

# *Lake Country Community Legal Clinic*

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***“We enjoy a monopoly to practice law. In return we are duty bound to serve our clients competently, to improve justice and to continuously create the good. That’s the deal”*** Honourable David Johnston

## Submissions regarding Review of Community Legal Clinic Services and the *Legal Aid Services Act*

**To:** Legal Aid Ontario,  
Ministry of the Attorney General,  
Norm Miller, MPP Parry Sound Muskoka

cc: Association of Community Legal  
Clinics of Ontario

**From:** Jean Beckett – Co-Chair Board of  
Directors on behalf of the board,  
staff and clients of Lake Country  
Community Legal Clinic

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## **1. Introduction**

### **(a) Board**

My name is Jean Beckett and I am the co-chair of the Board of Directors. I have served on the clinic board for 15.5 years. I am an experienced board member having served on hospital and CMHA boards for many years. Ours is a 9 person board and we serve the low-income residents of the Districts of Parry Sound and Muskoka. I am a low-income person living in the town of Parry Sound. Our board's commitment to our client community includes having a majority of the positions on the board held by members with lived experience of poverty. During my tenure, we have always met this commitment. Our board members come from the surrounding communities and we ensure that there is a balance between the two districts we serve. Given the long distances between our towns and the clinic's main office in Bracebridge, we often attend board meetings by conference call and receive any updates or news by e-mail. We are members of the Association of Community Legal Clinics of Ontario and send two persons to the Annual General Meeting held in Toronto every May. We have read all the materials that have been circulated by LAO, by clinics and by the ACLCO. We wholeheartedly endorse the submissions by the ACLCO. We invite you to read our very personal submissions as supplementary and complementary to the ACLCO's.

### ***Description***

Our main office is in Bracebridge. Our clinic is embedded in its community and one indication of this is the location and number of our satellite offices: Gravenhurst, Huntsville, South River and the town of Parry Sound. We share these premises with local community agencies: Community Living of Parry

Sound, Women's Own Resource Centre, The Nest and the Huntsville Courthouse.

Our objects of incorporation state:

- (a) **To provide legal services** or paralegal services or both including activities reasonably designed to encourage access to such services or further such services, and services designed solely to promote the legal welfare of a community, **on a basis other than fee for service.**
- (b) To establish, maintain and operate a community legal clinic within and for the benefit of the community in the District Municipality of Muskoka and the District of Parry Sound.
- (c) Without limiting the generality of the foregoing to provide advice, representation, public legal education and research in those areas of law of concern to low income individuals or groups, and generally the unrepresented or underrepresented members of the community.
- (d) To promote and encourage active participation by those in the lower income population in addressing issues to do with poverty and social justice.

And further to organize, run and participate in such other activities and to do all such things as are incidental or conducive to the attainment of the above objectives for the benefit of the community...

And we regularly review and refer to these objects.

Our catchment area is 10,685 square kilometres (1 ½ times the size of the GTA) and the population in 2015 was 105,285 and is expected to increase by 14% by 2036.<sup>1</sup> We do not have public transportation between towns and only Huntsville and Bracebridge have busses in town. Transportation is a huge barrier for our clients accessing services. Our main office is in

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<sup>1</sup> 2015 Northern Region Transformation Report  
<https://www.lcclc.ca/documents/NorthernRegionTransformationProjectNeedsAssessmentOctober2015.pdf>

the town of Bracebridge is open 5 days per week and our staff travel to our satellite offices on a weekly basis: Monday – Parry Sound; Tuesday – South River and Huntsville; Thursday – Gravenhurst.

***(b) Staff***

We have seven full-time staff and one 18-month contract staff person.

