

LEGAL SERVICES SOCIETY

SERVICE PLAN

2014/15 – 2016/17



Legal
Services
Society

British Columbia
www.legalaid.bc.ca

© 2014 Legal Services Society, BC

Writer: Marta Taylor

Editor: Jennifer Hepburn

Designer: Danette Byatt

Project owner: Harold V. J. Clark, CHRP

The *LSS Service Plan 2014/15 – 2016/17* is a publication of the Legal Services Society (LSS). LSS is an independent organization that provides legal aid to British Columbians. LSS is funded primarily by the provincial government and also receives grants from the Law Foundation and the Notary Foundation.

The *LSS Service Plan 2014/15 – 2016/17* is also available on the LSS website at www.legalaid.bc.ca.

Contents

ii

Message from the Board
Chair to the Minister
Responsible

iv

Vision, Mission, Values

1

Organization Overview

6

Strategic Context

8

Key Strategic Issues

11

Goals, Strategies,
Measures, and Targets

20

Government Letter
of Expectations

22

Financial Outlook

Message

from the Board Chair to the Minister Responsible

January 1, 2014

Honourable Suzanne Anton, QC
Attorney General and Minister of Justice

Dear Madam Attorney:

On behalf of the board and staff of the Legal Services Society, I am pleased to present our service plan for 2014/15 – 2016/17.

LSS was established by the Legal Services Society Act in 1979 to provide legal information, advice, and representation to British Columbians with low incomes. The society is funded by, but independent of, the provincial government and receives additional financial support from the Law Foundation of BC and the Notary Foundation of BC.

In this service plan, LSS's five goals remain unchanged. Our goals are that people with low incomes use our services, that they participate in the resolution of their legal problems, that they get help with related issues that affect their legal issues, that the society manages its resources soundly, and that LSS is a leader in justice innovation.

Since our last service plan, it has become increasingly apparent that the society will, over the next three years, be facing very serious challenges in its ability to deliver services and fulfill its statutory mandate. LSS works in an operating environment where our costs are largely driven by external factors over which we have no control. Laudable efforts to improve other aspects of the justice system have very direct impacts on the demand for LSS-funded services. As reforms are considered, a whole system approach must be taken.

Current trends suggest LSS will face a significant increase in the demand for, and cost of, child protection services in coming years. Meanwhile, the demand for family law services is such that LSS, to ensure a balanced budget, has limited representation services to situations where safety is at risk or there is a persistent denial of access to children. We now turn away almost 60 percent of applicants for financial and/or coverage reasons. To deliver our representation and advice services, we continue to rely on the goodwill and commitment of a small number of lawyers across British Columbia who remain willing to accept referrals from LSS, in spite of the fact that we have made only one modest increase in the past 22 years to the tariffs we pay them.

On the revenue front, the challenges are equally daunting as our major non-government revenue source has announced it is facing budget pressures due to a long-term decline in its own revenues, which are interest based.

LSS appreciates that the government is providing an additional \$2 million for specific justice transformation initiatives in 2014/15. We are keen participants in justice system reform work that holds out the opportunity to better meet the legal needs of British Columbians, particularly those with lower incomes.

LSS has addressed spending pressures in past years by reducing operating costs (including staff and infrastructure reductions) and reallocating the savings to services. The LSS board and staff have made every effort, and will continue to make every effort, to find savings and maintain direct client services, recognizing it is increasingly difficult to reduce operating costs without impairing our ability to deliver and manage the services we are trying to protect.

Mitigation strategies outlined in this service plan include emphasizing innovative justice system reforms, ensuring we have a flexible operating structure, and collaborating with service partners. LSS, however, has limited resources to support these initiatives due to earlier operational and infrastructure reductions. Demand and cost projections indicate that in the absence of increased revenue, lower demand, or lower costs, LSS may have to make reductions to its already limited services to meet its obligation to balance our budget in future years.

This is a critical time for BC's justice system: there is agreement among stakeholders that reform is needed and that LSS is key to that reform. Success, however, is not possible without a "systems-thinking" approach. Initiatives that do not take into account the implications for the entire justice system will be fraught with unintended consequences. This is illustrated by the recent increased efficiencies and capacity in the Provincial Court, which led to earlier billing of criminal referrals than was originally forecast. Responding to the budget pressures that resulted from the increase in the court's productivity required considerable effort by LSS and the ministry. Justice system costs — including legal aid costs — can be reduced through reform, but those reforms must be systemic. The LSS board believes that an immediate investment in legal aid would contribute to improving the justice system.

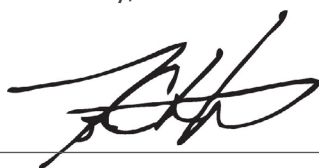
I would like to extend my compliments to my fellow board members, to the Legal Services Society's staff, and to you and your ministry's officials who, despite these challenging times for legal aid, are working collegially to build a better justice system of which all British Columbians can be proud.

Statement of accountability

The *Legal Services Society Service Plan 2014/15 – 2016/17* was prepared under the board's direction in accordance with the Budget Transparency and Accountability Act and the BC Reporting Principles. The plan is consistent with the government's strategic priorities and fiscal plan. The board is accountable for the contents of the plan, including what has been included in the plan and how it has been reported.

To the best of our knowledge the significant assumptions, policy decisions, events, and identified risks as of January 1, 2014 have been considered in preparing this plan. The performance measures presented are consistent with the society's mandate and goals, and focus on aspects critical to the organization's performance. The targets in this plan have been determined based on an assessment of the society's operating environment, forecast conditions, risk assessment, and past performance.

Yours truly,



Tom Christensen
Chair, LSS Board of Directors

Vision, Mission, Values

Our vision

Our vision is a British Columbia where all people are able to find timely and lasting solutions to their legal issues that improve their quality of life.

Our mission

Our mission is to provide innovative and integrated services that enable clients to effectively address their legal issues in a broad social context.

Our values

- making a positive difference in our clients' lives through legal aid services;
- engaging clients in finding solutions that meet their legal needs;
- recognizing diverse cultures and perspectives;
- compassion, integrity, and respect in our relationships with clients, staff, and stakeholders;
- collaboration with service partners and stakeholders;
- innovative approaches to solving problems;
- excellence and continuous improvement; and
- accountability and openness.

