



# COVID-19 & THE PRACTICE OF LAW

## WEEKLY UPDATE

Fola.ca

### COVID-19 - WEEKLY CHECK IN LOG #24

September 2, 2020

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

- ❖ In case you have not yet been able to join a live virtual training/info session on CaseLines (Ontario's new, online cloud-based document sharing platform to support in-person and virtual court proceedings), you can watch a recording [here](#). You can also view an 18-minute CaseLines tutorial on how to access, update, invite people and review evidence for cases [here](#).
- ❖ All lawyers are reminded (again!) to ensure that e-filings with the COA are in accordance with their filing requirements. You can find those [here](#).
- ❖ The Court of Appeal is on track to meet the Phase 2 re-opening date of September 14<sup>th</sup> and are in the process of modifying Courtrooms as needed.
- ❖ The COA is hoping to put out a Notice shortly (within the next two weeks) regarding plans to resume limited appeals with a likely priority on longer and/or complex matters for both in-person and virtual appeals.
- ❖ The SCJ issued a Supplementary Notice to the Profession and Litigants in Civil and Family Matters Including Electronic Filings and Document Sharing today (September 2). You can read that [here](#).
- ❖ will be releasing a new Notice today regarding CaseLines and e-filing that outlines responsibilities of involved parties.

##### 2. MAG

- ❖ Ministry of the Attorney General's online tool for searching information about criminal and civil matters in the Superior Court of Justice is now live. [Click here](#) for further information about how to register and use it.
- ❖ **REMINDER:** You can file civil case documents online in the SCJ without having to go to court [here](#).

##### 3. RECOVERY SECRETARIAT

- ❖ Infrastructure Ontario is now releasing weekly Courthouse HVAC data through the Recovery Secretariat. FOLA receives this information and has been forwarding it to the Librarians. If you are interested in obtaining this information, please contact your local law librarian. They are currently testing a SharePoint website to allow access to downloadable data. In the meantime, this data will continue to be shared with librarians weekly via email.

- ❖ They are currently on track to meet the September 14<sup>th</sup> goal of having all base Courthouses open and are currently planning for Phase 3 when they will begin expanding the number of open Courtrooms in each Courthouse.
- ❖ The Recovery Secretariat and MAG have appointed Michael Waby as the lead for Juries. They are currently developing plans to resume Jury trials (exploring external sites and site needs, in-house needs, building their team, etc).
- ❖ **REMINDER:** Questions about Courthouse re-openings can be directed to Samantha Poisson at [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).

#### 4. LSO

- ❖ **REMINDER:** As part of its mandate, the Law Society recommends and makes appointments to a variety of boards, councils and committees. Currently, the LSO is seeking applications for the following:
  - [Justices of the Peace Appointments Advisory Committee \(Toronto region\)](#)
  - [Federal Judicial Advisory Committee](#)
  - [Civil Rules Committee](#)
  - [Family Rules Committee](#)
 Find more information and submit an application at: [www.lso.ca/appointmentapplication](http://www.lso.ca/appointmentapplication)
- ❖ The LSO is currently recruiting for a Chair, Law Society Tribunal. More information can be found [here](#).

#### 5. LAO

- ❖ Legal Aid Ontario mentioned that Duty Counsel will be available to act as Agents for the private bar for custody matters and for bail and remand matters.

#### 6. FOLA

##### ❖ **SUBMISSIONS:**

##### 1. **JUSTICE SECTOR CONSULTATIONS: MANDATORY MEDIATION AND ONE-JUDGE MODEL**

The Attorney General is seeking input and perspective from FOLA on legislative potential changes to the mandatory mediation program and a single-judge model (building on the current One Judge Pilot Program) in the Superior Court of Justice. Input from members for consideration in FOLA's submission is Friday, September 4th at 5pm but if your Association and/or individual members would like to send your own submission to the AG the deadline is September 11, 2020. [Visit here for more information.](#)

##### 2. **LEGAL AID - CALL FOR ACTION**

On August 20th, FOLA sent a letter to Justice Minister Lametti requesting he work with Ontario's Attorney General to address the shortfall in funding to Legal Aid Ontario as a result of the Law Foundation's decreased revenues due to lower interest rates. You can read that letter [here](#). FOLA is now calling on all Associations to send similar letters to their local MP. If you would like to see a template for such a letter, please email [Katie.Robinette@fola.ca](mailto:Katie.Robinette@fola.ca).

##### 3. **FAMILY LEGAL SERVICES PROVIDER (FLSP) LICENSING MODEL CALL FOR COMMENT:** The Law Society's Access to Justice Committee is inviting lawyers to provide comments on a FLSP Licensing model. The proposed scope of permissible activities, required competencies, and outline of the training program are detailed in the Access to Justice Committee's FLSP License Consultation Paper. FOLA is preparing a submission and if you would like to offer input for our Submission, please email [Katie.Robinette@fola.ca](mailto:Katie.Robinette@fola.ca) and put "FLSP" in the subject line by October 15, 2020. [See more.](#)

##### 4. **REMOTE HEARINGS:** The e-Hearings Task Force (of which FOLA is a member) has drafted some documents that have been designed to help you prepare for Remote Hearings (which you can find on our Courts page [here](#)). If you have participated in a remote hearing and have some additional suggestions, FOLA would love to hear them! Please email Katie Robinette at [katie.robinette@fola.ca](mailto:katie.robinette@fola.ca) and put "REMOTE HEARINGS" in the subject line.

##### ❖ **EVENTS:**

**SPECIAL FOR LAW ASSOCIATION MEMBERS!** Clío's Cloud Conference (Oct 13-16 – 11am-4pm EST each day) brings together the best and brightest from the legal, business, and technology worlds for the

industry's top conference. All sessions are recorded and available on demand. Clio is offering all Law Association members conference passes for only \$99 (a \$200 discount). You can learn more and register [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](mailto: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. If your concerns are related to issues surrounding health and safety measures as the Courts expand in person operations, please indicate the name of the Courthouse and the steps you have already taken to address your concerns to [MAGrecoverysecretariat@ontario.ca](mailto:MAGrecoverysecretariat@ontario.ca).