Our *Office Manager and Administrative Assistant* are our administrative staff. Our office manager is our book-keeper and back-up receptionist. She also generates the activity reports from our data base, produces our financial reports, supports the board meetings and manages all the equipment and computers. Our Administrative Assistant is our receptionist and data base entry clerk. She handles all the initial contacts, enters the information and provides same to the caseworker on intake. She also provides referrals to other legal services including LAO and other community agencies to clients. We have 6 phone lines and one cell phone dedicated to a text line. We have a toll free number and a fax line. Over 90% of our initial client contact is by telephone. Typically our clients do not access legal help through the internet. The internet and cell service outside of the major towns is poor and very expensive. Many clients still have dial up service. We do have a website and have designed it so that it highlights our services so that we get referrals from other local agencies.

***Caseworkers:***

We have five full-time caseworkers; three are lawyers and two are community legal workers. All carry full caseloads. We also run a tenant duty counsel service at the Landlord and Tenant Board (LTB) when it sits monthly in Bracebridge (for all of Muskoka and Parry Sound). We also have one community legal worker who is *inter alia* the Community Development Co-ordinator for all 11 northern clinics.

**(c) Areas of Practice:**

Our main areas of practice are: Ontario Works/Ontario Disability Support Program appeals to the Social Benefits Tribunal; Workers' Compensation from appeals to the Board right up to the WSIAT; Housing for Tenants at the Landlord and Tenant Board; Victims of Crimes; Employment Insurance matters; Canada Pension Plan matters including Disability, Retirement, Old Age Security and GIS; Wills and Powers of Attorney; status applications and human rights (both provincial and federal). We also, in the appropriate matters, file appeals (or judicial reviews) to Divisional Court or Federal Court. Our largest area of practice is housing followed by disability appeals. We have more low income residents than we can possibly serve. If our clinic is no longer here, the clients and their legal issues will continue, they will just no longer have knowledgeable, competent representatives.

**18 month contract:** We currently have a community legal worker that is working under contract. The majority of the funding came from the Transformation Funds from LAO. She is the part-time Project Manager for Advocacy North and the part-time Community Development Co-ordinator for Advocacy North. See below for a description of Advocacy North.<sup>2</sup>

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<sup>2</sup> The Advocacy North project is a collaborative initiative of the 11 Northern Clinics that was created following a region-wide needs assessment in 2015. A working group of 5 E.D.'s developed the project and obtained funding from Legal Aid Ontario. It consists of 5 programs including Elder/Seniors' Law, Employment Law, Workers' Compensation, Community Development and Speakers' School & Peer Support, as well as a part-time Advocacy North project manager. The 3 Caseworker positions were funded using FEG funds, and the other 2 projects and the project manager were funded primarily from transformation funds as well as individual clinic surpluses. Each program staff member works out of a different 'host clinic' and travels regularly throughout the North to meet with clients, clinic staff and agencies in that community. The Injured Workers position had been recently vacated and was in the process of moving to a new host clinic at the time the new budget was announced. Funding for that important program was subsequently eliminated.

Community Legal Clinics have a long history of advocacy and dedicated service to their communities. Advocacy North seeks to build on this legacy working towards stronger, more responsive relationships with our community members and providing the broader legal services that our communities have asked for. During our first year in operation, some of our accomplishments included:

- Offered training to clinic staff and communities
- 37,000+ km in travel to various clinics and communities
- staff have made 32 clinic visits
- staff have opened 231 Cases and 377 Initiatives
- staff have obtained \$270,000+ in outside funding

Our first-year evaluation (March 2019) showed overwhelmingly that the project is meeting or exceeding expectations, that it is increasing client services, and that we are building capacity through public legal education, partnership building, training, and more.

*“It has been my great privilege to represent low income vulnerable people in my community and honour to play a part in our world-renowned legal clinic system with its mandate to encourage the participation, voices and experiences of people in public policy and legislative debate that affects their daily basic needs, survival and dignity. The current threat to legal clinics is overwhelmingly disappointing and depressing. Manufacturing spin that clinics are inefficient, financially wasteful and ungovernable is an insulting slap in the face to dedicated staff and community Board members and worse, it is poised to slam doors in the face of people who need access to justice the most.”*

**(d) Community Development**

We have consistently dedicated resources to community development work. By working with groups in our community, whether it be helping tenants organize or working with anti-poverty activists, we reach a larger audience and provide the services we are mandated to provide. We opened our doors on June 1, 1990. Over the years we have been involved in local organizations in many ways. Some we incorporated, some we also obtained charitable status for, others we chaired their capital campaigns and still others we help create the organization, sit on boards, fundraise and support and build the organizations for the benefit of our community.

