

CLINIC MODERNIZATION

New framework for the delivery of legal aid services by community legal clinics

Consultation and
engagement update

OCTOBER 20 2020



LEGAL AID ONTARIO

AIDE JURIDIQUE ONTARIO

Table of contents

Background	1
Phase 1 consultation & engagement: materials & methods	1
Phase 1 consultation & engagement: participation levels	1
Phase 1 consultation & engagement: what we heard .	2
Questions about consultation materials	2
Coordinating voice	2
Consultation questions: determining community needs	3
Consultation questions: service and outcome focus	4
Other feedback	4
Continuing to hear from you	5

Legal Aid Ontario

40 Dundas Street West,
Suite 200
Toronto, Ontario M5G 2H1

Toll-free: 1-800-668-8258

Email: info@lao.on.ca

Website: www.legalaid.on.ca

Ce document est disponible
en français.

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

Background

In August, 2020, LAO launched a consultation and engagement process on [clinic modernization](#) to take place over multiple phases.

Phase 1 consultation & engagement: materials & methods

As part of phase 1 of the consultation and engagement process, LAO posted the following materials:

- [Consultation paper](#)
- [Slide deck](#) (condensed version of the consultation paper)
- [Consultation questions](#)

There were a number of ways to participate in phase 1:

1. **Five virtual town hall sessions** were held between September 9 and September 17, 2020. Town hall invitations were extended to all clinic directors and board members.
2. **Written submissions** were open from August 17 to October 1, 2020.
3. **An online platform** was open from August 17 until October 1, 2020 as an alternative way to respond to the consultation questions.

The consultation was promoted to clinic management and board members. Options 2 and 3 above were also open to the public.

Phase 1 consultation & engagement: participation levels

1. Virtual town hall sessions

- About 265 total clinic participants (includes participants that may have attended more than one town hall)
- About 165 unique clinic participants

2. Written submissions

- 36 clinics indicated that they would not be providing a written submission at this time (see [Coordinating voice](#) below)
- 2 clinics provided written submissions
- 34 clinics did not provide a response to the invitation for written submissions

3. Online platform: 1 submission

Phase 1 consultation & engagement: what we heard

Questions about the consultation materials

The goal of the virtual town halls was to engage clinic participants—both by collecting responses to the consultation questions and also responding to questions regarding the consultation materials. A significant portion of the engagement from clinics during the town halls was asking questions about the consultation process and materials. LAO posted a [question and answers](#) document with the most frequently asked questions on its website. Questions that were answered in that document have not been replicated here.

Coordinating voice

As indicated above, about half of clinics wrote to advise that they would not be providing a written submission at this time. These clinics indicated that the Association of Community Legal Clinics of Ontario (ACLCO) would speak for them in discussions with LAO about a new framework. This position was reiterated by several participants attending the town halls. The main themes we heard on this were:

- It is more efficient for LAO to work with the ACLCO rather than consult and engage individual clinics.
- Clinics boards and staff do not have time to participate directly in a consultation as they need to focus on service delivery and re-opening offices.
- Regular recurring meetings between the ACLCO and LAO began in September, so it would be premature for clinics to make written submissions at this time.

- Clinics do not understand the change LAO has outlined in the consultation materials and so are unable to provide meaningful feedback.
- Clinics may want to provide written submissions at a later date.

Consultation questions: determining community needs

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

The main themes of clinic feedback about determining the legal needs of communities were:

- Needs assessment is a daily and ongoing process. Gathering information about client and community needs happens in many ways: in directly delivering services to our clients; through the in-workshop discussions we have with participants at our public legal education sessions; through the many tables and committees we participate in; and through the relationships we have built with service providers.
- Determinations of the legal needs of a community should also include a capacity assessment of the community. In rural and remote areas, there may be very little infrastructure.
- Gauging community needs is expensive; clinics do not have the resources for it; clinics need additional resources to conduct needs assessments.
- There are opportunities for LAO to support clinics in their needs assessments, especially in providing data that must be purchased and which is applicable across the province.
- Clinics would benefit from having more information on data from tribunals on trends affecting their practice areas.
- Clinics take a multi-pronged approach to determining community needs, drawing on surveys, data on usage, input from community partners, holistic conversations with community members, and feedback through a number of sources. There is a role for central support to assist with the gathering of this information in consistent formats that properly reflect the work done at the local level.

Consultation questions: service and outcomes focus

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

The main themes of clinic feedback on a services and outcomes focus were:

- The existing funding application is a significant amount of work for clinics and accurately captures their plans and forecasts for the upcoming year, as well as a report back on work and accomplishments on the previous year's goals.
- The narrative reports in the existing funding application have great value.
- Clinics often have to depart from plans because of unforeseen events and developments.
- It may not be possible to measure clinic services. Value for money cannot be effectively measured when it comes to clinic services, as the impact extends well into the community (e.g. preventing an eviction has an impact on health services and homeless shelters).
- Clinics are already measuring their services.
- Any new requirements for business planning and reporting will take away from client service.
- The existing performance measures will not demonstrate the impact of the work clinics do in their communities and there are concerns about their reliability.

Other feedback

- The past quality assurance program was a way of monitoring risk.
- Accreditation, including peer accreditation, is used in other sectors as a way of ensuring quality and capacity.
- Greater support for clinic boards of directors in their oversight roles should be provided by LAO.
- Clinics that provide French-language services need support equal to what is provided to their English counterparts.
- Further support on back-end functions would enhance the ability to focus on client service.
- Feedback from previous consultations in 2019 and earlier should be included.

Continuing to hear from you

Since the beginning of September, LAO has been meeting regularly with the ACLCO to engage in a dialogue on the development of the new framework for the delivery of legal aid services by community legal clinics, including continuing to discuss the phase 1 [consultation questions](#).

In addition and as always, LAO continues to welcome input from clinics directly through the dedicated email genclinicconsultations@lao.on.ca.

Legal Aid Ontario

40 Dundas St. West, Suite 200

Toronto, ON M5G 2H1

1-800-668-8258

media@lao.on.ca

www.legalaid.on.ca



LEGAL AID ONTARIO

AIDE JURIDIQUE ONTARIO