

LEGAL AID SERVICES IN CANADA

1981 - 82 AND 1982 - 83

Developmental Report

October, 1984



**Canadian Centre
for Justice
Statistics**

**Centre Canadien
de la Statistique
Juridique**

This report was prepared under the direction of:

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CANADIAN CENTRE FOR JUSTICE STATISTICS

BRIEFING NOTES

Release: Release of qualitative and quantitative legal aid information for the years 1981-82 and 1982-83 via limited distribution developmental report.

Date: November, 1984

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Introduction

The attached report, Legal Aid Services in Canada, 1981-82 and 1982-83, provides for the interim release of qualitative and quantitative legal aid information. This developmental document reflects the ongoing efforts of the Canadian Centre for Justice Statistics to establish a consistent core of legal aid information and statistics.

Release

The working document, Legal Aid Services in Canada 1981-82 and 1982-83, will be released on a limited distribution basis while the information contained therein will be available upon request. Report distribution will be limited due to the developmental status of the project.

Coverage

- All legal aid plans in Canada assisted in the compilation and verification of information and are therefore represented in the working document.
- Data was collected on a fiscal year basis, April to March.
- The developmental nature of the information requires that caution be used in making any province-by-province comparisons.

Data Source

The 1981-82 and 1982-83 quantitative data were collected through a national survey of provincial and territorial legal aid plans. This survey was conducted in the Fall of 1983.

The qualitative data were compiled from various publications and reports as well as from direct contact with legal aid plan representatives across Canada.

Content

Legal aid information is available at the national level as well as on a province-by-province basis. All jurisdictions are represented.

- Qualitative information includes a review of the development of legal aid in Canada, the extent and type of service delivery, the statutory basis for legal aid in each jurisdiction, and funding strategy.
- Quantitative information includes 1981-82 and 1982-83 data on revenue and expenditures, personnel resources, and caseload levels.

Data Highlights - Canada Overview

Revenues

- . constant dollar revenues increased in 1982-83 from \$154.4 million to \$159.4 million - this represents a 3% increase over 1981-82 revenues;
- . contributions from government accounted for 88% of total revenues in 1982-83;
- . among the provinces, the proportion of total 1982-83 revenues derived from government contributions ranged from a low of 77% in Ontario to a high of 100% in Prince Edward Island;
- . lawyers trust account interest revenues, received in Ontario, Manitoba, and British Columbia, comprised close to 15% of total revenues for those provinces in 1982-83;
- . while Ontario experienced a 28% decrease in constant dollar revenues from lawyers trust account interest over the 1981-82 fiscal year, British Columbia experienced a corresponding increase of 39%;
- . client contributions and cost recoveries comprised 3% of total revenues in both fiscal years - the Ontario and Alberta Plans received the highest proportion of total revenues from clients (7% in 1982-83).

Expenditures

- . legal aid expenditures totalled \$162.3 million in 1982-83 - this represents a 4% increase over 1981-82 expenditures on an inflation adjusted (constant dollar) basis;
- . constant dollar expenditures decreased in three provinces over the two year period - Nova Scotia (-12%), Prince Edward Island (-9%) and Ontario (-6%);
- . constant dollar expenditure increases ranged between a low of approximately 5% (Quebec, Saskatchewan), to a high of approximately 20% (Manitoba, Alberta, British Columbia) - in New Brunswick, due to a significant expansion of services, expenditures increased by 90%;
- . in 1982-83, the national per capita legal aid expenditure was \$6.57; the corresponding per capita expenditure was generally lowest in Atlantic Canada and Alberta (\$1.00 - \$4.00), higher in central Canada, the Prairie Region and British Columbia (\$6.00 - \$8.00), the highest in Northern Canada (\$25.00 and \$28.00);
- . approximately 35% of direct legal service dollars were expended on the provision of services through staff professionals during both fiscal years - 65% of the corresponding amount was expended on private practice lawyers.

Personnel Resources

- . The legal aid plan staff count totalled 1,970 persons on March 31st of 1983;
- . over the two year period, staff reductions were experienced in Nova Scotia (75 to 57), Quebec (837 to 829), and Saskatchewan (141 to 139);
- . among applicable provinces, an estimated 13,317 legal aid panel members from the private bar were available to provide legal services on March 31st of 1983 - this represents 59% of total active bar members in applicable provinces.

