

**LEGAL AID COMMISSION OF THE NORTHWEST TERRITORIES**  
**Annual Report**  
**2018 – 2019**

**COMMISSION D'AIDE JURIDIQUE DES TERRITOIRES DU NORD-OUEST**  
**Rapport annuel**  
**2018 – 2019**



*Le présent document contient la traduction française du résumé*



Government of Northwest Territories  
Gouvernement des Territoires du Nord-Ouest

English

## French

Cree

# Tłchq

Chipewyan

## South Slavey

## North Slavey

## Gwich'in

## Inuvialuktun

## Inuktitut

Inuinnaqtun

Cover Photo taken by Kirsty Hobbs,  
Summer Student

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## **Executive Summary**

The Legal Aid Commission administers the *Legal Aid Act* and the *Legal Aid Regulations*, and promotes access to justice throughout the Northwest Territories by:

1. providing legal aid services to eligible persons;
2. promoting public knowledge of the law;
3. encouraging flexibility and innovation in the provision of services;
4. recognizing the diversity of legal needs; and
5. operating within an independent but accountable framework.

Over the course of the 2018-19 fiscal year, the Commission oversaw the provision of 3,996 Presumed Eligibility Duty Counsel services, 568 full service criminal matters, 478 full service family matters and 5,127 Court Worker services.

## **Résumé**

La Commission d'aide juridique est chargée de l'application de la *Loi sur l'aide juridique* et ses règlements, et fait la promotion de l'accès à la justice à l'échelle des Territoire du Nord-Ouest en :

1. fournissant des services d'aide juridique aux personnes admissibles;
2. encourageant la connaissance de la loi;
3. favorisant la souplesse et l'innovation dans la prestation de programmes et de services d'aide juridique;
4. reconnaissant la variété des besoins sur le plan juridique des personnes admissibles;
5. exerçant ses activités indépendamment du gouvernement, mais en étant transparent à l'égard de ce dernier.

Au cours de l'exercice 2018-2019, la Commission a supervisé la prestation de services d'avocats à 3 996 clients présumés financièrement admissibles, en offrant notamment des services généraux en droit criminel à 568 clients, des services généraux en droit de la famille à 478 clients, et des services d'assistance parajudiciaire à 5 127 clients.

## ORGANIZATIONAL STRUCTURE

The following organizational chart reflects the structure of the Legal Aid Commission as of March 31, 2019.

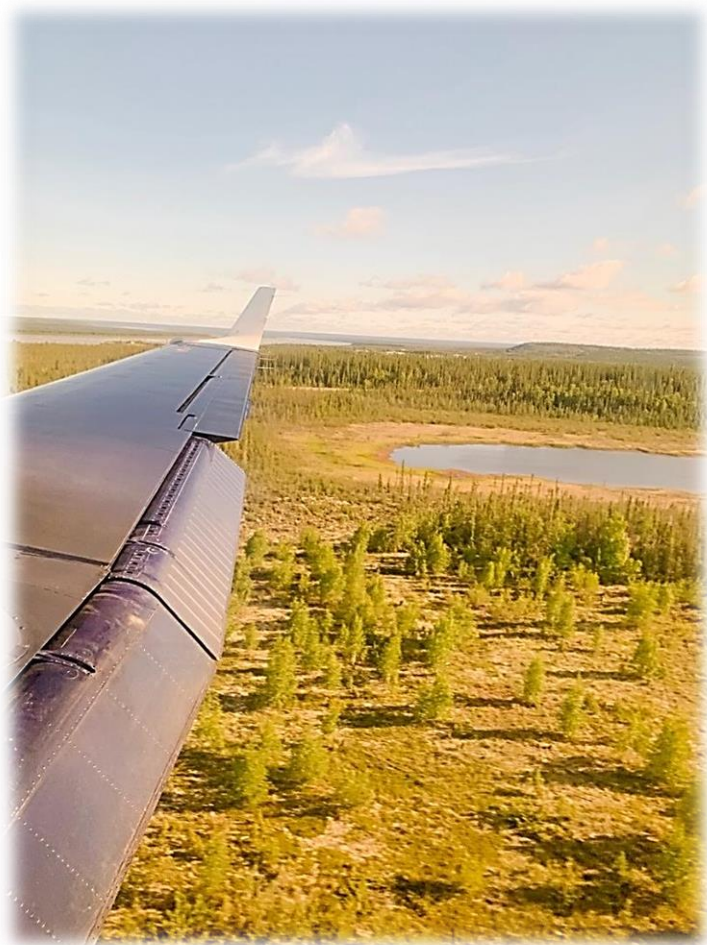




## **A Message from the Chair**

*Alana Mero, Inuvik*

The Legal Aid Commission is mandated under the *Legal Aid Act* and the *Legal Aid Regulations* and provides Legal Aid and Legal Aid Outreach to the people of the Northwest Territories.



Over the past year the Commission has worked to clarify the policy addressing the financial eligibility of applicants. The revised policy simplifies the income tables by region to ensure those who are eligible receive services.

The Legal Aid Commission includes two respected lawyers, one nominated by the Law Society and a second by the Department of Justice. In addition, community members participate to ensure the voice of those outside the legal community is heard. Community members are able to bring forth the challenges and concerns of those who are not familiar with the inner workings of the justice system. As a group, the Commission members consider divergent points of view and develop policy and procedures that best reflect the needs of the clients we serve.

The staff members of the Commission (from front line regional Court Workers to lawyers to administrative staff) are to be commended for their dedication to the delivery of services throughout the Northwest Territories. They face the challenges of serving a vast geographic area, meeting the

diverse needs of clients and dealing with restricted time lines with dedication and grace.

It is a privilege to be part of a group committed to assisting those seeking legal assistance and education in matters ranging from criminal to family law.

## **THE LEGAL AID COMMISSION**

### **Commission Members**

The Minister of Justice appoints members of the Legal Aid Commission under subsection 4(4) of the *Legal Aid Act*. By convention various regions are represented on the Commission. In accordance with that subsection, the 2018/19 Commission was composed of the following:

Roberta Hamilton	Representing the South Slave
Giselle Marion	Representing the Tlicho and North Slave communities
Alana Mero, Chair	Representing the Beaufort Delta
Mark Aitken	Representing the Public Service
Paul Falvo	Representing the Law Society of the Northwest Territories (Partial Year)

### **Mandate of the Legal Aid Commission**

The Commission sets policy, makes recommendations to the Minister with respect to the hiring of the Executive Director, administers legal aid clinics, maintains a panel of private lawyers for eligible clients for criminal, family and civil matters, and hears appeals in cases where legal aid has been denied or lawyers feel their accounts have been reduced without justification. Additional powers are prescribed under subsection 4(9) of the *Legal Aid Act*.

The Government of the Northwest Territories has been responsible for providing legal aid since 1971. The Legal Services Board was established and given responsibility for providing legal aid, Court Worker services and public legal education and information services throughout the Northwest Territories.

