



COVID-19 & THE PRACTICE OF LAW

SECTOR MEETING UPDATE

Fola.ca

SECTOR CHECK IN LOG #77

February 2, 2022

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

- ❖ **SCJ:** The SCJ Clerkship Program is up and running! It offers law students the unique opportunity to experience the trial process firsthand, to work closely with judicial officials, and to substantively engage in a myriad of legal issues. [Learn more](#) or apply directly [here](#).
- ❖ **REMINDER – SCJ JDR PILOT PROGRAM:** In the Spring of 2021, MAG launched an innovative family pilot project to help get simpler cases to conclusion more quickly. The pilot project 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](#).
- ❖ **SCJ PRACTICE DIRECTIONS:** As a reminder, all SCJ practice directions (Toronto & Regional) can be found [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 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.
- ❖ **OCJ & CASELINES:** The OCJ paused its rollout of CaseLines across the Province. You can learn more [here](#).

2. MINISTRY OF THE ATTORNEY GENERAL (MAG)

- ❖ **JUDICIAL APPOINTMENTS:** The OCJ has posted an opening for an OCJ Judge in Cornwall. Deadline is February 18th. Learn more and apply [here](#).
- ❖ **JUSTICE SERVICES ONLINE (JSO) ENHANCEMENTS:** The following enhancements will come into effect on the JSO platform on February 14th:
 - Time sensitive documents will be flagged in the Civil Submissions Online (CSO), Family Submissions Online (FSO) and the Small Claims Court Submissions Online (SCCSO) portals. Filers will be asked to

identify time sensitive submissions which will be flagged for staff. This new feature will help staff prioritize time sensitive filings and ensure that such submissions are reviewed in advance of a closely approaching court date or deadline. Members of the legal community are encouraged to submit their documents well in advance of the deadline to ensure staff have sufficient time for review. The addition of the “Time Sensitive” column will provide an opportunity to eventually move more filings online and reduce the need for email filings.

- Filers will have the option to upload a separate document for proof of income where the submission includes a fee waiver request. Separately uploaded proof of income documents will be automatically purged after the submission is accepted or rejected.
- Accessibility upgrades will be made to allow documents to be submitted in Word (.docx) format. Previously, only PDF documents were accepted. Instructional text with additional information about compatible browsers will also be included.
- A list of all existing filed documents in a family case will be provided to filers who have submitted documents through FSO. The list will be sent to filers as an attachment to the auto-generated email notice of the accepted submission and will be identical in format to the case history report currently available in FRANK.
- French names of processed documents will be included in the auto generated notices of acceptance or rejection of a submission for filing and/or issuance in FSO, CSO and SCCSO.

This iterative approach to JSO enhancements builds on earlier work and seeks to prioritize the user experience while minimizing disruption. You will continue to be informed of ongoing enhancements through notices to legal and paralegal associations. If you would like to discuss this initiative, please contact Vaia Pappas, Director, Operational Support Branch at 416-326-2514.

❖ **RULES OF CIVIL PROCEDURE AMENDMENTS:** On January 21, 2022, a regulation was filed to amend the court rules and forms for civil proceedings in the Superior Court of Justice: [O. Reg. 18/22](#), amending the Rules of Civil Procedure. This regulation makes amendments regarding the service of experts’ reports, the scheduling of pre-trial conferences, the test for leave to admit evidence at trial, and other related provisions. It introduces one new rule, makes amendments to a further twelve rules, and creates one new form. A summary of the regulation is available on Ontario’s Regulatory Registry [here](#).

3. MINISTRY OF FINANCE - ONTARIO

❖ **ONTARIO BUDGET CONSULTATIONS:** The Ministry of Finance is currently accepting comments/input in advance of their 2022 Budget. Learn more and comment [here](#).

4. RECOVERY SECRETARIAT

❖ **REMINDER: 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.

5. LSO

❖ **FAMILY LEGAL SERVICE PROVIDERS REPORT:** The LSO’s [Report on Family Legal Services Provider Licence](#) is now available. This report will proceed to Convocation on February 24. If you would like to watch the webcast of the meeting, a link will be available via [LSO.ca](#) on the morning of. The meeting will begin at 9 a.m.

6. FOLA

- ❖ **LOBBY DAY 2022:** FOLA is hosting our 2nd Lobby Day on February 23, 2022! While registration has now closed, we still have a few spots available for both the Attorney General's talk and Q&A at noon and the NDP's Critic for the Attorney General's talk and Q&A at 1pm. If you are interested and available, please email Katie at katie.robinette@fola.ca and you will be added to our waitlist.
- ❖ **CASELINES TRAINING:** FOLA will be announcing a new series of CaseLines live training webinars starting in February. Dates/times will be: Wednesday, February 23rd – 4-5:30 PM; Monday, February 28th 1-2:30 PM; and Wednesday March 2nd – 4-5:30 PM (**All times Eastern*). We will be sending all Law Associations links just as soon as we have them!
- ❖ **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](#).
- ❖ **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.**
- ❖ **FOLA's FEBRUARY 2022 NEWSLETTER:** Earlier this week, FOLA sent out our February 2022 newsletter. You can read that [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.