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The Law Society bencher elections are less than a year away.

For the first time, lawyer and paralegal bencher elections will run concurrently.

Key dates for the 2019 elections:

Close of nominations: February 8, 2019

Election day: April 30, 2019

First day in office: May 23, 2019

FAMILY

DISPUTE RESOLUTION MEET

Be sure to stop by upstairs at Riley's Pub and Grill in Oshawa on Nov. 14, 2018 at 7pm for the Family Dispute Resolution Meet and Greet with local mediators.

GOVERNANCE

SUBMISSIONS

The OPA has completed submissions on the Law Society Call for Comment relating to the number of Benchers at Convocation.

OPA Annual General Meeting on November 24!
Vice-President's Message

Renewed Energy

Dear OPA Members:

I've been asked to write this article as Stephen is off sunning himself on a fabulous cruise. Some would think he got the better deal, but I am delighted to be able to connect with each one of you.

So here it goes...

The October CPD presented by the Law Society of Ontario’s Practice Review Department was well attended and extremely informative, which was an excellent way to end the CPDs for 2018. Once we receive the accreditation from the LSO we will post the eligible hours on the website.

I would like to remind everyone to enter their CPD hours into their LSO Portal before December 31, 2018. If you have any issues with your CPD hours please send an email to chair.education@oponline.ca. Also, I would like to remind everyone of the CPD Requirements as set out by the LSO, you can review them by going to https://iso.ca/paralegals/enhancing-competence/continuing-professional-development-requirement.

The Annual General Meeting will be held on November 24, 2018 at 12:00 pm (noon) at 519 Church Street, Toronto. Notice and particulars will be sent out on November 3, 2018. If you are planning to attend, please be sure to RSVP. After the AGM your new Board of Directors will be meeting to elect the Executive.

The Annual Holiday Party will be held on December 14, 2018 at Paradise Banquet and Convention Centre, 7801 Jane Street, Concord. Tickets are $75 each. I encourage everyone to come out and enjoy the festivities; the Events Committee has lots of fun and even a few surprises in store for everyone this year.

The Board held a meeting with the Committee Chairs on October 27 to discuss current and future initiatives, 2019 looks to be an exciting and busy year with lots of events. Please remember to check the Events tab on the website frequently to see when and where the OPA will be so you can come out, network and show your support.

As I write, I am also trying to find a cake suitable for honouring our amazing, outstanding, brilliant volunteers, for the appreciation dinner that is fast approaching. I’ve never been good at multi-tasking but I can assure you, there will be cake. Since not everyone will be able to attend the appreciation dinner, which is a shame because the cake will be amazing. I just wanted to take a moment to thank all of the volunteers who have kept the Association going: THANK YOU!

I would also like to remind everyone that there will be a call for volunteers put out after the AGM and I encourage everyone to volunteer in some capacity. If you’re not perhaps an inspirational quote will do it, please see below.

“At the end of the day it’s not about what you have or even what you’ve accomplished... it’s about who you’ve lifted up, who you’ve made better. It’s about what you’ve given back.” – Denzel Washington

Lastly, I would like to personally thank all the members and volunteers whom I’ve had the pleasure of working with throughout my terms as a Director and even those whom I got to work with while I was on various committees. My time with the OPA has been a huge part in shaping me both personally and professionally. I’ve met so many wonderful people and I look forward to taking a step back and seeing all the wonderful things 2019 will bring for the OPA.

Have a great fall season and be safe.

Kristina

KRISTINA MACDONALD
Vice-President OPA
Governance Submissions

The OPA was pleased to take part in the LSO’s Call for Comment regarding governance and the status of benchers. To read the submissions, click here.

Landlord Tenant Delays

The SJTO has opened up to applicants interested in positions as Chairs or Vice-Chairs. The competition will close October 31, 2018. To apply, click here.

Access to Justice

The United States is now considering whether licensed legal paraprofessionals can narrow the access-to-justice gap. Click here to read more.

The Action Group

The Action Group hosted a number of great CPD events promoting Access to Justice during October. Events were free and very well attended.

Stress Assessment

Evolve Assessments and Diagnostics would like feedback on the stresses associated with the paralegal profession. If you are interested in completing the survey, it is located in Files section of the OPA Facebook Page and can be emailed back to jeffreywlford@gmail.com

Handling Witnesses

Join OPA member Umta Shino for step-by-step guidance, from locating and interviewing witnesses to thoroughly preparing them for the proceedings, so you can ensure that the evidence is properly put forth. Click here to sign up through the LSO now.

Holiday Party

Tickets for the OPA’s 4th annual Holiday Party are quickly selling out. To purchase a table, or to register as an individual, sign up today!

