

LEGAL AID ONTARIO
2024-25
2026-27
BUSINESS PLAN



LEGAL AID ONTARIO

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Legal Aid Ontario receives financial assistance from the Government of Ontario, the Law Foundation of Ontario, and the Government of Canada.

Executive summary

The goals of Legal Aid Ontario's (LAO) 2019-24 Strategic Plan inform five key areas of focus for its Business Plan for 2024-25. These areas of focus are: strengthening core mandate services; attracting and retaining external service providers and internal talent; supporting justice system recovery; transforming and modernizing technology infrastructure and systems; and reconciliation, anti-racism and equity, diversity and inclusion.

The 2024-25 Business Plan initiatives that arise from these areas of focus include:

- Prioritizing the court recovery process, and collaborating closely with the Ministry of the Attorney General (MAG) as it plans and executes strategies to reduce the backlog within the justice system
- Implementing the second phase of tariff enhancements for roster lawyers providing certificate services to legal aid clients
- Continuing to examine options to increase financial eligibility thresholds (FET), which would narrow the gap between current thresholds and Statistics Canada's low-income measure (LIM)
- Exploring collaborative strategies to support the recruitment and retention of staff at clinics
- Conducting a Business Process Review (BPR) to thoroughly document and streamline processes related to client intake, eligibility and services
- Continuing to collect and analyze race-based data to help ensure a more equitable and just legal landscape for all
- Enhancing our services and support for Indigenous clients in a culturally sensitive and comprehensive manner.

The Business Plan will build on LAO's achievements of the current fiscal year, which thus far have included: enhanced and expanded summary legal advice; updated and increased tariff number of hours and rates for roster lawyers; joining the Public Service Pension Plan (for non-union staff and members of the Society of United Professionals (SUP)) and Ontario Public Service Employees Union (OPSEU) Pension Plan (for unionized staff); and implementing strategic upgrades and replacements of our technology infrastructure and systems.

Due to increased funding from the Law Foundation of Ontario (LFO), LAO's fiscal outlook remains positive. Total revenues for 2022-23 were \$577.7 million and

expenditures were \$468.8 million. Anticipated revenues and expenditures for 2023-24 are \$768.4 million and \$527.6 million, which would result in a surplus of \$240.8 million.

This Plan is based on:

- Input and direction from LAO's Board of Directors
- Priorities outlined in the agency mandate letter from the Attorney General ([Appendix A.](#))
- Key corporate instruments, including LAO's Strategic Plan, previous business plans, annual reports, and the feedback received from internal and external consultations and surveys
- An environmental scan
- An assessment of current operations and anticipated operational needs
- Comprehensive risk analysis.

LAO mandate

Legal Aid Services Act, 2020 (LASA 2020)

The purpose of LASA 2020 is to facilitate the establishment of a flexible and sustainable legal aid system that provides effective and high-quality legal aid services throughout Ontario, in a client-focused and accountable manner while ensuring value for money.

LAO's objects and principles are outlined in s.17 of LASA 2020 as follows:

Objects

- Establish and administer a flexible and sustainable system for providing legal aid services to individuals in Ontario
- Establish policies and priorities for the provision of legal aid services based on its financial resources
- Facilitate coordination among the different legal aid services that are provided and the manners in which they are provided, including through different service providers
- Monitor and supervise the provision of legal aid services in Ontario
- Advise the Minister on all aspects of legal aid services in Ontario, including any features of the justice system that affect or may affect the demand for or quality of legal aid services.

Principles

- Promote access to justice
- Be efficient, effective and ensure services are of high-quality
- Ensure services are provided in a client-focused, innovative, transparent and accountable manner
- Be responsive to the needs of low-income individuals and disadvantaged communities in Ontario
- Promote early resolution, where appropriate
- Be coordinated with other aspects of the justice system and with community services

- Make continual efforts to maintain and improve the effectiveness and quality of legal aid services while ensuring value for money.

Agency mandate letter

LAO's mandate letter from the Attorney General for 2024-25 is attached as [Appendix A](#). In addition to supporting the government's priorities for all board-governed agencies, LAO has been asked to focus on the following three LAO-specific priorities in 2024-25:

- 1. Continue to Support the Court Recovery Process:** Continue to work collaboratively with MAG as it plans and executes strategies to reduce the court backlog.
- 2. Address the 2022-23 Mandate Review Recommendations:** Prioritize the implementation of recommendations outlined in the 2024-25 Letter of Direction.
- 3. Continue to Address the Internal Audit Review Recommendations:** Continue to prioritize the implementation of recommendations outlined in the Ontario Internal Audit Division's (OIAD) final draft audit report.

Environmental scan

Introduction

The environmental scan provides an overview of internal and external factors that may impact LAO's work. The scan is compiled by the Business Intelligence unit with contributions from across the organization and reflects the status of these internal and external environmental factors at the time of writing. The scan was presented to the LAO Board of Directors in May 2023 and is used to inform strategic priorities.

Key environmental factors 2024-25

Financial outlook

LAO receives funding from the LFO, which is used to support its operations. This funding source is highly variable because it is based on the prevailing interest rate and the amount of funds in Ontario lawyers' and paralegals' mixed trust accounts.

The Bank of Canada (BoC) interest rate has steadily increased since 2022 and is currently sitting at 5 per cent (as of February 2024), its highest point since 2001. Consequently, it is anticipated that this increase in LFO funding will remain high for several years. As a result, LAO is currently in a strong financial position with a notable surplus.

Private bar service providers

LAO has a roster of approximately 4,100 private bar lawyers who serve legally-aided clients. Through an annual survey, LAO seeks input from these service providers to identify how LAO can maintain a strong roster of lawyers who are committed to doing legal aid work. The 2023 survey, conducted before the new tariff increases were announced, reflects frustration and discontent with compensation received for legal aid work, with lawyers reporting an all-time low of 39 per cent satisfaction. At the time of the survey, compensation had not increased since 2015.

The first phase of improvements to the legal aid tariff was implemented on October 16, 2023. Additional enhancements are expected to be implemented over the coming years. LAO is pleased to have initiated this much-needed compensation increase for roster lawyers and is hopeful it will begin to improve satisfaction levels.

Unprecedented rates of refugee certificates

Demand for immigration and refugee certificates in Canada has grown steadily since the easing of travel restrictions and the opening of borders following the COVID-19 pandemic.

In March 2023, the Canada-US Safe Third Country Agreement (STCA), which requires refugee claimants entering Canada from the United States to be returned to that safe country to make their refugee claim, was extended to include claimants who enter Canada irregularly between official border crossings. This extension of the agreement applies to the Roxham Road irregular crossing in Quebec. Historically, Ontario received around 40 per cent of refugee claims nationally; however, following the March 2023 closure of Roxham Road, this has risen to around 48 per cent.

In 2022-23, LAO issued almost 24,000 refugee certificates. In 2023-24, LAO forecasts issuing over 47,000 refugee certificates. The most recent data available at the time of writing indicate that demand continues to trend upwards.

Financial Eligibility Thresholds

Between 2014 and 2020, LAO implemented 6 per cent increases annually to the FET to bring the threshold up to Statistics Canada's 2011 LIM¹. In 2023, this means that only families or individuals who live at or below Statistics Canada's 2011 LIM are eligible for legal aid services. The current FET threshold for a single person is currently 62% below the 2020 LIM. The FET threshold for all other family sizes is 34% below the 2020 LIM. This gap represents 1.2 million low-income Ontarians who, should they require it, would not have had access to legal aid in 2020. With recent inflation rates and increases to the cost of living, this gap is likely to continue to grow.