Organization Overview

The Legal Services Society (LSS) provides legal aid in British Columbia. Created by the Legal Services Society Act in 1979, LSS is a non-profit organization, independent of government. Our priority is to serve the interests of people with low incomes. LSS is funded primarily by the provincial government and receives grants from the Law Foundation and the Notary Foundation.

Core services

- **Legal representation services** are available for financially eligible people with serious family, child protection, or criminal law problems. Legal representation is also available for people who face a refugee or deportation hearing, a Mental Health Review Panel or BC Review Board hearing, or who have a prison issue for which the Charter of Rights and Freedoms establishes a right to counsel.
- **Legal advice services** are provided through criminal and family duty counsel in and out of courthouses across BC; through immigration duty counsel for people in detention at the Canada Border Services Agency's enforcement centre in Vancouver; through the Family LawLINE; and through the Brydges Line telephone service for people who may be or have been arrested. LSS also provides family advice lawyers at eight locations throughout the province.
- **Legal information services** are delivered by front-line staff, including Aboriginal community legal workers, legal information outreach workers (LIOWs), local agents, and through publications and websites. Other information services include training and support for community workers and advocates who assist LSS clients. We collaborate with a wide range of community and government agencies to ensure people with low incomes have access to the services they need to solve their legal issues. LSS also contracts with its community partners to improve access to legal aid and other services in rural, remote, and Aboriginal communities.

To find out more about our services, see our website at www.legalaid.bc.ca.

Service delivery system

Legal aid intake services are delivered in person at LSS offices in Vancouver and Terrace, and through local agents in communities across the province. For a list of locations, see www.legalaid.bc.ca (click *Legal aid* → *Legal aid locations*).

The society works to ensure legal aid services are accessible to all communities. For example, LSS provides the call centre for people who cannot apply for legal aid in person, as well as interpreters for call centre clients as needed. The society also pays for interpreters for clients working with legal aid lawyers and produces legal information publications in a variety of languages.

LSS's stakeholders, in addition to the Ministry of Justice and our clients, include our non-government funders the Law Foundation and the Notary Foundation, our local agents and our community partners, the lawyers who deliver legal aid services and the organizations that represent them, such as the Canadian Bar Association (BC Branch) and the Trial Lawyers Association of BC, and the judiciary. Other important stakeholders include public legal education and information service providers, social service agencies, community agencies, and advocates that provide support to our clients.

Clients

Legal aid clients are among the province's most vulnerable and marginalized citizens. Our clients do not have the financial resources — or frequently the educational, social, or health resources — to effectively access the justice system when their families, freedom, or safety are at risk.

In 2012/13, LSS provided more than 170,000 legal representation, advice, and information services. Of the 27,000 clients who were referred to a lawyer in 2012/13, 54% had less than high school education, 29% were Aboriginal, and 32% were women. Referral clients received services for criminal (72%), family (16%), child protection (9%), and immigration (3%) legal issues.

We strive to engage our clients in finding solutions to their legal problems. By taking an integrated approach, legal aid services can help clients avoid future legal issues and increase their ability to positively contribute to society.

Mandate

Under section 9 of the current LSS Act, the society's mandate is to:

- help people solve their legal problems and to facilitate access to justice,
- establish and administer an effective and efficient system for providing legal aid to people in BC, and
- provide advice to the Attorney General about legal aid and access to justice for people in BC.

For more information, see our website at www.legalaid.bc.ca.

Governance

LSS is committed to strong corporate governance practices that enable public accountability and transparency.

Board of directors

The society is governed by a nine-member board of directors. The LSS board appoints a chief executive officer to administer the business of the society. The board is committed to using best practices to govern the society. Of our nine board members:

- five are appointed by the Lieutenant-Governor in Council on the recommendation of the Attorney General, and
- four are appointed by the Law Society of BC after consultation with the executive of the BC Branch of the Canadian Bar Association.

The LSS Act outlines the need for the board to have a range of knowledge, skills, and experience in areas such as business management of public and private sector organizations; the legal system (including legal aid); BC's cultural and geographic diversity; and the circumstances associated with the legal needs of people with low incomes.

Board governance framework

LSS meets or exceeds best practices in public sector governance. The LSS Board of Directors recognizes that by ensuring that our governance is founded upon best practices we will be better able to provide the leadership that the society needs to realize its mission.

In the business of providing legal aid, it is particularly important that LSS be seen to be independent of government. Traditionally, this independence ensures government is not linked to funding decisions for legal aid representation in a particular case. The other rationale for independence is that an organization dedicated to meeting the legal needs of people with low incomes is more likely to achieve that goal efficiently and effectively than a large bureaucracy balancing competing interests and objectives.

The LSS governance policy specifies that the society's independence can be measured by the degree to which it makes choices about how it will pursue its statutory objects, the primary one being, "to assist individuals with low incomes to resolve their legal problems and to facilitate their access to justice."

The LSS board has the primary responsibility for nurturing and asserting the society's independence while maintaining its own independence from management. The board's governance policy recognizes that independence will be better ensured by directors who understand that their fiduciary obligation is to pursue the interests of the society, not the interests of their appointing bodies, and a board that:

- sets clear direction for the society,
- ensures that a chief executive officer is in place who will implement its service plan and effectively administer the society,
- monitors the society's performance,
- manages the risks of the society, and
- communicates effectively with government, the legal profession, the public, and other stakeholders.

In the pursuit of good governance, LSS developed and keeps updated a set of bylaws and policies to reflect current best practices in governance. While the society maintains a detailed conflict of interest bylaw, the focus of the bylaws is on role clarity among the chair, the board, the executive committee, and the chief executive officer. The bylaws are designed to help the board provide leadership and direction through strategic and service planning. The bylaws articulate the following key areas of responsibility and focus for the board:

- Strategic direction
- Risk management
- Advising the chief executive officer
- External communications
- Board performance
- Employer of the chief executive officer

In addition to the formal bylaw descriptions, the board has a set of policies that support each function.

