

Paths to Justice: Navigating with the Wandering Lost

Providing Access to Justice in Rural and Linguistic Minority Communities in South-Eastern Ontario

**Report and Recommendations of the Five County
Connecting Region Project**

To

The Law Foundation of Ontario

and

**Community Partners in the Counties of Frontenac,
Hastings, Lennox & Addington, Northumberland and
Prince Edward**

March 2011

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Acknowledgements

This project would not have been possible without the special contributions of many people and many organizations.

We would like to offer our special thanks to:

- The Law Foundation of Ontario for supporting and funding Phase I of this Five County Connecting Region Project from their Access to Justice Fund.
- All the focus group participants and key informants who took the time to meet with us and provided their valuable insights and feedback.
- The community partners who kindly hosted a focus group:
 - Bancroft: Metis Nation of Ontario
 - Madoc: Madoc Resource Centre
 - Picton: Community Living Prince Edward
 - Tyendinaga: Tahatikonhsotontie Head Start
 - Sharbot Lake: Sharbot Lake Family Health Team
 - Northbrook: Land o' Lakes Community Services
- Project Manager Pamela Cross for working so closely and ably with the Project Advisory Committee to produce this report and facilitating the research, community consultations, interviews, informal conversations, and the planning, development and evaluation meetings that preceded its writing.
- Project Administrative Assistant Peter Kerr who kept Project Advisory Committee members coordinated and organized despite the large geographic distances between us. And the formatter, copy editor and proofreader for this final report, Carolyn Hamilton, whose special skill and ever-patient approach made it a much easier task than it might otherwise be.
- The partner organizations participating in this project who provided in kind contributions of staff time to realize the project's aspirations including:
 - Community Advocacy & Legal Centre (CALC)
 - Kingston Community Legal Clinic (KCLC)
 - Legal Aid Ontario's Durham/Frontenac District Office (LAO)
 - Northumberland Community Legal Centre (NCLC)
 - Queen's Legal Aid (QLA) a Student Legal Aid Services Society
 - Rural Legal Services (RLS)

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Executive Summary

The purpose of the Five County Connecting Region Project (Five County Project) was to lay the groundwork, through research, community consultation and conversation, for an ongoing cross-sectoral collaborative consortium. This consortium is intended to develop and deliver programs that will enhance access to legal information and services for low-income residents of the five counties — Frontenac, Lennox & Addington, Hastings, Prince Edward and Northumberland — who live in rural and/or remote communities and/or who do not speak English or French. This approach to regional planning for access to justice was recommended in a 2008 Report to the Law Foundation of Ontario called *Connecting Across Language and Distance: Linguistic and Rural Access to Legal Information and Services* (Cohl & Thomson, 2008).

The project was carried out by a five county network of legal organizations that receive their primary funding from Legal Aid Ontario (LAO). Forming a Project Advisory Committee to undertake this work, project partners used an action research methodology and met regularly to discuss and analyze the information and data being collected through their research. In addition to identifying existing promising practices to reach their hard-to-serve populations, their research also included:

- A literature review
- 14 focus groups with service providers across the five counties in the project
- A data collection survey completed by focus group participants
- One-on-one interviews with key informants
- A focus group with LAO- funded specialty legal clinics
- Case study interviews with clients with multiple legal needs
- An assessment of related developments that could contribute to developing a regional planning and coordination approach.

Based on its research findings, the project partners established three desired outcomes for possible future work using a regional planning approach:

- **Lifting legal literacy**
- **Creating community capacity**
- **Enhancing legal service delivery**

To help achieve the first two outcomes, they developed a vision statement, a statement of principles, and a governance structure and propose three projects to the Law Foundation of Ontario.

“My clients are the wandering lost.” Community worker, southern rural community.

The projects are designed to build on the strengths of our rural, remote and linguistic communities by supporting the development of a stronger community infrastructure so that the “paths to justice” would become more visible and less daunting, and that “trusted intermediaries”, which include both service providers and community members, would find it easier to help people navigate the system. The three projects being proposed to the Law Foundation of Ontario to **lift legal literacy** and **create community capacity** are:

1. Launching LEARN (Legal Education & Advocacy Regional Network)

Objectives: To create LEARN – the Legal Education & Advocacy Regional Network, a strong team of legal and non-legal partners who will develop, implement and evaluate projects that will increase access to justice in the rural and linguistic minority communities within the five counties covered by this project.

This Network will reach into all five counties, creating vibrant **Community Working Groups** (CWG) of non-legal service providers that will provide ongoing needs and capacity assessments and assist with implementation of community-based projects. Representatives from the CWG will form a consultative **Regional Advisory Council**, which will be supported by an Executive Committee/Secretariat and a Lead Agency that will provide oversight for the projects.

2. LEARN LAW (Legal awareness and advocacy workshops)

Objectives: To increase the capacity of trusted intermediaries (non-legal service providers) to identify when clients have legal problems and provide them with basic legal information and/or warm referrals to appropriate legal services (including websites and telephone-based services), thus reducing referral fatigue.

This project will work with service providers along a continuum from those who wish to be able to make more effective legal referrals, without providing legal information, to those who wish to have increased legal knowledge and information to share with their clients or communities or to advocate on behalf of clients. A number of activities are proposed that include delivering legal information modules in various formats, creating interactive internet-based resources, and developing an enhanced *Access to Justice Toolkit*. Partnerships with the provincial specialty legal clinics, private bar lawyers and others are proposed to develop legal content.

3. LEARN Legal Literacy

Objectives: To increase the community's collective understanding of the law and legal issues and to create capacity in the community-at-large to remove barriers to linguistic and rural and remote access to legal information and services.

This project includes both outreach activities and a number of legal literacy building initiatives that will reach into rural and remote areas and linguistic communities through legal information columns in free community newspapers, radio, and a variety of other means. Linguistic communities that will be reached include the Deaf.

Proceeding with these three projects to support regional planning, build community capacity and enhance legal literacy is conditional on receiving funding from the Law Foundation of Ontario. Next steps include developing a funding proposal to the Law Foundation if invited to do so and, in the interim, collaborating on two experimental initiatives to build community capacity and legal literacy.

To accomplish the third desired outcome—**enhancing legal service delivery**—members of the Project Advisory Committee have agreed to form a Five County LAO Service Coordination Network (Five County Network) to examine ways that they can collectively enhance the delivery of LAO-funded services, in response to concerns raised during the consultations. The Five County Network will be approaching LAO to propose a pilot project to enhance the coordination of legal services delivered to individual clients by LAO-funded service providers.

Introduction

In 2009, the Law Foundation of Ontario (LFO) announced funding for community-based projects that would build on the work and recommendations of its 2008 report: *Connecting Across Language and Distance: Linguistic and Rural Access to Legal Information and Services* (Connecting Report). The research that led to that report, conducted by Karen Cohl and George Thomson, came about as a result of grant applications to the LFO's Law and Innovation Fund in 2007, which revealed that there were "pervasive barriers to access to legal information and services for people who do not speak English or French and people living in rural and remote areas of Ontario." (Cohl & Thompson, 2008, p. 1).

The Connecting Report articulated a vision for a coordinated system to increase access to justice:

"Legal and non-legal organizations will work together as a coherent system to improve access to legal information and services for persons who do not speak English or French or who live in rural or remote areas of Ontario, especially those who are low-income or vulnerable." (Cohl & Thompson, 2008, p. 60)

After identifying specific barriers and providing a comprehensive list of possible approaches and opportunities to overcome those barriers, Cohl and Thomson (2008) recommended that the LFO make a strategic investment in six areas:

- **Build Community Capacity** – Using a consortium approach, develop strategies to improve the capacity of non-legal community organizations to provide basic legal information and referral to their clients
- **Regional Planning Model** - A coordinated approach for enhancing linguistic and rural access to legal information and services in a designated geographic area
- **Ontario Legal Interpretation Network** - Create a legal interpretation network to improve access to interpreters, enhance quality assurance and build a community of practice for interpretation in legal and community settings
- **Videoconferencing Pilot Projects** - Test strategies for using videoconferencing to increase linguistic and rural access to legal information and services
- **Articling Fellowships** – Offer new articling fellowships to enhance the capacity of organizations providing legal services to persons isolated by language or distance
- **Learning from the Experience** – Develop ways to ensure that knowledge generated from this project and related initiatives is broadly accessible and contributes to our collective understanding of how best to remove barriers to linguistic and rural access to justice. (Cohl & Thompson, 2008, pp. 6-7)

Believing it would be possible and highly desirable to pilot unique approaches to building community capacity, and to develop a regional planning model, a group of four community legal clinics in south-eastern Ontario, a university student legal aid clinic and staff from a Legal Aid Ontario (LAO) District Office decided to apply for funding to carry out a Connecting Region Project. Most had been members of the former LAO Four County Service Coordination Network (Four County Network). Made up of staff from the aforementioned organizations in Frontenac, Lennox & Addington, Hastings and Prince Edward counties, the network's voluntary and aspirational mandate had been to:

- Ensure that clients receive the Legal Aid Ontario (LAO)-funded services they are eligible for quickly and efficiently
- Assist clients who approach LAO partners in having their needs assessed holistically
- Increase the responsiveness of LAO-funded organizations to local needs and capacities and their ability to propose solutions for serving unmet client legal needs
- Support staff in working cooperatively and collaboratively with one another
- Enhance the ability to deliver high quality legal services in a cost effective way with LAO resources
- Assist clients with consistent and accurate referrals to other advocacy resources and "access to justice" services when LAO-funded organizations cannot provide the service a client requires

Although it was not a funded or officially-recognized initiative, members of the Four County Network had met several times a year for several years to develop common referral resources and protocols, to provide job-shadowing opportunities and joint training and learning for staff, and to share information about their services.

Based on their history of collaborating to increase the quality and quantity of LAO-funded services, the Four County Network, expanded to include a fifth county — Northumberland County -- and then applied for funding for a Phase I Connecting Region project. As part of the application process, demographic and geographic information was provided. Members provided details of the transportation, housing, education, communication and internet access challenges in addition to a preliminary assessment of the linguistic needs. (See Appendix I.)

Work on the project began in Spring 2010 with the hiring of a Project Manager and the establishment of the Project Advisory Committee (PAC) made up of staff from:

- Northumberland Community Legal Centre in Cobourg (NCLC)
- Community Advocacy & Legal Center in Belleville (CALC)
- Kingston Community Legal Clinic (KCLC)
- Rural Legal Services in Sharbot Lake (RLS)
- Queen's Legal Aid (QLA) a Student Legal Aid Services Society, and
- LAO's Durham/Frontenac District Office

Terms of Reference were developed and members agreed to a comprehensive work plan. (See Appendix II for the PAC Terms of Reference.)

Purpose of Project

The purpose of the Five County Connecting Region Project was to lay the groundwork, through research, community consultation and conversation, for an ongoing cross-sectoral collaborative consortium that would be able to develop and deliver programs that would enhance access to legal information and services for low-income residents of the five counties — Frontenac, Lennox & Addington, Hastings, Prince Edward and Northumberland — who live in rural and/or remote communities and/or who do not speak English or French.

More specifically, the project provided an opportunity for the members of the former Four County Network (which became a Five County Network during the life of the project) to lay the groundwork for improved services by:

- Articulating a regional vision for access to justice to galvanize support for improving service delivery
- Maximizing the use of existing legal services by improving referrals, increasing outreach about services and finding new ways to collaborate on service delivery
- Strengthening existing partnerships with both legal and non-legal organizations with a shared vision and a willingness to work collaboratively to:
 - Increase capacity to identify legal issues
 - Map existing access or intervention points in each community where legal information and advocacy services are provided
 - Create referral resources which are accurate and comprehensive and can be accessed over the internet and encourage service providers to use those resources

- Develop a preliminary regional access to justice plan with the baseline standard that people will know when they need legal help and where to turn for that help
- Investigate and explore innovative approaches to increasing access to legal information and legal literacy for people living on a low income, for “trusted intermediaries” and service providers
- Exploring what type of regional governance structure is best suited to implementing these new approaches

“Newcomers don’t know the basics: some think you have to pay a judge a bribe to get a judgement.” Settlement worker, urban community.

Order of Presentation

The following sections describe:

- The research methodology – the action learning and research approach used to gather data and experiment with new ways of working together as a Project Advisory Committee (PAC) and with partner non-legal organizations
- The research findings – current promising practices, a literature review, consultations, interviews and case studies
- An analysis of relevant developments that were occurring concurrently with the writing of the report and how they relate to the future of our project
- A list of initiatives and changes that resulted from carrying out the project that we describe as “value-added”; they are a legacy of this project
- Recommendations for the next phase of this regional planning initiative—a possible Phase II (which is conditional on receiving funding from the Law Foundation)
- A delineation of other possible initiatives that are outside the scope of this project but would be highly desirable components of a comprehensive regional planning approach
- The next steps that will be taken

“It is a full time job to find out what is dealing with what and what [legal] services are available.” OW worker, southern rural community.

Research Methodology

This project used an action research methodology that involved both internal and external research. Internally, the project built on the pre-existing collaborative efforts of the original Four County Network. PAC members undertook an informal assessment of their existing promising practices that were already helping to increase access to justice for those disadvantaged by language or distance. Another component was that the project partners met regularly to analyze, discuss and synthesize the information and data being collected through the external research in order to come up with useful and grounded recommendations for the future of the collaboration.

The external research consisted of seven main components:

- A literature review
- 14 focus groups with service providers across the five county area covered by the project
- A data collection survey completed by focus group participants
- One-on-one interviews with key informants
- A special focus group of LAO-funded specialty legal clinics
- Case study interviews with clients with multiple legal needs
- An assessment of relevant developments

Early in the project, the partners identified the need for service providers to have more information about legal resources, so they developed an Access to Justice Toolkit (see Appendix III for a list of what was in the Toolkit), which contained this information on a local and regional basis and was distributed to all focus group participants.

Service providers consistently identified three areas where they lacked the information they needed to help their clients:

- Basic family law
- Internet-based legal resources
- Changes to Legal Aid Ontario's service delivery system

In keeping with an action research methodology which is designed to create change and continued learning during the life of a project, the members of the Project Advisory Committee decided to act on this immediately, and developed a brief series of legal awareness workshops to raise legal literacy in these areas held on March 3rd and 4th 2011. These events were directed at service providers in the five counties and featured presentations by LAO, Family Law Education for Women (FLEW) and Community Legal Education Ontario (both about CLEO pamphlets and the CLEONet portal to legal education materials.) This report's Executive Summary and the proposed recommendations were discussed at these workshops, held in four communities.

Promising Practices

As they met to discuss plans and possibilities for a future collaborative effort, the project partners identified a number of existing promising practices that could be adapted and rolled out across a five county area—and could help to build a regional vision for access to justice in their rural, remote, and special linguistic communities. Briefly described below, these promising practices for improving services and outreach to people living in rural and remote areas or for linguistic communities include:

- The approach to service coordination that had been taken by the former Four County Network that included a common outreach poster, job-shadowing, joint staff training, and creating and updating:
 - A referral resource initially created for LAO-funded staff to ensure there was an inventory of which LAO-funded organization was offering what type of legal service — “*Who Does What?*” resource (available online at www.communitylegalcentre.ca/referrals/legal_aid.htm)
 - A referral resource about “*Where Else To Go For Help*” when legal clinics and LAO cannot help (available at www.communitylegalcentre.ca/referrals/docs/Where_Else_to_Go_For_Help.pdf)
 - A special family law “tip sheet” for family law lawyers whose clients are living on a low income, (www.communitylegalcentre.ca/referrals/docs/Family_Law-Social_Assistance_Tip_Sheet.pdf) created by the Four County Network
- A documented orientation and intake procedure for staff working with the Deaf community and interpreters, and special intake procedures piloted by CALC
- A free wills and powers of attorney project for people living on a low income coordinated by a lawyer volunteering with NCLC who liaises with private bar lawyers who then prepare the documents and meet with clients on a pro bono basis
- A series of legal information newspaper columns run in a rural paper written by RLS
- A comprehensive portal to online legal information (www.communitylegalcentre.ca)
- A highly-referenced legal clinic newsletter called Bafflegab produced by CALC
- A collection of easily replicable outreach materials developed for rural and remote areas
- An innovative telephone advice service offered by the Family Law Information Centres (FLIC) in collaboration with NCLC in Northumberland and RLS in northern Lennox & Addington and Frontenac counties
- A collaboration agreement between NCLC and CALC to increase the quantity and quality of Workers’ Compensation and employment law advice and representation across geographic clinic boundaries
- Part-time satellite legal clinic locations in rural and remote areas

Literature Review

The Project Manager engaged in an extensive literature review of materials related to the topics of access to justice in rural and linguistic minority communities. A complete list of the materials reviewed appears in the bibliography.

Not surprisingly, a number of similar themes, issues and ideas emerged across the literature.

Common themes

- The need for access to legal information and services, including representation, in the area of family law appears universal. Every major report reviewed for this project reported on this, as did participants in our focus groups and one-on-one interviews.
- The literature consistently reports that people, wherever they live, prefer to receive legal information and services in person. Online or telephone hotline services do not replace in-person support. “Telephone legal advice hotlines do not replace the value of a person-to-person exchange when people are seeking out legal advice and information . . . To be effective, a telephone advice hotline must be more than a pre-recorded message.” (Ontario Civil Legal Needs Project, 2010, p. 59)
- People want professional help. As the Law Commission of Ontario report, *Voices from a Broken Family Justice System: Sharing Consultation Results*, found: “Although [informal] interventions were often appreciated emotionally, most people found that such help only went so far if they could not, in addition, get professional help. Sooner or later, expertise appeared to matter.” (2010, p. 12)
- People’s lives are profoundly affected by their inability to access adequate legal information and services. As the Canadian Bar Association report by Buckley (2010) found, serious economic, social and health consequences are directly attributable to unresolved legal problems. In the words of the Ontario Civil Legal Needs Project (2010): “These findings suggest a connection between access to justice and broader issues of health, social welfare and economic well-being” (p.22).
- Many people experience multiple legal problems that cluster, and there is a strong link between these problems when unresolved and social exclusion, poverty and disadvantage. (Trebilcock, 2008)

- People want early access to legal information and assistance; long before the day of a court proceeding.
- People in rural communities need the same kinds of legal help that people in urban areas want: procedural assistance and legal advice. (Reid & Malcolmson, 2008)

Common issues

- Confusion about the distinctions between Legal Aid Ontario and community legal clinics and a broader lack of awareness about what services clinics provide are identified in a number of the Ontario reports.
- Communication for people in rural communities and for those who don't speak English or French is a common problem, although for different reasons. Some people in rural communities, especially those that are particularly remote, do not have telephones; some still use party lines, which limit confidentiality; cell phone access is spotty and expensive and many people on low incomes who use cell phones have "pay as you go" plans which limit the number of minutes they have. People who do not speak English or French, regardless of where they live, often have trouble receiving telephone services in the language they speak.
- Transportation to legal services, whether to a lawyer's office, a legal clinic, another community-based service, a library (which has internet access to legal websites) or court, is an enormous challenge in rural communities.
- Until very recently, there was a lack of funding available for the development and implementation of new ideas. The 2008 Legal Aid Ontario Review found that funding for legal aid had declined by 9% in real dollars between 1996 and 2006, while funding for health care increased by 33% and for education by 20%. (Trebilcock, 2008)
- Rural residents have lower comfort and skill levels with technology such as use of the internet to access information and less access to both the internet and computers.

