



FOLA'S MONTHLY SECTOR MEETING UPDATE

Fola.ca

SECTOR CHECK IN LOG #92

April 12, 2023

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

SUPERIOR COURT OF JUSTICE UPDATES

In February, the Office of the Chief Justice of the SCJ wrote to FOLA seeking input on the [Guidelines to Determine the Mode of Proceeding in Civil, Family, Criminal and Small Claims Court](#). Following consultation with Association members, FOLA prepared and submitted a formal response. You can read our Submission [here](#).

ONTARIO COURT OF JUSTICE UPDATES:

No updates this week

CASELINES UPDATE:

While Caselines had changed its name globally to Case Center in 2021, Ontario courts continued to use the name Caselines. Further, Case Center will be launching version 7 this year, which will (or so the SCJ & OCJ told FOLA) provide a much more robust platform, address numerous issues, introduce new features, and deliver a much more modern interface.

There will be an announcement placed on Case Center which users will see when they log in. The Ontario courts (and FOLA) wanted to ensure that all law firms and law associations are aware of the upcoming changes. Below is information from the courts which you can share with your membership should they have questions about the service.

- CaseLines will be changing its name to Case Center. Thomson Reuters and Ontario are excited to be working together to improve the CaseLines (Case Center) user experience by releasing a new and improved interface that is coming later this year (Version 7).
- As Thomson Reuters prepares for the new version in the Ontario Courts, please be advised that private law firms with their own CaseLines (Case Center) subscription may have the ability to access new features in beta version beginning in spring/summer 2023.
- There will be no interruption to CaseLines (Case Center) services and availability.
- Questions regarding the new version of CaseLines (Case Center) should be directed to Thomson Reuters: 1 800 290-9378 email: decsupport@thomsonreuters.com
- Members of the public and profession should check the OCJ and SCJ CaseLines (Case Center) notices often to find out more information about when the new version will be implemented.
- Links:

- Ontario Superior Court of Justice
 - https://www.ontariocourts.ca/scj/notices-and-orders-covid-19/#PROVINCIAL_NOTICES
- Ontario Court of Justice
 - <https://www.ontariocourts.ca/ocj/caselines/>

Law Associations can contact Ryan Snushall from Thomson Reuters at ryan.snushall@thomsonreuters.com directly as needed about the CaseLines (Case Center platform).

COURT OF APPEAL FOR ONTARIO UPDATES:

No updates this week

MINISTRY OF THE ATTORNEY GENERAL

JSO RESOURCES

Following FOLA's JSO Feedback Sessions with MAG, the OCJ, and the SCJ, the following resources have been provided for your reference:

- MAG's [Notice to the Public and Legal Profession regarding Electronic Court Documents: Electronic Signatures and Submissions through Online Filing Portals](#)
- MAG's guides on online filing:
 - [File Family Court Documents Online](#)
 - [File Civil or Divisional Court Documents Online](#)
 - [File Bankruptcy Court Documents Online](#)
 - [File Small Claims Court Documents Online](#)
- MAG's [Ontario Court Forms](#) website
- For questions about online filing, MAG's Contact Centre for Online Services:
 - By phone: 1-800-980-4962 or 647-438-0403
 - By email:
 - CivilClaimsOnline@ontario.ca (civil, Divisional, bankruptcy)
 - FamilyClaimsOnline@ontario.ca (family)
 - SmallClaimsOnline@ontario.ca (small claims)
 - For questions about your submission, the court office: [Ontario Court Locations](#)

Also, in response to a comment during the East Region Session, MAG has provided a [screenshot](#) of the document "preview" feature that can be accessed by users who want to verify the document that they are submitting to the court. At Step 4 ("Review and submit") of the submissions process, users are asked to confirm that the information they have provided is accurate. They can select the hyperlinked document file name under "Uploaded Documents" to preview the document they have uploaded.

We have been told that the sessions were recorded and links to the recordings should be available soon.

