



NEWSLETTER

TO: MEMBERS, HASTINGS COUNTY LAW ASSOCIATION

FROM: JUDITH DALE

DATE: MAY 2020

RE: ANNOUNCEMENTS, CORRESPONDENCE AND UPCOMING EVENTS



1. WHAT'S NEW?



uOttawa
Faculté de droit
Faculty of Law

**Centre des carrières et du développement professionnel
Career and Professional Development Centre**

Hiring tech savvy, focused and motivated law students on a contract basis is an economic way of ensuring that you can continue to meet the demands of your clients in these unprecedented times. We understand that employers are facing significant financial pressures during the current COVID-19 pandemic and that as you weather this storm, keeping on top of client files is more important than ever. We also know that some students have had offers of articling or summer employment rescinded due to the serious financial impact of the pandemic.

The uOttawa Faculty of Law is launching a new initiative to pair employers in need of short-term support with students eager to build on their practical experiences. Starting now, the Career and Professional Development Centre will post freelance or short-term contract opportunities for students. These contracts could, for example, be for a single piece of research, remunerated on an hourly basis, with a set number of hours allocated to the work.

Our intention is to support those in the profession that may need short term assistance but cannot commit to hiring a student full-time for the 2020 summer. These opportunities will also provide students in the legal community with an excellent opportunity to gain freelance experience, build

their entrepreneurial skills, and put their practical legal skills to good use while earning some modest remuneration.

If you would like to post a short-term opportunity, please fill out the [form](#). We will make the information available to our students. Please reach out to the Chantal Riendeau (criendea@uottawa.ca) at the Career and Professional Development Centre with any questions.

2. UNIVERSITY OF WINDSOR JOB OPPORTUNITIES

Additionally, the University of Windsor has created a short-term opportunity through their Career Services office to pair legal employers requiring short-term support with law students who are seeking to build practical experience. For further information please contact

Anna DeCia-Gualtieri, Director of Career Services at adecia@uwindsor.ca .

If you wish to post a short-term opportunity with the University, please fill out the form which has been sent together with the newsletter and email the form to Debbie Squillaro at

Debbie.squillaro@uwindsor.ca

3. UPCOMING COURSES: COLLABORATIVE TRAINING

“The second basic collaborative training course will be offered online over four (4) consecutive weeks in June, from Tuesday June 2 to Thursday June 25 with each session running from 9:30 am to 12:30 pm with an hour of outside reading or homework between or following these weekly sessions:

Tuesday, June 2 | Thursday June 4
Tuesday, June 9 | Wednesday June 10 | Thursday, June 11
Tuesday, June 16} | Thursday, June 18
Tuesday, June 23 | Wednesday, June 24 | Thursday, June 25

For more information about the program and to register go to:

<https://oacp.co/events/introductory-collaborative-training-by-zoom/>

Judith L. Huddart B.A., LL.B, Executive Director,
Ontario Association of Collaborative Professionals

1-416-925-4500

www.oacp.co

4. REAL ESTATE UPDATE

- **Remote Commissioning**

More and more lawyers are utilizing the emergency measures in place and witnessing/commissioning documents via video conference. On May 12, 2020, in the first of what are now “regular” sittings in the Ontario Legislature (“regular” because they will only sit on Tuesdays and Wednesdays and there are only 42 Members each day), the government passed Bill 190, COVID-19 Response and Reforms to Modernize Ontario Act. It makes some changes to the Commissioners for taking Affidavits Act, the Notaries Act, a number of Acts respecting corporations and partnerships, and the Condominium Act. The link, with explanation notes, is <https://www.ola.org/en/legislative-business/bills/parliament-42/session-1/bill-190>

NOTE: Solicitors should take the time to review the legislation. With respect to commissioning and/or notarizing documents the legislation completes the changes which had been moving forward prior to the state of emergency. Regulations to implement new procedural requirements will be forthcoming and we expect that FOLA will participate in the consultation process regarding the regulations.

- **Wire Transfer Fees**

FOLA has been receiving a great number of inquiries and reports relating to wire transfer fees as more and more lawyers choose to move funds for closing in this manner. There is at the present time no mandatory process for dealing with wire fees charged by most banks and financial institutions, however there seems to be growing consensus that wire transfers are acceptable and that each lawyer should be responsible for the fees or charges imposed by their own bank.

We suggest:

- 1) Determine early in the process if funds are to be exchanged via wire;
- 2) Consult your own financial institution to confirm their processes and fees;
- 3) Ensure that your financial institution will not collect wire fees by taking them from your trust account (we have many reports of this happening across the province); and
- 4) If three fees are not absolutely certain, consider a “holdback” from the client until the final wire fees are determined.

Solicitors should also be aware that there can be delays with wire transfers for multiple reasons. The Delayed Escrow Closing Agreement which is part of the Standardized Closing Documents can be accessed at <https://www.lawyersworkinggroup.com/>. This document provides an excellent starting point if closing is to be delayed.

- **Working Group – Mentoring Survey Question**

The latest Working Group mentoring survey question is available at <https://www.lawyersworkinggroup.com/mentoring-initiative>. Please take a few minutes to respond when you can.