Ideas for moving forward

- Using a social inclusion model that focuses on systemic sources of poverty and inequality rather than a social exclusion model focused on individuals' experiences of inequality and disadvantage creates the best opportunity for truly transformative change. (Mossman, 2009)

- A holistic, integrated approach (Noone, 2007) is needed that includes multiple entry points, the use of trusted intermediaries, cross-sectoral collaboration and different formats for delivery of both information and services.
- Collaboration is a key strategy to creating new approaches and innovation. New resources to help guide collaborative efforts were reviewed (Chrislip, 2002; Hogue & Miller, 2002; Mattessich, Murray-Close, & Monsey, 2001; Ray, 2002; Stratton, 2009) and are recommended for future efforts to develop legal and non-legal partnerships in Phase II.
- “Where in-person help from a legal service provider is impossible, the option could be to focus on a community intermediary supported in the use of legal resources.” (Reid & Malcolmson, 2008, p. 89). Trusted intermediaries are critical for reaching people facing challenges due to language or distance.
- The development of medical-legal partnerships to reach vulnerable clients is a new area of work that is gaining momentum in the US (Retkin, Brandfield & Hoppin, 2009; Schulman, Lawton, Tremblay, Retkin & Sandel, 2008), and most recently in Canada with a pilot Family Legal Health project sponsored by Pro Bono Law Ontario (PBLO) at the Hospital for Sick Children in Toronto.
- Outreach is a critical component of any plans to enhance access to legal information and services in rural and linguistic minority communities. “Lower literacy and education levels inhibit awareness of legal rights and obligations so that outreach by legal service agencies must be enhanced.” (California Commission on Access to Justice, 2010, p. 36)
- Developing planning approaches to improve the provision of legal services within a defined geographic area is an important emerging activity. As noted in the Connecting Report (Cohl & Thomson, 2008), a regional planning model would create:

“a coherent system for linguistic and rural access to justice. The components would support people at every stage of the legal continuum: recognizing that they have a legal problem and understanding how the law might help them; getting information to understand the problem; obtaining appropriate referrals and summary advice, and connecting with a lawyer or other legal professional for advice and representation.” (p. 72)
- A strategic and planned approach to increasing access to justice involving members of the judiciary, private bar lawyers, and legal service providers is a growing phenomenon in the United States. Supported by the American Bar Association’s comprehensive effort to increase the availability of legal services and the accessibility of the court system, Access to Justice Commissions now exist in

more than half of the states (American Bar Association & National Legal Aid and Defender Association, 2005; Mohamed & Szymura, 2009). The mandate of these organizations varies from state to state but they provide a useful example of what can be accomplished when justice system partners work together for a common cause.

Data Collection

Focus groups and individual interviews

Fourteen focus groups and a large number of individual interviews were held throughout the five counties, involving approximately 100 people and organizations. Participants were invited by letter to attend the focus groups and provided with background information about the project (see Appendix VI). All focus groups were facilitated by the Project Manager and co-facilitated by a member of the Project Advisory Committee.

At each of the focus groups participants were provided with information about the Connecting Report, asked a series of questions about legal needs, local capacity to provide for those needs, the possibilities for collaboration, and to brainstorm ideas for new ways of reaching hard-to-serve populations. Participants then received a localized Access to Justice Toolkit and an explanation of the Toolkit's contents. Participants were also asked to complete a Data Collection Survey. Thorough notes were kept for each meeting, and provided to members of the PAC. (Please see Appendix III for a list of what was in the Access to Justice Toolkit, Appendix IV for the list of focus group and interview participants (by organization), Appendix V for the focus group agenda and questions, and Appendix VI for the project backgrounder provided to all participants.)

Focus groups were held in the following locations:

- Bancroft (northern Hastings County)
- Belleville (southern Hastings County)
- Cobourg (southern Northumberland County)
- Hastings (northern Northumberland County)
- Kingston – with community service providers generally (Frontenac County)
- Kingston – with immigrant services workers (Frontenac County)
- Madoc (central Hastings County)
- Napanee (southern Lennox & Addington County)
- Northbrook (northern Lennox & Addington County)
- Picton (Prince Edward County)
- Sharbot Lake (northern Frontenac County)

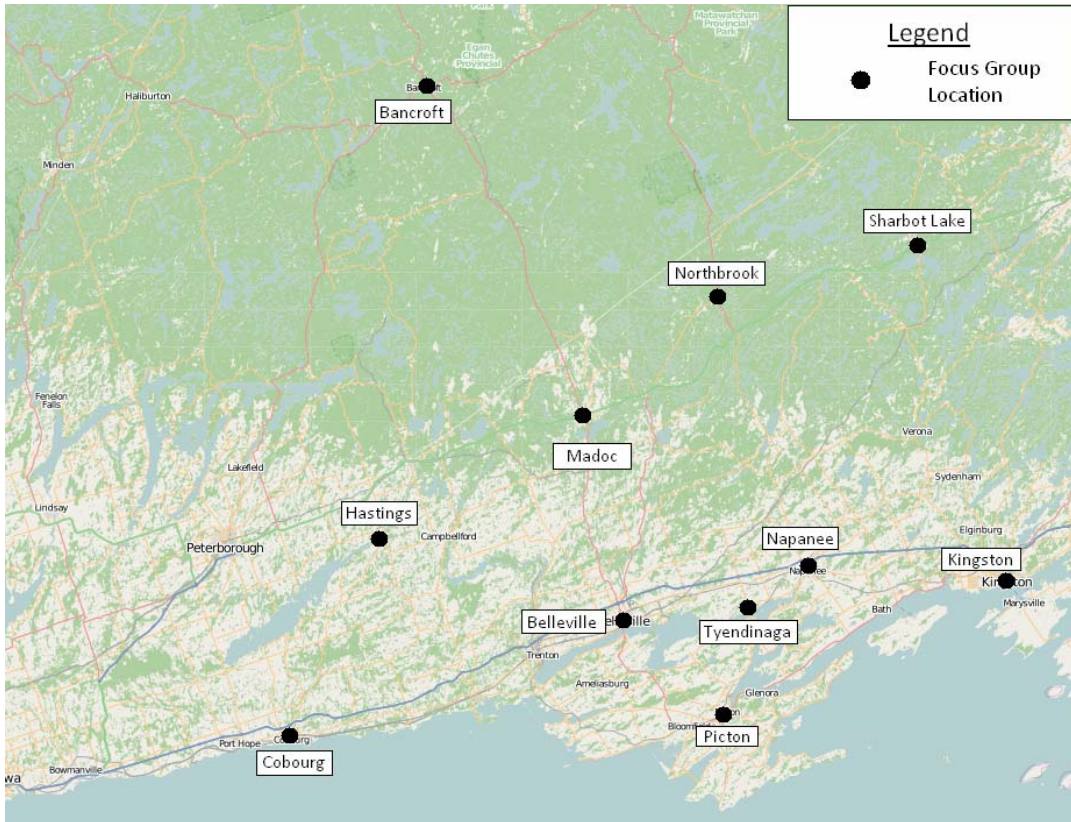


Figure 1 – Locations of focus groups

Additionally, special focus groups were held with the Aboriginal community (Tyendinaga Mohawk Territory), the Deaf community (hosted in Belleville but including representation from the Ontario Association for the Deaf and the Canadian Hearing Society branches in Kingston and Belleville), and a group of Chief librarians from four public libraries and a Law Association library.

In addition to the focus groups, PAC members conducted one-on-one interviews with key informants who were unable to participate in the focus groups. While the focus group questions served as a guide for these discussions, they were generally quite unstructured, and the direction they took depended on the interview subject’s areas of expertise and interest. Careful notes were kept of each interview and provided to members of the PAC. (Please see Appendix IV for a list of the organizations and affiliations for the people who provided one-on-one interviews.)

As with the review of the literature, many common themes emerged from the focus groups. Many of these themes confirmed the themes identified in the Connecting Report. In large measure, the individual interviews confirmed what was learned from the focus groups. To simplify the reporting of results, an integrated summary is provided.

Summary of key responses in focus groups and from key informant interviews

1. How and when do people learn they have a legal problem?

- Most commonly, participants told us that their clients only identify legal problems with the assistance of a service provider. For example, they may have received an eviction notice or been denied Employment Insurance or Ontario Works benefits, but do not know that there is a legal process available to them. When people are charged by the police, however, they know they have a legal problem, as do many people who have a family law problem.
- People seldom look for legal information or support until their situation has become a crisis; for example, until they receive a second or third notice that something is about to happen to them. Many reasons were given for this: people don't have the language for their problem, so they ignore it for as long as possible; the problem arises in the midst of multiple issues and is shoved to a back burner while they deal with other problems; people don't know they have rights

"We are the 911 call." Community worker, mixed urban/rural clientele.

2. How do people find legal services?

- Through word of mouth, which means people often turn to inappropriate services.
- More reliably, through "trusted intermediaries" from whom they are already receiving services for some other issue in their life: health care providers, Social Assistance workers, women's anti-violence organizations, religious leaders, and the police.

"People rely on informal sources, like the lady at the bank, for their legal information." Food bank volunteer, northern rural community.

3. What are the key barriers for people in accessing legal services?

We heard a long list of barriers, key among them:

- Members of the Deaf community face a unique set of barriers in addition to those faced by others from rural and/or linguistic minority communities

- Many Deaf people have lower English language literacy levels because their language is American Sign Language (ASL), which affects their ability to use online sources of information and services
- Accessing legal interpretation services for meetings with lawyers, and for court appearances continues to be a challenge
- People don't know there is a legal solution to their problem or assume they cannot afford to deal with it
- Low levels of literacy and a lack of education often mean that people don't know they have rights
- People are intimidated by lawyers and the legal system and lack the confidence to deal with them
- People are confused about where to go for help
- There is a lack of transportation to legal services and court
- There are a lack of lawyers in rural communities who take legal aid certificates and sometimes, a lack of choice
- There are many linguistic and cultural barriers
- Clients experience referral fatigue and some clients, particularly those under stress have difficulty with follow through

“Clients just don't have the language to deal with legal problems.” OW worker, southern rural community.

4. How accessible are LAO services for clients?

We note that the new centralized LAO service delivery model was in its early stages when we conducted our focus groups, so some of the concerns identified have likely been addressed. Nonetheless, we include them here so this report accurately reflects the issues raised by the participants in the project focus groups.

At the time of the focus group, service providers lacked information about the new LAO service delivery model, which led to confusion when they were providing information to their clients. They did not know how to access the Client Service Centre (CSC), were unaware of the priority handling for domestic violence calls, or they or their clients were experiencing significant delays and waiting times. Some violence against women service providers reported that their clients' calls were being moved right to the top on the 1-800 line and that they were receiving good service in getting a legal aid certificate when domestic violence was identified. However, the majority of service providers reported extremely long waiting periods using the toll-free line for the new CSC, being cut off at LAO office closing time, experiencing less discretion with respect to the issuing of a certificate compared to when these decisions were made by Area Directors.

The 1-800 line for the CSC is a problem for people who do not have telephones, are on party lines, or who use pay-as-you-go cell phones. The referrals to information on LAO's website is not helpful to those who do not have computers or who do not have high-speed internet service – all common realities for low-income people living in rural parts of the province. Many people reported their clients are not comfortable with telephone or online services and want in-person assistance, facts which are confirmed by the literature. Members of the Deaf community face unique challenges and barriers in accessing telephone and online service.

The lack of transportation to get to the courts to see Duty Counsel or the Family Law Information Centres (FLIC) was universally identified as a serious problem for rural residents. FLIC services were seen as potentially very helpful, but with some significant flaws: people in small communities do not have ready access, it was not uncommon for someone to drive a long distance (one hour plus) to a FLIC and not get seen that day.

Inconsistent quality of Duty Counsel services was reported by a number of service providers, whose clients seem to have received different information and even different legal advice from different lawyers.

“You cannot expect the groups to come to the clinics and seek out information on their own.” ESL teacher, urban community.

5. What are the challenges for service providers whose clients have legal issues?

- Lack of appropriate places to refer people so they are not sending clients to several different places, hoping one of them can help
- Lack of information about available referrals: who does what, criteria for service eligibility, etc.
- Some service providers indicated they would like to know more about the law, including legal processes, steps to be taken, timelines etc. so they could provide clients with basic legal information; others want to be able to red flag when a client has a legal issue and know where to refer but not have responsibility for providing legal information to their clients
- The mandates of a number of agencies and service providers are already significantly stretched and expanded, which limits the amount of legal support that some workers can provide to clients
- Those who work with Deaf clients report an almost total absence of appropriate legal referrals and multiple problems with court access and access to interpreters

“Farmers don't admit to problems until the situation is desperate.” National Farmers Union representative, southern rural community.

6. What are some helpful existing resources and services in the community?

- Community clinics were highly rated in every focus group and interview
- Legal education pamphlets published by Community Legal Education Ontario (CLEO)
- Bafflegab – CALC’s twice-yearly newsletter
- Legal information column in North Frontenac community newsletter written by RLS
- Legal education resources for women produced by Family Law Education for Women (FLEW)

“My clients don’t want information, they want me to fix the problem now.”

Community worker, northern rural community.

7. What are some effective ways to get legal information and services to people?

Focus group participants had many imaginative and exciting ideas about how to increase access to legal information and services for people in their communities. While these are not all being proposed for action or implementation, they reflect the ideas of this community and are presented for that purpose.

It is clear from what we heard that there is a continuum of needs among service providers, ranging from those who want information so they can make better referrals, through to those who want to know enough about the law that they can “red flag” clients who have a legal issue and then know how best to refer them, through to those who want to play a more active role in providing their clients with basic legal information before they refer them on. These findings are very similar to the recommendations made in the Connecting Report about the kind of legal information and referral training service providers need. There were also some service providers, for example, those who work in violence against women (VAW) programs and Adult Protective Service Workers who work with the developmentally handicapped who identified a need for more training so they can assist with legal advocacy in appropriate circumstances.

Focus group participants also made it clear that the community has a wide range of needs, both in terms of the kind of legal information people want and the way(s) in which that legal information needs to be provided. There is no “one size fits all” approach that would be effective to increase access to information and services. Furthermore, developing workshops that respect adult learning principles, engaging adult learners appropriately was identified as critical to the success of building legal literacy skills in service providers and for building community capacity.

There is considerable overlap in terms of themes – the ideas feed into and build on one another, often with no distinct boundaries. We have chosen to group them in two

categories: those that would increase legal literacy/community capacity and those what would enhance service delivery.

“People are very embarrassed by legal wrangles in their life.” Social services worker, northern rural community.

Ideas for increasing legal literacy and community capacity

We have set the ideas out under the categories of undertaking new outreach initiatives, increasing legal literacy, and developing new partnerships. One over-riding concern expressed was that, although resources available on the internet are useful for some, internet access is not suitable for everyone nor is it available to everyone. Participants cautioned that while the internet has a role to play, it should work in concert with other delivery systems, not as a replacement for them.

Numerous ideas for innovative **outreach** were suggested and included:

- Posters and pamphlets with referral information in plain language
- Posters/tear-aways in local stores, laundromats, etc
- Mall food court screen/videos
- Special outreach in high schools
- Household mailers (distributed to every household through the mail)

There were also many interesting ideas about how to increase **legal literacy**:

- Public service radio ads containing basic legal and referral information
- Community newspaper legal information columns
- Packages of legal information to be distributed by non-legal service providers to clients who needed this legal information
- Community legal resource guide (like the comprehensive 1994 *Guide to Living on a Low Income in Hastings and Prince Edward Counties* - a printed resource created by CALC and no longer in print)
- YouTube™/short videos to blast legal information for service providers and potential clients which could also be embedded in clinic's websites
- Radio call-in programs
- Legal information to existing clubs/gatherings (e.g. seniors' lunches, service club meetings)
- Legal awareness sessions for Deaf high school students
- Translate portions of legal clinic websites into ASL to enhance their use by Deaf individuals

- Provide legal awareness workshops for service providers: onsite, lunch and learn sessions, webinars, written and online resources, including legal and referral information. Participatory adult education principles should be used to design workshops to increase service provider engagement.
- “Community navigation” sessions for local lawyers to help them make appropriate client referrals to social and health services were also recommended, as were training sessions to help lawyers understand the legal intersection between income security programs, and housing problems, and family and criminal law issues.

New **partnerships** with public and law association libraries were recommended. It was also suggested that the legal service providers need to engage with key members of ethnic communities. Additionally, connections with the following groups were advised:

- Religious institutions—which are often hubs of information and socializing in both rural and linguistic minority communities
- Health care sector—people often have trusting relationships with their doctors and turn to them with non-medical problems, the new Community Health Centres and Family Health Teams
- High schools—to engage in preventative legal education but also to reach parents who might not have other connections to community resources
- Consider possible partnerships with community college media programs and community college paralegal and social work students and university law students
- Law Associations

“We want to help.” Community worker, southern rural community.

Enhancing legal service delivery

These responses are categorized by where services should be offered, improvements to family law information and services, and expanding the range of legal assistance available. This is not a complete list but provides a representative sampling of what we heard. We expect to hear many more ideas as we begin to work more closely with non-legal service providers if we are able to move to Phase II of this project. The Project Advisory Committee does not necessarily endorse all these ideas; we are simply recording what we heard. We also expect that family and criminal services offered by LAO will continue to improve over the next two years, as the transformation agenda of LAO is fully realized.