Table 1: LAO Financial Eligibility Threshold (FET) and Low Income Measure (LIM) 2020

Household size	LAO Current FET	LIM 2020	% difference between LAO FET and LIM 2020
One person²	\$18,795	\$30,401	62%

¹ The Low Income Measure threshold developed by Statistics Canada is defined as households with an annual income less than 50 per cent of the average income of Canadian households.

² Eligibility for Duty Counsel and Clinics for a Household size of one person is \$22,720.

Household size	LAO Current FET	LIM 2020	% difference between LAO FET and LIM 2020
Two persons	\$32,131	\$42,993	34%
Three persons	\$39,352	\$52,655	34%
Four persons	\$45,289	\$60,801	34%
Five persons	\$50,803	\$67,978	34%

LAO data shows that 92 per cent of civil certificates and 84 per cent of criminal certificates are issued to individuals (one person household size). This suggests that the larger gap between LAO’s current FET and 2020 LIM may be disproportionately affecting these client groups.

Incarceration in Ontario and new bail regime potentially increasing demand for LAO services

In April 2023, the Ontario government announced \$112 million in funding for Ontario’s bail regime. Most of the funding is for municipal police forces and the OPP to increase bail compliance, and to implement a monitoring system for offenders deemed high risk. It also includes \$26 million to create “intensive serious violent crime bail teams” with dedicated prosecutors and experts to prepare for and conduct complex bail hearings. This funding is likely to result in more remanded individuals in Ontario jails, and increased demand for representation in bail hearings and reviews.

Impact of Bill C-48

Bill C-48 came into effect on January 4, 2024. The Bill will make it more difficult for individuals who are charged with specific criminal offences, and those with certain criminal records, to obtain bail. Bail hearings for impacted matters are expected to be more complex. Lawyers require more time to prepare for complex bail hearings. This will increase pressures on duty counsel. It may also lead to unwillingness of private bar lawyers to assist with these types of matters without additional compensation. These changes will lead to financial and operational pressures on LAO.

Information technology (IT) landscape - Artificial intelligence (AI)

Generative AI offers significant opportunities and risks to the justice sector and LAO. AI can assist in tasks like research, communication, content creation and media analysis, among others. In the legal sector, AI can enhance legal research, contract analysis, legal writing and due diligence, as well as automate simple tasks like providing legal information to clients.

There are associated risks with AI adoption, including accuracy concerns, privacy and security risks, potential bias in AI output, and staff concerns over job security. More broadly, there are concerns regarding the impact of AI on the quality of legal services – for example, where AI is leveraged to prepare documents.

AI is a rapidly developing technology. LAO will be closely monitoring how this emerges in the justice sector and how LAO can safely leverage the opportunities it offers.

Strategic directions

This Plan is guided by the five strategic goals outlined in [LAO's 2019-2024 Strategic Plan](#):

- Client-centred focus
- Demonstrated value for money
- Innovative services
- Engaged staff
- Effective collaboration

Focus areas for 2024-25

The initiatives outlined in this Plan build upon the strategic direction set out in the previous year's 2023-24 plan, aligning with LAO's ongoing Strategic Goals. These initiatives span five key areas of focus for the year 2024-2025, representing our commitment to a cohesive and sustained approach in these five focus areas:

1. Strengthening core mandate services
2. Attracting and retaining external service providers and internal talent
3. Supporting justice system recovery
4. Transforming and modernizing technology infrastructure and systems
5. Reconciliation, Anti-Racism, and Equity, Diversity and Inclusion

1. Strengthening core mandate services

The goal of these initiatives is to reach more clients faster and more efficiently while maintaining a high quality of services.

Initiatives include:

- Continuing to assess options to increase FETs and support LAO's ability to serve more low-income Ontarians, reduce the number of self-represented litigants, and support court recovery efforts. LAO is exploring opportunities to increase the number of litigants receiving legal assistance. The expansion

would have its greatest impact for criminal law services, and would dramatically improve the number of accused persons who would have immediate access to counsel. Single persons make up over 80 per cent of criminal certificates and 69 per cent of LAO's total certificate issuance.

- Continuing to enhance and expand in-person and remote tribunal and court-based services.
- Strengthening our active offer of service in French in accordance with new requirements set out in O.Reg.544/22 Active Offer of Services in French – Prescribed Measures under the *French Language Services Act*.
- Enhancing the array of multi-language services available to clients through the provision of informational materials about LAO and its services in various languages. These materials will offer guidance on how clients can identify their language needs and access interpretation services.
- Launching a Family Senior Counsel Office to enhance services for Family Law clients and provide staff mentorship through Senior Counsel Staff lawyers. The objective of creating the Family Senior Counsel Office is to address the specialized and complex needs of LAO's Family Law clients. By doing so, we aim to fill service gaps and provide enhanced services to clients who may benefit from Family Senior Counsel representation.
- Continuing to enhance and expand summary legal advice (SLA) services. This initiative focuses on reaching a broader client base through the standardization of services, efficiency improvements, and the expansion of remote and in-person service models. Our primary objective is to promote seamless service, strengthen program management and increase capacity specifically for court-based services.
- Continuing the integration of intake and certificate management responsibilities into a single division as part of the Certificate Management Transition (CMT) project. Unifying certificate management accountability within one division will result in increased uniformity in decision-making and more efficient processes while concurrently supporting the court recovery process.
- Enhancing access to digital tools through the launch of the Service Location Finder tool on LAO's website. This digital self-service tool aligns with modern expectations and will provide users with convenient access to information.
- Prioritizing the implementation of the 2022-23 Mandate Review recommendations, as requested by MAG and in alignment with LAO's commitment to continuous improvement and responsive governance. We are dedicated to addressing these recommendations to enhance our organization's effectiveness.

- Addressing audit review recommendations with MAG. LAO is dedicated to maintaining a strong collaboration with MAG to address audit recommendations. Our ongoing commitment to this collaborative effort ensures that we remain responsive to the identified areas for improvement, fostering enhanced efficiency and effectiveness in our operations.

2. Attracting and retaining external service providers and internal talent

The goal of these initiatives is to support and sustain the delivery of high-quality services by staff and external service providers by addressing long-standing issues intensified by the economy and labour market. The initiatives will also take into account the increased time and cost associated with providing services to a client population whose needs have become more complex, and whose matters take longer to resolve.

Initiatives include:

- Following public consultation and ministerial approval, LAO introduced the first phase of tariff reform on October 16, 2023. This involved increasing the hourly rates and block fee rates for lawyers on LAO's roster, and addressing per diem duty counsel payments aligned with lawyers' tier rates and targeted increments in allocated hours. These changes will help many private bar lawyers continue to represent legal aid clients, and encourage others to take up or return to legal aid.
- Building upon the successful implementation of this initial phase of tariff reform, LAO is now preparing for the proposed second phase. This phase will increase allocated hours, expand block fees for specific criminal proceedings, and introduce new areas of tariff coverage.
- Acting on feedback provided during consultations with stakeholders and roster members, LAO will continue to develop continuing professional development (CPD) accredited training programs for roster members, aimed at supporting some of LAO's most vulnerable clients, and ensuring that LAO clients receive high quality legal services.
- Continuing our commitment to talent development and succession planning, we will further refine and implement strategies to ensure that LAO's staff and management possess the essential skills and capabilities required to meet our evolving service and strategic objectives. This will include ongoing professional development, mentorship programs, and proactive identification

and development of future leaders within the organization.

- Building on our dedication to employee engagement, we will continue to prioritize initiatives that promote a positive and inclusive workplace culture. The Equity, Diversity, Inclusion and Belonging (EDIB) principles that help guide our work with legal aid clients also inform this engagement. LAO continues to provide information to employees on a range of occurrences that celebrates and acknowledges diversity. In 2024, we will conduct a follow-up assessment of our 2020 employee engagement survey and 2021 staff-based diversity demographic and inclusion survey. Our ongoing efforts will encompass initiatives aimed at enhancing collaboration and well-being among our staff, ensuring a motivated and committed workforce.
- We will support clinics to develop strategies to ensure the effective recruitment and retention of staff. We aim to facilitate discussions and provide resources that empower clinics to develop their own effective recruitment and retention strategies.

