



ONTARIO
BAR ASSOCIATION
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Family Law Section

DID YOU KNOW...

By Victoria Starr*

Here is some of what's going on in (or related to) family law:

1. **New Practice Direction from Milton re Long Motions:** In Milton, a long motion is one that is anticipated to take one hour or more. Such motions must be booked in advance, and currently it takes approximately four months for a motion to be booked. Long motions in Milton must now be confirmed no later than three weeks prior to the date the motion is to be heard, and all material must be filed by the moving party by that date. The litigant or counsel, as the case may be, will be advised of this requirement at the time the motion is booked.

If the material and the confirmation are not filed at least three weeks in advance of the date the motion is to be heard, the motion will be removed from the list and will not be heard. If possible, the time can be used to hear another motion by arrangement with the trial office.

2. **393 University May 16, 2013 Bench and Bar Update - Courtesy of Ghina Al-Sewaidi :**

TRIALS:

Short trials: Week of December 2 and 9th, 2013

Long Trials: Week of December 2, 2013 and January 13, 2014

MOTIONS:

Long Motions: Tuesdays and Thursdays (July and August fully booked). Now booking September 30 and October 15 onwards.

DRO:

Tuesdays, Wednesdays, and Thursdays at 10am

DRO Training: Hours have been approved for CPD (3 hours, included in it half hour for professionalism).

MEDIATION:

Mediate 393 is working on developing a data base for resources to assist individuals in court and out of court (e.g.: links for parenting classes, drug testing etc)

E-FILE OF COURT DOCUMENTS:

The Bench needs feedback from the profession on issues re e-filing. Do they support it? Do they have any comments? Members who can assist are to contact an OBA Family Law Section Executive Member.

LEGAL AID:

The budget has been announced. 30 million to be spent over the next 3 years on the expansion of Family law services throughout the province.

COURT AUTO ORDER PILOT PROGRAM:

Work in process and it is expected to run shortly. Orders are based on the standard clauses on the Ministry website. The pilot is to start at 393 University, 47 Sheppard, Brampton OCJ and Oshawa.

3. **New Education Material:** The Family, Children & Youth Section of the Department of Justice Canada has produced two new public legal education and information documents for parents: Making Plans and the Parenting Plan Tool.

They are available at:

Making Plans: <http://canada.justice.gc.ca/eng/fl-df/parent/mp-fdp/index.html>

Parenting Plan Tool: <http://canada.justice.gc.ca/eng/fl-df/parent/ppt-ecppp/index.html>

Making Plans gives parents information about what issues they need to address when coming up with a parenting arrangement after divorce (ie. schedule for time with children), as well as the processes that they can use to come up with this arrangement (ie. mediation, negotiation). This product promotes agreements between parents by emphasizing the importance of good communication, reducing conflict, and building a co-parenting relationship that focuses on the best interests of children.

The Parenting Plan Tool is a companion product to Making Plans. It is a practical guide to help parents develop a parenting plan. The Parenting Plan Tool contains sample clauses that parents can use as a starting point in developing their parenting plan.

Both Making Plans and the Parenting Plan Tool emphasize the need for legal advice.

4. **Changes to APCO Services:** Starting July 1st, 2013 some of APCO's (Access for Parents and Children Ontario) services will be reduced or changed. These changes were necessitated by the reduction in their program's annual funding. Here is a list of these changes:
 - a. Their Danforth site will no longer operate on Wednesday evenings. Clients who are currently using their Danforth site on Wednesdays must consult their legal counsel to make alternate arrangements;
 - b. All Friday Supervised Exchanges will take place from their head office, 100 Sheppard Ave. East, Suite 504, instead of their downtown (Bay & Davenport) location. Friday Supervised Exchanges will take place between the hours of 3:30 p.m. to 6:30 p.m.;
 - c. Their North York (Finch & Don Mills) location will operate on alternate Saturdays and Sundays instead of every Saturday and Sunday. This Service reduction will only affect those clients who have a court order specifying that they are to have weekly access at their North York Site. The frequency of visits for other clients (such as those on a biweekly or monthly schedule) will remain unchanged; and,
 - d. All supervised access sites will be closed on long weekends.
5. **Changes to the CPD Requirements:** Recently, the Law Society made changes to the CPD requirements. Some of the changes are effective immediately and the remainder will be implemented for the 2014 reporting year.

Changes effective May 30, 2013 include:

- Co-writing and co-editing are now eligible activities;

- Writing and editing for law firm or other in-house publications now eligible activities; and,
- Accreditation Criteria for Professionalism Hours expanded.

Changes to be implemented for 2014:

- Introduction of a simplified reporting process;
- Elimination of the separate New Member Requirement;
- Introduction of an Accredited Provider Framework to streamline the approval of professionalism programming; and,
- Implementation of a late fee and reinstatement fee.

More information is available on the [Law Society website](http://www.law.society.on.ca/). You can also view the report via the following link: <http://www.lsuc.on.ca/with.aspx?id=2147494841&langtype=1033>

- 6. Policy Regarding Access to Digital Audio Recordings - Ontario Court of Justice:** There is a new policy regarding access to digital audio recordings of proceedings before the Ontario Court of Justice. To find out more visit: <http://www.ontariocourts.ca/ocj/legal-professionals/practice-directions/digital-audio-recordings/>
- 7. Join the roster of family lawyers who will review and advise on mediated settlements:** mediate393 needs lawyers who will meet with clients to review and advise on mediated settlements, both in and out of court. If you are interested in having your name added to this list, please contact elizabeth@mediate393.ca.
- 8. Learn more about how the free and subsidized mediation services can help you and your clients:** mediate393 is planning a lunch time info session for lawyers who work with legally-aided and lower income clients, to generate ideas for how the service can best work for such clients and their lawyers. If you are interested please contact hilary@mediate393.ca.

Here are some upcoming events you may not know about:

- 1. 311 Jarvis Open Bar Programs – Next Season’s Line Up:** The 2013 – 2014 Calendar of the 311 Jarvis Open Bar Series programs is now available. To view it, visit: <http://flao.org/news-and-events/>
- 2. October 16 – 19, 2013, (9:00 AM – 4:30 PM) - Intensive Child Protection Training Program for Lawyers (AFCC Ontario - LSUC Joint Program):** Don’t miss the opportunity to attend the highly successful and anticipated Child Protection Training Program for lawyers, being held again in Toronto on October 16-19, 2013. Space is limited, and the program has already started filling up, so please register soon!

This essential level 4-day program sponsored by the LSUC and the Association of Family and Conciliation Courts, Ontario Chapter, is for Family Law lawyers who want to get into Child Protection Law. The program is intensive and interactive and registrants are required to attend each of the four days. They will be assigned to small groups and a group leader during the first day. Registrants must attend all four days in order to be placed on Legal Aid Ontario's Child Protection Panel.

To register follow this link:

<http://ecom.lsuc.on.ca/cpd/product.jsp?id=CLE13-0100801>

- 3. October 17 and 18, 2013: - 5th AFCC (Ontario Chapter)’s AGM and Annual Conference entitled “Our Families’ Faces”.** Registration is now open and to find out more visit http://www.afccontario.ca/afcc_ontario_conferences.html

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