Board objectives and performance assessment

Each year, the board adopts its objectives and performance evaluation process. These are designed to enhance the board's ability to provide leadership and direction to the organization. In addition, board members assess their own performance and that of each other on the board. The board chair uses this information in an annual meeting with each member of the board.

The evaluation process consists of specific indicators for each objective and a self-assessment questionnaire. The summary of results and comments are distributed as a reference point for discussion at the board's May/June planning meeting. The process is intended to:

- clarify individual and collective roles and responsibilities,
- improve working relationships among board members and between the board and management,
- identify strengths in board practices, and
- determine areas for board improvement.

The society adheres to and is in full compliance with the governance principles established by the Board Resourcing and Development Office (BRDO). LSS reviews its governance framework regularly to ensure it meets the society's ongoing business needs.

Information about the board's governance policy and bylaws, performance objectives, performance evaluation, competency matrix, and individual and peer evaluations can be found on our website at www.legalaid.bc.ca (click *About Us* → *Governance* → *Board's Governance Framework*). Specific inquiries can be directed to the assistant corporate secretary at corporate.governance@lss.bc.ca.

Board committees

At the beginning of each fiscal year, the directors elect a board chair and an executive committee. The Executive Committee is headed by the board chair and generally has authority on behalf of the board. The board also establishes two committees to help it carry out its responsibilities:

- the Finance Committee, which makes recommendations on the society's finances, funding, fiscal allocations, and risk management; and
- the Stakeholder Engagement Committee, which recommends ways to strengthen the society's relationships with key stakeholders.

The chair, in consultation with the society's chief executive officer, appoints the members of these committees, unless the board directs otherwise.

Board of directors January 2014

Tom Christensen, lawyer (Vernon/Vancouver)

Chair, LSS Board of Directors
Chair, Executive Committee

Suzette Narbonne, lawyer (Sechelt)

Vice-Chair, LSS Board of Directors
Member, Executive Committee
Member, Stakeholder Engagement Committee

Barbara Brink, CM, OBC (Vancouver)

Member, Finance Committee
Member, Stakeholder Engagement Committee
Lead Board Member, Governance

Sheryl N. Lee, CPA, CA (Vancouver)

Chair, Finance Committee
Member, Executive Committee

Deanna Ludowicz, QC (Grand Forks)

Chair, Stakeholder Engagement Committee
Member, Executive Committee
Lead Board Member, Strategic Planning Session

Alison MacPhail, lawyer (Victoria)

Member, LSS Board of Directors

Annita L. McPhee (Dease Lake/Terrace)

Member, Stakeholder Engagement Committee

Puneet P. K. Sandhar, lawyer (Surrey)

Member, Finance Committee

Darrell J. Wickstrom, lawyer (Vancouver)

Member, Finance Committee

LSS directors January 2014

Mark Benton, QC
Chief Executive Officer

Harold V. J. Clark, CHRP
Strategic Planning, Policy, and Human Resources

Sherry MacLennan, lawyer
Public Legal Information and Applications

Heidi Mason, lawyer
Legal Advice and Representation

Doug Wong, CPA, CA
Finance and Corporate Services

Senior management

The board of directors appoints a chief executive officer to administer the business of the society. The society has two main committees to oversee its operations.

- The Executive Management Committee (EMC), which consists of the chief executive officer, as chair, and LSS's four directors. EMC provides LSS with overall strategic direction, policy, and planning.
- The Operations, Planning, and Policy committee (OPP), which is chaired by the director of Strategic Planning, Policy, and Human Resources. OPP advises EMC on interdivisional policy, strategic planning, operational issues, and policies for coverage, eligibility, and tariffs.

Senior managers January 2014

Brad Daisley, lawyer
Communications and General Counsel

David Griffiths, lawyer
Legal Services

Tamara Ilersich, CHRP
Human Resources and Organizational Development

Carol Jung, CIA
Audit and Investigation

Trish Kumpf, lawyer
Aboriginal Services

Branka Matijasic
Intake and Referral Services

John Simpson, lawyer
Community and Publishing Services

Kathryn Spracklin
Strategic Planning and Policy

Janice Staryk
Lawyer Services

Mihai Strusievici
Information Technology

Eugene Wandell, CPA, CMA
Finance and Administration

Strategic Context

The Legal Services Society was created more than 30 years ago to provide legal information, advice, and representation to BC residents with low incomes. Legal aid is a critical component of access to justice, equality before the law, and a just society.

To achieve our mission, the society needs to adopt an approach that is client-focused (see Goals 1 and 2), resource-focused (see Goals 3 and 4), and systems-focused (see Goal 5). We must manage our risks effectively and optimize our opportunities.

The three strategic issues below (and summarized in the table on pages 8 and 9) represent the key challenges facing LSS over the next three years.

Justice innovation

A consensus is emerging among stakeholders that an outcomes-focused justice system is not possible without systemic change. Piecemeal reform will not deliver the changes needed for lasting and meaningful resolutions to legal issues. For this reason, LSS is redefining its change efforts as “justice innovation” rather than “justice reform.” This strategy demands fresh ideas and a bold approach that uses proven research and stakeholder collaboration to address enduring and complex challenges within the justice system. Solutions will require harnessing new technologies, embracing paradigm shifts, and strengthening collaborative approaches. One upcoming initiative that embraces this approach is the collaborative development of an interactive one-stop website to provide legal information to the public. This website will provide information on legal rights and procedures to assist people in reaching earlier resolutions to their legal issues.

Leadership from the Ministry of Justice and from the Office of the Chief Judge has produced a marked improvement in the time from first appearance to trial in many busy criminal court locations. There is much to celebrate in this development; however, it has had an unanticipated impact on LSS services, leading to significant service cost pressures. This example points to the need for improvements in planning alignment and communication between the different partners in the justice system to avoid the unintended impacts of justice reform initiatives. The many related and dependent relationships necessitate the adoption of a systems-thinking approach.

