

LAO Board Advisory Committees Spring 2018 Meetings: LAO Updates and Environmental Scan

POLICY & STRATEGIC RESEARCH DEPARTMENT

SPRING 2018



LEGAL AID ONTARIO
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LAO updates

Spring 2018 update: What's been happening at LAO?

- January: [A new independent legal clinic](#), the Black Legal Action Centre, is established to serve the legal needs of Black Ontarians. The new clinic has an interim board of directors and community consultations will inform the development of its full mandate and scope of operations
- February: There was positive news in the February 27, 2018 Federal Budget: it included a one-time funding commitment of an additional \$12.8 million for legal aid services to asylum seekers in 2018–19. LAO's share of this new one-time funding will help it to address increasing service demand in this area
- April: Financial eligibility thresholds for legal aid certificate, duty counsel and clinics services increased by 6% for the fifth consecutive time since 2014 on April 1, 2018. [These increases](#) reflect the province's ongoing commitment to expanding eligibility for legal aid
- April: starting April 1, 2018, [LAO is asking people who apply for legal aid about their race](#). Collecting this data will help LAO to improve service delivery and create the types of programs that certain racialized groups need
- April: on April 3, 2018, LAO announced that [community legal clinics and student legal aid services societies throughout the province will receive an additional \\$7.3 million](#) in funding in 2018/19 to expand services to low-income clients province-wide. This funding will also enable student legal aid services societies to maintain new services in family law. LAO's advisory committees and justice system stakeholders have emphasized the value of these services

Responding to gaps and challenges

- LAO's internal environment is often challenging as LAO must:
 - Be flexible in responding to changes in the demand for services
 - Be able to overcome technical and operational challenges
 - Deliver services within available resources
- These are some challenges that LAO has been responding to:
 - Longer than usual wait times for callers to LAO's call centre, the Client and Lawyer Service Centre
 - ▶ This problem has been taken very seriously and LAO has made addressing it a priority. There will be noticeable improvement over the next month or two as new staff are hired and trained. Meantime, the call centre continues to provide service to over 1200 Level 1 callers and 375 Level 2 callers every day
 - Slow response time for users of the new Clinic Information Management System (CIMS)
 - ▶ LAO has hired a third-party consulting firm with expertise in the software that CIMS uses, and this firm started working with LAO in February 2018 to address the problems with the new system
 - ▶ LAO is using a combination of 2016-2017 unspent clinic funds (\$2.148M) and an additional LAO investment (\$732K) to address the problems with CIMS and to replace aging clinic computers and upgrade software

Current fiscal environment

- Over the past two years LAO has faced serious financial difficulties, chiefly due to greater than anticipated demand for refugee law services as well as for the expanded legal coverage that was introduced in 2015 as part of financial eligibility expansion in that year
- LAO's financial situation has now improved, due to a commitment of additional one-time federal funding for refugee services in October 2017, and also as a result of improved Law Foundation income following two increases to the Bank of Canada interest rate in July and September of 2017
- A commitment of new one-time refugee services funding for 2018-2019 in the February 2018 Federal Budget means that LAO does not anticipate a repeat of the situation it faced midway through 2017-2018, when funding for these services was depleted and a service suspension was a possibility

Potential for service expansion and enhancement

- As a result of its improved financial situation, LAO will have some funds available for service expansion and improvement in 2018-2019 and beyond
- Planning for new initiatives would need to be informed by the advice that was provided in the April 2017 independent [Legal Aid Ontario Review](#) conducted for the province by Deloitte in response to LAO's budget deficit situation in 2016-2017. The review recommended that LAO:
 - “Employ a cautious approach to service expansion in order to allow flexibility to respond to budget variances.... An incremental and conservative approach to introducing future financial and legal eligibility changes would reduce the risk of budgetary overruns ...”

LAO's longer-term strategic planning process

- In 2018-2019 LAO will be developing its five-year strategic plan
- The process is being led by LAO's Board of Directors and Executive
- It will include consultations with service providers, justice system partners, other external stakeholders, and management and staff
- The advisory committees will be consulted as part of this process
- The plan will re-establish and validate LAO's vision, values and priorities for promoting access to justice over the next five years

Update on Advisory Committee renewal

- The 2015-2017 committee term ended in December 2017
- In December 2017 the LAO Board established a new advisory committee, the Racialized Communities Advisory Committee. LAO now has nine advisory committees to the Board
- Committee members for the 2018-2020 term have been appointed:
 - 68 returning members
 - 80 new members
- [Information about the advisory committees](#), including their terms of reference and minutes of past meetings, can be found on LAO's website

Survey of 2015-2017 Advisory Committee members

- As part of the committee renewal process, LAO invited 2015-2017 members to complete a brief online survey. There was an approximately 20% response rate
 - 73.3% of respondents were “very satisfied” or “satisfied” with their overall experience as an advisory committee member
 - 100% of respondents were “very satisfied” or “satisfied” with the staff support they received as an advisory committee member

Advisory Committee survey feedback

- Members were also asked to provide feedback on their experience as an advisory committee member and on how it could be improved. The feedback provided by members included the following:
 - We seem to plow through a lot of important information in a very short time. Some items deserve a bit longer discussion.
 - I would recommend providing more opportunities for true participation in an advisory capacity rather than just being the receiver of information of future plans.
 - Setting goals I have felt that the committee has not had the impact on policies that it should have. The committee is comprised of a number of very knowledgeable and experienced people who have real answers to real issues.
 - My experience of the committee would be substantially improved if I could see tangible responses/ improvements to concerns raised on behalf of people trying to access or use Legal Aid in Ontario.
 - The strategies (bail, mental health, racialized communities, etc.) are thoroughly formulated and well-informed. What might be helpful going forward would be a sense of targets for the key outcomes constructed.

