



# COVID-19 & THE PRACTICE OF LAW

## WEEKLY UPDATE

Fola.ca

### COVID-19 - WEEKLY CHECK IN LOG #53

April 14, 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

- ❖ Effective April 12, 2021, the Small Claims Court will no longer be scheduling hearings based on request forms. Hearings will be scheduled as per the requirements of [this Notice](#).
- ❖ On April 9, the SCJ issued a Supplementary Notice to the Profession and Litigants in Civil and Family Matters Regarding the CaseLines Pilot, E-Filing, and Fee Payment. You can view that Notice [here](#).

#### 2. MAG

- ❖ **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](mailto: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](mailto: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!](#)

- ❖ **SUBMISSIONS:** FOLA has made two recent submissions to MAG: 1. The Provincial Offences Act (POA); and 2. Remote Notarization. Both are available [here](#).
  - ❖ **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](mailto:jajadiver@bellnet.ca)
- 5. LAWPRO**
- ❖ LawPRO has some newly published information around the government of Ontario's optional simplified process for probating small estates which came into effect on April 1, 2021 and applies to estates with assets of less than \$150,000. You can access that [here](#).
- 6. LAO**
- ❖ Starting next week (April 21<sup>st</sup>), Legal Aid Ontario will begin seeking input on possible new rules to govern legal aid in Ontario. You can learn more [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 on the April 22, 2021 Convocation agenda. If approved, a five-year pilot project will be launched in Q4 of 2021. [Learn more](#).
- 8. LAW COMMISSION OF ONTARIO**
- ❖ The LCO's new report, Regulating AI: Critical Issues and Choices (about how to regulate AI and automated decision-making (ADM) systems used by governments and other public institutions) is now available. [Learn more](#).
- 9. FEDERAL GOVERNMENT**
- ❖ **DIVORCE ACT TRAINING:** Due to popular demand, two final training sessions in English have been added Monday, April 19, 2021 - 2pm to 5pm EST: <https://www.eventbrite.ca/e/148956762687>  
Tuesday, April 20, 2021 - 12:30pm to 3:30pm EST: <https://www.eventbrite.ca/e/148981651129>  
If you have any questions, please contact: Public Inquiries (Family, Children, & Youth Section) at: [infofam@justice.gc.ca](mailto:infofam@justice.gc.ca)
  - ❖ 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 30<sup>th</sup>. [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](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).