Three legal aid clinics in Yellowknife continue to offer criminal defence and family law services to clients in all NWT communities. The Outreach Legal Aid Clinic commenced operations on a “pilot” basis in 2011, and has been continued since, with a significant expansion of services in 2017. The program operates from dedicated space, and is staffed by one lawyer and one Court Worker. The Office of the Children’s Lawyer is staffed by one lawyer who delivers legal services to eligible child clients, and supervises a panel of private Bar lawyers who also provide those services.

The Legal Aid Commission is established as a corporation by the *Legal Aid Act*. The Commission reports to the Minister of Justice, and is a public agency listed in Schedule A to the *Financial Administration Act*. All employees of the Commission are members of the GNWT Public Service.

## **Legislative Objectives**

The purpose of the *Legal Aid Act*, as set out in section 2, is to promote access to justice throughout the Northwest Territories by:

1. providing legal aid services to eligible persons;
2. promoting public knowledge of the law;
3. encouraging flexibility and innovation in the provision of services;
4. recognizing the diversity of legal needs; and
5. operating within an independent but accountable framework.

## **Commission Meetings**

During the 2018-2019 fiscal year, the Legal Aid Commission met in person on two occasions in Yellowknife. The Commission also met by teleconference or electronically on thirteen other occasions.

## **Association of Legal Aid Plans of Canada**

The Association of Legal Aid Plans of Canada (ALAPC) is a voice for Canada's Legal Aid Plans, and provides a national perspective on legal aid and access to justice issues. Every jurisdiction in Canada participates in this forum for Executive Directors, CEOs and senior staff. The objectives of ALAPC are to undertake, support and facilitate research concerning access to justice issues; to improve public awareness of access to justice issues; and to undertake such activities, on its own or with others, as may be in the interest of access to justice in Canada.

The Northwest Territories Legal Aid Commission's Executive Director is currently on the Executive of ALAPC, and participates in regular conference calls to address issues affecting all legal aid programs as well as planning the organization's annual meeting and conference. In 2018, the meeting and conference was hosted by Yukon, and topics included the unique challenges of delivering services in the territories as well as good governance and strategic relationships.

On June 21, 2017, the ALAPC and all of its members unanimously approved a statement in response to the Truth and Reconciliation's Call to Action, citing in particular Calls to Action #1 (Child Welfare), #27 & 57 (Justice and Training), #30, 31 & 38 (Justice and the Over-representation of Aboriginal peoples in custody), #39 (Justice and data collection), #42 (United Nations Declaration on the Rights of Indigenous Peoples) and #92 (the corporate community). The Government of the Northwest Territories can take pride in the important leadership our Legal Aid Commission is taking on this file.



## **A Message from the Executive Director**

*Karen Wilford*

The pace of life and work at legal aid is usually more than brisk and the yearly task of writing for the Annual Report brings a quieter and welcome opportunity to reflect upon our accomplishments. As I scroll through the appointments, meetings, deadlines and projects reflected in my calendar it is rewarding to see progress on so many varied fronts, even when it is measured in the small things.

Our most significant achievement this year has been the review and revision of our financial eligibility policy. Almost a decade had passed since it had last been adjusted. On the Commission's direction, an excellent working relationship was established with the NWT Bureau of Statistics which provided valuable expertise and patient explanation. The policy still takes into account important variables including family size and community location, and also brings to bear the measurable effects of the Yellowknife Market Basket Measure and Living Cost Differential. The result is a simplified, modernized and accountable policy that is capable of adjustment and updating over time.

I thank the Commission and the Department of Justice for supporting my attendance at the six day Leadership Development program offered locally through the University of Alberta. I am hopeful that the skills and learning I have acquired will assist the organization in our continually evolving environment. Whether it is emerging case law, new legislation, new document management processes, staff turnover or major renovations to the Court House cell block, each day is an opportunity for creativity and responsiveness.

One highlight from the year was my attendance in April 2018 at the National Action Committee on Access to Justice Symposium held in Ottawa. I had the privilege to be seated with former Justice of the Supreme Court of Canada, the Honourable Thomas Cromwell. He recalled fondly his visit to Yellowknife in 2014 and his half day session with our community Court Workers. He remarked on how the frontline workers in the justice system really are the face of access to justice.

Here at the Legal Aid Commission, we wear that label proudly.



## THE LEGAL AID OUTREACH PROGRAM & PUBLIC LEGAL EDUCATION AND INFORMATION

*Renée Fougère, Staff Family and Outreach Lawyer*

The Outreach Legal Aid Clinic has had another busy and productive year. Staff at the Clinic have settled well into their positions and have thus gained a good understanding of the needs of the residents of the Northwest Territories. The Outreach lawyer continues to offer legal advice and legal information to residents of the Northwest Territories on a variety of subjects including housing, landlord and tenant disputes, disability, Canada Pension Plan, EI and Income Support claims and appeals, employment rights, Worker's Health and Safety Commission claims, wills and estate advice, mental health and

guardianship reviews, child protection matters, elder abuse, family law, debtor, creditor or civil claims (formerly known as small claims court).



Duty counsel advice is provided regarding family law matters on Thursday mornings in Supreme Court, and child protection matters on Monday afternoons in

Territorial Court. Walk-in clinics in Yellowknife are scheduled on Tuesday and Wednesday afternoons from 1:30 pm until 4:00 pm. Telephone appointments are now made on a call back basis, which means that the Outreach lawyer is usually able to return telephone appointments within the week.

Public legal education has been at the forefront of the Outreach Clinic's work. This past year, OLAC staff worked on additional resource guides to assist clients with their legal issues. The Divorce Guide will be published in the near future, and other guides such as "How to Proceed with a Garnishee Summons Guide", "Emergency Protection Order Guide", and "Small Estate Administration Guide" are currently being developed. Furthermore, the Outreach lawyer has travelled to Fort Providence, Hay River, Fort Liard, Nahanni Butte, Fort Simpson, Deline, Tulita, Fort Good Hope, and Norman Wells to offer walk-in clinics, as well as presentations on wills and estates. Regularly scheduled legal clinics are held in N'Dilo, Dettah and Behchoko.

## **THE PRACTICE OF CRIMINAL LAW**

*Stephanie Whitecould-Brass, B.Sc., LL.B, Staff Criminal Lawyer with the Yellowknife Legal Aid Clinic*

Originally from the province of Saskatchewan, I joined the Yellowknife Legal Aid Clinic on April 3rd, 2017 and what a two years it has been! In making the move with my family to the Northwest Territories, I returned to my criminal defence roots and have enjoyed my practice immensely. The experience that one gets here, in this environment, is second to none and although it is a lot of work, it can also be a lot of fun. I owe the latter to the great group of colleagues that exist not only within my clinic, but within the NWT Bar, as a whole.

The pace in which matters proceed here has impressed me the most. With a few exceptions, our clients do not have to wait a long time to have their matters heard in court. While that means time management is essential on the part of the lawyers, it is all worth it when the client thanks you for the job you've done. This is especially true when it comes to clients within the smaller, more remote communities. In many instances, the relationship that is developed with a client is done *via* telecommunication. In most cases, the first time a client physically meets with his/her lawyer is in the community when the court party makes its scheduled trip.