Where services should be offered

- Regular legal clinic presence in small communities, so clients can either make appointments or drop in to get legal information and services
- Providing legal information and services in public, multi-purpose settings, like libraries, that allow people to access information anonymously and with some measure of privacy

Enhancing family law services

- A need for more family law services of all kinds, triaged if necessary
- Establishment of a priority list at Family Law Information Centres (FLIC) for people who have driven more than 30 minutes
- Development of a protocol to allow FLIC or Duty Counsel (DC) to give advice over the phone to rural litigants
- Establishment of part-time FLICs in small communities
- Expanding legal clinics' mandate and resources to include family law

Expanding the range of services available

- Some kind of one-stop shopping (people over-referred — the “wandering lost,” going from service to service — hard with long distances/lack of transportation etc, but also suffering from referral fatigue from bouncing around)
- Legal advocates providing one-to-one support throughout process of referral, information, service, case etc.
- Assistance for people in completion of court/legal documents
- Increased use of private bar lawyers to provide legal information/summary advice about areas of law not covered by clinics (for example, pro bono small claims court assistance, pro bono wills/powers of attorney services)
- Volunteer students from community college paralegal programs or university law schools could help legal clinics do more outreach and legal literacy training

Focus group with the Aboriginal community

The focus group held on the Tyendinaga Mohawk Territory confirmed the extent to which Aboriginal peoples feel alienated from the mainstream justice system and legal services. We heard that people do not trust outsiders, whether that is police, lawyers, service providers or the courts themselves.

Those who live on the Territory deal with ongoing legal issues not unlike those faced by others in the five county area. There is a general lack of awareness about off-reserve

legal information and support services but, even where people are aware of these services, they are very reluctant to leave the community to access them.

There are two lawyers who live on the Territory, but even this is not the answer, because people fear a lack of privacy and confidentiality due to the small size of the community.

Because of the impact of historic and ongoing colonialization, there is little likelihood that people living on the Territory would participate in legal information events organized and delivered by outside agencies, even if those events were held in the community.

Funding for autonomous, self-directed legal information and support activities was recommended by those who participated in the project's focus group.

Focus group with Deaf community

The focus group held with the Deaf community and service providers provided substantially different information and ideas. Because of the unique nature of the needs of this community, because the Law Foundation of Ontario has identified a special funding stream for projects to increase access to justice for Deaf Ontarians and because the participants in our focus group stated strongly the need for a stand-alone project for the provision of legal services to the Deaf community, we felt that most of the recommendations were outside the scope of this project. We wish to respect the opinions about autonomy we heard in our focus group and do not wish to ghettoize the needs of the Deaf community. A summary of that focus group's discussion and recommendations can be found in Appendix VIII. We have carried forward a recommendation that ASL legal resources be created.

Focus group with Libraries

A special focus group was held with the Chief Librarians of four Hastings County public libraries as well as the librarian and the Chair of the library committee of the Hastings County Law Association (HCLA). The librarians were very interested in increasing access to legal information through the libraries, which already serve as community hubs, particularly in the rural areas. Furthermore, these libraries are part of wider networks of small and medium-sized libraries in Eastern Ontario and they can easily share innovative approaches and ideas with their colleagues. The participants discussed the kinds of library users who are looking for legal information as well as the kinds of legal information (primarily family and housing) they are seeking. Library staff would like to receive legal information and referral training and to be provided with public legal education resources as well as recommended reference materials on legal topics.

The librarians are interested in exploring the feasibility of a joint project to increase the capacity of the libraries and library staff to provide legal information to the public. CALC met with library staff to ensure they have a healthy collection of public legal education resources. Additionally, the Hastings County law librarian provided a list of recommended legal reference materials for public libraries. In the interim, an introductory legal awareness workshop for library staff to understand how to use the resources featured in the Five County Connecting Region Access to Justice Toolkit is being developed.

Focus group with Specialty Legal Clinics

A special focus group was held to introduce five specialty legal clinics with province-wide mandates to the Five County Connecting Region Project and to find out what legal issues these clinics had already identified or dealt with in the five counties. They were also asked about what resources they might have to offer in the future as part of the proposed regional planning initiative. Participating clinics were:

- ARCH Disability Law Centre (ARCH)
- Advocacy Centre for the Elderly (ACE)
- Community Legal Education Ontario (CLEO)
- Canadian Environmental Law Association (CELA)
- Justice for Children and Youth (JFCY)

The discussion focused on ways in which the specialty clinics, considering their provincial mandates, could collaborate with the Five County project in their areas of specialization. A number of possibilities were raised:

- CELA does almost all of its work (95%) outside Toronto and could potentially collaborate with a community clinic on housing issues that had environmental components (e.g. mould in apartments, drinking water issues). It could also offer workshops on environmental law issues
- ACE does 25% of its work outside Toronto (elder abuse, capacity issues, health law, illegal hospital discharge practices) and would be interested in collaborating to provide more legal services to individuals and by providing speakers for workshops on elder law issues
- JFCY does 35 – 45% of its work outside Toronto, primarily on school suspensions and special education issues and is interested in doing legal awareness and advocacy workshops in the five county area in partnership with community agencies and in working with clinic staff to increase their capacity to do education law work

- CLEO is presently developing a provincial community consortium to build the capacity of service providers to provide good referrals and legal information to their clients, described under the “Relevant Developments” section of this report. CLEO is also seeking to create a Public Legal Education Network and has several other ideas for future collaboration that are being considered
- ARCH has just completed a major legal needs assessment exercise. It is willing to collaborate on client matters in this five county area within their legal priorities and to provide legal awareness workshops on disability-related issues.

Specialty clinics also recommended seeking funding for special articling positions with the proviso these articling students could split their time between a specialty clinic and a legal clinic in a rural and remote area, or with a legal clinic whose clients face linguistic challenges.

Additionally, developing a shared legal information and legal intake manual of “frequently asked questions” (FAQ) in the unique areas of law handled by specialty clinics would make it easier for local legal clinic staff to answer callers’ legal questions and increase the quantity and diversity of legal help available in the area of youth, elder, environmental and disability law.

Several additional discussions with CLEO specifically followed this initial meeting and a number of collaborative initiatives are proposed.

Further discussions with the other specialty clinics are anticipated if this project is funded for a second phase. The findings of this report are being shared with the specialty clinics. The next step would be to set priorities for collaborative efforts, particularly on developing a “road show” of legal awareness and advocacy workshops on topics in their specialized areas of expertise (children and youth, environmental, elder, and disability law) as requested during our consultations, and to ascertain possible ways to fund and undertake new initiatives.

Data collection surveys

Focus group participants were asked to complete a data collection survey. Please see Appendix VI for a complete report on the responses to that survey.

The most relevant information gathered in the survey is:

- Agencies provide a wide range of services, including advocacy and education in addition to whatever their primary area of service is

- Most agency clients have incomes of less than \$20,000/year coming from Ontario Works (OW) and Ontario Disability Support Plan (ODSP) and/or part-time employment
- Housing and mental health are the two most common issues bringing people to the agencies
- Family law, followed by housing, is the top legal issue clients are facing.
- The range of legal issues that clients have is very diverse (and is listed in Appendix VI - see Question 9)
- Clients find out about community agencies through word of mouth and by referral from another agency

Case study interviews

The Project Manager had one-on-one meetings with four clients or former clients of community legal clinics who had multiple legal and other issues. The purpose of the interviews was to discuss where they encountered barriers and what their thoughts were about improving access to legal information and services.

Key themes identified in these interviews were:

- Clinics are significantly the “front door” to legal services for isolated individuals with multiple legal problems.
- Often, the clinic assists the client, who has come to the clinic because of a specific legal issue, in identifying other legal problems.
- When the clinic cannot meet the legal needs of the client, it makes effective referrals to LAO, the private bar or other services.
- People with complex legal needs in rural communities face particular challenges, including transportation, long distances to legal services, lack of telephone and internet access to information and fewer court-based, free services providing legal information and support.
- Clinics need to engage in more extensive outreach to ensure their services are known in the community.

Relevant Developments

Introduction

In the course of carrying out Phase I of this project, particular attention was paid to other developments that could create new synergies and possibilities in Phase II. Information about these relevant developments is recorded here and we explore how these

developments could be connected to future work in our effort to take a “big picture” approach to regional planning.

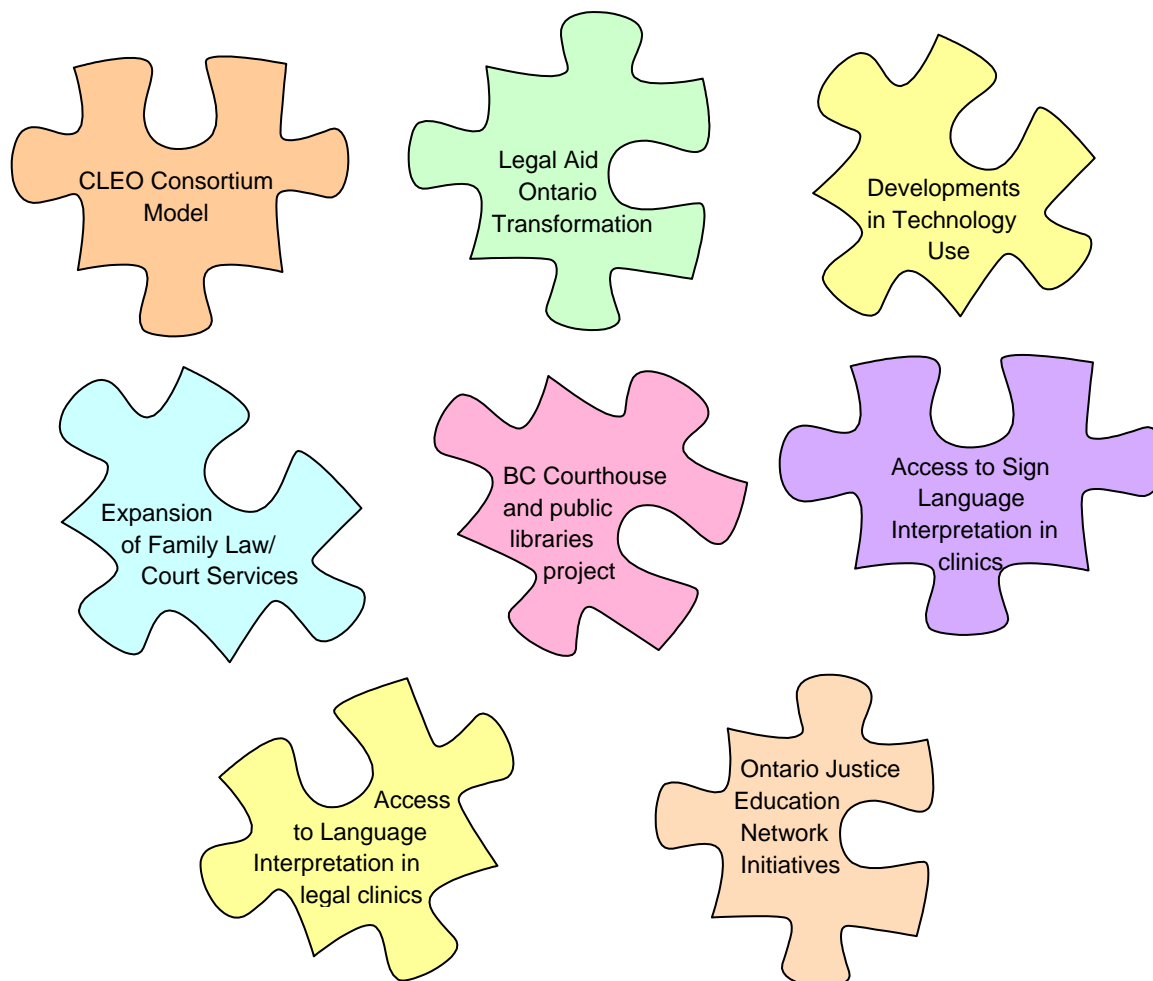


Figure 2: Relevant Developments in the “Access to Justice” Big Picture

CLEO Community Consortium Model

With funding from the LFO to carry out the “building community capacity” recommendation of the Connecting Report (see the earlier discussion on page 4), Community Legal Education Ontario (CLEO) was asked to lead the development of a Connecting Communities’ “Consortium” (CCC). The purpose of this consortium is to establish and enhance connections between legal and non-legal community organizations, with the goal of improving the ability of non-legal organizations to identify legal issues and provide basic legal information and referral to people who are challenged because of language or distance—people who live in rural or remote areas of Ontario.

A working framework for the governance and operation of the consortium is being piloted over a three-year period. The focus will be on legal information and referral training for front-line workers in non-legal organizations. A member of the Five County Connecting Region Project's Advisory Committee sits on the Training Advisory Committee for this consortium. The first four projects that are being supported are the development of housing law information and cultural competency training for large urban areas, consumer protection law issues, mental health law, and youth criminal justice. In the future, a Public Legal Education Network will also be formed to provide a forum for information and knowledge sharing.

Connection to our future project work

The CLEO CCC will provide resource materials, webinars, workshops and learning opportunities that can in turn be offered to local service providers. Furthermore, CCC members will be identifying promising practices for providing legal education, ensuring community engagement and enhancing connections between legal and non-legal community organizations that will be implemented in our local five county region.

Maintaining a strong connection to the CCC will be critical to the success of the next phase of our project. Committing to good knowledge-sharing practices, ensuring that all our outreach and learning materials are shared, in addition to sharing our evaluations and lessons learned is of critical importance to developing a vibrant and collaborative public legal education community and culture that values legal literacy.

Developments in Technology Use

Ontario is presently seeing a vast increase in the availability of online legal information and education materials as well as online document assembly, which has the potential to provide significant resources for community-based partnerships to address access to justice for linguistic minority communities and for those living in rural and remote communities. While online resources are not appropriate for everyone, they can increase access for people who use the internet and are geographically isolated or who require access to information in languages other than English or French. A few examples of new online resources that can meet some of the current learning needs identified are:

- CLEONet's legal information webinars harvest the knowledge of lawyers and legal workers from community legal clinics and other organizations, turning them into valuable learning resources for service providers. (A full listing of current webinars can be found at <http://www.cleonet.ca/training/>)

- Family Law Education for Women's (FLEW) materials on family law, available in 15 languages and a number of formats, including ASL (which can be accessed at <http://www.onefamilylaw.ca/>)
- Springtide Resources online legal training for frontline violence against women workers (<http://www.springtideresources.org/>)
- The Ontario Bar Association (OBA) YouTube™ based legal information videos (which can be found online at <http://www.youtube.com/user/ALERTOBA>)
- The Ontario government's online family court document assembly system (www.justiceontario.ca).

Connection to our future project work

In the course of carrying out this project, an unprecedented number of new resources became available online from a wide variety of sources. While the resources are of widely varying quality, this development is promising for a number of reasons. It suggests that developing online resources is becoming much easier, less expensive, and very popular. Also for Phase II of this project, it will be possible to connect local service providers with these already existing resources (so as not to reinvent the wheel) and to learn from the evaluations of these resources. It will also be highly desirable to make any Phase II training materials we produce available online to increase the supply of this type of resource.

Legal Aid Ontario Transformation

As we began this project, LAO unexpectedly announced and undertook a number of significant changes to its client services delivery system. These changes have had a significant impact on how people living in rural and remote communities and those who do not speak English or French, access legal services. Local Area Offices in each of our counties were closed. A centralized Client Services Centre (CSC) with toll-free telephone services replaced Area Offices. Legal aid certificates are now largely processed by calling the toll-free number from anywhere in Ontario with access to interpreters in 120 languages and TTY services. Other services available over the telephone include applications for emergency two-hour domestic violence advice certificates, lawyer referrals, and 20 minutes of free summary legal advice in the areas of criminal and family law. Victims of domestic violence are to be placed in a priority queue when they call the toll-free number.

In response to the high demand for legal aid certificates after the closing of the Area Offices, which initially led to long wait times (and many complaints that we heard during

our consultations and focus groups), LAO has now instituted a call-back service in order to enhance access for clients.

In our communities, LAO provides legal information and advice services in courthouses through Duty Counsel and Family Law Information Centres (FLIC). Clients with special needs can be assisted by the District Office in Peterborough or the Napanee satellite and LAO Family Law Offices for those who cannot access the services they need via the toll-free telephone services. Some criminal courts have “LAO in the Courthouse” – where a legal aid staff member takes applications in person for legal aid certificates.¹

Towards the end of this project, community legal clinics were also being asked by LAO to undertake transformation efforts although it is not yet clear what this means for clinic operations and clinic services. Clinics have also been asked to find administrative savings in their budgets, with the suggestion of possible funding adjustments. At the same time, LAO has announced that new one-time funds for Poverty Law Innovation and Client Service Coordination are available for new initiatives, as a result of special funding from the Attorney General’s Office, a development that holds much promise. A major language interpretation fund has been created too. Additionally, the Association of Community Legal Clinics of Ontario (ACLCO) is engaged in discussions with the LFO and LAO about their intentions to lead a strategic planning exercise for the provincial community legal clinic system.

Connection to our future project work

As we plan for a second phase of this project, we need to be aware of the continued roll-out of LAO transformation efforts because it has an impact on the expectations and needs of the clients who are the focus of this work. Increased workload implications may affect the capacity of the members of the Project Advisory Committee to continue to participate in this project.

The infusion of funds from the Attorney General’s Office may provide new opportunities to enhance services and experiment with new approaches, and may, in fact, provide additional resources to meet the challenges of serving those that live in rural or remote areas, or who face linguistic challenges. These new resources may allow us to explore in a more comprehensive way how best individual client services can be delivered most effectively and efficiently by LAO-funded service providers, an issue that was outside the scope of this project. These new resources could be very helpful because if we are to take the type of comprehensive and holistic regional planning approach envisioned by the

¹ The availability of these legal aid services is described in a special resource created by the Five County Network called “*Services Funded by Legal Aid Ontario: Who Does What*” (found at www.communitylegalcentre.ca/referrals/legal_aid.htm).

Connecting Report, we will need to restart and reinvigorate our LAO service coordination discussions, abandoned when the Area Offices were closed. Due to the degree of change, we will need to start over with a new Five County initiative.

The regional planning efforts we have begun to undertake with this project, and the enhancements envisioned by Phase II could provide a model for other regions of the province and for the clinic-system wide strategic planning exercise.

