

2008



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Access Justice is a non-profit registered charity with a volunteer board of directors and a permanent staff. In 1990 the Western Canada Society to Access Justice was founded. The society was originally known as the Lower Mainland Society to Assist Research of Trials (START) and was comprised mainly of senior litigation lawyers. The Society's initial mandate was to conduct research on barriers to the legal system. Since 1999 the Society has broadened its mandate to include direct pro bono work. For more information see our website at: www.accessjustice.ca

MESSAGE FROM THE CHAIR

Welcome to the 2008 Annual Report of the Western Canada Society to Access Justice (“Access Justice”). During 2008, our main focus continued to be delivery of summary legal advice through our pro bono clinics. Much of this report details our clinic activity.

Our governance is carried out through bi-monthly board meetings, and an Executive Committee made up of Leon Getz QC, Phil Dougan, and me. Our board endorsed a 2008 Business Plan early in the year and I am pleased to advise our key objectives were met during the year.

During the year, we continued our tradition of meetings with Chief Justice Brenner and Attorney General Oppal to outline our views on access to justice issues.

We conducted a client satisfaction survey during the first part of the year and were pleased – but not surprised – by the very positive results. Clients routinely scored our reception, clinic, and lawyer services at 4.5 on a 5.0 rating scale.

Perhaps the most important – and historic – development during the year was the October 2008 resolution by our board to seek amalgamation with other pro bono providers. We welcomed the immediate positive response from Pro Bono Law of BC, and we look forward to developments with them during 2009.

We express continuing thanks to all our volunteers and donors. We received continuing grant support from the Law Foundation, the Notary Foundation, and the Vancouver Bar Association. It was gratifying during the year that our lawyer donor base continued strong support for our work.

Bruce Fraser, QC
Chair

MESSAGE FROM THE EXECUTIVE DIRECTOR

The year 2008 was my first full calendar year to serve as Executive Director of Access Justice. It was a challenging yet rewarding year.

A continuing priority for me during the year was strengthening our working relationship with other pro bono providers. With the support of a Law Foundation grant, Access Justice, Pro Bono Law of BC and the Salvation Army commissioned and received a report prepared by Gayla Reid which made several recommendations towards service amalgamation.

Another priority continues to be enhancing our clinic services. There were several developments on this front during the year, including teleconference training sessions for clinic volunteers, posting additional website resources for our clinic lawyers, and improving our statistical capacity in our client database.

We took several steps to develop our overall communications strategy during the year. Fundamentally, it was important for me to personally visit or be in touch with our clinics. I was able to travel to a number of locations outside the Lower Mainland during the year, including Campbell River, Williams Lake, Vernon, Penticton, Kelowna, and Nanaimo. During 2008 we reinstated an Access Justice newsletter and were pleased to send out three issues during the year.

We took steps towards involving law students and articled students in our clinics during the year. Law student placements were facilitated through an arrangement with Pro Bono Students Canada, and articled student protocols were developed in cooperation with the Law Society of BC.

Another priority for me has been to network with other legal providers to work towards the most efficient overall model of legal service delivery for low-income individuals. During the year, I attended a number of Law Society and Law Foundation functions, and we continued our consultations with the Ministry of the Attorney General on their Justice Access Centre initiative. I was privileged to host a legal delegation from the Ukraine in April, and I attended the NLADA Equal Justice Conference in Minneapolis in May. I was a CLE and conference presenter at the Second Annual Canadian Pro Bono Conference in September.

We continued a core review of our administrative procedures and staffing model during the year. In June 2008 the board received and implemented the first stage of a revised compensation review for staff.

I express gratitude to a committed and supportive group of staff and board. I have appreciated the continuing support and encouragement of members of the Christie family during the year.

Allan Parker
Barrister and Solicitor
Executive Director

2008 IN REVIEW

CLINICS

Access Justice clinics are the heart of our operation. The clinics are operated in partnership with courts and community-based organizations that donate space and, in many instances, provide support services for the operation of the clinics at no cost to Access Justice. Our basic model is to operate clinics in two-hour segments in which we book a maximum of four client interviews for one half hour each. The largest clinic operation is at the Vancouver Courthouse where 14 two-hour clinic sessions are held each week.

At the end of the year, there were 67 clinics operating. A total of 317 lawyers attended one or more clinic sessions during the year. New clinics were opened in: Langford, North Shore, Vancouver (MPA, Steeves Manor, La Bousolle, and First Contact), Langley (in cooperation with the Salvation Army), Vernon (VWTHS), Port Coquitlam (SHARE), and Surrey (DiverseCity).