- i) Social Justice Speakers’ School; we have held three Schools in Muskoka and plan a fourth in Parry Sound. This 12 week program introduces low income persons to social justice, advocacy and speech writing. Graduates give their speeches to a panel of local luminaries who provide feedback.
- ii) Organizations: Manna Food Bank, Friends of the Baysville Library, Dorset Seniors’ Club, Dwight Seniors’

Club, Baysville Seniors' Club, Interval House Capital Campaign, Muskoka Parry Sound Sexual Assault Services, Muskoka Affordable Community Housing (MACH), Elder Abuse Prevention Muskoka, PROMPT, Habitat for Humanity and the Re-store, The Nest

- iii) Partnerships: Muskoka Affordable Community Housing (MACH), Elder Abuse Prevention Muskoka, PROMPT, South Muskoka Community Living, Community Living of Parry Sound, Parry Sound Friendship Centre, Advocacy North, Injured Workers' Network, The Nest and The District of Muskoka
- iv) Study Groups Chaired: Criminal Injuries Compensation; Workers' Comp; Community Development.
- v) Outside Funding: We apply yearly for funding from the appropriate provincial or federal funders to expand the work we do in our community. We collaborated with Elder Abuse Prevention to create a "Seniors Resource Guide" that is now in its 3<sup>rd</sup> printing. This guide lists all the services for seniors in our community. We have received funding from New Horizons, Seniors Secretariat and The District of Muskoka to produce and print over 10 thousand booklets. Another example of outside funding is we received a further \$25,000 grant from New Horizons to run 7 workshops in our smaller communities providing information on the prevention of elder abuse especially financial abuse. We also had guest speakers from: the ambulance service on safe medication practices; Health Unit on falls prevention and Alzheimer's Society on Age Friendly Communities.
- vi) Conferences: we have hosted 2 conferences "Women Reforming Social Assistance" and "Rural Poverty Summit". Both were funded through outside sources.

**2. Review Issues:** Sustainability, nimbleness, hubs, accountability, client feedback and other issues. We again will comment on these issues from our own experience – see ACLCO submissions for systemic response.

**i) Sustainability**

Capped budget, lower pay than LAO or government offices, reasonable office rent, and free satellite offices.

*“As an Advocacy North staff member, I work with all of the legal clinics in Northern Ontario. I see first-hand how adaptable and responsive clinics are to the changing needs of their communities and how important local knowledge and relationships are for solving complex problems. Clinic staff can say, “I know that landlord, I know that caseworker, I know who to call”. Isolated and marginalized clients rely on community legal clinic staff to navigate their issues and bring communities together knowing they are being served by a trusted fellow community member. I can’t imagine a centralized, uniform system that would carry the same local knowledge, trust, or effectiveness.”*

**ii) Nimbleness**

As we are embedded in our communities we have the knowledge, the contacts and are able to serve our clients quickly. For example, recently we had a client facing an eviction order from the LTB. The sheriff was coming to enforce the order on the following Monday. Our staff spoke to the client to get the information. The client’s former roommate had paid the rent by postal order and mailed it to the landlord. The landlord did not receive the rent and the letter was never returned. The LTB ordered the eviction. We contacted the local Ontario Works office, the Community Homelessness Prevention Initiative (CHiPI) to obtain funds to pay the rent owing to the

landlord. We obtained the funds and arranged to pick up the cheque the next day and then couriered it to the landlord all within 4 days. All the while also assisting in having the missing postal order replaced. This single mom, if she had lost her apartment, would have then been involved in many other legal and health matters including Children's Aid, Family Court and Canadian Mental Health Association. This kind of immediate, vital help is why we are the lifeline we are to our clients and our community. It also shows how cost effective clinics are within a robust legal aid system.

