

# Business Plan

2019-2020

Nova Scotia

Legal Aid Commission



**LEGAL AID**  
NOVA SCOTIA

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## Message from the Chair



As I wrap up my final year as Chair of the Nova Scotia Legal Aid Commission after sixteen years serving in the position, it is my pleasure to present the 2019-20 Business Plan on behalf of the Commission. Nova Scotia Legal Aid is entering into the second year of its Strategic Plan, this being the document from which this year's fiscal priorities are chosen.

The focus continues to be client-focused in our operations and focused on important systemic collaborations as we continue to enhance our service delivery. Working with others in the justice system and in the communities we serve to ensure everyone has access, not just to the legal system, but to real justice is important. Nova Scotia Legal Aid and the systems with which it interacts need to become more efficient and more effective, and the Commission sees itself as a leader in this goal.

Nova Scotia Legal Aid continues to improve service to Mi'kmaq and Indigenous clients and to African Nova Scotian clients and their communities, as well as ensuring our staff are provided with ongoing education and tools to provide culturally-aware service.

In addition to providing client-focused service, Nova Scotia Legal Aid continues to operate as good stewards of public funds, in a fiscally sound and accountable manner. In a time of increasing demand in child protection matters, the Commission is moving toward supporting those clients and the staff who work with them while staying on budget.

Donald G. Harding, QC  
Chair

## Services, Programs & Initiatives

### Services

Nova Scotia Legal Aid (NSLA) is legislatively mandated to provide legal representation to vulnerable Nova Scotians. NSLA's focus is on criminal, family and social justice law. The mandate of the Nova Scotia Legal Aid Commission, in so far as Government funding permits, is:

- (a) To deliver quality legal services to qualified applicants with priority for matters involving the liberty and civil rights of individual clients and for matters involving the integrity and protection of an individual's family;
- (b) Such other legal services as Government may contract with the Commission to provide to individuals or groups.

Services provided by NSLA include legal services to help adults and youth facing a range of legal issues. Although some of our services are based on financial need, we have some level of service available to all Nova Scotians. Services provided include: public legal information; legal advice for all Nova Scotians; 24/7 telephone duty counsel; court duty counsel; online chat; community outreach; and full-service representation by a lawyer.

### Service in Core Areas

In NSLA's core areas of criminal, family, and social justice law we provide:

#### Legal Information

- Publications providing legal information are available on our website ([www.nslegalaid.ca](http://www.nslegalaid.ca)).
- Links to other websites that have legal information.
- Online chat sessions with social justice and family lawyers.
- New videos providing legal information are available through a link on our website ([www.nslegalaid.ca](http://www.nslegalaid.ca)).

#### Legal Advice for all Nova Scotians

- No financial qualification.
- NSLA advice at Provincial Court (criminal matters) from a Duty Counsel Lawyer for those charged or detained.
- Advice over the telephone for people detained or under arrest and in police custody, 24 hours per day.
- Summary advice at Family Courthouses, in the community, or in any of our service offices.

#### Legal Representation

- Full legal representation by a lawyer for those meeting financial, area of law, and merit-based qualifications in our three core areas.

In addition to meeting legal needs in our core areas, this assistance is also available for qualified applicants dealing with matters under the *Involuntary Psychiatric Treatment Act*, the *Adult Protection Act* and the *Adult Capacity and Decision-making Act* and the Land Title Initiative in African Nova Scotian Communities

## Program & Initiatives

NSLA continues to operate as a key justice stakeholder working collaboratively towards an effective and efficient justice system. Access to justice for Nova Scotians is a priority for NSLA. Highlights of NSLA's program and initiative priorities, which will be a focus in year two of the 2017-2020 Strategic Plan are outlined below:

### Client-Focused

- Social Justice services (help with issues involving housing or income security) increased and standardized around the Province.
- Continued to increase use of technology to ensure information, advice, and service can be accessed in more ways (e.g. online chat, information videos, improved online application).
- Ongoing improvement of Performance Development Plan process to improve the quality of legal services delivered by our lawyers and staff.
- Increased number of lawyers and support staff recruited and retained who reflect the diverse communities NSLA serves.
- Increased in-person service to diverse communities, including First Nations Communities and correctional facilities.
- Ongoing cultural competency/awareness training for all staff.
- Provision of trauma-informed services recognizing the hardships many of our clients endure.
- Implement a system for improved collection of client feedback to be reported on and utilized to improve service delivery.
- Monitor offices to ensure appropriate staffing levels to client demands.
- Improved wait times for applicants who are seeking legal aid services across the Province.
- Improved identification of clients we serve, particularly Indigenous, African Nova Scotian and immigrant clients, to enhance culturally competent service delivery.
- Updated public Indigenous Justice Initiatives and Equity and Racial Diversity Initiatives are developed, and include recruitment and retention strategies to continue building staff diversity.
- Improved provision of culturally relevant information, navigation and client options by our staff and lawyers.
- Development of an internal database of incidents/complaints by inmates of violence or imminent risk of violence or threats.

