
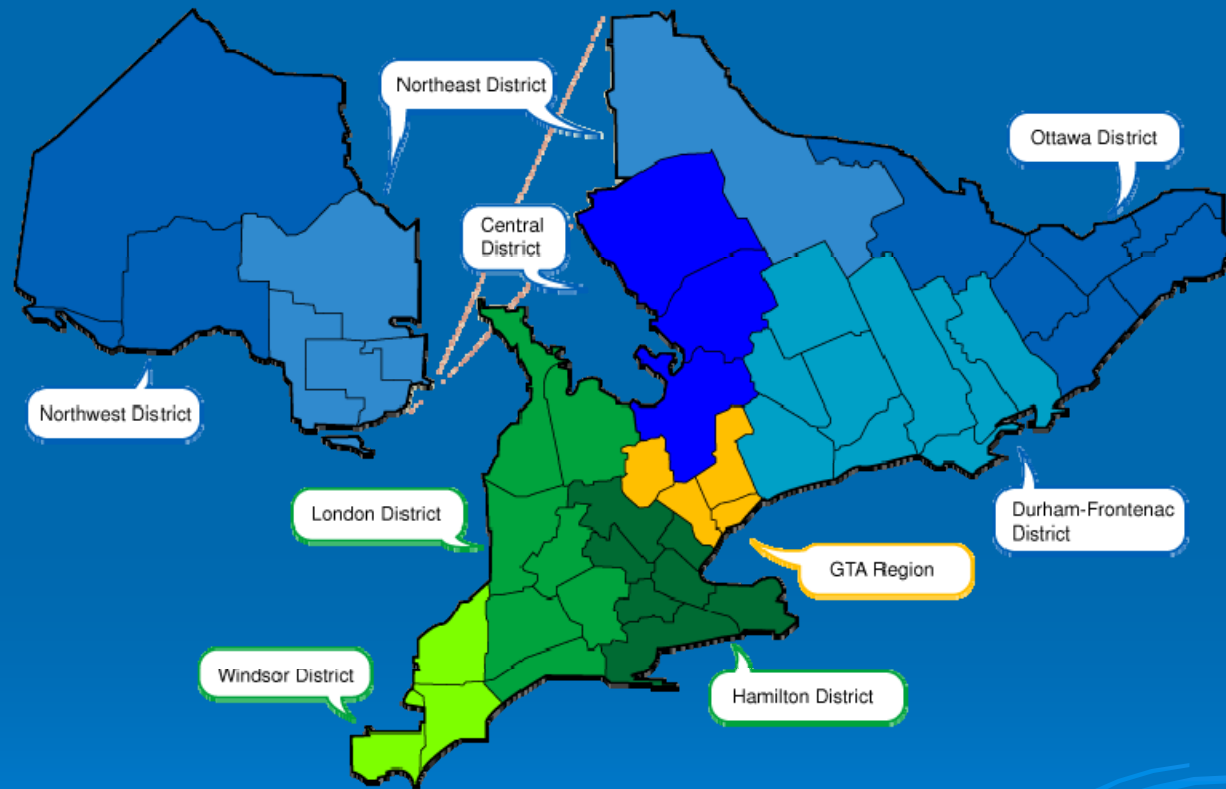


Legal Aid Ontario: New
Models of Family Law
Service and Practice
Management in the New
World
GTA Region



LAO's Regional Structure





LAO's Finances

- LAO is funded by the Ministry of the Attorney General and the Law Foundation of Ontario
- LFO revenues dropped from a high of \$56 million in 2007/08 to a low of \$5 million for 2009/10
- The provincial government's five-year \$150 million investment in the legal aid system announced in September 2009 is earmarked for enhancements to client services, including tariff increases, and cannot be applied to LAO's revenue shortfall
- LAO continues to have a 29 million dollar deficit, even after the changes made to its administrative structure last year, which reduced its deficit significantly...

Changes to the Delivery of LAO Services

- In order to address the previous year's 56 million deficit, in 2009-2010, LAO shifted from a structure of 51 legal aid application offices (area offices) to a new application process in which the majority of legal aid applications would be taken through the Client Service Centre;
- nine larger district area offices would be maintained to improve the coordination and management of legal aid services across the province. The GTA District Area office is located in the former Toronto Area Office;
- The administrative savings as a result of the area office closures and the creation of the Client Service Centre has been identified at approximately 20 million dollars, as we reduced leasing costs, staffing costs and introduced a simplified process to determine financial eligibility for our services

Summary of Significant Changes

1. Simplified application process:

- **SOAP (Simplified Online Application Process)**
- **Simplified Financial Eligibility Test (FET)**
- **Automated verification of client's OW/ODSP benefits**

2. Changes in access to services:

- **Toll-free number through Client Service Centre for applications**
- **LAO in the Courthouse—Legal workers and increased Duty Counsel to assist clients and determine appropriate services**
- **Online information and resources**