Expansion of Family Law/Court Services

In late 2009, the Attorney General announced the four pillars of family court reform:

- Provide more information to families up front about the steps they need to take and the impact on children when relationships break down
- Enhance opportunities to identify challenges, ensure early disclosure and provide community referrals to better support families in reaching resolutions
- Improve access to legal advice as well as less adversarial means of resolving challenges such as mediation
- Streamline and simplify the steps involved for those cases that must go to court

Pursuant to this announcement, after our project began, in late 2010, the Ministry of the Attorney General began to expand family court services across Ontario. By summer 2011, it is anticipated that all family courts in the province will offer:

- Mandatory Information Programs for parties considering family law litigation
- Mediation services on or off site to assist parties negotiate resolutions to family law disputes
- An Information and Referral Coordinator who will serve as a point of contact for families entering the family court system and will direct and connect potential litigants to community-based services

Connection to our future project work

As these initiatives are implemented in this five county region, there will be an opportunity for increased legal and non-legal agency collaboration to support clients who are involved with family court. Many of these clients also have related poverty law issues. It will also be important to ensure that this roll-out provides equal access to people living in rural and

remote areas, or who do not speak English or French. It will be important to work with Family Law Bench and Bar Committees and the new Information and Referral Coordinators to connect them with our Five County Access to Justice Toolkit, and other relevant resources. Providing training to private bar lawyers in the intersection between family law and child welfare issues and social assistance entitlement would also be a critical element of providing more holistic client-centered services. This training would build on the current Four County Network resource *Tips for Family Law Lawyers Assisting Clients on Social Assistance* (www.communitylegalcentre.ca/referrals/docs/Family_Law-Social_Assistance_Tip_Sheet.pdf).

This type of involvement would expand the concept of regional planning to a new level, as clinics would begin to work with court staff, judges, mediators, and other lawyers on access to justice issues that go beyond poverty law issues, and could lead to a better integration of LAO-funded services. The uniqueness of this project involving LAO staff and the District Area Director on the Project Advisory Committee will provide an exceptional opportunity for developing a “bigger picture” access to justice regional plan in the years to come.

British Columbia Courthouse and Public Libraries Projects - Collaborating to Increase Access to Legal Information

The BC Courthouse librarians spearheaded an innovative project that ran from April 2007 to December 2009 to increase access to legal information for BC residents through public libraries. An example of work that was undertaken was the creation of an innovative resource *Legal Help for British Columbians: A guide to help non-legal professionals make legal referrals for their Clients* (Thorstenson, 2009). In January 2011 the report *Law Matters At Your Public Library: A Report for Public Librarians* (Courthouse Libraries BC, 2010) was released. It describes in some detail the type of reference resources required in public libraries, the type of training required by library staff and the community forums they designed to encourage inter-agency cooperation in meeting the community needs for public legal information.

Another project was the development of www.clicklaw.bc.ca, a legal information website for people living in British Columbia that also provides education and help. With the motto “Solve problems, find help” this site has a number of innovative resources, and serves as a common portal to access to justice resources. In February 2011, the Courthouse Libraries BC also coordinated a national conference called Just a Click Away to examine how technology can be used to deliver legal education and information to the public, which one of our PAC members attended.

Connection to our future project work

The *Legal Help for British Columbians* is an excellent precedent of a resource that could help service providers. Also of particular relevance is the work done by the Courthouse librarians with the staff of the public libraries in BC, as the LawMatters project (Courthouse Libraries BC, 2010) they have just completed echoes the aspirations of a small focus group of local librarians recently held in Hastings County. It will be important to learn from their innovative initiative, as we move forward into Phase II of the project and consider how best to support our local librarians in their aspirations. The possibilities of a common website that would serve as common portal to legal information resources is intriguing to the clinics involved in this project, as it has proven to be impossible to maintain high quality and comprehensive portal websites for our local communities. Additionally, the lessons learned from the 2011 Just a Click Away conference will be of assistance in the second phase of this project as technological innovations and online strategies are explored.

Access to Sign-Language Interpretation in Community Legal Settings

As a follow-up to the Connecting Report, Karen Cohl and George Thomson held an additional consultation on access to justice issues affecting the Deaf community which was attended by one of our PAC members. Many possible project ideas were generated, including developing an overarching vision for access to justice for the Deaf community, and undertaking research and needs assessments, a planning process, and providing different types of education and training, improving outreach and referrals, providing targeted legal services, and improving the quality of interpretation services. The June 2010 report *Access to Sign-Language Interpretation in Community Legal Settings* made a number of recommendations to the LFO for future funding initiatives including testing an outreach and intake model in a community legal clinic, creating tools and protocols to help legal service providers serve Deaf clients better and to make better use of interpreters, and to bring members of the Deaf community and others together to create a larger vision. The LFO subsequently announced a special funding “Deaf Legal Interpretation” envelope to support projects related to the three recommendations.

Connection to our future project work

We discussed the findings of the June 2010 report with the Deaf community during our focus group. The Ontario Association for the Deaf (OAD) and CHS were very interested in piloting some new initiatives and we subsequently provided them with information about the new funding opportunity from the LFO. To assist them in their funding application and to share existing resources, CALC shared their “promising practices” for Deaf sensitivity training, orientation for staff to use ASL interpreters and special Deaf client intake

procedures with the Canadian Hearing Society (CHS). Since two of our five counties have a higher than average per capita number of Deaf people, we will want to stay abreast of any developments provincially although they will be outside the scope of this regional planning project. In mid-February 2011, CALC was asked by CHS to collaborate in a provincial initiative that would see interpreters made widely available through a video-conferencing pilot. A small local outreach project to the Deaf community in CALC's service area is now being considered in collaboration with CHS.

Access to Language Interpretation in Community Legal Settings

As a further follow-up to the Connecting Report, Karen Cohl and George Thomson held an additional consultation on the issue of language interpretation needs for people living on a low income requiring legal services from community legal clinics, pro bono lawyers, or LAO-funded staff. A member of our Project Advisory Committee attended this consultation to consider the linkages to our Five County Connecting Region project. Many ideas about how to improve the quality and access to legal interpreters were shared, including the need for a central language access plan. The report recommends that a cross-sectoral and collaborative approach be taken, that language plans and tools be developed, and that standards for interpretation be created.

Connection to our future project work

We will need to keep abreast of future developments as new language interpretation projects are funded so that people living in our five county area can benefit from improved access to high quality interpretation services.

Ontario Justice Education Network (OJEN) Initiatives

The Ontario Justice Education Network (OJEN) focuses on providing legal education to elementary and high school populations and staff. Although OJEN has historically not done a great deal of work in south-eastern Ontario, they are co-sponsoring a project with Queen's University Law School's Pro Bono Students Canada (PBSC) chapter and Grade 12 students to create legal information radio programs in Kingston. A number of other innovative projects have been initiated that could be helpful if replicated in our five county area. OJEN has provided training to Child and Family Youth Workers in the schools to build their legal awareness, has created workshops introducing students to legal issues they might face in housing, employment, consumer purchases, and discrimination (human rights), and has been encouraging the Ministry of Education to improve the high school legal education curriculum to increase the legal literacy of all graduating students.

Connection to our future project work

Focus group participants felt that outreach to students in the high schools in rural and remote areas is a critical way to reach the parents and family members or similarly outreach to high school students could help to reach those who face linguistic challenges. This is an area of development that is proposed for Phase II. OJEN has expressed an interest in exploring collaboration with the clinics in the five county area on a number of different projects. A project like the one with the Queen's law students would dovetail well with one of the proposed Phase II projects. Furthermore, OJEN is interested in collaborating to develop legal awareness sessions for Deaf high school students, an area of need that has been previously untouched.

Emerging Issues from Community Clinics' Work

There were several developments in the course of the project that brought to light the needs of special client groups in rural and remote areas, who also might face linguistic challenges. CALC has been engaged in two projects focused on special needs groups in rural areas, looking at the legal needs of migrant farm workers and of loggers, as a result of receiving special LFO funding for an Articling Fellowship to increase rural and linguistic access to justice pursuant to the Connecting Report recommendations (see the discussion on page 4).

Work with migrant farm workers has established that most are isolated for reasons of geography, language and culture. Outreach needs to be done in a way that encourages the development of trust, so CALC is working with a former migrant farm worker who is hosting informal social gatherings at his home to introduce clinic lawyers to workers.

Work with loggers has identified there is a need for legal education, particularly with respect to workplace safety. CALC has been invited to attend meetings of the North Hastings Logging Association to present information about the Workers Compensation and Insurance Board (WSIB) and Canada Pension Plan (CPP), which is a first step towards establishing an ongoing outreach strategy to this population. Additionally, CALC recently spoke to a group of loggers in North Hastings about the legal issues arising from their work.

Connection to our future project work

Sharing the emerging issues, the approaches, and new training and outreach resources to reach these special needs populations will be an important part of our future work with community legal clinics doing work to increase access to rural and remote communities and to diverse linguistic groups.

Value-added developments during the project

In the course of carrying out this project, as is typical of action research that seeks to create change as participants carry out the research, there were a number of developments we could characterize as “value-added” from the consultations and the process of developing the vision and strategies for a preliminary regional access to justice plan.

These included:

- The development of a prototype for an Access to Justice Toolkit that provides easy-to-reference resources about how to access the services provided by Legal Aid Ontario, where to go for help when Legal Aid-funded services cannot help, how to access CLEONet and CLEO resources, locating the best legal information on line, how to access specialty legal clinics, and includes outreach materials for the local clinic and LAO and a snapshot of available tip sheets and pamphlets. It is also available electronically online at www.communitylegalcentre.ca/connectingregions/toolkit.htm. Key referral documents were customized as the project progressed to include accurate referral information for the three distinct geographic service areas within the five county region.
- In response to concerns raised at focus groups, and with the assistance of a LFO-funded Articling Fellowship, a drop-in legal advice clinic is being piloted in Bancroft (North Hastings) for six months.
- The original Four County LAO Service Coordination Network has now expanded and intends to develop as a Five County LAO Service Coordination Network.
- During the course of the project, the project partners hosted local visits from an international delegation of community law centres from Ukraine, sponsored by the Open Society Institute, to showcase both our unique collaboration and our local service delivery models.
- One clinic has decided to experiment with a new outreach strategy of sending email bulletins to local service providers every two weeks which it will be sharing with project partners.
- As a result of learning through a key informant interview that a local community college no longer had an on-campus legal information centre, an outreach strategy to college students was developed and implemented with the help of a volunteer paralegal student who was recruited through the consultation process.

- Arising from a request by the student association of another community college, a satellite clinic offering legal referrals and intake interviews was established in the fall of 2010 as a pilot project.
- A display about LAO-funded services was developed and Access to Justice Toolkits were distributed at the Kingston anti-poverty conference, “Instigate 2010,” in October 2010.
- In order to begin to share knowledge, resources, and the lessons learned from the rural and remote consultations, and to share electronically the outreach resources that were being developed during the life of this project, a community legal clinic “list serve” was created on rural and remote service issues, in collaboration with LAO’s Clinic Resource Office.
- In one county, a PAC member was invited by a local Family Court Justice to attend an inaugural meeting of a special committee to introduce the Five County Connecting Region Access to Justice Toolkit that had been created for this project with local family lawyers.
- An introductory workshop for public librarians on accessing legal information and public legal education materials was developed.
- A simple prototype for an introductory legal awareness workshop series is being piloted in four geographic areas on March 3 and 4, 2011 – an experiment with a five county wide planning approach to building community capacity.

“Sometimes they are scared to do anything because what they have is all they have.” Social services worker, northern rural community.

Recommendations

We have developed these recommendations as a result of the research conducted and the internal discussions held throughout this project and described earlier in this report. What we heard and learned, from the literature review, from members of our communities and our own work, led us to the development of a vision statement for Phase II of this project, a statement of principles, and a proposal for a regional governance structure that we believe can guide and frame the three project priorities we propose below.

These projects, with adequate funding, will enhance the planning and coordination of services across the five counties and increase access to legal information and services for people living in rural and remote communities and/or for linguistic minority communities. The results of this project work will **create community capacity**, **lift legal literacy**, and begin to **build a regional planning model**. These projects will produce the outcomes envisioned by Cohl and Thomson (2008) in the Connecting Report:

“People who consult a non-legal organization would learn whether their problem has a legal component and how the law might help them.” (p. 61)

“People...would receive public legal information that raises their awareness of how the light might be able to assist them.” (p. 61)

“People with an identified legal problem would receive basic legal information from...a “trusted intermediary.” (p.61)

“People would easily obtain summary advice and referral to a legal professional.” (p. 62)

Our recommendations are designed to build on the strengths of our communities and on the community-based assets that exist in our rural, remote and linguistic communities, such as:

- The level of interest and engagement of our Community Partners
- Our strong community-based networks
- An ethic of care
- A focus on prevention and early intervention so that problems do not escalate
- The commitment of Five County LAO Service Coordination Network
- The many existing coalitions and collaborations (anti-poverty, homelessness prevention, monthly service provider “brown bag lunches”, Human Services Justice Coordinating Committees, Coordinating Committees Against Violence)

We have also set out a number of recommendations for activities that are outside this project's scope for LFO funding but are worth supporting in the future because they are integrally related to developing a regional access to justice plan.

"There is no one solution." Violence against Women shelter worker, northern rural community.

Recommendation 1: Vision Statement

In order to guide our work, we believe that it is important to both share and state a common aspirational vision of what we are trying to accomplish and where we are trying to go. This will help align our project work and help our community partners discern whether our projects are worth their time, attention and collaborative efforts.

Preamble to the Vision statement:

Low-income people face significant barriers in accessing legal information and services. These barriers are even greater for people living in rural communities and/or who do not speak English or French.

As a result, legal problems often go unresolved, which leads to serious detrimental economic, social and both physical and emotional health consequences. More generally, people who have multiple unresolved legal problems face social exclusion and disadvantage.

Proposed Vision statement:

Access to justice is more than access to information. We are committed to improving access to justice by increasing access to both legal services and legal information through collaborative strategies between legal and non-legal community organizations across our five county region.

Recommendation 2: Statement of principles

We also believe it is important to spell out our values as we carry out our project work together. We recommend the following statement of principles. Our collaborative strategies will:

- Build on existing partnerships and create new ones
- Building on “promising practices”
- Ensure that clients receive services and not just information
- Reflect local and regional needs and capacities
- Foster coordination and cooperation
- Reduce referral fatigue
- Increase legal literacy in our communities
- Enhance legal service delivery in our communities
- Ensure we share widely the knowledge we gain and the precedents we create

Recommendation 3: Proposing a Governance Structure: Creating the Legal Education and Advocacy Regional Network (LEARN)

We propose to create a regional governance model called LEARN – the Legal Education & Advocacy Regional Network. This regional planning and governance model is designed to work across the five county region to:

- Support collaborative planning
- Engage community partners
- Engage in ongoing needs assessment
- Implement specific project activities
- Share skills, expertise and knowledge
- Evaluate the Network’s activities

As well, LEARN will ensure that projects in the five county region are tied in with relevant provincial initiatives such as the CLEO Connecting Communities’ Consortium and other initiatives and relevant developments described in this report. Discussed further below, Figure 4 situates LEARN in the context of other initiatives and collaborations.

LEARN will consist of representatives of a number of community organizations that offer both legal and non-legal services in the project’s five county catchment area. These organizations will work together in a two-tier structure: five Community Working Groups (one for each county) and a Regional Advisory Council, which itself will be led and supported by an Executive Committee or Secretariat.

Convened by each of the legal clinics in the five counties, the Community Working Groups (CWG) will be made up of community based service providers with a mandate to continue to identify local issues, legal needs and community capacity, and to partner in the implementation and evaluation of project activities.

The Regional Advisory Council will consist of one to two non-legal representatives from each CWG and one representative from each legal clinic as well as from LAO and QLA. It will receive input from the CWG, synthesize it and provide advice to the Executive Committee about the needs and perspectives of the various regions, how best to connect with them, and recommend a work plan for carrying out and ensuring the project work remains coordinated across the five county area.

The Executive Committee or Secretariat, comprised of representatives of the legal clinics, LAO and QLA (essentially the current members of the Project Advisory Committee), will serve as the steering and decision-making body for LEARN and its projects, and, through a lead organization, will provide direction and support for project staff. All major issues will come to the Executive Committee for discussion and decision, which will provide high level strategic direction for the projects and monitor the achievement of goals and project deliverables. The Executive Committee will establish terms of reference and other necessary policies and procedures for itself (for example, compensation, conflict resolution, conflict of interest), the Regional Advisory Council and the CWG that are appropriate for the project(s) being undertaken.

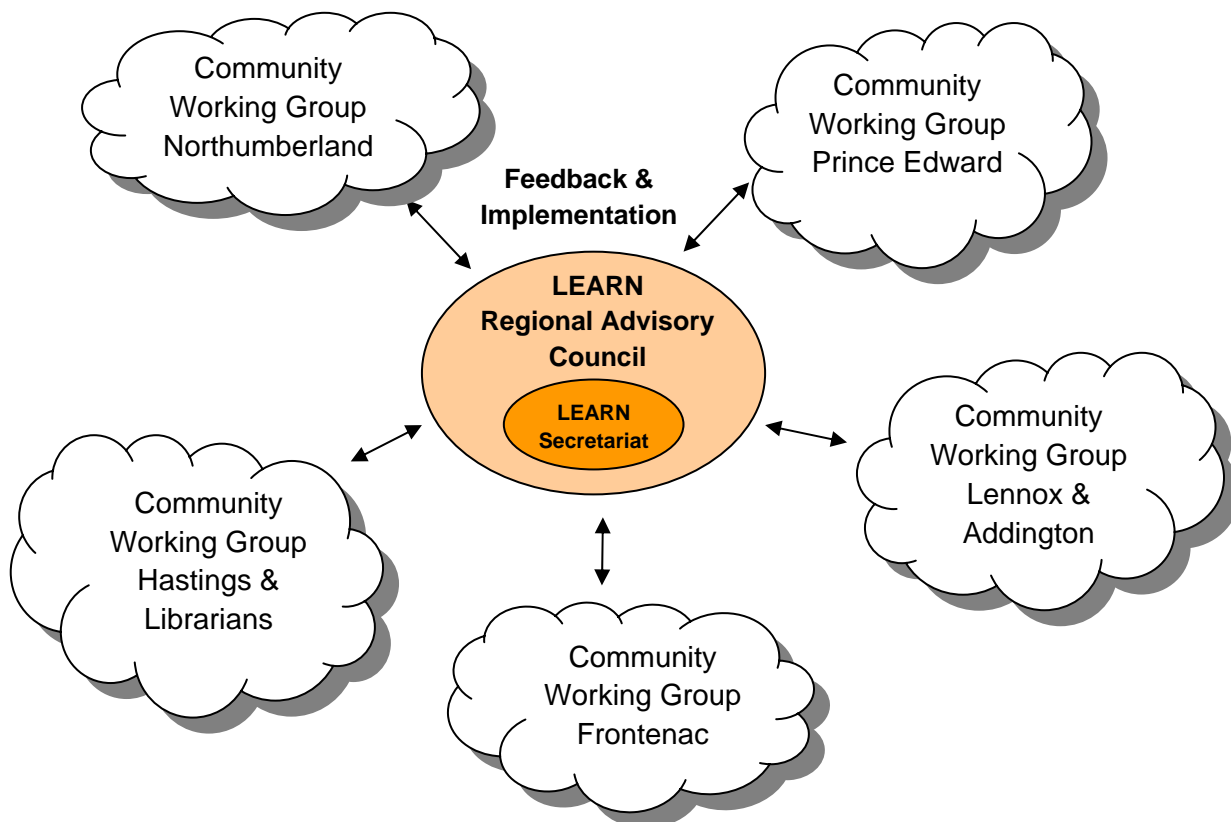


Figure 3: LEARN Regional Advisory Council and Community Working Groups

Membership in the CWG will reflect the geographic and linguistic nature of the five counties as well as a healthy cross-section of the non-legal service sector. Members of the private bar will also be encouraged to participate in the CWG.

