



Deeply Invested

2023 Annual Report

Our vision

Putting people at the heart of justice.

Our mission

Through granting and collaboration we invest in knowledge and services that help people understand the law and use it to improve their lives.

Advancing access to justice

The Law Foundation of Ontario has been advancing access to justice since 1974.

Each year, The Law Foundation of Ontario awards millions of dollars to many carefully selected grantees. Through the work of grantees, the administration of the Class Proceedings Fund, and through funds paid to Legal Aid Ontario, the Foundation is carrying out its mission to advance access to justice in the province.



Contents

Message from the Chair and CEO / 4

Board of Trustees and staff / 6

Francisco Rico-Martínez championed refugee rights / 8

2023 granting / 12

Class Proceedings Fund / 26

2023 financial highlights / 34

Spotlights



Deepening support for programs and capacity-building / 10
Protecting natural laws and landscapes / 12



Broadening outreach to Indigenous and northern Ontario communities / 16



Nurturing community partnerships and connections / 22

Message from the Chair & CEO

2023 was a seminal year for The Law Foundation of Ontario, marked by great change and growth, both internally and externally. Defying early predictions, the Bank of Canada interest rate increased to 5% this year. These continued high interest rates created challenges for many in our community. And yet, because our revenue is directly tied to interest rates, these increases resulted in historic revenues for the Foundation.

In 2023, we focused on leveraging this privileged financial position. *Deeply Invested*, the theme of this annual report, represents the ways we did this. We strengthened existing programs and broadened our approaches to reach more diverse grantees and communities. We augmented and maximized our growing investments, including implementing a more active investment management approach for the Class Proceedings Fund. And finally, we reinforced our operational capacity, welcoming new employees in finance, grants, and operations to help us effectively manage and disburse funding across the province.

With funds to Legal Aid Ontario, funding of class actions through the independent Class Proceedings Fund, and regular granting, the Foundation invested more than \$350M to advance access to justice in 2023.

Throughout the year, the Board and staff engaged in many other special projects. One of the most comprehensive and consultative was the development of *Growing Possibilities*, our 2024-2029 strategic plan. You will hear much more about this in 2024!

We relished the opportunities to bring people together. We were honoured to host a reception for family, friends, and colleagues of our 2023 Guthrie Award recipient, the late Francisco Rico-Martínez. We also launched Catalyst Day, a professional development and networking event for our Catalyst grantees.

We welcomed Gerald Chan to the Board of Trustees. Gerald is a Law Society of Ontario Bencher and Partner at Stockwoods LLP Barristers. He replaced Jack Braithwaite whose Bencher term ended. The Board and staff thank Jack for his years of service and his valued voice on access to justice, particularly for northern Ontario communities. The Class Proceedings Committee bid a heartfelt goodbye and thanks to its two longest-serving Committee members, both former Chairs, Paul Evraire, KC, and Wendy Earle, and was delighted to welcome Nadia Campion.

The deepened investments we made this year and the further increases we have planned for 2024 will help create a bigger, broader impact on access to justice across Ontario.



A handwritten signature in black ink, appearing to read 'Linda Rothstein'.

Linda Rothstein
Chair, The Law Foundation of Ontario



A handwritten signature in black ink, appearing to read 'Lisa Cirillo'.

Lisa Cirillo
CEO, The Law Foundation of Ontario

Board of Trustees

The Law Foundation of Ontario is governed by a five-person voluntary Board of Trustees. Three Trustees are appointed by the Law Society of Ontario and two by the Attorney General of Ontario. The Foundation submits its annual report to the Attorney General for tabling in the Legislative Assembly.



Linda R. Rothstein, Chair
Partner, Paliare Roland Rosenberg
Rothstein LLP



Catherine Banning
General Manager, Maawandoon Inc.



