

# THE MIDDLESEX LAW ASSOCIATION *Snail*



## October Issue

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## President's Report

By: Bob Ledgley / Lerner's LLP

### I write this report on the eve of Canada's National Day for Truth and Reconciliation.

Although September 30 will have seen many services, businesses and others closed in recognition of this new statutory observance, I expect many of you will have had full calendars that were set before Royal Assent was given earlier this year. I do hope that you were able to take some time for contemplation as this day was meant to honour the lost children and survivors of residential schools, their families and communities. Certainly it is important and I hope effective to commemorate this history in public ways and I commend those who arranged, participated and acknowledged those events. For those who observed from their homes and offices, I trust that you turned your thoughts to the reconciliation process.

The optimism (and dare I say excitement) of my last report has been dampened by the Fourth Wave. I really had hoped to

be working from my "office office" more regularly by now, but the halls of our firm are still pretty quiet. I know many of you have returned to your traditional places of work and I for those who have, I hope the transition is going well. The MLA's Entertainment Committee brought forward some creative ideas to the board about how we might greet the fall and some return to normalcy but after much discussion, it was decided that we would wait a little longer before encouraging gatherings of our members. Frankly, it would be rather disappointing to serve a full term as president in virtual settings only.

I was proud to be invited to represent our association as several new judicial positions were filled recently. On August 26, I was able to congratulate **Justices of the Peace Bessegato, Byskal and Oudekerk** at their swearing in ceremony. On September 21, I attended the swearing in ceremony of **The Honourable Justice Stephen Darroch to the Ontario Court of Justice**. Please join me in making

all of these individuals feel welcome as they begin their new roles in the administration of justice in Middlesex County.

October brings the Thanksgiving weekend. As a "born and raised" resident of Dorchester, that has always meant a Saturday morning parade and Fair Weekend. Sadly, those are Covid casualties this year, leaving us to make our own fun and perhaps to reinvent the ways in which we experience gratitude for the many positives in our lives; I hope you will do the same.

*On behalf of the board of trustees, I wish you all a very Happy Thanksgiving.*

Bob Ledgley  
PRESIDENT

## Questions & Comments

If you have any issues or concerns regarding the Middlesex court facilities, operations, judiciary, etc., let them be known! Send all concerns to the current MLA Bench & Bar representatives:

**Rasha El-Tawil** 519-660-7712  
[rasha.el-tawil@siskinds.com](mailto:rasha.el-tawil@siskinds.com)

**Jennifer Wall** 519-661-6736  
[jwall@harrisonpensa.com](mailto:jwall@harrisonpensa.com)



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# Library News



Contributed by:

Cynthia Simpson and Shabira Tamachi  
library@middlaw.on.ca

## Remote Access to Lexis Advance Quicklaw

Remote access to Lexis Advance Quicklaw will continue but content changes will come into effect on October 18th. Here is the information from Lexis Nexis:

LexisNexis has been pleased to be a partner in providing remote access to the content in the LiRN Quicklaw subscription (and more) to assist Ontario lawyers through the challenges of the library closures during the pandemic.

While we wish to continue offering remote access to content, we will need to effect a change as of October 18th to minimize the impact of the program on our business.

Primary legal content and a selection of commentary will remain available through the remote access program for self-service by registered Ontario lawyers.

Premium commentary content, such as textbooks and treatises, will remain available through the local library. Library staff may continue to download excerpts of these materials and send them to lawyers just as they did prior to the pandemic offering.

If you have not yet signed up for the free remote access and wish to do so, please use the [following link](#).

Your MLA staff will continue to have access to the full Comprehensive suite of products and can send you excerpts by request at no charge. Email us at [library@middlaw.on.ca](mailto:library@middlaw.on.ca) for all your research needs.

## Library Re-Opening

Our library hasn't really been closed as our members could always access it using the key code on the pin pad by the door, but the library staff have been working remotely for most of the pandemic.

We have been on-site one day a week for several weeks now, dealing with processing of print items and collection updates, and our library assistant is working on the first part of a long-overdue collection project.

As the courts are still closed to most in-person matters, there has not been a pressing need for us to be physically in the library on a full-time basis. We will advise the membership through the weekly MLA Update emails and on our [Twitter feed](#) if there are any changes to our current schedule once we have guidance from the MLA board on the matter.

Not sure what we might have? Check out the [online catalogue](#) that includes all our resources and those in the other law association libraries and the LSO's Great Library. Still not sure what we have or where to find it? Just ask us! You can reach us by email or through the MLA Chat link from our [website](#).

