



# COVID-19 & THE PRACTICE OF LAW

## WEEKLY UPDATE

Fola.ca

### COVID-19 - WEEKLY CHECK IN LOG #63

June 23, 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 - Political, Department staff, and the Recovery Secretariat

#### Issues discussed:

#### 1. COURTS

- ❖ An [SCJ Notice to the profession regarding CaseLines](#) on June 18<sup>th</sup> has been amended as follows:
  - a) On July 5, 2021, CaseLines will begin being used in the Central West, Northeast and Southwest regions in select civil, family and criminal hearings. Parties may receive email invitations to their cases starting on June 21, 2021. Please review the entire notice of profession before preparing for your hearing. Also see the [At-A-Glance Guide to Virtual Hearings](#).
  - b) Parties are reminded to upload documents into the hearing-specific sub-bundle, not the master bundle (Part C paragraph 5).
  - c) Parties in family and civil matters must upload pleadings into the Pleadings Bundle (Part C paragraph 13).
  - d) If a party sees that inappropriate documents have been uploaded into CaseLines by an opposing party, he/she must advise the Court in the event confirmation form, if any, and by making a Case Note in CaseLines for the judicial official's review (Part C paragraph 14).
  - e) Court staff may upload endorsements and orders into the Orders and Endorsements Bundle in CaseLines instead of emailing them to parties (Part D). Remember, parties must ensure that all previous orders and endorsements in the case have been uploaded into the Orders and Endorsements sub-bundle in CaseLines so they can be accessed by the judiciary at future hearings.

Parties are reminded to refer the Court to the CaseLines-generated page numbering during hearings (see Part C paragraph 6 for naming/numbering documents).

- ❖ On June 18<sup>th</sup>, the SCJ issued a [Notice to the Profession and Public Regarding Court Proceedings and the Resumption of Jury Trials](#).
- ❖ An [SCJ Toronto Region's Notice to the Profession](#) (dated June 18<sup>th</sup>) now provides information about requesting an urgent hearing before a master (see paragraph C.2(8)).
- ❖ **SMALL CLAIMS LIVE WEBINAR:** The Small Claims Court Working Group hosted a webinar earlier this morning (June 23) to provide an update on the recent changes in the Court. The Webinar was recorded and FOLA will send the link out as soon as it becomes available.
- ❖ **OPENING OF THE COURTS:** The Opening of the Courts is scheduled for September 14<sup>th</sup> at 3:30 o'clock in the afternoon. It will be a virtual event and you can watch [here](#).

#### 2. MAG

- ❖ **POA COURTS:** On June 18<sup>th</sup>, MAG issued an update on modernization initiatives and court recovery in Ontario's Provincial Offence Act (POA) courts. You can learn more [here](#).

- ❖ **SATELLITE COURTS/FLY INS:** MAG has resumed in-person operations at the Richmond Hill satellite and Milton temporary off-site court locations (855 Major Mackenzie Drive East, Richmond Hill & 1110/1120 Burloak Drive, Burlington)

### 3. RECOVERY SECRETARIAT

- ❖ **REMINDER:** Questions about Courthouse operations during COVID-19 can be directed to Samantha Poisson at [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).

### 4. FOLA

#### ❖ **SUBMISSIONS & CONSULTATIONS:**

**REBBA PHASE 2 REGULATIONS:** The Ministry of Government and Consumer Services has launched the second phase of regulation development (Phase 2). During this phase, the ministry is developing regulatory proposals to: a) Update the Code of Ethics regulation (the Code) under REBBA; b) Transfer procedural and technical requirements from the Code to other regulations; c) Enhance disclosure requirements and other registrant obligations to better protect consumers of real estate services and increase consumer choice; and d) Update RECO's regulatory powers and tools, including revising the procedures of RECO's discipline committee. Comments are due by July 2, 2021. More information can be found in our June 4<sup>th</sup> Real Estate Update [here](#).

- ❖ **CASELINES TRAINING:** You can view the dates/times of (and links to) upcoming CaseLines training [here](#).

### 5. LAO

- ❖ Legal Aid Ontario received 100 written submissions re: Draft Rules and are planning on posting a summary of submissions to their [Draft Rules/LASA website](#) once available.
- ❖ FOLA's Submission on the Draft Rules can be found [here](#). Also on that page are other Association Submissions, including the Alliance for Sustainable Legal Aid's Submission – on which FOLA collaborated.

### 6. LSO

- ❖ **COMPETENCE TASK FORCE - CALL FOR COMMENT:** On June 23, 2021, the [Competence Task Force's Report: Renewing the Law Society's Continuing Competence Framework](#) was included as an Information Item to Convocation. The Report details the Law Society's mandate to regulate the competence of lawyers and paralegals and provides an overview of how competence regulation has evolved to keep pace with regulatory best practices. The Report also provides an overview of the Task Force's work plan, a working definition of competence, and proposed themes and principles which may inform new approaches to competence programs and requirements.

Most importantly, the report includes comments on the importance of LiRN and of providing supports to small/soles.

The LSO has issued a Call for Comment and are open to the suggestions and feedback of all interested parties. You may respond to some or all of the questions within the [Call for Comment](#) until Nov. 30, 2021.

- ❖ **MENTAL HEALTH STUDY (Reminder):** The Law Society of Ontario, in partnership with Canadian law societies, the Federation of Law Societies of Canada, the Canadian Bar Association, and the Université de Sherbrooke, has launched a first-of-its-kind National Study on the Well-being of legal professionals. FOLA is strongly requesting that all Law Association members complete this ASAP. Deadline is June 25<sup>th</sup>. You can find more information [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).