Jack Braithwaite (until August)
Counsel, Weaver Simmons LLP



Gerald Chan (as of August)
Partner, Stockwoods LLP Barristers



Heather Johnston
Consultant, Financial and
Operational Management



Stephen Thiele
Partner and Director of Legal Research,
Gardiner Roberts LLP

Staff

Lisa Cirillo
Chief Executive Officer

Noah Aiken-Klar
Director, Grants & Programs

Anarthy Arumaichselvam
Legal Assistant, Class Proceedings Committee

Sharnette Beckett
Finance Assistant

Janine Berridge-Paul
Grants Manager

Lisa Brisebois
Director, Human Resources & Operations

Rohana Buzamlak
Coordinator, Grants & Programs

Jerry Calkowski
Acting Director, Strategic Finance

Alida DeLorenzi
Grants Manager

Ria Dey
Legal Assistant, Class Proceedings Committee

Gianne Ewing-Chow
Grants Manager

Connie Gemma
Finance Assistant

Nathalie Gondek
Associate Counsel, Class Proceedings Committee

Remissa Hirji
Director & Counsel, Class Proceedings Committee

Mpume Hlazo
Senior Financial Analyst

Emily Naylor
Governance Coordinator & Executive Assistant

Nathalie Noël
Communications Manager

Lili Pach
Grants Manager

Lara Sanders
Director, Strategic Finance

Punar Sidhu
Operations & Administration Coordinator

Rachael Simser
Law Student

Lisa Sherin
Interim Director, Human Resources & Operations

Tiffany Smith
Grants Manager

Arta Tafaj
Senior Finance Assistant

Yvette Taylor
Program Assistant

Leah Zilnik
Grants Manager

Francisco Rico-Martínez championed refugee rights

Family, friends, and colleagues gathered on December 6, 2023 to recognize Francisco Rico-Martínez as the recipient of the 2023 Guthrie Award, The Law Foundation of Ontario's signature award to recognize exceptional access to justice champions.

Before he passed away in 2021, Francisco was the co-director of the FCJ Refugee Centre for almost 30 years. Francisco devoted his life

to 'walking with uprooted people' and used his passionate voice and empathy to inspire a more just, fair, and humane immigration system. While a bittersweet event, the adoration and respect for Francisco was palpable. Loly Rico, Francisco's partner in life and work and Ana Rico, their daughter, accepted the award on his behalf.

Visit our website to find the video and photos from the event.



Loly Rico and Linda Rothstein
Loly Rico and Ana Rico



Just a dreamer

Excerpts from Francisco's last letter, written to the Department of Imaginary Affairs Canada



Francisco Rico Martínez

“

I imagine Canada as a rainbow made of all colours of humanity living together, where left and right will refer to the arms of a human being and not to destructive ideologies. Where breathing and drinking water is not risky... where nature will not be counting the years left for extinction...

I see Canada as the place where a smiling and loved child will be the inspiration of our system... where every person's work will be its own and what mother earth produces will be picked up by equal hands and shared free as common goods... where education and the determinants of health would be the basis for the public budget and resources for enforcement won't be needed any longer...

I see Canada as a place where the utopia will be found as a daily reality, every evening, resting beside the sundown... where no one will be considered stubborn because this world wants to make it fair...

the above is how I see Canada in five decades, even, if now, it is just a utopia... I am just a dreamer that since that time of arrival, I keep looking for soul mates to make it possible.

”

Deepening support for programs and capacity-building

The Law Foundation of Ontario's grantees continued to face inflationary pressures in 2023. In response, the Foundation leveraged our increasingly strong financial position and proactively deepened our support of existing programs.

For Catalyst, our three-year core funding program for leading access to justice organizations, we implemented a 5% increase on all 2023 and 2024 grants. We also rolled out additional capacity-building supports.

Early in the current Catalyst cohort, we surveyed grantees about their capacity-building needs. Revenue development topped their list. In response, this was the featured presentation at our first-ever Catalyst Day event. Held in April 2023, Catalyst Day was an energizing day of connecting, learning, and sharing with Catalyst grantees, Foundation staff, and special guests. The keynote speaker was Michael Prosserman, who is an author and coach and the CEO of EPIC Leadership. Michael shared strategic and practical advice on diversifying and growing

revenue streams. To further support grantees' efforts in this area, we provided Catalyst grantees with an additional \$10K in funding.

Our improved financial positions prompted us to also review our long-standing fellowship programs. Before launching our call for applications for Public Interest Articling Fellowship host organizations, we increased the program's funding levels to align the articling student salary with market comparators. We are now evaluating our Community Leadership in Justice Fellowship, a paid professional development fellowship for nonprofit sector leaders, to ensure the program remains viable for senior nonprofit sector professionals and host organizations.

We also invested more deeply in our law school and Responsive programs. For the second year in a row, we increased funding for law schools, further restoring previous cuts implemented during periods of revenue decline. For Responsive, we close to tripled the amount granted in 2022, funding more than \$5M to support 41 diverse projects across the province.



“ It was a great opportunity to connect with peers, learn new skills, and get a snapshot of access to justice for communities we are working with. — Catalyst Day attendee ”



Our community of Catalyst grantees and Foundation staff gathered in April 2023 for the first annual Catalyst Day event

2023 granting

General Fund	\$20,040,787 ¹
Roy & Ria McMurtry Endowment Fund	\$10,000
Access to Justice Fund	\$50,000
ALL 2023 GRANTING	\$ 20,100,787

General Fund

Catalyst

Catalyst provides multi-year core funding to established nonprofit organizations working to advance access to justice. The funding supports organizations with a proven track record of high-quality services to improve their ability to adapt, innovate, take advantage of opportunities, and respond to emerging needs. Responding to the extraordinary inflationary pressures faced by grantees, the Foundation proactively increased all 2024 Catalyst grants by 5% and provided an additional \$10K grant to each grantee for capacity-building supports.