## New Books

Gourlay, Matthew et al. **Modern criminal evidence**, Emond Publishing, 2021

Lavender, T. Stephen. **2021-2022 Annotated Ontario Employment Standards Act**, Thomson Reuters, 2021

n/a. **Martin's Ontario criminal practice 2022**, Thomson Reuters, 2021

Payne, Julian. **Child support guidelines in Canada, 2020**, Irwin Law, 2020

Siegel D. Brahm. **Consolidated Ontario family law statutes and regs 2021-2022**, Thomson Reuters, 2021

Tanha, Robert. **Law of bailment**, Irwin Law, 2019

Waters, Donovan. **Waters' law of trusts in Canada --5th ed.**, Thomson Reuters, 2021

Zuker, Marvin. **Ontario Small Claims Court practice 2022**, Thomson Reuters, 2021

## Missing Books

The collection project mentioned in our article involves checking the official shelf list of our holdings with what is actually on the shelves. Surprise surprise, there are lots of things that are supposed to be in our collection that are nowhere to be found! Many of these items are older materials that were likely withdrawn or are now so old that we would be removing them from our collection anyway, but we will be circulating a new, expanded list of missing titles in next month's newsletter article and hope some of those items will mysteriously re-appear in our book return bin, no questions asked. FYI, our Wills and Estates section still wins as the most pilfered part of the collection.





*“Thank you.”*

Thanksgiving is a time for us to pause,  
reflect and appreciate those who share our values  
of caring about people.

We wish you and your families a happy and grateful  
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# Types of **INTELLECTUAL PROPERTY**



SOURCE: HARRISON PENZA TECHNOLOGY AND PRIVACY LAWYERS

## 5 common types of intellectual property



Contributed by:  
**David Canton / Harrison Pensa LLP**

**Intellectual property can take many forms, and each form is protected differently.**

In this post, we will explain the basics of the most common types of intellectual property — copyrights, moral rights, trademarks, patents, and trade secrets. Sometimes, more than one can apply to a situation.

### 1. COPYRIGHT

Copyright protects creative works like computer code, photographs, artwork, and text. It protects the expression of an idea, not the idea itself. For example, if I invent cold fusion and write about it, copyright does not stop anyone from replicating my invention. It stops people from reproducing my article. Copyright starts with the author. Who

actually owns copyright can vary with the circumstances, especially when works are created for others.

### 2. MORAL RIGHTS

Moral rights are related to copyright. Unlike copyright, moral rights can't be assigned — but they can be waived. Moral rights give the author two things. The right to be identified as an author, and that the work won't be used in a way that negatively affects the reputation of the author. Moral rights can cause some difficult issues. They are often overlooked, which is unfortunate because moral rights are usually easy to deal with if addressed at the right time.

### 3. TRADEMARKS

Trademarks offer protection for your branding. They are an indication of the source and quality of the goods or

services. While wordmarks and logos are the most common types of trademarks, things like colour, sound, and shape can be registered. Trademarks can be unregistered or registered, but registered marks give more protection and are more easily enforced. If I brand my cold fusion device as "sunsafe", I can market it as the sunsafe® cold fusion device to distinguish it from the competition. If you want to know more about trademarks you can download our trademarks guide.

### 4. PATENTS

A patent stops others from making your invention. So if I patent my cold fusion invention, no one else can make my cold fusion device for the next 20 years unless they agree to pay me a royalty.

### 5. TRADE SECRETS

The concept of a trade secret is quite

simple. I just won't tell anyone how I make my cold fusion device. Trade secrets work well if the invention can't be reverse engineered. The formula for Coca-Cola is a good example. It requires a careful, well planned approach to keep it confidential both in practice and in the eyes of the law.

### THE SOONER, THE BETTER

It is important to consider how to best protect your IP as early as possible. Some aspects can be dealt with contractually. That can be done at any time, but it is much easier to get other parties to

cooperate at an early stage. While trademarks can be filed at any time, sooner reduces the risk that someone else will file something similar before you do. Patents can't be filed at all any later than one year after they become public.

*[David Canton](#) is a business lawyer and trade-mark agent with a practice focusing on technology issues and technology companies. Connect with David on [Twitter](#) and [LinkedIn](#).*



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# Report on Past CPD Programs



*Contributed by:*

**Paula Puddy, MLA CPD Director**

## The Small Claims Court Seminar

David Miller and Paul Trudell, deputy judges of the Small Claims Court, shared their thoughts on what to do and what not to do in terms of pleadings, settlement conferences, trials and motions. The Regional Small Claims court trial co-ordinator, Laura Webdale, also joined us briefly to discuss several administrative issues.