I particularly enjoy the circuit work. The days spent out in any given community are often very busy, but there is a connectedness that I appreciate, given the fact that I am Indigenous and was born and raised in a community similar to the ones I have the privilege of visiting. When time has allowed for it, I have been able to sit and visit with some of the local people and learn more about them and their communities. The biggest highlight for me in this regard has been having elders who have offered to take me on tours of their communities and hearing first-hand the stories they have had to tell about the places that are sacred to them and their people. Of course, these visits have made me feel homesick, however, it has been extremely comforting to know that I have this type of support in people who are not of my own. Having this has made my job much more meaningful.

Patience, compassion and understanding are all important aspects of being afforded this type of support and I do my best to incorporate these into my own notion of client management. I am no expert at this, but my determination and desire to do better are always there.

In this regard criminal defence work can be very taxing on one's spirit, but that is what makes the various legal aid clinics here so special; the lawyers and staff are here for one another to ensure that we have what we need with respect to taking care of ourselves and doing the best job possible for our clients.

I look forward to another exciting year with the Yellowknife Legal Aid Clinic.

## **THE PRACTICE OF FAMILY LAW**

*Keelen Simpson, J.B, Staff Family Lawyer with the Community Legal Aid Clinic*

I have been working as a Family Lawyer at the Community Legal Aid Clinic since June 2017. I am originally from the Northwest Territories and was fortunate enough to obtain articles in Yellowknife following law school. Part of my articles were spent at Legal Aid, with a focus on family law. This time at Legal Aid confirmed my interest and passion for family law, and I knew my career path would lead me back. Following a short time as a legal and legislative advisor, the opportunity arose for me to return to Legal Aid as a staff lawyer. Although family law can be challenging at times, it has been a fulfilling two years with the Legal Aid Commission. There is no greater reward than working with my fellow Northerners on issues that are so personal and have such immediate impacts in their day to day lives.

The Legal Aid staff lawyers are made up of a variety of personalities with different backgrounds and levels of experience. With many of our lawyers coming from outside the territory, we have been able to integrate best practices and processes from other jurisdictions into our approach to files. As a newly practicing lawyer, the different approach of each of the senior lawyers has been incredibly beneficial in helping me understand and develop my own practice style. With an always evolving staff and panel of family lawyers, I was quickly able to take on that same mentoring role for other, even newer lawyers.

Being from the north I felt that I would come to my practice with a solid understanding of the realities my clients are facing. However, this position has been eye opening and I quickly realized that my experience growing up in a southern NWT community is vastly different, and cannot be transposed to the experience of clients from other communities. I am continually working on building an understanding of my clients' lived experiences and encouraging my colleagues to do the same as this will lead to better outcomes for all parties. With a majority Indigenous client base, it is difficult to grapple with the overt legacies of colonization and the residential school system, particularly in the work of a family lawyer. Often times frustrating and discouraging, every client and file is an opportunity to embrace and bring to the spotlight the Calls to Action made by the Truth and Reconciliation Commission.

The disparity between access to programming, employment, and housing between the communities is evident. This not only creates barriers for clients who are trying to quickly and successfully resolve their legal issues, but also creates difficulties for counsel in finding positive solutions for clients. Fortunately for staff lawyers, these difficulties are mitigated by the court workers and the support they provide in connecting counsel with clients and identifying valuable contacts in the communities or regions.

The work my colleagues and I are doing is exciting and we are developing new and innovative solutions for our clients. I look forward to continuing my role within Legal Aid and working to increase access to justice for my community.

## **THE COURT WORKER PROGRAM**

*Val Watsyk, Court Worker*

I have been with Legal Aid Commission for many years. I was born and raised in Fort Simpson NWT; I am Indigenous with Ukrainian roots. I attended what is residential school to complete high school since it was not available in my home community. Fort Simpson also had a school residence for the outlying communities of the region. With this history I feel that I can relate to our clients, and have a good understanding of the issues that face residents of the Northwest Territories.

When I first started with Legal Aid I was hired as financial officer. The court worker program at that time was a non-profit organization, Mackenzie Court Worker Program, which received a quarterly contribution to maintain the non-profit. When I joined Legal Aid I had already worked as a court worker in the Sahtu regional office in Deline next to Great Bear Lake. The time I spent as a court worker gave me an interest in helping my fellow northerners with the understanding of the very complex system of justice. All these years later I am still enjoying my job.

Flying into the outlying communities with the court party has always been a pleasure. One of my highlights was attending court in Ulukhaktok, which is located on Victoria Island. We held court in the community hall which was intimidating since within the same hall there was a stuffed grizzly-polar bear hybrid overlooking the court procedures. Within the same week we travelled to Paulatuk; I found area breathtaking and the people of the area very welcoming.



Working with the Legal Aid Commission has given me an appreciation for the services that we provide to ensure that nobody is overlooked. We do our best to always provide a courteous and informative service.



## **OFFICE OF THE CHILDREN'S LAWYER**

*Ken Kinnear, Office of the Children's Lawyer*

The Office of the Children's Lawyer is in its seventh year of operation. The Children's Lawyer, and the panel of trained private lawyers, assist children and youth whose families are involved in court proceedings of a family nature.

The issues that are addressed in such court proceedings typically include:

- Where is the best place for a child or youth to live after his or her parents separate? What is an appropriate visitation schedule?
- Does a child or youth need to be temporarily removed from his or her parent's home due to child protection concerns?
- When is it safe for their return?

It is felt that by giving a child or youth an opportunity to express their views in matters affecting them by appointing their own lawyer results in better outcomes. The goal is to reduce conflict and stress and to achieve an early resolution of the issues. A matter that is settled through the consent of the parties will more often become a longer lasting resolution for the family. Simply put, the outcomes of these often difficult court proceedings are more positive if the child or youth has been given the opportunity to be heard. The Office of the Children's Lawyer assists with this, in a manner sensitive to the needs, interests and wishes of their young clients. The OCL is expected to complete its first comprehensive Policy & Procedures Manual in early 2019, bringing further clarity and consistency to the services it provides.





## **LEGAL AID COVERAGE**

### **Brydges Service**

The *Brydges* service is a telephone service offered free on a 24-hour basis to individuals in the Northwest Territories who are in custody, are under arrest or are the subject of an active investigation by law enforcement authorities before arrest, and need immediate advice on their charter rights and criminal law. Translation services are available in 140 languages through the line.

### **Youth Applications – *Youth Criminal Justice Act (Canada)*, *Youth Justice Act (NWT)***

The Legal Aid Commission makes coverage for youth available without the need for financial assessment. The Commission considered the unique circumstances facing youth in the Northwest Territories, and examined approaches to this issue across Canada. It was determined that access to justice was best served by deleting the requirement that the financial means of parents or guardians be considered in assessing youth eligibility.

### **Adult Applications – *Criminal Code***

Although an applicant may be financially eligible for legal aid, the Commission or the Executive Director may refuse to provide legal aid coverage for certain offences in accordance with the discretion extended by the *Legal Aid Act* and the regulations made under the Act, as well as policy established by the Commission.