Here is a sampling of comments from some of our clinic partners:

"My work load has diminished at the same time that we have expanded as Access Justice now books the lawyers, finds lawyers when someone cancels, and phones and reminds clients of their appointments. It has been a very successful partnership. "

- The Peoples Place in Vernon

"The BC Coalition of People with Disabilities (BCCPD) has facilitated two pro bono legal clinics a week with its community partner the Western Canada Society to Access Justice for a number of years. The clinics provide an extremely valuable addition to our Advocacy Access program. It enables us to assist the many people with disabilities who contact our office for legal advice on a diverse range of issues. Dugald Christie's legacy lives on in the dedicated lawyers, staff and volunteers who make this unique service possible."

- Jane Dyson, Executive Director, BCCPD

"We have appreciated the approach Access Justice has taken right from our first contact. It was impressive that you took the time to come to our site to explain how we could work together and what we would need to do. You provided clear and specific information. Setting up and doing the follow up with the clinics has been straight forward and smooth. We are delighted to be able to host the legal clinic – it is such an important service for people in our community – and you make it so easy to do. Thank you!"

- Roxann MacDonald, Director of Programs & Services, Share Family & Community Services Society

VOLUNTEERS

The success of Access Justice depends largely on the philanthropy and good will of many selfless individuals who involve themselves to support our *pro bono* program. Our success in serving our clients over the past year has been made possible through considerable efforts and generous acts of patronage from our lawyer and non-lawyer volunteers.

Volunteer Lawyers

Volunteer lawyers typically donate two to four hours of their time per month at the clinics. Access Justice coordinates the appointment between the lawyer and the client, and if a follow-up session is required the clients call Access Justice. This ensures that the lawyer's time is used efficiently and effectively. Our volunteer lawyers generally do not prepare typed legal documentation or represent clients in court. The lawyers give advice, help the client gain a winning attitude, and help take the fear out of the legal process.

I would like to encourage lawyer volunteers to help at the clinics and/or assist the Society financially... It is a tribute to the many caring persons who help the Society that it has made such remarkable progress on such a low budget.

The Honourable Donald I. Brenner, Chief Justice

Non-lawyer Volunteers

People of all backgrounds with a variety of work and education experiences contribute to the continued success of our clinics. In all, during 2008, over 100 non-lawyer volunteers assisted at Access Justice.

We have a tailored training program for our volunteers. Each is specific to the type of volunteer position available. The training group is usually about one to three people to keep the training quality high. The volunteer coordinator sends a training package prior to meeting with the volunteers for training. Each training session lasts approximately two to three hours.

Client Call Volunteers: Client Call Volunteers (CCVs) work in the Access Justice office in Vancouver, in support of the work of our Intake Coordinator. In an average week, two to three CCVs will assist in the office each day for two-hour segments. They are responsible for answering incoming client calls, screening clients, searching our lawyer database for clinic sessions, and making client appointments.

Clinic Assistants: Clinic Assistants work in many of our clinics to act as client reception and lawyer support. At any one time, there are more than 40 clinic assistants serving with Access Justice.

Community Representatives: Access Justice enlists local volunteers as Community Representatives to assist with publicity of our services through activities such as distribution of brochures, contact with community agencies, and attendance at community events.

Clinic Coordinators: In many of the clinics, we are supported by onsite staff, Clinic Coordinators, who book clinic clients and assist with client reception duties as part of their regular duties with the host agency.

Practicum Students and Other Volunteers: Our office and reception work is supported by many language students who join us on practicum terms of up to ten weeks, working approximately 30 hours per week. During the year, we also had a number of other volunteers assist us with numerous projects such as computer programming, legal research, report writing, and office maintenance.

Here is a sampling of comments from some of our Volunteers:

"Whether it be the people, their problems, or even my own problems, volunteering here made me see and appreciate life on just so many levels"

- Raymond Cheung (Clinic Assistant)

"My volunteer experience with Access Justice has been extremely rewarding. The friendly staffers at Access Justice have always made it easy to communicate any concerns. The nature of my volunteer work has also been very compatible with other work and school commitments. Committing a few hours every week is a small contribution to ask when the rewards of volunteering are so great!"

- Tara Padidar (Clinic Assistant)

"I have volunteered with Access Justice for the last six months as a Client Call Volunteer. This position helped me develop my strong interpersonal and communication skills, as it involves speaking with individuals who are usually under a great deal of stress and can often be emotional. My experience at Access Justice has also been very rewarding as it has allowed me to provide assistance to people in need on a regular basis."

- Alyce Harper (Client Call Volunteer)

"I really enjoyed working with Access Justice because it was the best way to understand how the social problems are different from my own country, I could be immersed in a new culture and improve on my English much more than at school. Working in a Canadian atmosphere gives me many ideas for my future."