As of January 1, 2020, the jurisdiction of Small Claims court increased from \$25,000 to \$35,000. Given this substantial increase, it is important for lawyers, paralegals and students to be effective in this court.

Over thirty articling students, paralegals and lawyers attended this program on September 9, 2021.

The MLA made a donation to London Lawyers Feed the Hungry on behalf of the presenters.

## The Highway Traffic Act and Provincial Offences Act Seminar

Our two experts, Carolynn Conron, a defence lawyer and Steve Keyes, a licensed paralegal, shared key information to navigate provincial offences including offences under the Highway Traffic Act and “win” or reduce the penalty for your clients.

The presentation includes information on: new stunt driving legislation, increased penalties for stunt driving, the suspension of limitation periods has ended and virtually all proceedings are being held

online via Zoom. It is important to check with your local court house for the latest practice directions or information as it continues to change rapidly.

Our speakers review the following: types of offences, procedural issues, preparation, trial strategy, sentencing, costs and appeals and Rules of Professional Conduct applicable to POA's.

Twenty articling students, paralegals and lawyers attended this program on September 15, 2021.

The MLA made a donation to London Lawyers Feed the Hungry on behalf of the presenters.

## How to Register Online!

The MLA has transitioned to an online registration system for our CPD programs (rather than filling out a pdf form). In fact, all your membership information is available from your profile on our new online system, called Wild Apricot. Login to review and update your profile, access and pay your annual dues invoice, and get a copy of your payment receipt and online membership card. We are no longer issuing hard copy membership cards. You can also register and pay for CPD and social events through your profile, add your dietary restrictions and allergies, and access your receipts for events also. Although changing your registration method may be a hassle the first time, it has streamlined the process and is much more efficient.

Here are instructions on how to register for CPD programs:

- View all of the CPD programs

available at: [Continuing Professional Development | Middlesex Law Association](https://mddl.org/development/middlesex-law-association) (mddl.org)

- Click on the program you are interested in and then click the “pricing & registration” button. This takes you to a screen with pricing and registration info.
- Click on the “registration” button on the left hand side of your screen to complete the process.
- MLA Members: all your contact information and allergies/dietary restrictions will automatically pre-fill when you log in to register.

### How to log in:

- If you have already created your password in the MLA's new membership management system, simply log in with your email and password.
- If you **haven't created a password yet**, use the email address we have for you in our system (the one at which you received this email) and click Forgot Password.
- Create your own password and you will then be directed to your profile. Passwords were not pre-set and we do not have access to the one you create.
- Please do not start a new profile with a different address. If your email has changed, please contact us to update it in our system so you can then log into your profile.

### How to pay:

- You can pay online (credit card) by clicking on the “pay online” button





- Or, you can pay via e-transfer with the specific code provided in the CPD program details
- Or, you can pay by sending a cheque to the MLA at the address below.

If you have any questions, please contact me or [Cynthia or Shabira](#).



### Shout-Out to CPD Online

Our partners at CPDOnline.ca have hundreds of hours of content available for reasonable prices, available 24/7. You can search by practice area, provider, or type of hours such as EDI / Professionalism / Practice management!

If you are a new subscriber, CPDOnline.ca gives the MLA \$100 for every MLA association member who signs up for an individual subscription for \$399.00 + HST. We also receive royalties from CPDOnline.ca based on our viewed MLA programs.

#### How to Sign-Up:

1. Go to <https://www.cpdonline.ca/purchase-options>
2. Get Started... Individual Subscription or Pay as you Go
3. Mention your Middlesex Law Association on the registration page as well as check the box that says "were you referred by your association"!

