

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.

September 2025 Issue

## **Case Law Commentary**

- Competitive Sports as S. 7 Expenses: Unlike Table child support, s. 7 expenses are not automatic, but discretionary. While the costs of competitive sports are usually found to be "extraordinary" within the meaning of s. 7 of the *Child Support Guidelines*, determining whether they are reasonable and necessary requires a fact-specific analysis. Check out our blog post to learn more: In Bounds or Out of Play: When are the Costs of Competitive Sports a Legitimate Section 7 Expense?
- **Property Division:** Need a review of the basics of property division for married versus unmarried spouses? Check out our blog post: <u>Back to Basics: Property Division in Ontario.</u>
- What is the Standard of Review in Family Law Appeals? Check out our blog post for some helpful family law cases on the standard of review for property, support, and parenting issues. Spoiler alert: Ontario courts emphasize deference to the hearing judge (as long as they got the law right): The Standard of Review in Family Law Appeals.

### In Case You Missed It - 2025 Update to the Federal Child Support Tables

- Updated <u>Federal Child Support Tables</u> will come into effect on **October 1, 2025**. The Tables are updated approximately every five years to consider more recent tax rules, but this last update was delayed by COVID-19.
- Due to tax changes, any parent with an income below \$16,000 will have a basic Table amount of \$0 (the threshold income was \$13,000 under the 2017 Tables). For incomes between \$16,000 and \$45,000, there are significant differences in the basic child support amounts (usually decreases) when compared to the 2017 Table amounts. For incomes over \$45,000, where there are one or two children, the increases and decreases are small, usually between a 1% and 2% difference.
- Note that the updated Tables will not automatically change existing child support orders and agreements. However, if the updated child support amount differs from the existing amount, parents may update their order or agreement on consent, or go to court

# In Case You Missed It - Minor Amendments to the Family Law Rules

• Effective **August 6, 2025**, various rules were amended to reflect the recent changes authorizing Family Legal Service Providers to assist clients in certain circumstances. For example, in multiple rules, the word "lawyer" is replaced with "licensed representative". For a full list of these amendments, see Ontario Regulation <u>172/25</u>.

## In Case You Missed It - Updated SCJ Trial Scheduling Endorsement Form

- The Ontario Superior Court of Justice has updated the family law <u>Trial Scheduling</u> <u>Endorsement Form</u> ("TSEF"). Effective **October 5, 2025**, the outdated TSEF form will no longer be accepted for filing by court staff. Significant changes to the TSEF include:
  - o The parties must submit this document jointly;
  - The Applicant or Moving Party must file this form in an editable Word format;
  - New Part 3 for Office of the Children's Lawyer ("OCL") information, if any (to be prepared by the OCL lawyer except where time estimates are required by the other parties);
  - New Part 4 for information regarding Joint or Court-Appointed Experts and OCL Reports;
  - Parts 1–5 are to be completed jointly by the parties and the OCL lawyer, if any, and Part 6 is to be completed by the Court;
  - You can add rows to a table by clicking on the row and then clicking on the + sign that appears at the bottom right-hand corner;
  - The form now includes more information about the usual page-limits and timelines for certain materials and instructions for filing and uploading certain materials; and
  - Parties no longer need to sign at the bottom because the endorsed form becomes a court order.

#### In Case You Missed It - Case Center Update and Pilot Program

- <u>Update to Page Numbering</u>: Case Center will no longer dynamically update the page numbers on uploaded documents. Case Center will now assign permanent page numbers that will remain static and attached to that document, even if the document is later deleted or moved. Any document deleted from Case Center will be replaced with a placeholder page and visually marked on the 'Index' page and the 'Review' page.
- Pilot Program: The Ministry of the Attorney General is launching a pilot program to give Case Center users temporary access to training cases on Case Center. This initiative is designed to allow counsel and legal staff to explore and practice using the Case Center platform. Access for a two-week period will be provided on a first come, first served basis. Capacity will be limited to 25 users per two-week period. Early submission is encouraged

to secure a preferred time frame. Anyone interested in participating can register here.

# In Case You Missed It - Courts Digital Transformation Initiative Update

• The <u>Courts Digital Transformation (CDT)</u> initiative will officially launch its new digital justice solution in **October 2025**, for the **Toronto region**. It will be used in the Superior Court of Justice for Family proceedings, Civil proceedings (including Bankruptcy, Commercial List and Contested Estates), Small Claims Court proceedings, Divisional Court proceedings, Enforcement, and in the Ontario Court of Justice for Family proceedings.

## • As part of this launch:

- Starting on October 14, 2025, a new Ontario Courts Public Portal will replace
  Justice Services Online (JSO), enabling online filing, fee payment, case search,
  and more.
- Case Center will be integrated with internal systems, so that counsel and parties will no longer have to upload material to the hearing platform after it has been filed through the portal and accepted by the courts. The platform will continue to be used to upload exhibits and other limited materials as directed by the courts.
- Case Center will be expanded to include Small Claims Court proceedings in Toronto.
- There will be a transition period from October 3 to 14, 2025, where the JSO portal will not accept filings. Filing must be done at the counter (with extended counter hours) or, for urgent matters only, by email.
- New Practice Directions for both the Superior Court of Justice and the Ontario
   Court of Justice are expected to be released the last week of September.

# In Case You Missed It - Central East Region, Change to Court Start-Time

• Effective **December 29, 2025**, the Unified Family Courts in Central East Region shall commence at **10:00 a.m.** to align with the balance of courts throughout the Superior Court of Justice in Ontario. This includes all domestic matters, enforcement matters, and child protection matters. At the discretion of the Judge, a matter may commence prior to 10:00 a.m. Breakout rooms and referrals to Duty Counsel may be completed before 10:00 a.m. Events scheduled to commence at 9:30 a.m. **prior to** December 29, 2025, shall proceed at 9:30 a.m. as scheduled. This new protocol applies to both in-person and virtual matters: Memorandum from Justice M.L. Edwards, Regional Senior Judge, dated July 28, 2025.

# In Case You Missed It – Legal Aid Ontario Launches Updated Domestic Violence Awareness Training Program

• Legal Aid Ontario ("LAO") updated their domestic violence awareness training program for roster lawyers providing certificate services in family law and duty counsel services in family law and domestic violence. The training replaces LAO's previous online

course on family violence, and has been added to LAO's <u>material for review</u> by roster members authorized to provide legal aid services in family law (under the title "Delivering Legal Aid Services to Victims and Survivors of Domestic Violence: A Legal Aid Primer for Intersectional and Trauma- and Violence-Informed Lawyering"). For more information, including LSO accreditation (for up to 3 hours of continuing professional development), how to complete the training, and how to record completion of the training, click <u>here</u>.

# In Case You Missed It - Lam Family Law Website Update

• We've updated our website to make our <u>blog library</u> more user-friendly! You can now browse our blogs by category or use the new search function to quickly locate topics of interest.

#### **Free Resource**

• Luke's Place offers "Family Court and Beyond: A Survival Workbook for Women", which includes substantive and procedural guidance in an accessible format, including worksheets, checklists, and other organizational tools to help parties navigate the court process.

### **Sharing Our Newsletter**

• If this newsletter has been shared with you by a colleague, and you would like to subscribe, simply click <u>here</u> or contact <u>Sierra Larmand</u>.

#### **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)