

Business Plan

2022-2023

Nova Scotia

Legal Aid Commission



LEGAL AID
NOVA SCOTIA

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Message from the Chair



It is my pleasure to present the 2022-2023 Business Plan on behalf of the Nova Scotia Legal Aid Commission. Nova Scotia Legal Aid (NSLA) moves into its last year of the current Strategic Plan. NSLA's Strategic Plan provides the framework for service and operational priorities.

NSLA continues to focus on innovative approaches to service and operations in response to the pandemic, including considerations of hybrid models of criminal and family duty counsel services, technological investment to support a flexible and mobile workforce, adopting virtual platforms to provide professional development and support community outreach. The role of IT in supporting a mobile and flexible workforce includes supporting continued use of digital platforms in the justice system, providing the analytical support for our diversity, equity, and inclusion work, and supporting outcomes-based data collection and analysis.

NSLA continues to work in strong collaboration with other justice sector stakeholders to support individuals and families navigating our criminal, family, and civil systems. Looking forward, NSLA will continue to identify opportunities to ensure that vulnerable Nova Scotians are not left behind and remain able to participate meaningfully in the justice system.

In March 2021, in keeping with our client-focused priorities, NSLA's Certificate Tariff was reviewed. Several recommendations were made based on this review to improve and support our private bar partners in continuing to provide service on conflict and other matters; recognizing an investment in the Certificate Tariff system is an investment in justice overall for low-income Nova Scotians.

In October 2021, the NSLA Commission approved NSLA's first Diversity, Equity, and Inclusion (DEI) Strategic Plan (2021-2023). This Strategic Plan reflects NSLA's ongoing commitment to diversity, equity, and inclusion in the delivery of client services and in its workforce. It reflects NSLA's commitment to providing culturally proficient services and ensuring staff have the necessary supports to undertake their work. NSLA recognizes that we can only fulfill our core values by respecting each other and those we serve; being accountable for our actions and focusing on the good of the whole. This Strategic plan will be a key priority of the NSLA Commission moving forward.

As part of NSLA's commitment to increasing access to justice for our most vulnerable Nova Scotians, NSLA will include a commitment to a mental health initiative that will incorporate elements of early intervention, triage and support for individuals navigating the justice system, including our Wellness Courts, Domestic Violence Courts, and our First Nations Court in Wagmatcook. Other access to justice commitments include support for increased 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 through our Child Protection Practice Group; enhancing social justice services through the use of non-lawyer services such as the Social Justice Support Worker in Cape Breton; and continued reliance on the expertise and experience of our Indigenous and African Nova Scotian Social Workers who support our clients in criminal and child protection matters.

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 chats; 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.

Programs & 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 2022-2023 are outlined below:

Client-Focused Goals

(Clients will have improved access to Justice; clients are provided service in accordance with values; and services are culturally responsive.)

- Full service in family, criminal and social justice services are provided for all eligible Nova Scotians who need it.
- Increased focus on early resolution, where appropriate, which allows better results for clients and alleviates pressure off other justice and social systems through support, evaluation, and development of the Child Protection Practice Group.
- Safe and responsive options for client service, including increased telephone/video appointments, and Public Health compliant in-office or in-court service.

- Safe and responsive options for clients to attend video proceedings in-office with their lawyer compliant with Public Health measures.
- Development of further appropriate IT training for staff to enhance flexibility in the way our legal teams are supported; improved usage of software and media applications to improve efficiency in work product output to better support client service.
- Implementation of the Diversity, Equity and Inclusion Strategic Plan including improved self-identification of particularly Indigenous and African Nova Scotian clients, increased recruitment, support and retention of lawyers and support staff that reflect the diverse communities we serve and enhanced culturally competent/aware service delivery.
- Increased outreach service to diverse communities, including First Nations Communities and correctional facilities.
- Improve the collection of self-identification data of clients we serve, particularly Indigenous and African Nova Scotians clients, to enhance culturally proficient and legally responsive service delivery.
- Improve the collection of self-identification data of staff to ensure that we reflect the diverse communities we serve.
- Increased trauma informed practices to support our clients and staff.
- Increased support for NSLA lawyers appearing in all levels of court and before administrative tribunals dealing with social justice issues, including innovative service options such as the Social Justice Support Worker in Cape Breton.
- Continued monitoring of offices to ensure appropriate staffing levels are reflective of client needs.
- Continue to improve wait times for Nova Scotians who are seeking legal aid services across the Province.
- Increased use of the website, social media and online services including the online chat for family and social justice matters by Nova Scotians.

System-Focused Goals

(Programs are efficiently delivered; NSLA works in strong partnerships; staff have necessary supports for work.)

- Utilize the Diversity, Equity, and Inclusion (DEI) 3-year Strategic Plan to develop and implement a Workplan to create an organization that leverages DEI as a source of

enrichment and strength in delivering excellent client service and fostering a workplace grounded in justice, civility, and respect.

- Continue to play a key role in 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.
- Support Certificate Lawyers by digitizing billing processes; offering free continuing professional development, research services, and the services of our Indigenous and African Nova Scotian Social Workers to assist clients.
- Improved wellness of staff by restructuring the Wellness Committee and developing terms of reference; promoting the Wellness Fund; promoting the services of the Human Resources Lead; implementing a Staff Wellness Survey; providing education and career-development opportunities; ongoing caseload tracking to ensure work is manageable and balanced; monthly team meetings/regular staff check-ins in all offices, and improved mentoring.
- Increased support of non-lawyers, including Legal Assistants, Family Support Assistants, Court Support Workers, Social Justice Advocates, and other support workers to provide increased direct client service, where appropriate.
- Work done by staff other than lawyers, who are providing direct service, will be better tracked, accounted for, and reported.
- Ensure excellence in service and staff retention through ongoing professional development with expansion of online professional development sessions.
- Ongoing professional development of staff through Microsoft Teams, in-house conferences, as well as use of the Professional Development Fund to attend outside continuing legal education (CLE), etc. that includes a commitment to trauma informed approaches and staff resiliency.
- Continued updating of tech solutions and staff training to allow shifts to remote work without service disruptions.
- Migrate to fully digital filing and storage of client files.
- 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.
 - ❖ 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.

- ❖ Department of Justice, including in relation to Domestic Violence Courts, Mental Health & Wellness Courts, Restorative Justice, and Maintenance Enforcement.
- ❖ Department of Community Services and Courts in working toward human centered solutions for child protection proceedings (e.g., early resolution options, case conferencing, procedural efficiencies, better recognition of cultural norms in parenting).
- ❖ Department of Health and Wellness, including the *Psychiatric Treatment Act* Advisory Team.
- ❖ Access to Justice Committee (NS) stemming from the National Action Committee to build on the work of the pre-existing Access to Justice Coordinating Committee that finished their three-year term in 2019.
- ❖ 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.
- ❖ 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>2021-2022 Estimate</u>	<u>2021-2022 Forecast</u>	<u>2022-2023 Estimate</u>
Legal Aid Services	30,515	31,050	31,158
Total – Commission Expenses	<u>30,515</u>	<u>31,050</u>	<u>31,158</u>
Grant Revenue:			
Operating Grant (DOJ)	28,892	29,745	29,450
Employee Future Benefits Grant (DOF)	814	840	919
Other Grant Funding	729	150	729
Interest & Other Revenue	80	115	60
Total – Grant Revenue	<u>30,515</u>	<u>30,850</u>	<u>31,158</u>
Use of NSLA net assets	-	(200)	-
Surplus (Deficit)	-	-	-
<u>Funded Staff (# of FTEs)</u>			
Total Staff	194.2	194.6	194.6