- Mathilde Apotheker (Practicum Student from Switzerland)

"Volunteering with Access Justice has been a challenging and enriching learning experience. It is a pleasure to work with a supportive, friendly team to help people from all over the province."

- Michael Barrow (Client Call Volunteer)

COMMUNITY OUTREACH

Community outreach is an important aspect of our work in order to ensure that the message of accessing justice is shared as widely as possible. The following is a summary of our outreach activities during the year.

- *Identity Theft Seminar at Chinese Christian Mission:* On April 18, presentation by Jimmy Yan.
- *2008 Law Day:* On April 19, Access Justice participated on CBABC's Law Day activities in Vancouver. A Community Representative for Access Justice, Carol Elliott, also participated in Law Day activities in Victoria.
- *Success Burnaby Korean Workshop:* On April 29, presentation by John Kim, Peter Chung and Jimmy Yan.
- *Lawyers' Ride to Work for Access to Justice:* On May 29, downtown commuters and pedestrians witnessed a parade of robed lawyers and supporters riding bicycles from the Vancouver Library to the Vancouver Law Courts. The occasion was the first annual Lawyers' Ride to Work for Access to Justice, an event to honour the memory of the late Dugald Christie and to demonstrate of the importance of access to justice principles.
- *Newcomers' Fair at Chinese Christian Mission:* On June 7, information booth and a presentation of the Canadian Court System
- *Success Coquitlam Korean Workshop:* On June 13, Access Justice and SUCCESS announced the launching of a new Korean pro-bono legal clinic based at SUCCESS' Tri-

- Cities Service Centre. The new clinic is designed to bring free legal service to the Korean community in metro Vancouver.
- *Second National Pro Bono Conference*: During the week of September 15 to 19, we successfully sponsored an open air legal advice clinic in Victory Square where 20 clients were assisted. Allan Parker was a presenter at the Bono 2008 CLE Course that was held as part of the week's activities. During the two days of the conference itself, Access Justice staff were presenters at two panel workshops entitled "How to Foster Supports and Comfort Zones for Volunteers" and "Using New Technologies to Increase Access to Justice." Access Justice was honoured to be nominated for the Canadian Pro Bono Program Award which was given out at a conference dinner.
 - *Vancouver School Board Settlement Workers in Schools (SWIS) Day*: On November 1, information booth and a presentation of the Society's services and the services of other free legal service providers.
 - *"ICBC & You" Workshop at Sir Charles Tupper Secondary School*: On November 10, presented by Gerry Fahey.
 - *Power of Attorney Seminar at Chinese Christian Mission*: On November 21, presented by Jimmy Yan.
 - *SUCCESS and Burnaby Public Library Court System and Small Claims Court Seminar*: November 21, presented by Ian Campbell.
 - *2008 Newsletters* - three newsletters (<http://www.accessjustice.ca/news/newsletter.asp>) were prepared and posted at our website. 1,800 copies of the three newsletters were printed and distributed to Access Justice's 60 host agencies, 40 interested parties, and 36 library branches in Vancouver, Burnaby, Coquitlam, Richmond, North Vancouver and West Vancouver. We also distributed our newsletters in PDF to over 350 pro bono lawyers and over 1,000 lawyer donors.

ADVOCACY

Access Justice has a long history of being involved in giving voice and taking action on justice access issues. In the early part of the year, we made a joint submission with BC PIAC and Pro Bono Students Canada to the provincial government on payday loans. In partnership with other legal groups, including the BC Branch of the Canadian Bar Association and the Trial Lawyers Association of BC, we were active during the year in calling on the provincial government to increase funding for BC legal aid.

TECHNOLOGY AND ADMINISTRATION

Website

Our website – www.accessjustice.ca -- is an important focus for Access Justice. It acts as a portal for the public to learn about our services, and to obtain information about legal help in general. It also acts as a portal for our staff, volunteers, clinic partners, and board to serve our clients and to obtain ongoing information about our operations. Several enhancements were made to the website during the year.

Tele-video Clinic Enhancement

We continued our use of a televideo link during 2008 to provide client services to more remote locations around the province. The following are the data for 2008:

Agency's Name	Type of Service	# of Lawyers	# of Clinics per Month	# of Clients in 2008	# of Clients in 2007
<i>Trail FAIRS Clinic</i>	civil or family	5	2	74	64
<i>Terrace District Community Services</i>	civil or family	2	0	0	5
<i>Fort Nelson Aboriginal Women's Society</i>	family	2	0	0	11
<i>Nanaimo Citizen Advocacy Association</i>	civil or family	2	1	9	14
<i>Smithers Community Services Association</i>	civil or family	3	0	5	8
Total		14		88	102

Frank Yates took over responsibilities as Clinic Coordinator in July 2008 and during the latter part of the year conducted a review of our televideo activities. This included a reconsideration of where to base the calls, the protocols we use in connecting with host agencies, and how we liaise with host agencies for client publicity and promotion. That review was completed by December 2008.