ONTARIO'S PROVINCIAL OFFENCES ACT (POA) UPDATES

The following changes to the POA have been approved:

- ❖ Implementation of Amendments to Allow for Clerk Review of Reopening Applications:
 - Currently, the POA allows a defendant convicted of either failing to respond to a charge laid by certificate of offence or of failing to appear for a hearing or early resolution meeting, to apply to have the conviction struck and the matter reopened. Such applications are currently reviewed by a justice of the peace and may be granted if the justice of the peace is satisfied that, through no fault of their own, the defendant was unable to appear for a hearing or an early resolution meeting or did not receive a notice or document relating to the offence.

- ❖ Effective September 22, 2023, clerks of the court will grant, but not deny, applications to strike a conviction on a ticket, if satisfied that the defendant, through no fault of their own, missed a notice or was unable to attend a meeting or hearing related to the ticket. If the clerk is not able to grant the application and strike the conviction, the clerk must forward the application to a justice of the peace to make the determination whether to grant or deny the request for a reopening.
 - These amendments will assist municipalities in recovering from the disruption of court operations created by the pandemic by freeing up judicial time and allowing municipal court staff to address the backlog of cases more quickly.
- ❖ Repeal of the Bill 177 Early Resolution Reforms
 - Effective March 22, 2023, amendments to section 5.1 of the POA, together with previously proposed sections 5.2 to 5.5 are repealed, although they had not yet come into force. These previously proposed amendments would have changed the “early resolution” process in ways that are no longer desired by stakeholders.

If you have any questions, or if you would like more information about these initiatives, please contact Ms. Wendy Chen, Manager of the POA Unit, either by email at JUS.G.MAG.POASupport@ontario.ca or by telephone at (437) 244-8733.

JUDICIAL VACANCIES:

ASSOCIATE JUDGE (TORONTO)

Associate Judges perform judicial duties in civil actions in the Superior Court of Justice, exercising the jurisdiction assigned to Associate Judges by the Rules of Civil Procedure.

MAG is currently accepting applications for an Associate Judge in Toronto. **Deadline is May 3rd.** [Learn more & apply here.](#)

OTHER ONTARIO GOVERNMENT NEWS

MINISTRY OF FINANCE - FAMILY LAW CONSULTATIONS (MULTI-EMPLOYER PENSION PLANS)

The Ministry of Finance (MOF) is proposing to establish a permanent framework for target benefit plans in regulations made under the Pensions Benefits Act. This framework will impact how the value of pension benefits is calculated for the purposes of family law matters for all Multi-Employer Pension Plans (MEPPs) that can reduce accrued benefits. [Learn more \(including information on how to send comments\) here.](#)

MINISTRY OF PUBLIC AND BUSINESS SERVICE DELIVERY

The government has delayed the April 1, 2023 in-force date of the TRESA, 2020 Phase Two legislative and regulatory changes to assess a proposal to further enhance consumer protection and offer more consumer choice. More information will be shared in the near future. If you have any questions, please send an email to REBBA@ontario.ca

MINISTRY OF MUNICIPAL AFFAIRS & HOUSING

RESIDENTIAL TENANCIES ACT, 2006: The Ministry is seeking feedback on proposed changes to help protect tenants from bad faith renovation evictions. **Deadline is May 21st.** [Learn more here.](#)

RESIDENTIAL TENANCIES ACT, 2006: The Ministry is seeking feedback on proposed changes to the Residential Tenancies Act, 2006 (RTA) which would clarify and enhance rules related to the installation of air conditioning (A/C) units and enhance tenant access. **Deadline is May 6th.** [Learn more here.](#)

REMINDER: ONTARIO'S NOT-FOR-PROFIT ACT: Ontario's Not-for-Profit Corporations Act (ONCA) took effect on October 19, 2021. Existing non-profits have 3 years from that date to bring their governing documents into compliance with the new law. Learn more on our [ONCA Resource Page.](#)