### **Presumed Eligibility**

Presumed eligibility arises only in the context of criminal law. Clients who first appear in Territorial Court are presumed eligible for legal aid, and are provided assistance with preliminary or straightforward matters that duty counsel can deal with in a summary fashion, including guilty pleas and non-complex sentencing hearings. If the lawyer determines that the matter requires a preliminary inquiry, trial or a more complex sentencing process, the client must apply for legal aid for a determination of their financial eligibility.

## **Family Law Applications**

Legal aid is generally provided to financially eligible applicants in matters involving family breakdown when there are issues relating to children, spousal support or family violence, and in matters relating to child protection.

After a client completes an application for legal aid assistance involving a family law matter, a request for a legal opinion is made to one of the staff lawyers or to a member of the family law panel. The lawyer advises the Executive Director of the Legal Aid Commission on the merits of the matter. If the opinion concludes that there is no merit in proceeding, the applicant will receive a “Notice of Denial of Legal Aid” and an explanation of the reasons for the denial.

Approved matters are usually assigned according to the date of application. An exception is made – and matters are given priority in assignment – when the client is facing a court date, if the matter involves family violence, or if the client is facing child protection proceedings.

## **Civil Applications**

The *Legal Aid Act* authorizes the provision of legal aid services on a discretionary basis for some civil matters. The Act and regulations specify that certain civil cases are not covered. Most frequently, civil matters are referred to the Outreach Legal Aid Clinic for summary advice, information and referral.

## **Residency and Reciprocity**

A person who is not ordinarily resident in Canada is only eligible for legal aid coverage in relation to charges under the *Criminal Code*, the *Cannabis Act* or the *Controlled Drugs and Substances Act*.

The NWT Legal Aid Commission is a participant in the Inter-Provincial Reciprocity Agreement that allows legal aid coverage to be extended to applicants from any province or territory who require assistance with a civil or family matter arising in another Canadian jurisdiction. The NWT program uses this service in the family law area.

## **FINANCIAL ELIGIBILITY**

### **Legal Aid Applications**

People must complete an application to receive legal aid. The Commission uses standard forms, and court workers take the applications in person or by telephone. Applicants are required to provide detailed financial information with backing documents. This information includes a statement of income for the applicant and anyone living in the household, and is used to determine an individual's eligibility for legal aid.

Commission employees review applications in detail to determine the applicant's financial eligibility. Eligible applicants are assigned duty counsel for criminal matters or go into a rotational assignment process for family and civil law matters. Applicants who are not financially eligible are sent a notice of denial. Any applicant may appeal a denial to the Legal Aid Commission.

In some cases, using criteria set out in the Act, regulations and Commission policies, the staff determine that an applicant is in a position to make a contribution to the cost of their legal aid services. A conditional authorization for legal aid is given to the applicant requiring a contribution in order to receive legal aid. Usually applicants have a set period to make their contributions. Some applicants are assessed a contribution to be paid on the completion of their file, if it is expected there will be a financial gain for the client at that time.

Contributions and recoveries are deposited into the GNWT Consolidated Revenue Fund, and are not applied to directly offset the cost of legal aid.



## **LEGAL AID ASSIGNMENTS**

### **Panels**

The Legal Aid Commission has established both criminal and civil law panels of private lawyers who are prepared to accept legal aid assignments. The assignment of cases is determined by section 15 of the *Legal Aid Act*, which provides that the Executive Director must consider the rights of the client, fiscal responsibility, conflicts of interest and in some limited circumstances, the preference of the client. In addition, the Executive Director may consider any other factors that are relevant.

### **Clients facing Life Imprisonment**

Applicants do not have the right to choose a particular lawyer. However, clients who are charged with an offence for which life imprisonment is the maximum penalty (other than break & enter or trafficking), are entitled to indicate their preferred choice of counsel from a list established by the Executive Director when they apply for legal aid coverage. This preference, however, is only one factor that the Executive Director considers in assigning counsel to the matter.

### **Circuit Counsel**

The *Legal Aid Act* requires that the Executive Director arrange to have at least one lawyer (circuit counsel) accompany the Territorial Court on all circuits where a lawyer may be required for the delivery of legal aid. Applicants for such services are subject to the same criteria as all other applicants who need legal services. Presumed eligibility services constitute the majority of the legal aid services provided on circuits.



## **LEGAL AID CLINICS**

The Commission has 18 staff lawyer positions: nine criminal lawyers, seven family lawyers, one Outreach lawyer, and the Children's Lawyer. On March 31, 2019, all positions were filled.

### **Yellowknife Legal Aid Clinic**

The Yellowknife Legal Aid Clinic was staffed at 2018/19 fiscal year end with two criminal lawyers, three family lawyers and one legal secretary. The staff lawyers provide services throughout the NWT.

### **Community Legal Aid Clinic**

This office was staffed at 2018/19 fiscal year end with two family lawyers, three criminal lawyers and one legal secretary. The staff lawyers provide services to clients throughout the NWT.

### **Somba K'e Legal Aid Clinic**

This office was staffed in 2018/19 with three criminal lawyers, two family lawyers and one legal secretary. The staff lawyers provide services to clients throughout the NWT.

### **Outreach Legal Aid Clinic**

This office was staffed in 2018/19 with one Outreach lawyer and one Outreach court worker. Outreach services are provided in Yellowknife and throughout the NWT by in-person mobile Outreach clinics.

## **APPEALS**

Some decisions made by the Executive Director may be the subject of an appeal to the Commission. An applicant who is assessed a contribution or is denied legal aid may appeal the decision by providing written notice of his/her intention to appeal, and the Executive Director shall then bring the matter before the Commission for an appeal hearing.

Lawyers also have the right to appeal the Executive Director's taxation of an account. Written notice is required, and the Executive Director will then bring the matter to the Commission for a hearing. There is no further right of appeal from the Commission's decision.

There were fourteen eligibility appeals and no taxation appeals in 2018/19. The results of the eligibility appeals were as follows:

Allowed:	3
Denied:	11



## **ADMINISTRATION AND FINANCE**

### **Funding for the Legal Aid Commission**

The Legislative Assembly allocates money to the Legal Aid Commission to administer the *Legal Aid Act* and provide legal services and other programs under the Act. The GNWT also receives funding for the Legal Aid Program, Aboriginal Court Work Program and public legal education, through the Access to Justice Agreement with the Government of Canada. In 2018/19 Justice Canada contributed \$2,489,102 to the total cost of \$6,551,224, pursuant to the funding agreement that extends to 2022.

### **Personnel**

The staff of the Legal Aid Commission are appointed and employed under the *Public Service Act*, and are employees of the GNWT Department of Justice. The Department of Finance provides human resources support to the Commission.

### **Financial Services**

Financial services are generally provided by the Department of Justice, though some services are provided by the Department of Finance. Since the Commission does not hold funds separately, it is audited in conjunction with the Department of Justice. Another annual independent audit is completed in compliance with the Access to Justice Agreement with Canada.





## **LEGAL AID TARIFF**

<u>Experience</u>	<u>Hourly Rates (\$)</u>	<u>Daily Rates (\$)</u>
Student at law	59	342
Less than 4 years	90	518
4-6 years	106	670
7-10 years	131	780
11 or more years	146	873

The rates are the same regardless of the level of court for which legal aid services are provided.

