

## NEWSLETTER

**TO: H&PELA LAW ASSOCIATION MEMBERS**

**FROM: JUDITH DALE**

**DATE: AUGUST 2022**

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

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### 1. WHAT'S NEW?

#### **FEATURED MEMBER REWARD PARTNER** **ENTERPRISE AND NATIONAL CAR RENTAL**

FOLA is pleased to offer you deals on Enterprise Business Car Rentals and membership in their Emerald Club Program.

- ~ Bypass the counter at select National locations and choose your own car;
  - ~ Earn Free Rental Days;
  - ~ Receive convenient Arrival and Return Alerts;
  - ~ Receive E-receipts for faster returns;
- ~ Earn Emerald Club member benefits while enjoying your corporate discount.

<https://fola.ca/member-rewards>

# CPD EVENTS

**APPELLATE ADVOCACY SKILLS TRAINING SERIES  
FOR MEMBERS OF ROUNDTABLE OF DIVERSITY ASSOCIATIONS**  
*Organized in collaboration with the Court of Appeal for Ontario,  
The Advocates' Society and the Ontario Bar Association*

## Overview

This four-part series is designed to provide appellate advocacy skills training and mentoring to advocates from equity-seeking communities, including those represented in the **Roundtable of Diversity Associations (RODA)**, and to educate faculty about the unique issues facing advocates from these communities. The desired outcomes of this program are:

- To foster an environment for continued meaningful dialogue between lawyers from equity-seeking communities, the bench, and other members of the bar.
- To provide lawyers from equity-seeking communities with a unique training and mentoring opportunity that will enhance their advocacy skills, and provide them with practical advocacy tips and strategies that can be incorporated into their practices.

This four-part program is limited to 32 participants who have been invited to participate on recommendation of their RODA organization or other organization focused on lawyers from equity-seeking communities.

## Eligibility

**All participants must commit to attending all four parts of the program.**

The program dates and times are as follows:

- **Town Hall: Thursday, October 6, 2022, 5:30 pm - 7:30 pm**
- **Mentoring Dinner: Wednesday, December 7, 2022, 6:00 pm - 8:30 pm**
- **Appellate Advocacy Skills Training: Friday, March 24, 2023 (9:00 am – 12:00 pm) and Saturday, March 25, 2023, (9:00 am – 1:00 pm)**

This program is best suited for advocates in their third to tenth year of practice, based in Ontario, who are members of equity-seeking communities (including those represented in RODA), and who have had inadequate opportunities for appellate advocacy skills training and mentoring. Participants from past iterations of the Advocacy Skills Training Series (trial skills) will be eligible, but efforts will be made to provide opportunities to new participants.

**All participants must be a member of a RODA organization.**

The total cost to attend the entire series is **\$175 + HST**.

The total estimated eligible CPD Hours:\*

- **2022 4.5 total EDI Professionalism and Professionalism Hours**
- **2023 6.5-7.0 total EDI Professionalism, Professionalism and Substantive Hours**

\*This estimate is subject to confirmation as the program draws nearer.

The application deadline is **September 21, 2022, at 4:00 pm**.

<https://www.surveymonkey.com/r/APPELLATE-ADVOCACY>

Faculty will include judges of the Court of Appeal for Ontario, faculty members from The Advocates' Society and the Ontario Bar Association, and senior members of organizations represented in RODA.

**Town Hall: Thursday, October 6, 2022, 5:30 pm - 7:30 pm**

*Estimated Eligible CPD Hours: 2.0 EDI Professionalism Hours*

*In-Person at the Ontario Bar Association*

*[Pivot strategy: Virtual panel discussion followed by small-group breakout rooms]*

The Town Hall will provide an opportunity for participants to discuss their experiences in the justice system and for faculty to learn about these experiences. A panel discussion will be followed by an "open mic" forum. Participants may bring questions and comments or submit them anonymously in advance. Discussion points from the Town Hall will be used to help generate topics for the Mentoring Dinner.

**Mentoring Dinner: Wednesday, December 7, 2022, 6:00 pm - 8:30 pm**

*Estimated Eligible CPD Hours: 2.5 Hours, split between EDI Professionalism Hours and Professionalism Hours*

*In-Person at the Ontario Bar Association*

*[Pivot strategy: Virtual speed-mentoring with alternating breakout rooms]*

The Mentoring Dinner will feature a panel discussion followed by a series of roundtable discussions where faculty members will act as mentors. Participants will be encouraged to share their views on the topics and solicit general or practice-specific advice from mentors, including about relevant advocacy tools and skills. Discussion points from the Mentoring Dinner, as well as the Town Hall, will help to inform the Appellate Advocacy Skills Training.

