

Bridging the Gaps

Summary of December 4, 2018 Workshop Presentations and Discussions

We would like to thank you for joining our ***Bridging the Gaps Workshop*** on December 4th. We have already seen positive outcomes from our meeting, such as:

- Individuals from stakeholder organizations had the chance to meet face to face.
- Participants were able to get a deeper understanding of other agencies' services.
- Participants were able to identify opportunities for collaboration and coordination of services.
- ALF received valuable feedback about additional ways to support grantees and stakeholders.
- All of us had the opportunity to think about solutions and identify strategies to improve delivery of legal services in Alberta. Many participants shared their Action Plan with the group.

In this package you will find:

- **Project Overview** of the *Bridging the Gaps* initiative;
- **Workshop Agenda**;
- **Summary of Workshop Presentations and Discussions**, with some additional resources identified by Workshop participants and ALF's Research & Project Coordinator.¹

In separate documents, also attached to the email sent on January 10, you will find:

- **Action Plans**² shared with the group during our Workshop on December 4, 2018 and **List of Workshop Participants**.
- **CLG's** PowerPoint presentation.
- **CCCSA's** PowerPoint presentation.
- **ECLC's** presentation guide

We would greatly appreciate your comments/feedback about the workshop, including suggestions for our next engagement.

¹ The information listed under *Summary of Presentations and Discussions* is based on the notes from the table facilitators and Workshop facilitator and does not purport to reflect the views of the Alberta Law Foundation.

² The information listed under *Action Plans* is based on the notes from the table facilitators and Workshop facilitator and does not purport to reflect the views of the Alberta Law Foundation.

Project Overview

ALF's *Bridging the Gaps* initiative was established to help ascertain unmet legal needs in Alberta to guide ALF grant-making over the coming years. The following steps were taken from January 8, 2018 to January 10, 2019:

1. Review of selected **access to justice literature**.
2. **Surveys** to test research findings regarding common statements and recommendations found in the literature, and **Questionnaire** about existing legal services and priority legal needs.
3. **Summary of Responses from Surveys and Questionnaire** sent on May 7, 2018.
4. **Workshop on May 9, 2018**, with 10 discussion topics based on responses from surveys and questionnaire.
5. **Summary of May Workshop Discussions** sent on June 7, 2018.
6. **Letter from ALF's Executive Director** sent on July 9, 2018, about the most significant gaps and opportunities for further work identified based on the feedback and input received from participants and ALF's Board.
7. **Workshop on December 4, 2018**, with 5 discussion topics based on the priority areas identified.
8. **Summary of December 4, 2018 Workshop Presentations and Discussions and Action Plans and List of Participants** sent on January 10, 2019.

The *Bridging the Gaps* Workshop on December 4, 2018

The collective response to the *Bridging the Gaps* May Workshop was emphatically positive from all participants. ALF made a commitment to host similar focused workshops regularly as a continuing opportunity to meet, share, learn and innovate together.

The Workshop on December 4, 2018 was designed based on the most significant gaps and opportunities for further work identified during the *Bridging the Gaps* initiative. The **Workshop Agenda** was as follow:

9:30 – 10:00	Hot breakfast, meet & greet and opening remarks
10:00 - 10:30	Legal services for Indigenous individuals. CLG presentation and Q&A
10:30 - 11:00	Legal services for newcomers. CCCSA presentation and Q&A
11:00 – 11:30	Family law services in remote communities. ECLC presentation and Q&A
11:30 – 12:30	Table talk
12:30 - 1:00	Lunch break
1:00 - 1:30	Collaboration among justice stakeholders. CALCF presentation and Q&A
1:30 – 2:00	Coordination of legal services. RCAS presentation (update on the <i>Legal Assistance Network</i>) and Q&A
2:00 – 3:00	Table talk
3:00 – 3:15	Action Plan
3:15 - 3:30	Closing remarks

The **Summary of Presentations and Discussions** presented below is based on the notes from the table facilitators and the Workshop facilitator. The **Action Plans** some participants shared with the group during the session and the **List of Workshop Participants** are in a separate document attached to the email sent on January 10, 2019.

Legal Services for Indigenous Individuals

Calgary Legal Guidance Presentation Highlights (PowerPoint attached to email)

- “Nothing about us without us.” Engage early, from the planning stage.
- Indigenous people are best served by Indigenous people.
- Building relationships and trust takes time.
- Be open, ask them what they want and listen.
- Connect from the same level, as a human being.
- Get out of the office, share food, share yourself.
- If the process is right, the results will happen organically.
- Intergenerational trauma is the core of most problems.
- Indigenous training for staff, volunteers and Board is important.
- CLG’s keys to success: Leadership, Elders/Knowledge Keepers, Funders, Advisory Council, Indigenous Liaison.

