



**MINUTES**  
**262nd MEETING**  
**OF THE**  
**BOARD OF DIRECTORS**

**9:00 a.m.**  
**June 20, 2008**  
**Chateau Suites at Sylvan Bay**  
**Sylvan Lake, Alberta**

**Members in Attendance**

Glenda Graham, Q.C.  
Fred Fenwick, Q.C.  
John Bachinski  
Oceanna Hall  
Dennis Kalma  
Colin Kloot  
Kirk MacDonald  
Daniel McKinley, F.C.A.  
Kristine Robidoux, Q.C.  
Perry Sirota

**Members Absent**

Dianne Ireland

**Staff in Attendance**

(for all or part of meeting)

Jacquie Schaffter  
Roland Gehrke  
Wanda Fish  
Katherine Weaver  
Deb Miller  
Greg Francis  
Jennifer Fowler  
Wendy Bouwman Oake  
Pat Bard

The Meeting came to order at 9:00 a.m.

The Chair introduced John Bachinski and welcomed him to the Board of Directors

1. **Approval of Agenda**

It was duly Moved and Seconded to adopt the agenda as circulated. Carried Unanimously.

*Minutes of Strategic Planning Committee*

By consensus the Minutes of the Strategic Planning Committee meeting held May 22, 2008 were received for information.

2. Approval of Minutes

It was duly Moved and Seconded that the Minutes of the 261st Directors Meeting be approved. Carried Unanimously.

3. Meeting Dates

*a) Meeting Dates*

Monday, September 22, 2008 - Calgary, Board Training to review Governance Manual  
Tuesday, September 23, 2008 - Calgary  
Tuesday, December 9, 2008

By consensus the meeting dates were received for information.

**Financial and Risk management**

4. *Auditor's Report and Statements*

Mr. McKinley reported that the Auditor's report is attached to the agenda. The Audit Committee met three times in the past year. During a meeting with the Auditors to go through the report and statements, the auditors advised in camera that they had no concerns or issues.

It was duly Moved and Seconded that the Auditor's Report and Financial Statement for 2008 be approved. Carried Unanimously.

Mr. McKinley reported that at the Audit Committee meeting held June 13<sup>th</sup> it was suggested that in light of the Letter from the Minister dated March 25, 2004, the clause in the Legal Professions Act and the Directors and Officers Insurance, there is no longer a need to internally restrict funds for contingent liability. It was agreed at the Audit Committee meeting that unrestricting the funds will free the funds for initiatives set out in the Business Plan. A proposed Note to Financial Statements for 2009 was distributed.

It was duly Moved and Seconded that the Board formally change its accounting policy to remove any restriction on surplus. Carried Unanimously.

*Budget 2008/9 (update)*

Mr. Gehrke reported that the 2008/09 Budget submission has been forwarded to Alberta Justice and there is nothing significant to report.

*Business Plan 2008/09 – 2010/11*

Mr. Gehrke reported that the 2008/09 – 2010/11 Business Plan has been forwarded to Alberta Justice and there are no concerns.

5. Update on on-line billing

Wendy Bouwman Oake was in attendance and presented the on-line billing program. She pointed out that the on-line billing is still being tested in-house and some internal tweaking is being completed with the developer. The external program which will be used by the lawyers is in good shape and will be tested by lawyers prior to its launch in September 2008. The program is secure and will require a pass-word to access. Ms. Bouwman Oake highlighted the criminal and civil accounts programs. She noted that all fields must be entered prior to moving on to the next section. This will provide the necessary statistical information required by LAA for reporting and Key performance indicators. A further feature to the program will allow lawyers to request special disbursements on-line.

The on-line system will allow automatic payment on accounts less than \$1500. All others will go through the taxation process. If necessary, a lawyer's accounts can be flagged for review for all accounts regardless of amount. It was also noted that the on-line billing program does not work if there are co-accused as the billing process became too complex.

Mr. Kalma suggested that a "contact us" button be added to each page in the event there are questions while completing the on-line billing. He further suggested that a couple a survey questions for feedback be added at the end of the program.

The Board commended the LAA staff involved in developing the on-line program. They requested that a report be made at the December 2008 meeting advising on the following:

- Number of lawyers using the on-line billing system, criminal vs. civil

- Any increase in number of lawyers on the roster due to the program
- any problem encountered
- satisfaction with the program
- turn around time on payment of accounts
- any reduction in taxation time to deal with accounts
- how often is the special disbursements or additional tariff items program being utilized

A brain storming session is being held on July 7, 2008 on the roll-out of the on-line billing and Board members are welcome to attend. It was suggested that consideration be given to holding training workshops.

6. Financial Eligibility Guidelines

Ms. Schaffter advised that the Budget was submitted to Alberta Justice and Legal Aid Alberta has received verbal approval to proceed with development of the roll out strategy for the proposed FEG's. A formal letter has not yet been received.