3. Supporting justice system recovery

LAO is committed to supporting the court recovery process through ongoing collaboration with MAG as it plans and executes strategies to reduce the backlog within the justice system. Our continued alignment with MAG's efforts aims for a more efficient resolution of cases, benefiting both clients and the broader justice community.

4. Transforming and modernizing technology infrastructure and systems

The goal of these initiatives is to build a flexible, secure and modern technology infrastructure. This work will help promote digital delivery and seamless, efficient client services. It will also reduce service interruptions for clients, service providers and staff, support remote and hybrid work, and protect data privacy and security.

Initiatives include:

- As part of our ongoing modernization efforts and in preparation for the replacement of our customer relationship management (CRM) system, we will be conducting a BPR. This critical step involves the thorough documentation and streamlining of processes related to client intake, eligibility and services. The insights derived from this review will play a pivotal role in informing and

enhancing the implementation of future system solutions, ensuring it seamlessly integrates with our streamlined workflows.

- Actively implementing strategic investments to ensure LAO possess a flexible and modern technology and IT infrastructure capable of meeting the evolving needs of our organization and clients.
- In our commitment to enhance operational efficiency for in-person court services, we're addressing WiFi challenges in courthouses throughout the province. Collaborating directly with these locations, we're actively implementing strategic WiFi installations and augmentations to significantly improve connectivity, fostering a technologically advanced environment for more effective legal aid service delivery.
- Aligned with our commitment to technological advancement, we are actively developing requirements for the replacement of our contact centre solution.

The integration of a cloud-based contact centre solution is poised to deliver heightened efficiency, improved customer experience, and more streamlined operations.

5. Reconciliation, Anti-Racism and Equity, Diversity and Inclusion and Belonging (EDIB)

The goals of these initiatives are to respond effectively to the legal aid needs of Indigenous, racialized and other vulnerable client groups who face barriers in the justice system, and to create and maintain a positive, diverse and anti-racist work environment. LAO remains committed to reconciliation with Indigenous peoples, as detailed in the Calls to Action report of the Truth and Reconciliation Commission of Canada and the Calls for Justice from the National Inquiry into Missing and Murdered Indigenous Women and Girls.

Initiatives include:

- We remain committed to the collection and analysis of race-based data. Our objective is to use the insights derived to effectively address the challenges and biases faced by racialized clients.
- We are actively collaborating with MAG to explore opportunities for expanding the Impact of Race and Cultural Assessments (IRCA) initiative. This expansion may encompass other stages of the criminal process and other areas of law, such as bail, parole and immigration. This initiative aligns with our commitment to promote fairness and equity within various aspects of the legal system,

building upon the success of IRCA in sentencing outcomes for racialized clients.

- We will continue the integration of equity impact assessments into all facets of policy development. This ongoing commitment underscores our dedication to fostering equitable and inclusive policies that effectively address the diverse needs of our clients.
- We are working on a holistic approach to services for Indigenous clients, which includes the development of a dedicated Indigenous services department. We will conduct a review of our Aboriginal Justice Strategy, to assess what has been accomplished and what work lies ahead. We will continue our work to strengthen services and supports for Indigenous clients in a culturally sensitive and comprehensive manner.
- We are committed to the continued integration of EDIB principles across our organization. This entails embedding EDIB principles in all aspects of our operations, including recruiting, onboarding, training, and development and succession programs and processes, as well as within our corporate communications. Our goal is to foster a workplace culture that embraces diversity and promotes inclusivity at every level.

Overview of programs and activities

LAO services are life-changing for low-income individuals who face criminal charges, family breakdown, deportation, eviction or other legal challenges. They are also crucial to the functioning of trial courts and tribunals, such as the Ontario Review Board, Consent and Capacity Board, Immigration and Refugee Board, and Landlord and Tenant Board. Legal aid staff, duty counsel and LAO-funded clinics help individuals to establish whether they qualify for legal aid, and provide information, advice and representation. Certificates funded by LAO allow an eligible individual to hire a private bar lawyer to advise and represent them to the conclusion of their matter, which often includes a trial and/or other court proceedings.

The 2023 increases to the hours and rates paid to private bar lawyers acting on legal aid certificates – and the second phase of increases anticipated to be implemented in 2024 – are expected to stabilize the availability of private bar lawyers for certificate work. They are also expected to help courts and tribunals that continue to deal with significant backlogs by helping to ensure that eligible legal aid clients have capable legal representation.

LAO provides approximately one million legal services annually through staff, certificate and clinic service providers. LAO's provincial head office and six district offices are located across Ontario, based on the Ontario judicial districts:

- **North District** (Kenora, Rainy River, Thunder Bay, Cochrane, Algoma, Timiskaming, Sudbury and Parry Sound)
- **East District** (Hastings, Lennox and Addington, Frontenac, Leeds and Grenville, Lanark, Renfrew, Ottawa, Carleton, Prescott and Russell, Stormont, Dundas and Glengarry)
- **Central East District** (Haliburton, Bracebridge, Peterborough, Cobourg, Durham, Kawartha Lakes, Orillia, Newmarket and Barrie)
- **Central West District** (Norfolk, Haldimand, Brant, Hamilton, Niagara, Halton, Peel and Dufferin)
- **West District** (Essex, Lambton, Chatham-Kent, Bruce, Grey, Huron, Perth, Oxford, Elgin, Middlesex, Guelph/Wellington and the Region of Waterloo)
- **Toronto District** (East York, Etobicoke, North York, Scarborough and Old Toronto).

LAO provides eligibility-tested services as follows:

1. Eligibility assessment

Client eligibility is assessed through:

- LAO's call centre: available toll-free from anywhere in Canada, delivering services in over 300 languages, including 18 Indigenous languages and dialects
- LAO online client portal: clients can apply for services or check the status of applications
- In-person application services: available at district offices and courthouses throughout the province.

2. Legal services in specified areas of law

LAO provides services in criminal, family, immigration/refugee, and poverty law matters through:

- Certificates: private practice lawyers provide full representation for eligible clients
- Court-based duty counsel services: in-court assistance is provided by both staff and private lawyers, in person and remotely, in every court jurisdiction in Ontario
- Staff services: clients receive certain services in family and immigration matters from staff lawyers in locations across Ontario, and from Senior Counsel, who represent clients who are difficult to serve through normal channels (often due to multiple vulnerabilities)
- LAO-funded community legal clinics: poverty law services are available to clients at 72 independent legal clinics
- Student legal services organizations (SLSO): clients are served through student clinics at each of Ontario's eight law schools
- Indigenous legal services organizations: LAO has entity services agreements with Nishnawbe-Aski Legal Services Corporation (NAN Legal) and Aboriginal Legal Services (ALS).

3. French Language Services (FLS)

LAO provides its services in English and French in areas across the province that are designated pursuant to the *French Language Services Act* (FLSA), and in all its centralized services and communications. In order to meet its

obligations under the FLSA, FLS are integrated into all LAO initiatives.

4. Multiple language services

Information and services in multiple languages for those who do not speak English or French are important supports for access to LAO services and access to justice for clients. LAO provides interpretation services in over 300 languages across all its services by way of a third-party vendor.

5. Legal research services

LAO LAW provides high-quality research services to lawyers acting for legally aided clients, including roster lawyers acting on certificate, LAO duty counsel and staff lawyers, Indigenous legal services organizations, SLSO, and clinic lawyers. Primary areas of expertise include criminal, family and immigration law.