Summary of Table Discussions

Some participants mentioned strategies they are currently undertaking to address cultural and language barriers when providing services to Indigenous individuals:

- Early, meaningful and ongoing engagement with Indigenous communities.
- Indigenous training.
- Indigenous articling students and liaisons.
- Indigenous court workers.
- Relationship building.
- Connections and partnerships with Indigenous serving organizations.
- Indigenous Advisory Board.
- Indigenous “champion” on the Board.
- There are many resources available to educate service providers working with Indigenous communities (see some examples below).

Many mentioned:

- Lack of connections with Indigenous serving organizations.
- Difficulty in building relationships and trust with Indigenous communities.
- Need for Indigenous training for Board, staff and volunteers.

Related Resources

- The Advocates' Society, The Indigenous Bar Association, The Law Society of Ontario, *Guide for Lawyers Working with Indigenous Peoples*: www.advocates.ca/Upload/Files/PDF/Advocacy/BestPracticesPublications/Guide_for_Lawyers_Working_with_Indigenous_Peoples_may16.pdf
- University of Alberta, *Indigenous Canada* online free course, available at Coursera: www.coursera.org/learn/indigenous-canada
- Truth and Reconciliation Commission of Canada, *Calls to Action*: nctr.ca/assets/reports/Calls_to_Action_English2.pdf
- Supporting Indigenous Sharing Network (SISN): www.sisn.ca/
- Siksika App to learn Blackfoot Language: itunes.apple.com/ca/app/blackfoot/id1021082462?mt=8
- NCSA, *Indigenous Funders Guide* (revised 2018): www.sisn.ca/wp-content/uploads/2018/09/Funders_Guide_Final_2018_PDF.pdf
- NCSA, *Engaging with Elders: A Co-Created Story* (re protocols for engaging with Elders): www.sisn.ca/wp-content/uploads/2018/09/Elders_Protocol_.pdf
- CLEBC and Law Society of BC, *"But I Was Wearing a Suit"* documentary: www.youtube.com/watch?v=HTG7fi-5c3U
- NCSA, *"Home Fires"* documentary (re intergenerational harms that have led to family violence and child protection issues in Indigenous communities): www.ncsa.ca/programs/education/bearpaw-research-training-communication/home-fire-documentary/
- Stephanie Law (THIS), *A Sick Inequality* (re Jordan's Principle): this.org/2016/03/30/marchapril-2016-cover-story-a-sick-inequality/
- Canadian Intergovernmental Conference Secretariat, *Justice and Public Safety Ministers Advance Shared Priorities in St. John's* (re modernizing the criminal justice system – the role of restorative justice): www.newswire.ca/news-releases/justice-and-public-safety-ministers-advance-shared-priorities-in-st-johns-700720251.html
- Alberta Restorative Justice Association, *Serving Crime Victims Through Restorative Justice: A Resource Guide for Leaders and Practitioners* (2018): docs.wixstatic.com/uqg/adb2db_0aa56dae8ae149808afac83b6869546d.pdf

Legal Services for Newcomers

Calgary Chinese Community Services Association Presentation Highlights (PowerPoint attached to email)

- CCCSA's *Law and Advocacy Program* provides a complementary service to the CLG evening clinics, including more in-depth legal information and referral, as well as one-on-one follow-up, advocacy and support for clients. Mandarin and Cantonese PLEI services are also provided, which include the translation of existing legal information materials, delivery of presentations to the community, and the coordination of a radio show covering various legal topics.
- Building relationships and trust are also important for newcomers.
- Interpretation is often not enough to address cultural barriers in communication.
- Legal services can be tailored to target each culture/community's unique needs and barriers.
- Interpretation training should include information about "secondary trauma" when dealing with difficult cases (e.g. domestic violence).

Summary of Table Discussions

Some participants mentioned strategies they are currently undertaking to address cultural and language barriers when providing services to newcomers:

- Outreach legal clinics in community centres.
- PLE sessions offered in the newcomers' native language.
- Multilingual legal information.
- In-person interpretation services during legal advice and PLE sessions.
- Interpretation services via phone.
- Referral and warm hand-off to immigrant serving organizations.
- Connections and relationships with newcomer communities.
- Multilingual staff.
- Internationally Trained Lawyers.
- Identification of parallel legal processes in other cultures.

Related Resources

- Ethno-Cultural Council of Calgary, *Engaging Ethno-Cultural Communities Toolkit*: actiondignity.org/wp-content/uploads/2018/07/Engage_Toolkit_2013.pdf
- Some organizations providing language services: Immigrant Services Calgary, Edmonton Immigrant Services Association, CIWA, The Family Centre, LanguageLine, Association of Translators and Interpreters in Alberta (ATIA).
- Mayagwe Language Services app is no longer operational.