Aboriginal Legal Services	\$175,400
Access to Justice and Direct Legal Services, The 519 Church Street Community Centre	\$175,400
Association des juristes d’expression française de l’Ontario	\$254,100
Canadian Civil Liberties Education Trust	\$294,700
Canadian Forum on Civil Justice	\$131,300

¹ Includes a grant of \$184,608 later withdrawn by grantee

Childhood Arrivals Support and Advocacy Program, Justice for Children and Youth	\$293,300
CLEO Connect, Community Legal Education Ontario	\$455,500
Connecting Ottawa, Community Legal Services of Ottawa	\$318,400
Criminalization of Women Pro-Bono Project, Barbra Schlifer Commemorative Clinic	\$176,100
FCJ Refugee Centre	\$222,400
Indigenous Youth Outreach Program, Level	\$101,500
Innocence Canada	\$390,800
Justice Program, Métis Nation of Ontario	\$188,500
Law Commission of Ontario	\$668,500
Law in Action Within Schools	\$254,200
Luke’s Place Support and Resource Centre for Women and Children	\$254,100
Muslim Legal Support Centre	\$134,800
National Self-Represented Litigants Project	\$175,400
Ontario Justice Education Network	\$991,200
Pro Bono and Public Education Program, Canadian Centre for Housing Rights	\$175,400

2023 granting

Probono Inmate Appeal Program	\$123,400
Pro Bono Ontario	\$980,200
Pro Bono Students Canada	\$666,600
Public Education, Workers’ Action Centre	\$201,200
The Osgoode Society for Canadian Legal History	\$213,100

Law schools

The Foundation has a long history of supporting legal education. Funds are dedicated to access to justice initiatives, particularly experiential learning opportunities for students so they can provide legal assistance to community members. In 2023, the Foundation approved grants for the 2024-2025 academic year for Ontario law schools. Allocations are set in relation to student enrollment. The grants represent a 10% increase over 2022 in a continued effort to restore previous cuts during times of decreased revenues.

Bora Laskin Faculty of Law, Lakehead University	\$222,200
Lincoln Alexander School of Law, Toronto Metropolitan University	\$368,900
Osgoode Hall Law School	\$444,400
Queen’s University, Faculty of Law	\$368,900
University of Ottawa, Faculty of Law, Civil Law Section	\$222,200
University of Ottawa, Faculty of Law, Common Law Section	\$444,400

University of Toronto, Faculty of Law	\$368,900
University of Western Ontario, Faculty of Law	\$368,900
University of Windsor, Faculty of Law	\$368,900

Public Interest Articling Fellowship

The Public Interest Articling Fellowship allows nonprofit organizations to receive funding to host an articling student. The program helps respond to the significant need for legal assistance within the community while also giving law students valuable work experience in public interest law. In 2023, the Foundation approved PIAF grants for the 2024-2025 articling year for the following organizations. The grants represent an approximate 22% increase to better align the articling student salary (and related costs) with market comparators. Additionally, a retroactive increase of \$15K was applied to each 2023-2024 grant to allow host organizations to implement salary increases.

Amnesty International Canada	\$84,500
Barbra Schlifer Commemorative Clinic	\$84,500
Canadian Centre for Housing Rights	\$84,500
Innocence Canada	\$84,500
John Howard Society of Canada	\$84,500
Peacebuilders International (Canada)	\$84,500
Public Interest Advocacy Centre	\$84,500
Women’s Legal Education and Action Fund	\$84,500
2023-2024 programming increase	\$120,000

Broadening outreach to Indigenous and northern Ontario communities

Bolstered by a strong financial position in 2023, we broadened our outreach efforts to flow more funding and support to priority communities, in particular to Indigenous and northern Ontario communities.

We began 2023 with a series of informal needs assessment consultations with legal clinics in northern Ontario. These conversations confirmed many things. People are experiencing significant and compounding social problems, such as poverty, lack of housing, and mental health issues, that exacerbate their involvement with the legal system. Service providers are struggling with inadequate resources and high staff turnover, leading to organizational burnout. Everyone is grappling with the growing reliance on digital platforms in a region with unreliable Internet and cellular service.

While Indigenous groups and nonprofit organizations in northern Ontario have always been eligible to apply to our Responsive program, historically, we have received only a small number of these applications.

This year, we made an even greater effort to encourage and support these applications, leveraging the contacts we made through our consultations to spread the word about the call and working with organizations to strengthen their applications. We are pleased to report that 34% of the Responsive grants made in 2023 focus on Indigenous and/or northern Ontario communities, representing an investment of more than \$2M.

We also expanded our Public Interest Articling Fellowship, a program that supports nonprofit organizations to hire an articling student. Again, in response to what we heard in our northern consultations, we revised the program's criteria to allow northern Ontario legal aid clinics to apply. Because this was a change, we contacted the eligible clinics to let them know about the opportunity. Applications are due in 2024. We are hopeful we can expand this program to provide urgently needed new legal supports to northern and Indigenous communities.



“ We’re glad to be walking on this journey with The Law Foundation of Ontario. The partnership will support Indigenous peoples’ legal needs while embedding Indigenous cultural worldviews into all philanthropic practices and disbursement of funds.