3. Improved online tools for lawyers-online billing through the Portal, online issuing, amendments and authorizations of certificates

4. Reduced overhead by moving Provincial Office to open concept space

The Client Service Centre 1-800-668-8258

- This is a toll-free help line launched initially in December 2008 as a pilot but became operational in April 2010
- Average of 1,200 calls per day
- Staffed with approximately 60 LAO employees networked from locations across the province
- Services available in 120 languages, including 18 aboriginal languages and dialects
- Takes certificate applications, referrals, summary legal advice for criminal and family matters, and refers clients to the appropriate service

① Toll-free Client Service Centre

- To meet client needs, LAO has restructured its call system into two tiers:
 - Tier 1 staff can assist with general referrals and triage the client to the appropriate service
 - Tier 2 staff can provide application services and direct advice and are largely former assessment officers who perform the same function as before

Client Service Centre Initiatives

Service enhancements:

- New “call back” feature being developed
- Wait times will be published live on our website
- Priority queue for victims of domestic violence
- Upgraded domestic violence training for call centre staff
- Enhanced services for French-speaking Ontarians to minimize wait times
- Additional client service representatives being hired to further improve service

Online billing by Lawyers

- All Legal Aid billing is now online. Unless discretion is involved, this has resulted in lawyers receiving faster payments for completed work within the tariff
 - Online accounts are paid within 30 days, a significant improvement over the previous paper account system which took, on average, 45 days to pay
 - 96% of accounts submitted online in the last fiscal year
 - 19,193 certificates were acknowledged by lawyers using the portal from May to July 2010
 - This is now mandatory. A Lawyer must be registered with LAO to bill online and receive payment (direct deposit)
 - www.legalaid.on.ca






The New (almost) Paperless LAO World

- LAO's online features also allows lawyers to receive notification by e-mail about the status of their certificates
 - Online Lawyer Acknowledgement (OLA) feature to acknowledge certificates and bill for completed work
 - View amendments, authorizations, and certificates awaiting acknowledgment online
 - “Snapshot” of the status, dates and other pertinent information for acknowledged certificates
 - Notification of approved amendments or authorizations via email or text message alert
 - Lawyers must register and join the Solicitor's Portal to receive these e-mail notifications.

Our Clients

- Our clients have one thing in common - they are people with low or no income
- Every day LAO helps almost 4,000 disadvantaged people, including
 - single parents seeking child support from delinquent ex-partners;
 - victims of domestic violence; parents seeking custody of children to protect them from abuse; parents who are facing child protection proceedings; injured workers; refugees; and accused persons

Certificate Eligibility Criteria

	Will likely qualify financially for a certificate if annual gross income falls below:	A contribution agreement might be required if annual gross income is in this range.	Unlikely to qualify financially for a certificate if annual gross is above:
	↓ \$10,800	↓ \$10,800 to ↑ \$12,000	↑ \$12,000
	↓ \$13,445	↓ \$13,445 to ↑ \$14,939	↑ \$14,939
	↓ \$16,529	↓ \$16,529 to ↑ \$18,366	↑ \$18,366
	↓ \$20,068	↓ \$20,068 to ↑ \$22,298	↑ \$22,298
	↓ \$22,761	↓ \$22,781 to ↑ \$25,291	↑ \$25,291