LAO's Clinic Resource Office provides legal and other support services primarily to clinics and SLSO. Services include: assistance with individual client files, publication of legal reference materials, training for clinic staff, facilitating communication/knowledge management among clinic practitioners, and court litigation support services, such as co-counselling and/or other ongoing support on appeals, judicial reviews and systemic cases at tribunals.

6. Lawyer Services and Payments (LSP)

The primary role of the LSP department is to support roster members providing services through the certificate program and to ensure fast and efficient payments. The LSP department is comprised of three units: the Lawyer Service Centre (LSC), Provincial Case Management Office (PCMO) and Lawyer Services and Payments (LSP).

LSP is responsible for ensuring lawyers are paid efficiently and accurately for services provided to LAO's clients. LSP also processes requests for experts and other special disbursements, conducts reviews of disputed payments, manages the annual billing limits (hard cap) for lawyers, and assists in the collection of costs orders and recoveries made pursuant to sections 12 and 13 of LASA 2020. LSC is a call centre responsible for answering incoming calls from lawyers with questions related to the online billing system, billing and tariff rules, account payment status, certificate coverage and technical support.

PCMO consists of the Big Case Management (BCM) program and the Protocol Case Unit (PCU). The BCM program works with the private bar and

sets budgets for complex cases where the total fees and disbursements are anticipated to exceed \$20,000 or \$50,000 where there are multiple co-accused. PCU manages the payment of cases on behalf of MAG and the Department of Justice (DOJ) where the court orders the appointment of counsel and payment by the Province of Ontario or the Government of Canada for court-appointed counsel. PCU pays counsel in these matters, and LAO is reimbursed for these services by MAG and the DOJ.

Initiatives involving third parties

Clinics and Student Legal Services Organizations (SLSO)

LAO funds 72 independent community legal clinics to deliver legal aid services to low-income people with issues related to housing and shelter, income maintenance, social assistance, employment law, immigration and refugee law, workers' rights, human rights law, Indigenous law and many others. LAO also funds eight university operated SLSO, which provide advice and representation through experiential learning by volunteer law students on minor criminal law matters, housing and shelter, family law and other areas. LAO also provides funding for a student family law program through Pro Bono Students Canada.

There are two parts to LAO's governance of and relationship with clinics:

- LAO's accountability to deliver poverty law services across Ontario for which clinics have a foundational role.
- LAO's oversight of individual clinics – the one-to-one transfer payment relationship between LAO as funder and the clinic as funding recipient.

LAO's Legal Aid Services Rules established under LASA 2020 set out a results-focused, risk-based framework for LAO's oversight of the delivery of legal aid services by entity service providers and include LAO's obligations under the Transfer Payment Accountability Directive. Service agreements between LAO and clinics/SLSO set out community-responsive services to be delivered with funding and establish regular reporting on services.

Since LASA 2020 coming into force, LAO's focus is on working closely with entity service providers to:

- Implement a risk framework that reflects a shared understanding between LAO and entity service providers of what creates a high-risk entity
- Strengthen risk-based management practices in LAO's oversight of clinics
- Continue to design and implement performance measures that allow for entity service providers and LAO to monitor risks to services and to the entity
- Continue to clearly identify service level expectations and accountabilities, where LAO provides supports to clinics (e.g., integrating clinics into LAO's IT

strategy)

- Develop and implement a new clinic board portal to improve communication between LAO and clinic boards
- Develop proportional reporting requirements based on risk, and revise SLSO financial and statistical reporting requirements
- Continue to identify, prioritize and implement design and functionality enhancements to the Clinic Information Management System (CIMS)
- Develop a funding formula that can provide equitable and stable services across the province, in consultation with entity service providers and other stakeholders.

Through these initiatives, LAO will continue to enhance the governance and oversight of the delivery of legal aid services by clinics and SLSO through:

- Defined objectives, functions, eligibility criteria and obligations for transfer payments to clinics
- Focusing on results achieved for funds provided
- Increased transparency through improved reporting requirements
- Improved, proportionate oversight of clinics by LAO
- Promotion of continuous improvement and transparency through performance measures
- A risk-based approach to transfer payment accountability, including identification of risks and development of plans to manage risks
- Updated, clear and transparent operational standards for clinics through an updated policy framework.

Community Legal Education Ontario (CLEO)

Access to justice includes access to public legal information about individual rights, the legal system, and legal services available to Ontarians. CLEO has been a reliable source of this vital information since 1974. LAO will continue to fund CLEO's important mission to deliver public legal education and information, and work with them to ensure low-income Ontarians continue to receive it.

Indigenous legal services organizations

LAO continues its work to address the essential task of strengthening relationships with Indigenous peoples, communities and governments as outlined in the [Aboriginal Justice Strategy \(AJS\)](#). LAO is committed to building on its efforts from 2022-23 service agreements with Nishnawbe-Aski Nation (NAN), ALS and Ontario Federation of Indigenous Friendship Centres (OFIFC) that can be used as models for agreements with other Indigenous legal services organizations.

Nishnawbe-Aski Legal Services Corporation (NAN Legal)

LAO will, through quarterly forum meetings with senior leadership and regular operational meetings of staff, continue working with NAN Legal to implement its three-year service agreement with LAO to support the delivery of their services, specifically the administration of LAO's certificate and duty counsel programs for members of NAN communities, and the implementation of NAN Legal's staff lawyer program.

Aboriginal Legal Services

LAO will continue to work with ALS to provide culturally relevant and competent legal aid services, including criminal and child protection certificate services, with the objective of addressing gaps in roster capacity.

Ontario Federation of Indigenous Friendship Centres

LAO will continue to work with OFIFC to support and strengthen OFIFC's Community Justice Program. LAO's funding agreement supports OFIFC's culturally based pre- and post-charge diversion program for Indigenous youth and adults who come into conflict with the law.

Equity, Diversity, Inclusion and Belonging (EDIB)

LAO's EDIB initiatives support an inclusive and diverse workplace that reflects the people, cultures and languages of the communities we serve.

The following are key EDIB priorities and activities for 2024-2025:

1. Integrating and supporting EDIB at LAO

LAO's EDIB teams will work to build a culture of equity and inclusion for Indigenous, Black and other racialized communities.

Developing EDIB initiatives focused on promoting an equitable, inclusive, accessible, anti-racist and diverse workplace continues to be a key priority at LAO.

2. EDIB learning and development

At LAO, we recognize and value the diversity of our staff and our clients. LAO regularly celebrates and acknowledges this diversity by creating learning opportunities through training, lunch-and-learns and resource-sharing with all staff.

3. Inclusion, Diversity, Equity and Anti-Racism (IDEA) Organizational Assessment

LAO conducted its first staff-based diversity demographic and inclusion survey in 2021. The valuable information from this survey informed LAO's Multi-Year Strategic EDIB Plan. A follow-up IDEA Organizational Assessment will be conducted in 2024, which will further refine the multi-year plan.

Enterprise Risk Management (ERM)

LAO has established an ERM program based on best practices of the Agencies and Appointments Directive and the Enterprise Risk Management Directive. This includes having in place a framework and process to effectively identify, assess, mitigate, monitor and report risks to the achievement of LAO's priority value creation and value preservation objectives.

LAO's risk management framework and practices provide an integrated and strategic approach to risk management through the analysis of internal and external risks to our objectives, with the ultimate goal of informing ongoing planning, decision-making and oversight processes at all levels of the organization.

Significant assumptions, uncertainties and risks are managed by LAO, monitored by LAO's senior management and the ERM group, and reported to Board committees. We also provide a quarterly risk report to MAG.

