

FOLA invites lawyers' suggestions for modernizing legal aid

By Rob Lamberti, AdvocateDaily.com Contributor

Ontario lawyers are urged to submit their ideas, concerns and views about legal aid as the provincial government works on amending the *Legal Aid Services Act*, says Katie Robinette, executive director of the [Federation of Ontario Law Associations](#) (FOLA).

Members of FOLA's legal aid committee attended three roundtables hosted by the Chair of Legal Aid Ontario (LAO) on Aug. 15 which dealt with legal aid issues in criminal law, family law and immigration and refugee law, Robinette tells AdvocateDaily.com.

"In addition, due to FOLA's membership in the Alliance for Sustainable Legal Aid (ASLA), FOLA and other ASLA members met with Ontario's attorney general in advance of our meeting with LAO," she says. "In each of these meetings, FOLA was urged to send comments and recommendations to both LAO and the Ministry of the Attorney General in advance of planned legislation in the fall.

"We are encouraging all law associations and individual association members to connect with us and share their thoughts and suggestions for amendments to the *Legal Aid Services Act* before Sept. 6, when FOLA begins to write its submissions to LAO and the attorney general," Robinette says.

To help, FOLA has resources related to the Act and the modernization project, as well as a report on its meetings on its [website](#).

Robinette says the Act came into effect in 1998 and a legislative overhaul is needed.

"It hasn't really been touched since then, and this is looking into everything — from updating, removing, or adding language to finding ways to make the system work better for a modern age," she says. "It appears LAO and the government of Ontario are interested in addressing this at the same time."

The [Legal Aid Modernization Project](#) and the *Legal Aid Services Act* review aim to improve the Act's ability to deliver services in an "integrated and nimble" way and streamline the way services are prioritized for low-income persons.

The broad consultations are discussing the issues faced by counsel and clients when applying for and receiving legal aid funding, the systemic problems that prevent it from working as needed, and upgrading the technology infrastructure within the legal system, she says.

“With legal aid, you can’t just treat it as a silo. You have to look at how it fits in the wider access to services throughout the whole system,” she says. “This is a big deal for the Ontario government and for the profession.”

Robinette says the main goals of the consultations are to determine the best way to modernize the system, identify where services are integrated, and address any gaps in the “continuum of services” provided by the government.

For example, she says if legal aid is able to cover the costs of expert witnesses at pretrial, which could prevent a case from going to trial, the process could save the legal system money. Currently, the program covers expert witness costs during a trial, Robinette says.

“The consultations have been fruitful,” she says. “And it’s coming together very quickly.”

Robinette says it’s expected a bill will be tabled and passed before Christmas, once the legislature reconvenes following the federal election.

“We understand that this is a priority item of this government,” she says. “That’s why we want to make sure we are on top of this and that we hear from our members.”.