LSS’s 2012 report, *Making Justice Work*, provides recommendations for innovation and pilot initiatives that could generate savings to be reinvested in legal aid. LSS is encouraged by government and stakeholder support for *Making Justice Work* and by the government’s commitment to an additional \$2 million to expand criminal and family legal aid services. This additional funding reflects a commitment to support innovative and collaborative solutions. LSS looks forward

to working with the government, the judiciary, and other stakeholders to ensure this \$2 million legal aid expansion fund supports shared justice transformation priorities.

Financial resources

Unless there is an increase in funding in future years, LSS will not have the resources to support clients in finding timely and lasting solutions to their legal issues, introduce or sustain piloted initiatives, or collaborate with service partners on integrated services or innovation projects. Factors beyond LSS's control have precipitated sizeable financial pressures. Examples of the current dynamics in the justice system that are causing the society cost pressures include shortened trial times (and therefore lawyers billing earlier than expected) and an increased volume of clients applying for child protection (CFCSA) matters. Another financial factor outside of our control includes general economic conditions, which remain uncertain and affect both client demand for services and revenue, including that from the Law Foundation.

Since 2002, LSS has weathered a number of substantial budgetary cuts resulting in restricted capacity to plan and deliver legal aid services. This year, as a response to service cost pressures from external factors, we have made operating and administrative reallocations which may seriously compromise our ability to respond to the unanticipated demands that are common to legal aid. Managing in a reactionary mode in the face of financial crises reduces our capacity for strategic thinking, planning, and innovation.

Investment by government in proven programs, along with careful planning and collaboration, is needed for LSS to continue to provide accessible and effective legal aid services.

Delivering quality services

To deliver quality services to clients, we must have the appropriate infrastructure and resources to process client applications efficiently and effectively, the ability to find willing private lawyers to take on clients across British Columbia within a reasonable timeframe, and the staff capacity to plan and deliver client services. This requires adequate funding, engaged staff, nimble business processes, flexible information technology (IT) systems, and good relationships with our lawyers.

Key Strategic Issues

Issue

Justice innovation

The justice system faces challenges, including procedural complexity, cost of access, and changes in trial time.

Complex criminal cases are absorbing a disproportionate amount of the justice system's resources.

LSS has not demonstrated to all stakeholders that it has clear strategic direction and effective processes and controls.

The absence of a systems-thinking approach is impeding justice transformation.

Financial resources

LSS's funding is inadequate to support mandated services.

Multiple priorities and insufficient resources within LSS and within other service providers limit the potential for collaboration on innovative projects.

LSS faces unpredictable general economic conditions, which could impact revenue and client service demands.

LSS expects a reduction in non-government funding.

Although the demand for and cost of LSS services are affected by decisions made elsewhere in the justice system, the impact on LSS's budget is not fully considered in the decision-making process.

Delivering quality services

LSS has an insufficient number of lawyers providing legal aid services in certain BC communities.

Lawyers are expressing dissatisfaction with tariff rates, legal aid funding, and certain proposed service delivery changes.

LSS is undertaking a large project to replace an obsolete client management system that has high maintenance costs.

LSS's employee engagement levels have not yet reached the organizational target.

The table below outlines the key strategic issues LSS faces over the next three years, the opportunities these challenges represent, and the society's intended actions.

Risk Statement	Opportunity	Action
<p>Clients are unable to resolve their legal and related issues in a timely way.</p> <p>Justice system inefficiencies increase the cost of providing legal aid services.</p> <p>LSS does not have the credibility to act as an effective agent for change and to advance our mission.</p> <p>Justice reform initiatives do not achieve the intended results, and LSS faces unplanned financial consequences.</p>	<p>Collaborate with service partners to provide client-centred services and find synergies in existing processes.</p> <p>Strengthen relationships with internal and external stakeholders across BC.</p>	<p>Take a leadership role by proactively providing advice to the Attorney General.</p> <p>Continue to promote the use of evidence-based justice initiatives.</p> <p>Use justice transformation funding from the ministry to pilot initiatives.</p> <p>Develop a one-stop legal information website.</p> <p>(See Goal 5)</p>
<p>LSS is unable to provide services that promote lasting client outcomes.</p> <p>Clients continue to experience gaps in services due to inaction on justice innovation.</p> <p>Collaborative initiatives are not undertaken or are not successful because LSS and its partners have insufficient resources or multiple priorities.</p>	<p>Make the best use of our resources and focus on areas where we have more control, such as improving the efficiency and effectiveness of legal aid services and service delivery.</p> <p>Bolster public support for legal aid services.</p> <p>Work with the judiciary, the ministry, and other stakeholders to maximize the effectiveness of the \$2 million expanded criminal and family legal aid services.</p>	<p>Communicate the value of legal aid to government and to the public.</p> <p>Pursue additional revenue sources.</p> <p>Improve the nimbleness and flexibility of LSS business processes to support capacity.</p> <p>(See Goals 1, 2, 3, and 4)</p>
<p>Lawyers withdraw services.</p> <p>LSS is unable to place cases with lawyers within a reasonable time or for a reasonable cost.</p> <p>LSS is not able to fully meet our business needs due to an inflexible IT system with high maintenance costs.</p> <p>A decline in employee engagement undermines LSS's ability to deliver effective services.</p>	<p>Develop a lawyer succession strategy to address greying of the bar.</p> <p>Promote a legal aid culture within the BC bar and educate lawyers on the benefits of legal aid.</p> <p>Make significant improvements to our IT system.</p> <p>Build staff engagement.</p>	<p>Encourage a legal aid culture among justice system partners.</p> <p>Use effective project management strategies to ensure LSS has a flexible case management system that meets our business needs.</p> <p>Implement employee engagement initiatives.</p> <p>(See Goals 1, 2, 3, and 4)</p>

Goals, Strategies, Measures, and Targets

The goals, strategies, and performance measures outlined in this service plan are designed to engage LSS staff, our service partners, and our clients in finding timely and lasting solutions to clients' legal issues while managing to budget.

LSS's goals, which were introduced in 2008/2009, describe our long-term commitment to building an integrated legal aid model. LSS has made a change to the way we frame Goal 5, and we now refer to our leadership role in the context of justice innovation, rather than justice reform. This change reflects a growing consensus that the justice system requires significant institutional change and that incremental reform will not be sufficient to bring about the results we envision. The strategies to achieve our goals have been adjusted in this plan to respond to changes in our internal and external environment. All adjustments are noted in the table on page 19.