The actual day-to-day work of LEARN will be performed by project staff, hired pursuant to the funding agreement. CALC, proposed as the lead organization, will have legal and financial responsibility for the project, submitting funding proposals, liaising with the funder, administering the project funds and supervising the project staff. The project budget will reflect this, with a line for project oversight and administrative expenses to be paid to CALC.

LEARN will also ensure that the resources, approaches and lessons learned from our work is shared with provincial partners. Additionally, LEARN will learn from other related projects and take primary responsibility for involving other organizations in our work to ensure a regional and provincial planning approach is undertaken, and to create economies of scale and new synergies with partners outside our five county area.

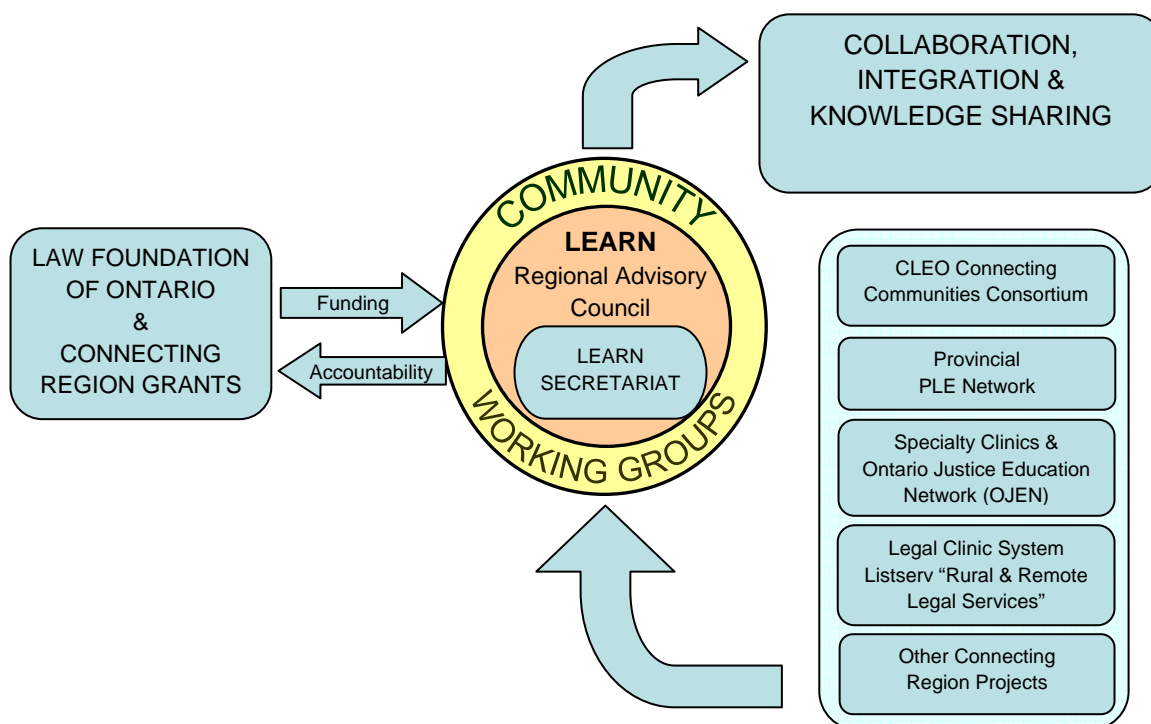


Figure 4: LEARN: Regional Planning Model – Relationships between constituent partners

Recommendation 4: LEARN: Desired Outcomes for Phase II – Proposed Projects for Phase II

The Connecting Report described how a coordinated system would help support people at every stage including helping them to recognize they have a legal problem, to provide them with sufficient information to understand the problem, appropriate and timely summary advice, and access to legal representation and self-help resources.

To that end, we are recommending to the LFO that we undertake a number of projects to:

- Develop the regional network – LEARN
- Create community capacity – LEARN LAW
- Lift legal literacy – LEARN Legal Literacy

Furthermore, we recommend we work simultaneously with LAO partners to enhance LAO-funded legal service delivery so that more holistic, coordinated and integrated legal services are available to our rural, remote and linguistic populations.

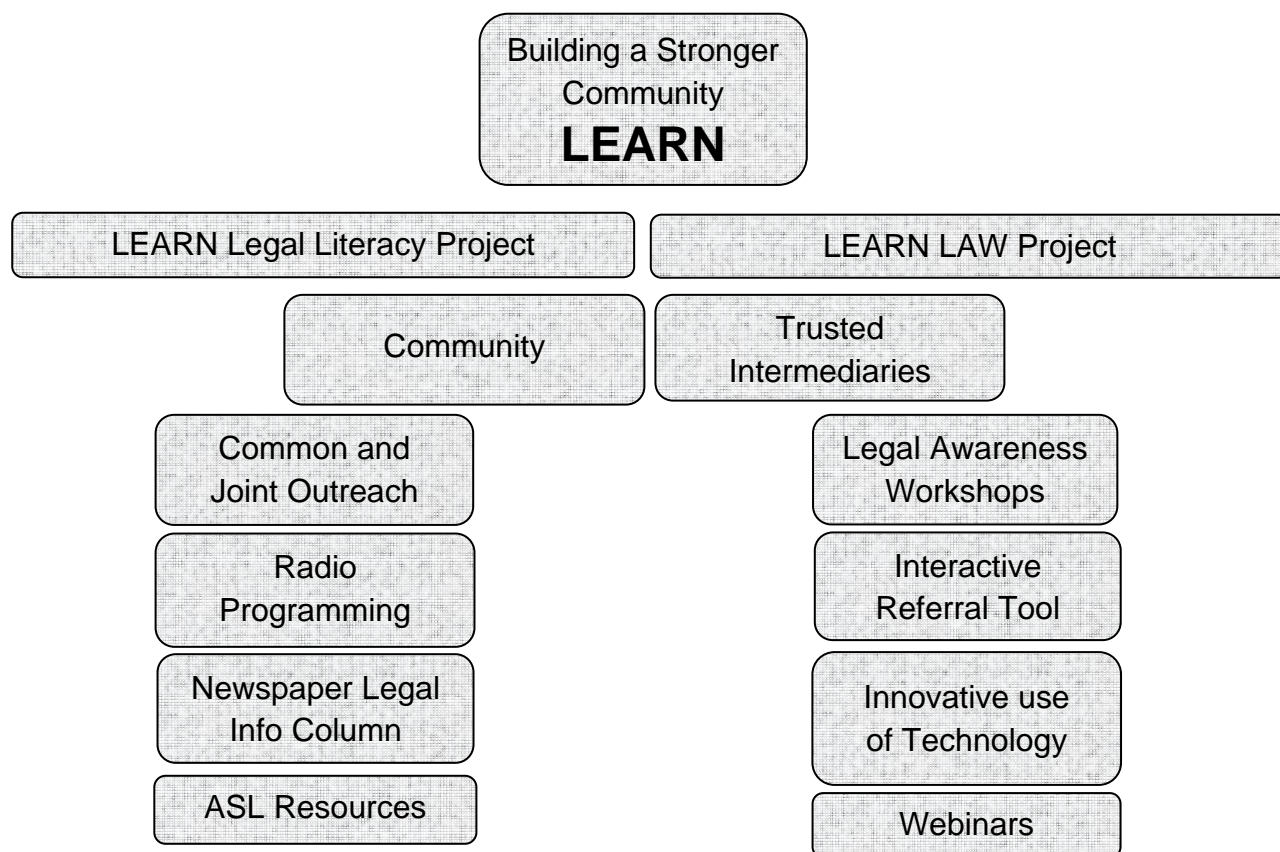


Figure 5: LEARN: Navigating a path forward through LEARN – a regional planning approach with community capacity-building and legal literacy projects

Proposed Projects for Phase II (three-year period):

1. Launching LEARN: Building a Regional Network

Objective

To build on the original Four County and now Five County Network to create LEARN, a strong team of legal and non-legal partners who can develop, implement and evaluate projects that will increase access to justice in the rural and linguistic minority communities within the five counties of this project (Frontenac, Lennox & Addington, Prince Edward, Hastings, Northumberland).

Activities

1. Use the outreach of the present project to build momentum for LEARN
2. Develop a detailed consortium model document, using vision statement, statement and principles, and governance model recommended from Phase I
3. Develop interim and informal Community Working Groups (CWG) to provide feedback during the development stage
4. Disseminate the draft consortium document to CWG members and other community agencies working with target populations
5. Receive feedback from targeted potential partners
6. Develop final consortium model, protocol and sign-on by partners
7. Formalize ongoing Community Working Groups who will then appoint members to the proposed Regional Advisory Council
8. Continue to recruit and engage new partners – both legal and non-legal
9. The LEARN Executive Committee will:
 - Continue through research to stay abreast of “promising practices” in other jurisdictions
 - Maintain a close connection to CLEO’s Connecting Communities’ Consortium and other Connecting Region projects and initiatives
 - Model the innovative and effective use of technology to improve project management, communicate efficiently, encourage transparency, and share knowledge by, inter alia, maintaining an internet-based project site for LEARN members
 - Maintain a public website for the general public and service providers at www.learnlaw.ca that will house all the resources created for broader dissemination and sharing.
 - Commit to knowledge-sharing with other legal clinics in Ontario by sponsoring a “rural and remote legal services” listserv in collaboration with LAO’s Clinic Resource Office

Possible partners

In each county, representatives from a broad spectrum of community-based service providers, as well as interested members of the private bar and/or Judges, will be solicited for involvement in this project. Sectors to be approached include:

- Social Services/Income Security Programs
- Community mental health
- Child development/welfare
- Violence against women
- Adult protective services
- Housing
- Libraries
- Worker rights' organizations
- Employment services
- Seniors
- Community Health Centres
- Family Health Teams/Nurse Practitioner Clinics
- Disability groups
- Settlement and immigrant services
- Linguistic groups including the Deaf
- Police
- Religious institutions
- Community colleges

By way of example, the following is a list of some of the confirmed partners for CWG in Hastings, Prince Edward, Lennox & Addington and Northumberland Counties:

- Community Advocacy Services, Campbellford, Northumberland County
- Rebound Child and Youth Services Northumberland
- The Help Centre, Northumberland County
- Prince Edward Learning Centre, Prince Edward County
- Quinte United Immigrant Service, Hastings/Prince Edward Counties
- Canadian Hearing Society "Connect" Program, Hastings/Prince Edward
- Maggie's Resource Centre, Bancroft, Hastings County
- Napanee Area Community Health Centre, Lennox & Addington County
- Speech Pathologist / Brain Injuries Association, Hastings/Prince Edward Counties
- Librarian, Township of Tyendinaga, Hastings County
- Human Services Justice Coordinating Committee, Hastings/Prince Edward Counties
- Mental Health Services, Hastings/Prince Edward Counties
- Housing Resource Centre, Hastings/Prince Edward Counties

2. LEARN Law: Capacity Building for service providers and “trusted intermediaries”

Objective

To increase the capacity of trusted intermediaries (non-legal service providers) to identify when clients have legal problems, provide them with basic legal information and/or warm referrals to appropriate legal services (including websites and telephone-based services), thus reducing referral fatigue, and to understand the workings of the legal system and the law as it impacts on their clients’ lives.

This project will create legal awareness and legal advocacy workshops for service providers to help build awareness of the “paths to justice”. The content of the workshops will reflect the range of different needs expressed through the community consultations that range along a continuum that begins with developing basic legal awareness and moves through to more complex training for those that wish to build some skills in legal advocacy. Some wish to be able to make more effective legal referrals, without providing legal information, some to use their increased legal knowledge and information to share with their clients, and others to be able to advocate on behalf of their clients. The benefits will range from reduced referral fatigue for clients, to stronger partnerships between legal and non-legal organizations to ensure increased access to justice. Workshop content will be stored and posted on www.learnlaw.ca, and this URL will be embedded in each of the project partners’ websites.

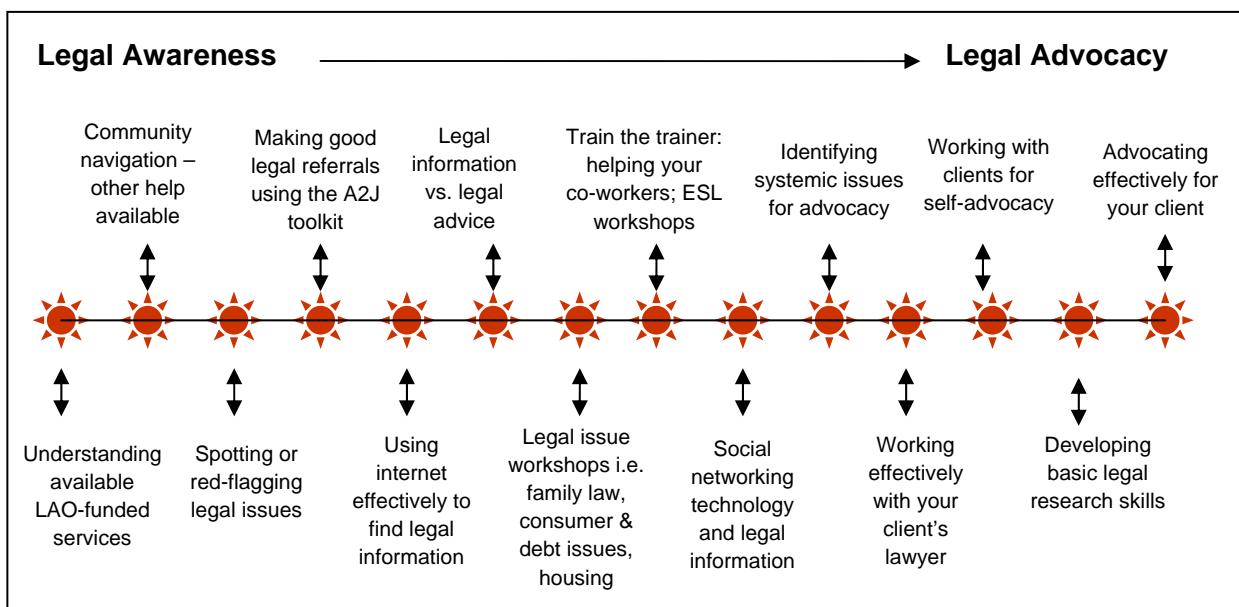


Figure 6: Continuum – A possible graduated series of legal awareness to legal advocacy workshops to build service provider capacity

Activities

1. Develop and deliver legal information training modules in a variety of formats (lunch and learn sessions, workshops, half or full day symposium, webinar, etc.) to service providers in five county region. Possible topics would include both poverty and non-poverty areas of law and legal process, such as family law, housing law, powers of attorney, and completing Family Court forms. Depending on the topic, content would be developed locally by project partners (legal clinic and LAO staff), private bar members, or imported from provincial initiatives such as the CLEONet webinars or the work of the Connecting Communities Consortium members.
2. Develop and deliver introductory legal information and resources training for public library staff in collaboration with at least one County Law Association librarian.
3. Collaborate with provincial specialty clinics to create a traveling “road show” - a series of regional legal awareness workshops on elder law, youth law, disability law, and environmental law, held consistently and sequentially across the five county area.
4. Increase the use of information technology, to deliver legal content. This would include making some of the contents of the Access to Justice Toolkit available in an interactive format electronically, increased collaboration with CLEONet to produce webinars, using social networking tools, and encouraging the use of other internet-based resources such as the online family law court forms.
5. Make the popular resource *Where Else to Go for Help* and *Who Does What* available in an interactive format, and stored centrally on the proposed LEARN public website.
6. Develop a public website for all the outreach, legal information and legal education resources to be hosted at www.learnlaw.ca (and shared with CLEONet).
7. Develop enhanced Access to Justice Toolkit (hard and electronic versions) for distribution to service providers in five county region.

Evaluation

8. Develop evaluation tool to determine whether the project has resulted in increased legal literacy for service providers.

Knowledge sharing

9. Share knowledge with other legal clinics in Ontario through a “rural and remote legal services” listserv and the CLEO Connecting Communities’ Consortium.