Caseload

- . approximately 469,500 full service legal aid applications were approved in 1982-83 - 212,800 (45%) were for criminal matters and 256,700 (55%) were for civil matters;
- . over the two year period, the change in total applications approved ranged from a 17% decrease in the Northwest Territories to a corresponding increase of 29% in Manitoba - New Brunswick experienced an 81% increase, largely due to the commencement of civil matter coverage;
- . between 1981-82 and 1982-83, criminal applications approved decreased in three jurisdictions: the Northwest Territories (-19%), the Yukon (-17%), and Prince Edward Island (-16%) - in all other jurisdictions increases of between 4% (Quebec) and 28% (Manitoba) were evidenced;
- . the number of civil applications approved increased in most jurisdictions over the two year period, Nova Scotia and British Columbia excepted - percentage decreases for those provinces were 17% and 20% respectively.
- . civil cases generally comprised under 40% of total caseload in 1982-83 - the provinces of New Brunswick (67%), Quebec (65%) and Ontario (56%) were major exceptions to the rule.

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Preface

The Canadian Centre for Justice Statistics was given a mandate in January of 1982 to provide a national legal aid information service. This report reflects the efforts of many who have worked toward the fulfillment of this mandate.

The data in this report cover two fiscal years, 1981-82 and 1982-83, and represent services delivered by the agency responsible for legal aid in each Canadian jurisdiction. Data which describe resource expenditures and caseload levels comprise the statistical content of the report. In recognition of the diverse service strategies which exist in Canada, narrative descriptions are included to supplement statistical displays.

The structure and content of this report is expected to change in future years, as statistical measures are refined and as new ideas emerge. Developmental efforts of the Legal Aid Program are guided by a selected group of federal, provincial, and legal aid plan representatives involved in the utilization of legal aid statistics within their respective jurisdictions. The initiatives of this group will be reflected in future reports of this nature.

Acknowledgements

This report is the product of a major collective effort on the part of individuals representing legal aid plans across Canada. Appreciation is expressed to the many contributors who provided direct input to this effort, and to those who continue to provide advice and support to the Legal Aid Program. In particular, we would like to acknowledge the assistance provided by the survey respondent for each legal aid plan:

Mr. Newman Petten	Newfoundland Legal Aid Commission
Mr. Kent Brown	Office of the Public Defender, Prince Edward Island
Mr. Albert Bremner	Nova Scotia Legal Aid Commission
Ms. Marilyn Bubar	Legal Aid New Brunswick
M. René Morin	Commission des services juridiques
Mr. Dermot McCourt	Ontario Legal Aid Plan
Ms. Nadia Burke	Legal Aid Services Society of Manitoba
Mr. Ian Wilson	Saskatchewan Legal Aid Commission
Mr. David McGuire	Legal Aid Society of Alberta
Mr. Dan Maas	Legal Services Society of British Columbia
Ms. Gina Turner	Legal Aid Committee, Yukon Territory
Mr. Doug Miller	Legal Services Board, Northwest Territories

LEGAL AID SERVICES IN CANADA, 1981-82 AND 1982-83

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LEGAL AID SERVICES IN CANADA

1981-82 AND 1982-83

PART ONE - INFORMATION REPORT

Chapters

1. Introduction
2. An Overview of Legal Aid in Canada
3. Legal Aid Resources - Statistical Highlights
4. Legal Aid Caseload - Statistical Highlights
5. Concluding Remarks

CHAPTER ONE

Introduction

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Background to Report

Early Initiatives

Early efforts directed toward the gathering of legal aid statistics for managerial and policy applications were provincial initiatives. In 1976, the National Task Force on the Administration of Justice provided considerable stimulus for a broad pursuit of legal aid statistics by compiling information into a composite national profile.

The National Project on Resource Coordination (1979), a federal-provincial initiative, addressed itself to the information needs of justice managers, and investigated how to best match those needs to an organizational structure and developmental strategy. The structure proposed was eventually named the Canadian Centre for Justice Statistics (CCJS), and was designed to be responsive to the needs of justice decision-makers. The strategy proposed was to derive national statistics from operational information systems.

The Implementation Work Group was established in 1980 to develop the detailed organizational structure and programs that would put into effect the conclusions reached. Under the auspices of this group, the National Legal Aid Research Centre (NLARC) was contracted to develop a national information report on legal aid services. In April of 1981, Legal Aid Services in Canada, 1979-80 was published. This release was followed by Legal Aid, 1981, produced by the Health Division of Statistics Canada, the Federal Department of Justice, and the CCJS.

CCJS Initiatives

During its first year of operation (1981-82), the CCJS established a work plan based upon proposals put forward by the federal-provincial work groups. As recommended, the NLARC was contracted to conduct an extensive review of national information requirements. This work was directed and reviewed by the Legal Aid Program Development Committee (PDC).

Following completion of the NLARC contracts in early 1983, a Legal Aid Program was formally established at the CCJS. The PDC, now referred to as the Legal

Aid Program Advisory Committee (PAC), continues to provide direction for Program activities.