## **STAFF LAWYER SALARIES**

Staff lawyers, as GNWT employees, are paid according to the pay scales established for GNWT legal counsel. These rates are based on legal experience, and were fixed as follows for 2018-2019:

Staff Lawyer I – 18 (\$97,110 to \$115,986)

Staff Lawyer II – 20 (\$106,295 to \$126,945)

Staff Lawyer III – 22 (\$116,357 to \$138,957)

Staff Lawyer IV – 24 (\$127,238 to \$151,964)

Staff Lawyer V – 25 (\$133,088 to \$158,945)

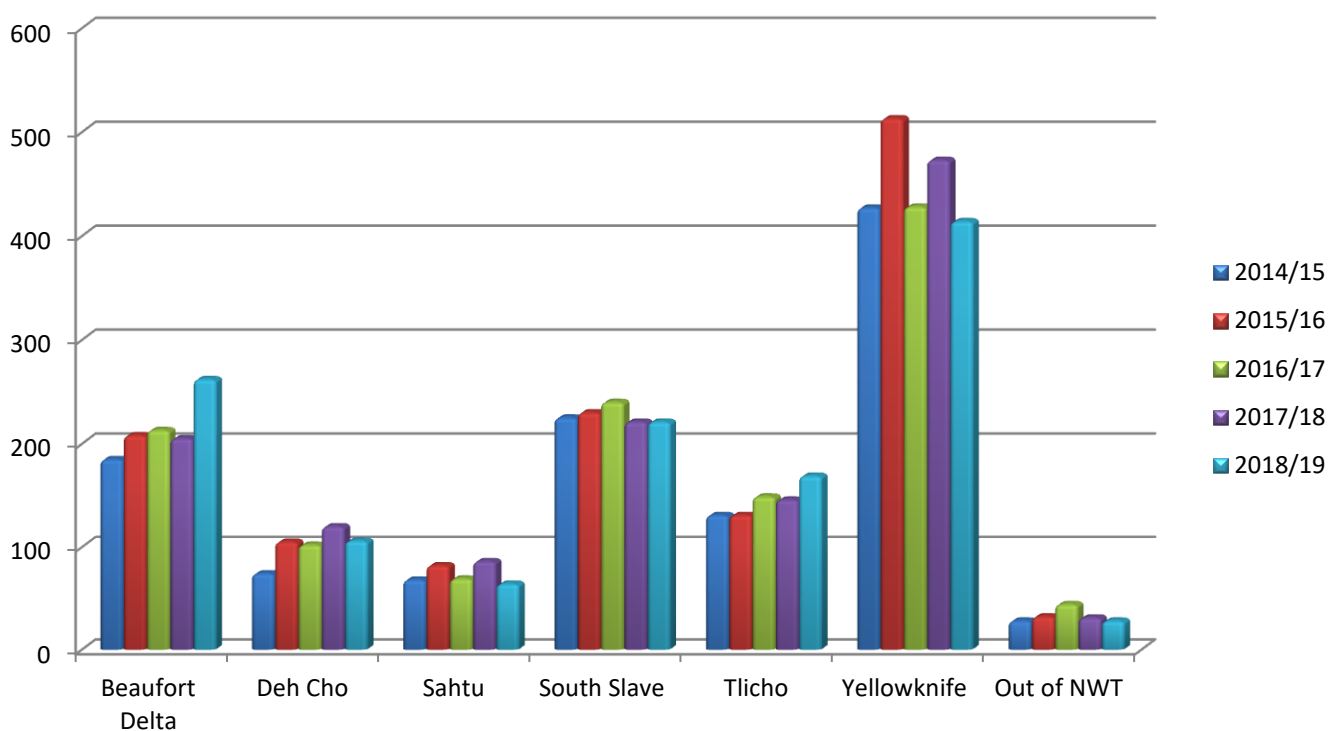
## Financial Report 2018/2019

	Actual Expense	2018/19 Man Estimate -Budget	Year Variance
<b>Legal Aid Commission Administration</b>			
Staff Wages and Benefits	700,335.00	619,000.00	(81,335.00)
Operations & Maintenance Expenses	61,762.00	33,000.00	(28,762.00)
<b>Total Administration</b>	<b>762,097.00</b>	<b>652,000.00</b>	<b>(110,097.00)</b>
<b>Court workers</b>			
Staff Wages and Benefits	690,999.00	1,112,000.00	421,001.00
Operations & Maintenance Expenses	39,764.00	22,000.00	(17,764.00)
Travel	101,994.00	64,000.00	(37,994.00)
<b>Total court workers</b>	<b>832,757.00</b>	<b>1,198,000.00</b>	<b>365,243.00</b>
<b>Legal Aid Staff Lawyers</b>			
Staff Wages and Benefits	2,644,456.00	2,692,000.00	47,544.00
Operations & Maintenance Expenses	414,901.12	394,000.00	(20,901.12)
<b>Total Staff Lawyers</b>	<b>3,059,357.12</b>	<b>3,086,000.00</b>	<b>26,642.88</b>
<b>Legal Aid Commission</b>			
Commission Expenses	4,326.00	-	(4,326.00)
<b>Total Commission Expenses</b>	<b>4,326.00</b>	<b>-</b>	<b>(4,326.00)</b>
<b>Legal Aid Fees &amp; Disbursements</b>			
Legal Aid Fees & Disbursements	1,503,593.00	1,019,000.00	(484,593.00)
Travel	413,585.00	336,000.00	(77,585.00)
<b>Total Legal Aid Fees &amp; Disbursements</b>	<b>1,917,178.00</b>	<b>1,355,000.00</b>	<b>(562,178.00)</b>
<b>Total</b>	<b>6,575,715.12</b>	<b>6,291,000.00</b>	<b>(284,715.12)</b>