## Continuing Professional Development Programs & Events 2021 held by Zoom

### Digital Wellness for Home and Work

Wednesday, October 6, 2021, 4:30pm to 6:00pm,  
The Semi-Annual Women's Networking Event

**Speaker:** Larissa Mills, B. A., M. Ed., Corporate Digital & Wellness Educator  
**Chair:** Louise Mimmagh

[Register Here](#)

### The Real Estate Update

Thursday, October 7, 2021, 1:00pm to 3:00pm

**Guest Speaker:** Jeffrey Lem, Director of Titles  
**Chairs and Speakers:** Casey Hayward and Matthew Wilson

[Register Here](#)

### The 16th Annual Straight from the Bench Conference

**Court of Appeal Keynote Speaker:**

The Honourable Mr. Justice Benjamin Zarnett

**Guest Speaker:** Professor Thomas Telfer on "Mindfulness & Lawyer Well-Being"

**EDI Presentation:** Professor Michael Coyle on  
"Aboriginal Rights and Dispute Resolution Theory"

**Chairs:** The Honourable Madam Justice Lynne Leitch, Anne Marie Frauts, Elizabeth Harding, Dara Lambe, Evelyn ten Cate, and Dagmara Wozniak

**Presenters:** Regional Senior Justice Bruce Thomas, Jacob Damstra, Peter Kryworuk, Carolyn Conron and more!

[Register Here](#)

### The 5th Annual EDI seminar

Thursday, November 18, 2021, 2:00pm to 3:30pm

Keep Calm and Check your Privilege!

A Positive Look at Becoming an Ally, Advocate and Accomplice

**Speaker:** Deirdre Pike of Queer Transformative Power

[Register Here](#)

### The 16th Annual Personal Injury Conference

Thursday, December 2, 2021, 1:00pm to 3:00pm

The Impact of the Pandemic on Personal Injury Litigation

**Guest Speaker:** The Honourable Mr. Justice Grace

**Speakers:** Sarah Kirshin-Neilans, Lindsay Campbell, and more!

**Chairs:** Alysia Christiaen, Kerry Figliomeni, Lucy Lee

[Register Here](#)

### The 17th Annual Wills, Estates & Trusts Conference

Wednesday, December 8, 2021, 9:00am to 12:00pm

Solicitors and estate litigators – pencil in this annual program!

Our annual wills conference features relevant topics for your practice.

Registration forms, and a draft agenda will be available soon.

**Chairs:** Lou-Anne Farrell, Justin Newman and Ian Wright

# Attendant Care Benefits and the Trivialization of Women's Work



Contributed by:  
Anna Stoll / Siskinds

## Caregiving is often performed by women and is considered women's work.

It is also undervalued and unpaid. The way automobile insurers determine how care providers are (or are not) paid illustrates and perpetuates this problem.

Attendant care benefits may be available to those who have sustained injuries in a car accident, under the *Statutory Accident Benefits Schedule*.<sup>1</sup> Attendant care may include tasks such as assistance with mobility and transfers; assistance with toileting and bathing; dispensing of medications; ensuring safety; changing linens; meal preparation and feeding; grooming; and mental health supervision and support.

Attendant care benefits can be payable to professionals, such as Personal Support Workers (PSWs) but non-professionals, such as family members, only receive compensation if they lose income from another source.

For professionals providing attendant care, the vast majority of whom are women,<sup>2</sup> the maximum that will be paid for routine personal care is \$14.90 per hour or for basic supervisory functions is \$14.00 per hour. These hourly rates include all administration costs, overhead, and related costs, fees, expenses, charges, and surcharges.<sup>3</sup> As of October 1, 2021, the minimum wage in Ontario is \$14.35 per hour. Accordingly, given that many providers work through agencies or care companies, the amount that the care provider receives for her work likely does not meet the current provincial minimum wage.

The circumstances are most bleak

for non-professional providers. For a non-professional provider, she will only be paid a maximum of the amount of the economic loss sustained by her, *"during the period while, and as a direct result of, providing the attendant care."*<sup>4</sup>

**Attendant care benefits can be payable to professionals, such as Personal Support Workers (PSWs) but non-professionals, such as family members, only receive compensation if they lose income from another source.**

Unfortunately, the governing Regulation does not define economic loss. However, the following are examples of economic loss that have arisen out of the case law:

- A leave of absence from, or a termination of, employment;
- A reduction in paid work hours;
- A specific job offer foregone; and,
- The acceptance of an offer for part-time employment, rather than full-time employment.

Not surprisingly, most non-professional attendant care providers are women, as women constitute the majority of stay-at-home parents and spouses. If a stay-at-home mom has not incurred an economic loss while providing care to a family member, she is not paid for her services. It does not matter if she is pulled away from other caregiving tasks, home maintenance tasks, meal preparation, and volunteer endeavors, or if she delays entry into the paid workforce on a general basis. And, for women who work outside of the home, her attendant care services will remain unpaid if she does not lose income from her "day job".

The insurer approach to payment of attendant care benefits, both for professional and non-professional providers, perpetuates the idea that work traditionally associated with women or women's time more generally is not valuable and not worth valuing. In addition, the added burden on women in this scheme may mean forgone paid work, changes in family structures, and changes in personal relationships between those who care and those who are cared for and about.