Program Initiatives

The NLARC reports cited many issues surrounding the collection of legal aid statistics, and presented a set of proposed national data element definitions and data tables which had culminated from a series of PDC discussions. Building upon preliminary efforts of the NLARC, the Program undertook a survey to obtain feedback on the proposal from the user community. Suggestions put forward and issues raised were presented to the PDC for discussion.

In the Fall of 1983, the Legal Aid Program put forward a final recommendation for Program content to the Liaison Officers Committee. That proposal is reflected in the survey instrument which was used to compile the information contained in this report.

In many ways, this study represents a fundamental departure from earlier efforts to compile legal aid statistics at a national level; most importantly:

- . legal aid plan representatives have had considerable impact on what information should be collected;
- . legal aid contacts have participated as both direct suppliers and verifiers of the information collected; and,
- . provincial counting units have been compared to a national definitional framework to support the understanding and interpretation of data.

These accomplishments have taken the Program one step further toward the development of a national legal aid information service.

Purpose of Report

This report has a dual purpose - first, to inform the reader of the extent to which legal aid services are provided to the people of Canada, how, and at what cost; and, second, to solicit comment from the reader on the statistical content of the report.

This report is intended to make available accurate national statistics on legal aid in Canada. The reader will note throughout the report that, for various reasons, certain inter-jurisdictional comparisons of the data are discouraged. This is a normal problem in the early stages of the development of a national justice statistics program, which involves the collection of data from the administrative records and information systems of many different jurisdictions. Nevertheless, the data presented in this report, used with appropriate caution, can meet certain of the policy, management, and public information needs that the national legal aid statistics program has been mandated to serve. Some of the specific policy areas in which national statistics are anticipated to be useful include federal-provincial negotiations on the cost-sharing of legal aid, addressing concerns regarding disparity of services and minimum service standards, and measuring the eventual impact of changes in legislation and policy on expenditure and caseload levels. It is also anticipated that administrators and managers of legal aid will find it beneficial to begin to compare their services to those provided in other jurisdictions. Finally, as an obligation to the tax-paying public who finance most of the legal aid services in Canada, the data begin to answer questions concerning how this money is being spent.

A second purpose of this report relates not to the release of data but to the development of data. There is no under-estimation of the need to significantly improve and add to the data contained in this report in future years. One important stage in the development of statistics involves the need to experiment with the data which are available. It is anticipated that an important result of the limited circulation of this report will be the guidance gained from users regarding the direction future development should take.

Organization of Report

This report is divided into two parts - the Information Report and Supplementary Documentation.

The Information Report is comprised of four other chapters. Chapter II provides an overview of the development of legal aid in Canada generally, as well as in each province and territory. Chapters III and IV contain the highlights of a national survey on legal aid resources, expenditures, and caseload levels, which was conducted in the Fall of 1983. Data contained in these chapters have been aggregated to a national level where appropriate. Remarks of a developmental nature are contained in the concluding chapter of the Information Report.

The second part of this report contains supplementary documentation which provides further details relevant to the understanding of information presented in Part I. For example, the data element definitions utilized in the survey are presented, as are individual status reports which summarize among other things, both the present and future capacity of each Plan to feed the national statistical program.

CHAPTER TWO

An Overview of Legal Aid in Canada

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Introduction

Over the past decade, legal aid has been institutionalized as an integral component of the justice system. The provision of legal assistance to the poor is no longer regarded as a form of charity or welfare. Today, legal representation is considered an individual's right which exists independent of the ability to pay for the services of a lawyer. Legal aid plans are the primary mechanisms through which this right to representation is ensured.

The scope of legal aid includes both the provision of legal representation as well as advisory, referral and information services. The clientele are typically the economically disadvantaged who need representation or advice in two broad areas - criminal law and the realm of civil law which encompasses such matters as family law, landlord-tenant conflicts, and disputes involving consumer, labour, welfare, or compensation matters.

Early Influences

Canadian developments in the legal aid area reflect a diverse range of influences. The social reform movements in both the United States and Canada in the 1960's, sometimes broadly identified with phrases such as the "War on Poverty" or "The Just Society", raised concern for the needs of the poor and stimulated a judicare versus staff model debate over service delivery strategies in Canada. The judicare model, which involves the extension of legal services to the needy through the private bar, reflects the traditional reactive nature of the legal system. The staff model supported the community clinic concept, and was conceived as proactively enforcing the individual's rights and challenging the legal system in the interests of the poor.

The American concept of the neighbourhood law firm influenced Canadian developments in the sixties. Law students and professors at various law faculties were encouraged to establish community law offices or clinics. Examples included programs administered in Halifax, Montreal, Toronto, Saskatoon and Vancouver. The first four experimental projects were partially financed by the National Department of Health and Welfare, and the final project was funded in part by the Federal Department of Justice.