**Appellate Advocacy Skills Training: Friday, March 24, 2023 (9:00 am – 12:00 pm) and Saturday, March 25, 2023, (9:00 am – 1:00 pm)**

*Estimated Eligible CPD Hours: 6.5-7.0 hours; breakdown among EDI Professionalism, Professionalism and Substantive Hours will be contingent on exact topics.*

*In-Person at the Ontario Bar Association*

*[Pivot strategy: Both Parts 1 and 2 could be held virtually; Part 1 would be a plenary session with an opportunity for Q&A throughout; Part 2 would be held in small-group breakout rooms.]*

The Appellate Advocacy Skills Training will allow participants to develop, improve and hone their appellate advocacy skills. This program will take place in two parts, held on the same day:

Part 1: Plenary session

Topics, which are yet to be finalized, could include:

- Preparation and strategy for developing arguments on appeal
- Oral appellate advocacy (choosing areas of focus, articulating ideas clearly, answering questions)
- Written appellate advocacy (writing persuasively, honing in on issues)
- Remote appellate advocacy (using technology, using visual aids)
- Specific topics such as the appeal record, fresh evidence, motions and costs
- Demonstrations and commentary by faculty
- Additional topics arising out of Town Hall and Mentoring Dinner discussions
- Additional topics responding to changes in the justice system (as applicable)

Part 2: Learning-by-doing skills workshop

- Participants will prepare and practise their oral appellate advocacy skills based on a simulated case file and receive immediate feedback from faculty.
- The exact exercises are yet to be determined. Oral submission exercises may be based on two different aspects of appellate advocacy – e.g. argument on substantive appeal and motion to admit fresh evidence – or each participant may be asked to argue the appellant’s and respondent’s position of the same appeal.
- Faculty will act as judges during the participants’ oral submissions (i.e. asking questions) in addition to providing feedback.
- Participants’ oral submissions may be video-recorded and replayed during the providing of feedback.
- Feedback will focus on essential elements of appellate advocacy, including articulation of ideas confidently and clearly, ability to answer questions effectively, body language and voice control.

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**MINISTRY OF THE ATTORNEY GENERAL**

❖ SUPERIOR COURT OF JUSTICE UPDATES

On August 2<sup>nd</sup>, the SCJ announced that the [Notice to the Profession, Parties, Public and the Media](#) has been amended to clarify parties' responsibilities in civil and family matters regarding (1) filing books of authorities and facts, (2) providing accurate hearing-time estimates, and (3) bringing to the attention of the court all relevant material facts and the authorities that establish the legal proposition relied upon (as it is not sufficient to merely upload filed materials to CaseLines). See Part II, paragraphs 1-4 and Part III, paragraphs 16-18.

## MINISTRY OF THE ATTORNEY GENERAL & SOLICITOR GENERAL (ONTARIO)

### ❖ eINTAKE

The Ontario government has expanded the use of the eIntake digital platform to include the Eastern region, making the platform available right across the province. eIntake expedites the process for law enforcement officers to file criminal charges electronically and streamlines the information shared between police, other enforcement agencies and courts in real time. It also allows Justices of the Peace to enter their decisions, sign documents digitally and request additional information from law enforcement officers online. The eIntake system is now being used by 64 enforcement agencies and 129 courthouses across Ontario. It is among a series of digital initiatives the Ontario government is taking to build a justice system that is seamless, simple and efficient. See announcement at <https://news.ontario.ca/en/release/1002208/ontario-platform-enabling-electronic-filing-of-criminal-charges-now-available-provincewide>

### ❖ NEW MINIMUM EXPERIENCE REQUIREMENTS FOR ROSTER MEMBER

**AUTHORIZATIONS:** In accordance with the Legal Aid Services Act, 2020 (LASA 2020), Legal Aid Ontario (LAO) is implementing minimum experience requirements that roster (formerly panel) members must meet in order to provide legal aid certificate services and duty counsel services in specific areas of law. These new minimum experience requirements replace the existing standards for roster members and are part of a broader effort to modernize the administration of legal aid services. The new minimum experience requirements for roster member authorizations were effective as of August 10, 2022. Learn more [here](#).

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## 2. NEW ACQUISITIONS AT THE LAW LIBRARY

### Law Society of Ontario Continuing Professional Development

- *19<sup>th</sup> Real Estate Law Summit*

### Books available for REFERENCE only – short-term loans

- Lederman     *Sopinka's Law of Evidence in Canada* 6th edition
  - Swan         *Canadian Contract Law* 4<sup>th</sup> edition
  - Waddams     *The Law of Contracts* 8<sup>th</sup> edition
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### 3. 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.*

Carthy	<i>Ontario Annual Practice &amp; forms</i>	2021-2022
Glaholt	<i>Annotated Ontario Construction Lien Act</i>	2018
Rintoul	<i>The Practitioner's Guide to Estate Practice in Ontario</i>	6 <sup>th</sup> edition
MacDonald	<i>The Divorce Act</i>	2021
Watt	<i>Watt's Manual of Criminal Evidence</i>	2021

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### 4. MENTAL HEALTH CORNER

### LSO's WELL-BEING RESOURCE CENTRE

As a legal professional, your work may pose real challenges to your mental health. Research shows legal professionals are almost twice as likely to experience mental health issues like anxiety, stress, depression and addiction as the general population.

If you are struggling with mental health or want to better understand how to support clients, colleagues and family who are, keep reading. This well-being resource centre brings together a number of Law Society and community resources to support well-being in the professions.

<https://lso.ca/lawyers/well-being-resource-centre>

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### 5. REMINDER: CHECK THE FOLA WEBSITE FOR UPDATES ON THE LAW SOCIETY NEWS/ LEGAL AID ISSUES/ONTARIO COURTS

**DIRECTIVES & REOPENING PLANS OR OTHER ESSENTIAL INFORMATION AT <https://fola.ca/mag>**

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**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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