— **Bruce W. J. Miller,**
Interim Team Lead,
Indigenous Peoples
Resilience Fund ”



The Foundation is learning from outreach activities in northern Ontario led by Bruce W. J. Miller and Joe Plant of the Indigenous Peoples Resilience Fund, seen here with Amanda Bernard and Aldeli Albán Reyna of the Laidlaw Foundation in Thunder Bay

2023 granting

Responsive

The Responsive program funds projects to encourage new community-driven ideas, approaches, and relationships that can help address emerging needs and connect more people to legal information and supports, especially people who are not currently being reached. In 2023, the Foundation funded more than \$5M in Responsive granting. This amount is close to triple the amount granted in 2022, and the highest annual total since the Responsive program was officially established.

Aftermetoo

Expanding Aftermetoo legal information about workplace sexual harassment \$139,330

Algoma Community Legal Clinic

Inclusive Housing Law Coordinator \$209,000

Black Femme Legal

Understanding Transmisogynoir (Lawyers Edition) \$100,000

Black Law Students’ Association of Canada

2024 BLSA Canada Conference \$100,000

Canadian National Institute for the Blind Foundation

CNIB Guide Dog Handlers and Police Training \$123,654

Capital Rainbow Refuge

Legal Guide to LGBTQIA+ Refugee Private Sponsorship Applications \$39,000

Christie Refugee Welcome Centre

Centre for Refugee Children – Enhancing Child Representative Legal Support \$77,924

Clinique juridique francophone d’Ottawa
du Centre des services communautaires Vanier

Aîné.es Avisé.es \$101,860

Community & Legal Aid Services Programme

ID Clinic – Expansion of Pilot Project \$151,500

Community Justice Collective

Triaging legal needs of unhoused people and shelter-hotel residents \$94,740

Community Living Ontario

Your Legal Guide to Special Education Rights in Ontario \$62,150

COMPASS Refugee Centre

Canada-US Virtual Border Clinic Pilot \$214,964

Disability Justice Network of Ontario

EnAbling Justice: Access and Autonomy for Disabled People
Facing Criminalization in Ontario \$42,382

Elizabeth Fry Society of Northeastern Ontario

Justice Navigation Project \$229,168

Elizabeth Fry Society of Northwestern Ontario

Court Support Program \$133,320

Elizabeth Fry Society of Peterborough

Developing Pre-Sentence Community Options for People who are Marginalized \$90,825

Grey-Bruce Community Legal Clinic

Elder law capacity building in Grey-Bruce \$249,953

Healing of the Seven Generations

Dehsahsodre Bail Release and Supervision Program \$202,592

John Howard Society of Simcoe & Muskoka

Rural & Remote Access to Justice Clinics \$204,262

Kijicho Manito Madouskarini Algonquin First Nation

Consultation Knowledge Building, Interpretation, and Implementation \$105,320

2023 granting

Kinbrace Community Society	
Making My Refugee Claim Resources Accessible to Refugee Claimants	\$250,000
Laadliyan	
Enhancing the Legal Capacity of Women International Students	\$71,550
Level	
Environmental Justice Education for Ontario Youth	\$93,260
Muslim Legal Support Centre	
Advancing Access to Justice for Vulnerable Muslim Communities in Ontario	\$92,000
Nishnawbe-Aski Legal Services Corporation	
Community Justice Navigator and Legal Education Officers	\$248,800
Parents of Black Children	
Law and Advocacy Initiative Project	\$139,455
Partners for Planning	
Safe and Secure Futures: An Evergreen Approach, Partners for Planning	\$157,285
Queen’s University, Faculty of Law	
Revitalizing Indigenous Legal Orders Clinical Course	\$57,000
San Lorenzo Latin American Community Centre	
Conoce tus derechos laborales en Ontario (Know your rights in Ontario)	\$15,959
Sault Ste. Marie Indigenous Friendship Centre	
Resisting Remand: A Gladue Bail Program for Indigenous People in Sault Ste. Marie	\$233,476

Scarborough Community Legal Services	
Communities Building Justice Together: Increasing Access to Justice for Indigenous and Black communities in Scarborough	\$147,000
Sisters in Sync	
We Got You, Sis	\$138,200
Society’s Bella Coola Legal Advocacy Program	
Legal Information for Indigenous People: National Edition	\$46,000
Sudbury District Restorative Justice	
Legal System Navigation for Youth & Families	\$45,512
The Women’s Centre of Halton	
Family Court Advocacy Program	\$164,650
Toronto Metropolitan University, School of Journalism	
Canada Press Freedom Project: Legal Education for Media	\$128,060
TTCriders	
Know Your Transit Rights	\$35,580
University of Ottawa, Faculty of Law	
Innocence Ottawa Indigenous Prisoner Outreach	\$55,941
University of Toronto - Ontario Institute for Studies in Education - Department of Leadership, Higher and Adult Education	
African, Caribbean, Black Family Group Conferencing Project	\$200,810
University of Windsor, Faculty of Law	
Civil Procedure and Practice in Ontario: 2023 Edition	\$17,397
Whistleblowing Canada Research Society	
Building Legal Supports for Marginalized Ontarians	\$32,100

Nurturing community partnerships and connections

Inspired by the belief that community knows what community needs and our commitment to increase our grantmaking, we leaned into community-led partnerships in 2023. Partnerships create opportunities for the Foundation to build trusted relationships, concentrate granting in priority areas, and invest in access to justice initiatives that are led by and for communities that are often underserved and underrepresented.