Performance management systems and benchmarking

LSS assesses its performance by surveying key stakeholder groups (see a summary of our key stakeholder surveys on page 12). LSS staff develop the survey questions and methodology, and independent research organizations carry out the data collection and analysis to ensure data is accurate and reliable. The society also monitors and reports on key internal operational and financial data, which are tested internally.

We selected performance measures to track our overall progress in achieving intended outcomes for clients. These measures also track our success in engaging the support of private lawyers, who are our primary service partners; our employees, who are critical to service quality; and the public, to whom we are ultimately accountable. Increasing levels of client and lawyer satisfaction, employee

engagement, and public support will demonstrate that we are meeting these stakeholders' needs. LSS chose budget-to-actual expenditure variance as a measure of financial performance. The budget-to-actual variance is calculated at year-end using the following formula: $\text{Variance} = 1 - [\text{actual}/\text{budget}]$. Specific expenditures that are budgeted separately as they occur are excluded from the calculation.

LSS benchmarks its performance against like organizations, where possible, using the Common Measurement Tool (CMT). CMT is an independent client satisfaction benchmarking tool and data service that allows us to compare client satisfaction results against agencies providing similar services. We benchmark our employee engagement score against the BC Public Service using statistics provided by BC Stats. Though legal aid plans across Canada have not yet developed a common method of measuring performance, we regularly share performance and outcome information.

We set targets by considering benchmark data and evaluating the level of improvement possible given the strategies and activities planned in the coming period. Meeting our targets would demonstrate continuous improvement in stakeholder satisfaction with, support for, and use of our services, as well as financial responsibility, all of which are necessary to achieve our goals.

Key Stakeholder Surveys

LSS conducts three major stakeholder surveys, each on a tri-annual basis. LSS also surveys BC residents each year on their awareness of and support for legal aid programs. These surveys provide data for performance measures to assess our progress on achieving our goals. LSS develops action plans to address the survey results and to implement identified operational and service improvements.

Client Services Survey

The telephone Client Services Survey gathers feedback from LSS clients across BC. It assesses clients' perspectives on the legal aid services they received, including their feelings on the accessibility and helpfulness of these services, the support they received to address their related legal issues, and their overall satisfaction with LSS. Limitations of this survey include the challenge of reaching clients by phone, as well as difficulties with including specific client groups (e.g., clients in custody at the time of survey and LIOW clients).

This survey measures our performance on Goals 1, 2, and 3. It was first administered in 2006/7 and repeated in 2010/11. LSS has postponed conducting its tri-annual Client Services Survey to 2014/15, due to financial pressures in 2013/14.

Work Environment Survey

The online Work Environment Survey collects the views of LSS employees on three different aspects of their work environment: engagement, workplace functions, and management. This survey uses a standardized methodology, allowing LSS's results to be compared to those of the broader BC Public Service.

This survey measures our performance on Goal 4. It was administered in both 2007/8 and 2011/12, and is scheduled again for 2013/14.

Tariff Lawyer Satisfaction Survey

The online Tariff Lawyer Satisfaction Survey gathers insights from lawyers who have provided representation and advice services to LSS clients. It assesses lawyers' perspectives on their interactions with LSS, including referrals, authorizations, account processing and payment, and overall support. The survey also seeks lawyers' opinions on the society's priorities, allocation of resources, and strategic direction.

This survey measures our performance on Goals 2, 3, and 4. It has been administered tri-annually since 2004, and will next be administered in 2015/16.

1 Use

People with low incomes who have legal issues use LSS services.

LSS needs to ensure our services are accessible, address the needs of clients, are culturally appropriate, and that the public is aware that these services are available.

Strategies

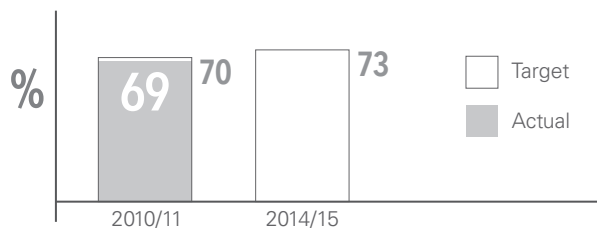
1.1 Make it easier for clients to access legal aid services.

1.2 Partner with Aboriginal and other underserved communities to deliver services that support positive client outcomes.

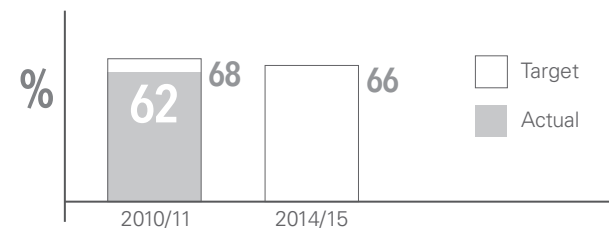
1.3 Support service partners¹ and front-line workers² to deliver effective and efficient services.

Performance measures

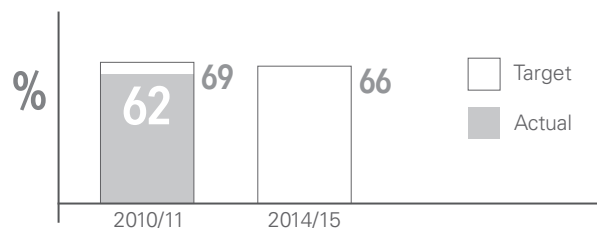
A. Percent of clients satisfied with the accessibility of LSS services (tri-annual survey)³



C. Percent of clients satisfied overall with LSS services (tri-annual survey)³



B. Percent of clients satisfied with the helpfulness of LSS services (tri-annual survey)³



Importance of these measures: Overall client satisfaction with the accessibility and helpfulness of LSS services shows that we are providing clients with the services they need when and where they need them, fulfilling our mandate to help people solve their legal problems and to facilitate access to justice. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance management systems and benchmarking on page 11.

¹ Service partners: Agents or agencies LSS collaborates with to provide services, including local agents, tariff lawyers, and community agencies.

