



H & P E L A
HASTINGS & PRINCE EDWARD
LAW ASSOCIATION

NEWSLETTER

TO: H&PELA LAW ASSOCIATION MEMBERS

FROM: JUDITH DALE

DATE: DECEMBER 2022

**RE: ANNOUNCEMENTS, NEWS & UPCOMING
EVENTS**



1. WHAT'S NEW? NEED CPD HOURS?

Equity, Diversity, & Inclusion for Indigenous Peoples 2022

Location: View this webcast-only program from your home or office computer

Cost: \$50.00

Details: As legal professionals, each of us is called upon to better understand and implement our own journey on the path of reconciliation with First Nations, Inuit and Métis peoples in Canada. We continue these important discussions and engagement in this year's EDI program to gain a deeper understanding and appreciation of Indigenous history, culture and traditions, and how these connect and interact with our legal system. Presenters provide insights and practical advice on how the professions

can better serve Indigenous clients and their communities to give you insight on your role in this important process.

- Learn what responsibilities law schools owe to Indigenous and Non-Indigenous Students regarding Indigenous legal traditions
- Understand how you can improve access to justice for Indigenous people
- Be aware of the impact of false claims of Indigenous identity

<https://store.lso.ca/equity-diversity-and-inclusion-for-indigenous-peoples-2022>

DIVORCEMATE NEWS

One of the most frequently asked questions we get from our DivorceMate users is “how do I input dividends into a calculation?”

A dividend is a distribution of a corporation’s profits or surplus paid out to its shareholders. This income from dividends is taxed more favorably than other types of income.

The screenshot shows a 'New Item' form in the DivorceMate software. The search bar contains 'dividends'. The left sidebar lists categories under 'Income', including 'Taxable Cdn dividends (all)', 'Taxable Cdn Dividends (other than eligible)', 'Actual Cdn dividends (eligible)', and 'Actual Cdn dividends (other than eligible)'. The main form area is titled 'Employment Income' and contains input fields for 'Amount' (set to 0), 'Description' (set to 'optional'), and buttons for 'OK' and 'Cancel'. A note at the bottom explains that if the party is employed, the gross annual income should be input before deductions, including taxable benefit amounts.

There are several questions you need to consider when inputting dividends from a Canadian corporation into

DivorceMate:

1. Are you dealing with "eligible" or "other than eligible" dividends?
2. Are you inputting the "taxable" or "actual" amount of the dividends?
3. Does the party derive a "significant portion" of their income from dividends (in which case you may want to impute additional income to them because of the lower tax rates)?

Before inputting the dividends into the software, it is helpful to understand how dividends are taxed generally.

To learn more about how to input dividends into your DivorceMate calculation, download our step-by-step guide at [a75bbb67-8f77-4cc6-86ba-f2f6c278735c.pdf \(leaplegal.com\)](https://leaplegal.com/a75bbb67-8f77-4cc6-86ba-f2f6c278735c.pdf)

2. INFORMATION UPDATES

COURTS

COURT FEE INCREASES: Pursuant to regulation, court fees in civil, small claims and family matters in the Superior Court of Justice and Court of Appeal automatically increase every three years by applying the Consumer Price Index, **beginning January 1, 2023.**

To ensure continued access to justice, fee waiver eligibility thresholds are increased at the same rate. A complete list of the fee and fee waiver eligibility threshold increases can be found [here](#).

If you have any questions or comments, please contact Vaia Pappas, Director of the Operational Support Branch at (416) 326-2514 or by email at Vaia.Pappas@ontario.ca.

MINISTRY OF THE ATTORNEY GENERAL

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3. NEW ACQUISITIONS AT THE LAW LIBRARY

Books available for REFERENCE only – short-term loans

- Asma *Charter Remedies in Criminal Cases: Practitioner’s Handbook*
 - David *Prosecuting & Defending Fraud Cases 2nd edition*
 - Knight *Small Claims Court Procedure & Practice 5th edition*
 - Sopinka *Conduct of an Appeal (5th edition)*
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4. LIBRARY TEXT DISCARDS

Please note: due to the demand for the books, requests must be limited to **one item per individual**. Thank you.