Early in 2023, Legal Information and Resource Network (LiRN) came to us with an idea to expand the use of courthouse libraries. LiRN administers funding and provides strategic guidance for Ontario's network of courthouse libraries, which are the main source of legal information and law library services for many legal professionals across the province. A key initiative of this new \$1.4M two-year project is an Innovation Sandbox. Libraries can apply to LiRN for grants to test new technologies and models, including expanding access to others involved in the legal system such as social workers, mental health professionals, and members of the public.

We established a partnership with the Black Opportunity Fund, which supports Black-led

nonprofit and for-profit initiatives through grants and capacity-building investments. Matching an initial grant by TD Bank, we doubled the funds available for the Black Opportunity Fund's inaugural Criminal Justice granting stream. Totalling \$200K, the Foundation funded six projects that support Black-led, Black-serving, and Black-focused not-for-profits providing justice-related services to Black communities.

In the fall, we began a partnership journey with the Indigenous Peoples Resilience Fund, an Indigenous grantmaking group that supports Indigenous-led organizations working to foster resilience in First Nation, Inuit, and Métis communities. The Indigenous Peoples Resilience Fund will design and disburse a funding bundle, supported by the Foundation's initial commitment of \$1M. The project will begin in 2024 with engagement sessions to learn from Indigenous peoples about the access to justice priorities in northern Ontario. This partnership offers us an opportunity to deepen our commitment to Truth and Reconciliation, grow our understanding of Indigenous peoples' legal needs, and increase our connections with Indigenous organizations in the north and far north.



“Through this funding partnership we are able to catalyze even more impact by increasing our support to Black-led, Black-serving, and Black-focused not-for-profits and charities who are leading amazing initiatives in our priority focus area of criminal justice.

— Craig Wellington,
Executive Director,
Black Opportunity Fund

”



We were pleased to establish a new partnership with the Black Opportunity Fund in 2023 and attend their 3rd Year Celebration in December 2023, with Charliemanie Martinez (of TD), Andrea Chambers, Cindy-Ann Williams, Craig Wellington, Tina Rose, Muzunza Musumbulwa, Nia Mascoll-Callender, and Adeleye Orowade

Partnerships

Black Opportunity Fund Black Opportunity Fund Partnership	\$200,000
Indigenous Peoples Resilience Fund Advancing Access to Justice for Indigenous People in Northern Ontario	\$1,225,000
Legal Information and Resource Network Innovation and Equity of Access in Ontario Courthouse Libraries	\$1,400,000



Roy & Ria McMurtry
Endowment Fund

The Roy and Ria McMurtry Endowment Fund was established in honour of the Honourable Roy McMurtry, and his wife Ria. The fund provides an annual grant to The Second Chance Scholarship Foundation, which awards scholarships to students who are, have been, or are at risk of becoming in conflict with the law and who are enrolled in a college or university program relating to legal education.

Second Chance Scholarship Foundation Inc. Roy & Ria McMurtry Endowment 2023	\$10,000
---	----------

Access to Justice Fund

The Access to Justice Fund (ATJF) is a unique national fund that provides grants to nonprofit organizations across Canada. The fund is supported by class action cy-près awards. Granting is made in priority areas as established by a national ATJF Consultation Group and as per a direction of a cy-près award. The Foundation approved the following ATJF grant in 2023.

Action Committee on Access to Justice in Civil and Family Matters Fostering National A2J Coordination	\$50,000
---	----------

Class Proceedings Fund

Message from the Chair

The Class Proceedings Fund had a busy year in 2023. We funded 20 new cases and provided supplementary funding in 28 cases that were previously funded. We also continued to fund individual plaintiffs in determining their damages once the common issues stage of a class action has been resolved, as was first done in 2022.

2023 was a year where the Fund continued to grow, as the amount of statutory levies in successful funded cases surpassed the adverse costs in unsuccessful funded cases. As has been the case over the last few years, levies have continued to rise at an overall higher rate than adverse cost awards. Ever mindful that this trend could change, Class Proceedings Committee members regularly review our processes and always ensure that original and supplementary funding applications are properly assessed to ensure the long-term financial sustainability of the Fund.

The team supporting the work of the Fund grew in 2023, with Nathalie Gondek joining as Associate Counsel, and Anarthy Arumaichselvam as Legal Assistant. Together with Remissa Hirji, Director and Counsel, they continue to support the ongoing work of the Fund and the Committee.