<sup>1</sup> Section 19, *Statutory Accident Benefits Schedule*, O Reg 34/10

<sup>2</sup> The Personal Support Worker profession remains overwhelmingly female. According to Canadian Women's Health Network (CAHN), more than 90% of PSW's are female.

<sup>3</sup> [https://www.fscsco.gov.on.ca/en/auto/superintendent\\_guidelines/Pages/guideline-01-18.aspx](https://www.fscsco.gov.on.ca/en/auto/superintendent_guidelines/Pages/guideline-01-18.aspx)

<sup>4</sup> Subsection 19(7), *Statutory Accident Benefits Schedule*, O Reg 34/10



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# What if Britney Spears lived in Ontario? Examining Agency and Guardianships



Contributed by:  
**Leanne Kuchynshi / Siskinds**

## Britney Spears' conservatorship, and the resulting "Free Britney" movement, has been a topic of much discussion in the news.

Plenty of attention, and rightfully so, has been focused on what Britney's wishes are with respect to the conservatorship. In June of 2021, Britney made a powerful statement to the Judge presiding over her conservatorship case that outlined her wishes as well as the trauma she experienced from being under a conservatorship.

Britney's conservatorship highlights potential issues that can arise in the appointment of substitute decision makers by the Court. In Ontario, this process is called a guardianship. Her conservatorship further raises the importance of ensuring that the conservatorship, or guardianship, is in the best interests of the alleged incapable person and that affected individuals have the opportunity to exert their agency (agency is the capacity of individuals to act independently and to make their own choices) in the guardianship process. This blog examines the legal measures that are in place in Ontario that advance these goals.

### Britney Spears' Conservatorship

In 2008, Britney was placed under a conservatorship for her estate (property) and person. During the conservatorship, various individuals, including her father, have acted as her conservators, and they have made decisions regarding her property and personal care. As the

conservatorship progressed, concerns were raised regarding whether Britney was truly incapable of managing her affairs and whether the conservatorship was even necessary. These concerns ultimately culminated in the *Framing Britney Spears* documentary that was released in 2021.

On June 23, 2021, Britney made a statement to the Judge hearing her case. In her statement, she described the abusive aspects of her conservatorship (such as forcing her to work, forcing her to take medication against her will, and making decisions regarding her body and family planning) and the resulting harmful impact the conservatorship has had on her. She further outlined her wishes regarding her property and person and, ultimately, advocated for her conservatorship to end without a further evaluation.

An examination of her (apparent) toxic conservatorship, and the resulting trauma experienced by her, highlights the importance of ensuring that the conservatorship is truly in the best interests of the alleged incapable person. In addition, Britney's experience also underlines the importance of there being safeguards in place to ensure that the alleged incapable person is aware of their rights and can have the opportunity to exert their agency throughout the process by expressing their wishes and preferences.

What if Britney Spears lived in Ontario? What protections are in place for adults in Ontario who are alleged to be incapable and who purportedly require someone to manage their property and/or personal care?

### Guardianship Applications in Ontario

In Ontario, if an adult is alleged to be

incapable such that he or she requires a person to manage their property and/or personal care, a person or persons may apply to the Court to become appointed as Guardian. The legislation in Ontario that provides the legal framework for guardianship applications for adults is the *Substitute Decisions Act*.

In Ontario, the process to have a Guardian appointed for an incapable person includes procedures that appear to promote agency and are designed to protect the alleged incapable person. These procedures are as follows:

#### 1. Service Requirements

Guardianship applications must be served personally on the incapable person and the Public Guardian and Trustee ("PGT"). This service requirement ensures that the alleged incapable person is aware that a person is seeking to be appointed as his or her Guardian. Service of the application materials further ensures that the person is aware of when and where the hearing of the application will be, and it allows the person to view the proposed Guardian's plans for the management of their property and/or care. It also gives that person an opportunity to seek out legal advice if they disagree with the Application, or aspects of the Application.

The PGT is a government body that oversees all guardianship applications for adults to ensure that the guardianship is in the best interests of the person and further, that their property and care will be managed properly. The requirement to serve the PGT allows for an independent party to review the materials to confirm that these goals are met.



## 2. Presumption of Capacity

A person is presumed capable until proven otherwise. This presumption is outlined in section 2 of the *Substitute Decisions Act* and offers protection to the alleged incapable person. The person seeking to be appointed as Guardian, therefore, must provide evidence to the Court confirming that the alleged incapable person is, in fact, incapable based on the legal tests as described in the following section.