Duty Counsel Eligibility Criteria

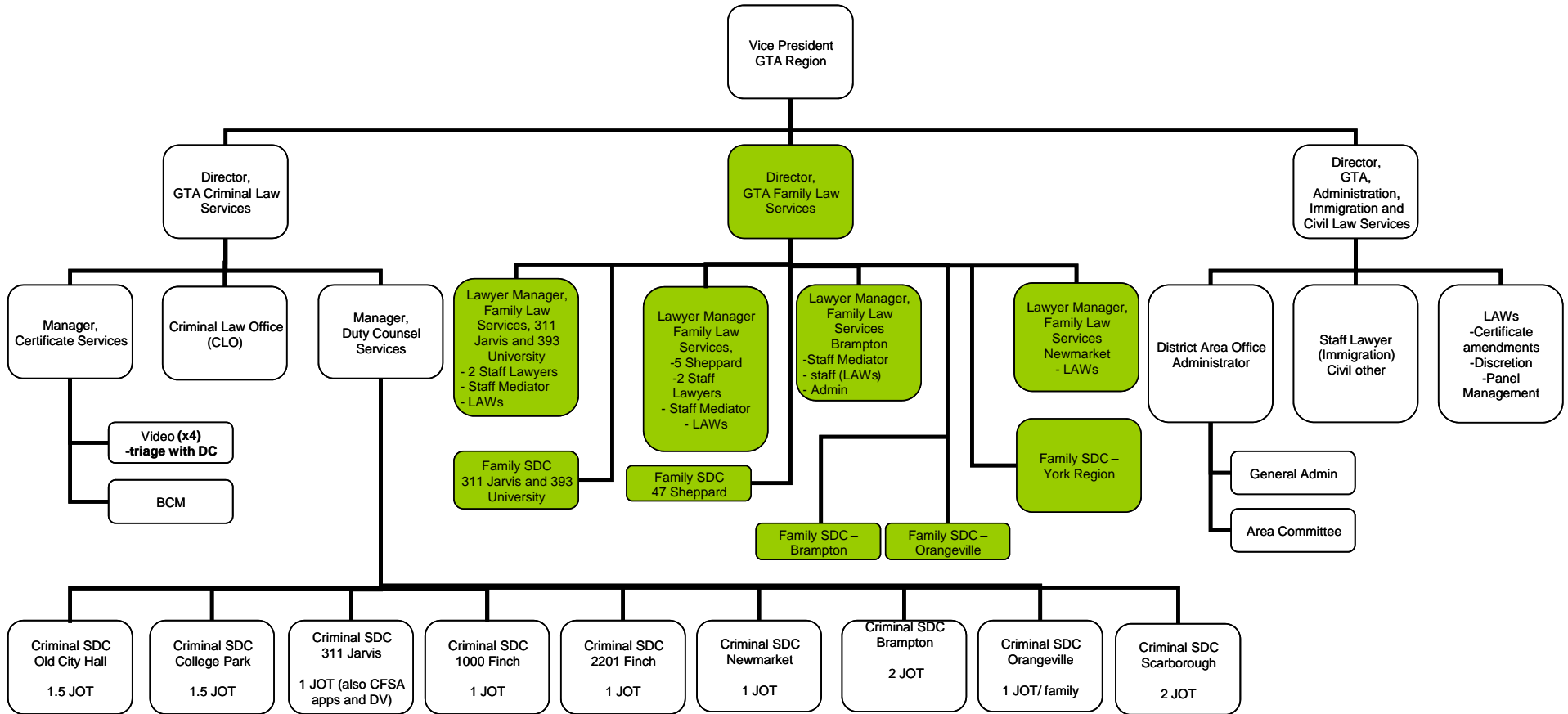
Gross Income Cutoffs:

Family Size	Monthly Gross	Annual Gross
➤ 1	\$1,500	\$18,000
➤ 2	\$2,250	\$27,000
➤ 3	\$2,583	\$31,000
➤ 4	\$3,083	\$37,000
➤ 5 +	\$3,583	\$43,000

Where the total value of liquid assets exceeds the standard exemption level, the applicant does not qualify for duty counsel assistance. The exemption level for all applicants regardless of family size is \$1,500.00

Please note that this test does not apply to the first 20 minutes of summary legal advice, which is provided with financial testing.

GTA District Model—the District Area Office Client Service Overview



The Family Law Service Centres

- In October of 2009, the GTA region developed a plan which involved shifting part of the anticipated administrative savings achieved by the establishment of the Client Service Centre into direct client services in family law.
- With the closure of 6 of our 7 area offices in the GTA, we were able to shift some resources into the establishment of four Family Law Service Centres ('FLSCs'). We were also able to use some of the new MAG money for the creation of these centres because we hope to implement the four main principals of the "4 Pillars" of family law reform into our service model.
- We established the location of the four FLSCs to be in close proximity to the four main family courts in the GTA region. We also took advantage of some of the existing leased space formerly used for area offices, albeit significantly reduced space.
- The sites chosen were located near the busiest family courts in Ontario.

The New FLSC services

- One of the new functions is to close the gap between traditional duty counsel / advice lawyer services and certificate lawyer services by using “legal workers” (i.e. law clerks) who will assist clients prepare court documents under the direct supervision of the managing lawyer. Those clients will be referred back to duty counsel for assistance on their court date;
- We are also introducing mediation services for our clients: three new OAFM accredited staff mediators will mediate and hopefully achieve early resolutions of family law disputes for appropriate cases. Offered to our eligible clients as an alternative to litigation at the earliest possible stage in their dispute;
- At the same time, certificate services will continue to be available for clients with more complicated cases, such as serious domestic violence and child protection cases, and who need full representation by the private bar or our staff lawyers.

Our services include:

- Certificate services through our staff lawyers or private bar for the complex cases, child protection cases, high conflict and domestic violence cases;
- Document preparation by our legal workers under lawyer supervision and referral to duty counsel for less complex cases;
- Mediation services by qualified and accredited staff mediators (OAFM/FMC accredited)
- Referral, advice and information through advice counsel, mediation services, and traditional LAO settlement conferences;
- Referral services to other appropriate agencies, such as housing, counseling, and income support;
- Each of the four FLSCs is somewhat different in their staffing complement and in the range of services provided because of some regional and staffing differences across the GTA. What follows is a brief description of each office.

