

# Legal Aid Ontario

We provide legal assistance for low-income people living in Ontario

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## LAO update: winter 2018 edition

A quarterly update on Legal Aid Ontario's latest access to justice initiatives

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## Message from the CEO

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### Release of LAO's 2019-2024 strategic plan

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One of my priorities when I became CEO was to develop a [new five-year strategic plan](#).

At the beginning of January, we released that plan, which will guide the delivery and development of LAO's programs and services.

The five goals of the strategic plan are:

- client-centred focus
- demonstrated value for money
- innovative services
- engaged staff
- effective collaboration

We appreciated hearing from everyone who took the time to participate in the process.

If you haven't had a chance to read it, I encourage you to do so.

### Auditor general report

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As some of you may be aware, LAO was one of several agencies selected by the auditor general of Ontario for a value-for-money audit in 2018.

The [auditor general's report](#) offered constructive feedback and practical recommendations for LAO to implement.

The areas of improvement that were identified touched on:

- determining how to implement new initiatives
- verifying and monitoring lawyer billings
- stabilizing funding for immigration and refugee work
- improving reporting for duty counsel, private bar and clinics
- quality assurance measures for lawyers
- improving our work with clinics

On behalf of LAO, I would like to thank the auditor general and her team for their comprehensive review. I would also like to thank all the LAO staff who assisted the auditor general and her team during the many months—close to a year—of providing unfettered access to materials and information to the audit team.

In the coming weeks and months, we intend to work with the appropriate justice sector partners to implement the recommendations.

As always, I will keep everyone up to date with more information as it becomes available.

Sincerely,

David Field  
President & CEO  
Legal Aid Ontario

## Spotlight on: Legal Aid Ontario Client Portal

LAO's client portal launched Dec. 3, 2018—giving clients convenient access to information and services.

Essential tasks can now be completed online, in either English or French, including:

- 'signing' a consent and declaration agreement, making it possible for a lawyer to start work on their client's case
- viewing documents from LAO in one place
- viewing personal information
- finding a lawyer who can help clients with their legal matter

Information entered using the portal transfers directly to LAO's client database, eliminating the manual processing previously required, and making it possible for lawyers to start work for their clients sooner.

The portal also reduces the need for mail delivery, resulting in faster service, less paper, and further cost savings for clients and LAO.

As of Jan. 17, 2019 nearly 9,500 clients have signed up to use the portal.

An estimated 85% of clients have chosen the client portal as their preferred way to receive communication from LAO and to submit consent and declaration agreements.

New clients are informed of the portal when they apply for legal aid, while existing clients can register by contacting LAO's call centre at 1-800-668-8258 to get a PIN and user instructions.

LAO's client portal is the centrepiece of our digital strategy. In the future, existing and potentially new clients will be able to apply for legal aid online as well as access services and information.

## Updates

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### Senior counsel program 2017/18 annual report

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Highlights from 2017/18 for the senior counsel program include the following:

- There were 509 open client files
- Mental health clients continue to comprise the majority of those served by the program
- The program received 811 referrals from duty counsel, community agencies, the judiciary and the private bar—84% were accepted

To find out [more](#), please visit the [reports](#) section of our website.

### 2018/19 to 2020/21 business plan

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LAO released its 2018/19 to 2020/21 business plan. The business plan addresses key priorities including:

1. delivering on provincial investment in financial eligibility
2. enhancing existing services
3. enhancing LAO's workplace to increase engagement, inclusion, diversity and workforce agility

To find out [more](#), visit the [reports](#) section of our website.

### Billing tips

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The November issue of our [Better Billing Bulletin](#) highlighted new tips and reminders for lawyers working with LAO. It also included a [video](#) showing how to submit a civil account.

### Legal Aid Ontario in Ottawa has moved

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As of November 26, 2018, our Ottawa district office is located at 275 Slater Street, Suite 1101.

### 2018 LAO panel lawyer satisfaction survey

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LAO's annual Lawyer Satisfaction Survey asks private bar lawyers to provide feedback on their satisfaction with services provided to panel lawyers.

We use this information to measure lawyer satisfaction with different areas of service and identify areas for improvement.