We look forward to seeing you all there!
Holiday Party

December 14, 2018
Paradise Banquet Hall*
7601 Jane Street, Vaughan

Doors Open at 6:30 p.m.
Dinner starts at 7:30 p.m.**

Tickets $85 (incl. tax & 1 bar ticket)
https://www.ontarioparalegalassociation.com/event

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Save the Dates

Nov

Nov 17 - Osgoode Provincial Offences CPD
Nov 24 - OPA AGM
Nov 29 - Wildfire Event

Dec

Dec 14 - OPA Holiday Party

Jan

Jan 26 - Monthly Member Meeting & CPD

Event Idea?

Is there an event you would like to see the OPA attend? Let us know!
info@opaonline.ca

Next

Feb 23 - Monthly Member Meeting & CPD
"THE RIGHTS OF EVERY MAN ARE DIMINISHED WHEN THE RIGHTS OF ONE MAN ARE THREATENED."

- JOHN F. KENNEDY
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On September 29, Omar Ha-Redeye provided an educational seminar on equality and diversity in the workplace and best practices for businesses and individuals.

On October 27, the Coach and Advisor Network (CAN) and the Practice Management Helpline (PMH) joined the Practice Audit team for the OPA’s annual Law Society of Ontario CPD.
With expanding opportunities, licensed paralegals have multiple responsibilities. In Ontario, Rule 4 of the Paralegal Rules of Conduct, as set out by the Law Society, maintains that, “When acting as an advocate, the paralegal shall represent the client resolutely and honourably within the limits of the law while, at the same time, treating the tribunal and other licensees with candour, fairness, courtesy and respect.” Rule 6 likewise states that, “A paralegal shall encourage public respect for, and try to improve, the administration of justice.”

These requirements pertain to professional ethics, but paralegals also have responsibilities to the environment and future generations, which require a concern for climate change and environmentally sustainable practices.

EFFECTS OF CLIMATE CHANGE
The impact of climate change is devastating. Climate change contributes to violent environmental conditions triggered by extreme weather, flooding, drought, intense summer heat, violent storms, glacial melt, and rising sea levels.

Climate change also negatively impacts the health of people, especially children and the elderly. Extreme summer heat can trigger disease migration and amplify the adverse health effects of air pollution in vulnerable populations.

CAUSES OF CLIMATE CHANGE
Causes of climate change can be categorized into two types. On the one hand, natural causes include volcanoes, ocean currents, and solar variation. On the other hand are certain human activities, such as burning fossil fuels, such as coal, gas, and oil, breeding methane-producing mammals, such as cattle, and deforestation.

As a result of these human activities, the atmosphere is warming. The atmosphere now has about 42% more carbon dioxide than it did before the industrial revolution. This carbon dioxide in the air creates like a thick, heat-trapping blanket that covers the earth, causing warmer temperatures and erratic weather conditions.

Since the 1900s the global average temperature has risen by about 0.7 °C and the Northern Hemisphere is significantly warmer than it has been in the past 1000 years.

Arctic air temperatures, for example, have increased by about 5 °C in the last 100 years. From 1948 to 2013, average temperatures in Canada have increased by about 1.6 °C, with greater increases in the northern regions.

RESPONSES TO CLIMATE CHANGE
Part of what paralegals and people working within the legal system can do in response to climate change is reduce, reuse, and recycle.
REDUCE
Reducing resource use is a smart response to climate change because it generally reduces the human activity that releases carbon into the atmosphere. For example, reducing transportation pollution is possible by using public transportation or bicycles instead of personal motor vehicles. Law firms, courthouses, and tribunals are often located in city centres or close to transportation hubs so it is convenient, and often less expensive, to use public buses or trains.

Cities in Ontario also have bike share programs that allow for flexibility and convenience, while also reducing reliance on personal automobiles. Hamilton, for example, has a bike share system called Sobi. 9

Sobi is easy to use and only costs about $15.00 a month. There was a Sobi docking station directly in front of the John Sopinka Courthouse at 45 Main Street East, and the bikes look great.

Sobi docking station across from the John Sopinka Courthouse in Hamilton (Photo date: July 2017; LPS file photo)

Paralegals can also reduce paper use in multiple ways. In addition to maximizing double-sided printing and electronic documents, an idea is for paralegals and law firms to use e-holiday greeting cards and then ask their clients, “To which of these three charities would you like to donate the saved money?” 10

Paralegals can also save electricity by turning off lights and computers when they are not in use. Laptops can be used instead of desktops because the smaller computers tend to use significantly less electricity. Furthermore, offices can turn down their heat and air conditioners, and also set computer equipment to sleep mode instead of using screen savers.

