

Welcome to the **Lam Family Law Newsletter**, featuring timely and relevant updates on Ontario family law and practice. We send our newsletter out every two months.

May 2025 Issue

Case Law Commentary

- **Seven Notable ONCA and ONSC Decisions from 2025 (So Far):** What cases are shaping the legal landscape in Ontario family law to date in 2025? Check out our blog post: [Top Ontario Family Law Cases of 2025 \(So Far\): Speed Reads](#).
- **Cautionary Tale on Irresponsible Use of AI and How to Recover:** This notable case missed the cutoff to be included in our blog post, above. It has also been in the news and social media a lot, so we give only a short summary here. Justice Myers expressed serious concerns about a factum that appeared to include fake legal citations for three cases (also known as case law "hallucinations"). His Honour gave guidance on lawyers' duties, generally, and next steps in this case. Specifically, the lawyer who submitted the factum had to show cause why she should not be found in contempt: *Ko v. Li*, [2025 ONSC 2766 \(CanLII\)](#). Subsequently, the lawyer purged any contempt by expressing accountability and regret for not supervising staff (who had used ChatGPT to prepare the factum) and withdrawing the offending factum. She also undertook to take courses in the proper use and risks of AI in practice and committed not to bill her client for the research, factum writing, and attendance at the motion: *Ko v. Li*, [2025 ONSC 2965 \(CanLII\)](#). We all make mistakes, even senior counsel. This case is a good lesson on the saying, "You aren't judged on the mistakes you make. You are judged on how you respond to them."
- **Interim Spousal Support:** Need a review of the basics of interim spousal support, and some key strategic considerations? Check out our blog post: [Back to Basics: Interim Spousal Support Orders in Ontario](#).

Supreme Court of Canada – Family Law Updates

- In *A.A. v. Z.M., et al.*, [2025 CanLII 41623 \(SCC\)](#), dated May 8, 2025, the Supreme Court of Canada (SCC) denied the father's application for leave to appeal from *A.A. v. Z.M.*, [2024 ONCA 923 \(CanLII\)](#), where the majority of a split three-judge panel of the Court of Appeal for Ontario (ONCA) granted the mother a stay pending appeal of an order that the child be returned to Bangladesh. A few weeks before the SCC's decision, on April 16, 2025, the ONCA released its decision on the main appeal. The ONCA allowed the appeal and remitted the case back to the Ontario Superior Court of Justice, with the guidance that a pending refugee claim is a significant consideration under the *Children's Law Reform Act* when determining whether to order a child to return to another jurisdiction, although it is not determinative: *A.A. v. Z.S.M.*, [2025 ONCA 283 \(CanLII\)](#).

In Case You Missed It

- **Amendments to Several Regional SCJ Notices to the Profession and Public:** The following amendments take effect in the [Northwest](#) and [Northeast](#) as of March 17, 2025, in the [Central South](#) as of May 12, 2025, and in the [Central East](#) as of June 9, 2025:
 - All properly filed Family Responsibility Office materials must be uploaded to Case Center.
 - Court Services will be uploading documents to Case Center on behalf of self-represented litigants for documents that were served and filed on or after the date the amendment came into effect in each Region.
 - Unless otherwise directed, Court Services will be releasing orders and endorsements in the Orders and Endorsement bundle on Case Center.
- **Notice to the Ottawa Family Bar:** Settlement Conference Briefs and Trial Management Briefs are to be filed through the JSO Portal, and not filed through Trial Coordination. Immediately after filing through the JSO Portal, they are to be uploaded to Case Center. Confirmation Forms must also be filed through the Portal and uploaded to Case Center. Requests for adjournments should continue to be sent to Trial Coordination. This information is from the County of Carleton Law Association.
- **Civil Rules Review:** The Civil Rules Review has released its [Phase 2 Report](#), which proposes major changes to civil proceedings in Ontario. Public consultation is ongoing. Responses are due by June 16, 2025. Instructions on how to send in responses are on p. 8 of the Report.
- **Ontario Courts Digital Transformation (CDT) Initiative:** This [new digital justice solution](#) aims to modernize and standardize the way justice is delivered in Ontario. It will be implemented province-wide over the coming years, with Phase 1 scheduled to launch in summer 2025 in the Toronto Region. This will include a new, public-facing portal to replace the existing Justice Services Online platform for stakeholders and the public. The [CDT initiative](#) was first announced in November 2021 as a joint initiative from the Ministry of the Attorney General, Ontario Superior Court of Justice, and Ontario Court of Justice. You can use their [sign-up form](#) to stay updated on the initiative and/or join the Network of External Users to participate in information sessions and provide feedback.
- **Survey on Trauma-Informed Lawyering for Ontario Family Law Lawyers:** Provide your insight through an anonymous [survey](#) that aims to gather experiences on providing trauma-informed legal services. The survey is part of a study titled, "Harmonizing Ethics, Empathy and Professionalism: A New Paradigm in Trauma-Informed Lawyering". Responses are due by June 15, 2025. The survey should take 20 minutes or less to complete.