Approximately 700 responses were received during the survey period from Oct. 17 to Nov. 7, 2018. This represents

a response rate of approximately 19%.

At the time that this quarterly report was being produced, the survey responses were still being analyzed. In the coming months, LAO will communicate the results of the survey along with the measures that will be implemented in order to meaningfully respond to the feedback received.

## Select media mentions

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### How new federal legislation could hurt law students—and the people who rely on their services

*Mary Baxter, TVO.org, November 26, 2018*

An article on Bill C-75 and its potential impact on the student legal aid services societies in Ontario

### Improving Legal Aid and Access to Justice

*The Agenda with Steve Paikin, TVO, December 12, 2018*

Panel discussion on improving access to justice and legal aid's role. LAO vice-president, strategy and public affairs, David McKillop, was interviewed along with Avvy Go from the Chinese and Southeast Asian Legal Clinic, Julie Mathews from Community Legal Education Ontario, Suzanne Johnson from Community & Legal Aid Services Programme, and John Callaghan from the Law Society of Ontario.

## Client services

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### Intake, triage and support services

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LAO offers intake, triage and support services to people applying for legal aid, existing legal aid clients and lawyers who provide legal services on behalf of Legal Aid Ontario.

- **Call centre – Tier 1**

Agents in Tier 1 of LAO's call centre can help assess service needs and provide information about qualifying for legal aid. Their responsibilities include, but are not limited to: triage, making referrals, performing status checks and updating client profiles.

- **Call centre – Tier 2**

Tier 2 agents conduct an in-depth analysis of a client's legal needs, financial situation and case details to determine eligibility for legal aid services. Their responsibilities include, but are not limited to: processing applications, issuing certificates, making referrals, and providing enhanced public legal information.