Key risk exposures identified that may affect the Business Plan over the planning cycle include:

Funding/Financial

Despite LAO's strong financial position, LAO still faces financial risk from the variability of LFO revenue. LFO revenue is LAO's second largest source of revenue, accounting for 44.3 per cent of total funding in 2023-24. We continually monitor economic reports and the BoC interest rate to anticipate changes in LFO revenue; we share financial forecasts with MAG and proactively address any potential concerns.

LAO also manages funding risk from both the Federal and Provincial governments. In-year changes to LAO funding have occurred in the past without notice. Federal funding has consistently covered the costs of LAO's federal programs, but without a permanent funding agreement, we continue to experience in-year funding risk. We will continue to work closely with MAG to manage LAO's overall financial position to effectively respond to the changing needs of clients and advance strategic priorities.

Information technology

LAO's current IT infrastructure requires sustained investments and improvements to the organization's systems and applications. These investments will improve security

and service continuity, while ensuring the successful delivery of future modernization initiatives. We will continue to make improvements to the organization's technology infrastructure and explore opportunities to invest in technologies which support LAO's long-term Strategic Plan.

Workforce

LAO will continue to be exposed to potential labour relations risk exposures until a decision on the Ontario government's appeal of Bill-124 has been made. The achievement of LAO's operational and strategic priorities remains dependent on the organization's ability to recruit and retain experienced staff to ensure the organization maintains a workforce and leadership team of appropriate capability and capacity. We will continue to closely monitor the evolving situation and adapt financial planning and workforce strategies accordingly. Additionally, the organization will continue to explore opportunities to adjust its employee attraction and retention practices in alignment with broader labour market trends.

Operations and service delivery

Continued changes to LAO's tariff program may result in increased demands for services and elevate operational risk exposures. This is compounded by the on-going demand for both remote and in-person court-based services and the variation across districts. LAO will continue to collaborate with MAG and the justice system on strategies management and is developing implementation plans to support any increased service demands as a result of the expansion of programs. The organization will also monitor and increase resources where appropriate to accommodate hybrid model services and mixed delivery services.

Legislative

LAO will continue to adhere to its consultation obligations under LASA 2020 through internal coordination and governance to effectively plan and prioritize Rule changes.

Three-year financial outlook and projections

LAO anticipates the current strong financial position to continue in the 2024-25 fiscal year and beyond. Due to the historic LFO revenue increases resulting from the unprecedented BoC interest rate increases in 2022 and 2023, LAO predicts significant surpluses in the next two years; LAO will be able to continue to fund the ongoing strategic investments from its accumulated surplus.

LAO will continue to work with MAG to make the best use of the potential surplus to invest in LAO’s key strategic priorities or goals: client-centred focus, demonstrated value-for-money, innovative services, an engaged staff, and effective collaboration.

(\$M)	2022-23 Actual	2023-24 Forecast	2024-25 Budget	2025-26 Outlook	2026-27 Outlook
Total Revenue	577.7	768.4	755.0	719.5	718.8
Total Expenses	468.8	527.6	596.1	653.8	669.1
<i>Net Operating Surplus</i>	108.9	240.8	158.9	65.7	49.7
<i>Accumulated Surplus</i>	76.0	316.8	475.7	541.4	591.1

- LAO is projecting a net surplus of \$158.8 million, \$65.7 million, and \$49.7 million in 2024-25, 2025-26 and 2026-27, respectively.
- This diminishing projected net surplus is the result of declining LFO revenue (due to expected BoC rate reductions) and increasing certificate costs (due to investment in the strategic initiatives).

Revenue projections

Assumptions:

- Provincial funding is anticipated to remain relatively stable
- Federal funding will increase relative to the growth in Immigration and Refugee case volumes as per agreement and with the continuation of the \$20 million

additional funding for Criminal law

- Cost to deliver the Immigration and Refugee program is assumed to be fully funded by the Federal government³
- LFO revenue is projected to decline due to anticipated BoC interest rate cuts in 2024-25 and 2025-26 as inflation eases and the real estate market cools down.

The table below shows revenue projections for the next three fiscal years:

(\$M)	2022-23 Actual	2023-24 Forecast	2024-25 Budget	2025-26 Outlook	2026-27 Outlook
Provincial Funding Base	224.9	268.1	268.1	268.1	268.1
Deferred Capital Contributions brought to revenue	1.3	1.7	2.0	1.1	0.1
Federal Funding I&R	43.4	60.6	95.5	102.0	103.0
Federal Funding Criminal	62.0	70.8	70.1	69.6	68.9
LFO	231.8	340.3	290.0	250.0	255.0
Other Income	14.3	26.9	29.3	28.7	23.7
Total Revenue	577.7	768.4	755.0	719.5	718.8

Overall revenue is expected to slightly decline by 2.2 per cent per year on average due to LFO revenue. LAO is projecting lower interest rates, which will strengthen the housing market and increase the average mixed trust balances, partially offsetting the reduced interest rates.

The increase in Other Income is due to increased interest income from higher interest rates and higher bank balances.

³ Subject to approval from the Federal Government and currently there is no funding agreement in place between LAO and Justice Canada.

LFO revenue projection and outlook assumptions:

Year	LFO Revenue	Year-end Overnight Rate	Avg, Trust Account Balance
2023-24	\$ 340.3M	5.00%	\$ 8.5B
2024-25	\$ 290.0M	3.50%	\$ 8.5B
2025-26	\$ 250.0M	2.75%	\$ 10.0B
2026-27	\$ 255.0M	2.75%	\$ 11.8B

Expenditure forecast

Assumptions:

- Expenditures include the cost of the strategic investments in tariff reform, tariff increases, and the increased volume of Immigration and Refugee cases
- Payroll expenses include 2 per cent increases for each of the three years in the plan and also include the concluded Society of the United Professionals arbitration. OPSEU has triggered the reopener clause in each of LAO's collective agreements to address compensation issues related to Bill 124 and the matter is scheduled for arbitration in June 2024. As the final outcome is currently unknown the cost impact has not been included in this plan. In addition, the plan does not include potential salary adjustments as a result of these new collective agreements.
- Clinic funding includes additional investment in Clinic Law Services to support those providers in retaining qualified lawyers in communities with disproportionately high populations falling below the Federal Low-Income Measure, as well as those providers serving equity-seeking communities across the province.
- The impact of Ontario Court of Justice's Jordan-Compliant Trial has been included in Criminal – non BCM expenditures and estimated at \$1.1M in 2024-25, \$2.4M in 2025-26, and \$2.8M in 2026-27.
- All other expenses are expected to remain flat.

(\$M)	2022-23 Actual	2023-24 Forecast	2024-25 Budget	2025-26 Outlook	2026-27 Outlook
Central Operations Base	216.7	249.0	268.2	292.3	292.8
<i>Tariff Increase</i>		0.6	11.5	25.4	33.8
<i>Tariff Reform</i>		0.7	13.1	24.4	27.0
Central Operations Total	216.77	250.3	292.8	342.1	353.6
Regional Services Base	95.6	110.0	112.3	113.5	116.0
<i>Per Diem Tariff</i>		1.8	4.9	6.2	6.2
Regional Services Total	95.6	111.8	117.2	119.7	122.2
Clinic Services	103.9	107.0	115.4	120.0	122.5
AJS – Gladue	1.6	2.7	2.7	2.7	2.8
Administration	44.3	49.3	59.5	60.8	59.5
Other Expenditures	6.7	6.5	8.5	8.5	8.5
Total Expenses⁴	468.8	527.6	596.1	653.8	669.1

(\$M)	2022-23 Actual	2023-24 Forecast	2024-25 Budget	2025-26 Outlook	2026-27 Outlook
Criminal – BCM	23.6	24.0	25.0	26.2	27.3
Criminal – Non BCM ⁵	73.1	82.0	93.1	117.0	122.3
Family	56.9	53.0	56.0	72.0	75.4
Immigration and Refugee	25.2	47.0	74.0	80.6	81.6
Civil	9.8	11.0	10.5	11.5	11.6
Total⁶	188.6	217.0	258.6	307.3	318.2

⁴ Due to rounding issue some of the numbers may not add up to the exact dollar amount.

