



COVID-19 & THE PRACTICE OF LAW

WEEKLY UPDATE

Fola.ca

COVID-19 - WEEKLY CHECK IN LOG #17

July 15, 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 and Department staff

Issues discussed:

1. Courts

- ❖ The COA issued a Practice Direction on July 13th re: electronic conduct of Matters during the COVID-19 Emergency. You can read that [here](#).
- ❖ The SCJ issued a Notice on July 10th re: continued suspension of Small Claims Court operations due to COVID-19. You can read that [here](#).
- ❖ Last week, FOLA noted that we were expecting a Regional Notice from the SCJ for the Northwest. No notice was issued and there was no update on when we may expect that. To see all Regional Notices click [here](#).
- ❖ Last week, FOLA referenced an online searchable docket portal which will be fully accessible to both the profession and the public that the SCJ and the Ministry of the Attorney General (MAG) are building. We mentioned that MAG would be able to provide more information by this week but, there was no representative from MAG able to join the call to provide that. We will keep you posted.
- ❖ The College Park (Toronto) Courthouse remains closed.

2. MAG

- ❖ On July 14th, MAG issued a set of proposals to establish a regulatory framework that enables virtual acts of commissioning. Comments are due by July 22nd. Read the proposals [here](#). Prior to the release of these regulatory proposals, FOLA sent a submission to the AG on virtual commissioning and virtual notarization, which you can read [here](#).

3. OTLA

- ❖ The OTLA are working on a solution to help ease the backlog of civil cases through the creation of a working group exploring a Judge Pro Tempore program that is similar to one offered through the Philadelphia Bar Association. Senior Counsel would volunteer to serve as neutral parties to help settle cases. The OTLA is working with the SCJ to set up a pilot project and is working to create a database of lawyers who would serve, pro bono, as neutral independent arbitrators.

4. FOLA

❖ **RE-OPENING OF THE COURTS:**

Wondering what to expect when visiting a courthouse? Visit our [Courts](#) page on our website to access a link to get pre-screened, a video, and a guidebook.

❖ **REMINDERS:**

1. **LIBEL & SLANDER ACT CONSULTATIONS:** The Ontario's Attorney General has a **call for submissions/comment on Ontario's Libel & Slander Act**. Submissions are due August 1st and FOLA is preparing a submission. If you would like to share your thoughts for FOLA to consider as we prepare our submission, please visit [here](#) for more information and email your comments to Katie.Robinette@fola.ca with "LIBEL & SLANDER" in the subject line by July 20th.
 2. **DISCOUNT RATE CALL FOR SUBMISSIONS:** The Court of Appeal has asked FOLA to prepare a submission regarding the report of the Discount Rate Subcommittee of the Civil Rules Committee dated April 27, 2020 and entitled "[Report to the Civil Rules Committee on rules 53.09 and 53.10](#)". If you would like to offer input, please email your comments to Katie.Robinette@fola.ca with "DISCOUNT RATE" in the subject line by July 20th. [See more](#).
 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 Licence Consultation Paper. FOLA is preparing a submission and if you would like to offer input for our Submission, please email Katie.Robinette@fola.ca and put "FLSP" in the subject line by October 15, 2020. [See more](#).
 4. **MEMBER BENEFIT - PILOT PROGRAM:** Is your association struggling to recruit new members? Looking to add value for your existing members? FOLA is exploring a partnership with TELUS Business and we are looking for two or three Law Associations to pilot a great deal on Business Plans! If you are interested in learning more, please email katie.robinette@fola.ca with "TELUS PILOT" in the subject line to discuss how FOLA might include your Association in the pilot.
 5. **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 and put "REMOTE HEARINGS" in the subject line.
- ❖ **FAVOUR:** FOLA is looking for content for our now-regular "Association Shout-out" section in our August newsletter. If your Law Association is doing something that you consider unique that is either giving back to the community or helping to engage your members, please do share this with Katie at katie.robinette@fola.ca. The goal of this section is to get other Associations to either copy your idea or adapt it into something that they, too, might be able to offer their members. Thanks!

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 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.