Paul Evraire, KC, Chair and member since 2008 left the Committee in 2023, as did Wendy Earle, former Chair and member since 2006. I wish to thank them both for their significant contribution and years of service to the Class Proceedings Committee.

I would also like to welcome Nadia Campion, who joined the Committee in July 2023 and am grateful for the work of the other current Committee members Danielle Marks and Monique Jilesen. I look forward to continuing to work with the Committee members to advance access to justice.



John Brown
Chair, Class Proceedings Committee



John Brown
Chair, Class
Proceedings
Committee

Highlights

Established in 1993, the Class Proceedings Fund provides support to approved class action plaintiffs through funding for disbursements and adverse cost award protection. The Foundation provided initial seed monies of \$500,000 to establish the Fund. Under the careful stewardship of the Foundation and the independent Class Proceedings Committee, the Fund has grown considerably, allowing it to continue to advance the goal of increasing access to justice in Ontario.

Over the 30 years since the Fund was created, the Committee has considered hundreds of funding applications brought by plaintiffs and approved funding for 225 proceedings under the Ontario *Class Proceedings Act*.

Over the past three years, Fund staff worked to significantly enhance the statistics tracked with respect to funded cases. Highlights of these statistics include:

	Number of cases	% of funded cases	% of completed cases
Active funded cases	95	42%	
Completed funded cases	130	58%	100%
> Won or settled	> 79	> 35%	> 61%
> Lost	> 51	> 23%	> 39%
Total funded cases	225	100%	100%

New applications heard and approved – 2014-2023

	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023
Hearings held	20	17	22	27	21	19	19	20	17	22
New applications approved	11	12	17	18	14	8	10	16	9	20

2023 results

Statement of financial position

	For the period from Jan. 1 to Dec. 31, 2023	For the period from 1994 to Dec. 31, 2023
Opening balance	\$27,421,826	\$500,000
Total funding awarded	\$4,529,798	\$54,848,691
Funding repaid/cancelled	\$2,546,346	\$19,266,381
Administration costs/expenses	\$511,290	\$8,122,942
Interest and cy-près received	\$2,645,460	\$8,831,948
10% levies received	\$12,158,768	\$97,181,840
Cost awards in favour of defendants	\$1,368,874	\$24,446,098
Balance as at Dec. 31, 2023	\$38,362,438	\$38,362,438

Results and statistics (as required by O.Reg.771/92, s.13)

1. Funded case certification, settlement, and adverse cost award results

	Certified	Settled	Defendants obtaining adverse cost awards	Total amount paid out by the Fund for adverse cost awards
2022	3	10	8	\$681,170
2023	8	6	13	\$1,368,874

Class Proceedings Fund

2. New funding applications

New applications made, granted, refused and deferred, by stage in the proceeding, at the time of application.

Stage in the proceeding	Granted	Refused	Deferred*	Total
2022				
Pre-certification	6	7		
Discovery				
Other				
Appeal re: certification				
Determination of common issues		1		
Appeal re: common issues				
Post common issue stage	3			
Total	9	8		17
2023				
Pre-certification	20	2		
Discovery				
Other				
Appeal re: certification				
Determination of common issues				
Appeal re: common issues				
Post common issue stage				
Total	20	2		22

*Carried forward to the next year.

3. New and supplementary funding awards

In 2023, the Committee considered a number of initial applications as well as supplementary funding applications for previously funded cases. Total amounts paid out by the Fund during 2023 vary as funding awards may be made in advance of amounts being reimbursed to applicants. Amounts are reimbursed to applicants on an ongoing basis, after funded disbursements have been incurred and paid by the applicant.

	New awards	Supplementary awards	Individual claims	Total awards (new and supplementary funding applications)	Total amounts paid out (disbursement reimbursement)	Award amounts balance (awarded but not yet paid out) at Dec. 31
2022	9	34	n/a	\$7,691,507	\$5,830,443	\$10,521,783
2023	20	28	10	\$4,529,798	\$2,960,270	\$14,678,839



4. Funding awards by case category and disbursement type

2023 funding awards for both newly approved cases and previously approved cases by case category and by disbursement type.

	Administrative expenses	Travel expenses	Examiners' charges	Experts' fees	Notice to class	Other	Total
2022 all cases	422,789	35,847	122,934	6,243,028	592,641	254,268	7,691,507
2023 all cases	301,663	35,517	1,020,449	2,770,230	138,401	263,538	4,529,798
By case category							
Competition	1,638	340		28,774		9,555	40,306
Consumer protection - general	8,500		10,000	33,000	26,663		78,163
Crown liability	212,776	23,773	842,980	814,955		73,984	1,968,468
Employment	21,600	5,000	15,000	75,000		25,000	141,600
Franchise					30,000		30,000
General negligence	11,852		127,969	162,843			302,664
General - professional negligence				848,000			848,000
Investments/securities	19,506	1,500	17,000	786,049		55,000	879,055
Pension funds					9,590		9,590
Product liability	25,792	4,904	7,500	21,609	72,148	100,000	231,953

Class Proceedings Committee

The Class Proceedings Committee has five members, one appointed by each of The Law Foundation of Ontario and the Attorney General of Ontario, and three appointed jointly.