Aboriginal Justice Strategy update

- The Aboriginal Justice Strategy is currently:
 - Embarking on a review and renewal process for the AJS, which will include:
 - ▶ An evaluation of the first ten years of the Strategy
 - ▶ Development of a strategic plan to guide the Strategy going forward
 - Other initiatives include:
 - ▶ Designing a child protection training program for LAO staff assisting Indigenous clients; a training needs assessment is currently underway
 - ▶ Beginning an evaluation of Gladue report-writing services. LAO's goals for this evaluation include having participation from the Ministry of the Attorney General, if possible , and making the scope of the evaluation broad enough to address whether Gladue services as a whole are having their intended impact

Mental Health Strategy update

- Merit Consideration for CCB appeal funding: merit was re-introduced on November 20, 2017 and LAO is actively working to ensure that the added administrative layer of merit consideration does not cause undue to delay to appeal proceedings
- CCB Appeal Merit Guide is now available on LAO LAW (available to all panel lawyers) and has been given to Area Committee members (in both official languages)
- Mental health training for family lawyers is being developed. Currently in consultation phase. Training session will be held by the end of 2018
- Exploring the possibility of expanding substitute decision-making legal supports, including an End-of-Life pilot program and expanding civil mental health certificates.
- Discharge from Distant Court Program (formerly the Red Bag/Envelope Program) will launch imminently (the Ministry of Community Safety and Correctional Services is conducting a final review before launch)
- The Hamilton Legal Outreach Project has produced a mid-term evaluation report and the MHS has increased its support of the project

Domestic Violence Strategy update

- After months of consultations with survivors, shelter workers, and other frontline legal and community service staff, LAO's Domestic Violence Strategy blueprint was launched on September 12, 2017, and shared with dozens of stakeholders across Ontario.
- First year accomplishments:
 - In November 2017, improvements to the screening process were introduced to assist LAO in identifying all forms of domestic abuse. LAO developed and provided training to all front-line staff
 - In April 2018, LAO implemented enhancements to its Find a lawyer tool on our public website. The additional functions include the ability to select a second area of law and the option to cross reference with LAO's domestic violence panel
 - Continued to provide in-person DV training to new staff and panel members
- Ongoing work:
 - The DVS is updating and enhancing the family violence 2-hour authorization program, making it easier, through technology, for partner agencies to provide two-hour Advice Lawyer-Family Violence authorizations to clients
 - The DVS continues to work on improving panel management

Bail Strategy update

- Bail strategy successes:
 - R v Tunney: a bail review case argued by Manager of Duty Counsel in Newmarket that sanctioned the “Newmarket protocol” – a bifurcated bail process that makes bail faster and fairer
 - ▶ LAO sent out “Tunney Practice Directive” to all DC offices to ensure DC are advocating for the Newmarket Protocol
 - ▶ LAO facilitated Lunch and Learn for DC and the private bar on Tunney
 - Bail Coordinator (BC) successes: anecdotal evidence from the first year
 - ▶ BC has streamlined information-sharing between stakeholders
 - ▶ BC triages and prioritizes bails that are “ready to go” to ensure each bail appearance is a meaningful one
 - Institutional DC (IDC) successes: anecdotal evidence from the first year
 - ▶ IDC has identified gaps in services for remand population in custody and is finding unique ways of addressing them (e.g. bail plans, summary legal advice, legal applications)

Racialized Communities Strategy update

- Between November 2017 and April 2018, the Racialized Communities Strategy (RCS) conducted/attended over 40 consultations with community organizations that serve members of racialized communities. Members of the public were also encouraged to make written submissions prior to the March 31, 2018 deadline. RCS will produce a report summarizing the feedback received from clients and service providers in May 2018.
- On April 1, 2018, LAO began to collect and record race-based data from people who apply for certificates and/or receive criminal law services from LAO lawyers. To prepare for the launch, between January and April 2018, LAO delivered full-day training sessions on such things as cultural sensitivity and unconscious bias to approximately 700 front-line staff.
- In July 2017, as a result of feedback received during earlier community consultations, LAO entered into funding agreements with TAIBU Community Health Centre (TAIBU) and Somali Centre for Family Services (SCFS) to deliver legal services to Black youth who are in conflict with the education system (i.e., facing suspension or expulsion). TAIBU and SCFS begun serving clients in the fall of 2017.

Prison Law Strategy update

- Consultations with correctional stakeholders have continued, with a particular focus on vulnerable groups, i.e. Black and other racialized communities, Indigenous communities, those with mental health issues
- We continue to build local relationships, and have recently met with the Provincial HSJCC, the East HSJCC, JHSO in Peterborough and Kingston, Elizabeth Fry Canada and Toronto
- Initiatives underway or in the planning stages include:
 - Embedded clinic services pilot at Vanier/Maplehurst through Halton Community Legal Clinic
 - Needs assessment and services pilot in East/Central East District
 - Piloting of “warm” referrals and inmate needs data collection by Institutional Duty Counsel
 - Connecting with the Minister’s Office at MCSCS to foster LAO involvement in correctional policy discussions

Criminal law services update

Supporting the private bar:

- Consulting on youth criminal panel standards and criminal mental health panel standards to support the private bar and ensure high quality legal services
- Developing "billing and portal" webinars and FAQ's to address private bar concerns and questions, and new "live" empanelment form
- Developing criminal law website for criminal practitioners with legal updates, CPD, billing/portal tips and empanelment FAQs

Supporting duty counsel:

- A best practice guideline for criminal duty counsel who wish to assist an accused person in non-bail processes and who may have counsel already retained has been developed. LAO is engaging in discussions internally and externally with the private bar to develop similar best practices in the bail context.

