



# FOLA'S MONTHLY SECTOR MEETING UPDATE

*Fola.ca*

## SECTOR CHECK IN LOG #86

October 12, 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

#### **1. COURTS**

##### **❖ SUPERIOR COURT OF JUSTICE UPDATES**

- No updates this month

##### **❖ ONTARIO COURT OF JUSTICE UPDATES**

- No updates this month

##### **❖ COURT OF APPEAL FOR ONTARIO UPDATES**

- No updates this month

#### **2. MAG**

- MAG will be announcing a few things related to the Justice Services Online portal shortly. The first thing is that they will be adding new service lines (Bankruptcy & Divisional Court) on or about December 11<sup>th</sup>. The second piece of news is that MAG will be announcing a series of live webinars on using JSO. These sessions will include information on rejections. We hope that dates and registration details will be announced next month and, once received, FOLA share that information with Law Association members.

#### **3. OTHER ONTARIO GOVERNMENT NEWS**

##### **❖ 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 new [ONCA Resource Page](#).

#### **4. RECOVERY SECRETARIAT**

- ❖ **REMINDER:** Questions about Courthouse operations related to health & safety can be directed to Samantha Poisson at [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).

#### **5. LiRN**

##### **❖ LIBRARY SERVICES & MANAGEMENT RESPONSIBILITIES POLICY HR POLICY AND GUIDELINES**

At their September Board meeting, the LiRN Board deferred approval of the revised Library Services & Management Responsibilities Policy HR Policy and Guidelines document to its next meeting (date to be

determined, likely in October). This will allow for additional time to associations who would like to comment but were unable to respond within the original timeline. If you have comments or concerns on the revised document, please let FOLA know by emailing Katie at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca).

## 6. FOLA

- ❖ **LiRN ADVOCACY REQUEST:** FOLA has launched another Law Library/Practice Recourse Centre advocacy campaign geared towards Benchers and bencher candidates. The timing of this campaign is to help educate current Benchers as they plan out their upcoming Budget and will also be used as we head into the Bencher elections.  
There are two parts to this campaign: 1) Letter Writing/emails to Benchers; and 2) Bencher visits to local Courthouse Law Libraries.  
**Letter Writing:** To help with our campaign, we would like letters sent to Benchers from individual law association members that highlight the importance of their local law library. To better ensure that letters are personal, FOLA will provide talking points to include in these letters rather than send out a template. Talking Points and Bencher emails can be found on our [Courthouse Library Action Centre page](#). If you do send a letter, please either cc Katie at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca) or send a copy of your letter once it has been sent. Alternatively, FOLA would be happy to send your letter on your behalf.  
**Bencher Visits:** We also encourage you to invite local Benchers to your Law Library. If you don't have an event planned at your law library between now and November 25<sup>th</sup> (the date of the November Convocation when the Benchers will be voting on their next Budget), simply invite them for a tour. If your Law Association is close to the GTA, we strongly encourage you to extend your invitation to all Toronto area Benchers. Bencher email contact lists can be found on our [Courthouse Library Action Centre page](#).  
**\*If you have any questions about any of the above information, please email Katie at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca)**
- ❖ **CONSULTATIONS: ONTARIO NEW HOMES WARRANTIES PLAN ACT:** Tarion is currently consulting on regulatory changes to support improvements to the Customer Service Standard. FOLA is planning on drafting a Submission and if you would like to offer comments for us to consider as we prepare it, please send those to Katie at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca) by **November 1<sup>st</sup>**. If you would like to send your comments directly to the government, the deadline is November 14<sup>th</sup>. More information, including a link to submit directly if you chose to do so, can be found [here](#).
- ❖ **UPDATE RE: MEMBER ONLINE FILING ISSUES:** In July 2022, FOLA sent a letter to the Deputy Attorney General outlining some of the concerns and issues our members have been facing related to electronic filing and the significant delays and costs these issues cause to parties. You can read our letter, some accompanying examples of issues, and their response [here](#). Note that [MAG's response letter](#) includes embedded links that can help when facing a looming deadline.
- ❖ **FOLA'S OCTOBER NEWSLETTER:** FOLA's October 2022 Newsletter is now available! You can read it [here](#).
- ❖ **MLA'S OCTOBER NEWSLETTER:** MLA's October edition of "The Snail" can be found [here](#).