## System-Focused

- Non-lawyers, such as Legal Assistants or Paralegals and Court and Family Support Workers, provide increased direct client service along with the Staff Lawyers where appropriate. This will free up lawyers' time to focus on work requiring a lawyer thereby allowing more efficient and more effective service.
- Continue the LTI Pilot in the five African Nova Scotian communities to assist residents therein obtain legal, and marketable, title to their land.
- Ongoing, improved wellness of staff by promoting the Wellness Fund; implementing a Staff Wellness Survey; promoting the services of the Human Resource Specialist (HRS); providing education and opportunities; ongoing caseload tracking to ensure work is manageable and balanced; monthly Team meetings in all offices, and improved mentoring.
- Ongoing professional development of staff through WebEx, in-house conferences, as well as use of Professional Development Fund to attend outside CLE, etc.
- Technology will be used to provide enhanced continuing professional development to employees and Certificate lawyers, including professional development relating to cultural competence.
- Better tracking of work done by staff, other than lawyers, who are providing direct service will be better tracked, accounted for, and reported.
- Improving our intake system to ensure prioritization of appropriate matters so that people spend less time waiting for the help they need.
- Continuing to work in strong collaborative partnerships with justice system and community partners including:
  - ❖ Engaging and supporting private bar lawyers providing service on Certificates;
  - ❖ Department of Justice, including in relation to Domestic Violence Courts, Mental Health & Wellness Courts, development of enhanced Court in Eskasoni First Nation, Restorative Justice, and Maintenance Enforcement;
  - ❖ Department of Community Services working toward systemic solutions to high child protection proceedings (e.g. early resolution options, case conferencing, procedural efficiencies, better recognition of cultural norms in parenting);
  - ❖ Mi'kmaq Communities and leaders around the Province to learn how NSLA can better serve the needs of Mi'kmaq and Indigenous People, particularly in light of over-representation in criminal and child protection systems;
  - ❖ African Nova Scotian Communities and leaders around the Province to learn how NSLA can better serve the needs of African Nova Scotians, particularly in light of over-representation in criminal and child protection systems, and as we develop service under the Land Title Initiative;
  - ❖ Criminal Justice Transformation Group to ensure NSLA brings the perspective of Nova Scotians we serve to cross-sectoral tables which impact service and the function of civil and criminal justice systems;
  - ❖ Nova Scotia Barristers' Society to build a pool of Certificate lawyers who provide excellent service to clients across Nova Scotia;
  - ❖ Correctional Services to address inmate concerns and safety;

- ❖ Residential Tenancies to promote systemic changes which address housing concerns for Nova Scotians.

## Financial

NSLA will operate within budget and ensure resources are allocated based on need and in keeping with strategic priorities. Actions to achieve this goal will include:

- Monthly reports to NSLA Executive focusing on budget variances analysis, allocation of resources to priorities, and mitigation plans if required.
- Monthly reporting on Certificate volume and costs.
- Quarterly meetings of the Commission Audit Finance Committee and Managing Lawyers.
- Timely communication with the Province to ensure transparency as issues arise.

## Commission Expenses Summary

| Commission Expenses Summary<br>(\$ thousands) |                               |                               |                               |
|---|-------------------------------|-------------------------------|-------------------------------|
| <u>Programs and Services</u>                  | <u>2018-2019<br/>Estimate</u> | <u>2018-2019<br/>Forecast</u> | <u>2019-2020<br/>Estimate</u> |
| Legal Aid Services                            | 27,526                        | 27,378                        | 28,130                        |
| <b>Total – Commission Expenses</b>            | <u>27,526</u>                 | <u>27,378</u>                 | <u>28,130</u>                 |
| Grant Revenue:                                |                               |                               |                               |
| Operating Grant (DOJ)                         | 27,006                        | 27,006                        | 27,054                        |
| Employee Future Benefits Grant (DOF)          | 400                           | 400                           | 400                           |
| Interest & Other Revenue                      | 120                           | 178                           | 180                           |
| <b>Total – Grant Revenue</b>                  | <u>27,526</u>                 | <u>27,584</u>                 | <u>27,634</u>                 |
| Surplus (Deficit)                             | -                             | 206                           | (496) <sup>1</sup>            |
| <b><u>Funded Staff (# of FTEs)</u></b>        |                               |                               |                               |
| <b>Total Staff</b>                            | 181.2                         | 180.2                         | 184.2 <sup>2</sup>            |

<sup>1</sup> The 2019-2020 deficit will be covered from surplus funds of the Commission. The amount of unrestricted net assets of the Commission has been drawn down over the last several years, however they are sufficient to cover the budgeted deficit.

<sup>2</sup> Includes 4 additional staff that will be hired to partially meet the demands of the family pressures NSLA is facing.