**iii) Hubs/community location**

As stated above we have a large, mostly rural catchment area. We go from Honey Harbour to the French River and from Georgian Bay to HWY 35. There is no one "hub". Our communities recognized this when organizing health hubs - many were needed. We have managed this issue by having satellite offices in 4 communities: Gravenhurst, Huntsville, South River and the town of Parry Sound. We also co-sponsor events with other agencies so that we are visible in all the smaller communities as well. In our hiring interviews, one question we always ask is "what is the most important piece of equipment in the office" the answer is "the phone". We not only communicate with our clients quickly and inexpensively but they can leave messages on our private confidential voice mail. But, as important, we use the phone to quickly speak to for example caseworkers in the local OW or ODSP offices or to landlords and often can resolve or narrow the issues and solve the clients' legal problems in a timely manner without litigation.

**iv) Accountability**

As we are funded with public monies, we are aware of the responsibility to use the money for the purposes that it is provided. As a board we meet monthly and review and approve the financial statements. We are provided with a written report from our E.D. at each board meeting. We have an Annual General Meeting where our yearly financial reports are provided to our members. We complete a funding application yearly which includes a review of the previous year's work and finances. It also includes a financial and work plan for the upcoming year. We provide quarterly statistics and financial reports to LAO. We are audited yearly by an outside accounting firm. We have a Quality Assurance Program that performs on-site reviews of our work.

**v) Client feedback**

Yearly we send out a client feedback form to 100 former clients. For example previously clients' complaints were that our phone lines were always busy so we added 2 more lines and we no longer have complaints about busy lines.

*“Having a passion for improving access to justice for our clients is why I came to work in the clinic system but it is my clients that keep me here. Their resilience, determination and strength in the face of their sometimes overwhelming legal problems sets an example of what humans can overcome, survive and thrive. When we work together for a common cause and the improvement of our community we do change the world.”*

**vi) Client focused services**

Quite frankly this is an area where the clinic and staff excel. As a service, we are embedded in our communities. Our receptionists answer

our phones in person, but we also have both individual staff and clinic voice-mail for after hours, we have a toll free number, we open satellite offices and travel to where the clients live, we have a text line as clients often do not have any minutes but still need to communicate with staff. We run a Tenant Duty Counsel program at every sitting of the LTB to ensure that tenants who haven't found the clinic can still access our services. We try to find solutions for all the queries that come our way. Many callers do not have a legal problem but need help and staff assist them in navigating their way through complex government bureaucracies. Our staff have a wealth of knowledge about our communities and use this knowledge to refer callers to the appropriate agency for assistance. Public Legal Education and Information (PLEI) - we hold many talks in our communities informing residents of their legal rights and responsibilities - knowledge is the best defense. We also have extensive pamphlet racks in all our offices so that CLEO information is readily available.

**vii) Efficiency**

We are a small organization with a fixed budget. Our staff carry a heavy workload and achieve amazing results for our clients. Internally we have streamlined the work so that legal work is done by the caseworkers and administrative work is done by support staff. Our staff are very adaptable and respond to legislative changes and clients' needs with flexibility. Through collaborative projects and streamlining our internal processes we have increased the amount of work staff do within our capped budget. Staff continue to work with the CIMS data base but report that it is

incredibly time consuming. We hold yearly planning meetings and in 2018 held a 2-day “Advance” for all board and staff. A tight knit group with agreed upon principles is better equipped to meet with community members, develop strategies and plans to meet those legal needs.