Family Law Services in Remote Communities

Edmonton Community Legal Clinic Presentation Highlights (Presentation guide attached to email)

- Take baby steps when starting something new: research, take a step, relationships, take a step, recruit, take a step, research, take a step.
- Talk to other organizations with experience providing services similar to what you are planning to provide (e.g. remote legal services: CACLCF).
- Find Board “champion” for volunteer lawyer recruitment and procurement of free resources (e.g. ChildView).
- Involve volunteer lawyers in decisions regarding next steps.

Summary of Table Discussions

Participants had many recommendations for ECLC regarding their Northern Alberta Family Law Legal Advice Project:

- Find and build relationships with gate keepers in the community.
- Seek input from the community.
- Narrow scope and keep in scope. Avoid scope creep.
- Consider limited scope legal services.
- Consider the community’s access to technology for the delivery of remote legal services.
- Consider public libraries for meeting place and technology tools.
- Consider transportation issues. Look into partnerships with oil and gas companies to use their air plane to get to the remote sites they are working in.
- Some mentioned positive feedback from summary legal advice delivered over the phone.
- Interpretation over the phone is not as good as face-to-face, but it is better than not providing language support.
- Confidentiality may be an issue with legal interpreters, especially in small communities where people know each other.
- CIWA and the Immigrant Access Fund may be able to provide help with training interpreters.
- LSA SoloNet is supporting lawyers in rural and remote communities.
- Look into lessons from the medical community.
- RCAS pilot with NCSA in St Paul: Family court worker from NCSA work at indigenous community for half a day to review paperwork then link by teleconference directly with RCAS staff to confirm papers.

Related Resources

- Vibrant Communities Calgary, *Community Hubs by Design Toolkit* (re tips on how to engage and build relationships with communities): vibrantcalgary.com/wp-content/uploads/2017/11/CommunityHubsByDesignToolkit2017.pdf
- Athabasca University, *Expanding Access to Legal Services through E-Learning*: www.albertalawfoundation.org/media/documents/Expanding%20Access%20Final%20Report%20Dec%202012%20AU.pdf
- Legal Services National Technology Assistance Project, *Virtual and Remote Legal Aid Services in the United States*: www.slideshare.net/LSNTAP/virtual-and-remote-services-lsntap-training-2015final
- Undo (for-profit remote divorce services): www.undo.ca

Collaboration Among Justice Stakeholders

Central Alberta Community Legal Clinic Foundation Presentation Highlights

- Every collaboration starts with building a relationship.
- Be authentic about why you are doing what you are doing.
- Deliver your promises – and let your partner know in advance if you are late.
- Engage with the community – “what do you need?”
- In remote communities, transportation and access to technology are big barriers.
- Partner with agencies already working in the community to enhance their services.
- Build a list of local services and resources.
- Understand who the gatekeepers are. Get to know them but don't abuse them.
- Be honest about what you can bring and what you expect.
- MOUs should always include: responsibilities, policies, processes, check-ins, evaluation, reporting, MOU end term (and possibility of renewal, if appropriate).
- Educate all players about services.
- Provide training on confidentiality.

Summary of Table Discussions

- Engage and get to know the community – gatekeepers, referral points, income guidelines, needs and sensitivities.
- Find out if there is a significant event or circumstance affecting the community (e.g. Fort McMurray fires).
- Building and nurturing collaboration takes time.
- Develop an information sharing strategy in compliance with privacy laws.
- A client passport may be a good idea. However, it may not be acceptable to Indigenous clients, who may believe that sharing their personal legal information will lead to stigmatization.
- Reporting the outcomes of a collaboration may be difficult.
- Competition for funding may discourage collaboration.
- Cooperation is not collaboration.
- Many participants expressed the interest in having a list of all stakeholders present with information about the work they do. This information can be used to identify collaboration opportunities and to make effective referrals.

