

Legal Aid Alberta service changes and review

November 25, 2015

Legal Aid Alberta (LAA) is experiencing record call volumes and more Albertans than ever before are qualifying for legal representation. LAA has been chronically underfunded and this additional demand for service has created an even more desperate situation.

“There is an unprecedented demand for our services that has resulted in cost increases which, when coupled with existing funding pressures and decreased revenue from the Alberta Law Foundation, has created a significant gap between existing and required funding. To help address this dynamic, LAA forwarded a proposal to Alberta Justice that will see its mandate and services re-defined to avoid an immediate need for additional funding, while enhancing the level of service it provides in areas where it adds the most value and creates the greatest impact on access to justice.”

Suzanne Polkosnik, Q.C., President & CEO, Legal Aid Alberta

The changes to LAA’s services that the organization proposed earlier in the fall have now been approved by Kathleen Ganley, Minister of Justice and Solicitor General, and will be effective December 7, 2015. A full description of all of the changes is included in the attached document. Key components include:

- The discontinuation in the provision of information, referral, brief services, as well as representation for some civil law matters, will allow resources to be redirected to critical services where the need is most profound and the impact on access to justice the greatest. This includes legal representation and duty counsel in the following areas of law: criminal (adult and youth), family and child welfare, and immigration matters. There are a multitude of organizations throughout Alberta that already offer information and referral services such that LAA’s discontinuation of this service offering will not create a gap in the service for Albertans. The information and referral resources currently used by LAA have been added to its web site at www.legalaid.ab.ca to allow access 24/7.
- A 3 per cent increase in the Financial Eligibility Guidelines so more vulnerable Albertans can qualify for the legal representation they need. This will reduce the number of individuals forced to represent themselves or make applications for court ordered counsel, and help decrease delay and the strain on individuals and the courts.
- The expansion of Family Duty Counsel into Provincial and Queen’s Bench courts where there is an immediate need of assistance. In addition to Edmonton, Calgary and Siksika Nation, these services will now also be provided in Fort McMurray, Grande Prairie, St. Paul, Wetaskiwin, Red Deer and Medicine Hat. This will mean more matters can be resolved at first instance and without delay.
- A Discretionary Coverage Process (DCP) pilot was developed by LAA at the request of Alberta Justice that will significantly reduce the need for individuals to turn to the current court-based process by which counsel is appointed where they have been refused legal representation because they exceed LAA’s Financial Eligibility Guidelines. This new LAA administrative process will decrease the time it takes for counsel to be appointed and diminish the need for clients and lawyers to make application to the court.

These changes are interim measures in response to the immediate crisis and will be reviewed during the announced government-led review of LAA. While LAA supports a fulsome review to make it more sustainable and adequately funded to meet the needs of Albertans, it does not support it being conducted by the Ministry without the direct involvement of affected stakeholders, or experts in the field that are independent and external to government, particularly in light of the breadth and scope of the review. It is LAA's understanding that it will be consulted by the Ministry and asked for input as their review process unfolds. LAA will-cooperate fully.

[Information Document](#)

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Legal Aid Alberta is an independent, publicly funded, not-for-profit organization that operates pursuant to a Governance Agreement between the Law Society of Alberta, Alberta's Minister of Justice and Solicitor General and the Board of Legal Aid Alberta. Last year it assisted more than 250,000 Albertans.