## 7. LEGAL AID ONTARIO

- ❖ **LAO CONSULTATIONS: RISK LEVEL DETERMINATION AND RISK MANAGEMENT FOR COMMUNITY LEGAL CLINICS AND STUDENT LEGAL SERVICES ORGANIZATIONS:** LAO is consulting about risk level determination and risk management for community legal clinics and student legal services organizations on the following draft policy:

- Risk Level Determination and Risk Management for Community Legal Clinics and Student Legal Services Organizations

**The consultation is open from Sept. 14 to Oct. 26, 2022.** LAO will also be conducting two town hall meetings during this period where LAO will answer any additional questions. To find out more about the consultation, how to participate, and to read the draft policy, visit [here](#).

## 8. LSO

### ❖ CONSULTATIONS: PROFESSIONAL REGULATION COMMITTEE'S [MANDATORY SUCCESSION PLANNING REPORT](#):

The Professional Regulation Committee's consultation report: [Mandatory Succession Planning](#) was included as an information item to Convocation. As outlined in the report, the Committee has launched a consultation that will be open until November 30. In particular, the Committee would like to hear from sole practitioners and licensees in small private practice firms. FOLA will be preparing a Submission. If you would like to contribute your comments for consideration in our Submission, please send them to Katie at [katie.robinette@fol.ca](mailto:katie.robinette@fol.ca) by November 4<sup>th</sup>. You can also submit your comments directly to the LSO. **Consultation open until November 30, 2022.** The consultation form is available [here](#). Those interested may respond to some or all of the questions.

### ❖ LAW SOCIETY AWARDS: The deadline for nominations for the 2023 Law Society Awards is **December 16, 2022**. You are encouraged you to think about who in your Association and/or lawyers in your community has made a difference and is deserving of recognition and put forward a nomination. [Learn more and nominate someone today!](#)

### ❖ CONVOCATION: The LSO's next Convocation will be on October 27, 2022. Additional information is not yet available on the LSO's [website](#).

## 9. PROFESSIONAL DEVELOPMENT

**OSGOODE'S PART TIME PROFESSIONAL LLM:** Osgoode's Part-Time Professional LLM program is now accepting applications for programs starting in Fall 2023. Osgoode's Part-Time Professional LLM is designed to fit into your busy life, allowing you to pursue professional development goals while working full-time. The option for interactive online learning enables you to engage with peers and instructors across the globe in real-time, from anywhere in Ontario. **Deadline: May 1, 2023.** [Learn more and register here.](#)

## 10. THE OBA & COURT DELAYS

The OBA is collecting data on Court Delays through an online portal on their website. They are encouraging lawyers to complete their survey so that they can use that data to address our growing backlogs. Complete their survey [here](#).

## 11. EVENTS

### **DRLA FALL 2022 CONFERENCE**

**Thursday, October 13, 2022 & Friday, October 14, 2022**

Check out the Conference details [here](#)

Download the registration form [here](#)

### **MLA: THE REAL ESTATE UPDATE - FALL 2022**

**Wednesday, October 19, 2022 - 1:00pm - 3:00pm // Online via Zoom**

#### **Speakers:**

Jeffrey Lem, Director of Titles for Ontario's Ministry of Government & Consumer Services

John Goudy, Scott Petrie LLP

Michael J. Lamb, Michael J. Lamb Law

**Chairs:** John Goudy, Scott Petrie LLP & Matthew Wilson, Siskinds LLP

This fall's real estate program welcomes back Jeffrey Lem, the Director of Titles. Jeffrey will address changes to and developments in real estate law, and the Land Titles Act. As always, he will answer your questions and provide direction and practical tips. The second part of the program features John Goudy speaking about the Drainage Act and Professor Michael Lamb will take us back to basics with best practices for Agreements of Purchase and Sale.

