

Legal Aid Ontario

**Consultation on the Roles, Responsibilities,  
Relationships & Accountabilities of LAO &  
Community Legal Clinics**

July 10, 2008

Prepared by:



## **Background**

Legal Aid Ontario has recently undergone significant changes including an internal reorganization along regional lines and the development of a management strategy that will guide LAO for the next five years. These changes set the stage for a renewed vision of the relationships and accountabilities between LAO, its funders, and the community clinics funded by LAO. The management strategy was developed in the context of increasingly more stringent demands placed on LAO by the government to be accountable to the government and the public for the funds it receives, and for the funding it transfers to service providers such as clinics.

Historical and current relationships have produced challenging dynamics. The Association of Community Legal Clinics of Ontario (ACLCO) funded by LAO, spends a considerable amount of time advocating to LAO regarding clinic issues. The funder is both a subject of this advocacy work and is a service provider to clinics. A functional, co-operative relationship in which all parties work together to innovate and create efficiencies that ultimately improve client service remains elusive. In addition, a lack of effective and meaningful clinic performance standards, and cumbersome and unclear consultation practices detract from LAO's ability to fulfil its statutory obligations to provide an efficient and effective legal aid system with high quality legal aid services; to manage it well; and to be accountable to the government for the public funds that it spends. While recent relationship-building efforts have slowly begun a tide of transformation, a fundamental shift is required in order to move away from advocacy-based dynamics and more towards professional and modern working relationships that involve clearly defined roles and accountabilities and solid business practices that include meaningful consultation, transparency and a spirit of collaboration.

## **Consultation Purpose/Goal**

LAO is embarking on a consultation process with clinic stakeholders and community partner representatives in order to inform their decisions with regards to making changes in the relationship between LAO as funder and community legal clinics.

<b>Pre-Consultation Activities</b>	A consultation paper developed by LAO staff and reviewed and approved by the LAO board has been released to community legal clinic staff and boards, and posted publicly on LAO's website.
<b>Consultation Overview</b>	BOARDrx Inc. will facilitate several in-person consultation sessions with internal and external stakeholders. External stakeholders will be consulted in September and October, and clinic staff and boards, and LAO staff will be consulted in November. The discussion paper will be circulated widely and readers, both internal and external, will be invited to submit written responses by November 30, 2008. From the time of the paper's release at the end of July and the conclusion of the consultations in November 2008, LAO regional management will be available to clarify concepts and answer questions. Regional managers may set up local meetings to facilitate this process.
<b>Timing</b>	TBD – Fall, 2008
<b>Locations, Dates &amp; Venues</b>	Dates & venues are to be determined. In-person consultation locations are as follows: Belleville Chatham Hamilton Ottawa Sudbury Thunder Bay Toronto Windsor
<b>Attendees</b>	Interested clinic staff and board members and representatives of other community agencies serving the same client. Clinics and LAO regional staff will be asked for names of suggested attendees.

## **Consultation Approach**

A short background to the project and the questions to be considered at the consultation sessions will be provided with the invitation. Each session will allow participants to share their thoughts, exchange points of view and provide an opportunity to respond to the consultation questions. Senior staff will be on hand to welcome participants, hear their feedback and provide a thank you to attendees at the end of each session.

**Consultation Questions**

(Note: questions may be modified when consulting with representatives of community agencies)

- Based on what criteria should clinic funding decisions be made?
- Should clinic funding move more towards envelope funding? What challenges and opportunities would envelope funding produce?
- How could current consultation practices be clarified and modified to ensure that LAO is not encumbered in its management function, and that meaningful clinic input on system wide issues is received where appropriate in order to inform sound and effective management decisions?
- What subjects are appropriate subjects of consultation? What types of LAO decisions should not require system-wide consultation?
- How should LAO's and clinics' respective roles, regarding the determination of local client needs, be further clarified?
- In order to address conflicts of interest and LAO's anomalous role as both a funder and service provider to its fundees, in what other ways could clinics obtain the services currently provided by LAO?
- What are the positive and negative impacts of the current service provision regime? What are the potential positive and negative impacts of changing the current regime?
- What services could a body other than LAO take on most easily as a preliminary step towards transfer of services?
- What should the ACLCO's role be in relation to clinics and LAO? What should the ACLCO's primary functions be? From what body or bodies should the ACLCO receive its funding? In what ways could the ACLCO be re-envisioned in order to better serve the needs of clinics, clinic clients and to better facilitate communication and consultation between LAO and clinics?

