

Bridging the Gap: The Prospect of Integrated Service Centres

**The Dean's Forum on Dispute Resolution and Access to
Justice**

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March 13th, 2014

Why is this important?

A significant segment of the Canadian population is unable to access the necessities required to address their legal issues and concerns. Broadly speaking, this includes inadequate:

- Knowledge
- Services
- Resources

Why is this important?

This gap in accessibility is due to several reasons, including:

- Rising cost of legal representation
- Complexity of the justice system
- Difficulty in navigating the justice system
- Inaccessibility of legal language
- Lengthy process in pursuing legal action

Some Statistics

- In SK, Legal Aid eligibility for individuals is a net annual salary of \$11,820
- National range of legal fees for a 2-day trial is \$13,561-\$37,229
- 20% of the population take no meaningful action with respect to their legal problems
- Approximately 50% of people try to solve their problems on their own or with minimal assistance
- Roughly 20% of Canadians have the literacy skills to fully understand complex legal documents and language

WHAT ARE THE GENERAL NEEDS OF SRLS?

- Assistance with forms 97%
- Referrals to related services 33%
- Plain language information/education 94%
- Legal advice 83%
- Legal representation for a case 64%
- Drafting court documents and orders 76%
- Court preparation 74%
- Other 12%

Common Themes

- **Early Intervention**
- **Assistance in navigating the justice system**
- **People are falling through the cracks**
- **Information**
- **Multidimensional and multidisciplinary approach**
- **Online Help**
- **Promotion of Alternative Dispute Resolution**
- **Location**
- **Personal Assistance**

Point to Ponder

Are there currently any other gaps in legal services or ways that you feel an integrated service centre can address relevant problems in the justice system?

Let us consider the everyday clients we are trying to help

Joe Stevenson

- 35 years old
- Unemployed
- Living on social assistance
- 3 kids; 1 from a previous relationship
- Common law wife
- Former partner has returned and wants custody of their child
- Lives in inner-city Regina

Sarah Littlefoot

- 53 years old
- Divorced, 2 adult children
- Has worked as a receptionist at Accounting LLP for 25 years
- Recently dismissed from her job without notice
- Believes the dismissal was due to her age
- Lives in Watrous

Relating these themes back to Joe and Sarah we find:

Joe

- Struggles with literacy issues
- Does not have an internet connection at home
- Scared he will lose his child
- Needs help immediately
- Needs more services than legal representation

Sarah

- Struggles with legal literacy
- Finds it difficult to navigate through internet resources
- Unsure of how to proceed because she doesn't qualify for Legal Aid and cannot afford legal representation
- Feels that it may be easier to ignore her legal problem than struggle to get service

Uniqueness of Saskatchewan

Challenges:

- Resource allocation
- Geographical constraints
- Strengths and weaknesses of online portal model or physical service centre model
- Sensitivity to social and cultural minorities
- Issues specific to the Aboriginal community
- Awareness of rural vs urban needs
- Broad spectrum of population that need access to legal services

Structural Issues to Consider for Service Centre Implementation

- Methods of Providing Information
- Offering of Advice and Providing Representation
- Range of Services
- Method of Conveyance
- Location of Services
- Qualification for Services

Structural Issues in relation to the everyday client: Methods of Providing Information

	Joe	Area of Overlap	Sarah
Online Information	- Unable to access from home	- In both circumstances the information is not able to be adequately <u>conveyed</u>	- Difficulties finding and navigating resources
Written Works	- Literacy issues	- In both circumstances the information is not able to be successfully <u>understood</u>	- Legal Literacy issues
Programs and Workshops	- Has little formal education and finds it challenging to follow the presentations at the same rate as other participants	- Combats literacy issues and creates an environment to openly ask questions - Geographical constraints (location, transportation) - Scheduling/timing difficulties - Availability of particularized help	- Afraid to ask for further assistance/clarification in a group setting - Feels uncomfortable speaking about her problems in a group
Triage and Referral	- Helpful to navigate the legal and non-legal problems	- Able to meet particularized needs of the parties - Expensive in terms of resources - May have waiting times/scheduling troubles	- Finds guidance and is able to formulate a plan for her next steps
Walk-in Information Centre	- Trouble meeting standard office hours due to parental obligations	- Helps the individual feel well taken care of - Resource/staffing problems	- Feels comfortable in a one on one setting - Must commute to larger urban centres to access services

Structural Issues in relation to the everyday client: Offering of Advice and Providing Representation

	Joe	Area of Overlap	Sarah
Clinical Students	- Feels uneasy about students handling his file for such a sensitive matter	- Limited in areas of knowledge/expertise in exchange for availability/low cost	- Feels embarrassed to speak about her problem to people half her age
Legal Aid	- May or may not qualify for service	- Limited to family and criminal law matters	- Does not qualify
Pro Bono Lawyers	- Has a variety of issues that require multiple people (non-legal problems as well)	- Larger area of expertise/locations - Service may be limited by available hours	- Convenient locale to access - Number of hours available inadequate to allow for assistance throughout entire process, must pick and choose services
Government staffed Clerks	- Bad experience with government officials	- Provide a broader range of services based on the needs of the client	- Feels more comfortable with official government clerks
Other Professionals	- Access to family justice specialists	- Provides for a range of services not limited to the courts/tribunals	- Access to ADR representatives

