



FOLA'S WEEKLY UPDATE
October 19, 2022

SUPERIOR COURT OF JUSTICE UPDATES

DISPUTE RESOLUTION OFFICER PROGRAM EMPANELMENT: The SCJ, in collaboration with the Ministry of the Attorney General, is seeking candidates to join DRO panels in Barrie, Brampton, Hamilton, Kitchener, London, Newmarket, St. Catharines, Toronto and Welland. **The deadline to apply is Friday, November 25, 2022 at 11:59pm (EST).** Learn more and apply [here](#).

ONTARIO COURT OF JUSTICE UPDATES:

No updates this week

COURT OF APPEAL FOR ONTARIO UPDATES:

No updates this week

MINISTRY OF THE ATTORNEY GENERAL

No updates this week

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](#).

RECOVERY SECRETARIAT

Questions about Courthouse operations related to health & safety can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

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 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 25th (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**

- ❖ **COURT STAFFING ISSUES:** FOLA has been hearing from a few members about a lack of consistency in training among Court staff, which is exacerbating delays, leading to unstaffed phone lines, and causing frustration at Court Counters. FOLA is looking to get a few specific examples of how Court staff shortages and/or inadequate training and how these issues are leading to issues in the management of your cases. If you have an example you would like to share with us, please email Katie at katie.robinette@fola.ca and put Court Staff in the subject line.
- ❖ **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 by **November 1st**. If you would like to send your comments directly to the government, the deadline is November 14th. More information, including a link to submit directly if you chose to do so, can be found [here](#).
- ❖ **IP AUTHENTICATION:** FOLA is planning on hosting a meeting with Association members in real estate law and concerned about Law Society rules and regulations around ID Authentication, the changes to which are effective January 1, 2023. It would be a fairly casual roundtable discussion to see what concerns you have with costs that may become associated with KYC and online options that may negatively impact small/sole practicing lawyers if the costs become too high. If you are interested in joining such a meeting, can you let Katie (katie.robinette@fola.ca) know by end of day tomorrow (Thursday, October 20th) and we will send out a Doodle poll to canvass convenient times/dates.

LAW SOCIETY OF ONTARIO

- ❖ **BENCHER ELECTIONS:** Nominations are now open for the 2023 Bencher Elections! You can find more information on [FOLA's Bencher Elections webpage](#). Information as to how FOLA will be involved in these elections will be discussed at our Fall 2022 Plenary and will be posted on that page following the event. Also, over the coming weeks, FOLA will be adding resources for those considering running - so please do visit this page regularly! **Nominations are open until February 24th and voting will occur online in April 2023 with the results announced on May 1, 2023 after the tabulation of votes.**
- ❖ **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@fola.ca by November 4th. 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.

- ❖ **AWARDS PART 1:** The Human Rights Award recognizes outstanding contributions to the advancement of human rights and/or the promotion of the rule of law provincially, nationally or internationally. The award is granted for devotion to the advancement of human rights and the rule of law over a long term or for a single outstanding act of service. The call for nominations deadline is December 31. Learn more on the [LSO website](#).
- ❖ **AWARDS PART 2:** Nominations for the 2023 Law Society Awards are open until December 16, 2022. Award criteria, the nomination process and the online nomination form are all available [here](#). Paralegals are eligible for the William J. Simpson Distinguished Paralegal Award. Awards for lawyers include the Law Society Medal and the Laura Legge 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.
- ❖ **TECHNOLOGY RESOURCE CENTRE NOW AVAILABLE:** This new section of LSO provides a centralized place for licensees to find curated technology supports and resources. The Technology Resource Centre covers a wide range of topics including selecting technology for your practice, how to use various technologies, security and data protection, cybersecurity, cloud computing, and working remotely. Resources are available in multiple formats and can be searched by topic and format. The creation of the Resource Centre stems from the Technology Task Force's mandate to consider the role of technologies in the delivery of legal services and to encourage the technological competence of legal professionals. Visit the Tech Resource Centre [here](#).
- ❖ **CONVOCATION:** The next meeting of Convocation is scheduled to take place on October 27, 2022.