Applications for Legal Aid Certificates at the FLSCs:

- In addition to the services described, the FLSCs are also an access point for family law applications for legal aid certificates in certain limited and urgent cases. We only have a *limited* capacity to take applications. We decided to take applications for legal aid certificates in the following limited circumstances:
- those in crisis and require urgent legal aid certificates, such as child abduction, child apprehension and child protection cases;
- victims of abuse and domestic violence;
- those who face barriers to applying by phone through the Client Service Centre (for example, communications limits or limited functioning).
- As direct client service in accordance with our new service model is the focus, applications for legal aid assistance are limited to those cases with the above criteria. Priority will be given to those persons with written referrals from duty counsel or from domestic violence agencies.

The four Family Law Service Centres:

- The Family Law Service Centre-Toronto North
- located at 45 Sheppard Avenue East, beside the North York Family Court, co-located with SALCO in the former Area office and in a reduced space;
- staff includes 1 manager lawyer; 2 staff lawyers, five legal workers and one staff mediator;
- Provides the full range of LAO family law services and coordinates with the supervisory duty counsel, two staff duty counsel and the 120 per diem duty counsel assigned to the North York family court;

The Family Law Service Centre- Peel

- Located at 205 County Court Boulevard in Brampton, across from the OCJ Family Court and the Superior Court of Justice in the former area office, co-located with the criminal staff lawyers in a reduced space;
- Comprised of one manager lawyer, three legal workers, one administrative support person and one staff mediator;
- Coordinates and supports family law services with the supervisory duty counsel, two staff duty counsel and 35 per diem duty counsel assigned to Brampton family court;

Family Law Service Centre-Toronto Central

- Located at 20 Dundas Street West in the former area office, and approximately 5 minutes away from the Superior Court of Justice (Family) and 10 minute walk to 311 Jarvis;
- Comprised of one manager lawyer, two staff lawyers, four legal workers and one staff mediator;
- Provides an full range of family law service and supports the Supervisory Duty counsel, two staff duty counsel and 120 per diem duty counsel assigned to 311 Jarvis and 393 University family courts;

Newmarket Family Law Service Centre

- Located at 17070 Yonge Street, Newmarket, in the former area office, and right behind the Ontario Court (Family) and Superior Court (Family) at 50 Eagle Street West in Newmarket
- Comprised of one manager/lawyer, two legal workers;
- Coordinates and provides supportive services to the SDC and 18 per diem duty counsel assigned to the Newmarket court.

Financial Eligibility for our clients:

- To be financially eligible for FLSC services, clients must meet either the duty counsel financial eligibility test or the test for a (no contribution) certificate for document preparation services. Our staff lawyers who represent certificate clients will continue to provide representation for both contribution and non-contribution certificates based on the certificate financial eligibility test.



Enhanced Website

www.legalaid.on.ca

- Ontarians are increasingly using Internet-connected mobile devices to access Legal Aid Ontario's online resources
- January 1 to Aug 31, 4,353 mobile visits to the LAO site
- January 1 to Aug 31, 454,764 visits to the LAO site
- We are working on creating a full interactive sub-site for public legal information



Enhanced Website

www.legalaid.on.ca

- Enhanced website provides more in-depth information for clients and lawyers
- Quick online access to information about LAO's range of services will help clients become more informed and better prepared to navigate the justice system
- Makes frontline services, such as duty counsel, more efficient

LAO's new DC Referral Process

- Under LAO's new DC referral process, before a client can apply for a family/CFSA certificate, s/he must be seen by a duty counsel
- The eligibility test is two part: 1) simplified financial eligibility test, 2) priority of issues
- If client is financially eligible and the client's case is of significant priority, client is referred to make an application for a certificate either with the JOT worker or via the CSC
- What is a significant priority – includes CFSA matters, client is victim of DV, no status quo/recent separation, risk to parent-child bond, support would remove client from OW
- If the client does not satisfy either/both parts of the test, client is deemed ineligible for a certificate, but is referred to duty counsel for assistance or directed to retain private counsel

LAO Services

- Overall, certificate costs (for all types of law) across Ontario have decreased by 32 per cent compared to last year;
- Total persons assisted by duty counsel across Ontario have increased 12% compared to last year
- Civil matters have increased by 10%, whereas criminal matters have increased by 13%
- LAO will continue to ensure that certificate services are available for our most vulnerable clients, for example, our child protection clients, clients experiencing serious domestic violence, clients in high conflict and complicated cases, and clients with mental health issues.

Thank you

Sheilagh O'Connell

Director of Family Law Services, Greater Toronto Region,
Legal Aid Ontario

20 Dundas Street West, Suite 201

Toronto, Ontario, M5G 2P4

Direct line: 416-204-7157

E-mail: ocannes@lao.on.ca

