



COVID-19 - WEEKLY CHECK IN LOG #38
December 16, 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

*NOTE - THERE WILL BE NO NEW UPDATES UNTIL JAN 6th
(Court Notices will still be sent to Presidents and librarians as they come in)*

Issues discussed:

1. COURTS

- ❖ On December 15th, the SCJ issued a Supplementary Notice to the Profession and Litigants in Civil and Family Matters Including Electronic Filings and Document Sharing (Caselines Pilot). You can view that [here](#).
- ❖ The SCJ has extended the suspension of jury trials until at least January 29, 2021 in all areas of the province except Green Zones. Jury trials will recommence on Monday, Feb. 1, 2021 at the earliest. You can view that Notice [here](#).
- ❖ Next week, the SCJ will be issuing a Notice to the Profession outlining standard document protocols for all e-filing. The protocol will mimic the naming and format as required by CaseLines. The notice will contain examples.
- ❖ The SCJ is also working on a Notice regarding Class Actions and will be focused around best practices and cost outlines.
- ❖ The SCJ is working on steps to have assessment hearings resume. Specifically mentioned were motor vehicle claims.
- ❖ The SCJ Civil Working Group's sub committee is working on a Best Practices document for virtual and hybrid hearings. The document will include hyperlinks and we are told to expect this by mid-February.
- ❖ **Two important reminders regarding CaseLines:**
 1. All documents filed through CaseLines require an email address. This is critical.
 2. All documents filed through CaseLines must first be filed with the Courts (preferably via Justice Services Online portal). Eventually there will be a seamless system for filing that will allow you to only file once but that does not currently exist. Documents must be filed twice.

- ❖ The CAO issued amendments to their Practice Direction regarding the electronic conduct of matters during the COVID-19 pandemic. You can read that [here](#).
- ❖ The CAO will be issuing a new Practice Directive next week regarding electronic proceedings and requirements for advance filings of compendium documents.
- ❖ The CAO is also working on protocol changes (expected to come into effect in 2021) that deal with privacy concerns related to virtual trials. One likely new requirement will be a form that asks parties to flag any privacy concerns in advance so that the Judge and Counsel can address those issues before the proceedings.

1. MAG

- ❖ The Ministry of the Attorney General is working on operationalizing rules for case tracking and are working through the backlog of Probate Applications (they are down from 4,000 to approximately 1,000).
- ❖ MAG is also working on a new iteration of Justice Online with the goal of having the portal include Small Claims filings.

2. RECOVERY SECRETARIAT

- ❖ **REMINDER:** Version 5 of the Recovery Secretariat's Guidebook, "COVID-19: Recommended Precautionary Measures for Resuming Court Operations" is now available on [Ontario.ca](#), in both [English](#) and [French](#).

As a reminder, the Guidebook is a living document and may continue to be updated over time, in response to feedback and/or evolving provincial guidance regarding COVID-19.

- ❖ **REMINDER:** Site-specific Courthouse HVAC data will no longer be collected by FOLA. If you wish to receive regular HVAC data from the Recovery Secretariat, please email: MAGrecoverysecretariat@ontario.ca.
- ❖ **REMINDER:** Questions about Courthouse operations during COVID-19 can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

3. LAWPRO

- ❖ LawPRO will be sending out an end-of-year email containing some important information including some clarification regarding the suspension of limitation periods.

4. FOLA

- ❖ A moment ago, FOLA sent a letter to the Law Society Treasurer and all Benchers expressing our concerns regarding the LSO funding cuts to LiRN. You can read that letter [here](#).
- ❖ Struggling to get your CPD hours in in advance of the year end deadline? FOLA has a playlist on our YouTube channel of our accredited content. Check it out [here!](#)
- ❖ In case you missed it, FOLA's 1st Vice Chair, John Krawchenko, was appointed to the SCJ - becoming Justice Krawchenko! While we all wish him well, he leaves a huge void on FOLA's Board.

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.