Plastics, furthermore, can be reduced by using a ceramic mug, a glass, or reusable bottles. This practice reduces the manufacture and proliferation of disposable plastics that are polluting water systems worldwide.

In addition to reducing the human activity that contributes to climate change, these measures can also result in cost savings.

REUSE
Paralegals can also reuse resources instead of throwing them away. Pencils and erasers allow for the reuse of paper and file folders, reducing the volume of paper waste. Paper can also be reused by circulating a memo with a routing slip, instead of printing several copies of the same memo for a number of people, or by using email for the memo instead of paper. 11

The offices that paralegals work in can also reuse ceramics and glass. People can bring lunches to work in glass containers or reusable plastic instead of purchasing fast-food lunches that use styrofoam or disposable plastic.
Likewise, paper clips may be preferable to staples because the clips are reusable, plus they allow for easy photocopying when necessary.

RECYCLING
Recycling furthermore reduces the human activity that contributes to climate change. Offices can use paper that is made from at least 30% recycled products, and confirm with shredding companies that they recycle their waste. Recycling bins for both paper and containers can be placed at each workstation so that these materials stay separated from other garbage.

BUILDING AWARENESS
In addition to reducing, reusing, and recycling, paralegals and people working in the legal system can contribute to building awareness about environmental concerns and alternative practices that are environmentally sustainable. For example, an office film screening of Bahrani and Herzog’s stunning Plastic Bag film could be organized, or email correspondence can include a signature with a request to not print on paper. As another option, you can let your clients know that you are greening your business with a friendly sign on a wall of the office or via email.

MACRO-LEVEL RESPONSE
In addition to compliance with municipal waste management laws (e.g., By-law 09-067 in Hamilton 13), efforts to reduce, reuse, recycle, and build awareness may be categorized as micro-level responses to climate change, but paralegals also have opportunities at macro-level change. With the status and advantages that come with membership in the legal profession, paralegals occupy social positions that impact macro-objective systems that design legislation, regulation, and policy in both corporate and government bodies. With these greater opportunities come responsibilities to make decisions for sustainable change.

CONCLUSION
Paralegals, lawyers, and people working within the legal profession have diverse challenges and obligations. In a broader sense, access to justice needs to include opportunities to participate in a future society that is not decimated by the environmental crisis. The choices we make today impact what is possible for future generations.

FOOTNOTES
5 “What is Climate Change?” David Suzuki Foundation.
6 “What is Climate Change?” David Suzuki Foundation.
7 “The Effects of Climate Change,” WWF.
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<td>Shipments to Worldwide Destinations</td>
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<td>Brokerage entry preparation fees**</td>
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On the Market

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2) **Legal Assistant - CHRC - Ottawa**
3) **Senior Paralegal - CTL Law - Richmond Hill**
4) **SABS Paralegal - Etobicoke**
5) **Legal Real Estate Assistant - Palter, McCarthy Barristers and Solicitor - Oshawa**
6) **Manager Court Services - Niagara Region**

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Location:
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Program Director:
The Hon. Justice Rick Libman, Ontario Court of Justice
How does a tenant dispute the validity or “good faith” issuance of the N12 application?

In a situation where the tenant can testify or provide evidence that there have been tensions between the parties and a relationship which has, over time, become strained, it is reasonable to raise as a concern the motives and intentions of the landlord in issuing the N12 notice. In Fava v. Harrison, the Divisional Court provided that:

In our view, Board Member Van Delft’s conclusion restricts the meaning of the term “good faith” to an unreasonable degree. By excluding any consideration of the landlord’s motives in deciding whether the landlord has acted in good faith, she has unduly restricted the consideration the Board must give to that term.

Which is to say that we should consider the motives when considering good faith. This line of thinking has been upheld by the Board in persuasive matters such as TSL-84534-172 where a son wished to take possession of the main floor of a home owned by his parents. The Board, at para 34 and 37 drew an inference from the motives and ruled against the landlord citing tensions between he landlord and tenant in the lead up to the service of the N12 notice.

Moreover, if there have been past attempts to evict the tenant illegally, letters threatening to force the tenant to vacate, or even multiple failed attempts at terminating the tenancy through the Board, evidence of this should be brought to the Chair’s attention. This is demonstrated in cases such as TSL-86133-173 where a landlord wanted to re-take possession of the property for hobbies. The Board determined that the landlord’s overriding intention was to evict the tenants due to tensions and found that a primary goal of evicting the tenant does not constitute good faith.

While this provides a brief overview, the law can be very complex, and many aspects are case specific. If you have an issue, call a paralegal at Cochrane Moore LLP in Oshawa for a free consultation.