- ❖ **FEATURED MEMBER REWARD #1:** Bell Mobility has a new special offer this month. [Learn more and shop now!](#)
- ❖ **FEATURED MEMBER REWARD #2:** Hilton Hotels is offering Double Points on every stay (plus 1,000 Bonus Points) each time you stay with a different brand within the Hilton portfolio. Offer available through April 30, 2023. [Learn more and book your stay today!](#)
- ❖ **FEATURED MEMBER REWARD #3:** Destination CPD is back! Destination CPD is thrilled to invite FOLA members to their annual criminal law conference in Las Vegas from May 3-5, 2023. All Law Association members get 20% off! [Learn more & book your trip!](#)
- ❖ **FOLA AWARDS 2023:** FOLA'S 2023 Awards have changed a bit. We have changed (slightly) the eligibility requirements for the Presidents' Award and the Luminary Award (for library staff and association staff) and have replaced the Distinguished Service Award with the Emerging Leader Award. Nominations are now open and full eligibility requirements and nomination forms can be found [here](#).
- ❖ **ELDER ABUSE PREVENTION ONTARIO (EAPO) - FREE PROGRAMMING OFFER:** The EAPO is offering Law Associations customized education programs free of charge! They will work with your Association to organize in-house training initiatives or community knowledge sharing sessions. If you are interested, visit [here](#) to learn more. If you have any questions, you can contact Sheila Schuehle in at SSchuehle@eapon.ca
- ❖ **FAMILY LAW SURVEY: The Use of Virtual Technology to Improve Accessibility to Family Courts in Ontario**
Professor Nicholas Bala, Faculty of Law, Queen's University, is leading a project to study the effect of the Pandemic and on the practice of family law and the use of virtual family court proceedings and have launched a survey about the experiences and views of family lawyers about policies that should be adopted going forward. He would appreciate your taking the time to complete a brief survey (15 minutes). **Here is the link to the survey:** https://uwo.eu.qualtrics.com/jfe/form/SV_6FoA68POJ90H0Sp
The survey results will be presented at a virtual Town Hall and will also be available from the researchers on request.
- ❖ **MIDDLESEX LAW ASSOCIATION NEWSLETTER:** The latest edition of "The Snail" is now available [here](#). It includes profiles of the SW Region Benchers Candidates.

BENCHER ELECTIONS -

- ❖ **BENCHER ELECTIONS:** Voting opens next week and will run from April 19 to 28, 2023. You can vote online or by phone. Learn more about the voting process on our [FOLA's Bencher Elections webpage](#).
- ❖ **BE AN INFORMED VOTER:** To help Law Association members identify "FOLA Friendly" candidates, FOLA sent a survey to all Candidates. You can find all responses from Candidates who completed the survey by deadline (alphabetically by region - starting with Central East) [here](#). To learn more about our survey, please visit [FOLA's Bencher Elections webpage](#).
- ❖ **BENCHER ELECTIONS & FOLA - IN THE NEWS:** On March 15th, FOLA issued a [Statement](#) clarifying FullStop Campaign Statements on Courthouse Libraries. As a result of that Statement, Law 360 wrote an article about it which you can read [here](#).

APPOINTMENTS/JOBS

- ❖ **SOCIAL BENEFITS TRIBUNAL (TRIBUNALS ONTARIO):** Tribunals Ontario is a group of 13 adjudicative tribunals that play an important role in the administration of justice in Ontario. Each year our tribunals receive and resolve nearly 100,000 cases - providing fair, accessible dispute resolution to thousands of Ontarians. Tribunals Ontario is seeking full-time and part-time Vice Chairs and full-time and part-time members for the Social Benefits Tribunal (SBT). **Deadline is April 16th.**
- ❖ **ONTARIO REVIEW BOARD (ORB):** The ORB is an independent adjudicative tribunal created by the Criminal Code of Canada that makes dispositions and decisions for persons found not criminally responsible, or unfit to stand trial, on account of mental disorder, in accordance with Part XX.1 of the Criminal Code. For those individuals subject to the Board's jurisdiction, an assessment of risk must be conducted and balanced with the maximum liberty that can be accorded in the making of each Disposition. The Board holds hearings at designated psychiatric hospitals and in courthouses throughout