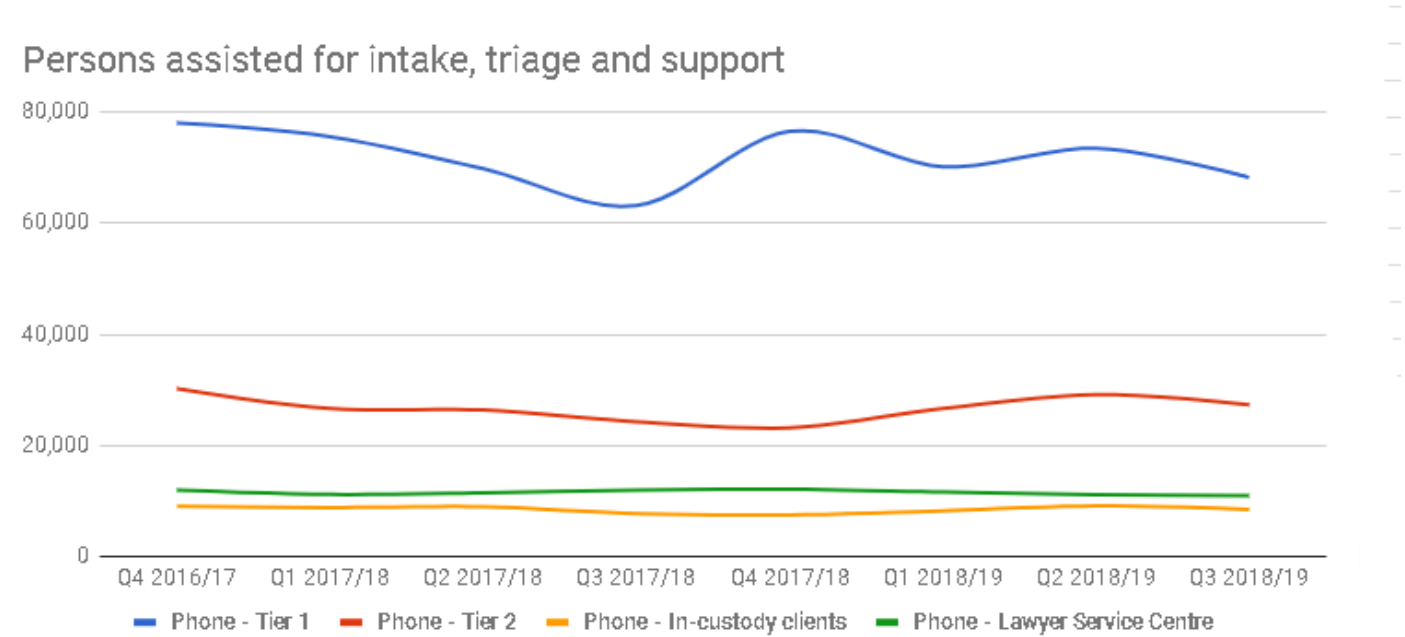
- **Call centre – In-custody**

LAO also offers a service dedicated to helping people who are incarcerated across the province. Staff take calls

directly from inmates to determine legal aid eligibility, process applications and issue certificates as well as conduct status checks on submitted applications.

• **Call centre – Lawyers**

Lawyers who do legal aid work can contact the call centre for information on, including but not limited to: tariff, billing, account status and technical support. This group serves as a first point of contact for most lawyers' enquiries.



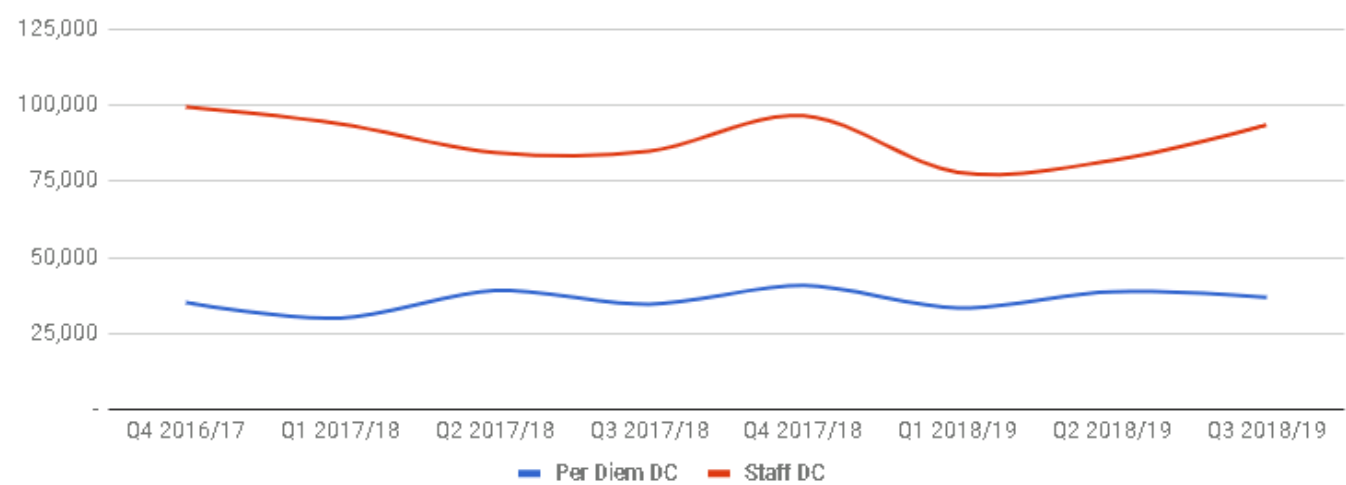
| Persons assisted for intake, triage and support | 2016/17 | 2017/18 |        |        |        | 2018/19 |        |        |
|-------------------------------------------------|---------|---------|--------|--------|--------|---------|--------|--------|
|                                                 | Q4      | Q1      | Q2     | Q3     | Q4     | Q1      | Q2     | Q3     |
| Phone: Tier 1                                   | 78,089  | 75,588  | 69,813 | 63,187 | 76,566 | 70,156  | 73,498 | 68,281 |
| Phone: Tier 2                                   | 30,167  | 26,587  | 26,336 | 24,235 | 23,152 | 26,614  | 29,117 | 27,254 |
| Phone: In-custody clients                       | 8,992   | 8,773   | 8,919  | 7,693  | 7,437  | 8,194   | 9,066  | 8,462  |
| Phone: Lawyer Service Centre                    | 11,928  | 11,132  | 11,403 | 11,942 | 12,061 | 11,571  | 11,106 | 10,914 |

Duty counsel services

Duty counsel are LAO staff and per diem lawyers in courthouses. They can give immediate legal assistance to low-income people who would otherwise be unrepresented and unassisted.