Modernizing the Criminal court

- LAO has attended and presented at the Ontario Court Modernization meetings with other criminal stakeholders to identify and implement ways to modernize criminal court, including streamlined processes for making applications for certificates in custody

Policy analysis of new legislation

- LAO conducted impact analysis of the new Anti-Human Trafficking Act and the impact on services as a result. LAO continues to monitor new legislation and will be writing an impact analysis of the new Federal Justice Bill (C-75) and the Cannabis Bill (C-45) among other pieces of legislation that will affect criminal services

Family law services update

- Motherisk Commission Report
 - A summary and analysis of the recommendations in the Motherisk Commission's final report, Harmful Impacts, which highlighted the recommendations directed at – or indirectly impacting LAO was prepared for LAO's Executive Management. LAO is considering how to address the recommendations.
- Child, Youth and Family Services Act
 - LAO conducted an impact analysis of the changes to child protection law and the impact on LAO services as a result of the newly-introduced Child, Youth and Family Services Act. Internal and external resources and materials have been updated to reflect the change, and staff and panel lawyers have received communications highlighting resources about the new legislation. LAO continues to monitor the impact of the new legislation.
- Family panel standards
 - Policy prepared draft updated family panel standards, and has completed 15 internal consultations on the draft documents. Policy counsel is updating the documents based on feedback received, and preparing a report on the consultations for Executive Management. External consultations are expected to begin later this year.
- Assist clients who are not physically present at court
 - A best practice guideline for family duty counsel who wish to assist clients who are not physically present at court and who wish to participate in their appearance by teleconference or videoconference has been developed. LAO is engaging in discussions with MAG and the Judiciary to ensure that the best practice guideline is feasible.
- Hague Convention on Service Abroad
 - LAO developed and shared resources about the Hague Convention on Service Abroad with staff and panel lawyers. LAO also worked with MAG's Court Services Division to deliver a Lunch and Learn program on the topic.
- Katelynn Sampson Inquiry
 - In response to the Coroner's Jury Recommendations coming out of the Katelynn Sampson Inquiry, LAO shared a communication with its staff and per diem duty counsel about best practices when completing affidavits.
- Family case management
 - LAO continues to develop a subject matter pilot to expand access to family case management (currently only available in Crown Wardship cases) to certain domestic family law cases and all other child protection cases.

Refugee and immigration law services

- Demand for services continues to be high. Between 2013 and 2017, Ontario experienced a 190% increase in refugee claims. Since November 2016 there has been an influx of claimants crossing into Canada from the U.S. This trend is expected to continue and may increase as summer approaches
- In October 2017, LAO received confirmation of an additional \$7.1M in federal funding. This one-time increase enabled LAO to continue providing uninterrupted services through its refugee and immigration program until the end of fiscal year 2017-2018. The February 2018 federal budget included a one-time increase of \$12.8 million for fiscal year 2018-2019, to be shared by Canadian legal aid plans providing refugee law services
- As of September 2017, the Immigration and Refugee Board's hearing backlog had grown to 34,462 cases. In February 2018, the Board announced that it would start hearing claims primarily in the order in which they were received. The new scheduling practice has resulted in the cancellation of many hearings that were scheduled to take place in 2018. The Immigration and Refugee Board has stated that, as of February 1, 2018, the projected wait time for a refugee protection hearing is approximately 20 months
- In June 2017 the federal government ordered an independent review of the asylum process and procedures, with a focus on increasing productivity at the Immigration and Refugee Board. A final report is due in June 2018

Test Case Program Update

- Total expenditures for the Test Case Program in 2017-2018 were \$ 636,904
- 37 new cases admitted into the program
- Beneficiaries of Test Case Program funding, based on cases approved for funding in 2017-2018:
(adds up to more than 100% due to rounding)
 - Racialized people (19%)
 - Criminal Defendants (19%)
 - Refugees (14%)
 - People with Mental Health Challenges (14%)
 - People in Custody (11%)
 - Indigenous people (8%)
 - People with Physical Disabilities (5%)
 - People with Cognitive Disabilities (3%)
 - Homeless people (3%)
 - Women (3%)
 - Victims of Domestic Violence (3%)

Clinic law services and funding

- Legal Aid Ontario is investing an additional \$7.3 million in clinic services in 2018-2019. This investment includes:
 - \$700,000 in additional annual funding to expand family law services at student legal aid services societies
 - \$585,000 in additional annual funding for increased clinic central support costs, including in the areas of interpretation and translation, legal disbursements, and clinic learning and training, as a result of financial eligibility expansion:
 - \$1.05 million of additional annual funding to create a fund to expand services provided by existing specialty and ethno-linguistic clinics
 - \$4.9 million of additional annual funding to invest in general service clinics in the communities with the fewest resources per low-income person, while expanding services in communities in every region in Ontario

French Language Services

- French Language Services continues to focus on integration of FLS in LAO planning and business. Support of Client Strategies through internal and external consultations, awareness training, needs analysis, ie. Racialized communities consultations in 2017
 - FLS annual report from clinics fully integrated with annual clinic funding application
- Development of capacity remains a high priority for FLS: on-line training developed (mandatory in 2017); on-going update of tools; FLS-active offer presentations at clinic regional training sessions; participation in MAG and stakeholder training programs; participation in development of domestic violence training for justice staff with AOcVF; etc.
- FLS maintains strong working relationships with stakeholders across the province facilitating collaborations on special projects and work of committees to enhance FLS.
 - Projects for LGBTQ community with associations FESFO and AJEFO, clinics CFT and Hamilton, Canadian Civil Liberties Education Trust, and others
 - CLEO French Advisory Committee for development of Steps to Justice in French
 - Appointment to new permanent Access to Justice in French Advisory Committee reporting to the Attorney General



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BUSINESS PLANNING: ENVIRONMENTAL SCAN

Environmental scan

- Each year in spring and summer, LAO conducts its annual environmental scan to support development of the following year's business plan
- An environmental scan considers both the internal and external environment. The kinds of external factors that LAO considers include the introduction and likely impact of new legislation (such as Bill C-75, proposing a number of criminal law changes including limits on preliminary inquiries) and changes to government policy that have an impact on low-income Ontarians and the provision of legal aid services (such as the province's minimum wage pilot and minimum wage increase)
- Advisory committees assist in this process by providing input on developments and factors that are likely to be relevant to LAO's planning

What kinds of external factors does LAO consider?

- These are just some environmental factors and considerations:
 - Recommendations of the Motherisk Commission
 - Anticipated impact of new child protection legislation, including on LAO's services and processes
 - Proposed criminal law changes and their impact
 - Proposed provincial correctional reform legislation
 - First year results of the province's Basic Income pilot
 - Ongoing justice system initiatives and priorities, including Criminal Modernization
 - Test cases and other developments in case law
 - Trends in the use of technology
 - Opportunities for partnership and collaboration



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APPENDIX: Report-back to the committees on the Fall 2017 meetings

Planning for expanded eligibility for legal aid services: Financial eligibility

Advice

The asset restrictions that are applied in financial eligibility testing are very low. A single individual can now qualify for the Ontario Disability Support Program with up to \$40,000 in assets, and for Ontario Works with up to \$10,000. LAO should try to align with this shift in policy.