⁵ Includes the impact of Ontario Court of Justice's Jordan –Compliant Trial of \$1.1M in 2024-25, \$2.4M in 2025-26, and \$2.8M in 2026-27.

⁶ Due to rounding issue some of the numbers may not add up to the exact dollar amount.

Overall expenditures are increasing by 8.2 per cent per year on average. This increase is primarily due to increased certificate expenses (in the table directly above, and included as expenses within Central Operations in the table above that), which is growing by 13.6 per cent per year on average.

Strategic investments⁷

LAO is implementing changes to the tariff to better reflect how the practice of law has evolved and to address identified issues across all areas of law.

- Tariff reform and tariff increases:⁸
 - Phase 1: A 5 per cent tariff increase on certificates issued and per diem duty counsel services provided on or after October 16, 2023, as well as 14 tariff reform initiatives, and tier level increases for per diem duty counsel.
 - Phase 2: Another 5 per cent tariff increase on certificates issued and per diem duty counsel services provided on April 1, 2024, as well as 18 tariff reform initiatives to be implemented on or after March 4, 2024.

⁷ Strategic Investments italicized in Expenditure Forecast table.

⁸ Due to implementation resource capacity constraints, the tariff reform will be implemented in two phases.

Implementation approach

LAO's Enterprise Strategy Management (ESM) department works with divisional project leads to conduct or assist with implementation analysis and planning for enterprise strategic projects.

Through the use of project management tools and techniques, LAO assesses the amount of resource effort required to complete each prioritized project initiative and how much corporate resource capacity is available to deliver them.

The process identifies potential gaps and conflicts in corporate resources that could impede the implementation of enterprise projects.

The approach to implementation planning is through an implementation analysis framework that encompasses a three-step process:

1. Defining what is changing
2. Defining how it is changing
3. Developing implementation delivery plans that include:
 - i. Identifying the desired outcomes and goals for each deliverable
 - ii. Identifying the resources required to implement the deliverables, including necessary funding, staffing, and administrative, operational and systems changes
 - iii. The creation of roll-out plans.

Human capital

The Human Resources (HR) department supports the execution of LAO’s Business Plan by maintaining excellent partnerships with management, employees and our bargaining agents to:

- Continuously promote a culture that values all employees and embraces equity, diversity and inclusion, and belonging
- Foster an inclusive and respectful workplace with a diverse talent pool, and ensure that HR’s services, policies and systems align with LAO’s values, strategy and mission.

LAO will also continue to use HR and accommodation strategies that are consistent with OPS policies and directives regarding hybrid work.

LAO Workforce	As of September 30, 2023
Management	149
<i>Society Lawyers</i>	354
<i>OPSEU</i>	542
Non-management, non-union employees	118
Total	1163

In anticipation of the collective agreements being negotiated and ratified, LAO will revise any of its processes and policies affected by the agreements, to ensure they reflect the relevant provisions in the collective agreements. Additionally, LAO will develop educational sessions for the management team to ensure they understand the parts of the collective agreements that affect them, and the responsibilities that follow. These sessions will also cover related topics, such as managing accommodations and addressing difficult conversations.

The number of staff leaving LAO has returned to pre-pandemic levels after reaching unprecedented lows. Data from exit interviews with departing staff indicate that employees are leaving due to factors beyond LAO’s control, such as seeking greater flexibility, reduced commuting, higher salaries, and more opportunities for

advancement. We intend to gain insights from the employee engagement survey that will help LAO develop new strategies to reduce the number of staff leaving.

IT service delivery plan

LAO continues to monitor and identify IT systems and infrastructure that need to be updated and/or replaced. This work helps ensure that services to clients and LAO service providers (such as roster lawyers and clinics) are not interrupted, and that LAO keeps pace with upgrades and advances in technology, while protecting data and increasing our overall cyber-security posture. LAO will also be launching a BPR that will help inform the implementation of future solutions.

Leveraging our access to IT research services, we continue to consult with industry experts to validate our approaches, technology selection and change management in our digital transformation journey. These resources have been vital throughout this process and continue to provide important feedback and connection to peer organizations that are going through similar change.

LAO's Technology Strategy continues to concentrate on the following key areas:

1. Upgrading or migrating to newer, modern systems with a focus on the advantages of cloud-based solutions
2. Expanding access and availability of services to Ontarians employing (where appropriate) mobile-ready technology and artificial intelligence
3. Increasing collaboration among digital teams to improve services to clients and speed up the work of internal teams.

These initiatives to modernize our technology and security infrastructure will be a considerable draw on human and financial resources across the organization, over the coming years.

Communications plan

LAO engages in public consultation to support client-focused, innovative, transparent and accountable legal aid services. LAO follows a consultation process when changes to Rules or Policies are being considered. These statutory rule consultation meet specific requirements are set out in LAO's Public Consultation Policy.

Notices of consultations about proposed changes to Rules and Policies, as well as other types of LAO consultations, will be posted at legalaid.on.ca. Individuals and organizations can now also subscribe to the [LAO Consultation Registry](#) to receive email alerts about upcoming consultations. The Registry, which supports inclusive and diverse participation, enables any individual or group to register and receive information about upcoming consultations.

Consultations about rule and policy changes make up only a portion of LAO's overall consultation and engagement with its clients, service providers, justice system collaborators and the public. LAO regularly speaks with and always welcomes feedback from service providers, justice stakeholders and, most importantly, clients.

Appendices

Appendix A: Agency mandate letter

Attorney General

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Our Reference #: M-2023-8270

October 6, 2023

Stephen Pengelly Chair
Legal Aid Ontario Atrium on Bay
20 Dundas Street West, Suite 730 Toronto, ON
M5G 2H1
Email: pengellys@lao.on.ca

Dear Stephen Pengelly:

I am pleased to share our government's 2024-25 priorities for Legal Aid Ontario (LAO).

As Chair, you play a vital role in helping LAO achieve its mandate. It is important that your agency's goals, objectives, and strategic direction continue to align with our government's priorities and direction. As part of the government of Ontario, agencies are expected to act in the best interests of the people of Ontario and ensure that they provide value for money to taxpayers. Agencies are also required to adhere to government policies and directives.

Per the requirements of the Agencies and Appointments Directive, this letter sets out my expectations for LAO for 2024-25. These priorities include:

1. Competitiveness, Sustainability and Expenditure Management

- Operating within the agency's financial allocations.
- Identifying and pursuing opportunities for revenue generation, efficiencies, and savings through innovative practices, and/or improved program sustainability.

- Complying with applicable direction related to accounting practices and supply chain centralization, including leveraging Supply Ontario's bulk purchasing arrangement and working with Supply Ontario on strategic procurement initiatives.
- Complying with realty interim measures for agency office space.
- Leverage and meet benchmarked outcomes for compensation strategies and directives.

2. Transparency and Accountability

- Abiding by applicable government directives and policies and ensuring transparency and accountability in reporting.
- Adhering to accounting standards and practices, and responding to audit findings, where applicable.
- Identifying appropriate skills, knowledge and experience needed to effectively support the board's role in agency governance and accountability, and providing the Minister with annual skills matrices to ensure boards have qualified appointees.
- Reviewing and updating agency KPIs annually to ensure efficiency, effectiveness, and sustainability.

3. Risk Management

- Developing and implementing an effective process for the identification, assessment, and mitigation of agency risks, including cyber security, and any future emergency risks.