Criminal law services

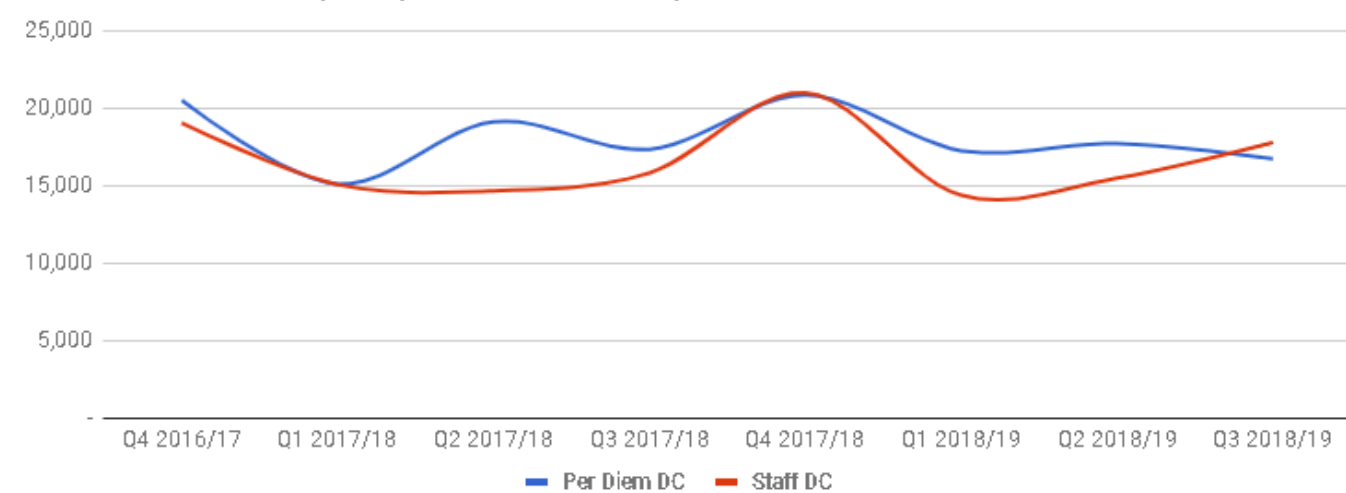
Persons assisted by duty counsel - Criminal law



| Persons assisted by duty<br>counsel - criminal law | 2016/17 | 2017/18 |         |         |         | 2018/19 |         |         |
|----------------------------------------------------|---------|---------|---------|---------|---------|---------|---------|---------|
|                                                    | Q4      | Q1      | Q2      | Q3      | Q4      | Q1      | Q2      | Q3      |
| Per Diem DC                                        | 35,215  | 30,116  | 39,126  | 34,668  | 40,806  | 33,440  | 38,798  | 36,967  |
| Staff DC                                           | 99,422  | 93,836  | 84,437  | 84,900  | 96,554  | 77,985  | 81,874  | 93,499  |
| Total                                              | 134,637 | 123,952 | 123,563 | 119,568 | 137,360 | 111,425 | 120,672 | 130,466 |