During the year, we continued our efforts to implement a televideo clinic at Mountain Prison. This included a meeting with prison administration in September. Unfortunately, to date we have been unable to have prison authorities confirm the availability of technology to proceed with this clinic.

Client Call System Enhancement

During the last twelve months, our Client Call Volunteers (CCVs) have been consistently operating at a proficient level. CCVs are responsible for answering incoming client calls, screening clients, searching our lawyer database for clinic sessions, and making client appointments. They work independently and follow necessary protocols when there are issues beyond their responsibilities at the time. In 2008, 43 new CCVs successfully received training and 36 of them are currently staying with Access Justice. They scheduled 1,524 clients to over 60 pro bono clinics across the province.

	Total
Number of Clients Scheduled Before Noon	518
Number of Clients Scheduled 12 noon to 4 PM	836
Number of Clients Scheduled Later than 4 PM	170
Total	1,524

We have produced training sessions and two special workshops for our CCVs to ensure the quality of service they provide throughout their tenure with Access Justice. The training for CCVs involves an intense four-step program in which the CCV learns how to deal with clients and help them with legal issues. The four steps are: initial training, shadowing, monitoring and assessment.

Financial Systems

In early 2008, Jimmy Yan and Vivian Song with the assistance of a UBC Accounting student, Kaitlyn Mah, drafted the first Access Justice Financial Manual, which covers subjects including Preparation and Approval of Budget, Budget Line Items, Accounting System, Payroll, Significant Accounting Policies, Bank Accounts, Revenues and Contributions, Expenditures, Monthly Financial Statements, to Annual Audit. The draft of the Manual was submitted to a Chartered Accountant Ms. Lorraine Barker for review in April. On May 21st, Jimmy Yan and Ms. Barker discussed the draft financial manual and Ms Barker kindly donated a copy of the Not-for-profit Financial Reporting Guide to Access Justice.

The Financial Manual, along with the Society's Operational Manual, will be reviewed annually along with a risk assessment analysis.

On November, a \$20,000 business line of credit was set up at TD Canada Trust. This was set up as a contingency to help stabilize the Society's operation in case of shortage of cash flow. During 2008 it was not accessed.

In addition, Access Justice continues to work to ensure that its Workers Compensation requirements and its Employment Standards requirements are met. The Privacy Policy is still in preparation and will be in place in early 2009. Internal Control is significant to a Society's success; the Board and the AJ Executive Committee continue to review monthly the Society's actual financials with a comparison with its budgetary financials.

Client Online Self-Registration

The Client Online Self-Registration helps our clients book pro bono lawyer appointments directly on our web. With the help of Donald Liu, our software consultant, we successfully launched a beta version of the client online self registration function at <https://www.accessjustice.ca:8443/aj202/>.

The client online self-registration function is secure, compatible with the current client booking system, and easy for maintenance and enhancement by a small group of programmers. Now the online registration's documentation is completed and we are ready to launch the online service. We are proud that this project is in keeping with Access Justice tradition of developing legal help delivery initiatives at extremely modest expense but with the use of the latest technology systems.

Fundraising

a) Meeting with the Attorney General

Bruce Fraser, Q.C., our Chair of the Board, and Allan Parker met with the Attorney General in December 2008. In April 2008, the Attorney General's Office contributed an unrestricted \$50,000 grant to support the Society's mandate.

b) Donations

In 2008 the total contribution from individual donors was over \$80,000. We continue to have board members involved in fundraising as well as ongoing assistance from Mr. Oliver Christie. We are continuing to review this capacity and are in the initial stages of planning a campaign for new donors.

STATISTICS

2008 Summary

Access Justice has a client database system for all client appointment bookings and phone calls. This allows us to monitor our clinic operations, and provide an efficient delivery of clinic sessions.