The Working Group launched its mentoring initiative to mentor real estate lawyers on best practices. Because it does not have the resources to individually mentor, the concept is to create survey questions about various aspects of the work in a real estate transaction and then provide a comment in response to the survey results. It is hoped that this will generate discussion about the practice, encourage ideas to be shared and create an atmosphere to suggest best practices to better serve our clients and possibly create more efficient practice.

- **LDD Remote Signing Platform**

As we previously advised, Lawyer Done Deal has launched a Remote Signing Platform which is available to all lawyers free of charge. It allows lawyers to post documents to clients, host virtual

closing meetings and view client signing activity. More details about the platform can be found at <https://www.idd.ca/idd-remote-signing> .

A **short video** regarding the new platform is now available on the OBA website <https://www.oba.org/Innovator-in-Residence/Practice-Tool-Videos/Virtual-Closings/Virtual-Closings-LDD-Remote-Signing-Portal> .

5. FEDERATION OF ONTARIO LAW ASSOCIATIONS UPDATE

Congratulations to new FOLA Chair Bill Woodward and the rest of the FOLA directors and appointees on their election during these trying times.

6. MAY 2020 POST PLENARY REPORT SUMMARY

You can view the full Plenary Report at <https://img1.wsimg.com/blobby/go/63f6349d-d85d-4511-bc5f-4314d54b45d0/downloads/Post%20Plenary%20Report%20-%20May%202020.pdf?ver=1589838674418>

FOLA's spring 2020 Plenary had been scheduled to be held in Niagara Falls from May 13-15th. With a planned over-arching theme of Diversity in the Legal Profession and some amazing speakers and panelists confirmed, FOLA's Board was working away to create another great conference for members. However, due to the Coronavirus, we had to cancel our plans and on May 14th, FOLA hosted a short, business-only Plenary where Presidents or a delegate and a limited number of members and association and library staff met via Zoom to approve the annual financials, elect four new Regional Reps, and see William Woodward become our new Chair, taking over from Mike Winward.

As part of the Board turnover, three Board members stepped down and, while we are big fans of Zoom, convening through video was not an ideal way to express our gratitude for all their hard work! Those who served their last day on May 14th were Jaye Hooper (who completed her term as Past Chair), Rene Larson (Northwest), and Brigid Wilkinson (Northeast). Nathan Baker, who served as Central East Chair will continue as FOLA's LIRN Chair and John Krawchenko, who served as 2nd VC and Central South Regional Representative, moved up to 1st VC and stepped down as Central South Regional Rep. Taking their places are Douglas Judson (Northwest Region), Gordon Prisco (Northeast Region), Corey Wall (Central East), and Allen Wynperle (Central South). We also welcomed William Woodward as FOLA's new Chair.

LIRN highlights:

In addition to the elections, the Chair's report, the Executive Director's presentation (which you can view <https://img1.wsimg.com/blobby/go/63f6349d-d85d-4511-bc5f-4314d54b45d0/downloads/Executive%20Director%20Plenary%20Presentation%20-%20May%20.pdf?ver=1589389093290>), and our Treasurer's Report, registrants heard from Johanne Blenkin, LIRN Board Chair, and Neil Guthrie, LIRN Vice- Chair. Following self-introductions, Johanne and Neil provided a brief overview of the Board's plans – both immediate and long term.

- In the short term, the Board asked one of its directors, Rosalie Fox, former librarian with the Supreme Court of Canada, to assist with library staff/LIRN communications.
- To support law libraries during the pandemic, a number of law association librarians secured short term digital services to support libraries (from LexisNexis and Thomson Reuters). Nathan Baker, FOLA's library committee chair, and Rosalie Fox assisted.

- LIRN will be hiring a librarian for a 6-12 month contract starting in late June to work on updating the inventory of resources that was done a few years ago, start work on a new website and to act as a liaison with the county and local bar associations while the search for a permanent Managing Director continues.
- Once the interim person is in place, LIRN is planning on hosting a meeting with the FOLA Library Committee in June to answer pandemic related questions and to begin discussing needs and concerns. LIRN will also be reaching out to all shareholders and stakeholders as appropriate.
- LIRN's Board is continuing to establish governance policies and procedures.

You can watch the LIRN Presentation on the FOLA Plenary link.

e-Hearings Task Force highlights:

Participants also heard a brief update from Kristin Muszynski on the e-Hearings Task Force.

- The e-Hearings Task Force is represented by a member of FOLA, the OBA, the Advocates' Society, and other legal organizations.
- The Task Force was initially responsible for reviewing E-filing options that would work in our Court system.
- Recommendations for e-Filing have been submitted to the Courts and MAG.
- The Task Force has developed a "Best Practices for Remote Hearings" document, complete with checklists. You can access that at <https://folo.ca/courts>
- Members of the e-Hearings Task Force are also serving on a number of other Task Forces (Civil, Family, Criminal, and Small Claims) to assist with implementation and rollout.

You can view the Task Force Report on the FOLA website link at the top of the page.

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