Related Resources

- CBA, *Privilege and Confidentiality*: [www.cba.org/Publications-Resources/Practice-Tools/Ethics-and-Professional-Responsibility-\(1\)/Solicitor-Client-Privilege/FAQs](http://www.cba.org/Publications-Resources/Practice-Tools/Ethics-and-Professional-Responsibility-(1)/Solicitor-Client-Privilege/FAQs)
- Government of Alberta, *Information Sharing Toolkit and Information Sharing Guide for Social-based Service Design and Delivery*: open.alberta.ca/publications/9781460136829; open.alberta.ca/publications/9781460136812

Coordination of Legal Services

RCAS (Legal Assistance Network) Presentation Highlights

- The Legal Assistance Network (LAN) is an initiative from RCAS and Justice Services.
- Started with a database search of all legal services available in Alberta. It is now a collaboration with 211.
- 211 is only one tool that can be used for information and referral.
- The LAN want to learn how the “warm hand-off” is happening in Alberta and want to be the connector between organizations.
- After RCAS’ presentation, participants asked questions regarding 211 search filters and taxonomy, training for 211 operators to identify legal problems, how to update their organization information on 211, etc. RCAS suggested that the LAN is still at an initial stage and many of these issues are still being investigated.

Summary of Table Discussions

- Many participants indicated that accurate and effective 211 services for legal assistance would be a great resource to assist with referrals.
- The online 211 tool would be a good resource for people who have impaired hearing or can only read English well.
- The LAN builds on the Legal Intermediaries Training program (developed by CPLEA based on the Justice Constellation’s recommendation), which involves: first, how to identify a legal problem; second, where to refer clients for legal assistance. The LAN is part of this second step. See *Related Resources* below.

Many participants identified barriers in implementing and using the LAN/211 system:

- Language and technological barriers.
- Scope is too big.
- Problems with the search engine on the 211 website. It does not fetch good information or keyword search ideas.
- Difficulties in updating 211 information. Currently, information updates sent to 211 are not updated in a timely manner. Often takes months for updates to show in the website.
- Lack of trust in the LAN/211 system. Many stakeholders/service providers were not consulted in developing the system.
- Case management is missing in the LAN and is needed for more complex cases.
- Human contact is very important and cannot be replaced.

Many participants mentioned they needed more information about the LAN and 211 services. Some of their questions include:

- Did the LAN/211 survey end users to determine if the information provided by the project is satisfactory and useful?
- Did the LAN assess if the current version of 211 is effective?
- How do agencies know how to properly enter information at 211?
- Will there be other languages on the database or search by other languages?
- How to contact the LAN?
- How to capture remote services (e.g. CACLCF in Fort McMurray)?
- How do clients tell “real services” from mass of irrelevant services?
- What sort of indigenous agencies are included in this network and how is data organized and supported?

Participants offered suggestions to overcome barriers, such as:

- Clarify expectations about what 211 can offer.
- Develop a user-focused taxonomy for database and search engine.
- Develop new interface for the 211 website.

- Provide significant training for 211 operators on how to identify a legal problem and find referral information in the database. It would be interesting to share this training program with other stakeholders.
- Offer training for service providers on 211 information entry.
- Service providers need to make sure their data on 211 is accurate and relevant. They should test the system by doing searches.
- Promote awareness and educate the public on how to use 211.
- The 211 website needs to pop up in other searches (e.g. google). 211 needs to be able to pay to be prioritized.
- 211 needs enough manpower and money to properly update regularly.
- 211 needs enough space on database form to fully describe services.
- 211 database needs the right categories for organizations to fill in.
- Use the Bridging the Gaps Workshop's list of participants to reach out for engagement regarding the LAN/211.

Related Resources

- 211 Alberta, *FAQs about 211 Alberta*: www.ab.211.ca/why_211
- According to the 211 Alberta website, if you want to get listed in the 211 database or update a current listing, you should contact 211 Community Resource Department (Database) – email: database@ab.211.ca
- Government of Alberta, *Justice and Solicitor General Annual Report 2017-18* (re Outcome One, Strategy 1.4, *Legal Assistance Network* at page 20): open.alberta.ca/dataset/a78bb4dd-3eb5-46f1-ad45-169ae9907bde/resource/551c4547-3897-470b-bbf7-3729eb154382/download/justice-and-solicitor-general-annual-report-2017-2018.pdf
- Government of Alberta, *Justice and Solicitor General Business Plan 2017-20* (re Outcome One, Strategy 1.4 at page 100): open.alberta.ca/dataset/fe13ee4e-b568-4c6b-ae2a-370e55dcd7a9/resource/86753bee-3995-4c93-96b1-ff83f1ee337c/download/justice-and-solicitor-general.pdf
- Government of Alberta, *Justice and Solicitor General Business Plan 2018-21* (re Outcome Three, Strategy 3.2 at page 103): open.alberta.ca/dataset/fe13ee4e-b568-4c6b-ae2a-370e55dcd7a9/resource/31519c7e-e728-4df2-9daf-7e690b14548e/download/justice-and-solicitor-general.pdf
- CPLEA, *Helping Clients with Legal Issues* (re how to identify legal issues): www.cplea.ca/wp-content/uploads/HelpingClientsWithLegalIssues.pdf