

# Who Does What in our Legal System

Toronto Reference Library, Toronto  
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Classroom for Self-Reps



[www.litigation-help.com](http://www.litigation-help.com)



# Note

- Today's talk is general legal information
- For legal advice, please consult with a lawyer or paralegal



# Today's Talk

You will learn about:

(1) Legal professionals in the Litigation Process

(2) Legal professionals for Out of Court Options

(3) Time for Questions

(4) Mini clinic (NO LEGAL ADVICE!)



# 1. Who are the “judges” or decision makers?

- Courts: Judges, Masters, Justice of the Peace
- Tribunals: Adjudicators
- Private dispute (arbitration): Arbitrators

For more information: [http://  
www.ontariocourts.ca/ocj/general-public/what-  
do-judges-and-justices-of-the-peace-do/](http://www.ontariocourts.ca/ocj/general-public/what-do-judges-and-justices-of-the-peace-do/)



## 2. Who can represent you in a court/tribunal?

- Lawyer
- Paralegal



# Confusion!

- Law Clerk
- Legal Assistant
- Paralegal



# Law Clerks, Legal Assistants

These professionals must work under direction of lawyer (cannot be hired by the public directly):

- legal assistant
- law clerk

- (not to be confused with "law clerk" for judges)



# Paralegals

- Regulated by the Law Society of Ontario
- Must pass “licensing exam” administered by the Law Society of Ontario before being allowed to practice in Ontario
- You can hire paralegals to represent you at Small Claims Court, Tribunals, Traffic court, minor criminal matters
- Learn more here: <https://lso.ca/public-resources/your-law-ontario-law-simplified/paralegals>



# 3. Professionals for people representing themselves

- Process Servers
- Reporting Services
- Commissioner of Affidavit
- Experts
- Lawyers for Self-Reps
- ADR: Mediators, Arbitrators



# a. Information on Process Servers

- Check out Legal Line's article:
- <https://www.legalline.ca/legal-answers/process-servers/>



## b. Court Reporting Services

Reporting Services provide offices and recording/transcribing services for "Examination for Discoveries" or "Questioning".

Example of rates—Courts Administration Services webpage:

<http://www.cas-satj.gc.ca/en/operations/fees.shtml>



# c. Commissioner of Affidavit

- Affidavits are "sworn statements"
- You have to swear it in front of a Commissioner of Affidavit
- A Notary public can also be a Commissioner
- Where to find one: <https://www.ontario.ca/page/find-notary-public-or-commissioner-oaths-taking-affidavits>



# d. Expert Witnesses

- Accountants, Medical experts, Psychologists, Social workers etc.
- "Ontario Reports" (Great Library in Osgoode Hall, 130 Queen St. W.; Court House Library 361 University.)



# e. Lawyers/Paralegals for Self-Reps

- Unbundled or “limited scope retainer” services
- “Discrete task services”



# Where to find LSR lawyers

- National Self-represented Litigants Project
  - <https://representingyourselfcanada.com/directory/>
- Ontario Family Law Limited Scope Services: FLSS
  - <https://www.familylawlss.ca/>
- Self-Rep Navigators
  - <http://www.limitedscoperetainers.ca/members/>



## 2. Out of Court Options

- "Alternative Dispute Resolution": ADR
- Arbitration
  - Arbitrators fees \$250-800 [https://canadianarbitrationassociation.ca/?page\\_id=19](https://canadianarbitrationassociation.ca/?page_id=19)
- Mediation
  - Mediator fees <https://www.legalline.ca/legal-answers/how-much-does-family-mediation-cost/>



# Where to find Mediators and Arbitrators

For ADR (mediators and arbitrators)

- ADR Institute of Ontario (ADRIO) <http://adr-ontario.ca/>
- Family Dispute Resolution Institute of Ontario (FDRIO) <https://www.fdrio.ca/>

For family mediators:

- Ontario Association of Family Mediators <https://www.oafm.on.ca/>
- Family Mediators Canada <http://www.fmc.ca/>



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