Clients with some employment income are often in and out of employment, and this creates a challenge in assessing their financial eligibility for clinic services, as eligibility is established at a point in time. This is an issue that LAO should look at.

LAO should study the impact of the increase to the minimum wage on eligibility for legal aid. Expanded financial eligibility was intended to enable LAO to serve people who have employment income, but this increase makes it less likely that people can qualify.

LAO should continue discussions with government on the intersection between the province's basic income pilot and eligibility for legal aid.

LAO update/
follow up

LAO's income and asset thresholds are established by regulation. They have been increasing by 6% each year since 2014, but LAO agrees that the gap between its asset thresholds and those applied by social assistance programs is significant.

Eligibility guidelines for clinic services have not been updated for many years, with the exception of incorporating the annual 6% increases that began in 2014. This is an issue that should be considered if the guidelines are updated and revised in the future. Consultation with clinics would be required.

LAO will be tracking the impact of this increase on the number of people who are eligible. An applicant employed for 40 hours a week would earn \$29,120 at \$14 per hour, well above LAO's thresholds. However many minimum wage earners are employed on a part time basis.

LAO is in communication with the Ministry of Community and Social Services and is continuing to track the progress of this pilot and consider its implications.

Planning for expanded eligibility for legal aid services: Clinic services (1)

Advice

Clinics' catchment area restrictions may pose a barrier to providing employment law services to some clients, since people often do not live in the catchment area where they work. LAO might need to look beyond geographical boundaries, or consider a specialized clinic model for employment law services, if it wants to serve more precarious workers.

There is a cluster of family-related legal issues that should be considered. Go through the doors of the 311 Jarvis Street family courthouse in Toronto, and you will see clinic clients there. It is important to try to address their family law matter before it gets to litigation. Perhaps there are clinic services that could complement services provided by the private bar.

There is a need for summary legal advice for clinic clients in areas that fall outside of clinic law. For example, pre-charge criminal advice is needed, and advice that addresses the intersections between criminal law and clinic law.

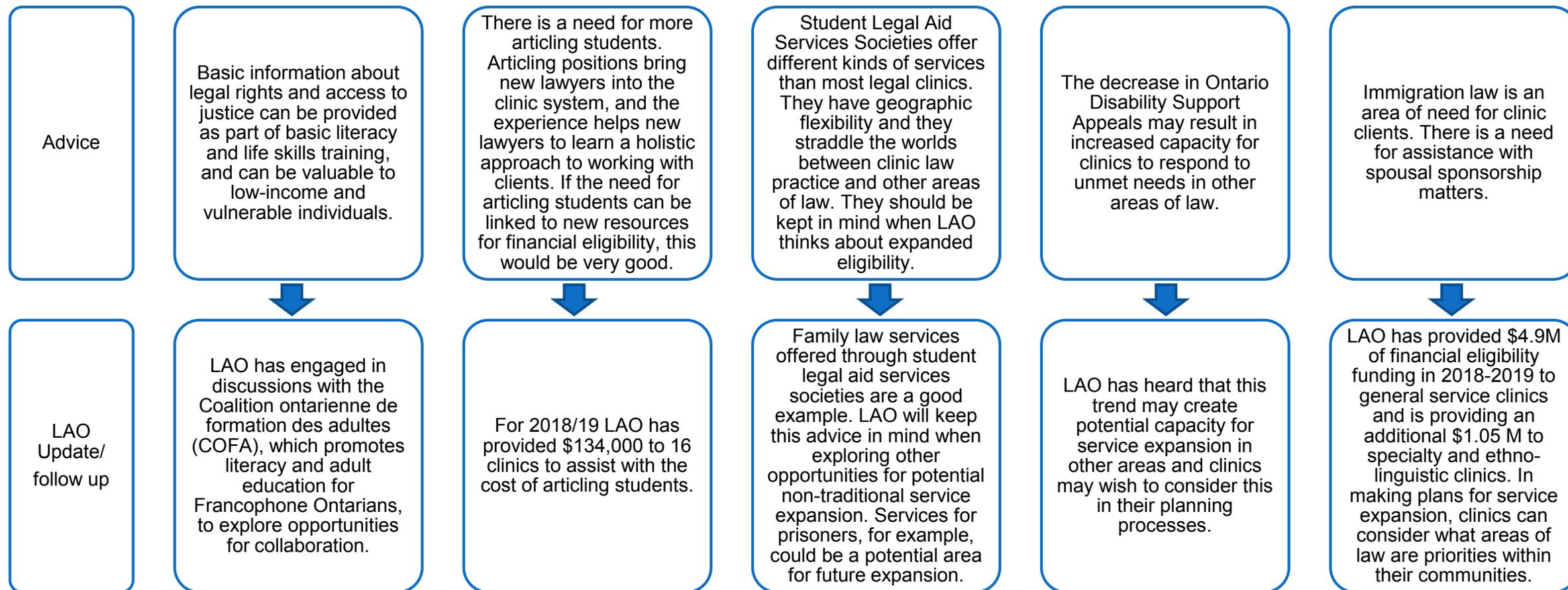
LAO Update/
follow up

Many clinics have collaborated to develop innovative shared models for delivering employment law services which transcend catchment area. LAO will continue to discuss and support clinics working together to serve clients in employment law.