Possible partners

- Community Working Group members
- Service providers and community partners
- Religious institutions
- Constituency office staff
- Family court staff
- Family Law Information Centres
- Government Information Centres
- Public libraries
- Provincial specialty clinics
- CLEO and CLEONet
- CLEO Connecting Communities' Consortium members
- Ontario Justice Education Network (OJEN)
- Private bar lawyers

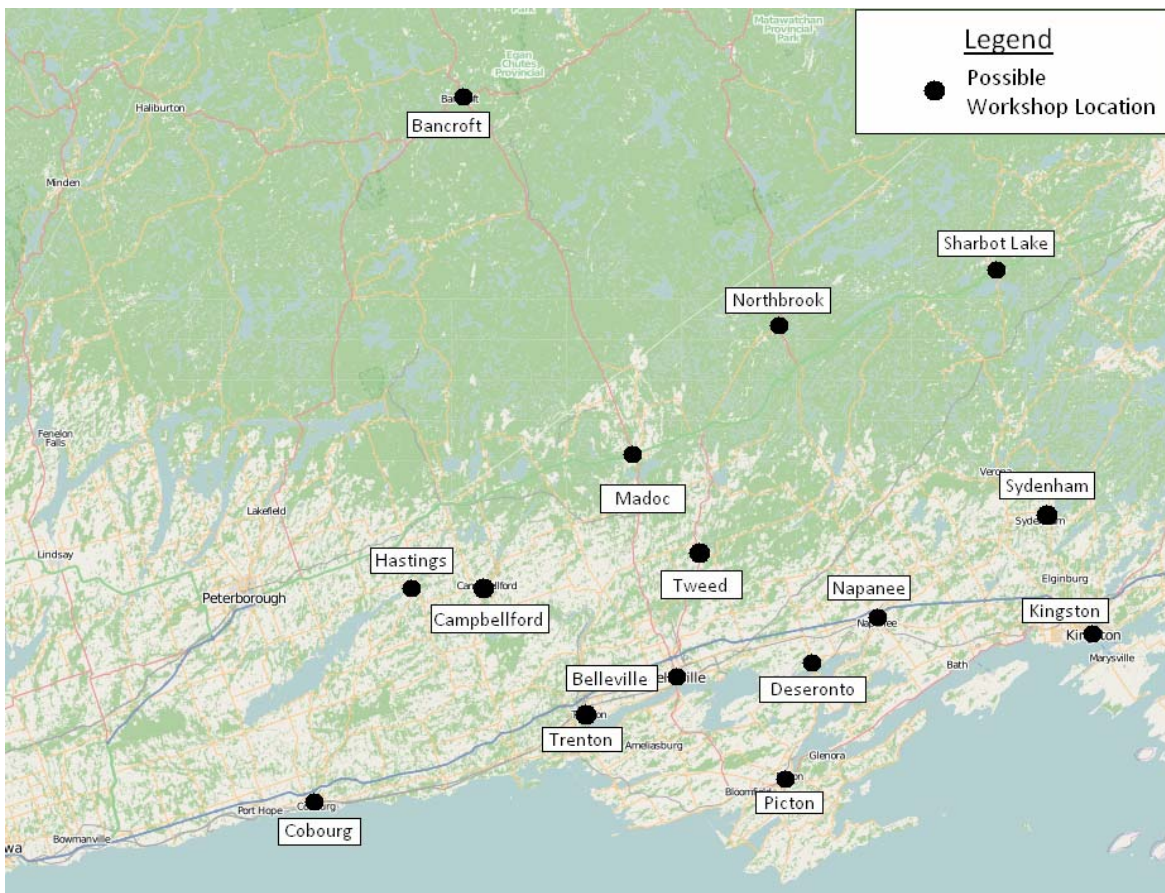


Figure 7: Possible locations for Legal Awareness and Advocacy Workshops

3. LEARN Legal Literacy: Enhancing legal literacy in the community

Objective

To increase the broader community's collective awareness, understanding and knowledge of legal issues and the available sources of legal help by enhancing the general level of legal literacy through undertaking a number of innovative outreach and legal information initiatives consistently across a five county area. This will build a stronger community capacity to respond the need for referrals and assistance by those who face barriers because they live in rural and remote areas or face linguistic challenges.

Activities

Outreach activities

1. Create common rural outreach materials containing information about where to go for more help (e.g. drink coasters, fridge magnets, mugs, "tear-off" advertisements) to be made available and/or posted in gas stations, local stores, service providers
2. Develop and ensure free Public Service Announcements (PSAs) are run on all possible radio stations across the five county area.

Legal Literacy initiatives

3. Produce and coordinate regular legal information columns in as many local community newspapers across the five county area as is possible. Each article would provide some basic legal information and suggestions for where the reader can turn for more information or assistance. Legal information columns already created by RLS would be re-crafted for publication in other papers, and new additions would be provided by legal clinic staff, LAO staff lawyers, and members of the private bar on a pro bono basis. In addition to the one rural newspaper that already carries legal information columns, a number of other newspapers have confirmed they are willing to run these columns (for example, the Belleville Intelligencer and the Community Press.)
4. Provide legal information through radio call-in shows or short clips.
5. Produce legal information video spots to be played on YouTube™, local cable TV, in shopping centre food courts, clinic and court waiting rooms, etc.
6. Create ASL resources and embed them in clinic websites, including providing translations of key pages to increase accessibility to the Deaf community.

7. Investigate the feasibility of developing a small number of legal awareness workshops for Deaf high school students, and Sir James Whitney Provincial School for the Deaf faculty
8. Investigate the possibility, desirability and feasibility of a pilot public legal education and legal literacy building project with public libraries.
9. Collaborate with specialty clinics to create regional learning opportunities and possible traveling “road show” on legal issues in elder law, youth law, disability law, and environmental law.

Evaluation

10. Develop evaluation tool to determine whether the project has resulted in increased awareness of access to justice services and raised the level of the community’s literacy.

Knowledge sharing

11. Share knowledge with other legal clinics in Ontario through a “rural and remote legal services” listserv and the CLEO Connecting Communities’ Consortium.
12. Create a resource kit of outreach material templates that can be modified for use by clinics across Ontario.

Possible Partners

- Community Working Group members
- Radio stations
- Cable TV stations
- Community newspapers
- Shopkeepers and restaurant owners
- Canadian Hearing Society
- Ontario Association for the Deaf
- Sir James Whitney
- Service providers and community partners
- Existing interagency networks, community and anti-poverty networks and Human Service Justice Coordinating Committees
- Constituency office staff
- Religious institutions
- Family court staff

- Family Law Information Centres
- Government Information Centres
- Service clubs
- Public libraries
- Provincial specialty clinics
- Private bar lawyers
- St Lawrence College, Sir Sandford Fleming College, and Loyalist Colleges' students and appropriate program faculty
- LAO's Clinic Resource Office
- CLEO and CLEONet
- CLEO's Connecting Communities Consortium members

Possible future action items that are beyond the scope of this project

Not surprisingly, as the project unfolded, we identified possible action items that went well beyond its scope. We present here a very brief summary of three areas where further work is clearly needed, but which we are not recommending pursuing at the present time as part of the projects we propose. In particular, the work of enhancing LAO-funded service delivery and coordination by improving the legal services available to individual clients will be the subject of a separate pilot project proposal to LAO under their recently announced Client Service Coordination initiative.

1. Access to legal information and services for Aboriginal peoples

We held one focus group at Tyendinaga Mohawk Territory, where we heard that there is a need for legal information and services but that there is little trust or interest in projects or programs that are developed by non-Aboriginal organizations. The Project Advisory Committee supports funding for the development of self-directed and autonomous outreach and legal information materials for Aboriginal communities.

2. Access to services for the Deaf

Our focus group and one-on-one interviews with service providers to and members of the Deaf community led to some ideas for very large project possibilities that go well beyond the scope of this project or the capacity of any of the project partners. For example, one of these projects was the creation of a pilot legal clinic for the Deaf. Within the scope of

LEARN's proposed project work, CALC would be interested in undertaking two initiatives in response to the needs that were identified:

- Developing ASL materials and information on the clinic's website
- Working with faculty, administration and students at Sir James Whitney School for the Deaf to create culturally-appropriate legal awareness workshops.

CALC was also recently approached by the Canadian Hearing Society's Ontario Interpreter Service to participate in a video-conferencing pilot project for which they are seeking LFO funding. A local outreach project with CALC's Deaf community is also being proposed in partnership with the local CHS office. If funded, CALC will participate in this pilot project and share the learning from that project with LEARN.

3. Improving Legal Aid Ontario service delivery and coordination: Legal services for individual clients

There is no one approach to client service delivery that will meet the needs of all clients. The present LAO transformation efforts offer some possibilities to enhance service delivery for some clients. We heard many other suggestions in our focus groups that do not fall within the mandate of the Law Foundation of Ontario but that merit mention here and consideration by LAO and the Ministry of the Attorney General. The Project Advisory Committee has also been generating ideas of our own. Just as we completed the writing of this report, LAO announced funding for Client Service Coordination initiatives on a pilot project basis for LAO-funded service providers.

Since we have already begun to rethink how LAO-funded service providers can collaborate to improve individual client legal service delivery in our district, post-transformation, we will be applying to LAO for assistance and resources to explore transformation possibilities across our five county area, with some emphasis on immediate local service delivery improvements in three geographic service areas, Northumberland, Hastings/Prince Edward/Lennox & Addington, and Frontenac. We are aware that the loss of the Area Offices in each county has created challenges for local service coordination, and the centralized Client Services Centre (CSC) does not yet make use of the local service delivery referral protocols we had developed as a Four County Network (namely, the "*Who Does What?*" resource and "*Where Else to go for Help*"). We would like to overcome these limitations in a positive and pro-active way and help to chart a new course for the future. We are also intrigued by the opportunities for improving family law services based on the Attorney-General's Four Pillars of Family Law Reform, and in particular the role of the Information & Referral Coordinators and the mandatory educational sessions that will include a talk by a lawyer and a social worker.

In particular, we wish to make note of the following suggestions we heard during our consultations:

- Many vulnerable clients require face-to-face, in-person service delivery if it is to be effective and efficient.
- There is a desperate need for family law information, which requires that FLIC and Duty Counsel services be enhanced and expanded so they are accessible to rural clients without requiring a lengthy travel to get to family court. Possibilities include:
 - offering part-time FLICs or Duty Counsel in rural communities
 - permitting legal information and advice to be given over the phone (it is possible that the CSC will be taking over this role)
 - implementing some kind of priority system to ensure that those who must travel for one hour or more can be seen by FLIC/Duty Counsel without having to make multiple trips
 - permitting Duty Counsel to complete court forms
 - offering enhanced Duty Counsel services
- There is a need to explore ways to better coordinate LAO services across more than just a four or five county area. A sixth county may be interested in joining this initiative.
- A consistent and integrated outreach plan for LAO-funded services is recommended across the district/region.
- Having standardized information about Legal Aid and legal clinic services, including CLEO pamphlets at Government Information Centres would be a very helpful development.
- There is a need to upgrade the local referral information at the CSC so that CSC staff provide holistic referrals, and also that they do not contribute to referral fatigue by making inappropriate referrals.
- Ensuring service providers have “hot line” access to legal clinic staff would assist in collaborative efforts to meet client needs holistically and efficiently.

Next steps

As Phase I of this project comes to a close, we are engaged in a number of activities to carry its work and vision forward into a possible Phase II:

- This final report, in addition to being submitted to the project's funder, the Law Foundation of Ontario, will be circulated to our community partners, and others engaged in the work of increasing access to justice for vulnerable populations.
- On March 3 and 4, 2011, we will present an overview of the report's recommendations and three brief legal awareness sessions to our partners, service users and constituency office staff in a series of four community workshops across our five counties.
- If invited to do so by the LFO, we will prepare a funding proposal for Phase II of the Connecting Regions project. This would include a comprehensive Project Charter with timelines, milestones and deliverables, and a collaboration agreement between the sponsoring partners and the Lead Agency.
- In the interim, the project partners intend to collaborate on a voluntary and experimental legal information initiative by participating in a joint effort to provide "email" blasts to service providers on new and emerging legal issues and developing a series of four newspaper legal information columns that could be carried in community newspapers across our five county area.
- In the interim, the new Five County LAO Service Coordination Network will begin a new phase of discussing service coordination between LAO-funded service providers, following the LAO transformation. We will be discussing how to support this initiative with LAO Provincial Office staff.

Conclusion

This project, building on an existing network of legal service providers across four, expanded for the project to five, counties, provided an opportunity to use an action research methodology, through which we were able to gather useful information and engage in internal reflection, knowledge sharing and discussion. This process allowed us to analyze the legal information and service needs of rural and linguistic minority communities within the five counties, develop a continuum model on which individual projects can be situated, begin the development of three such possible projects and design a potential governance model for any subsequent collaborative, cross-sectoral work.

Our desired outcomes for future projects promote a common approach but not necessarily a common face: in other words, knowledge, resources and strategies will be shared across sectors and across the five counties, but in a way that allows for each clinic and Community Working Group to customize the final product(s) to reflect its community's unique characteristics, if desirable and necessary.

We believe the work and outcomes of this project reflect and build on the vision articulated in the Connecting Report. As the authors of that report stated:

Based on the guiding principles [of their research] and all that we heard, learned and concluded, we have developed an overarching vision for a coordinated system [in which] legal and non-legal organizations will work together as a coherent system to improve access to legal information and services for persons who do not speak English or French or who live in rural or remote areas of Ontario, especially those who are low-income or vulnerable.

The Law Foundation of Ontario will serve as a catalyst for collaboration through strategic funding to make this system a reality.” (Cohl & Thomson, 2008, p. 60)

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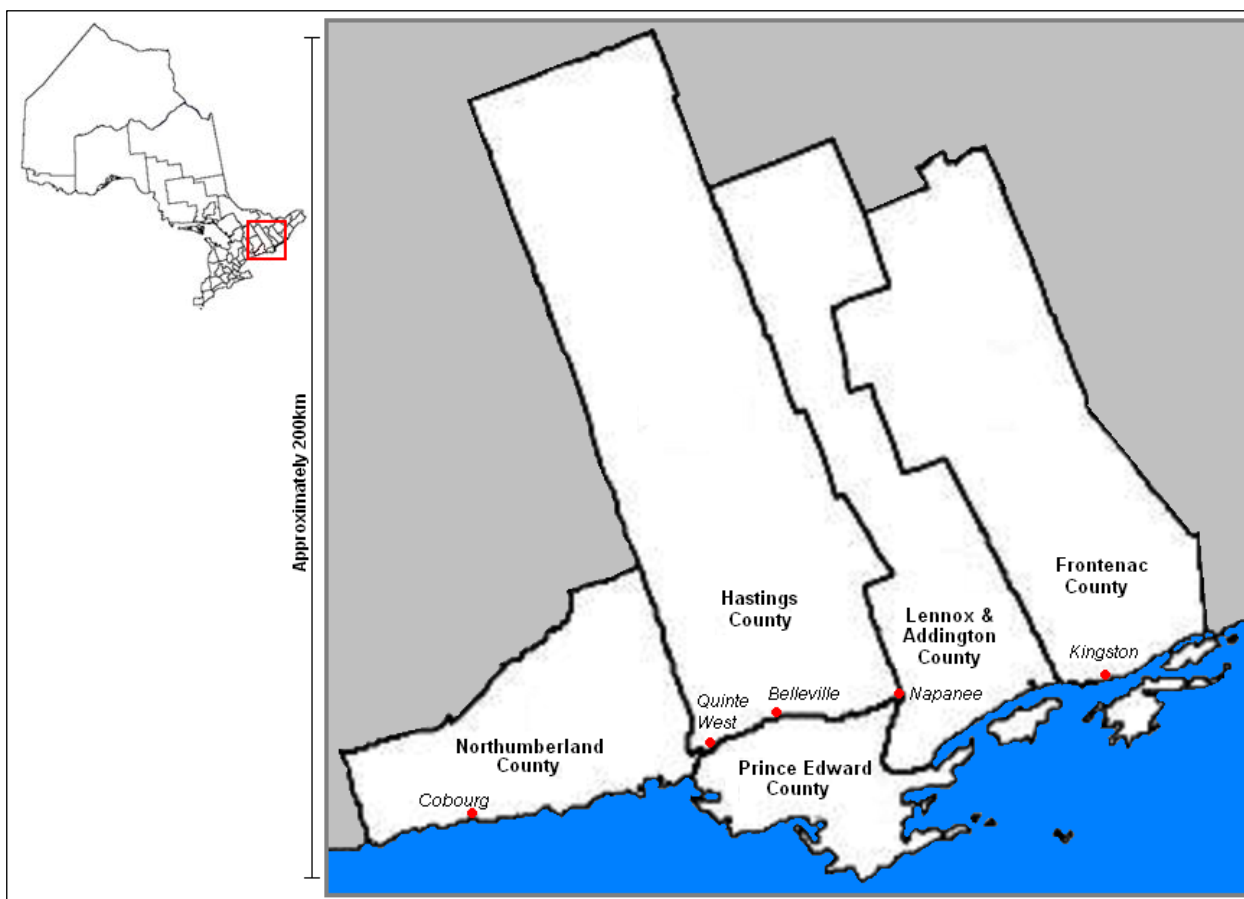
Appendix I

Demographic and Geographic Information provided in Funding Application

Members provided details of the transportation, housing, education, communication and internet access challenges in addition to a preliminary assessment of the linguistic needs in this excerpt from the application for funding.

2. The Region

2.1 Proposed Region



The proposed region for this application consists of the following 5 counties located in South-Eastern Ontario:

- Frontenac (Population: 143,865)
- Hastings (Population: 130,474)
- Lennox & Addington (Population: 40,542)
- Northumberland (Population: 80,963)
- Prince Edward (Population: 25,496)

The proposed region is distinctly rural in nature, consisting of a population of 421,340 people in an area of 15,379.72 km². This equates to only 27.4 persons per square kilometre. The distance from the eastern border to the western border is approximately 160 kilometres, while the distance from the southern border to the northern border is approximately 200 kilometres. The small urban centres of Cobourg, Quinte West, Belleville, Napanee, and Kingston are located on the southern borders of the counties (Prince Edward County has no small urban centre.) Most social service and health organizations have their primary offices in those centres, with satellites or staff travelling long distances to the more rural and isolated northern areas of the counties. All face challenges serving their rural populations.

According to both the Law Foundation of Ontario's report *Connecting Across Language and Distance (Connecting Report)* and Statistics Canada, a rural area can be defined as any area with a population density of less than 400 persons per square kilometre. Statistics Canada uses its census areas to define the characteristics of any given area. The Census Divisions (CDs) of Frontenac, Hastings, Lennox & Addington, Prince Edward, and Northumberland all meet Statistics Canada's definition of rural because of their low population density. These Census Divisions are further divided up by Statistics Canada into Census Metropolitan Areas (CMAs) or Census Agglomerations (CAs), and those are further divided into Census Sub-Divisions (CSDs). Every CMA, CA and CSD in the proposed region meets Statistics Canada's definition of rural with the exception of the Cobourg CA and CSDs. Cobourg does not fit this definition because its town limits are roughly 22.37 square kilometres, for a population of about 18,500. This results in a population density of 814, despite the town having a rather small total population. Practically speaking, in all five counties, a significant portion of the population lives outside the small urban centres in rural areas and at a considerable distance from those centres.

The Ontario Medical Association's "Rurality Index of Ontario" was designed to be an objective method of classifying a given area's "rurality". This index is calculated based on a number of factors including population, ratio of population to general practitioners, and proximity to hospitals and ambulances. Higher numbers are deemed more rural. The average index measurement of the proposed region for this application was 36.7 (as compared to the following scores for urban areas: Kitchener – 5, Toronto – 0, Ottawa – 0).

2.2 Range and needs of the linguistic and/or rural and remote communities to be served (legal and non-legal)

The *Connecting Report* identified many factors that influence and hamper access to legal services in rural areas. All these factors and barriers apply to our five county area.