The following books are being withdrawn from circulation. If you are interested in any of these titles, please phone or fax the library and the book(s) will be held for you.

If the text is of a size that can fit into the mailbox, you may pick it up at QCC from your mailbox on the first floor on request. If it is a larger text, it can be held in the law library for you to pick up at your convenience.

Martin	<i>Martin’s Ontario Criminal Practice</i>	2022
Orkin	<i>Orkin’s Law of Costs (2 vols. Loose leaf)</i>	2019
Pitel	<i>Conflict of Laws</i>	2016
Swan	<i>Canadian Contract Law</i>	3 rd edition
Waters	<i>Waters’ Law of Trusts in Canada</i>	4 th edition

5. LOCAL ASSOCIATION MEMBER HONOURED

Michelle Leering receives Order of Canada



Executive Director for the Community & Advocacy Legal Centre Michele Leering receives the Order of Canada from Governor General Mary Simon at Rideau Hall on Thursday, Dec. 1.

Local lawyer Michele Leering is among the most recent recipients of the Order of Canada, the second-highest honour for merit in Canada.

Last Thursday, Leering was invested into the Order of Canada by Governor General Mary Simon at Rideau Hall in Ottawa in recognition of her work as executive director of the Community Advocacy and Legal Centre in Belleville.

“It was overwhelming,” Leering said in a phone call with the Belleville Intelligencer. “I wish I could have been there with all the people that made it possible, because you can’t do this work alone.”

For the past 37 years Leering has been a tireless advocate for people who are disadvantaged and marginalized. While she is grateful for the recognition of her work, she is disappointed that such work is still necessary. “What’s tragic is the gap between where we are and where we should be as a society, that this much help is needed to empower people are disadvantaged and marginalized and that the need is still so great. I’m in my 37th year at (CALC) now, and the need is as great as it was then,” Leering said.

Back when she started, Leering said she and her colleagues across the province raised concerns about an insufficient minimum wage, advocated for universal basic income, and called for increases to social support such as Ontario Works and Ontario Disability Support Program.

“One of the first projects we worked on was helping to get the local food bank in Belleville started, and I remember thinking back then that if people were lining up for food, surely people will see that income rates on minimum wage are inadequate,” Leering explained. “Instead, nothing changed and now food banks are institutionalized throughout our service area and elsewhere.”

Despite the growing need for increased social support and higher wages, Leering points out that the provincial government has consistently cut funding for these programs. Under Conservative Premier Mike Harris in 1995, the Ontario government slashed welfare payments by 21.6%, which Leering says has still not recovered. Most recently, Ontario Premier Doug Ford increased Ontario Disability Support Program by 5% (amounting to about 60\$ per month) but did not increase Ontario Works payments despite both payments placing recipients well below the poverty line.

While policies have not caught up, Leering says that over her tenure she has seen a significant shift in attitude. “The community attitude towards people who are poor is much better than when I first moved to the area. There is way more awareness about the plight of folks, but unfortunately there hasn’t been the political will to make the situation much different and in some areas, it has actually regressed,” she said.

The most visible regression, Leering says, is housing.

“Way back then, the homelessness was more of the couch surfing sort and inadequate housing. Now of course, it’s much more visible,” she said. “It seems to be dire.”

While Leering continues to advocate for policy change at all levels of government, she also works hard to expand the mandate of CALC and provide as much legal support for people across the region.

“We can’t take every case to court that needs to go to court, but we can support people to get advice and file complaints to the ministry. Our goal is that people know more about their legal rights, and that they are empowered to take action on that,” she said.



6. FOR LATEST PRACTICE INFORMATION:

LEGAL AID ONTARIO UPDATES: <https://fola.ca/legal-aid>

CRIMINAL LAW UPDATES: <https://fola.ca/criminal-law>

REAL ESTATE LAW UPDATES: <https://fola.ca/real-estate-law>



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