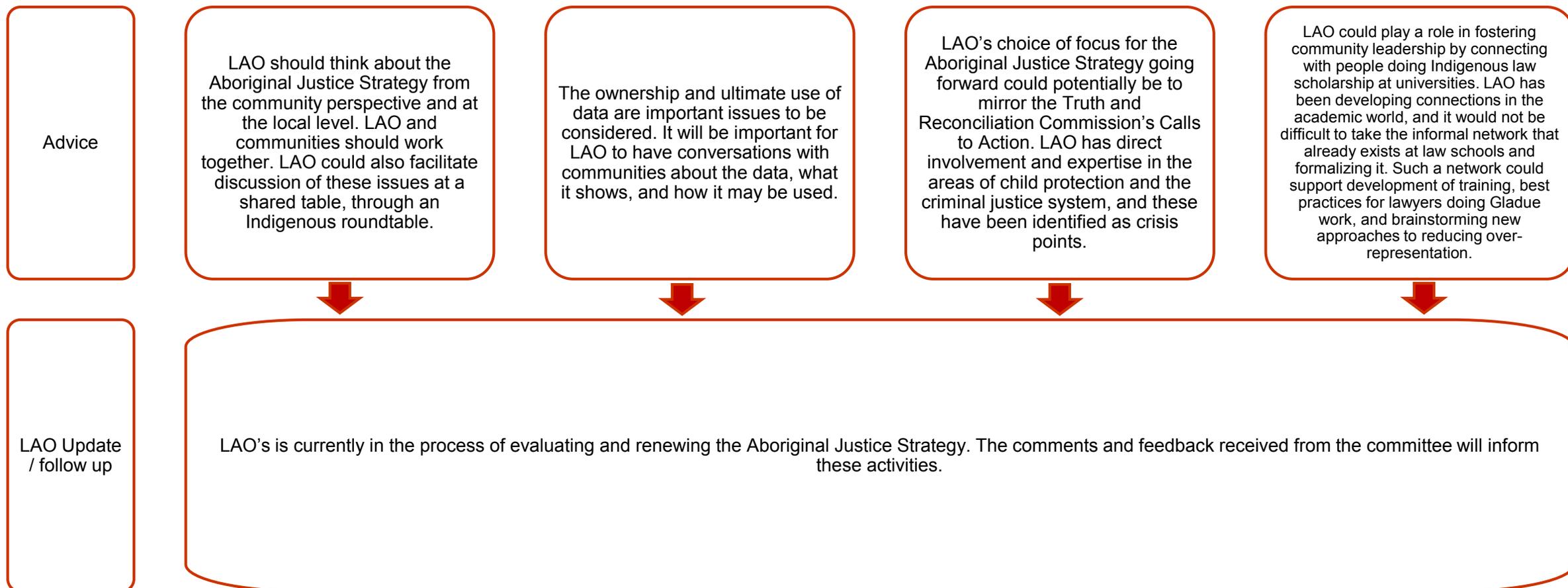
LAO agrees that better connections with clinics and knowledge of the suite of services available from clinics can help LAO service providers to better address their clients' intersecting legal needs.

Currently, clinics are able to refer eligible clients to summary legal advice in criminal law offered through LAO's call centre. Closer connections between clinics and their local district offices and duty counsel offices can also promote effective referrals and the provision of more holistic service delivery.

Planning for expanded eligibility for legal aid services: Clinic services (2)



Aboriginal Justice Strategy and services for First Nation, Métis and Inuit clients (1)



Aboriginal Justice Strategy and services for First Nation, Métis and Inuit clients (2)

Advice

In addition to statistical data, a qualitative study may also be useful to LAO in developing a strategy for a suite of services that will address over-incarceration. LAO could gather some of this information through an experts' group or roundtable. LAO could also build on work that has already been undertaken. For example, the Gladue court at Old City Hall courthouse in Toronto has been doing a three-year study.

Gladue writers and support workers currently have a Toronto focus, which may no longer be appropriate. Under the current model, there can be insufficient transparency. A shift is occurring towards community governance, and some communities now have their own Gladue writers. Training and quality control issues also need to be considered.

Gladue reports are an important tool but are not the "be all and end all" to eliminating over-incarceration. Too often, they seem to be negative in their detailing of trauma and addiction. It could be valuable to brainstorm other approaches and mechanisms that may also be effective. There should be a way to direct the conversation towards resilience, meaningful engagement with communities, and equipping lawyers to challenge systemic racism.

LAO Update/
follow up

LAO will be engaging with an external consultant to evaluate the *Gladue* Writing Program funded by the AJS. LAO is also looking to expand the evaluation with MAG to include the impact of *Gladue* reports in the justice system.

Aboriginal Justice Strategy and services for First Nation, Métis and Inuit clients (3)

Advice

There are opportunities for connecting and collaborating on training. The Ministry of the Attorney General's Indigenous Justice Division has developed effective cultural competency training that LAO could explore. LAO should connect with the Office of the Children's Lawyer and with the Motherisk Commission on Indigenous child protection training.

Lawyer competence is still an issue, and there is a need for more training, particularly in the area of Gladue reports. It can be difficult for lawyers to access meaningful training.

The committee should receive regular updates on test case funding for Indigenous litigants and communities.