1 Fava v. Harrison, 2014 ONSC 3352, at para 18
2 TSL-84534-17 (Re), 2018 CanLII 42632 (ON LTB)
3 TSL-86133-17 (Re), 2017 CanLII 60857 (ON LTB)
Pre and Post-workout meals.

Tips to optimize your energy and make the most of your workout.

Get hydrated

Working out in the morning but short on time? As long as you had a significant meal the night before, simply hydrating with at least one glass of water will get you through a workout of moderate intensity that lasts fewer than 45 minutes (You should drink at least a glass of water upon waking up anyhow). If it has been twelve hours since you ate your dinner or you are planning a harder workout, it’s best to get some food into your system. Peanut butter and a banana will suffice.

If GoodLife's Vice-President of Personal Training Brody Thorne has an early morning workout and ate a substantial dinner the night before, he drinks a branched-chain amino acid supplement and heads to the gym within half an hour.

It’s all about balance

If you have time for a meal before your morning workout, Thorne recommends a breakfast consisting of meat, nuts and greens, and rotating between different types of each source of food on each day: Beef, chicken, turkey or pork; Almonds, walnuts, pistachios or cashews, for example. Not a meat person? Steel cut oatmeal with half a scoop of protein powder with blueberries and yogurt is also a great breakfast to consume before a workout, says Thorne.

Working out later

For those working out later on in the day, eat food with some protein and carbohydrates two to three hours before your workout. Targeting 15 to 20 grams of protein with at least 30 grams of carbohydrates as your pre-workout meal should give you enough fuel to workout. If you’re going harder or for a longer period, increase the amount of carbohydrates in that pre-workout meal to ensure that you have the energy to complete your workout.

After your workout: EAT!

It is also important to eat after your workout to ensure that your body recovers faster and repairs muscles. Thorne emphasizes that you “Eat as soon as you can. The faster the better.” Keep the following in mind for your post-workout shake or meal:
- Include a shake or meal with plenty of carbohydrates, protein and fat
- Aim for a ratio of 3 – 1 carbohydrates to protein in your post-workout meal (min 15-25 grams of protein) with some fat, which Thorne says should be part of every meal.
- Avoid processed carbohydrates and stick to fruits or starches
- If your stomach doesn’t seem to process a meal very well after working out, any protein powder that contains the nine essential amino acids will suffice when added to fruit and a fat (avocado, peanut butter or nuts). That will give you the carbohydrate, protein and fat mix that is beneficial to your recovery.
- Recovery from a workout can take from 24-48 hours, so drink plenty of water and tailor your subsequent meals with a similar approach as your post-workout meal.
The Ontario Paralegal Association thanks the incredible volunteers who attended the Woodstock Realtor's Trade Show on Oct. 19, 2018.

The OPA was pleased to participate in order to raise awareness about the roles and services of Ontario Paralegals.

"It was a truly wonderful day connecting with so many professionals in the Woodstock area" - Mitchell Kent
Committee Mandates

EDUCATION
The Education Committee shall plan all education (Continuing Professional Development) events, secure presenters, venues, audio visual equipment, venue set up, LSO accreditation and shall monitor attendance.

LSO/GOVERNMENT RELATIONS
The LSO/Government Relations Committee shall monitor, report, draft and advocate issues to relevant stakeholders that affect the paralegal profession.

STUDENT
The Student Committee shall be a liaison between the colleges and the Association.

MEMBERSHIP
The Membership Committee shall seek to increase and maintain membership numbers, seek out membership benefits and provide input to the Board of Directors with respect to fees and dues.

ELECTIONS
The Elections Committee shall manage the Board of Directors election process.

NEWSLETTER
The Newsletter Committee shall provide quality communication to members by way of updates and information.

REGIONAL
The Regional Committee shall ensure regional representation and encourage expansion of the OPA throughout Ontario by means which shall be approved by the Board.

EVENTS
The Events Committee shall plan the AGM, all social events, and the holiday party, supply food and set up CPD events and secure sponsorships.

PROMOTION & PUBLIC AWARENESS
The Promotion and Public Awareness Committee shall promote and educate the public on the role and services of paralegals.

REVIEW
The Review Committee shall vet member complaints brought against potential members, members, and shall handle all complaints brought by members as they pertain to elected Directors, and all questions of conflicts of interest amongst Board members.

Volunteer Today!!

WHICH COMMITTEE BEST SUITS YOU?

CONTACT ANY COMMITTEE CHAIR FOR MORE INFORMATION OR TO SIGN UP!!
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WE WANT YOUR FEEDBACK!