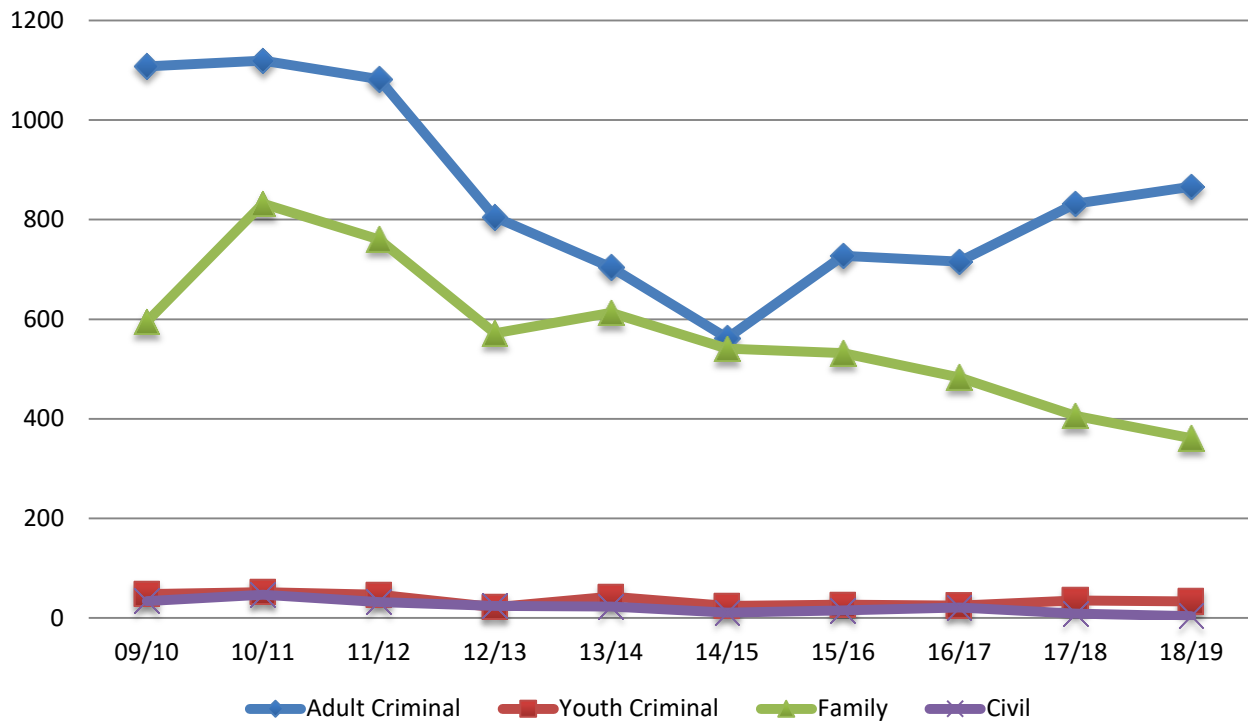
## STATISTICAL REPORTS FOR 2018/19

### Number of Applications Received

	2014/15	2015/16	2016/17	2017/18	2018/19
Beaufort Delta	185	208	213	205	262
Deh Cho	74	105	102	120	106
Sahtu	68	82	69	86	64
South Slave	225	230	240	221	221
Tlicho	131	131	149	146	169
Yellowknife	427	513	428	473	414
Out of NWT	28	32	44	31	28
<b>Total</b>	<b>1138</b>	<b>1301</b>	<b>1245</b>	<b>1282</b>	<b>1264</b>

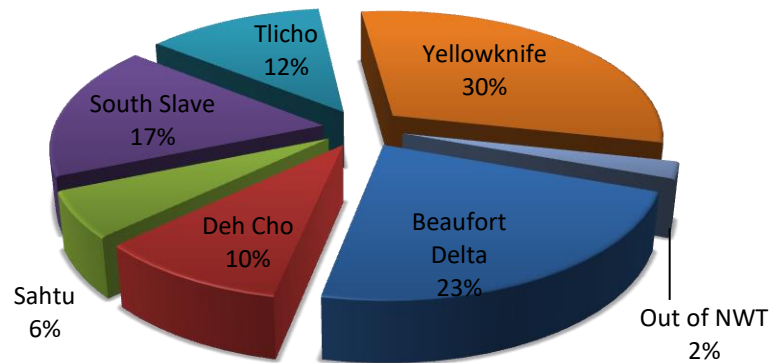


## Number of Applications Received by Case Type Fiscal years 2009/10 to 2018/19

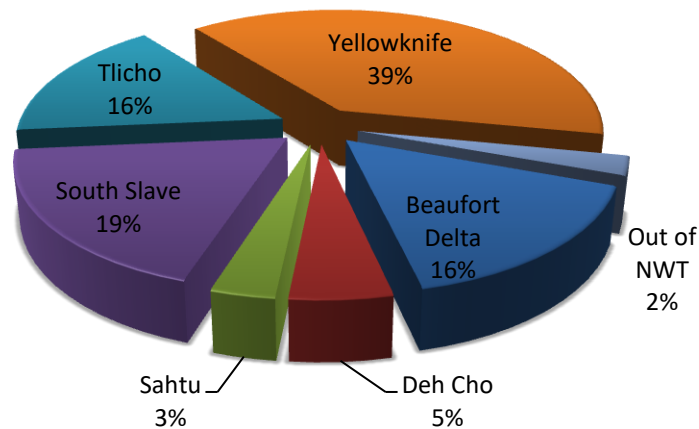


	09/10	10/11	11/12	12/13	13/14	14/15	15/16	16/17	17/18	18/19
Adult Criminal	1108	1119	1082	805	704	562	727	716	832	866
Youth Criminal	48	52	47	22	43	24	27	25	35	33
Family	595	832	760	572	613	541	532	483	406	361
Civil	34	47	32	24	23	11	15	21	9	4
<b>Total</b>	<b>1785</b>	<b>2050</b>	<b>1921</b>	<b>1423</b>	<b>1383</b>	<b>1138</b>	<b>1301</b>	<b>1245</b>	<b>1282</b>	<b>1264</b>

## Criminal Applications 2018/19

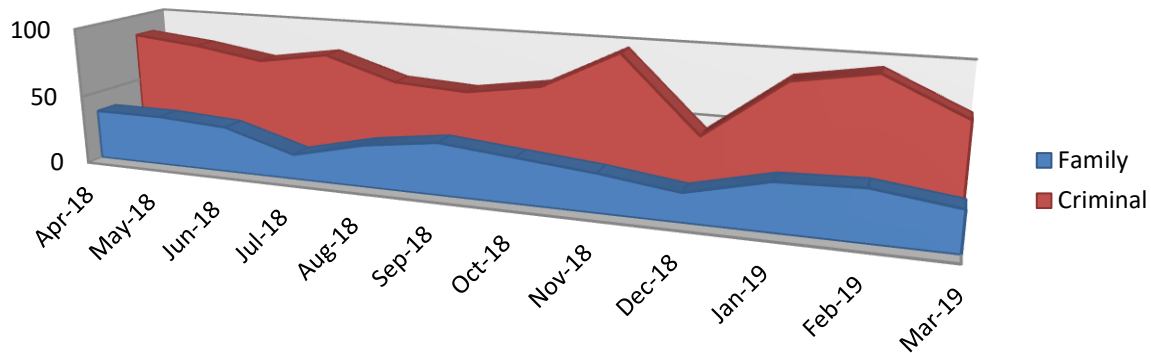


## Family/Civil Application 2018/19

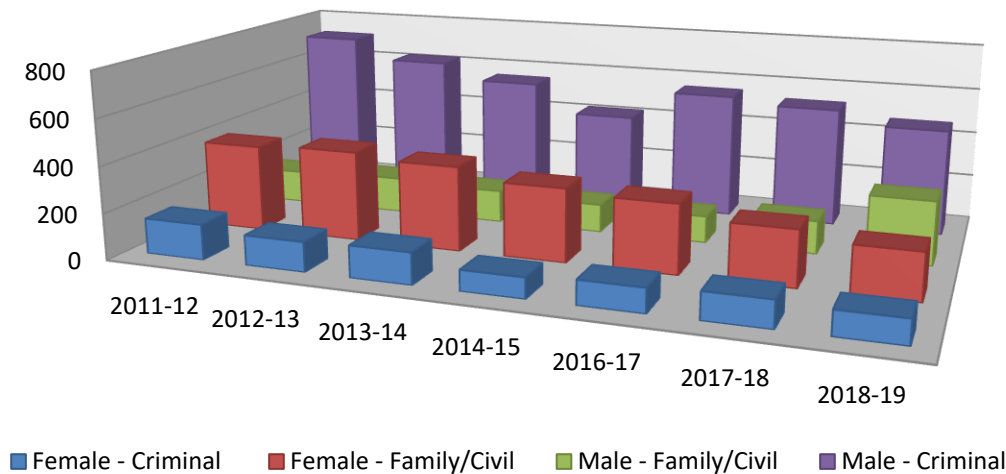


By Regions	Criminal Applications	Family/Civil Applications
Beaufort Delta	204	58
Deh Cho	87	19
Sahtu	52	12
South Slave	153	68
Tlicho	111	58
Yellowknife	273	141
Out of NWT	19	9
<b>Total</b>	<b>899</b>	<b>365</b>

