

OVERVIEW OF ONTARIO'S LEGAL SYSTEM--- THE WHOLE BUSINESS AT A GLANCE

STARTING WITH SOMETHING YOU PROBABLY KNOW...the criminal and civil courts

WHAT WE BORROWED...the origins: Roman law, Anglo Saxon and Norman law, sorted out to become English [and Canadian] common law

BASIC ELEMENTS OF COMMON LAW SYSTEM: case law decisions, the law of equity, combining common law and equity

EXPANSION OF COMMON LAW: contracts and torts, flexibility in dealing with change, interpreting statute law, sorting out conflict between case law and statute law, limits on statute law—constitutional law restrictions

BUT IT IS NOT ALL COMMON LAW: The Quebec Civil Code and how it is different from the rest of Canada and how it works.

THE COURT SYSTEM IN ONTARIO: The Superior court, provincial courts-civil and criminal, The Federal Court-trial and appeal divisions administrative tribunals.

THE ONTARIO CIVIL COURT SYSTEM: A SUPERIOR COURT ACTION FROM START TO FINISH: pleadings, discovery, motions, pre-trial and trials, costs awards, enforcement of judgements

THE ONTARIO SMALL CLAIMS COURT: Small Claims trials from start to finish—doing it quickly and cheaply [one hopes].

DON'T LIKE THE RESULT: Appeals

AND SOME WEBSITES YOU MAY FIND USEFUL:

Searching for case law?

<https://www.canlii.org/en/>

Searching for statutes and regulations?

<https://www.ontario.ca/laws>

Want to know more about the Ontario court system?

<http://www.ontariocourts.ca/scj/>

DIY in the Small Claims Court?

<https://www.attorneygeneral.jus.gov.on.ca/english/courts/guides/>

Want to know how to find a lawyer?

<https://www.lsuc.on.ca/>

Want to know how to get a 30 minute free consultation with a lawyer or paralegal?

<https://www.lsuc.on.ca/lsrcs/>

Need free legal assistance?

Ontario Legal Aid Plan:

<http://www.legalaid.on.ca/en/>

ProBono Ontario-help for self represented litigants:

<https://www.probonoontario.org/>

Suggested reading:

Olivo, L. *Introduction to Law in Canada* (Captus Press: Toronto, 2013)-used as an intro. Text for students in law clerk and paralegal programs.

Fitgerald,J and Olivo, L *Fundamentals of Contract Law* 2nd ed. (Emond Montgomery:

Dimensions of Law (Emond Montgomery: Toronto 2004) –a grade 12 High School text and a good general introduction

Kerr et al, *Canadian Tort Law in a Nutshell* 4th ed. (Carswell: Toronto 2014). A good introduction to tort and negligence law. Carswell's Nutshell series includes introductory texts on a number of areas of law.

Save a buck: Start with the reference and catalogue in your local library