[Learn more and register here](#)

## **MLA: WHAT EVERY FAMILY LAWYER AND CIVIL LITIGATOR NEEDS TO KNOW ABOUT THE NEW TORT OF FAMILY VIOLENCE**

**Thursday, October 20, 2022 - 1-3PM (via Zoom)**

Recently, the Court has recognized a new tort of family violence. Victims of family violence now have access to a new civil remedy that acknowledges the unique suffering that victims face when they experience violence from a loved one. Recognition of this new tort makes it essential, now more than ever, that family lawyers and civil litigators know how to recognize and respond to clients experiencing family violence.

This program aims to cover practical and procedural considerations and strategies that family and civil litigation lawyers must know when dealing with clients who are victims of family violence.

[Learn more & register here](#)

## **ACCESS TO JUSTICE WEEK**

**October 24 to 28**

The seventh annual Access to Justice Week will take place October 24 to 28, 2022. A2J Week 2022 features a diverse series of virtual programming on the theme "Access to Justice Counts: Using data to address the legal needs of Canadians."

[Learn more here](#)

## **PEEL LAW ASSOCIATION: WHAT'S NEW AND NOTEWORTHY IN CRIMINAL LAW**

**Tuesday, October 25th, 4-5PM (Zoom)**

With Antonietta Raviele of RV Law LLP

[View flyer](#)

[Learn more & register here](#)

1 hour of substantive credits

## **PEEL LAW ASSOCIATION OPEN HOUSE**

**Thursday, October 27, 2022 - 3:00 p.m. - 5:00 p.m.**

Take advantage of our Diwali-themed Open House to exchange casual hellos, mingle, network and collaborate. As an added bonus, a team of experienced child protection lawyers will be onsite to provide insightful tips and answer anonymized questions to attract lawyers to this area of practice. Judges, Lawyers, Articling Students, LPP Candidates and NCAs Welcome!

**RSVP: [library@plalawyers.ca](mailto:library@plalawyers.ca)**

*\*This event is sponsored by: South Asian Family Lawyers – Peel ~ in collaboration with the PLA & the CYFSA Subcommittee.*

## **MLA: NAVIGATING GOVERNANCE CHALLENGES IN CLOSELY HELD COMPANIES**

**Wednesday, November 2, 2022 - Online via Zoom - 1:00pm - 2:00pm**

**Speakers:** Susan Kushneryk and Eric Morgan, Kushneryk Morgan LLP

**Chair:** Jennifer Hawn, Polishuk Camman & Steele

In this program, Susan and Eric will discuss how lawyers who work with closely held companies can navigate governance challenges, including complex legal frameworks and ethical issues involved in the governance of companies.

[Learn more & register here](#)

## **FOLA FALL 2022 PLENARY**

**November 9-11, 2022**

Embassy Suites, Niagara Falls Ontario

[Visit our Plenary Page for more information](#)

**12th ANNUAL RECENT DEVELOPMENTS IN ADVANCED ISSUES IN CHILD & SPOUSAL SUPPORT**  
Nov 11, 2022 (Live Online) // Dec 8, 2022 (Replay Online)  
\$595

More information & Registration [here](#).

**EQUALITY, DIVERSITY AND INCLUSION: CULTURAL COMPETENCE FOR LEGAL PROFESSIONALS**  
Nov 15, 2022, 8:45 a.m. – 1:00 p.m. ET

In this half day program, you will learn the practical skills you need for greater cultural competence in the legal profession and immediately put your skills into action through a series of exercises where you'll address challenges faced in different legal settings and learn strategies for successfully overcoming them.

[Learn more and register here.](#)

### 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](mailto: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](mailto:katie.robinette@fola.ca).

#### EVERYTHING ELSE

Law Association members are welcome to send any issues/concerns related to the above Updates to FOLA by emailing Katie at [katie.robinette@fola.ca](mailto: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.