## Applications Received Monthly Fiscal 2018/19



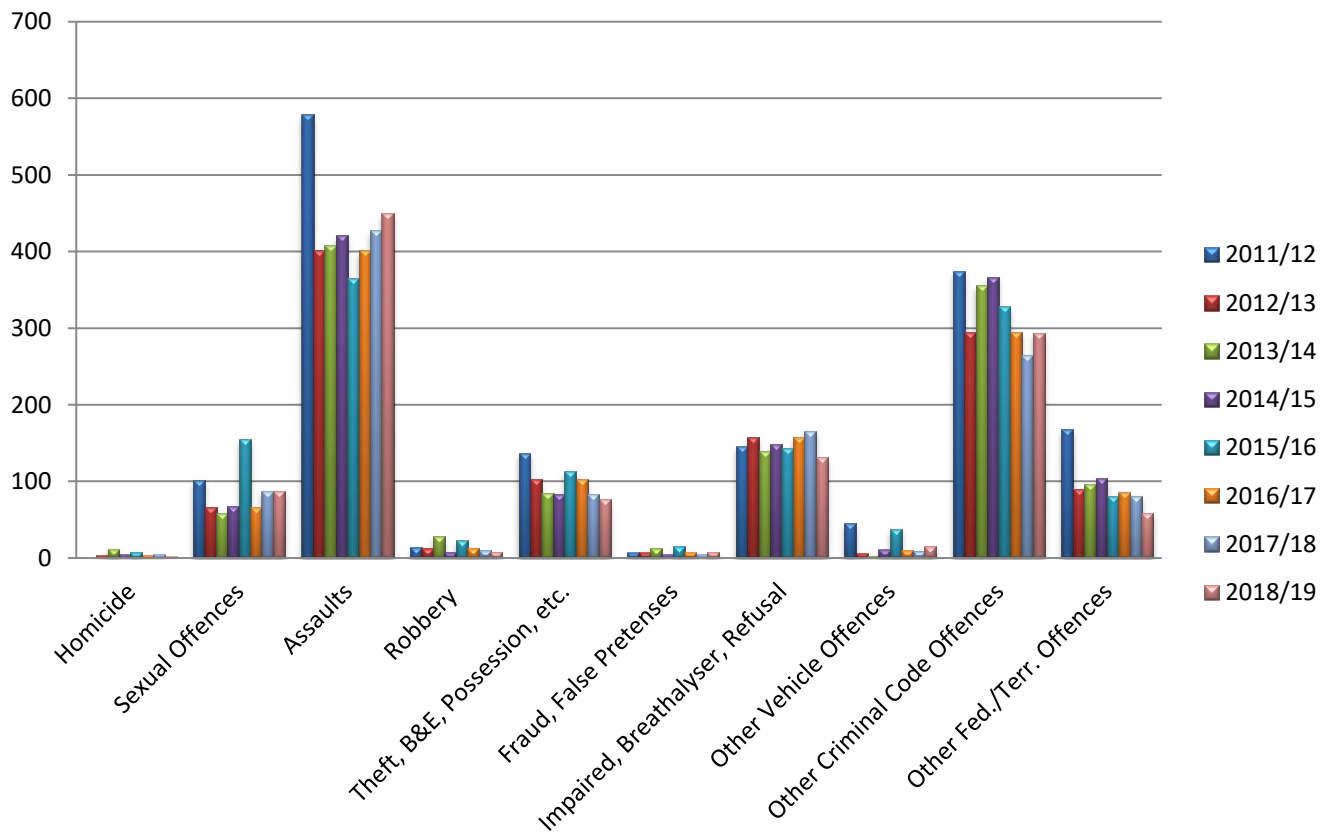
## Legal Aid Approvals by Case Type and Gender



	2011-12	2012-13	2013-14	2014-15	2016-17	2017-18	2018-19
Female - Criminal	152	128	136	88	103	115	103
Female - Family/Civil	376	390	367	318	299	242	203
Male - Family/Civil	143	156	142	123	117	143	275
Male - Criminal	714	622	549	420	552	524	465
Annual Total	1385	1296	1194	949	1071	1024	1046