Court of Appeal for Ontario – Amicus Program and Amendments to the General Practice Direction

- The ONCA and Pro Bono Ontario (PBO) have re-launched the *Amicus* Program at the Court of Appeal. Each Wednesday, lawyers volunteering with PBO will help self-represented litigants with single judge motions. The volunteer lawyers act as duty counsel and appear as *amicus curiae*, or “friends of the court”, on a pro bono basis: [Pro Bono Ontario’s Amicus Single Judge Motions Program & General Practice Direction Regarding All Proceedings in the Court of Appeal](#), at para 96(c)(2).
- The ONCA released amendments on May 1, 2025, to its [General Practice Direction Regarding All Proceedings in the Court of Appeal](#). The full list of changes can be found [here](#). The following are relevant to family law appeals:

- **Treatment of Filing Timelines (paras 75-78):** Due to the delay between when parties submit materials to the ONCA for filing and when the materials get filed, the ONCA has changed its filing stamp and treatment of filing deadlines. The ONCA's filing stamp now shows two dates: "SUBMITTED" and "FILED". Filing deadlines that are terminated by filing (e.g., a Notice of Appeal) shall be terminated as of the "SUBMITTED" date. Filing deadlines that commence when a document is filed (e.g., the timeline to perfect an appeal) shall commence as of the "FILED" date.
- **Encouraging In-Person Attendances (para 90):** For appeals and panel motions, parties are encouraged to attend in person. Where a party chooses to appear remotely, they should indicate this on the Counsel Slip and Hearing Information Form.
- **Page Numbering (para 8(iii)):** Parties should use the same page numbering for electronic copies as any hard copies.
- **Electronic Signatures (para 11(iv)):** A certificate-based digital signature is now included in the list of acceptable forms of electronic signatures.
- **Oral Hearing Compendiums (para 33):** In addition to serving and filing the electronic version of the Oral Hearing Compendium, parties may bring paper copies of their Oral Hearing Compendium to the scheduled hearing for distribution to the panel and the other parties.

Free Resource

- [Court Notice Finder](#) keeps track of Ontario family court practice directions and notices. You can sign up for their [email list](#) to be notified of any updates.

Sharing Our Newsletter

- If this newsletter has been shared with you by a colleague, and you would like to subscribe, simply click [here](#) or contact [Sierra Larmand](#).

Our Services

Interested in research-related services (e.g. drafting, advising)? Here is the typical process for starting to work with us:

1. **Contact:** Email [Vanessa Lam](#), [Maria Golarz](#), [Rebecca Winninger](#), or [Kayleigh Pink](#).
2. **Conflict check:** Provide us with the names of your client, the other party(ies), and the other lawyer(s) (if any).
3. **Discuss:** We will obtain your instructions, including confirming scope, timeline, and budget.
4. **Retainer letter:** After obtaining instructions, we will send you a short retainer letter.
5. **Optional:** Sometimes we ask for documents that might be useful, such as pleadings or orders. We find these documents often save you time from having to give us a memo or summary of facts.

Yours Truly,
The Lam Family Law Team
 ([Vanessa Lam](#), [Maria Golarz](#), [Rebecca Winninger](#),
[Kayleigh Pink](#) and [Sierra Larmand](#))