

Business Plan

2021-2022

Nova Scotia

Legal Aid Commission



LEGAL AID
NOVA SCOTIA

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Message from the Chair



It is my pleasure to present the 2021-22 Business Plan on behalf of the Nova Scotia Legal Aid Commission. Nova Scotia Legal Aid (NSLA) continues to move forward with its Strategic Plan, this being the document from which service and operational priorities are chosen.

The pandemic required NSLA to adapt quickly and to be flexible in how service was provided throughout the past year. Without losing sight of strategic priorities, NSLA was able to transition staff to remote working, and back again. Our services went largely virtual and NSLA worked in strong collaboration with other justice sector stakeholders to reimagine how court and justice happened. The essential piece of this work was to ensure that vulnerable Nova Scotians were not left behind and remained able to participate in the justice system.

Moving forward, NSLA will continue to improve access to justice for those most at risk. This will include continued advocacy for greater use of restorative justice to divert matters from criminal courts, continuing to assist at the earliest stages in child protection matters to reduce matters before the court, and to work with Maintenance Enforcement to allow fast-tracked resolutions for those with unforeseen reductions to their income.

NSLA will also move forward with its commitment to improve equity and diversity within the organization and in how we provide service to Nova Scotians. As an example, our Indigenous and African Nova Scotian Social Workers will continue to support clients before criminal and child protection courts, including enhancing support for those before the Domestic Violence Court and the First Nations Court in Wagmatcook.

Nova Scotia Legal Aid will continue to operate in a fiscally sound and accountable manner. As demands for service continue, the Commission will ensure core services are maintained while continuing to innovate according to identified strategic priorities while staying on budget.

George Ash,
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).
- Links to other websites that have legal information.
- Online chat sessions with social justice lawyers/advocates and family lawyers.
- Videos providing legal information are available through a link on our website (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/7 days a week.
- 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, assistance is also available for qualified applicants dealing with matters under the *Involuntary Psychiatric Treatment Act*, the *Adult Protection Act*, the *Adult Capacity and Decision-making Act*, and the Land Title Initiative in African Nova Scotian Communities.

Program & Initiatives

NSLA will continue to operate as a key justice stakeholder working collaboratively towards an effective and efficient justice system. Access to justice for Nova Scotians remains a priority for NSLA. Highlights of NSLA's program and initiative priorities for 2021-22 are outlined below:

Client-Focused

- Safe and responsive options for client service, including increased telephone/video appointments, and Public Health compliant in-office or in-court service.
- All offices set up to allow clients to attend video proceedings in-office with their lawyer in keeping with Public Health measures.
- Social Justice services (help with issues involving housing or income security) increased and standardized around the Province.
- Increase focus of early resolution, where appropriate, which allows better results for clients and alleviates pressure off other justice and social systems.
- Continue to increase use of technology to ensure information, advice, and service can be accessed in more ways.
- Develop and implement updated Equity and Diversity Strategy following receipt of Equity Audit.
- Recruit and retain an increased number of lawyers and support staff who reflect the diverse communities NSLA serves.
- Increase and re-imagine outreach service to diverse communities, including First Nations Communities.
- Ongoing cultural proficiency for all staff and the Commission.

- Improve and raise awareness regarding trauma-informed services recognizing the hardships many of our clients endure.
- Monitor offices to ensure appropriate staffing levels reflective of client demands.
- Improve identification of clients we serve, particularly Indigenous, African Nova Scotian and immigrant clients, to enhance culturally proficient and legally responsive service delivery.

System-Focused

- Continue updating of, and staff training, on tech solutions to allow shifts to remote work without service disruptions.
- Continue increased use of non-legal staff, such as Legal Assistants or Paralegals and Court and Family Support Workers, to provide increased direct client service along with the 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 Land Title Initiative (LTI) in the five African Nova Scotian communities to assist those residents in obtaining legal, and marketable, title to their land.
- Migration to fully digital filing and storage of client files.
- Ongoing and improved wellness of staff by promoting the services of the Human Resource Specialist; ongoing caseload tracking to ensure work is manageable and balanced; and improved mentoring.
- Ensure excellence in service and staff retention through ongoing professional development with expansion of online professional development sessions.
- Support Certificate Lawyers by simplifying processes and offering continuing professional development, research services, and access by clients to the services of Social Workers to assist with files.
- Improved tracking of work done by non-lawyer staff who are providing direct service to clients.
- Continue to work in strong collaborative partnerships with justice system and community partners including:
 - ❖ COVID response committees working in the criminal and family courts around the Province.
 - ❖ Department of Justice, including in relation to Domestic Violence Courts, Mental Health & Wellness Courts, Restorative Justice, and Maintenance Enforcement.
 - ❖ Department of Community Services working toward systemic solutions to a high volume of 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 continue service under the Land Title Initiative.
- ❖ Criminal Justice Transformation Group to ensure NSLA brings the perspective of Nova Scotians we serve to cross-sectoral table which impact service and the function of civil and criminal justice systems.
- ❖ 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 communications with the Province to ensure transparency as issues arise.
- Transition to electronic payments to private bar and vendors.

Commission Expenses Summary

Commission Expenses Summary (\$ thousands)			
<u>Programs and Services</u>	<u>2020-2021 Estimate</u>	<u>2020-2021 Forecast</u>	<u>2021-2022 Estimate</u>
Legal Aid Services	28,984	29,665	30,417
Total – Commission Expenses	<u>28,984</u>	<u>29,665</u>	<u>30,417</u>
Grant Revenue:			
Operating Grant (DOJ)	27,824	28,719	29,621
Employee Future Benefits Grant (DOF)	440	716	716
Interest & Other Revenue	220	230	80
Total – Grant Revenue	<u>28,484</u>	<u>29,665</u>	<u>30,417</u>
Use of NSLA net assets	(500)	-	-
Surplus (Deficit)	-	-	-
<u>Funded Staff (# of FTEs)</u>			
Total Staff	189.6	189.6	189.6