Additional details about our regional situation include:

Transportation

Lack of public transportation affects the rural and remote communities throughout the five counties covered by this application. Most rural communities have no bus service and there are no passenger trains between any northern towns. Consequently, individuals living in rural towns or in the countryside have very few opportunities to travel to the community service providers. This problem is only compounded by the fact that many of these people are living on a low income and are already struggling to make ends meet.

Housing

A number of programs are available to assist families and individuals facing housing challenges, including Ontario Works, Ontario Disability Support Program, Emergency Food Bank, medical services, family and individual counselling, and support through a rent bank and utilities bank. However, service providers operate out of the larger towns throughout the five counties covered by this application. Furthermore, social housing is inundated with excess applications and the waiting lists are discouragingly long. Existing rental accommodation is frequently in disrepair.

When it comes to our rural communities, ...with almost no emergency shelters to speak of, and few supportive or transitional housing options, people who are homeless or insecurely housed tend to either be “hidden” (staying with friends or family), or leave the community altogether.

Homeless or insecurely housed people who do remain in rural communities can face extra challenges that they wouldn't face in urban centres. Utility costs can be a significant problem. Many homes in rural communities are heated with electricity in the winter, and the recent increases in electricity costs have placed significant strain on already overextended budgets. For those that heat with oil, the requirement for annual inspections of their oil tanks can also result in unforeseen costs. (*United Way Report on Homelessness in the County of Frontenac, 2007*)

Education

According to Statistics Canada, 42.4% of the population in the region have achieved only a high-school level education, compared to 39.6% for all of Ontario. Low literacy and numeracy levels also pose serious challenges. For example, the 2001 *Community Legal Needs Assessment: Examining the need for access to justice for low-income residents of Lennox & Addington County* documented that residents of Lennox & Addington county had lower levels of literacy than the general Canadian population aged 16 and over.

Internet Access

Much of the area covered by this application is scheduled for expanded availability of high-speed internet through the Government of Ontario's Rural Connections Program. However, we have yet to see the promised expansion of services, which means that a large number of people living in this region cannot access the legal information available online through sites like CLEO and CALC's website. Service providers are affected by this connectivity issue as well.

A CALC 2006 needs assessment for a "Know Your Law" initiative (a proposed legal literacy project for service providers modelled on a "community law school" approach) learned that service providers in rural areas were less interested in online information or courses than their counterparts in small urban areas.

Even if internet access is made more readily available, people who live on a low income will have a limited ability to access it.

Linguistic Needs

The population of the proposed region faces a number of diverse linguistic challenges. Belleville, which is the seat of Hastings County, is home to Sir James Whitney School for the Deaf, a boarding school that caters specifically to the Deaf community. Consequently, Belleville has a large Deaf population. A Health Services Needs Assessment conducted in 1998 estimated that between 150 and 200 Deaf adults live in Hastings and Prince Edward Counties. Community service providers and members of the local Deaf community each identified lack of ASL interpretation services as a major issue in the Canadian Hearing Society and Quinte Coordinating Committee Against Violence's *Deaf Accessibility Research Project Report* (2003).

This region is a common destination for migrant farm workers during the summer months. The last census reported 1,680 non-permanent residents.

According to the 2006 census, 980 people living in the region reported having absolutely no knowledge of either French or English, 8,385 people reported that they spoke a non-official language most often at home. According to information provided by Quinte United

Immigrant Services, at least 58 different linguistic groups have been identified in Hastings and Prince Edward Counties alone. The number of different languages, and the smaller numbers of people in these linguistic groups means that they are even more isolated than their urban counterparts.

Unmet Legal Needs

The results of the LSUC/PBLO/LAO provincial legal needs assessment are eagerly awaited. Current reports on regional unmet legal needs are largely anecdotal. CALC statistics indicate a large number of referrals for areas of law in which they do not provide services: family, consumer, criminal and estates and wills. Seniors legal issues and health care issues are an emerging area of concern. Recent LAO cutbacks have seriously impacted on the availability of family law help.

Network members expect to collect data on legal needs as part of the consultations in Phase I. Unmet legal needs will vary slightly by county and within different areas of each county depending on the population, types of legal issues, and extent of advocacy services available.

Need for Legal Information – Service Providers

CALC's 2006 needs and capacity assessment revealed that service providers were most interested in increasing their legal knowledge in the following areas: family law, housing, disability and mental health issues, and income security issues. Respondents rated their legal literacy levels as low in these areas.

Appendix II

Project Partners

Lead: Community Advocacy and Legal Centre (CALC)
Partners: Rural Legal Services (RLS)
Queen's Legal Aid (QLA) a Student Legal Aid Services Society
Kingston Community Legal Clinic (KCLC)
Northumberland Community Legal Clinic (NCLC)
Legal Aid Ontario District Area Office (Durham / Frontenac)

TERMS OF REFERENCE – Project Advisory Committee

INTRODUCTION

The Legal Aid Ontario (LAO) Four County Service Coordination Network (“Network”) and the Northumberland Community Legal Clinic (NCLC) received a project grant from the Law Foundation of Ontario to undertake a Connecting Region project (“project”) to cover a five county area in Southeastern Ontario. The purpose of the project is to identify ways to increase rural and linguistic access to justice.

MANDATE

The Project Advisory Committee (“Advisory Committee”) will oversee Phase I of the project.

ROLES AND RESPONSIBILITIES

Advisory Committee

- Make decisions with respect to the overall direction and work of the project
- Monitor the project's implementation
- Collaborate to undertake the community action research project and needs and capacity assessment including a mapping of existing resources
- Develop recommendations for new initiatives and a proposed governance structure for overseeing implementation of the new initiatives, if funded for Phase II
- Approve the final report of the project
- Develop a funding application for Phase II of the project

Project Manager

- Provide leadership and direction on the implementation of Phase I of the project
- Carry out the activities set out in the Project Work Plan and as determined by the Advisory Committee
- Plan, report to and participate in meetings of the Advisory Committee

Project Sponsor (CALC):

- Contract with the Law Foundation of Ontario (LFO) for project funding and administration
- Ensure the project deliverables are produced
- Retain the Project Manager as an independent contractor on behalf of the Network
- Assist with the project as described in the Project Work Plan

STRUCTURE

4. Membership

The Advisory Committee will consist of:

- Executive Directors of four community legal clinics: Community Advocacy & Legal Centre (CALC), Kingston Community Legal Clinic (KCLC), Northumberland Community Legal Centre (NCLC), and Rural Legal Services (RLS)
- Queen's Legal Aid (QLA) a Student Legal Aid Services Society
- LAO District Area Director (DAD)
- LAO District Area Administrator (DAA)
- Representative of LAO supervisory Duty Counsel (SDC)

The Project Manager (PM) will participate in Advisory Committee meetings, but is not a member of the Committee.

5. Advisory Committee Chair

CALC's Executive Director or the PM will chair the meetings.

The chair will facilitate meetings, prepare agendas, and advance the work of the Advisory Committee, in addition to any other duties required.

6. CALC administrative support

The CALC staff will provide administrative support to the Advisory Committee. The administrative support will include minute taking.

7. Frequency of Advisory Committee meetings

The Advisory Committee will meet in person four to six times over the course of ten months to monitor the project. Additional meetings, if needed, will be held by way of teleconference.

8. Decision making

The Advisory Committee will strive to make decisions by consensus wherever possible, but when a consensus cannot be reached, a decision may be made by a simple majority of those members who are present.

RECORDKEEPING

9. Advisory Committee business

Advisory Committee agendas and meeting notes will be kept electronically at CALC.

Project website

A project website will be created with the following features:

- Repository for agendas and minutes
- Document library for background materials and resources
- Project management blog
- Repository for survey and focus group results
- Other information as the Advisory Committee decides is necessary

11. Project Management Documentation

All documentation with respect to the Project will be maintained by the Project Manager and CALC.

ACCOUNTABILITY

Advisory Committee Members

- Actively participate in the work of the Committee
- The project honorarium is conditional on full participation in the project, including attendance at all meetings

Project Manager Responsibilities

Provide leadership and direction on the implementation of Phase I of the project
Carry out the activities set out in the Project Work Plan.

FINANCIAL MANAGEMENT

Project Fiscal Resources

- The Law Foundation has provided a modest budget of \$46,570 to carry out the project, appended as Appendix B. This allows for \$24,000.00 (32 days) of project management, and \$2,520.00 for administrative assistance. Project oversight costs of \$4,000.00 are provided for CALC and a \$1,000.00 honorarium for each of the legal clinics and QLA who are members of the Advisory Committee
- LAO staff participate in the project at LAO's expense
- Non-LAO staff may have their travel expenses reimbursed as permitted by the budget
- Wherever possible, members are expected to travel together
- Expenses will be reimbursed on submission of a CALC expense statement and as agreed by the Advisory Committee
- The project honorarium will be paid when the project is complete and the final funding installment has been received from the LFO

Donations in Kind

Contributions in kind by members will be recognized in the final project Report.

INTELLECTUAL PROPERTY

All intellectual property generated through this project is owned collectively by the organizations that make up the Project Advisory Committee and may be used by any of them individually or as a group to advance the principles and purposes of the project. No individual member has the authority to make changes to the intellectual property without the consent of the Advisory Committee.

EVALUATION

Evaluation of achievement of objectives

Appendix III

Access to Justice Toolkit Contents

(Toolkit available online at www.communitylegalcentre.ca/connectingregions/toolkit.htm)

- Backgrounder about Five County Connecting Region project
- Introductory PowerPoint presentation about *Connecting Across Language and Distance Report* and Five County Connecting Region project
- “Where Else to Go For Help Chart”
- “Who Does What Chart”
- A list of recommended websites for accessing accurate legal information
- Local clinic outreach/publicity materials
- Legal Aid Ontario publicity materials
- CLEO Pamphlets, including "Do You Know a Woman Who is Being Abused" and either a housing or family law pamphlet
- CLEONet publicity materials
- Publicity materials from provincial speciality legal clinics
- Screenshot of CALC's family law webpage
- Toolkit evaluation form

Appendix IV

Focus group and interview participants

Interviews:

- Access Community Services, Northumberland County
- Adult Protective Services, Frontenac County
- Belleville Public Library
- Brain Injuries Association, Belleville
- Case Study Interview (#1)
- Case Study Interview (#2)
- Case Study Interview (#3)
- Case Study Interview (#4)
- Children's Aid Society, Northumberland County
- Community Care Brighton
- Criminal Court Judge, Belleville
- Medical Doctor, Napanee
- Family Court Judge, Hastings / Prince Edward
- Frontenac County Mental Health Services
- Habitat for Humanity, Northumberland County
- Hastings County Law Association
- Hastings County Law Library
- Hastings County Social Services Department, Madoc
- Lennox & Addington Community Health Centre
- Loyalist College Paralegal Program
- Loyalist College Social Service Worker Program
- MP Daryl Kramp's Constituency Office staff, Prince Edward-Hastings
- MP Rick Norlock's Constituency Office staff, Northumberland-Quinte West
- MPP Leona Dombrowsky's Constituency Office staff, Prince Edward-Hastings
- Ontario Justice Education Network
- Prince Edward Learning Centre, Picton
- Parent of a Deaf Child, Belleville
- Probation and Parole, Napanee
- Providence Motherhouse, Kingston
- Provincial Superintendent, Deaf Programs & Learning Disabilities
- Sir James Whitney School for the Deaf, Belleville
- Transition House, Northumberland County
- United Church Minister, Belleville

Focus Group Participants:

- Abigail's Learning Centre (Belleville)
- Advocacy Centre for the Elderly (ACE)
- Alternatives for Women (Picton)
- ARCH Disability Law Centre
- Belleville Association for the Deaf
- Belleville Public Library
- Bridging the Gap (Belleville)
- Central Hastings Support Network (Madoc)
- Canadian Environmental Law Association (CELA)
- Canadian Hearing Society (Belleville)
- Canadian Hearing Society (Kingston)
- CLEONet
- Community Legal Education Ontario (CLEO)
- Community Living (Picton, North Frontenac)
- Community Mental Health (Hastings)
- Community Visions and Networking (Belleville)
- Counselling Services Belleville and District (APSWs)
- Deseronto Public Library
- Tyendinaga Township Public Library
- Durham College (Oshawa)
- ESL Teacher (Kingston)
- Family Court Clinic (Belleville)
- Family Health Team (Sharbot Lake)
- Frontenac Children's Aid Society
- Frontenac Law Association (Kingston)
- Hastings Children's Aid Society (Belleville)
- Hastings County Law Association
- Hastings County Law Library
- Hastings County Social Services (Madoc)
- Hastings Foodbank
- Hastings Housing Programs Branch (Belleville)
- Hastings Housing Resource Centre (Belleville)
- Justice for Children and Youth (JFCY)
- Kingston Immigrant Services
- Kingston Refugee
- Land o' Lakes Women's Program
- Language Instruction for Newcomers to Canada (LINC) (Kingston)
- Limestone Mediation (Kingston)
- Maggie's Resource Centre (Bancroft)
- Metis Nation of Ontario (Bancroft)

- Mobile Classroom Project (Kingston)
- National Farmers Union Local 316 (Kingston)
- North Frontenac Community Services (Sharbot Lake)
- North Hastings Community Trust
- Northern Connections Adult Learning Centres (Sharbot Lake)
- Northumberland Child Development Centre
- Northumberland County Community and Social Services
- Ontario Provincial Police (Bancroft)
- Ontario Provincial Police (Tyendinaga)
- Parents of Deaf Children
- Prince Edward Community Care for Seniors (Picton)
- Port Hope for Youth
- Prince Edward Lennox & Addington Social Housing
- Prince Edward Lennox & Addington Social Services
- Private Bar Lawyers
- Probation and Parole (Hastings)
- Providence Care Regional Community Brain Injury Services (Kingston)
- Quinte Health Care Crisis Intervention Centre (Belleville)
- Quinte United Immigrant Service (Belleville)
- Quinte West Public Library
- Rebound (Cobourg)
- Sexual Assault Centre (Belleville)
- Southern Ontario Aboriginal Diabetes Initiatives (Tyendinaga)
- St. Lawrence College Employment Services (Kingston)
- Three Oaks Foundation (Madoc)
- Tyendinaga Community and Home Care Centre
- United Way / Kingston Labour Council
- Victim / Witness Assistance Program (Belleville)
- Volunteer Information Quinte (Belleville)
- Watton's Employment Services (Cobourg)
- Workers Help Centre (Belleville)

Appendix V

Focus group agenda and questions

Agenda

1. Welcome
2. Roundtable introduction of participants
3. Overview of the Connecting Region project
4. Discussion of focus group questions
5. Introduction and review of the Access to Justice Toolkit
6. Questions or comments
7. Next steps

The following questions were discussed by the focus groups:

1. How would your clients recognize and understand a legal problem? Who would they turn to/trust for help in doing this?
2. At what stage in their process would your clients seek access to this kind of information/support?
3. What level of information do your clients want about their legal problem? Do they want enough information to handle the problem themselves or just enough to know where to go for more help?
4. Are your clients able to access services from Legal Aid Ontario and community legal clinics?
5. What legal services and supports are missing for your clients?
6. What opportunities are there for you to work collaboratively in your community and neighbouring communities to overcome the barriers/gaps your clients face in accessing legal information and services?
7. Have you heard about or seen services in neighbouring communities that you would like to have access to for your clients?

8. What additional information/access to information/training would you like to have so you could better support your clients with their legal needs?

9. Is there anything else you think we should know to assist us in developing recommendations for collaborative approaches to providing legal information and services in this region?

Appendix VI

Project Backgrounder

Five County Legal Literacy and Access to Justice Project

BACKGROUNDER

"When people need legal information or services, they are often in a time of crisis or experiencing pivotal events in their lives. The fact that they live in a rural or remote area of the province, or do not speak English or French, should not be a barrier to securing the legal information and services they need." (p. 1)

"Access to justice [means]...

- *Information so that they can understand the legal problem and identify next steps*
- *Services of legal practitioners, such as lawyers, community legal workers, or paralegals, so that they can understand how the law applies to their situation, consider legal options, or obtain legal representation." (p. 1)*

The vision: Building a system

"Legal and non-legal organizations will work together as a coherent system to improve access to legal information and services for persons who do not speak English or French or who live in rural or remote areas of Ontario." (p. 60)

Cohl, K., and Thomson, G. (2008). Connecting across language and distance: Linguistic and rural access to legal information and services. Toronto: The Law Foundation of Ontario. (http://www.lawfoundation.on.ca/pdf/linguistic_rural_report_dec2008_final.pdf)

What are we trying to do?

- Increase access to justice in our community (access to legal information and legal services)
- Ensure people have the information they need to recognize they have a legal problem and to understand it
- Increase the capacity of service providers to make appropriate referrals and identify legal issues
- Provide "triaged" legal assistance where possible

The project is focused on the legal needs of low income people in rural areas and people who do not speak English or French (including the Deaf). It covers Frontenac, Lennox & Addington, Hastings, Prince Edward and Northumberland counties and Tyendinaga Mohawk Territory.

How will we do this?