## 3. Medical Evidence to Support Incapacity

Importantly, when the guardianship application is commenced, there needs to be sufficient medical evidence presented to the Court that demonstrates that the alleged incapable person is incapable of managing their property and/or personal care. The medical evidence that is usually presented is a capacity assessment completed by a designated capacity assessor.

There are distinct legal tests used to determine the capacity to manage property and personal care, and the capacity assessor must make their determination of capacity based on these legal tests.

Section 6 of the *Substitute Decisions Act* outlines the legal test for the capacity to manage property: (a) the ability to *understand* the information that is relevant in making a decision in the management of his or her property; and (b) the ability to *appreciate* the reasonably foreseeable consequences of a decision or lack of a decision.

Section 45 of the *Substitute Decisions Act* outlines the legal test for the capacity to manage personal care: (a) the ability to understand the information that is relevant to making a decision concerning his or her own health care, nutrition, shelter, clothing, hygiene or safety; and (b) the ability to appreciate the reasonably foreseeable consequences of a decision or lack of decision.

The determination of capacity rests on

these legal tests.

Notably, undue influence (when a person is coerced and acts against their own free will), which has been suggested to have occurred in Britney Spears' case, is not a factor considered in these legal tests regarding capacity. In addition, individuals can make "risky" decisions or improper/poor decisions, and can even be persuaded into making a decision, but still be legally capable of making the decision.

## 4. Rights Advice to the Alleged Incapable Person

As part of the application process, there is a requirement that the proposed Guardian is to tell the alleged incapable person about the application being commenced and that they are seeking to become appointed as their Guardian. The applicant must also explain what this will mean and advise the person that they have a right to oppose the appointment. This process is termed "rights advice".

In the application materials, the proposed Guardian needs to provide sufficient evidence to the Court that they have given the appropriate rights advice.

## 5. Wishes of the Alleged Incapable Person

Under the *Substitute Decisions Act*, sections 24(5) and 57(3) outline the criteria that the Court shall consider when determining who should be appointed as Guardian, if it is determined that a Guardian is required. Of importance, these sections state the Court shall consider the incapable person's wishes, if those wishes can be ascertained.

When applying to the Court, it is, therefore, important that the proposed Guardian provide evidence of the alleged incapable person's wishes (if they can be ascertained) regarding who they want to become Guardian, as well as how they wish for their property and personal care to be managed. It is similarly important that the proposed Guardian ensures their plans are consistent with the person's wishes (past and present).

## 6. Guardianship as a Last Resort

The appointment of a Guardian is a last resort. Sections 22(3) and 55(2) of the *Substitute Decisions Act* state that if there are alternative courses of action where the needs of the person will be met that do not require the Court to find the person incapable and are less restrictive on the person's decision-making rights than a guardianship, then the Court shall not appoint a Guardian.

## 7. Ongoing Obligation to Consult

Lastly, if a Guardian is appointed, there is an ongoing duty, under the *Substitute Decisions Act*, for the Guardian to consult with the incapable person as well as supporting family members and friends regarding management decisions in the guardianship. This ensures that the incapable person is involved in the management of their property and care and that their wishes are continually assessed throughout the guardianship.

## Conclusion

With these measures in place, the legal framework surrounding guardianships in Ontario, although likely not perfect, seeks to ensure that persons are protected and have agency in the guardianship process. If Britney Spears lived in Ontario and it was determined that she required a Guardian (after concrete medical evidence was presented to support her incapacity) and a guardianship was deemed necessary, she would likely have much more autonomy than she does under her current conservatorship.

With respect to Britney Spears' conservatorship, the Court should place significant weight on her wishes. There should further be a thorough examination of the conservatorship system that appears to have truly failed her.

#FreeBritney

*\*A special thank you to my colleagues, John Morrissey and Jenny Yu, for their comments and edits.*

# Will Notices

## Neil Todd Wheaton

Anyone having knowledge of a Last Will and Testament for Neil Todd Wheaton, born April 21, 1969, who died on April 9, 2021, please contact Frederick A. Mueller at 519-673-1300 or email: fred\_mueller@rogers.com.

## John Smibert McLachlan and Beverly Anne McLachlan

Anyone having knowledge of a Last Will and Testament for John Smibert McLachlan, born September 29, 1935, who died on August 11, 2021 and Beverly Anne McLachlan, born August 2, 1939, who died on August 15, 2021, please contact Melissa Reaume at Bowsher + Bowsher Law Firm 519-633-3301 or email: melissar@bowsherandbowsher.ca.

