

Legal Aid in BC

Background and Statistics



**Legal
Services
Society**

British Columbia
www.legalaid.bc.ca

March 2016

Who We Are



Our mandate

Created by the *Legal Services Society Act* in 1979, LSS is a non-profit organization that is independent of government.

Our mandate is:

- To help people resolve their legal problems and to facilitate their access to justice
- To establish and administer an effective and efficient system for providing legal aid in BC
- To provide advice to the Attorney General about legal aid and access to justice

Our governance

The society is governed by a nine-member board of directors. Five are appointed by the government and four are appointed by the Law Society of BC after consultation with the BC Branch of the Canadian Bar Association.

The Legal Services Society Act, together with a Memorandum of Understanding and the government's Mandate Letter, govern the relationship between LSS and the Ministry of Justice.

Our funding

LSS receives 95% of its funding from the provincial Ministry of Justice (the federal government provides a contribution to the province).

The society also receives funding from the Law Foundation of BC and the Notary Foundation of BC, which collect interest earned on lawyer and notary trust accounts and pay a portion to LSS.

The Ministry of Justice also provides additional funding for large criminal cases that are managed by LSS but outside the legal aid mandate.

What We Stand For



We focus on outcomes

Our services are designed to help people achieve early, stable and just outcomes, often without having to go to court.

We provide self-help websites and publications, legal information workers, telephone advice lines, educational workshops, Aboriginal programs, mediation and more.

For serious family, child protection, immigration and criminal matters, we provide lawyers to represent clients in court.

We are fiscally prudent

LSS has demonstrated leadership in finding new ways to deliver much needed legal services, while making prudent use of public funds.

The society has robust cost controls and industry-leading reporting systems that monitor service expenditures.

We are innovative and collaborative

LSS has developed medical-legal partnerships, duty counsel and advice programs, pilot projects and collaborative projects.

We are currently working on five pilot projects in collaboration with the Ministry of Justice that are intended to increase access to justice through enhanced legal advice services and early, out-of-court resolution.

We are leaders

LSS is recognized provincially, nationally and internationally for its innovative services and reform proposals.

LSS is also recognized for its work in evaluating the effectiveness of legal aid services and justice reform projects.

What We Do



Legal aid is a continuum of services

Information through self-help websites and publications.

Advice programs to assist people to resolve legal problems on their own (duty counsel in courthouses, telephone advice lines, advice lawyers at Justice Access Centres).

Representation by a lawyer for serious criminal, family, child protection and immigration cases.

2014/15 Client Services

Information	Publications distributed	154,450
	Legal Information Outreach Worker client interactions	8,199
	LSS website visits	399,240
	Family Law self-help website visits	1,037,520
Advice	Criminal duty counsel client visits	69,411
	Immigration duty counsel client visits	1,238
	Family duty counsel and advice lawyer client visits	36,913
	Criminal law telephone advice for persons detained – calls handled	18,800
	Family law telephone advice – calls handled	5,234
Representation	Criminal representation	19,852
	Family representation	3,442
	Child protection representation	2,549
	Immigration representation	714

Community Services



LSS helps communities help themselves

The Legal Services Society helps communities and social service agencies throughout BC to build the strengths and skills they need for legal problem solving.

We do this by providing training and support for community workers and advocates who assist LSS clients and low-income people.

LSS also partners with organizations in rural, remote and Aboriginal communities to connect them to legal aid and other resources.

2014/15 Community Services

Training and Outreach	Community workers and advocates trained in regional legal education workshops and provincial conferences	782
	Outreach events participated in by LSS community partners, Terrace regional centre staff, local agents, and legal information outreach workers	458
Aboriginal Services	Aboriginal Community Legal Worker client assists (Duncan and Nanaimo)	1,247
	Duty Counsel client assists at First Nations' Court in Duncan, Kamloops and New Westminster	267
	Gladue reports	61

LSS's community, Aboriginal and information services, including our publications, are mostly funded by the Law Foundation and Notary Foundation.

Where We Are



Staff offices

Regional centres in Vancouver and Terrace.

Province-wide, toll-free call centre for legal aid applications.

Aboriginal Community Legal Worker in Duncan and Nanaimo.

LSS also provides legal education workshops to hundreds of community advocates and social service providers around the province.



Local agents

Contract agents in 33 communities where you can apply for legal aid and get legal information.

Agents are available at most courthouses and in several Aboriginal communities.



Community partners

Social services agencies in 35 locations who provide legal information and connect people to legal aid services.

Financial Eligibility for Representation

Household Size	Net Household Monthly Income
1	\$1,520
2	\$2,120
3	\$2,730
4	\$3,340
5	\$3,840
6	\$4,550
7 or more	\$5,160

Establishing financial guidelines

LSS's financial eligibility guidelines are based on Human Resources Development Canada's "Market Basket Measure" (MBM) of goods and services adjusted for inflation.

