

NEWSLETTER

TO: H&PELA LAW ASSOCIATION MEMBERS

FROM: JUDITH DALE

DATE: OCTOBER 2024

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

1. WHAT'S NEW? FREE 2024 CPD HOURS!

FOLA Spring Plenary 2024 – Recorded Sessions

FOLA provides access to many of the sessions from their Spring 2024 Plenary in the event you are interested in understanding what FOLA does and what representatives from your Association hear while at the plenaries in spring and fall each year. Many of the sessions are informative in terms of what is happening in the legal realm, and many of the sessions also qualify for CPD credits.

All recorded sessions are available [here](#) and the [agenda](#) is available, as well as some of the slide decks [Day 1 slides](#) and [Day 2 slides](#).

- Special Topic: Is a Me-Too Movement Overdue in Law? [Video](#) **55 minutes EDI**

- FOLA & LSO: Helping Underserved Communities [Video](#) **35 minutes**
Professionalism
 - Get An Edge: AI and Legal Tech Tools [Video](#) **45 minutes**
Professionalism
 - Solo Practice: The Good, The Bad and the Ugly [Video](#) **45 minutes**
Professionalism
 - AI as a Threat, a Competitor and a Promise [Video](#) **45 minutes**
Professionalism
 - LAWPRO Speaks: Social Engineering Frauds & Emerging Risks [Video](#) **30 minutes** **Professionalism**
 - How Our Firm Was Hacked [Video](#) **30 minutes** **Professionalism**
 - A2J Topics:
 - Paralegals in Law Libraries
 - Initial Findings from Access to Justice Study in Rural Ontario
 - Self-represented Litigants, Legal Information & Libraries[Video](#) **60 minutes** **Professionalism**
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2. NEW ACQUISITIONS AT THE LAW LIBRARY

Books available for REFERENCE only – short-term loans

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|---------------|--|
| ➤ Garg | <i>Detention, Arrest and the Right to Counsel</i> |
| ➤ Nemet-Brown | <i>Inquests, Coroners and Medical Examiners</i> |
| ➤ Thiele | <i>Practical Guide to the Law of Defamation</i> |
| ➤ Woolley | <i>Lawyers' Ethics & Professional Regulation (4th ed)</i> |
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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The following books are being withdrawn from circulation.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.

Hiltz	<i>A Guide to Consent & Capacity Law in Ontario</i>	2024
Joyal	<i>Prosecuting & Defending Offences against Children: A Practitioner's Handbook</i>	2019
Perry	<i>Canadian Patent Law</i>	2021
Segal	<i>Annotated Ontario Provincial Offences Act</i>	2023
Sherman	<i>Income Tax Act (vol.1 &2)</i>	2024

4. INFORMATION UPDATES

FOLA

For immediate release: October 28, 2024

Bail availability for certain criminal offences

The Federation of Ontario Law Associations (FOLA) shares the concerns of several other leading legal organizations with the provincial government's desire to eliminate the availability of bail for certain criminal offences.

A criminal charge is not a conviction. Those who are charged with crimes are legally innocent unless and until they are found guilty by a court of law. The province's position attacks due process and undermines the express language of the *Charter*, which guarantees the right not to be denied reasonable bail.

Lawyers are officers of the court. We assist it with the testing of evidence, witness credibility, and findings of fact in communities across Ontario every day. We have a front row seat to the police and prosecution's successes and shortcomings on a regular basis.

Consequently, as a representative of the provincial bar, we have serious concerns with any criminal justice reforms which presume the suitability and infallibility of law enforcement to serve as investigators, judge, and jury over the liberty of accused persons who have not faced trial.

Questions about police judgement are at the centre of the acquittal of Umar Zameer on murder charges earlier this year. Police accountability is also in the spotlight in cities across Ontario. To suggest that bare and untested investigations by officers ought to be sufficient to incarcerate citizens without due process opens our justice system to abuse, scandal, and targeted exploitation by the state.

FOLA is very concerned to see police associations cheerleading a bid to empower their members to suspend Ontarians' *Charter*-protected right to reasonable bail.

Contact:

Douglas W. Judson

Chair, Federation of Ontario Law Associations

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Bill 200, LSO Paperless Materials for County Libraries

Starting August 31, 2024, the LSO will be transitioning to a fully paperless format for all program materials and will be providing PDF copies only to library associations.

I will continue to put some of the more popular program materials into binders for the present.

However, should you wish to find the materials (depending upon when materials are provided by the speaker), you can go to *Infolocate* at: https://www.infolocate.ca/primo-explore/search?vid=LSUC&lang=en_US&fromRedirectFilter=true to search for the program.

If you wish to know when a program is being held, please consult the CPD calendar at <https://store.lso.ca/content/pdf/CPDFallCalendar2024.pdf>.

NOTE: The LSO may not produce PDFs for all programs, as it depends upon the materials they get from the speakers.

Notice: Amendments to Rules of Civil Procedure (O. Reg. 384/24)

On October 15, Ontario Regulation 384/24 was filed to amend the Rules of Civil Procedure, R.R.O. 1990, Reg. 194. In summary, this regulation makes changes respecting certification of the authenticity of authorities cited in factums, certification of the authenticity of authorities and other documents and records cited in expert reports, and the duplicate filing of notices of application.

A summary of O. Reg. 384/24 is available on Ontario's Regulatory Registry at 24-MAG009.

The amendments in the regulation will come into force on December 1, 2024.

The revised Form 53 is available for download on the Ontario Court Forms website <https://ontariocourtforms.on.ca/en/rules-of-civil-procedure-forms/>

Notice: October 15, 2024 in-force date for Courts of Justice Act s. 140 amendments and associated Rules of Civil Procedure amendments

On Aug. 29 Order in Council 1183/2024 was signed, proclaiming October 15 as the day on which section 7 of Schedule 6 of the Enhancing Access to Justice Act, 2024, S.O. 2024, c. 2, will come into force.

This provision amended section 140 of the Courts of Justice Act (CJA) to increase the flexibility of the procedure to obtain an order under subsection 140(1) (“vexatious litigant order”). These amendments:

- provide that vexatious litigant orders may be made on a motion by any person or on a judge’s own initiative, as well as on an application (as is currently the case);
- provide that judges of the Court of Appeal and all branches of the Superior Court of Justice may make vexatious litigant orders;
- require notice on the person who is the subject of the vexatious litigant order; and
- set out the appeal and review routes for orders.

Related amendments to the *Rules of Civil Procedure* (RCP) that were made in O. Reg. 322/24 will also come into force on October 15, 2024, to align with the entry into force of the section 140 amendments. See link below for details.

<https://www.ontariocanada.com/registry/view.do?postingId=48293&language=en>

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