## Jean Kemp

Anyone knowing of a Last Will and Testament for Jean Kemp, born July 20, 1928, please contact Owen Wyrzykowski at 519-336-6118 (ext. 30) or by email at orw@wrlawoffice.ca.

## Brian Edward Bartlett

Anyone having knowledge of a Last Will and Testament for Brian Edward Bartlett, 64 years of age who died on 6 September 2021, please contact Keith I. McLean at 519-235-2234 or email: kim@raymondmclean.ca.

## Elmer LaVerne Cunningham

Anyone having knowledge of a Last Will and Testament of the late Elmer LaVerne Cunningham, who died in 1984 and resided in Ingersoll, ON is asked to contact Meghan Harrogate at Brown Beattie O'Donovan 519-679-0400 or email: mharrogate@bbo.on.ca. .

## Stanley John Chmiel

Anyone having knowledge of a Last Will and Testament for Stanley John Chmiel, born September 11, 2021 and died on March 29, 2021, resided in Woodstock, ON and Burford, ON. please contact Diane Hooper at ph 519-750-8443.

## Beatrice Victoria Burnett

Anyone knowing of a Last Will and Testament of Beatrice Victoria Burnett, born 05/06/1920, is asked to contact her son Kevin Burnett at 519-495-9128.

## Brian John Beeckmans

Anyone having knowledge of a Last Will and Testament for Brian John Beeckmans, born September 15, 1964, who died on August 6, 2021, please contact Frederick A. Mueller at 519-673-1300 or email: fred\_mueller@rogers.com.

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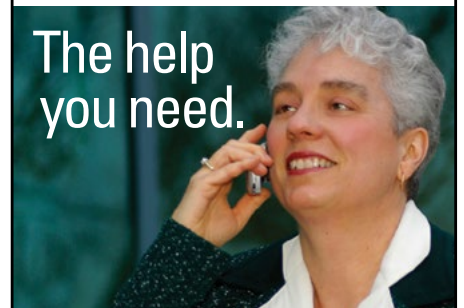
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**Robert Haas** – has opened his own firm at Talbot Court-Suite A, 341 Talbot St., London N6A 2R5, ph: 226-785-3556, fax: 226-785-3540, email: [roberthaas6191@gmail.com](mailto:roberthaas6191@gmail.com)

**Kathryn Gilbert** – new call practicing at Wilhelm Family Law, email: [kathryn@wilhelmfamilylaw.com](mailto:kathryn@wilhelmfamilylaw.com)

**Dennis Crawford** – new member practicing at Monteith Ritsma Phillips PC, 6 Wellington St, Box 846, Stratford ON N5A 6W3, ph: 519-271-6770 x2259, email: [crawford@stratfordlawyers.com](mailto:crawford@stratfordlawyers.com)

**Amit Singh** – has opened Amit Singh PC, 472 Ridout St. N., London N6A 2P7, ph: 226-777-8737, fax: 226-680-0600, email: [amit@amitsinghlaw.ca](mailto:amit@amitsinghlaw.ca)

**Legate Personal Injury** – is now Legate Injury Lawyers, 302-150 Dufferin Ave., London N6A 5N6, ph: 226-777-8817, fax: 226-777-8857

**Barbara Legate** – extension number at Legate Injury Lawyers is 106 and email is [blegate@legatelaw.ca](mailto:blegate@legatelaw.ca)

**Alex Wolfe** - extension number at Legate Injury Lawyers is 100 and email is [awolfe@legatelaw.ca](mailto:awolfe@legatelaw.ca)

**Ashley Maciuk** - extension number at Legate Injury Lawyers is 111 and email is [amaciuk@legatelaw.ca](mailto:amaciuk@legatelaw.ca)

**MD Lawyers** – new firm at 500-285 King St., London N6B 3M6, ph: 519-672-1953, fax: 519-672-6689

**Barbara MacFarlane** - extension number at MD Lawyers is 5228 and email is [bmacfarlane@md-lawyers.ca](mailto:bmacfarlane@md-lawyers.ca)

**Joni Dobson** – extension number at MD Lawyers is 5244 and email is [jdobson@md-lawyers.ca](mailto:jdobson@md-lawyers.ca)

