



## **BOARD OF DIRECTORS MEETING**

**May 14, 2018  
9:30 am – 3:30 pm  
Legal Aid Alberta  
Edmonton, Alberta**

### **MINUTES OF THE 309th MEETING**

#### **Members in Attendance**

Deanna Steblyk, Chair  
Ryan Callioux, Vice-Chair  
Robert Calvert, Q.C.  
Peter Carter  
Jim Donihee  
Owen Edmondson  
Graham Johnson  
Christine Hutchinson  
Nancy Peck  
Hilary Rose  
Daryl Royer

#### **Regrets**

#### **Management in Attendance**

John Panusa, President & CEO  
Steve Burford  
Tyler Tollefson  
Lyle Toop  
Brian Mulawka  
Pat Bard

### **Call to Order**

Notice having been given, a quorum was present and the meeting was duly constituted for the transaction of business. Deanna Steblyk called the meeting to order and Pat Bard acted as the Recording Secretary for the meeting.

### **Consent Items**

#### **1. Approval of Agenda**

Upon motion moved and seconded, it was resolved that:

**The Agenda be approved.**

The motion was carried unanimously.

## **2. Approval of Minutes of the 308<sup>th</sup> General Meeting**

Upon motion moved and seconded, it was resolved that:

**The Minutes of the 308th General Meeting be approved as circulated.**

The motion was carried unanimously.

## **Declaration of Conflict of Interest**

No conflicts were declared.

## **Business Items**

### **3. CEO and Operations Report**

John Panusa provided an overview of, and responded to questions related to, the CEO Report, noting in particular that: (1) the LAA Rethink will transform the approach in the delivery of legal aid services and to be more consistent with the Reforming Family Justice Initiative, Jordan decisions and a move towards therapeutic courts; (2) an agreement was reached with the Justice Ministry to resume provision of Duty Counsel for bail hearings across the province. The government has committed to approximately \$2.6M to funding the project; (3) with the use of key resources such as Duty Counsel and Court Navigators, the Mental Health Court is successful; (4) as a renewal of LAA's focus on training as part of the Centre of Excellence approach, training has taken place for: Effective Gladue Reports, Effective Representation of Children in High Conflicts Cases, Intergenerational Historic Traumas and its Impact on Aboriginal Clients in the Justice System. These training sessions have been very well attended by the staff and private bar lawyers. Ryan Callioux advised that he has attended all training sessions and found them to be well done; (5) Client Collections was significantly under budget last year and on budget targets this year. The significant difference being that the client is contacted at the start of the process to set up payments plans as opposed to the conclusion of the case, no other additional collections steps have been taken; (6) Alberta Law Day was well attended by staff in Edmonton Calgary and Lethbridge. LAA also hosted lawyers who participated in the "Dial A Lawyer" program; and (7) LAA is dealing with a high cost case involving 5 co-accused, hundreds of thousands of documents, 3 co-accused had their lawyers appointed withdraw and the cost for these change of counsel requests will be substantial.

Tyler Tollefson presented the Legal Representation reports, and responded to questions noting in particular that: (1) the Rethink will emphasize early resolution and focus on matching legal services to client circumstances. This initiative will result in improved service for clients, and over time there will be a cost savings for LAA; (2) the Duty Counsel Bail Hearings, LAA and applicants are seeing immediate benefits, as LAA is receiving the information faster wait times are lessening; (3) retention of lawyers at the Criminal Resolution Office is becoming a challenge due to inability to run trials and perceived lack of mobility within the organization. The LAA reorganization will provide multiple career paths for lawyers, including the ability to practice in different areas of law. The Rethink will also allow criminal lawyers to conduct matters in certain criminal matters; and

(4) Mental Health Court provides an opportunity for staff from the various LAA departments to work together and is providing an great opportunity for staff engagement.

Lyle Toop presented the Client Services and HR report, and responded to questions, noting in particular that: (1) there continues to be an increase in the number of people contacting Legal Aid and who qualify for services; (2) Live Answer was implemented permanently to assist applicants and refer the call to the appropriate department; (3) a Joint Work Site Health & Safety Committee is being established; (4) all in-house policies are being reviewed by an in-house lawyer Julia Sproule, Corporate Counsel; (5) arguments on call monitoring have been exhausted and LAA is waiting for a decision from the arbitrator; and (6) AUPE will be presenting a proposal to LAA union staff and asking them to vote on the recommendation later this month.

Steve Burford presented the Corporate Services report, and responded to questions, noting in particular that: (1) the Data Centre move is progressing with equipment being configured and tested at the LAA Edmonton Office and moved to the new data centre in the fall 2018; (2) the payroll system will be updated over the summer months; and (3) staffing remains a key risk as IT is still experiencing vacancies.

Brian Mulawka represented the Communications and Government Relations report, and responding to questions, noting in particular that a Manager of Communications and Public Relations has been selected and will be commencing shortly.