Structural Issues in relation to the everyday client: Range of Services

	Joe	Area of Overlap	Sarah
Consultations	<ul style="list-style-type: none"> - Reluctant to explain all aspects of the issue for fear of being judged 	<ul style="list-style-type: none"> - Clients are provided with information on how to proceed, however, ultimately up to them if they continue 	<ul style="list-style-type: none"> - Not comfortable taking away information and proceeding self represented
Full representation	<ul style="list-style-type: none"> - More comfortable opening up to one person who will help him resolve issue 	<ul style="list-style-type: none"> - Providing resources costly - Assists and provides understanding throughout entire legal ordeal 	<ul style="list-style-type: none"> - Would appreciate assistance throughout the lengthy process
Providing non-legal advice and referrals	<ul style="list-style-type: none"> - Helpful for the non-legal aspects currently faced in his family situation 	<ul style="list-style-type: none"> - Available to those who require additional assistance as it becomes necessary/appropriate 	<ul style="list-style-type: none"> - Not applicable in current situation
Offer referrals to other firms or agencies when unable to provide assistance	<ul style="list-style-type: none"> - Does not have the time or resources to go from place to place - Frustrated by being continually referred to different organizations 	<ul style="list-style-type: none"> - Exhausting for the client to get passed from one place to the next - Emotionally and intellectually taxing - Clients are not provided with answers, but at least with a location who can provide those services 	<ul style="list-style-type: none"> - Skeptical/hesitant to explain the problem to too many different agencies

Structural Issues in relation to the everyday client: Method of Conveyance

	Joe	Area of Overlap	Sarah
Online Information	<ul style="list-style-type: none"> - Inconvenient - Issues of comprehension if accessed 	<ul style="list-style-type: none"> - Accessible 24/7 to those with services and ability to understand information 	<ul style="list-style-type: none"> - Ineffective conveyance and comprehension
Telephone	<ul style="list-style-type: none"> - Struggles to adequately communicate the issue by phone 	<ul style="list-style-type: none"> - Convenient - Ease of access - Impersonal 	<ul style="list-style-type: none"> - Finds this to be the easiest form of communication - Convenient, not hindered due to more rural location
Appointments	<ul style="list-style-type: none"> - Prefers this method to meet his chaotic schedule - Transportation issues - Keeps irregular hours 	<ul style="list-style-type: none"> - Costly in terms of resources - Beneficial as all parties involved know schedule for the day 	<ul style="list-style-type: none"> - Most convenient as traveling from out of the city - Ensures there will be an opportunity to discuss issue
Walk-in	<ul style="list-style-type: none"> - Concerned with wait times as primary care provider for 3 young children 	<ul style="list-style-type: none"> - Costly in terms of resources - Issues of availability/wait time for clients - Potential waste of resources if under utilized at certain days/times 	<ul style="list-style-type: none"> - Would rather not make the drive as she does not know if she will have the opportunity to talk with someone

Structural Issues in relation to the everyday client: Location of Services

	Joe	Area of Overlap	Sarah
Online Information	- Ineffective	<ul style="list-style-type: none"> - Accessible 24/7 to those with services and ability to understand information - Cost effective - Helpful for guiding further action 	- Ineffective
Courthouse	- Has underlying anxiety about going to courthouse	<ul style="list-style-type: none"> - Logical location for someone seeking legal help but unsure where or how to find it - Geographical constraints - Legal connotations 	- May not know she requires legal assistance so may not consider going to the courthouse for help
Neutral Location	- Lives in urban center	<ul style="list-style-type: none"> - Possibility for rural or urban locations - Addresses fears/anxiety of going to the courthouse - Potential issue of location awareness 	- Lives in rural community

Qualification for Services

Considering who would qualify for services, we must also evaluate the following concerns:

- Most clinical services are currently geared towards those below the poverty line. Would taking a similar approach fail to address identified barriers and gaps?
- What about the middle class? Consideration of projected costs for legal issue resolution
- Considering non-monetary barriers such as language, ethnic background, topic of public interest, etc.
- What kind of legal/non-legal issues are more likely to receive service? Are there some legal problems that are less prone to getting served by the service centre?
- Would it be better to cast a broad net for people who receive services or to focus on a targeted segment of the population? What are the implications for choosing one basis over another?

Structural Issues in relation to the everyday client: Qualification for Services

	Joe	Area of Overlap	Sarah
Below the poverty line	- Qualifies for services	- None - Significantly limits the availability of resources	- Makes too much money to qualify
Projected legal costs	- Still qualifies for services	- Considers not only income, but also whether or not the person can feasibly afford the projected costs required to reach a just result	- Will allow legal assistance in a manner which would likely have gone unaddressed
Non-monetary barriers	- Socio-economic stigma	- Neither client possess the legal knowledge to understand their rights or the correct process to approach their situation - Generate program to accommodate underlying aspects such as language and ethnicity	- Aboriginal status
Range of legal areas/services	- Are family law services available?	- How wide of a net is cast? - Potential clients need to know if service is not available then where it is provided.	- Employment Law and ADR, are those services available?
Range of non-legal services	- Family counselling, classes, etc..	- Same as above.	- Possible employment help?

Points to Ponder

What would an ideal integrated service centre look like to you?

How would you model an integrated service centre to meet the multi-dimensional needs of the Saskatchewan population?

Are there other social services that you feel are relevant to include in this model? If so, what?

Implementation

In efforts of working towards the goal of an integrated service centre, issues concerning implementation must also be addressed. Areas to consider include:

- Funding
 - Initial startup as well as operating costs
- When should an implementation committee be designated and who should be involved
- Prospective location
 - Province-wide to determine areas most in need
 - Specific address location
 - Whether it should be affiliated with the Courthouse
- Stakeholders involved
 - How staffing and training should be conducted

Points to Ponder

*What role can you play in the implementation of an integrated services centre? What **specific** expertise can you contribute to the development of a centre?*

Summary

- Why is this important?
- What are some common themes/issues?
- Who are we looking to serve?
- What are some useful models?
- What are barriers to implementation?
- How can we move forward?
- What role(s) can you play in resolving these issues?