**Keaghan Hepp** - extension number at MD Lawyers is 5215 and email is [khepp@md-lawyers.ca](mailto:khepp@md-lawyers.ca)

**Michael Hodgins** - extension number at MD Lawyers is 5212 and email is [mhodgins@md-lawyers.ca](mailto:mhodgins@md-lawyers.ca)

**Alexandra Campbell** – is now practicing at MD Lawyers, extension 5214 and email [acampbell@md-lawyers.ca](mailto:acampbell@md-lawyers.ca)

**Catherine Taylor** – now Catherine Costa and email has changed to [catherine.costa@aviva.com](mailto:catherine.costa@aviva.com)

**Lindsay Kirk** – has rejoined the MLA and is at Canaccede Financial Group, 900-140 Fullarton St., London N6A 5P2, ph: 519-860-8578, email: [lindsay.kirk@canaccede.com](mailto:lindsay.kirk@canaccede.com)

**Jesica Cacciavillani** – new call practicing at Lakin Afolabi Law, email: [jesica@lakinafolabilaw.com](mailto:jesica@lakinafolabilaw.com)

**Siskinds LLP** – the firm has moved to 1-275 Dundas St., London N6A 2R5

**Abeer Abosharia** – is now practicing at Bashier Law, 341 Talbot St., London N6A 2R5, ph: 519-601-5550, fax: 519-266-0025, email: [abeer@bashierlaw.com](mailto:abeer@bashierlaw.com)

**Kristine Murphy** – is now practicing at Economical Insurance – Claims Litigation, email: [kristine.murphy@economical.com](mailto:kristine.murphy@economical.com)

**Micheal Bronsveld** – is now practicing at McKenzie Lake LLP, extension 7300, email: [bronsveld@mckenzielake.com](mailto:bronsveld@mckenzielake.com)



## October 2021

### Middlesex Law Association Newsletter

*Editor*

Nicola Circelli

519.601.9977

[nicola@nicolacircellilaw.com](mailto:nicola@nicolacircellilaw.com)

*Advertising*

[admin@middlaw.on.ca](mailto:admin@middlaw.on.ca)

*Design*

Jason Recker

[jason@carvedesign.ca](mailto:jason@carvedesign.ca)

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The Snail welcomes articles from MLA members. in Word format, along with photos, headshot and headline. For clarity and readability, we encourage submissions in the range of 200-500 words, with a maximum limit of 1000 words for news and opinions, and a limit of 2000 words for articles on law and legal issues. At the request of the contributor, any submissions shortened in this way can also be published with a link to the full article to be obtained directly from the author.

### Potential topics for submissions include:

News, the promotion of an upcoming event, a review of a past event, recognition of someone in the legal community, opinion and letters to the editor, discussion of a legal issue & case reviews, or practice tips

#### Nicola Circelli

519.601.9977

[nicola@nicolacircellilaw.com](mailto:nicola@nicolacircellilaw.com)

#### John Nicholson

519.672.9330 x385

[jnicholson@cohenhighley.com](mailto:jnicholson@cohenhighley.com)

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t. 519-672-2121 f. 519-672-6065  
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[jwall@harrisonpensa.com](mailto:jwall@harrisonpensa.com)

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[asharpe@lernalers.ca](mailto:asharpe@lernalers.ca)

Tinashe Madzingo  
t. 519-913-3195 f. 5519-913-3426  
[tmadzingo@diamondlaw.ca](mailto:tmadzingo@diamondlaw.ca)

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[jnicholson@cohenhighley.com](mailto:jnicholson@cohenhighley.com)

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Shabira Tamachi  
t. 519-679-7046 f. 519-672-5917  
[shabira@middlaw.on.ca](mailto:shabira@middlaw.on.ca)

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t. 519-672-5666 f. 519-672-2674  
[hilary.jenkins@mckenzielake.com](mailto:hilary.jenkins@mckenzielake.com)

### Newsletter

Nicola Circelli  
t. 519-601-9977  
[nicola@nicolacircellilaw.com](mailto:nicola@nicolacircellilaw.com)

John Nicholson  
t. 519-672-9330 f. 519-672-5960  
[jnicholson@cohenhighley.com](mailto:jnicholson@cohenhighley.com)

### Scholarship

Erin Rankin Nash  
t. 519-963-0162 x6 f. 519-963-0159  
[erin@fplaw.ca](mailto:erin@fplaw.ca)

### Website

Christina Martin - Chair  
t. 519-672-2121 f. 519-672-6065  
[christina.martin@siskinds.com](mailto:christina.martin@siskinds.com)