Ontario. The Government is currently seeking a full-time Chair. This position is expected to commence on June 13, 2023. **Deadline is April 16th.**

- ❖ **PUBLIC PROSECUTION SERVICE OF CANADA:** The Public Prosecution Service of Canada is inviting applications from private-sector lawyers or law firms with experience in prosecuting or defending criminal matters, to act as Agents of the Director of Public Prosecutions. A Fixed-Term Agreement (contract) is currently available in the following Ontario locations: Counties of Stormont, Dundas and Glengarry (including Cornwall and the satellite courts of Alexandria and Morrisburg); Hastings County (including Belleville and the satellite courts of Bancroft); and Prince Edward County (including Picton). **Deadline is April 30th.**
- ❖ **ONTARIO SECURITIES COMMISSION (OCS) - CAPITAL MARKETS TRIBUNAL:** The Capital Markets Tribunal, an independent tribunal that is a division of the OSC, seeks applicants for part-time member positions with adjudicative and regulatory expertise. **Deadline is May 4th.**
- ❖ **JUSTICES OF THE PEACE (MULTIPLE):** At the request of the Attorney General, and in accordance with the Justices of the Peace Act, the Justices of the Peace Appointments Advisory Committee (the Committee) invites applications for vacant Justice of the Peace positions in the Province of Ontario in multiple locations across the province. **Deadline is May 31st.**

Learn more and apply to any of the above postings on our [Job Board](#).

LAW SOCIETY OF ONTARIO

- ❖ **NEXT LSO CONVOCATION:** The next Convocation will be held on April 27, 2023. Information will be posted on their website closer to the event.
- ❖ **LSO AGM:** The Law Society's AGM will take place virtually on May 10 at 5:15pm. Watch the [LSO Portal](#) for log-in and meeting information and take a moment to check your [Portal](#) account now to ensure you have your credentials and that they are up to date.
- ❖ **FOLA MOTION AT THE LSO's AGM:** FOLA is bringing a motion to have the LSO devote more resources to ensuring access to lawyers in less populated areas of the province. As many of you will know the population of lawyers is not getting any younger but, in some areas, people in need of legal services will not be able to get a lawyer. As time goes on this situation is getting worse. FOLA's motion asks the LSO to develop a plan and devote resources to this growing challenge. We encourage you to attend the AGM and support our Motion. [Read our Motion here](#).
- ❖ **Should we put in our motion or is this a separate email?**
- ❖ **EXTERNAL APPOINTMENTS - CALL FOR APPLICATIONS:** As part of its mandate, the Law Society recommends and makes appointments to a variety of boards, councils and committees. The Law Society is currently seeking applications from qualified lawyers for the Judicial Appointments Advisory Committee. **The application deadline is May 10th.** [Learn more & apply here](#).
- ❖ **SEEKING PARTICIPANTS:** Phase two of the National Study on the Health and Wellness Determinants of Legal Professionals in Canada. In phase two of this study, the research team at the Université de Sherbrooke is looking for lawyers, paralegals, articling and LPP students in Ontario to participate in confidential, virtual interviews about mental health and wellness in the legal profession. Read the [Gazette](#) for more information about the study. If you are interested in participating, please complete this [online form](#) or email wellnessinlaw.eg@usherbrooke.ca directly.