Highlights for the year are as follows:

- 4,280 total client sessions at all Access Justice clinics
- Approximately 10,000 client phone calls or messages taken
- Approximately 320 lawyers participating at one or more clinic sessions
- Breakdown of case types:
 - Civil 54%
 - Family 31%
 - Criminal 6%
 - Immigration 6%
 - Unreported 3%
- Top seven areas of Civil cases:
 - Employment 15%
 - Civil Procedure 15%
 - Debt/Consumer 12%
 - Admin Law 11%
 - Torts 11%
 - Housing 11%
 - Wills/Estates 8%

Client Phone Calls and Messages

During 2008, Access Justice incorporated phone and email messaging from clients into our client database system. Previously, we had used a manual spreadsheet system. We operate a 24/7 voicemail box which allows clients to leave messages. Our goal is to return all messages received within one working business day.

A summary of the data is as follows:

Direct Phone Calls Taken

Info/Referral Only	1,793
Did Not Qualify	232
Referral Made	1,139
Appointment Enquiry	1,012
Appointment Cancel	92
Total	4,268

Phone and Email Messages

Email Messages	171
Caller Hang Ups	763
Messages Returned	2,503
Left Message	1,695
Left No Message	611
Total	5,743

<i>Caller Source of Referrals to AJ</i>	
Community Service Agency	424
Self – Previous Client	417
Lawyer Referral Service	289
Internet	285
Family / Friends	272
Legal Services Society	261
Phone Book	98
Lawyer / Judge	83
LSLAP	65
Brochure / Poster	58
Salvation Army	50
Existing AJ Clinic	32
Government Office	20
Miscellaneous	32
Total	2,368

Client Analysis

During 2008, Access Justice Program Manager Jimmy Yan and a retired Professor Yehuda Kotowitz completed a statistical analysis of Access Justice client profiles on data collected between 2004 and 2008. In that period, a total 17,697 clients consulted with 675 volunteer lawyers at clinics set up by Access Justice for legal matters in family, criminal, immigration, and civil law.

The client study from that report is available at the Access Justice office or our website at www.accessjustice.ca.

FINANCIAL REPORTS

THE WESTERN CANADA SOCIETY TO ACCESS JUSTICE STATEMENT OF OPERATIONS, Year Ended December 31, 2008

	Audited				Un-audited	
	2008	2007	2006	2005	2004	2003
RECEIPTS						
Donations	\$88,126	\$79,948	\$138,674	\$120,713	\$98,837	
Grants	235,500	225,484	112,161	101,616	26,120	
Amortization of deferred contribution	10,766	2,450	1,050	-	-	
Other	6,882	22,370	154	849	11	
	341,274	330,252	252,039	223,178	124,968	85,795
EXPENDITURES						
Advertising and promotion	12,872	11,589	8,448	11,980	2,950	7,388
Amortization	2,344	2,796	7,750	3,437	1,514	
Insurance	4,398	2,768	2,141	1,935	-	
Interest and bank charges	278	436	2,128	170	290	157
Licenses, dues and subscriptions	-	-	-	2,112	-	
Office and miscellaneous	10,094	14,429	7,712	8,565	16,090	6,997
Professional fees	11,175	6,232	6,038	3,650	3,049	
Rent	13,700	12,600	12,600	10,785	3,100	
Repairs and maintenance	-	-	519	560	-	
Salaries and benefits	285,235	236,597	183,082	147,238	90,466	61,754
Telephone and internet	14,725	15,263	16,315	13,558	7,090	5,150
Travel and entertainment	2,893	3,116	4,643	5,200	2,410	5,721
Utilities	-	-	-	256	-	
	357,714	305,826	251,376	209,446	126,959	87,167
EXCESS OF RECEIPTS OVER EXPENDITURES FOR THE YEAR	(\$16,440)	\$24,426	\$663	\$13,732	(\$1,991)	(\$1,372)

ACCESS JUSTICE BOARD OF DIRECTORS

Board members as at December 31, 2008:

Bruce Fraser Q.C.	Chair
Graham Walker	Secretary and Treasurer

Maureen Baird
Vicki Bennett
Craig Cameron
Phil Dougan
Del Feller
Leon Getz Q.C.
George Gregory
John Kleefeld

ACCESS JUSTICE STAFF

Staff as at December 31, 2008:

Allan Parker	Executive Director
Jimmy Yan	Project Manager / Web Architect
Nagma Azad	IT / Donations Manager (on leave January to July)
Jenny Lau	Clinic Coordinator (left the job in June)
Frank Yates	Clinic Coordinator (July to December)
Ashley Singh	Intake Coordinator (on leave February to December)
Carol Tse	Volunteer Coordinator
Vivian Song	Finance Administrator
Oliver Christie	Fundraiser/Recruiter

We also thank Zohar Barzilai and Zulaikha Jooya who served with Access Justice in 2008 in term positions as Intake Coordinator, Alistair Wang who served in a term position as IT / Donations Assistant, and Jackie Chen who served in a term position as Finance Administrator.