² Front-line workers: LSS staff and service partners who work directly with legal aid clients (e.g., LIOWs and intake staff).

³ LSS has postponed conducting its tri-annual Client Services Survey to 2014/15, due to financial pressures in 2013/14.

2 Participate

People with low incomes participate in solving and preventing legal issues.

Clients who are actively involved in resolving their legal issues tend to find more positive and lasting solutions.

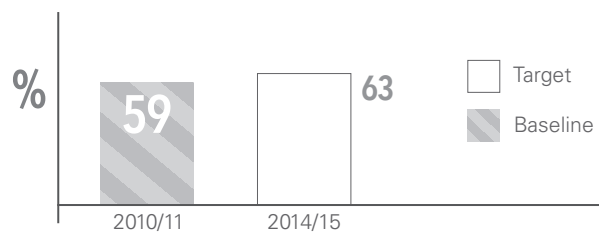
Strategies

2.1 Support service partners to inform clients about legal aid services and their rights.

2.2 Support front-line workers to inform clients about legal aid services and their rights.

Performance measures

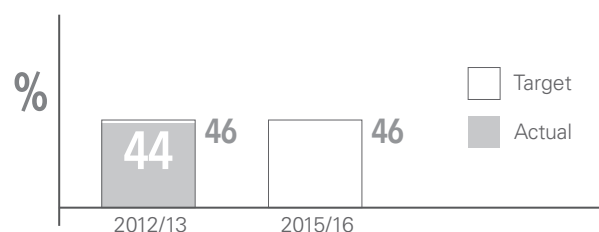
A. Percent of clients satisfied with LSS support to help them participate in resolving their legal issues (tri-annual survey) ¹



Importance of these measures: Measures A and B assess the effectiveness of the support provided by LSS to clients and lawyers to help clients participate in resolving their legal issues. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance management systems and benchmarking on page 11.

¹ LSS has postponed conducting its tri-annual Client Services Survey to 2014/15, due to financial pressures in 2013/14.

B. Percent of lawyers satisfied with LSS support to increase their ability to engage clients in solving their legal issues (tri-annual survey)



3 Collaborate

People with low incomes get help with related legal issues so they can solve and prevent legal problems.

Clients' legal problems often arise from or lead to other problems such as health, housing, and debt issues. By working with other service providers to help clients get support for these issues, LSS can improve client outcomes as well as reduce clients' use of justice, health, and social services over the long term.

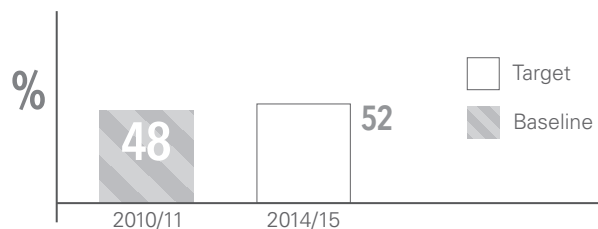
Strategies

3.1 Collaborate with service partners to assess and refer clients to services for their related issues.

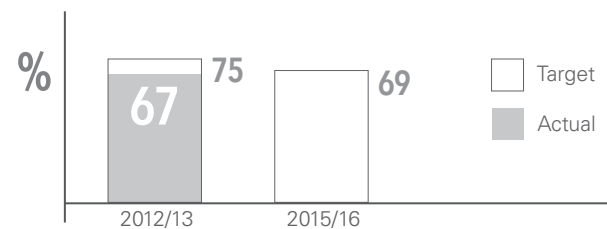
3.2 Support front-line workers to assess and refer clients to services for their related issues.

Performance measures

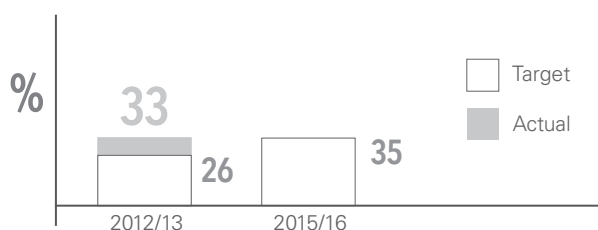
A. Percent of clients satisfied with the level of support LSS gave them to address their related legal issues (tri-annual survey)¹



C. Percent of lawyers who support the integrated approach to providing legal aid services (tri-annual survey)



B. Percent of lawyers satisfied with LSS support for increasing their ability to help clients address related legal issues (tri-annual survey)



Importance of these measures: Measure A tracks the effectiveness of LSS efforts to provide clients with information about services for related legal issues. Measures B and C assess our progress on supplying lawyers with the tools and information to support this approach. Integrating services requires all service partners to have the necessary skills and resources. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance management systems and benchmarking on page 11.

¹ LSS has postponed conducting its tri-annual Client Services Survey to 2014/15, due to financial pressures in 2013/14.

4 Manage

LSS manages resources soundly.

LSS must manage resources effectively and efficiently to ensure we are achieving the optimum benefit for the society's clients with available funding.

Strategies

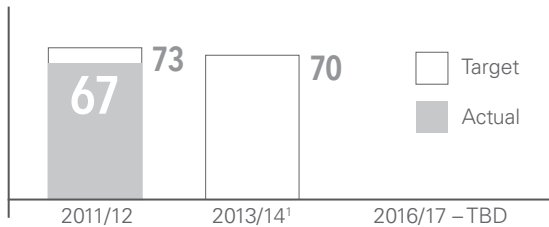
4.1 Foster employee engagement and organizational communication.

4.2 Engage with and develop stronger relationships with legal aid lawyers.

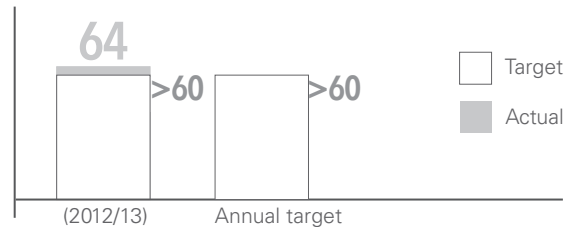
4.3 Improve information technology systems to respond to a changing environment.