Family law services

Persons assisted by duty counsel - Family law



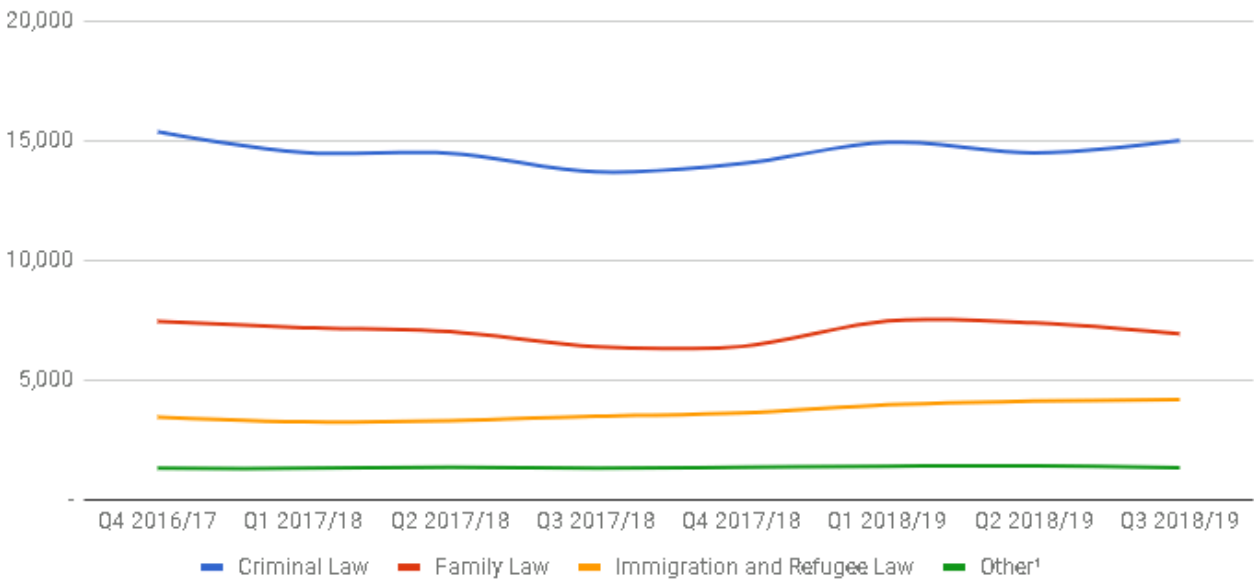
| Persons assisted by duty<br>counsel - family law | 2016/17 | 2017/18 |        |        |        | 2018/19 |        |        |
|--------------------------------------------------|---------|---------|--------|--------|--------|---------|--------|--------|
|                                                  | Q4      | Q1      | Q2     | Q3     | Q4     | Q1      | Q2     | Q3     |
| Per Diem DC                                      | 20,527  | 15,118  | 19,148 | 17,369 | 20,866 | 17,278  | 17,733 | 16,765 |
| Staff DC                                         | 19,068  | 15,096  | 14,684 | 15,836 | 21,026 | 14,400  | 15,502 | 17,805 |
| Total                                            | 39,595  | 30,214  | 33,832 | 33,205 | 41,892 | 31,678  | 33,235 | 34,570 |

## Representation by a private practice lawyer

Legal aid applicants who are financially eligible, and who are facing a serious legal matter covered by LAO, may be issued a certificate to cover the cost of a private-practice lawyer.

A certificate is a voucher that a low-income person can take to one of more than 3,600 private-practice lawyers across the province who accept legal aid clients. A certificate guarantees the lawyer payment for a certain number of hours if they accept the case.

Certificates issued by area of law



| Certificates issued by area of law | 2016/17 | 2017/18 |        |        |        | 2018/19 |        |        |
|------------------------------------|---------|---------|--------|--------|--------|---------|--------|--------|
|                                    | Q4      | Q1      | Q2     | Q3     | Q4     | Q1      | Q2     | Q3     |
| Criminal law                       | 15,386  | 14,520  | 14,492 | 13,714 | 14,053 | 14,953  | 14,506 | 15,020 |
| Family law                         | 7,452   | 7,200   | 7,028  | 6,409  | 6,411  | 7,473   | 7,398  | 6,945  |
| Immigration and refugee law        | 3,451   | 3,259   | 3,306  | 3,493  | 3,628  | 3,968   | 4,123  | 4,186  |
| Other <sup>[1]</sup>               | 1,316   | 1,314   | 1,365  | 1,322  | 1,359  | 1,400   | 1,421  | 1,341  |
| Total certificates issued          | 27,605  | 26,293  | 26,191 | 24,938 | 25,451 | 27,794  | 27,448 | 27,492 |

<sup>[1]</sup> Other is a category that represents all other legal matters covered by LAO certificates, such as: CCB matters, prison law matters and matters before civil tribunals.