- Bring together/consult local people, non-legal organizations, private bar lawyers, and Legal Aid Ontario-funded service providers
- Brainstorm existing legal needs and legal capacity to meet those needs
- Ascertain how we could take a more coordinated approach to meeting legal needs, and find ways to meet legal needs that are not currently met
- Canvass for potential partners among community service providers

For more information visit: <http://www.communitylegalcentre.ca/connectingregions>

September, 2010

Appendix VII

Data collection results

Number of Questionnaires Completed Per Location:

Location	Total Responses
Bancroft	8
Belleville	13
Hastings	3
Kingston	10
Madoc	6
Napanee	6
North Frontenac	2
North Lennox & Addington	4
Northumberland	6
Picton	4
Tyendinaga	4
Total	66

Question 1: Please identify the primary services your agency provides

Answer	Total Responses
Advocacy Services	25
Education	19
Social Services	19
Children	15
Violence Against Women	13
Health	12
Mental Health	11
Volunteers	11
Senior	9
Charity	8
Income Support	7
Legal	6
Labour	5
Police	3
Public Libraries	2
Faith Communities	1

Other responses to question 1:

- Housing
- Mediation
- Community support services
- Referrals
- Females over 16
- Developmental Services
- Developmental Services / Counselling
- Violence against men
- Information Services
- We do not have regular requests for legal service. We are a proactive program, prevention oriented. We focus on Homelessness, WSIB, Unemployment/Adjustment, Human Rights, Personal Counselling
- Services for Special Needs
- Food bank
- Community Legal Supervision
- Employment
- Employment services including assisting with ODSP applications
- Parent Support, BPS Groups, Physio, O/T, Speech, Play Therapy (all as associated with child development)
- Kingston Refugee Coalition
- Settlement services for newcomers
- Acquired brain injury rehabilitation and support
- National Farmers Union, projects, workshops, advocacy for small and medium sized farm families
- Restaurant Workers, ESL
- ESL/Orientation, Child-care

Question 2: Are your clients:

Answer	Total Responses	Average Rating
Single Mothers with 1 - 3 Children Living at Home	39	2.08
Single Women	39	2.58
Single Men	35	2.65
Single Mothers with More than 3 Children Living at Home	32	3.77
Single Fathers with 1-3 Children Living at Home	29	4.57
Single Fathers with More than 3 Children Living at Home	25	5.88

Other responses to question 2:

- I'm a student at Homes & Community Care - the population is everyone in the community, all families and dynamics
- Families (2 Parents)
- Couples
- All women age 16+ who have experienced violence in their lives
- Seniors
- Seniors - Widowed, Adults - Physical Disabilities
- Women primarily, both single and single with children
- Adults with a developmental disability
- Deal with persons of all backgrounds
- Families with children 6 and above
- Most common is two-parent families with 1 - 6 children
- Family unit (mother+father with children) is most common
- Families (2 adults with children)
- Adults with an intellectual disability, families with a child who has a disability
- Parents with children in foster care
- Seniors / Families with Mother and Father
- Children ages 6 -12 at no cost to families
- Seniors, Students
- Seniors
- All ages
- Parents raising children together
- Adults with Disabilities residing with aging parents
- Couples
- Women over 16 years old, married and single
- Two parent families with 1-4 children
- Married/Common Law men
- Older men & women with grown children
- Anyone looking for work
- Grandparents raising children
- Senior Couples
- Families with 2 Parents
- Immigrant families - sometimes the woman comes before the husband
- Institutional, Municipal (Corporate)
- Partnered couples where one has an ABI
- Farm families, occasionally single people
- Adult students who can be any of the above
- Newcomers to Canada
- Most are married immigrants with or without children
- Families living with 1-3 children at home

Question 3: How old are your clients?

Answer	Total Responses	Average Rating
40 - 55	54	2.40
25 - 40	52	2.12
20 - 25	51	3.10
55 - 65	48	3.49
Under 20	48	4.09
Over 65	45	4.27

Question 4: What is the annual household income of your clients?

Answer	Total Responses	Average Rating
Under \$20,000	53	1.31
\$20,000 - \$30,000	39	1.79
\$30,000 - \$40,000	30	2.69
\$40,000 - \$55,000	28	3.74
\$55,000 - \$70,000	24	4.83
Over \$70,000	23	5.57

Question 5: What is the primary source of income for your clients?

Answer	Total Responses	Average Rating
OW	50	1.87
ODSP	47	1.98
Part-time Employment	43	3.19
Full-time Employment	35	3.97
Employment Insurance	34	4.47
Child and/or Spousal Support	29	4.79

Other responses to question 5:

- CPP/OAS
- Retired
- Retired
- CPP, OAS, WSIB
- Pensions
- OAS, CPP
- CPP, Private Insurance, etc.
- Students
- WSIB
- Family
- Old age security

- Special needs extra funding for services for children
- OAS, GIS, GAINS, Private Pensions, Savings, RRSP, RIFF, Varied
- Private pension
- No income
- CPP
- Savings
- Insurance settlement
- Pensions
- Savings
- Sponsorship by family members

Question 6: What is the first language of your clients?

Answer	Total Responses	Average Rating
English	60	96.17
French	14	3.54

Other responses to question 6:

- Mohawk
- Mohawk
- Dutch
- Sign language
- Mandarin, Urdu, Korean, Spanish, and several other languages
- Spanish, Greek, Chinese
- Spanish, Punjab
- Vietnamese
- Spanish
- Many languages (90%)
- Mandarin, Korean, Arabic, Spanish, etc (85%)
- Portuguese, Mandarin, Sign
- Arabic, Farsi, Mandarin, Korean, Spanish, Turkish, Japanese, French
- Various Chinese Languages
- Mandarin, Cantonese, Spanish, Russian, Arabic, Korean, Urdu, Bengal, Hindi, Farsi, Swahili

Question 7: What is the second language of your clients?

Answer	Total Responses	Average Rating
French	13	3.00
English	9	83.43

Other responses to question 7:

- Mohawk
- Spanish, Hearing Impaired
- Spanish
- French, German, Spanish and Other
- Mandarin
- Ukrainian, Punjabi

Question 8: Please indicate where your clients live.

Answer	Total Responses	Average Rating
Rural	49	49.16
Small-town or Village	44	42.15
City	34	55.30

Question 9: What are the issues that bring your clients to your agency?

Answer	Total Responses	Average Rating
Housing	6	3.50
Mental Health	6	1.00
Transportation	3	8.00
Counselling	2	
Criminal Charges	2	1.00
Domestic Violence	2	
Homelessness	2	
Human Rights	2	
Landlord / Tenant	2	3.00
Mental Health Issues	2	
ODSP	2	
Referrals	2	
Senior's Programs	2	1.50
Violence against women	2	1.50
WSIB	2	4.00
Accused Charged by Police	1	3.00
Addiction issues	1	
Addictions	1	4.00
Adult Protective Services	1	3.00
Advocacy & Support	1	
Assistance with fulfilling meaningful roles	1	
Available Resources	1	
Blood Pressure Concerns	1	3.00

Answer	Total Responses	Average Rating
CAS Involvement	1	
CAS Ordered to Participate in Support Agency	1	
CAS Rights Issues	1	1.00
Case Management	1	
Child development concerns	1	
Child Support Questions	1	2.00
Childcare	1	3.00
Children's Programs	1	1.00
CICB	1	
Community Programs (STEP)	1	
Community referrals to support services	1	
Community wellness support	1	
Co-op for Jobs	1	
Counselling & Support Programs	1	3.00
Court (Criminal)	1	4.00
Court diversion	1	
Court Imposed Restrictions	1	
Criminal activity	1	
Criminal Compensation	1	
Criminal Difficulties	1	2.00
Criminal Harassment	1	
Criminal investigations	1	
Criminal Lifestyle	1	
Criminal Offences	1	
Criminal Wrong-doings	1	2.00
Crisis Help -homelessness, elder abuse, mental health	1	
Crisis Support	1	3.00
Denial of CPP-D	1	3.00
Denial of ODSP	1	1.00
Denial of OW	1	2.00
Diabetes / Health Related Information	1	1.00
Divorce	1	2.00
Domestic Issues	1	1.00
Dressing Changes	1	2.00
DV	1	1.00
Economic Hardships	1	4.00
EI Questions	1	5.00
Employer rights and responsibilities	1	6.00
Employment Questions	1	4.00

Answer	Total Responses	Average Rating
Family Issues	1	2.00
Financial Crisis	1	1.00
Health Complications	1	1.00
Health Education	1	5.00
Custody/Access Issues	1	
Debts	1	
Develop New Affordable Housing	1	
Difficulty in school	1	
Education	1	
Education (Obtaining grade 12 or upgrading skills)	1	
EI	1	
Emergencies	1	
Emotional Support	1	
Employment	1	
Employment Assistance	1	
Employment Help	1	
Employment support	1	
English Classes	1	
English language deficiency	1	
English language support	1	
ESL support	1	
Fairness with regulation difficulties (i.e. environmental infractions)	1	
Families unable to pay for academic/social support	1	
Family Breakdown	1	
Family Court	1	
Family difficulties	1	
Family dynamics	1	
Finances	1	
Financial	1	
Financial Assistance	1	
Financial Issues	1	
Financial Need	1	
Financial Problems	1	
Food Security	1	
Food/Milk for Moms/Diapers	1	
General Information on Services Related to Seniors	1	
Groups	1	

Answer	Total Responses	Average Rating
Health	1	
Health and Illness / Death of a Family Member	1	
Help with Forms (OAS, GIS)	1	
Home Support	1	4.00
Hospital to Home Programs	1	
Housing crisis	1	
Housing Issues	1	
Human Rights Violations	1	7.00
Identifying resources/supports in the community	1	
Immigration	1	
Immigration issues	1	
In Need of Affordable Housing	1	
Info about available services	1	
Information	1	
Information about government services, education, supports in community	1	2.00
Isolation	1	
Labour	1	
Lack of Income / Employment	1	1.00
Lack of lawyers in area	1	
Landlord & Tenant	1	
Landlord and Tenant	1	
Language	1	
LEAP Program	1	
Legal Issues	1	
Long-term care	1	
Looking for a service in the community	1	
Looking for a volunteer position in their community	1	
Loss of Employment	1	
Meals on Wheels	1	
Medical	1	
Medical problems	1	
Mental health problems	1	
Mental illness	1	
Money Concerns - no phone, car, etc	1	6.00
Money management	1	
Monthly - requirements to meet	1	
Need for CSS Services (Meals on Wheels,	1	

Answer	Total Responses	Average Rating
Friendly Visits, Transportation)		
Non-Profit Landlords	1	2.00
Not able to read legal information provided	1	7.00
Nursing home	1	
Other Housing Issues	1	
Outreach	1	
Parenting	1	
Parenting problems	1	
Parenting Support	1	
Participant-based activities	1	
POA	1	
Poverty	1	
Powers of Attorney	1	
Pre & Post-natal support	1	
Private Market Landlords	1	1.00
Referral to another agency	1	
Referral to other agencies	1	
Referral Services	1	5.00
Referrals by OPP/CAS	1	
Referrals to Community Resources	1	
Require information/Assistance	1	
Rights supporting people with special needs in a family home with medical	1	5.00
SA	1	2.00
Safe Affordable Housing	1	
Safety Planning	1	
Searching for housing	1	
Second Career	1	3.00
Second Stage Housing	1	
Separation	1	1.00
Settlement needs	1	
Sexual Assault	1	
Socio-economic factors	1	
Substance Abuse	1	
Succession issues for farm transfers	1	
Support for independent daily living	1	
Support Services - Meals, Home Help, Advocate, Transportation, Isolation	1	
Support Through Criminal Court Process	1	
Unemployment Insurance	1	4.00
Tax preparation	1	

Answer	Total Responses	Average Rating
Tenant Rights / Responsibilities	1	3.00
Transportation Needs - children and seniors	1	
Trauma	1	
Understand Acquired Brain Injuries	1	
Unemployed	1	1.00
Various -full service large lawfirm	1	
Various Issues Related to Living in Affordable Housing	1	
Wills program	1	
Wrongful Dismissal	1	6.00
Youth Justice Delivery	1	

Question 10: What legal issues do your clients identify that they are dealing with?

Answer	Total Responses	Average Rating
Family	45	2.76
Housing	44	3.73
Money/Debt	43	3.35
Child Protection	36	4.14
Income Support	35	4.06
Mental Health	32	4.57
Criminal	31	3.35
Employment	28	5.23
Health Care	20	6.00
Personal Injury	17	7.14
Human Rights	16	7.57
Immigration/Refugee	14	6.71
Civil Law	12	9.75
Consumer	11	7.00
Wills/Powers of Attorney	11	10.50

Other responses to question 10:

- Educational Issues (10)
- ODSP / OW Appeals
- Wills
- Succession
- Taxes, ODSP

Question 11: How do your clients find out about your agency / services?

Answer	Total Responses	Average Rating
Word of Mouth	52	1.96
Referral From Another Agency	48	2.11
Community Resource Listing	41	3.00
Referral From Doctor	36	4.06
Telephone Book	35	4.42
Referral From Religious Leader	26	5.46

Other Responses to Question 11:

- Website
- Displays, Workshops, Presentations
- Police / Crown
- Website
- Ministry of Health, MPP or MP
- Police, Victim Witness
- Self-initiative
- Website/Google
- Court Order
- Crisis Line
- Internet
- Referrals from court
- Self refer
- Newspaper column (2), PSA (3)
- Directed by court
- Self-referral
- English learning centres
- Mainly client referrals and prominence in specialty practice areas, i.e. labour/corporate/insurance defence,
- Hospital, SE Community Care Access Centre
- Members of our organization or members of other farm organizations
I approach them

Question 12. Is there a waiting period for your clients to access your services?

YES: 12

NO: 54

If “Yes” how long?

- 6 Months - 5 Years
- 1 Week
- Couple of weeks
- Few days
- 4 - 6 months depending on needs and triage process
- 2 years, prioritized by crisis
- 1-3 months
- 1-9 years (social housing)
- Several months
- 2-3 months after intake interview
- less than week
- Depends on the service: Long-term assisted living - years, Kingston area outreach -no wait, Belleville and Brockville outreach -1 year

Appendix VIII

Deaf Community Focus Group

This focus group was well attended by nine service providers including a representative of the provincial office of the Canadian Hearing Society and three interpreters, as well as Community Advocacy & Legal Centre (CALC) Executive Director, Michele Leering as observer and the Project Manager, who facilitated the meeting.

The discussion followed a very different path from the discussion in other focus groups, and veered away from the set questions almost immediately.

Key elements of the discussion included:

- There is a high level of interest in a partnership between CALC and the Canadian Hearing Society to deliver legal information and services to the Deaf community in the Belleville area.
- Belleville is seen as the ideal community for such a pilot because of the location of the Sir James Whitney School, the size of the Deaf population in the region, the fact that the community is small enough to focus on key issues, and CALC's pre-existing strong service delivery commitment/vision.
- To have integrity, any such project would have to include a Deaf lawyer providing services.
- The partnership work would also include outreach, development of new resources, steps to preserve and expand a pool of sign language interpreters.
- There would be a role for some online support (the Family Law Education for Women ASL materials provide a good example of what could be developed).
- The first choice for delivery of information is to have it presented by trusted service providers in person, perhaps in workshop settings, by Deaf people, with written materials to take away or use as a follow up.
- The project could also work on the development of protocols about the role of interpreters with lawyers and in court and about a system of court recording that incorporates non-verbal communication.
- The project has to incorporate the reality that only about 30% of Deaf people communicate effectively with ASL interpreters; the others need a Deaf interpreter who understands their individual method of communication.

Appendix IX

Case Studies

(Note: Names used are not the clients' real names.)

Case Study Number One

Sandra moved to a rural northern location from urban southwestern Ontario where she had been a health care provider. She has dealt with a number of legal problems, including family (property division and divorce) and criminal law issues relating to her husband's abuse of her, Criminal Injuries Compensation Board (CICB) claim and Ontario Disability Support Program (ODSP). She had also had a will and powers of attorney prepared through the community legal clinic.

Sandra found the community legal clinic indirectly. She found a women's support group through the yellow pages and the worker there, once she heard Sandra's story, suggested she contact the clinic.

She had a lot of knowledge and information about the law and legal systems and processes because of her previous professional work, but still found the community legal clinic very helpful in completing her CICB claim. As she said: "I could have done it myself, but having the clinic's support made it much easier."

The clinic was also able to connect her to the Victim Witness Assistance Program at the criminal court during her husband's trial. "They had access to information that I needed that would have taken me a long time to get."

Sandra now provides informal peer support and assistance to others in the community who have legal/social service problems, many of whom are too embarrassed to talk about their legal problems with someone they don't know. She has found that, while services are well integrated in her community, they are not well known. She has used the internet for legal information but thinks much of it is written at too high a level for many in the community and that much of the information is written for people in southern, urban locations.

She thinks a local directory of social services and programs would be very helpful for people.

Case Study Number Two

Fatima and her 8 children came to Canada on her husband's refugee claim 11 years ago. He had been badly injured in the war in the family's country of origin, and the family lived on his ODSP benefits until his unexpected death in 2006. Fatima continued to receive ODSP for three months after his death, at which time she was cut off and placed on Ontario Works.

Fatima has significant physical disabilities including anxiety, speaks an uncommon Kurdish dialect, is illiterate in that language and speaks no English.

Her doctor referred her to the community legal clinic for assistance in making her ODSP appeal.

It took two years to find an interpreter who spoke Kurdish, but he did not speak her dialect, so her children were her translators through much of her legal proceeding. (Her teenage daughter interpreted for her through this interview.)

She did not like relying on her children – they had to miss school or days at work to accompany her and she would have preferred not to talk about private health matters in their presence.

Her first hearing was unsuccessful, most likely because she could not communicate with her interpreter. She was successful in a subsequent telephone hearing, in which she used her son as an interpreter.

Fatima said that having written legal information available in Kurdish would not have been helpful to her because she is illiterate. However, she says that if there had been a telephone legal information hotline in her language, she would have found this useful and would have called it.

Case Study Number Three

Frank is a middle-aged man, who experienced childhood sexual abuse at the hands of his older brother, suffered a serious workplace injury as an adult and then was a victim of domestic abuse from his female partner. He has dealt with a number of legal issues: Workplace Safety and Insurance Board (WSIB) claim, CICB, ODSP and family law.

Frank found the community legal clinic through the yellow pages when he was looking for assistance related to ODSP. The clinic lawyer, upon hearing his story, told him about the CICB and suggested he make a claim based on his childhood sexual abuse. The lawyer assisted him with completing the paperwork (“Writing all that out damn near killed me. I could not have done it without her.”) and accompanied him to the hearing.

His claim was successful, and he credits the legal clinic with making this possible. He has since brought his younger brother (who was also abused by the older brother) in to meet the clinic lawyer and to get information about making a CICB claim.

He had a number of difficulties retaining a lawyer for his family law problem. He was approved for a legal aid certificate and hired a lawyer, but just before the court date, she told him she could not continue with his case. He found another lawyer to take his case, but then she retired. At this point, LAO required him to complete another application rather than simply transferring his certificate to another lawyer.

Frank has found the clinic helpful with all of his legal problems and thinks it should be better promoted in the community so more people know about it.

Case Study Number Four

Judy is a young single mother, who has had legal issues related to family law and child protection.

She expressed significant frustration about her dealings with Legal Aid Ontario (LAO), reporting that there were jurisdictional confusions between the county where she lived and the county where her family law case was situated. She had transportation difficulties in getting to the LAO office during regular office hours, because she had a job some distance from the office and did not have a car.

She has been involved in a dispute with LAO over her legal bill since 2004.

Judy has had a number of lawyers for her family law case and is dissatisfied with the advice and representation given by all of them. She feels it is their fault that she does not have custody of her daughter.

LAO referred her to the community legal clinic, which has been of enormous assistance to her in sorting out problems between Ontario Works and the Family Responsibility Office related to child support.

The clinic is also assisting her with a CICB claim and has helped her work on her relationship with her family law lawyer.