



Consultation areas and questions

With the passing of the *Legal Aid Services Act, 2020*, LAO must implement a clear framework for the delivery of legal aid services by community legal clinics serving communities throughout Ontario. The new framework is an important part of LAO's Modernization Project, which aims to update and modernize Ontario's legal aid system and allow LAO to be more responsive to community needs.

We are looking for feedback from our justice partners to help us establish a new framework for LAO's oversight of the delivery of legal aid services by community legal clinics.

Find more information about the consultation on www.legalaid.on.ca

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Consultation Area: General

LAO has set out a new framework for the delivery of legal aid services by clinics based on LAO's core accountabilities, responsibilities and requirements under the *Legal Aid Services Act, 2020*, the *Transfer Payment Accountability Directive* (TPAD) and recommendations of the Auditor General of Ontario.

- **Question 1:** Are there additional considerations not listed in the paper that are relevant to the development of the new framework?

Consultation Area: Determining community needs

Like *LASA 1998*, *LASA 2020* recognizes the foundational role of clinics and the role of clinics in determining community needs. LAO must have regard to these, plus any other information about the legal needs of communities, in determining how to provide legal services in the area of poverty law.

- **Question 2:** What forms or ways of assessing community needs are the most effective?
- **Question 3:** What forms or ways of measuring community needs are most effective?

- **Question 4:** How can clinics demonstrate and document that they have reliable and effective processes for assessing community needs?
- **Question 5:** What local data and evidence should be considered by clinics when they assess community needs?
- **Question 6:** What broader, province-wide data and evidence should be considered by clinics when they assess community needs?
- **Question 7:** Are there unique considerations that apply to specialty and ethno-linguistic clinics when determining community needs? How can they be documented and measured?

Consultation Area: Service and outcomes focus

A new framework for the delivery of legal aid services by community legal clinics will focus on services and outcomes.

- **Question 8:** What supports and resources would assist clinics in identifying services to be delivered and outcomes to be achieved to meet community needs? For example, Statistics Canada disaggregated demographic data for the low income population.
- **Question 9:** How can clinics document to LAO how they identify priorities based on community needs?
- **Question 10:** How can clinics document to LAO measurable services

and outcomes to meet community needs?

- **Question 11:** How can clinics demonstrate that the range of services they identify to meet community needs (which may include legal representation and advice, community development and organizing, law reform and public legal education) are within the statutory mandate of the *Legal Aid Services Act, 2020*?
- **Question 12:** Are there unique considerations that apply to specialty clinics when identifying services to be delivered and outcomes to be achieved with funding? How can these considerations be documented and measured?
- **Question 13:** What are effective ways for clinic boards and LAO to ensure services and outcomes are transparent to the public?

Consultation Area: Demonstrating service provider eligibility requirements are met

Under the *Transfer Payment Accountability Directive*, funders must ensure that funding is provided to entities that meet eligibility requirements. There are different ways to ensure non-profit organizations have governance, financial and control structures in place.

- **Question 14:** What ways can clinics demonstrate to LAO and the public that they have the qualifications to provide high quality services?

- **Question 15:** What ways can clinics demonstrate to LAO and the public that they meet standards for good governance and that they have financial and control structures in place?

Consultation Area: Service coordination and supports

Clinics are independent entities, each serving particular communities. Clinics effectively coordinate in many ways. At the same time, service gaps and duplication exist.

- **Question 16:** What role do clinics have in ensuring effective coordination among clinics?
- **Question 17:** What is LAO's role in providing coordination and support to clinics?
- **Question 18:** Many clinics (ie. CLEO, specialty clinics) provide supports that assist all clinics, especially general service clinics. How can this role be formalized?
- **Question 19:** How can service gaps and duplication between clinics be addressed?