Jim Donihee suggested that a Government Relations Strategy with timelines be developed for the next Board meeting.

#### ***Business Plan Report***

John Panusa reported that the Q3 2017/18 progress report on the 3-Year Business Plan Measures is self-explanatory and for information only.

#### **4. LAA Rethink Overview**

Tyler presented the LAA Services Rethink, and responded to questions, noting in particular that: (1) the key strategies for criminal and family law are set out in the presentation as exhibited on the agenda; (2) the Rethink is forward looking to meet employment satisfactory and assist with retention of staff lawyer; (3) it is anticipated that the outcomes will result in: client focused, expert and efficient service provider, protect and empower Albertans experiencing family violence; align LAA service with Reforming Family Justice Initiative, enable early resolutions, identify and respond to the unique needs of Alberta; and in the long term reduce LAA costs; and (4) the initiative, while not yet been approved, has the interest and support of the GoA.

#### **5. 2018/19 Budget – Update**

Hilary Rose reported on the 2018/19 Budget advising that through Governance Agreement Negotiations, the budget discussions have been constantly changing. Robert noted that GoA has requested that there be no changes to the scope of service delivery at this time. While there is some hearsay, there is nothing in writing to confirm this year's budget from GoA. She noted that every day that passes, LAA is further at financial risk.

The Board discussed the Budget issues at lengthy and agreed that:

**The Chair would draft a letter to the Ministry setting out the Board's concerns and financial risk and request the GoA confirmation that they will cover the costs incurred due to the delay.**

## 6. Government Relations Update

Brian Mulawka reported on the current progress on Government Relations and advised that the development of a strategy is underway. Contact lists and information packages to hand out are currently being worked on. The first meeting with an elected member, David Swann, took place on May 7, 2018 and he was appreciative of the meeting and being made aware of all the services provided by LAA. The intention is to reach out to all stakeholders.

Jim Donihee suggested that a Government Relations Strategy with timelines be developed for the next Board meeting.

## 7. LAA Foundation

Hilary noted that the Walker Resource Group (WRC) report on Fund Development Feasibility Assessment prepared in 2012 was based on sound methodology. The Assessment determined that there was a lack of awareness about LAA and the services it provides and that many organizations and individuals would not make a donation as they were of the view that the government should provide the funding. LAA established the foundation in order to get the ground base in place.

Peter Carter advised that he has been involved with foundations for some time and while he agrees that a full-fledged foundation with staff is not viable, there are alternatives. He has suggested that as the LAA Foundation currently has \$2000 in donations, the Board members make donations in order to increase that amount to \$10,000. The funds could then be used to list with the Edmonton Community Foundation to create awareness and possible future donations. Other members felt that donating money to a cause was a personal choice and that the suggestion is one that could be mulled over.

## 8. Board Committee Reports

### a) *Finance & Audit Committee*

Hilary Rose reported that she spoke to the budget under item 5 on the agenda, noting that: (1) the Finance and Audit Committee met on May 4, 2018; (2) the overdraft was used at a fiscal year end and the cost of the interest was \$575.00; (3) the year-end financial audit is ongoing; and (4) discussion was held on the budget and discussed on item 5 on the agenda.

### b) *HR Committee*

Jim Donihee reported that the HRCC meeting has not met since March 1, 2018 but he has been in discussions with LAA Executive members regarding the HR Strategy, report card and progress on policy review.

*c) Governance Committee*

Upon motion moved and seconded, it was resolved that:

**The Board move in Camera.**

The motion was carried unanimously.

Upon motion moved and seconded, it was resolved that:

**The Board move out of Camera.**

The motion was carried unanimously.

*d) Nominating Committee*

Graham Johnson reported that there will be one vacancy in September when Robert's term expires. The Nominating Committee met by teleconference and shortlisted to six (6) candidates who are senior lawyers with have governance or board experience. Interviews are being scheduled for late June, 2018.

**9. Reports to the Finance & Audit Committee on Statutory Obligations**

Steve Burford reported that Reports to the Finance & Audit Committee and self-explanatory and all statutory obligations have been met for the period in question.

**ACTIONS ARISING**

**10. Directives to Management and results**

John Panusa reported that the directives report is self-explanatory and invited any questions. No questions were raised.

**Next Meeting**

A Board teleconference has been scheduled for June 1, 2018 at 9:00 to review the Audited Financial Statements and a further teleconference scheduled on June 29, 2018 at 9:00 am to review the Annual Report.

The next General Meeting of the Board of Directors is scheduled for September 11, 2018 commencing at 9:30 a.m.

**In Camera**

Upon motion moved and seconded, it was resolved that:

**The Board move in Camera.**

The motion was carried unanimously.

Upon motion moved and seconded, it was resolved that:

**The Board move out of Camera.**

The motion was carried unanimously.

**Adjournment**

There being no further business, the meeting was adjourned at approximately 3:30 pm.