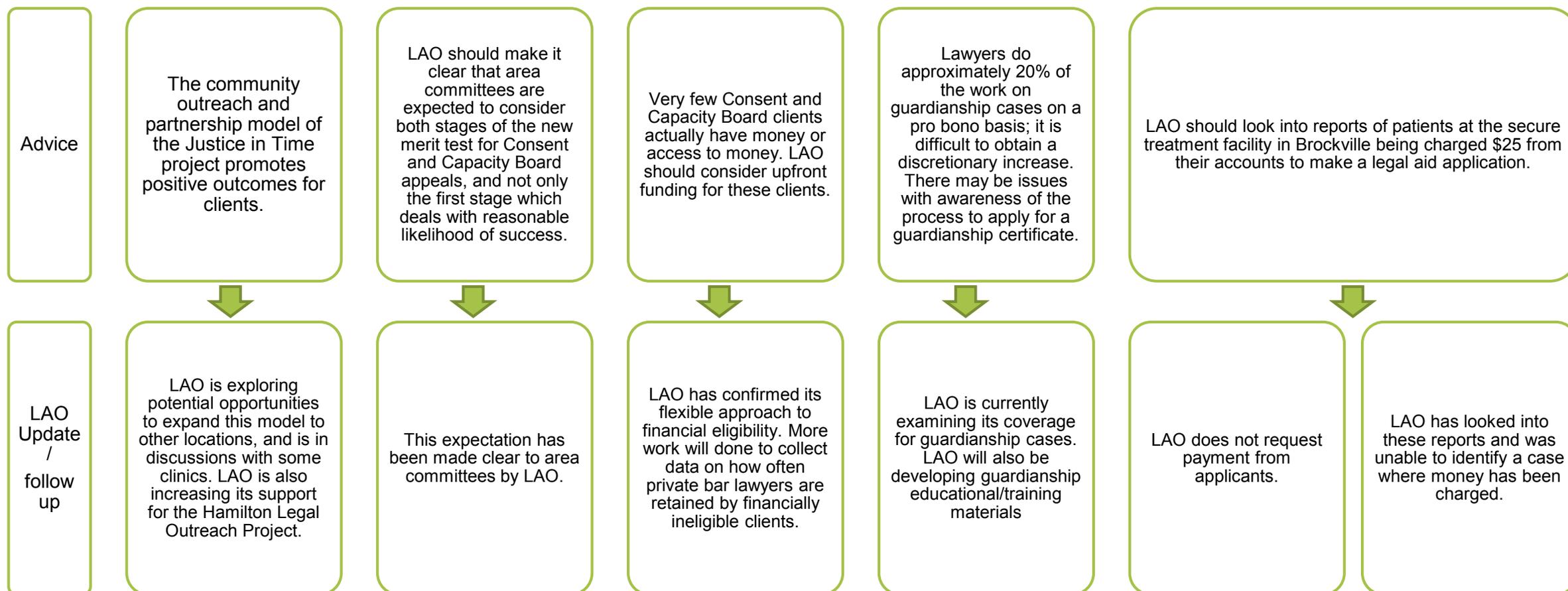
LAO Update/
follow up

LAO is currently in the process of developing training.

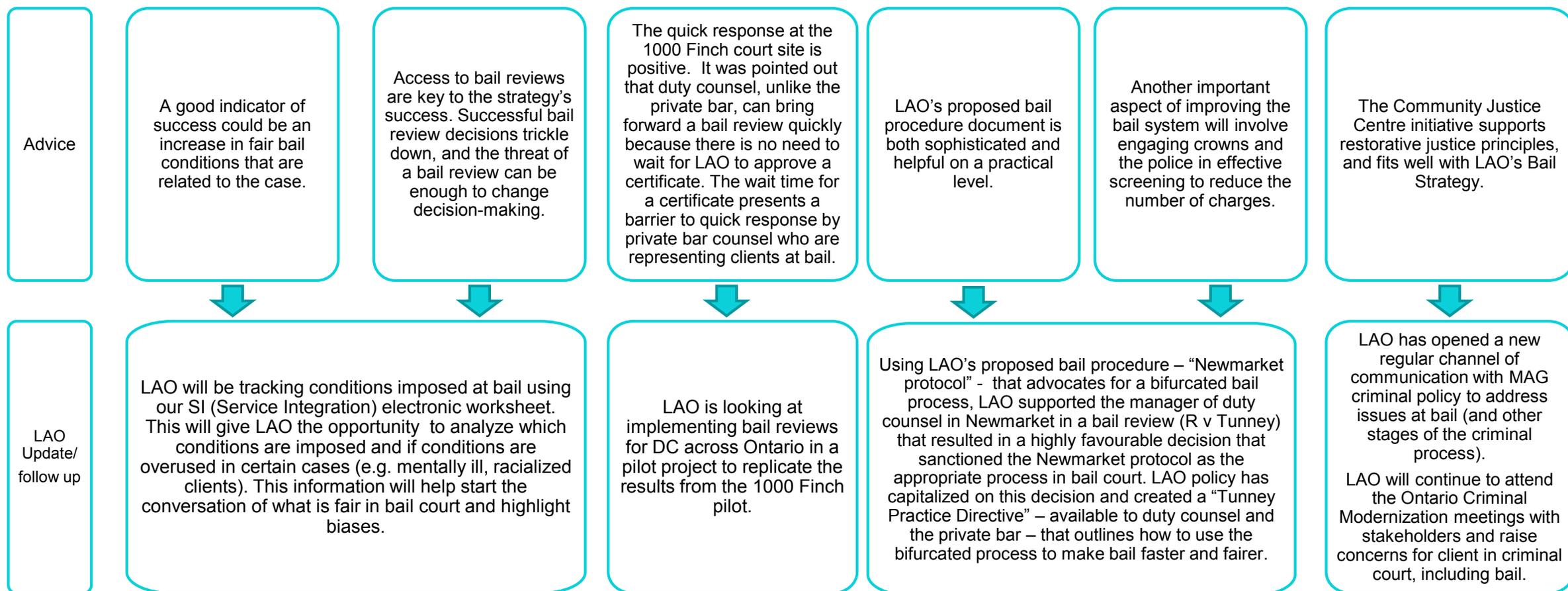
LAO panel lawyers are required to self report on new *Gladue* panel standards. The responses from the 2017 self-report (lawyers reporting for the 2017 calendar year) up to April 15, 2018: 1,208 Gladue members responded 1,176 stated "Yes" 32 stated "No". LAO continues to expand Gladue training available to lawyers

LAO will provide these regular updates to the committee. A general update is also provided on slide 21 of this presentation