4. Workforce/Labour Management

- Optimizing your organizational capacity to support the best possible public service delivery, including redeploying resources to priority areas, where needed.
- Supporting the implementation of the Community Jobs Initiative (CJI) by identifying opportunities to relocate new or existing agencies to lower cost communities across Ontario (as per MBC Realty Directive, s. 5.4), as applicable.
- Aligning Human Resource and Accommodations strategies with OPS directives and policy.
- Adhering to TB/MBC labour and bargaining mandates.

- Prudently and efficiently managing operational funding and workforce size.

5. Diversity and Inclusion

- Developing and encouraging diversity and inclusion initiatives by promoting an equitable, inclusive, accessible, anti-racist and diverse workplace.
- Adopting an inclusion engagement process to ensure all voices are heard to inform policies and decision-making.

6. Data Collection, Sharing and Use

- Improving how the agency uses data in decision-making, information sharing and reporting, to inform outcome-based reporting and improve service delivery.
- Increasing data sharing with Supply Ontario when applicable regarding procurement spending and planning, contract arrangements and vendor relations to support data-driven decision-making.

7. Digital Delivery and Customer Service

- Exploring and implementing digitization for online service delivery to ensure customer service standards are met.
- Using a variety of approaches or tools to ensure service delivery in all situations.

These are the government-wide commitments for board-governed provincial agencies. Please see the attached guide for further details of each priority.

I am also sharing several priorities specific to LAO:

1. LAO to continue to prioritize supporting the court recovery process, working collaboratively with the Ministry as it plans and executes strategies to reduce the court backlog.
2. LAO is expected to prioritize addressing the 2022-23 mandate review recommendations, including specific recommendations regarding the following:
 - independently proposing or implementing new initiatives in overseeing the provision of legal services,
 - continue working to improve oversight of legal clinics,

- develop and enhance additional goals/strategies related to its mandate,
- increasing innovative capacity and exploring innovative service delivery models,
- making improvements to performance tracking,
- continuing to work with MAG to improve financial sustainability, and
- further investigate how to better attract and retain talent.

3. LAO is also expected to continue to work together with the Ministry of the Attorney General to address audit review recommendations.

I would be pleased to discuss these priorities during our next meeting, and I look forward to hearing how they will be reflected in the agency's upcoming business plan and in ongoing agency operations.

Thank you and your fellow board members for your continued commitment to LAO. Your work and ongoing support is invaluable to me and the people of Ontario.

Should you have any questions, please feel free to contact Jane Mallen, Assistant Deputy Attorney General, Policy Division, at jane.n.mallen@ontario.ca.

Sincerely,

A handwritten signature in black ink that reads "Doug Downey". The signature is fluid and cursive, with a long horizontal stroke at the end of the name.

Doug Downey
Attorney General

Attachment: Government Priorities for Agency Sector Chart

cc: David Field, President and CEO, Legal Aid Ontario

Appendix B: Governance and corporate structure

LAO's board governance structure includes three committees: Audit & Finance, Human Resources, and Nominating & Governance. These committees review matters brought forward by management and make recommendations to the Board of Directors in their respective areas of responsibility. Each committee has a charter setting out its mandate, with the chair responsible for reporting to the full Board of Directors.

Current board appointees and terms of office

Name	Title	Nomination/ appointment	Term of office	Lawyer	Effective date	End date
Steve Pengelly	Chair	Attorney General	3 years	Yes	Apr. 14/22	Apr. 13/25
Jennifer Gold	Board Member	Law Society	3 years — 3 years ¹	Yes	Dec. 10/20 — Dec. 10/22	Dec. 9/22 — Dec. 9/25
Peter Johnson	Board Member	Attorney General	2 years — 3 years ²	Yes	Jan. 7/21 — Jan. 7/23	Jan. 6/23 — Jan. 6/26
Deborah Moriah	Board Member	Law Society	2 years — 3 years	No	Jan. 7/21 — Jan. 7/23	Jan. 6/23 — Jan. 6/23
Bryn Gray	Board Member	Law Society	2 years — 3 years ³	Yes	Jan. 14/21 — Jan. 14/23	Jan. 13/23 — Jan. 13/26
Julia Bailey	Board Member	Attorney General	2 years — 3 years ⁴	Yes	Apr. 29/21 — Apr 29/23	Apr. 28/23 — Apr. 28/26
Louise Harris	Board Member	Attorney General	2 years	No	Sept. 8/22	Sept. 7/24

¹ Renewed Term

² Renewed Term

³ Renewed Term

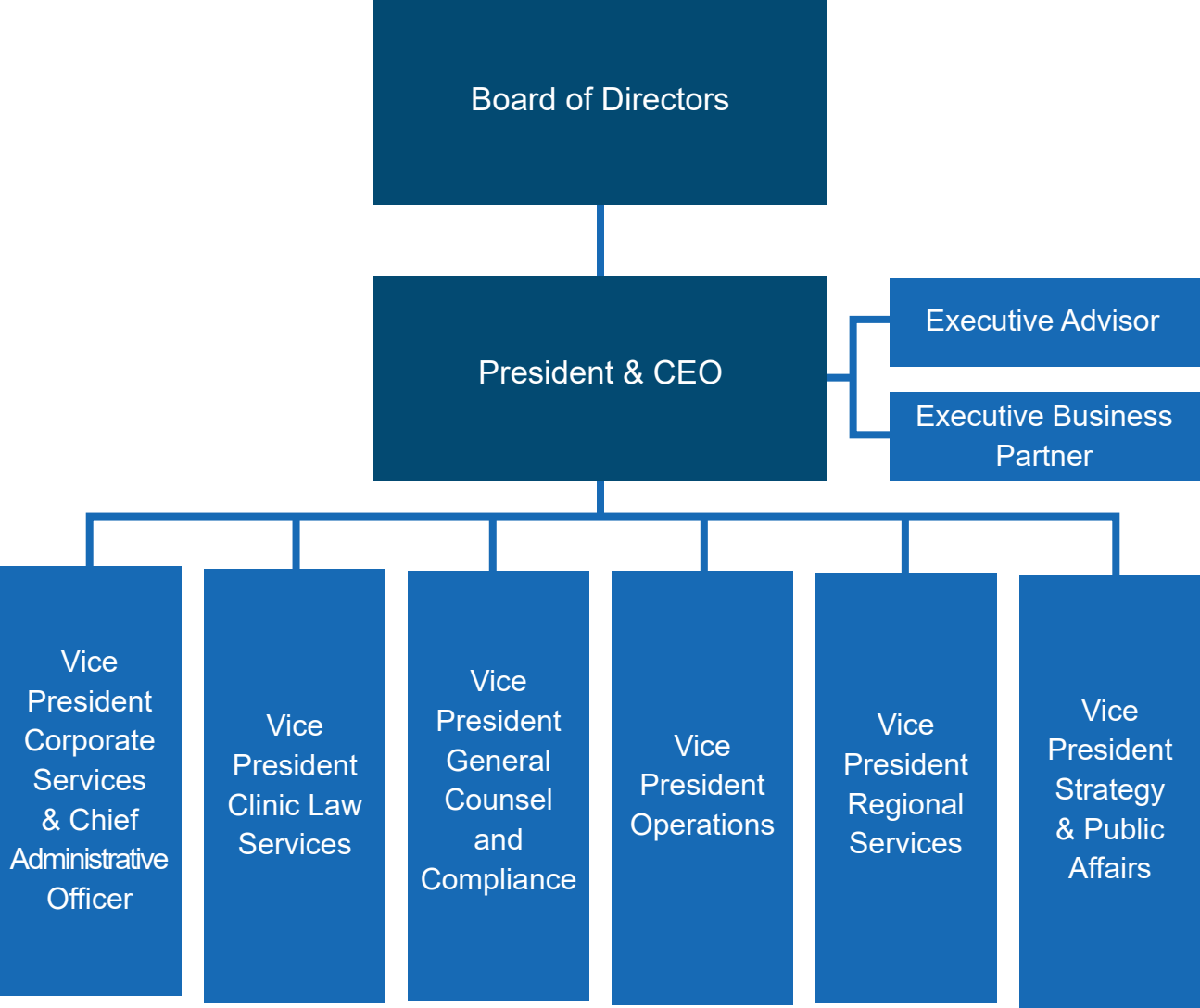
⁴ Renewed Term

Name	Title	Nomination/ appointment	Term of office	Lawyer	Effective date	End date
Melanie Debassige	Board Member	Attorney General	2 years	No	Jan. 19/23	Jan. 18/25
Erin Betts	Board Member	Law Society	2 years	Yes	Jul. 27/23	Jul. 26/24
David Field	President / CEO / Ex-Officio Board Member	LAO Board of Directors	N/A	No	Jan. 1/16	N/A