*“Community legal clinics are important to me because I have witnessed first-hand through my work within the clinic system as a staff lawyer and through my own personal life how clinics assist the most vulnerable people of Ontario. I grew up in a low-income household and most of my family continue to qualify for and have had to rely on the assistance of a community legal clinic. Without community legal clinics many clinic clients and my own family members may have become homeless or may have been forced to accept an unjust decision from their social services caseworker. Community legal clinic staff have built relationships within their communities to assist the clients while still maintaining these necessary relationships between landlord/tenant and caseworker/social services recipient.”*

### 3. LASA and Clinic Model

- i. Our model is based on **local community governance** and as a long time board member, I am an advocate for local governance and constantly see the positive impact and responsiveness to our community with our model. I, and the other board members, know our communities and are involved in other organizations, workplaces, faith communities and social justice endeavours. We bring this wealth of knowledge and connections to the work we do on the board and with the staff. For example when Monck Road apartments were condemned and 19 units with over 40

tenants were displaced, our staff assisted connecting tenants with the District and other emergency services. We are still assisting these tenants although some were displaced as far as Orillia and some are living in tents. Housing is a major concern in our community and our clinic is seen as a leading voice for tenants and affordable, accessible housing.

- ii. Legal response provided through a **broad array of services**. All though we are small, we are mighty. We provide the complete array of services. We have been involved in test case litigation from the “spouse in the house” to special diet. We were involved in the Kimberley Rogers Inquest and the Missing and Murdered Indigenous Women and Girls National Inquiry. The importance of this broad based, test case work is vital. We can galvanize clients, communities, agencies and governments to see the effect legislation has on the lives of people. It brings into the public eye important social injustices. With our commitment to PLEI we inform residents of their rights, network with other agencies and collaborate on projects like the “Senior’s Resource Guide”. We also have created 18 month calendars that provide legal advice and important contact numbers in the community. As stated above Community Development is major pillar in our work. Group work is efficient use of resources and is effective in reaching larger numbers of persons. People who are engaged and passionate about their community strive to work to better their communities for all. That is the reward for our group work.
- iii. Expertise in poverty law has been developed by clinic system staff for the past 50 years. This means that the work that our staff do is not generally available outside the clinics. If it is

available, the cost is beyond our clients' ability to pay. Yet this expertise is what has created access to justice for our clients. The issues they face are just as devastating as any middle income families' face. Loss of housing, loss of ability to work, discrimination, work injuries, loss of income are vital legal services that are addressed daily in our clinic.

- iv. Core funding has always been the way we are funded and we advocate for that continuing. We are a small but mighty part of LAO and continue to provide front line services and representation to the most marginalized population in Ontario. We complete a yearly funding application and frankly see it as an opportunity to brag to LAO about the services that we have provided and the work we have done over the previous year. Our application takes us over 2 months to complete and the board reviews it word by word. Stable funding certainly makes for an easier managing job as a board member.
- v. **LASA** We support the ACLCO's position and just re-iterate that the importance of having poverty law entrenched in the legislation cannot be understated. Access to Justice is an important guiding principle for all governments and the clinics provide broader access to justice to low income Ontarians. Without clinics our society would be less caring, less responsive and dismissive of poverty issues. It is our position that any strategy to reduce poverty and provide for a fairer, more just society must include community legal clinics. We are on the ground, directly helping people and as David Johnson advocates "continuously creating the good".

#### 4. Board and Staff and contact information

Board Members: Co-Chairs: Jean Beckett, Kim Gerow; Treasurer: Mallorie Malone; Secretary Lynanne McAughey; members: April Maksymchuk, Robin Lafontaine, Pauline Plested, Elaine Hassard, Linda McAughey.

Staff Members: Jo-Anne Boulding (E.D./Staff Lawyer), Mary Ann Paterson (Office Manager), Samantha McBride (Staff Lawyer), Jayson Swain (Staff Lawyer), Susan Campbell (Community Legal Worker), Amanda Sheppard (Administrative Assistant/Receptionist), Meghan McDonald (Community Legal Worker), and Kim Reeves (Community Legal Worker).

Facebook: <https://www.facebook.com/Lake-Country-Community-Legal-Clinic-168483406648230/>

Website: <https://www.lcclc.ca/>

***“The ultimate measure of a person is not where they stand in moments of convenience, but where they stand in moments of challenge, moments of great crisis and controversy.”*** Martin Luther King