

THE HAMILTON LAW ASSOCIATION

*The Hamilton Law Association exists to enable its members to become successful, respected and fulfilled in their profession.*

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The Honorable Doug Downey

**Attorney General for Ontario**

Ministry of the Attorney General

720 Bay St., 11th Floor

Toronto, Ontario M7A 2S9

November 29<sup>th</sup>, 2021

**RE: Comments on Behalf of The Hamilton Law Association Regarding LAO Rules & Policies**

Dear Attorney General Downey,

I am writing on behalf of The Hamilton Law Association's 1000 members to urge Legal Aid Ontario to continue to press for increased funding to ensure the best possible protection and representation of the public of Ontario in order to ensure the equitable and dispassionate application of the rule of law.

In particular, I would like to note that Rule 2 (Payment to Roster Members) made pursuant to the *Legal Aid Services Act 2020* currently provides for a tariff that is too low to realistically serve Ontarians in need, thereby creating a significant gap between those served by legal aid and those who are able to pay for services. Additionally, it is urged that certificate management requirements set out in Rule 3 be made less strict and onerous, which would free lawyers to spend significantly more time serving the clients in question as well as diminishing a perceived barrier to the acceptance of legal aid certificates.

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**President Andrew Confente • Vice-President David van der Woerd**  
**Secretary-Treasurer Hussein Hamdani • Executive Director Rebecca Bentham**

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I would like to urge further that an increased proportion of overall funding be advanced to the certificate system, with the effect that private bar service providers rather than clinics represent the majority of clients. It is submitted that the refocusing of legal aid expenditures on experienced lawyers in private practise would provide representation more fairly equivalent to that of cash clients, thereby promoting equity in the courts.

On behalf of the bar of Hamilton and the public of Ontario thank you for reviewing my comments.

Yours truly,

A handwritten signature in blue ink, appearing to read "Andrew Confente", is written over a series of horizontal blue lines that serve as a guide for the signature's placement.

Andrew Confente,  
President, The Hamilton Law Association

CC

Terry Brandon, Federation of Law Associations Legal Aid Chair  
Federation of Ontario Law Associations  
731 9th Street West, Owen Sound, Ontario N4K 3P5

Katie Robinette, Federation of Law Associations Executive Director  
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