



COVID-19 & THE PRACTICE OF LAW

WEEKLY UPDATE

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COVID-19 - WEEKLY CHECK IN LOG #54

April 21, 2021

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

- ❖ On April 20th, as a result of the strengthened stay-at-home order and the critical situation with the pandemic, the SCJ issued an Updated Notice to Profession and Public Regarding Court Proceedings ([here](#)). Note that even virtual trials are affected.
- ❖ The stay-at-home orders do not affect any virtual trials at the Court of Appeal of Ontario. It is not known yet if a Notice is being planned by the OCJ.
- ❖ On April 16th, Chief Justice Morawetz's Supplementary Notice to the Profession and Litigants in Civil and Family Matters Regarding the Caselines Pilot, E-Filing, and Fee Payment was amended today to require the uploading of a Participant Information form (instead of a counsel slip). Other amendments include clarifications and an implementation update. More information is available in the notice [here](#).

2. MAG

- ❖ [BILL 245, Accelerating Access to Justice Act, 2021](#), received Royal Assent on April 19th and will come into effect on a date determined by the Lieutenant General. More information on Bill 245 can be found [here](#).
- ❖ MAG Court Services have increased the size cap on files accepted by their system. Details can be found online once logged in.
- ❖ **CASELINES & JUSTICE SERVICE WORKING GROUP:** MAG has agreed to arrange for CaseLines and Justice Service Ontario working groups to discuss ways to improve the systems and provide input. If you have comments to share, please send those to Katie at katie.robinette@folo.ca. Your comments will be shared with the group.

3. RECOVERY SECRETARIAT

- ❖ **REMINDER: VACCINE INFORMATION:** The Recovery Secretariat issued a Notice titled "[March Vaccination Sector Information - courts and justice system workers \(including probation and parole\)](#)" to provide information to support an understanding of occupations that may be considered essential within the "courts and justice system workers (including probation and parole)" category. You are encouraged to continue to monitor the [Getting a COVID-19 vaccine in Ontario webpage](#) and to connect with your local public health unit for details about when and how you, or your staff, could get a vaccine and review the Ministry of Health's document called [COVID-19: Guidance for Prioritization of Phase 2 Populations for COVID-19 Vaccination](#) which provides additional clarity.
- ❖ **REMINDER!** Version 6 of the Recovery Secretariat's Guidebook, "COVID-19: Recommended Precautionary Measures for Resuming Court Operations" is now available on [Ontario.ca](#), in both [English](#) and [French](#). As a

reminder, the Guidebook is a living document and may continue to be updated over time, in response to feedback and/or evolving provincial guidance regarding COVID-19.

- ❖ **REMINDER:** Questions about Courthouse operations during COVID-19 can be directed to Samantha Poisson at MAGrecoverysecretariat@ontario.ca.

4. FOLA

- ❖ **LIBRARY ACTION CENTRE:** FOLA has created a [Law Library Action Centre](#) -complete with curated social media posts and some images for you to share. Please take a moment to visit and send a tweet or two. Tag FOLA (@Ont_Law_Assoc) and we will share all your Law Library advocacy posts! [Here's the link!](#)
- ❖ **SMALL CLAIMS COURT WORKING GROUP - COMMENTS/SUGGESTIONS WELCOME:** Jane Robertson is FOLA's representative on the Small Claims Court Working Group, whose mandate is to assist with formulating revisions to forms and process given the impact of the Covid-19 epidemic on the operations of the Small Claims Court. Jane is welcoming feedback and insight from the perspective of both the practicing bar and the per diem Deputy Judges who practice and preside in the Small Claims Court, Superior Court of Justice, Ontario. Feel free to contact her with suggestions and/or queries that you wish to come to the attention of the Small Claims Court Working Group. Please be advised that while she may not be able to answer your questions directly, she will bring your queries and comments to the attention of the working group. Jane can be reached by email at: jajadiver@bellnet.ca

5. LAWPRO

- ❖ As a result of Bill 245, changes will be made to the process for virtual signing. LawPRO will be issuing a notice in the coming days with details and instructions.

6. LAO

- ❖ **CONSULTATIONS:** Legal Aid Ontario will begin seeking input on possible new rules to govern legal aid in Ontario. On April 20th, FOLA participated in a technical briefing hosted by LAO and attended by all members from the Alliance for Sustainable Legal Aid (ASLA). We will be meeting again with LAO on April 29th to raise initial concerns/questions/comments and have been asked to submit our initial issues by the end of this week to the ASLA team. We appreciate the timeline is short, but if you have any initial thoughts/questions you would like us to raise, kindly send them to me at katie.robinette@folo.ca ASAP. More information about the consultations, including links to the draft rules, can be found [here](#).

7. LSO

- ❖ The Law Society of Ontario's Technology Task Force's "Regulatory Sandbox for Innovative Technological Legal Services" Report is scheduled for consideration at tomorrow's Convocation (April 22nd). If approved, a five-year pilot project will be launched in Q4 of 2021. [Learn more](#).

8. FEDERAL GOVERNMENT

- ❖ The Federal Government is conducting a Canadian Legal Problems Survey (CLPS) to identify the kinds of serious problems people face, how they attempt to resolve them, and how these experiences may impact their lives. The information collected will be used to better understand the various methods people use to resolve problems - not just formal systems such as courts and tribunals, but also informal channels such as self-help strategies. The survey aims to gather information that will help governments better understand the characteristics and mechanisms involved in those situations, evaluate Canadian's access to legal help and costs associated with legal issues. The survey results will inform the development of tools and measures to support Canadians experiencing legal issues and will be used in the evaluation of federal contributions to civil legal aid. In addition, the information will be used to inform and develop programs to address Canadians' legal needs and problems, such as supporting community justice centres, enhancing legal literacy and other people-centred approaches to access to justice. While it is designed for consumers of legal services, you may still be interested in taking part. The survey closes on April 30th. [Learn more 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 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.