Performance measures

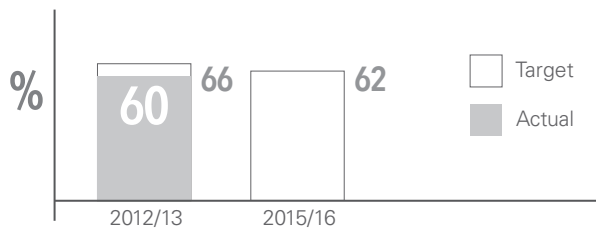
A. Overall average employee engagement score (tri-annual survey)



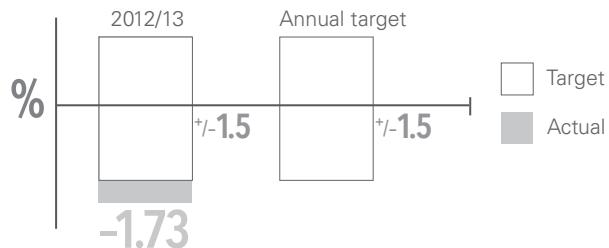
C. Number of new lawyers taking more than three referrals in the first six months (annual measure)



B. Percent of lawyers satisfied with the overall support provided by LSS (tri-annual survey)

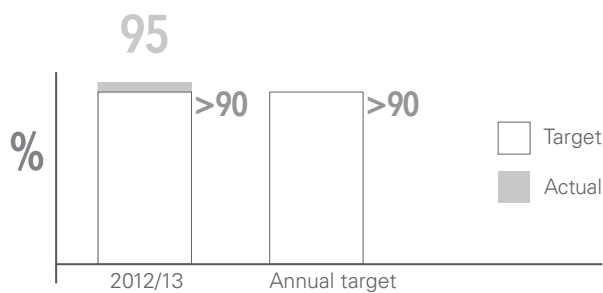


D. Budget-to-actual expenditure variance (annual measure)



4.4 Improve the nimbleness and flexibility of LSS business processes to support capacity.

E. Percent of the public that supports the provision of legal aid services (annual survey)



Importance of these measures: High employee engagement in the public sector, tracked by measure A, is linked to improved service for clients. Measures B and C qualitatively and quantitatively assess our progress on maintaining a sustainable supply of lawyers to provide services to clients across BC. Maintaining a low budget-to-actual expenditure variance, measure D, shows that we are effectively managing expenditures. Sustained public support for legal aid, measure E, should enhance government confidence in our services. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance management systems and benchmarking on page 11.

¹ Due to the re-organization of our survey schedule, we have the resources to conduct the Workplace Environment Survey in 2013/14.

5 Leadership

LSS provides leadership in justice innovation.

LSS believes that innovation is needed to bring about the fundamental justice system changes required for clients to achieve timely and lasting resolutions to their legal issues.

Strategies

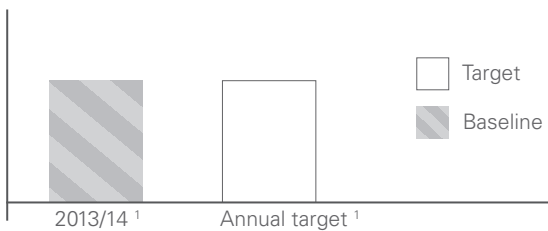
5.1 Promote outcomes-based justice innovation initiatives.

5.2 Pilot evidence-based legal aid initiatives to improve access and outcomes.

5.3 Communicate LSS's strategic direction to stakeholders.

Performance measure

A. Volume of references to LSS and justice innovation in academic literature, government reports, and media (annual measure)



Importance of this measure: A high volume of references to LSS's justice innovation proposals in academic literature, government reports, and the media indicates that LSS's ideas are being reviewed and considered by key justice system decision makers and opinion makers. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance management systems and benchmarking on page 11.

¹ Baseline and annual target to be determined.

Adjustments to Service Plan 2014/15 – 2016/17

	Goals	Strategies	Measures
1 Use	No change	No change	No change
2 Participate	No change	No change	No change
3 Collaborate	No change	No change	No change
4 Manage	No change	<p>Combined strategies related to employee engagement and organizational communication (4.1 and 4.3 are now 4.1).</p> <p>Modified strategy 4.2 to focus more on relationships <i>with</i> rather than initiatives <i>for</i> lawyers.</p> <p>Modified strategy 4.4 (now 4.3) to clarify that the information systems refer to our information technology systems.</p> <p>Added a new strategy (4.4) that focuses on nimble and flexible processes.</p>	No change
5 Leadership	Revised goal to refer to our leadership role in justice innovation rather than justice reform.	No change	No change

Government Letter of Expectations

LSS and the Ministry of Justice jointly sign a government letter of expectations (GLE) from the ministry to the society each year.

The government uses GLEs to communicate its priorities, mandate direction, and key performance objectives to each Crown agency for the coming

year. This supplements the three-year Memorandum of Understanding (MOU) between LSS and the ministry.

Our actions to address the GLE for 2014/2015 are outlined in the table below.

	Expectations	LSS actions
Financial performance	To meet periodically to consider the budget development cycle; the financial position of LSS; the establishment of LSS’s strategic priorities to ensure alignment with the government’s strategic priorities; and issues relating to LSS’s objects that might affect government’s responsibility for legal aid and access to justice.	LSS has established rigorous cost monitoring and forecasting models to help ensure the society meets budget targets. LSS will continue to provide monthly reports to the Ministry of Justice.
Support policy, planning, and program coordination	To meet periodically to consider coordination of policy and program development. Share information and consult with the government to support policy, planning, and program coordination by ensuring service delivery aligns to the government’s strategic priorities, policy objectives, and fiscal plan; collaborating with government on issues such as large cases and justice reform; collaborating with government and other justice participants on justice reform initiatives that promote early resolution; promoting early, collaborative dispute resolution in child protection and family law cases; liaising with the government in relation to each area of law; and participating in the coordination of services among LSS, government, and other justice system participants to achieve efficiencies in the delivery of legal aid services.	LSS will collaborate with key stakeholders in the justice system to enhance large case management and justice reform. LSS will continue to support early, consensual dispute resolution in family and CFCSA cases through the simplified tariff as revenue allows. LSS will continue to communicate with the Ministry of Justice on government and society priorities and the LSS service plan throughout the annual planning process.

