



COVID-19 & THE PRACTICE OF LAW

WEEKLY UPDATE

Fola.ca

SECTOR CHECK IN LOG #72 October 27, 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

- ❖ **COURT OF APPEAL FOR ONTARIO (CRIMINAL):** New Criminal Appeal Rules for all criminal matters at the Court of Appeal for Ontario will come into force on November 1, 2021. On that day, the current Criminal Appeal Rules, SI/93-169, 1993 Canada Gazette, Part II, will be revoked. In general, the new Rules will apply to all criminal matters at the Court of Appeal for Ontario whether commenced before or after November 1, 2021. You can learn more [here](#).
- ❖ **COURT OF APPEAL FOR ONTARIO:** The CAO will begin hearing criminal appeals and panel motions in person on November 8 and will begin hearing civil appeals and panel motions in person on November 15. See Notice [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 also 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.
- ❖ **SCJ NOTICE (October 19):** Amendments to the [Rules of Civil Procedure](#) and court forms come into force on January 1, 2022. The amended forms, now available on the [Ontario Court Forms website](#), have a simplified format and helpful instructions. **Old forms will not be accepted after January 1, 2022**, unless the court orders otherwise. The rule and form amendments also include consequential amendments prompted by recent amendments to the *Succession Law Reform Act* regarding the spousal entitlement and the effect of marriage on a prior will. For more information, see: [Reg. 194 under the Courts of Justice Act \(Rules of Civil Procedure\) \(ontariocanada.com\)](#).
- ❖ **The SCJ (Toronto Region):** [The SCJ \(Toronto Region\) COVID-19 Notice to the Profession](#) has been amended to provide that civil pre-trial conference briefs should only be uploaded into CaseLines (not submitted through the JSO portal or emailed to trial coordination staff). A revised Construction Act form has also been linked to the [notice](#).
- ❖ **CaseLines Reminder:** Please ensure that you are using CaseLines whenever you receive an invitation to do so! See letter from [Madam Justice Suzanne M. Stevenson, Senior Family Judge](#).

2. MAG

- ❖ **RULES OF CIVIL PROCEDURE - ESTATES:** On October 15, 2021, a regulation was filed to amend court rules and forms for estates proceedings in the Superior Court of Justice: O. Reg. 709/21, amending the Rules of Civil Procedure. You can learn more [here](#).

3. RECOVERY SECRETARIAT

- ❖ **RECOVERY SECRETARIAT GUIDEBOOK UPDATE:** MAG is in the process of translating their vaccination guidance document, which will be contained in the next version of their Guidebook. We expect that to be released next week.
- ❖ Expect a lifting of capacity limits on or around January 17th for places that do not require proof of vaccination.
- ❖ **REMINDER:** Questions about Courthouse operations during COVID-19 can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

4. LSO

- ❖ **CONVOCATION:** Convocation will be held October 28th (tomorrow). Up for discussion and for a vote is the LiRN 2022 Budget, which can be found within the Audit & Finance Report [here](#). All public documents and the link for tomorrow's live webcast can be found [here](#).
- ❖ **ANTI-MONEY LAUNDERING & TERRORIST FINANCING: NEW BY-LAW AMENDMENTS IN EFFECT JANUARY 1, 2022:** The Law Society's new by-law amendments aimed at combatting money laundering and terrorist financing will come into effect on January 1, 2022 and will have an impact on client identification and verification and cash transaction and trust accounting obligations for lawyers and paralegals. They've created resources to support licensees to assist with understanding and complying with the new requirements. [Visit: LSO.ca/amltf](http://LSO.ca/amltf)
- ❖ **NOMINATIONS FOR THE 2022 LAW SOCIETY AWARDS:** Each year, the Law Society proudly recognizes Ontario lawyers and paralegals who have made outstanding contributions to the legal profession. Lawyers may be nominated for the Law Society Medal and the Laura Legge Award. Paralegals may be nominated for the William J. Simpson Distinguished Paralegal Award. Both lawyers and paralegals are eligible for the J. Shirley Denison Award and the Lincoln Alexander Award. Nominations are encouraged for members from all communities, practice areas, firm sizes, and regions across the province. Submit your nomination by December 17, 2021 by visiting lso.ca/awards-nominations.
- ❖ **WOMEN IN LAW:** On April 21, 2021 Treasurer Donnelly hosted the Inaugural Roundtable on Women in Law (the "Roundtable") in collaboration with the Canadian Chapter of the International Association of Women Judges (CCIAWJ). The Summary Report is now available on the Law Society's website at this [link](#).
- ❖ **LSO COMPETENCE TASK FORCE:** FOLA will be preparing a Submission in response to the LSO's Call for Comment on the LSO's [Law Society's Continuing Competence Framework](#). FOLA is preparing a submission and has been soliciting input up until the end of last week. If you would like to respond directly to the LSO, you may respond to some or all of the questions through their [portal](#) until Nov. 30, 2021.

5. LAWPRO

- ❖ **INSURANCE RENEWAL DEADLINE:** It's time for lawyers in private practice to renew their E&O insurance! Deadline is November 8th. You can do that [here](#).

6. LAO

- ❖ Legal Aid Ontario (LAO) is covering the cost of a lawyer for those whose matters are more than twelve months old and have had their cases adjourned to Judge-Led Intensive Case Management Court (JICMC).

The JICMC was set up to address the large backlog of cases resulting from the COVID-19 pandemic. Learn more [here](#).

- ❖ **LEGAL AID SERVICES ACT, 2020 (LASA):** LASA, which governs legal aid in Ontario, was proclaimed on October 18, 2021. As such, LAO has established rules & policies to manage & administer legal aid. You can learn more [here](#).

7. FOLA

- ❖ **FREE LIVE WEBINAR:** How to Safely Exchange and Serve Legal Files and Documents. Two dates/times to choose from (November 24th at 11am or November 25th at 4pm - both times EST). Learn more and register [here](#).
- ❖ **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](#).
- ❖ **SAVE THE DATE - FOLA'S FALL 2021 PLENARY!** FOLA's Fall Plenary will be held via Zoom on November 18th. Our theme is Diversity, Equity, and Inclusion in the Legal Profession. Check out our Agenda, Speaker Bios, and Sponsors on our [Plenary Page](#). Registration is reserved for Association Presidents, but recordings will be made available following the event.
- ❖ **ACCESS TO JUSTICE WEEK IS ON NOW!** Registration and the full schedule for #A2JWeek 2021 is now available. Visit [here](#).
- ❖ **LONG-TERM CARE COVID-19 COMMISSION SPECIAL LECTURE:** On November 9th at 7pm (EST), the Advocacy Centre for the Elderly (ACE) is hosting a special lecture with former Associate Chief Justice Frank Marrocco titled on Long-Term Care & COVID-19. It has been LSO accredited for 1.5 EDI Professionalism Hours. Learn more and register [here](#).
- ❖ **HALTON COUNTY LAW ASSN EVENT:** The HCLA is hosting a Civil Litigation Webinar on November 11th from 9am-12:45pm. You can learn more and register [here](#).

8. REGULATION AMENDMENTS (PROPOSED)

- ❖ **MUNICIPAL AFFAIRS & HOUSING:** Proposed Changes for the Next Edition of Ontario's Building Code (Fall Consultation). As part of the development process for the next edition of Ontario's Building Code, the Ministry of Municipal Affairs and Housing is engaging in consultation starting in Fall 2021 on some existing variations from National Construction Codes as well as a number of proposed changes that are unique to Ontario's Building Code. Open for Comments: October 20, 2021 - December 4, 2021. Learn more [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.