Paul J. Evraire, KC (until June)
Chair
Special Counsel (Retired), Department of Justice



John P. Brown
Chair
Legal and Strategic Advisor, Indigenous Initiatives, McCarthy Tétrault



Nadia Campion
Commercial Litigator/Partner, Lax O'Sullivan Lisus Gottlieb



Wendy J. Earle (until October)
Advocate and Arbitrator



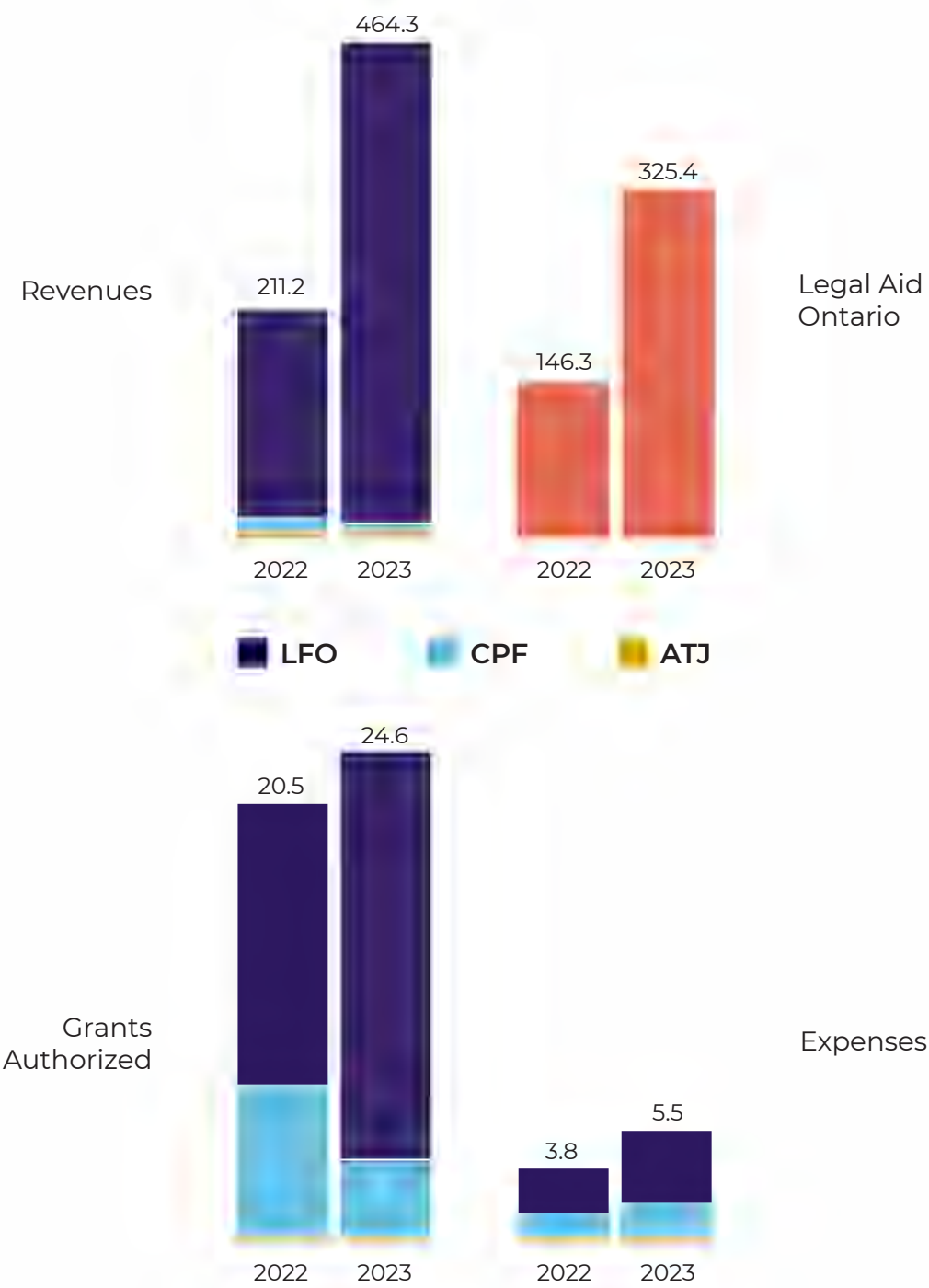
Monique Jilesen
Managing Partner and Commercial Litigation lawyer, Lenczner Slaght



Danielle Marks
Partner and Co-Chair, Civil Litigation, SV Law

2023 financial highlights

Consolidated results (\$M)



Revenues

The Law Foundation of Ontario's main source of revenue is interest earned on Ontario lawyers' and paralegals' mixed trust accounts. These mixed trust accounts hold funds in trust for more than one client. By law, all interest on these accounts is paid to the Foundation.