	Expectations	LSS actions
Legislative framework	Conduct operations and financial activities consistent with the legislative and policy framework established by government.	<p>LSS is in compliance with the LSS Act and the MOU.</p> <p>LSS regularly provides financial, statistical, and other information about legal aid services to the Minister of Justice and Attorney General.</p> <p>LSS will participate in the government's Core and Crown reviews.</p>
Communication	Maintain a working group to meet on a monthly basis, as required.	<p>LSS will participate in working group meetings to review and coordinate budget development, strategic priorities, policy and program development, issues related to legal aid and access to justice, and other issues as they arise.</p> <p>On a quarterly basis, the Attorney General and Minister of Justice, the Deputy Attorney General, the LSS Board Chair, and the Chief Executive Officer will meet to discuss relevant and current society business.</p>
Reporting	Meet performance reporting requirements as set out in the Budget Transparency and Accountability Act, the Financial Administration Act, and the Financial Information Act.	LSS will continue to meet all reporting requirements.
Climate change	Comply with government requirements to make the public sector carbon neutral.	<p>LSS is implementing an environmental policy that engages staff in efforts to reduce our greenhouse gas emissions.</p> <p>LSS will continue to implement print and copy monitoring solutions to reduce paper usage; complete conversion to recycled paper; minimize business travel; and renovate our premises to sustainability standards (Leadership in Energy and Environmental Design).</p> <p>LSS will complete and file carbon neutral action reports as required.</p>

For more information, see our website at www.legalaid.bc.ca (click *About Us* → *What We Do* → *Obligations* → *Government Letter of Expectations*).

Financial Outlook

Summary financial outlook 2013 – 2017 (in millions)

	2012/13 Actual	2013/14 Forecast	2014/15 ¹ Budget	2015/16 ¹ Budget	2016/17 ¹ Budget
Revenue					
Provincial transfers ⁶	\$ 67.7	\$ 68.4	\$ 67.8	\$ 67.8	\$ 67.8
Large and major cases ^{2/6}	10.7	7.7	4.7	4.7	4.7
Justice transformation initiatives ⁶	0.0	0.0	2.0	2.0	2.0
Other revenue	5.1	4.7	4.6	3.9	3.9
Total revenue	83.5	80.8	79.1	78.4	78.4
Expenses					
Tariffs	\$ 62.7	\$ 60.4	\$ 54.6	\$ 54.6	\$ 54.6
Justice transformation initiatives	0.0	0.0	2.0	2.0	2.0
Salaries	10.9	10.5	11.2	11.2	11.2
Contracted services	5.5	6.0	6.6	6.0	6.0
Premises	1.7	1.9	1.9	1.9	1.9
Computers	1.3	1.0	1.0	1.0	1.0
Amortization ³	0.7	0.5	0.7	0.7	0.7
Office	0.7	0.4	0.4	0.4	0.4
Travel	0.1	0.2	0.2	0.2	0.2
Other	0.3	0.4	0.5	0.4	0.4
Total expenses⁵	83.9	81.3	79.1	78.4	78.4
Net income/(deficit)	(0.4)	(0.5)⁴	0.0	0.0	0.0
Accumulated surplus	6.0	5.5	5.5	5.5	5.5
Debt	0.0	0.0	0.0	0.0	0.0

¹ The budgets for the years 2014/15 through 2016/17 inclusive are projections and not yet approved. As per section 18 of the Legal Services Society Act, LSS will seek budget approval from the Attorney General in each of those respective years. LSS will provide tariff services to the budgeted amounts each year; any additional required services would need additional funds.

² Budgets for large and major cases are based on ministry approved budgets and may not reflect actual costs. In 2014/15, we estimate that Category B cases will cost \$2.5 million (2013 — \$2.3 million) and Category C cases will cost \$5.2 million (2013 — \$8.4 million) based on our forecasts as of January 10, 2014. LSS will manage expenditures to the available funding provided by the ministry as in previous years.

³ On December 14, 2012, the board restricted the accumulated surplus to be used for board-directed strategic initiatives. They allocated \$4.3 million for the ISIS project as a board strategic initiative. It is anticipated that these costs will be capitalized starting in 2014/15 and will be amortized at a cost of \$0.43 million per year for each of the next 10 years. The budget for those years does not include this cost, pending approval of the budget by the Attorney General and the Minister of Finance as noted in footnote 1.

⁴ The deficit shown in the 2013/14 forecast has been approved by the Minister of Finance and the Attorney General, and will be funded from the accumulated surplus. The Attorney General has agreed to cover an additional \$0.3 million of deficit, if required.

⁵ Allocation of expenses between various categories is subject to change.

⁶ These revenues are funded by the Provincial Government.

Key assumptions

- No material changes in the number of cases prosecuted by the province and no material changes in the Provincial Court hours of service.
- Criminal cases in excess of \$175,000 will be funded separately by the Ministry of Justice as per the MOU.
- No material changes in the demand for legal aid or in the poverty rate in BC.
- No provision has been made to account for changes to immigration, family, or criminal legislation or other justice reform initiatives.

Forecast risks and sensitivities

- Unanticipated increases in the volume or average cost of cases, including increases from federal Criminal Code changes.
- Changes in interest rates and economic conditions affecting non-governmental revenue sources.
- Inflationary pressures.
- 2015/16 and 2016/17 budgets do not represent accurate forecasts of revenue and expenditures as they are largely extrapolated from the 2014/15 budget. The cost and scope of services is expected to change over a three-year period.
- The number of large criminal cases and associated costs can impact annual revenue and expenditures because these cases are eligible for cost recovery from the Ministry of Justice.

For more information

Mark Benton, QC
Chief Executive Officer
Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8
604-601-6000
www.legalaid.bc.ca

LSS is funded primarily by the provincial government and also receives grants from the Law Foundation and the Notary Foundation.





Order free LSS publications:

www.legalaid.bc.ca/publications

Follow us on   @legalaidbc