Current committee membership

Audit and finance	Human resources	Nominating and corporate governance
<u>Chair</u> Jennifer Gold	<u>Chair</u> Peter Johnson	<u>Chair</u> Steve Pengelly
<u>Membership</u> <ul style="list-style-type: none"> • Julia Bailey • Melanie Debassige • Bryn Gray • Steve Pengelly, non-voting member • David Field, ex-officio non-voting member 	<u>Membership</u> <ul style="list-style-type: none"> • Deborah Moriah • Louise Harris • Erin Betts • Steve Pengelly, non-voting member • David Field, ex-officio non-voting member 	<u>Membership</u> Full Board of Directors

Corporate & executive structure



Appendix C: Organizational health performance measures

1. Organizational health

Measure	Actual 2022-23	2024-25 Target
Turnover	11.5% 2022-23	↓ 10.0%
Average sick days used per employee (incidental + short term)	10.4% 2022-23	↔ 10.1%
Employee engagement	Next survey will be conducted in 2023-24	↔ 72%

2. Financial indicators

Measure	Actual 2022-23	2024-25 Target
Balanced budget	\$108.9 million surplus	↑ \$120.6 million surplus
Contingency reserve fund	\$20 million FY 2022-23	↔ \$20 million
Net assets	\$97.6 million surplus	↑ \$242 million surplus
Cash flow	\$109.2 million balance	↑ \$344.4 million cash balance forecasted

3. Service

Measure	Actual 2022-23	2024-25 Target
Acceptance rate for certificate applications	88%	↔ 87%
Percentage of calls answered within three minutes (Level 1 Support)	58%	↑ 80%
Percentage of calls answered within three minutes (Lawyer Service Center)	92%	80%
Percentage of calls answered within three minutes (in custody)	70%	↑ 80%
Percentage of calls answered within three minutes (Level 2 Support)	62%	↑ 80%
Overall client satisfaction (percentage of positive responses)	80%	↔ 80%
Overall lawyer satisfaction (percentage of positive responses)	39%	↑ 45%

Appendix D: 2022-23 operations data

1. Clients assisted by duty counsel

Area of law	2018-19	2019-20	2020-21	2021-22	2022-23
Criminal	516,160	516,759	377,694	559,510	630,062
Civil ¹	138,063	101,927	55,544	67,122	82,673
Total	654,223	618,686	433,238	626,632	712,735

2. Formal applications for certificates by fiscal year

Certificate applications	2018-19	2019-20	2020-21	2021-22	2022-23
Applications made	129,360	120,335	103,077	114,762	122,527

3. Certificate application outcomes

Outcomes	2018-19	2019-20	2020-21	2021-22	2022-23
Approved	111,588	105,308	94,909	100,419	106,830
Refused	14,024	13,010	6,527	10,700	11,526
Other ²	6,380	5,904	2,618	3,420	4,991
Total outcomes recorded	131,992	124,222	104,054	114,539	123,347

¹ This category consists largely of people assisted in family law courts.

² Are outcomes of an administrative nature and can include referrals to other service providers, applications withdrawn by the client, or instances when an application was created in error.

4. Length of time to determine application outcome

Duration of application decision	2018-19	2019-20	2020-21	2021-22	2022-23
Same-day	92,533	87,242	88,743	89,502	90,983
2 to 7 days	12,264	13,134	6,477	10,715	12,981
8 to 14 days	6,835	5,787	2,068	3,588	4,665
15 to 30 days	9,522	8,432	2,410	4,518	6,294
Over 30 days	10,838	9,627	4,356	6,216	8,424
Total outcomes recorded	131,992	124,222	104,054	114,539	123,347
Same-day outcomes	70%	70%	85%	78%	74%

5. Certificates approved by area of law

Area of law	2018-19	2019-20	2020-21	2021-22	2022-23
Criminal	60,408	60,097	52,068	57,505	56,207
Family	29,401	24,055	28,302	23,774	18,906
Immigration and Refugee	16,181	15,502	6,750	11,510	23,688
Other ³	5,598	5,654	7,789	7,630	8,029
Total certificates issued	111,588	105,308	94,907	100,419	106,830

³ Represents matters before the Consent and Capacity Board, prison law, and matters before civil tribunals.

6. Acknowledgement rate⁴

Area of law	2018-19	2019-20	2020-21	2021-22	2022-23 ⁵
Criminal	94%	94%	93%	92%	90%
Family	71%	71%	69%	63%	61%
Immigration and Refugee	90%	89%	87%	84%	82%
Civil	94%	94%	95%	94%	94%

7. Number of lawyers who accepted an LAO certificate

Lawyers	2018-19	2019-20	2020-21	2021-22	2022-23
Number of lawyers	3,418	3,326	3,266	3,146	2,932

8. Number of lawyers paid more than \$1000,000 in fees

Fees	2018-19	2019-20	2020-21	2021-22	2022-23
\$100,000 to \$250,000	639	665	431	566	604
Over \$250,000	94	73	46	82	78
Total	733	738	477	648	682

⁴ Percentage of certificates acknowledged by a lawyer in the fiscal year which were issued in the same fiscal year.

⁵ 2022-23 figures are not final as clients may be in the process of finding a lawyer to represent them.

9. Average cost of a completed certificate by area of law

Area of law	2018-19	2019-20	2020-21	2021-22	2022-23
Criminal	\$1,815	\$1,750	\$1,672	\$1,667	\$1,674
Family	\$3,496	\$3,525	\$3,490	\$3,555	\$3,927
Immigration and Refugee	\$2,401	\$2,076	\$2,028	\$2,204	\$2,242
Other ⁶	\$1,571	\$1,453	\$1,345	\$1,329	\$1,375
Overall average cost	\$2,180	\$2,089	\$1,947	\$2,007	\$2,058

10. Average lifetime of a completed certificate (in months)

Area of law	2018-19	2019-20	2020-21	2021-22	2022-23
Criminal	7.5	7.6	8.9	9.4	9.7
Family	14.9	15.1	16.2	16.7	18.5
Immigration and Refugee	15.7	14.7	17.3	18.7	16.1
Other ⁷	3.6	3.5	3.3	3.3	3.3
Overall average	9.4	9.5	10.0	10.9	11.0

⁶ Represents matters before the Consent and Capacity Board, prison law, and matters before civil tribunals.

⁷ Represents matters before the Consent and Capacity Board, prison law, and matters before civil tribunals.

11. Clinic services: In 2022-23, community and specialty legal clinics activities included:

Activity	2022-23
Cases opened	109,835
Tenant duty counsel assists	67,092
Referrals to other services and agencies	49,338
Community, advocacy and communications initiatives	5,507

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