## Performance measures

| Key Performance Indicator (KPI) name                          | Measurement frequency | Last measured | Target   | Previous year (2017/18) | Current value |
|---------------------------------------------------------------|-----------------------|---------------|----------|-------------------------|---------------|
| % of same day decisions for certificates                      | Quarterly             | Q3 2018/19    | 80.0%    | 76.2%                   | 83.3%         |
| % of area office appeals heard within 3 days                  | Quarterly             | Q3 2018/19    | 80.0%    | 51.3%                   | 68.2%         |
| Acceptance rate for certificate applications                  | Quarterly             | Q3 2018/19    | 87.0%    | 86.8%                   | 79.1%         |
| % of calls answered within 3 minutes (L1)                     | Quarterly             | Q3 2018/19    | 80.0%    | 46.0%                   | 74.0%         |
| % of calls answered within 3 minutes (LSC)                    | Quarterly             | Q3 2018/19    | 80.0%    | 77.0%                   | 83.0%         |
| % of calls answered within 3 minutes (In-custody)             | Quarterly             | Q3 2018/19    | 80.0%    | 64.0%                   | 67.0%         |
| % of calls answered within 20 minutes (L2)                    | Quarterly             | Q3 2018/19    | 80.0%    | 50.0%                   | 72.0%         |
| Overall client satisfaction – % of positive responses (email) | Annual                | Q4 2017/18    | 80.0%    | 77.0%                   | 77.0%         |
| Number of Ontarians financially eligible for LAO's services   | Annual                | Q1 2018/19    | Maintain | 1,540,000               | 1,690,000     |
| Overall lawyer satisfaction – % of positive responses         | Annual                | Q3 2018/19    | 60.0%    | 53.0%                   | 52.0%         |

## Statement of operations

| Revenue                | Apr. 1, 2017 - Dec. 31, 2017 (\$M) | Apr. 1, 2018 - Dec. 31, 2018 (\$M) |
|------------------------|------------------------------------|------------------------------------|
| Government funding     | \$313.9M                           | \$330.5M                           |
| Law Foundation         | \$30.9M                            | \$54.3M                            |
| Other revenue          | \$10.7M                            | \$9.1M                             |
| Total revenue          | \$355.5M                           | \$393.9M                           |
| Core business expenses |                                    |                                    |
| Certificate costs      | \$174.3M                           | \$166.1M                           |

|                                                                   |          |          |
|-------------------------------------------------------------------|----------|----------|
|                                                                   |          |          |
| Client service offices                                            | \$15.0M  | \$14.4M  |
| Clinic program                                                    | \$62.3M  | \$73.5M  |
| Duty counsel program                                              | \$39.8M  | \$42.2M  |
| Service innovation                                                | \$1.7M   | \$1.8M   |
| Total core business expenses                                      | \$293.0M | \$298.1M |
| Operating expenses                                                |          |          |
| Service provider support                                          | \$4.6M   | \$4.9M   |
| Administrative expenses                                           | \$25.5M  | \$27.0M  |
| Other expenditures                                                | \$5.7M   | \$5.0M   |
| Program support                                                   | \$18.9M  | \$19.4M  |
| Total operating expenses                                          | \$54.6M  | \$56.2M  |
| Total expenditures                                                | \$347.7M | \$354.3M |
| Surplus / (deficit) before other corporate expenditures / savings | \$7.8M   | \$39.5M* |

\* LAO has a forecasted operating surplus. The government has indicated that it will retain \$40M of that forecasted operating surplus, leaving the forecasted operating surplus at \$8.3M at year-end.

Due to rounding, the numbers may not add up precisely to the totals provided.

## Getting legal help

- Are you eligible for legal aid?
- Types of help
- Getting help in the courtroom
- Community and specialty clinics

## For lawyers

- News and notices
- Legal Aid Online*
- Billing inquiries
- Forms library

## Resources

- Accessibility
- Careers at LAO
- Legal Aid Ontario mobile app
- News archives
- Other resources

## Contacts

- Call us toll-free for help
- Legal professionals
- Media
- Legal Aid Ontario information and services
- Making an appeal or complaint
- Ethics hotline



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