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.](#)

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](#).

EVENTS

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

FAMILY LAW SEMINAR

Thursday October 27th, 2022, from 1:00pm - 4:00pm

HLA Members Cost: \$254.25 (HST Included) / Non-Member Cost: \$293.90 / Articling Student and Law Staff Cost: \$203.40 (HST Included)

Join the HLA for the Annual Family Law Seminar held IN PERSON at the Hamilton Convention Center. Topics include, Parenting Issues in Family Law, 35: Right to Self-Government in Child and Family Services, Tips and Tricks for Domestic Contracts, Pants Are No Longer Optional: Back in the Saddle (Courtroom) Again and Case Highlighters. This program is accredited for 0.75 EDI Professionalism Hours and 2 Hours of Substantive Content.

[Click here](#) to fill out the form to register.

Please email form to: nstrandholm@hamiltonlaw.on.ca

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

**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](#)

EMERGING ISSUES IN REAL ESTATE SEMINAR

Thursday November 3rd, 2022, from 9:00am – 1:00pm

HLA Members Cost: \$203.40 (HST Included) / Non-Member Cost: \$226.00 (HST Included) /

Articling Student Cost: \$180.80 (HST Included) / Law Staff Cost: \$158.20 (HST Included)

Join the HLA for our Annual Emerging Issues in Real Estate Seminar held via Webinar. Topics include, A Lot from the D.O.T., Red Flags for your Practice Panel, Intricacies of Time Being of the Essence, Environmental Update, Copyright & Architecture, Condominium Updates, Estates and Real Estate, Residential Tendencies Update and City of Hamilton Updates. This program is accredited for 3.25 Hours of Substantive Hours and up to 0.75 Hours may be claimed as Professionalism Hours.

[Click here](#) to fill out the form to register.

Please email form to: ksolmaz@hamiltonlaw.on.ca

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](#).

THE 19TH EMPLOYMENT LAW SEMINAR

Thursday November 24th, 2022, from 2:00pm – 5:00pm

HLA Member Cost: \$135.60 (HST Included) / Non-Member Fee: \$163.85 (HST Included) / Articling

Student Cost: \$101.70 (HST Included) / Law Staff Cost: \$90.40 (HST Included)

Join the HLA for the 19th Annual Employment Law Seminar held via Zoom. Topics include, a Legislative Update, Challenges with Hybrid or Remote Work, Intersection of Long-Term Disability Benefits and Employment Law – A Case Study, Case Law Update and Employment Contracts: Special Clauses, Pitfalls and Validity. This program is accredited for 2.5 hours of Substantive Content and 0.5 Hours of Professionalism Content.

[Click here](#) to fill out the form to register.

Please email form to: szordan@hamiltonlaw.on.ca

THE 36TH ANNUAL JOINT INSURANCE SEMINAR

Thursday December 1st, 2022, from 9:00am – 2:00pm

HLA Member Cost: \$217.30 (HST Included) / Non-Member Cost: \$247.73 (HST Included) / Articling

Student and Law Staff Cost: \$121.69 (HST Included)

Join the HLA for the 36th Annual Joint Insurance Seminar. Topics include, Updates on the Courts, Top Tort Cases, Medical Malpractice: Take a Walk on the Wild Side, Partial Settlement Agreement; Pierringer meets Mary Carter, Epidemiology Update, Top AB Cases & LAT Update, A Primer: Biomechanical Engineering Analysis, Products Liability Update, Appraisals and Challenging Engineering Evidence. This program is accredited for 5.00 Hours of Substantive Content and up to 1 Hour may be claimed as Professionalism Hours.

[Click here](#) to fill out the form to register.

Please email form to: szordan@hamiltonlaw.on.ca

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 send your concerns to Katie at katie.robinette@fola.ca and they will be relayed 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 to 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.