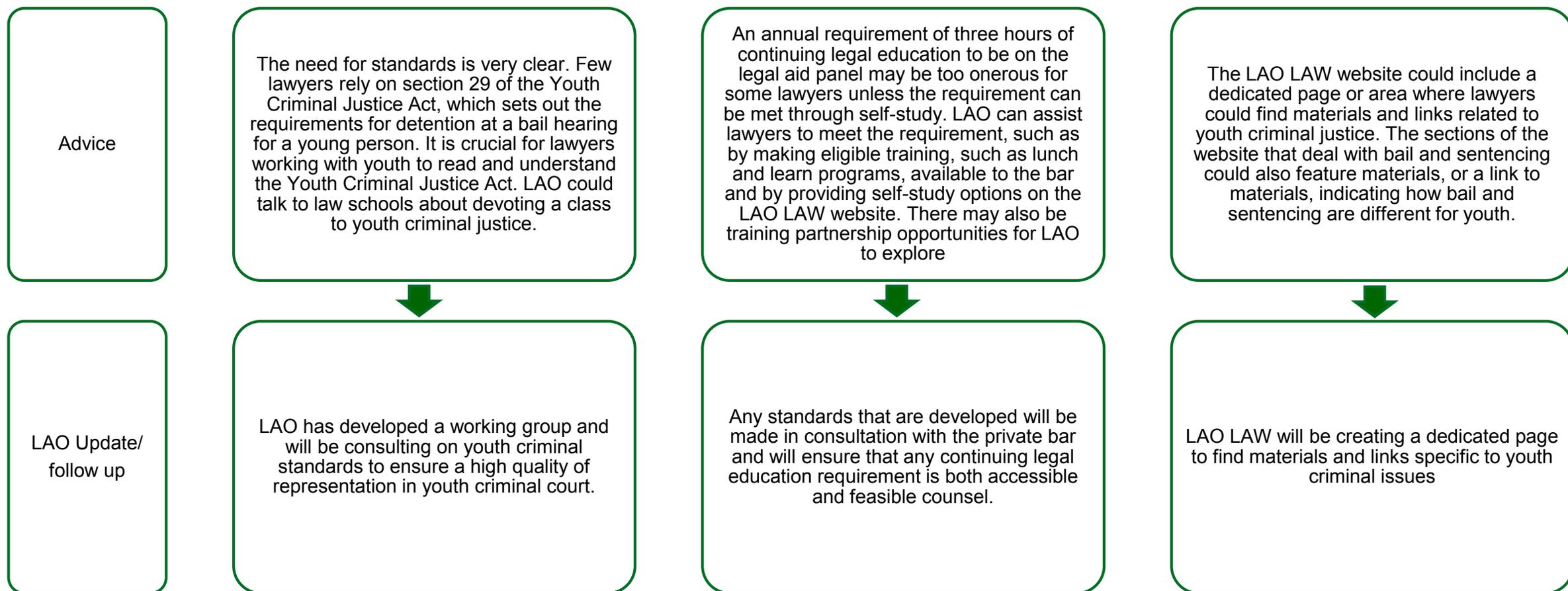
Mental Health Strategy and services for mental health clients



Bail Strategy



Development of Youth Criminal Panel Standards



Prison Law Strategy

Advice

Prisoners lack information about where they can find help and what remedies are available to them. This should be considered a priority by LAO. Information about LAO and legal aid services may not be available or visible in many facilities.

LAO's new institutional duty counsel may be able to assist with making information available to prisoners and helping them to make connections.

Getting information into institutions is a significant issue across the province. There are a lot of procedural and administrative barriers to getting information into one of these facilities.

LAO Update/
follow up

Getting information to prisoners is being treated by LAO as a priority. LAO has been working with legal clinics and with community partners to develop concrete plans for providing better access to information about prisoners' legal rights and how to access legal services.

Linkages between the Prison Law Strategy and the new institutional duty counsel have been formed, to assist in both data collection on the types of legal needs and questions that remand inmates have and in providing information and making "warm" referrals to those who can provide them with assistance.

LAO is developing relationships with the Ministry of Community Safety and Correctional Services at both provincial and local levels to address this problem.

Family law services (1)

Advice

The family law services provided by Student Legal Aid Services Societies are important. The funding that supports these services has run out and they are now on life support. One student clinic has already announced that they are wrapping up their family law services, and others have scaled back to half-time services.

LAO should continue to consider opportunities to make its staff training available to the private bar. The mental health training that was provided to LAO's criminal law staff would also be useful for family duty counsel.

Remote court appearances save money and time. Processes need to be developed to support duty counsel in representing family law clients who are appearing remotely. LAO will bring the issue of making remote court appearances more available to family law litigants who are in detention to the attention of the Criminal Modernization committee.

LAO Update/
follow up

Funding is being provided to student legal aid services societies to enable them to continue providing their new family law services.

LAO's mental health training and resources for criminal lawyers are available to private bar-lawyers on LAO panels. LAO will be developing mental health training for family lawyers in the coming year, and has started consulting about specific training needs and opportunities.

LAO has developed a best practice guideline to support duty counsel in representing family law clients who are appearing remotely. We are working with MAG and the judiciary to ensure the process will work in the courts, after which it will be communicated.

Family law services (2)

Advice

LAO's client surveys are of interest. Privacy and confidentiality are especially important when a client is experiencing domestic violence. In appropriate cases, lawyers who understand the safety risk to their client could forward the survey with the copy of their final bill.

LAO should look at holding settlement conferences earlier in the court process. Clients could be asked to come in for a settlement meeting when they are getting close to using up the hours on their certificate.

LAO's new certificates to assist with pre-litigation child protection matters are very valuable. Parents are often pressured to sign documents without the opportunity to obtain legal advice. They are often unaware that alternative dispute resolution can be an option. LAO could rely on training opportunities to help make the family bar more aware of these certificates