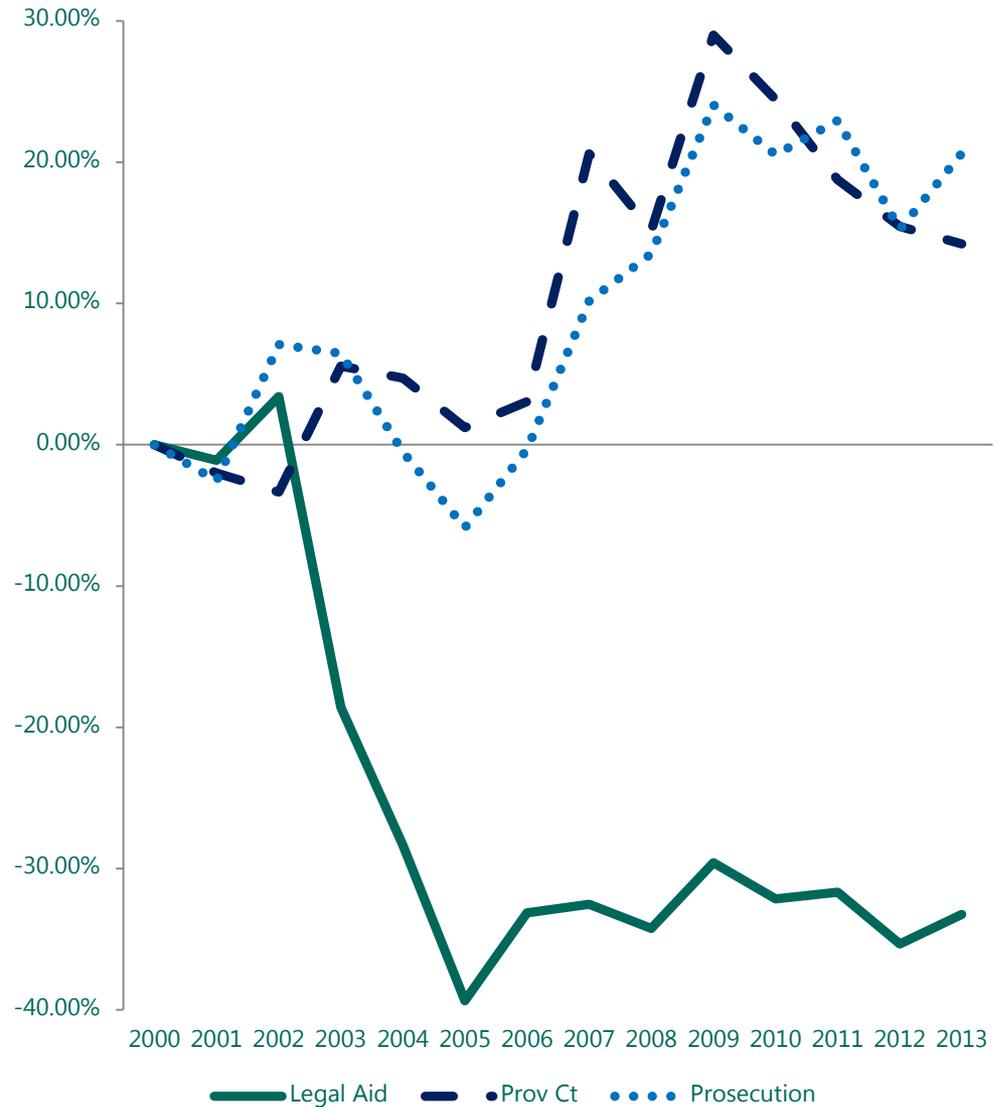
The MBM is a measure of low income based on the cost of specific goods and services representing a modest, basic standard of living.

The financial eligibility cut-off does not represent a person's ability to afford a lawyer.

Justice System Funding

Percentage change in constant dollars

“Legal aid has been under constraint since the mid-1990s, and apart from large case funding, has received very little incremental funding. Despite this it has actively led in producing innovative programs and services. The submissions which touched on resources almost universally called for priority to increases in legal aid funding. In my view, in order for legal aid to play an active and necessary role in the achievement of Provincial Court reforms, incremental legal aid resources would be money well spent.” — Geoff Cowper, QC, *A Criminal Justice System for the 21st Century*



Tariffs and Inflation

Declining tariffs

In 1991, the hourly tariff was \$80. The current rates were introduced in 2006 and have not changed:

- Less than 4 years' experience: \$84;
- 4 to 10 years' experience: \$88;
- 10+ years' experience: \$92.

The current Tier 1 tariff rate of \$84 is equal to just \$55 in 1991 dollars, a decline of 34%. Legal Aid Ontario's top tier is \$136.

Typical fees

- Criminal, breach of probation, guilty plea: \$410.
- Criminal, break-and-enter, 1-day trial: \$1,050.
- Family, restraining order: \$2,500.
- Child protection: \$3,300.

Average/median annual lawyer earnings 2013/14

- Criminal: \$39,700/\$17,400
- Family: \$19,300/\$10,000
- Child protection: \$16,500/\$7,100
- Immigration: \$10,200/\$5,100