Ms. Fowler advised that strategy is taking place for a roll-out campaign on the strategies which will include the FEG's and on-line billings. She will be working with Alberta Justice on a joint announcement.

7. Board Remuneration

It was duly Moved, Seconded and Carried that the Board adopt the policy, effective immediately, that Legal Aid Alberta follow the rationalization of Alberta Government for remuneration and adjustments be made concurrently with rates set by Alberta Justice. Carried Unanimously.

The Board is to be advised when changes to the remuneration rates are being implemented.

8. Employee Benefit Analysis (LAA, FLO & YCDO)

Ms. Schaffter reported that the Human Resources Department, with the assistance of a consultant, is spearheading a project to harmonize the employee benefits for LAA, FLO and YCDO. The analysis provided in the Board package is for information only and this matter will be placed on the September 2008 agenda for an update.

9. Lawyers' Survey

A draft report on the Lawyers' Survey was distributed at the meeting. Ms. Fowler reported that the draft report is preliminary findings only. Approximately 2300 lawyers both roster and non roster were contacted by telephone, followed up with surveys. There have been 377 responses but she does not anticipate that there will be any change in the percentages or any surprises.

Ms. Fowler advised that this is a long term project and a full day has been scheduled for July 7 to build strategy on marketing and communication. The target audience will be the junior lawyers and principles in large law firms. The workshop on July 7 will have a number of stakeholders and she urged Board members to participate. Ms. Graham suggested that Ms. Fowler also contact the Law Society of Alberta Access to Justice Committee as well. Mr. Kloot also suggested that LA write a letter to each lawyer who has been at the bar for two to three years and urge them to attend the workshop and provide information on the strategies for recruitment and retention. Ms. Fowler will prepare a list of recommendations arising from the July 7 workshop for the Board's information.

**Governance**

10. By-Laws

Mr. Fenwick reported that the amended By-Laws as exhibited on the agenda have been approved by Alberta Justice and the Law Society of Alberta.

It was duly Moved and Seconded that the By-Laws be appended be approved as the current By-Laws of Legal Aid Alberta. Carried Unanimously.

11. Template for Operational Reporting by Senior Counsel

Ms. Schaffter advised that she, Greg Francis and Deb Miller devised the proposed template for operations reporting. Key Performance Indicators were also drafted. Mr. Francis advised that the reporting template is a work in progress and may change as it is in use to provide the information to the Board which is the most informative.

Ms. Glenda felt that information the Board would like to have includes:

- where things can be harmonized as much as possible without jeopardizing the lawyers' independence
- what's going right and what's going wrong

- staffing issues that will have an impact on service or that may have to come to the Board's attention
- how lawyer's and non lawyers time is being spent
- case loads

The Board discussed the KPI's and recognized that what is a key performance indicator in one program is not necessarily a key indicator in another and there may be variances in what is reported. Mr. Kalma cautioned that focus not only be placed on volume, the Board also needs to know efficiencies as well.

It was the consensus of the Board that the templates and KPI's be implemented and the reporting template will be refined as necessary.

#### *Report from YCDO*

Mr. Francis prepared a report from YCDO Operations which was distributed at the meeting. He highlighted the report advising that he offered the position of Associate Senior Counsel in the Calgary office to Cathy Lane Goodfellow.

By consensus the report on YCDO Operations was received for information.

### **Learning and Growth**

#### 12. Board Governance Manual

Ms. Graham reported that a report prepared by Patrick O'Callaghan, a consultant retained by the Board to assist in preparing a Governance Manual, was previously provided to the Board for review. A committee consisting of Glenda Graham, Fred Fenwick, Perry Sirota, Jacqueline Schaffter and Roland Gehrke will be meeting with the consultant on three occasions over the summer months to draft a manual for review in September. The next meeting is scheduled for July 2 and the Board's input and direction is requested on the report.

Ms. Graham pointed out the one issue raised in the report is the Board's involvement on Committees. Mr. Kloot advised that he sits on the Complex Cases Committee and enjoys that interaction with stakeholders. Others felt that the Board may not need to sit on appeals committees and only those issues that are very complex in nature should be at the Board level.

It was the consensus of the Board that an Executive Committee was not necessary and that decision would be made by the Board as a whole. Ms. Graham advised that the committee will see what Mr. O'Callaghan says about the membership of committees and will report back to the Board.

Discussion was held on developing a Board calendar which would set out the times lines required decisions for example the budget has to be reviewed by the Board in September and the strategic planning must be complete prior to the budget process. It was requested that a privacy statement be added to the Terms of Reference.

The Board will be reviewing the draft Manual in depth on September 22, 2008.

13. Information Items

By consensus this item was received for information.

**In Camera**

14. Board Strategic Planning and Committee Memberships

This item was dealt with in camera.

It was duly Moved, Seconded and Carried that the meeting adjourned.

The meeting adjourned at 11:55 noon.

Jacquie Schaffter  
President & CEO