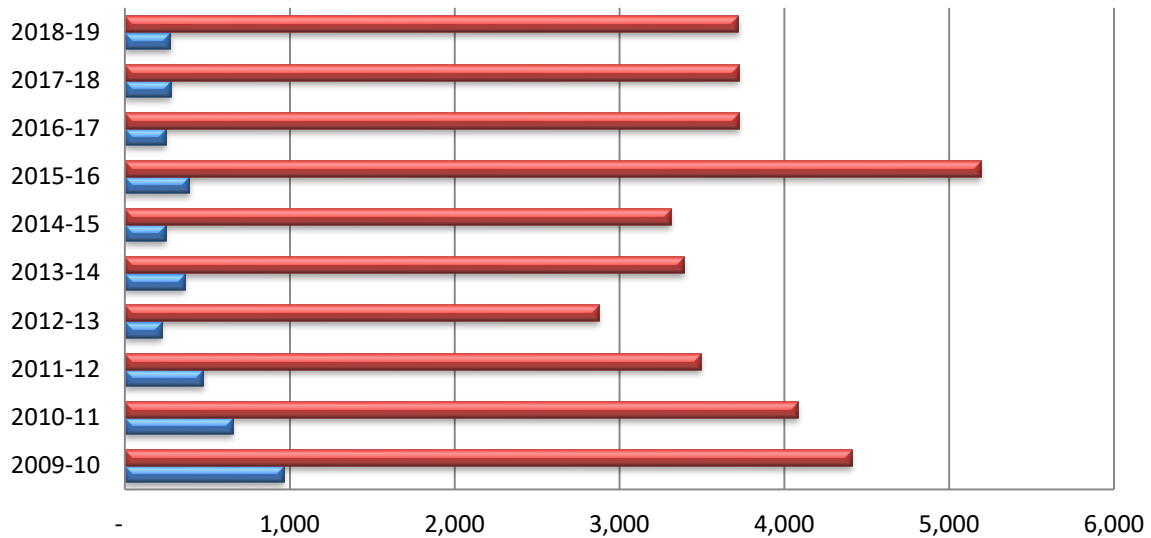


## Number of Calls to Brydges Service by Offence Type



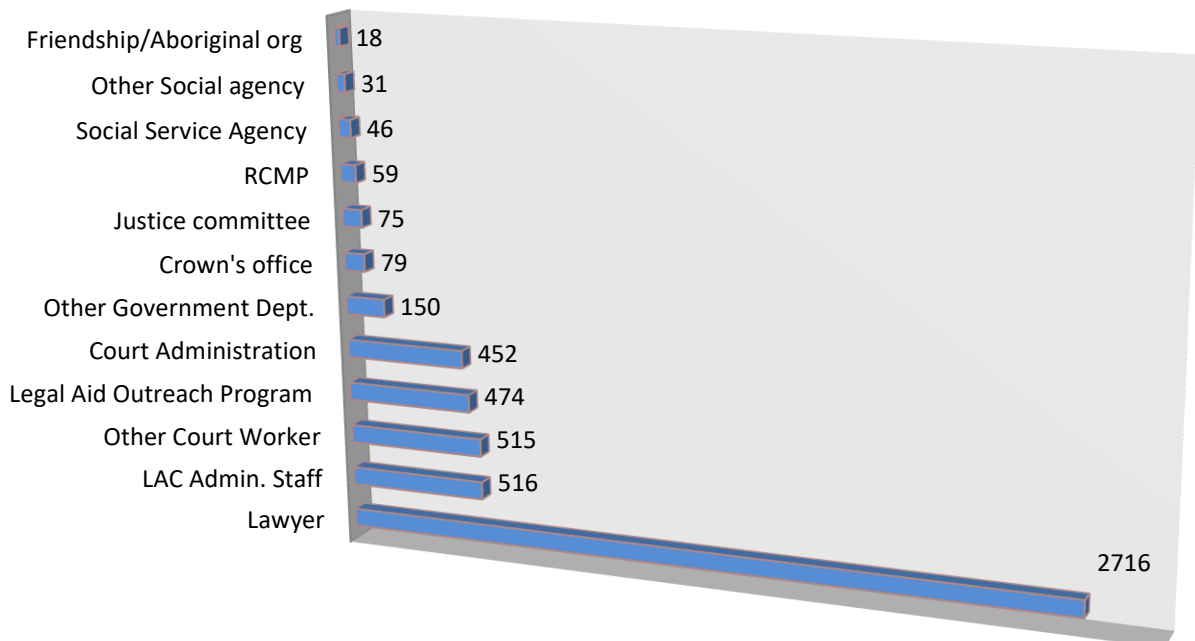
	2011/12	2012/13	2013/14	2014/15	2015/16	2016/17	2017/18	2018/19
Homicide	0	4	12	5	8	4	5	2
Sexual Offences	101	66	58	67	155	66	87	87
Assaults	579	402	408	421	365	402	428	450
Robbery	14	13	28	8	23	13	10	8
Theft, B&E, Possession, etc.	137	103	85	83	114	103	83	77
Fraud, False Pretenses	7	7	13	5	15	7	5	8
Impaired, Breathalyzer, Refusal	146	158	140	148	144	158	166	131
Other Vehicle Offences	46	6	3	11	38	10	9	15
Other <i>Criminal Code</i> Offences	374	295	356	367	329	295	265	294
Other Fed./Terr. Offences	168	90	96	104	80	86	81	59
<b>Annual Total</b>	<b>1572</b>	<b>1144</b>	<b>1199</b>	<b>1219</b>	<b>1271</b>	<b>1144</b>	<b>1139</b>	<b>1131</b>

## Presumed Eligibility Statistics 2018/19



	2009-10	2010-11	2011-12	2012-13	2013-14	2014-15	2015-16	2016-17	2017-18	2018-19
Adult	4,409	4,081	3,491	2,871	3,388	3,308	5,189	3,725	3,725	3,721
Youth	962	651	475	221	365	247	389	248	279	275

## Court Worker Community Referrals for 2018/19



## MAP OF THE NORTHWEST TERRITORIES



Map of Northwest Territories by Region. Retrieved Aug 16, 2018 from  
<http://www.auroracollege.nt.ca/live/documents/content/FacultyStaffGuidebook.pdf>

## **OFFICE LOCATIONS AND CONTACT NUMBERS**

### **LEGAL AID COMMISSION**

4915 48<sup>th</sup> Street  
3<sup>rd</sup> Floor, YK Centre East  
P.O Box 1320  
Yellowknife, NT X1A 2L9  
Tel: (867) 767-9361 ext. 82281  
Fax: (867) 873-5320

### **LEGAL AID CLINICS**

#### **Community Legal Aid Clinic**

# 8, 4915 – 48<sup>th</sup> Street  
3<sup>rd</sup> Floor, YK Centre East  
Yellowknife, NT X1A 3S4  
Tel: (867) 767-9383 ext. 82319  
Fax: (867) 873-0652

#### **Somba K'e Legal Aid Clinic**

# 5, 4915 – 48<sup>th</sup> Street  
2<sup>nd</sup> Floor, YK Centre East  
Yellowknife, NT X1A 3S4  
Tel: (867) 767-9377 ext. 82309  
Fax: (867) 920-6270

#### **Yellowknife Legal Aid Clinic**

# 4, 4915 – 48<sup>th</sup> Street  
3<sup>rd</sup> Floor, YK Centre East  
P.O Box 11028  
Yellowknife, NT X1A 3S4  
Tel: (867) 767-9372 ext. 82299  
Fax: (867) 873-0652

#### **Outreach Legal Aid Clinic**

# 1, 4915 – 48<sup>th</sup> Street  
3<sup>rd</sup> Floor, YK Centre East  
Yellowknife, NT X1A 3S4  
Tel: (867) 767-9384 ext. 82325  
Fax: (867) 920-3000

### **COURT WORKERS**

#### **Beaufort Delta Region**

151 Mackenzie Road, P.O. Box 1100  
Inuvik, NT X0E 0T0  
Tel: (867) 777-7338  
Fax: (867) 777-3211

#### **Deh Cho Region**

2<sup>nd</sup> Floor, Nahendeh Kue Building  
Fort Simpson, NT X0E 0R0  
Tel: (867) 695-2106  
Fax: (867) 695-2136

#### **Fort Smith**

195 McDougal Road, P.O. Box 170  
Fort Smith, NT X0E 0P0  
Tel: (867) 872-6568  
Fax: (867) 872-3602

#### **Sahtu Region**

09 Woodland Ave  
Norman Wells NT, X0E 0V0  
Tel: (867) 587-2525  
Fax: (867) 587-2019

#### **South Slave Region**

# 106 – 31 Capital Drive  
Hay River, NT X0E 1G2  
Tel: (867) 874-2475  
Fax: (867) 874-3435

#### **Tlicho Communities**

General Delivery  
Behchokö NT X0E 0Y0  
Tel: (867) 392-6386  
Fax: (867) 392-6387

#### **Yellowknife Area**

3<sup>rd</sup> Floor YK Centre East, P.O. Box 1320  
Yellowknife NT X1A 2L9  
Tel: (867) 767-7387 or (867) 767-9359  
Fax: (867) 873-5320