



**FOLA'S WEEKLY UPDATE**  
**October 26, 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:**

**ICYMI- CRIMINAL:** On October 7<sup>th</sup>, the OCJ sent out the following Notice re: Clarifying the Mode of Counsel's Appearance under the Interim Guidelines re Mode of Appearance for Ontario Court of Justice Criminal Proceedings. You can read that Notice [here](#).

**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 [ONCA Resource Page](#).

**RECOVERY SECRETARIAT**

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

**FOLA**

- ❖ **LiRN ADVOCACY:** FOLA has been running a Law Library/Practice Recourse Centre advocacy campaign geared towards Benchers. The timing of this campaign was to help educate current Benchers as they plan to vote on their 2023 Budget tomorrow. You will also find a copy of FOLA's letter to Benchers and some Association and member letters [here](#), along with other letters from Associations and individual members. We will be ramping up a similar campaign geared towards Bencher candidates in advance of the elections. Learn more on our [Courthouse Library Action Centre page](#).
- ❖ **FOLA IN THE NEWS:** "[FOLA urges LSO benchers to support 'sustainable' funding of courthouse law libraries](#)" - Article in The Lawyer's Daily quoting FOLA Chair, Douglas Judson,

about FOLA's letter to LSO benchers urging them to “support full and sustainable funding” of courthouse law libraries when they vote on the 2023 budget.

- ❖ **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](mailto:katie.robinette@fola.ca) and put Court Staff in the subject line.
- ❖ **FOLA REAL ESTATE UPDATE:** FOLA has a new Real Estate Update out. If you haven't seen it yet, you can find it [here](#).
- ❖ **MORE REAL ESTATE NEWS - PROPOSED REGULATIONS UNDER PROHIBITION ON THE PURCHASE OF RESIDENTIAL PROPERTY BY NON-CANADIANS ACT:** On October 21<sup>st</sup>, Mark Giavedoni, FOLA's Real Estate Chair, sent a letter to Ministers Freeland, Lametti, and Hussen from outlining our (rather serious) concerns regarding the Proposed Regulations under Prohibition on the Purchase of Residential Property by Non-Canadians Act. You can access that letter [here](#).
- ❖ **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](#).

## 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 24<sup>th</sup> 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](mailto:katie.robinette@fola.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.
- ❖ **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 tomorrow (October 27, 2022). Among other things, the Benchers will be voting on the LiRN Budget. You can view all materials (including the Audit & Finance Report where the LiRN Budget can be found) on the [LSO website](#).

## 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

### FAMILY LAW SEMINAR

**Thursday October 27<sup>th</sup>, 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](mailto: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](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](#)

### **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](mailto:ksolmaz@hamiltonlaw.on.ca)

### **BUSINESS VALUATIONS & INCOME ANALYSES: NAVIGATING VALUATIONS POST-PANDEMIC**

**Date: Tuesday, November 8 - 4-5pm (VIRTUAL)**

**Speaker:** Trevor Hood, SB Partners LLP

Topics to be discussed:

**Business valuation considerations:** Valuations 101 refresher; Business cash flow considerations; Specific commentary on impact of government assistance;

**Business risk considerations:** Valuation date timing; Impact to valuation approach

**Income for support considerations:** General income for support overview; Corporate attribution considerations/impact (including timing of year-ends); Specific commentary on impact of government assistance; Dealing with non-recurring items

[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.](#)

## **A FOLA MEMBER'S GUIDE TO ASSEMBLING, SHARING, AND SERVING LEGAL DOCUMENTS**

**Wednesday November 16th at 11:00 a.m. or Thursday November 17th at 4:00 p.m. – LIVE WEBINAR**

See why over 500 Canadian law firms and over 15,000 lawyers and staff practice secure file sharing and automated document assembly.

In this 30-minute session, we'll share how you can:

- \* Protect your clients and firm when sharing documents
- \* Serve parties electronically without an Affidavit of Service
- \* Easily generate court forms and letters in minutes
- \* Eliminate errors and reduce your exposure to risk
- \* Never miss a deadline or due date

**All attendees will be entered into a draw for a \$50 Amazon gift card and the winner announced at the end of the webinar!**

[Register here](#)

## **THE 19<sup>TH</sup> 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 19<sup>th</sup> 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](mailto:szordan@hamiltonlaw.on.ca)

## **THE 36<sup>TH</sup> 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 36<sup>th</sup> 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](mailto: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](mailto: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](mailto: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](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.