ASSOCIATION EVENTS & COURSES

OSGOODE PD: 12th ANNUAL RECENT DEVELOPMENTS IN ADVANCED AND COMPLEX ISSUES IN PROPERTY AND EQUALIZATION

Dates: Apr 13, 2023 In-Person Online (Live) // May 10, 2023 Online (Replay)

Property and equalization issues just keep getting more complex. Which means you need to be more ready than ever. This annual OsgoodePD program - designed and delivered by the leading family law experts - focuses on the more complex and challenging current and emerging issues in property and equalization. This is not a quick summary of the year in review. Rather, it is an in-depth analysis of the critical issues

confronting the family law bar. Invest a day acquiring the key knowledge, practical strategies and contacts you need to manage these challenges – and your clients – with confidence.

[Learn more & register here](#)

MIDDLESEX LAW ASSOCIATION'S BENCHER ELECTION FORUM - SOUTHWEST REGION 2023

April 13, 2023, 4:30 PM / Online via Zoom / Free

The MLA Board of Trustees is hosting a Bencher Forum for LSO Bencher candidates running in the Southwest region. A tightly moderated session with candidate platforms and a Q&A session are planned.

Confirmed candidates include:

Lisa D.S. Bilydy, Rod Catford, Jacqueline Horvat, Karen Hulan, Jasminka Kalajdzic, Kevin L. Ross, , Matthew Wilson

Registration required.

[Register here](#)

LAW SOCIETY OF ONTARIO: HOLOCAUST REMEMBRANCE DAY PROGRAM

April 18, 2023, 5:30 PM to 7:15 PM (virtual event)

Save the date. More information coming soon

[Learn more here](#)

TLA EVENT: ESCAPING THE PRISON OF BELLIGERENCE: MENTAL WELLNESS FOR LAWYERS

Thursday, April 20, 2022 (Free virtual event)

Incivility in the practice of law is reaching epic levels. The business of law has transformed the art of argument as a form of discourse into a war of words. Hyper-aggressiveness is becoming synonymous with good advocacy. This has a significantly negative impact on our mental health, and ultimately on the credibility of our justice system. In this session, the TLA panel will explore the toxic effect of high-conflict behaviour on our mental health, our relationships with others, and discuss the importance of self-accountability.

[Learn more and register here](#)

MLA - STRAIGHT FROM THE BENCH - 2023

May 1st, 2023

The MLA is excited to open registration for their ever-popular Straight from the Bench Conference taking place Monday, May 1st. Back to in-person for the first time since 2019, our Co-Chairs (Rasha El-Tawil, John Nicholson, Evelyn ten Cate, and Dara Lambe) are presenting an incredible agenda with keynote, retired Justice George R. Strathy as well as three panels which include Mentorship, Advocacy Tips for Motions & Pre-trials, and Appellate Advocacy: Best Practices at the Court of Appeal. There are many more sought-after presenters from among their MLA membership and our regional judiciary. Information can be found on their registration page and each week leading up to the Conference, they will profile the exceptional leadership and expertise at this year's Straight from the Bench.

[Learn More & Register here](#)

HALTON COUNTY LAW ASSOCIATION'S ANNUAL ESTATES SEMINAR

Date: Friday, May 12, 2023, 9:00 AM to 11:30 AM

Oakville Golf Club, 1154 Sixth Line, Oakville L6H 6M1

This program contains 1.5 Professionalism Hour(s) and 1.0 Substantive Hour(s)

[Learn more and register here](#)

SAVE THE DATE: DURHAM REGION LAW ASSOCIATION 2nd ANNUAL FALL CONFERENCE

DATE: Thursday, September 28 & Friday September 29, 2023

Ajax Convention Centre - Information and registration coming soon

QUESTIONS/CONCERNS?

COURT WORKING GROUPS

SCJ FAMILY LAW & IN-PERSON vs. ONLINE MATTERS

If you have ongoing concerns regarding in-person vs online appearances at the SCJ, please direct your concerns to Katie at katie.robinette@fola.ca and she will relay them to our Family Law Working Group.

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 Katie at katie.robinette@fola.ca.

EVERYTHING ELSE

Law Association members are welcome to send any issues/concerns related to the above Updates by FOLA by emailing Katie at katie.robinette@fola.ca. We will 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.