In 2023, further increases in the prime rate, from 6.45% to 7.2%, more than offset the impact of a decline in the average mixed trust account balances, resulting in another year of record-high consolidated revenues of \$464.3M.

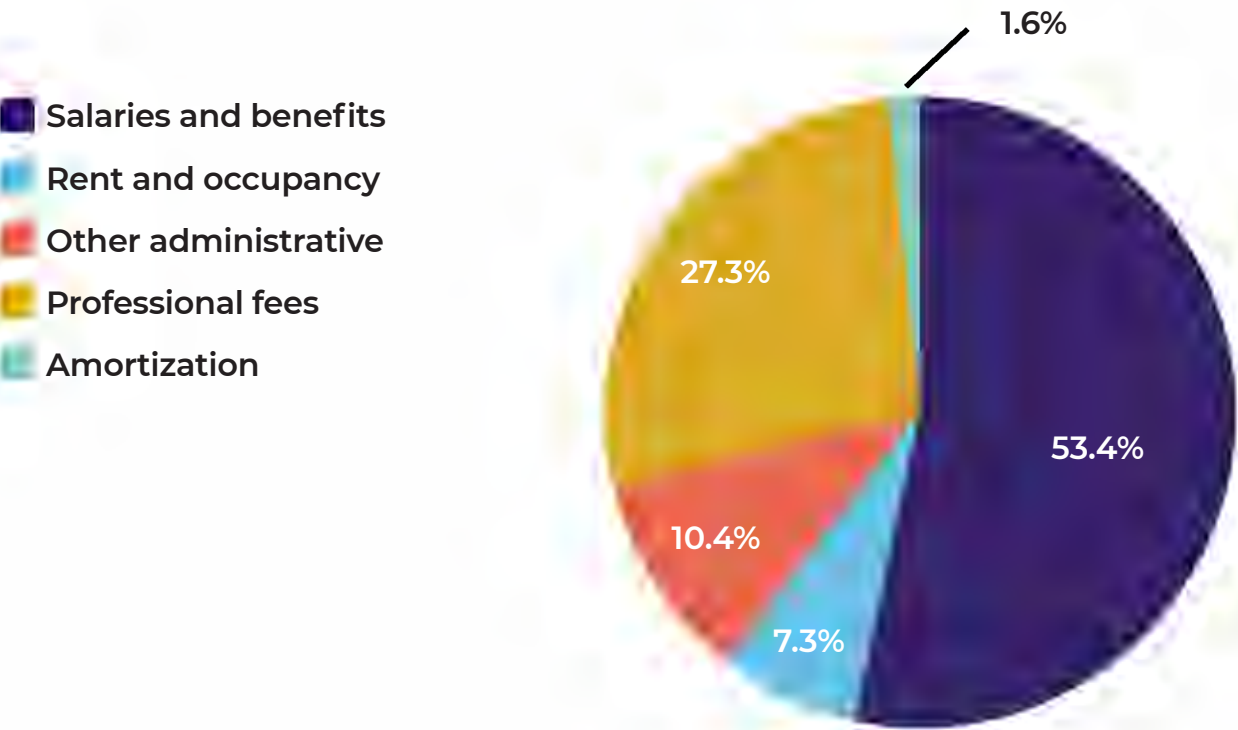
The Foundation periodically negotiates rates of return with all financial institutions that are authorized to hold mixed trust accounts for lawyers and paralegals. Some agreements are more favourable than others and the Foundation continues to maintain and seek improvements in all of them.

Interest revenues and rates



Expenditures

Overall expenses were greater in 2023, as the Foundation invested in organizational growth and modernization projects to support increased grantmaking driven by continued high revenues.



Funding to Legal Aid Ontario

As per the *Law Society Act*, 75% of mixed trust account revenue net of operating expenses is paid to Legal Aid Ontario. Benefiting from a full year of higher interest rates on revenue from mixed trust accounts, the Foundation’s contribution to Legal Aid Ontario increased to \$325M in 2023 from \$146M in 2022.

Grants authorized

With its remaining funds, the Foundation awards grants that support improved access to justice. Total grants authorized in 2023 were \$7.3M higher than in 2022.



	2018	2019	2020	2021	2022	2023
ATJF grants	3.2	0.5	0.1	1.5	0.1	0.1
Regular grants	12.3	28.6 ²	10.7	11.6	12.7	20.0
	15.5	29.1	10.8	13.1	12.8	20.1

The 2023 audited financial statements are available online at: lawfoudation.on.ca/about-us/revenue-and-reporting/annual-reports/

² Includes a \$15M grant to Legal Aid Ontario





416.598.1550

general@lawfoundation.on.ca

The Law Foundation of Ontario
110 Spadina Avenue Suite 800, Toronto, Ontario M5V 2K4
www.lawfoundation.on.ca

