSED REGULATIONS TO SUPPORT THE OVERHAUL OF ONTARIO'S NEW HOME WARRANTY AND PROTECTION PROGRAM.** Comments are due by October 19, 2020. See Regulatory Amendment posting [here](#).

❖ **REMINDER:** A list of banks allowing lawyers to make the payment of mortgage discharges by wire is available [here](#).

❖ **JUST OUT TODAY! FOLA's REAL ESTATE UPDATE:** You can access that [here](#).

❖ **EVENTS:**

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 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.