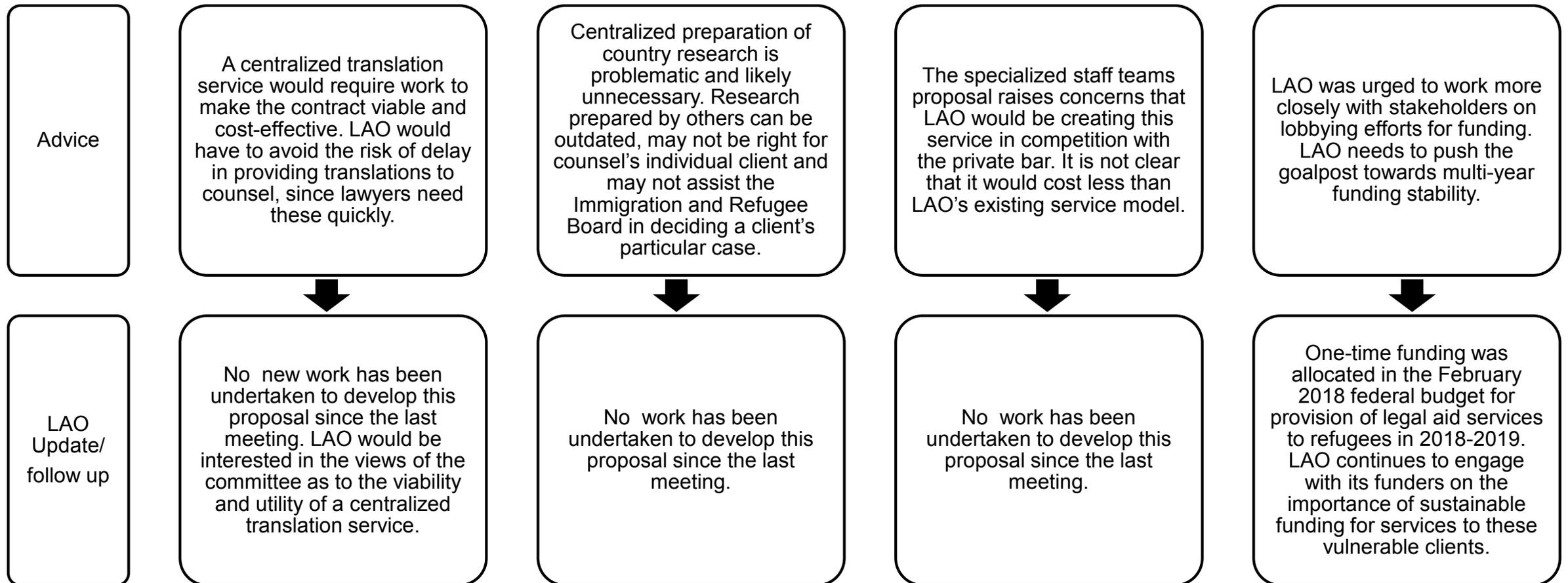
LAO Update/
follow up

LAO will engage in discussions with our Domestic Violence Strategy lead and our Business Intelligence & Statistics and Quality Service Office departments to assess this possibility.

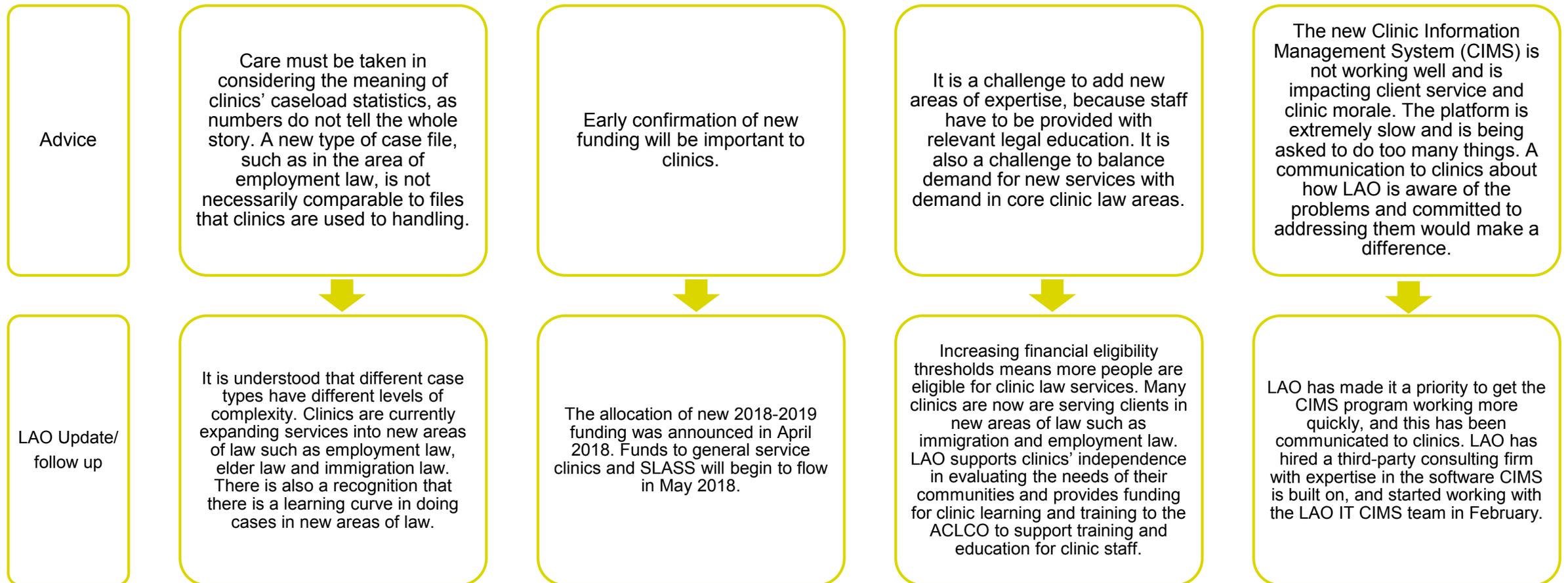
LAO has conducted an environmental scan of current practices relating to LAO settlement conferences, with a view to making a recommendation to pilot a streamlined process for earlier LAO settlement conferences.

LAO has been reminding key stakeholders of the existence of the pre-litigation certificates. LAO plans to conduct additional outreach about these services to align with the emphasis on out-of-court resolutions for families in the new Child, Youth and Family Services Act.

Immigration and refugee law services



Clinic services and funding



French Language Services

Advice

LAO's French language lunch and learn programs could be made accessible to partner organizations, such as the Association of French Speaking Jurists of Ontario (AJEFO), that also provide training. They could also be more accessible to clinic lawyers if posted on the Clinic Resource Office website.



LAO Update/ follow up

LAO followed up with AJEFO in November 2018 to discuss the potential for them to make use of LAO's lunch and learn programs. They determined that these programs are not particularly useful outside of the LAO context. The programs have been shared with clinics, including through the Réseau francophone des cliniques.

LAO may wish to consider making its French language continuing professional development training for lawyers available to paralegals, legal assistants and others, as it could also be useful to them.



LAO makes this training available to all of its legal professionals. In the past two years paralegals have also participated in the Ministry of the Attorney General's French Language Institute for Professional Development training.

Lawyers wishing to represent their clients in French need access to training on technical legal language and terminology. LAO may wish to become involved in a French legal language training initiative that is funded by the Ministry of Training, Colleges and Universities.



LAO has engaged in discussions with the Coalition ontarienne de formation des adultes (COFA) and with AJEFO to look at opportunities for collaboration.