The existence of these experimental clinics is significant in a number of ways. Not only did they generate interest in different service delivery strategies; they sparked widespread interest and involvement from outside the Bar. The Canadian experience was characterized by the establishment of many provincial task forces, enthusiastic support from law faculties, a variety of experimental projects, and many conferences which focussed in on the legal aid controversy. By the early 1970's the foundation for a comprehensive legal aid system in Canada had been set.

At the time of the federal-provincial agreements to share in the cost of criminal legal aid in the early 1970's, there was little uniformity in services provided both within and among provinces. Some jurisdictions had already developed a particular stance with regard to organized legal aid services, while others had yet to address the issue.

While legal aid in Canada developed within each province more or less independently of other provinces, certain similarities existed. The law societies, bar associations and student law societies were generally involved in providing legal services to the poor. The majority of provinces opted for a judicare delivery method at least in part, and most experimented with community clinics which employed either lawyers, law students or paralegals. It is also noteworthy that the administration of legal aid plans has tended to be either heavily influenced by, or independent of provincial law societies, and that in most cases legal aid has been administered independent of government.

The neighbourhood law firm (NLF) in the United States served as a powerful influence, demonstrating a viable alternative to the judicare system used in England. The experimental projects further demonstrated the applicability and relevance of the NLF concept to Canadian provinces. Collectively, these influences had a significant impact on the establishment of a unique network of agencies which now provide legal services, albeit according to different philosophies, to those who are eligible across the country.

Provincial Developments

Newfoundland

The development of a legal aid system in Newfoundland was initiated by a committee appointed by the Law Society in 1964. By 1968, services were provided on a volunteer basis through the private bar, while administrative and operating expenses were covered by the provincial government. Gradually, the provincial government increased its payments and in 1972, a full-time administrator was appointed. In 1973, the Legal Aid Committee of the Law Society of Newfoundland was designated the agency responsible for service delivery.

In 1976 the Newfoundland Legal Aid Act was proclaimed, granting legislative mandate to the Legal Aid Commission. This agency was authorized to set up community clinics, resulting in the present combined judicare-staff delivery system. Coverage extends to both criminal and civil areas of law.

Prince Edward Island

Prior to October of 1973, an individual who was charged with a serious offence and who could not afford a lawyer was referred to the provincial Department of Justice. Counsel was appointed from the private bar if representation was considered necessary, and legal fees were covered by the Department.

In 1973, the government of Prince Edward Island introduced a Bill to the Legislative Assembly for the establishment of a judicare legal aid system. Although the Bill received royal assent, it has never been proclaimed. Instead, a public defender system was introduced in October of 1973, largely based on the findings of a study on the administration of justice within the province (Mackimmie Report, 1973).

Until November of 1979 legal aid was provided in criminal matters only. Services for family matters are now an ongoing component of the public defender system. Legal aid operates as part of the provincial Department of Justice and services are for the most part, provided by salaried staff.

Nova Scotia

Prior to 1971, legal aid was provided on a voluntary basis through an established committee of the Barristers' Society. The Cox Committee was formed in 1970 by the Attorney-General and the Barristers' Society to recommend reforms to the existing system. In 1971, the province of Nova Scotia and the Nova Scotia Barristers' Society agreed to implement a comprehensive trial legal aid plan. Legal aid services were provided by staff lawyers working out of regional offices, although choice of counsel was provided in certain serious criminal matters. In 1977, the Legal Aid Act was passed which removed Nova Scotia Legal Aid from the control of the Barristers' Society and placed it under the control of the present Legal Aid Commission. The Plan continues to extend coverage to both criminal and civil areas of law.

New Brunswick

The New Brunswick Legal Aid Act was passed in 1971, empowering the Barristers' Society to establish and administer the legal aid plan. Previously, legal aid was available only on a voluntary basis. In 1972, Legal Aid New Brunswick began providing legal services through a judicare system.

In October of 1981, legal service coverage was extended to civil matters. Prior to that date, only criminal matters were handled.

Quebec

Quebec implemented its first legal aid service in 1951 with the creation of a Legal Aid Bureau within the Bar of Montreal. An advocate was hired on a full-time basis to process applications for legal aid. If accepted, the client was referred to a private lawyer who provided services free of charge. Court costs were covered by members of the Bar, through their contributions to the Legal Aid Bureau.

In 1967, the government of Quebec began granting funds to the Bureau in an attempt to establish a broader service. Tariff schedules were agreed upon in 1971, and legal aid clinics started to appear in economically disadvantaged areas. The Community Legal Services Inc. demonstration project in Pointe St.

Charlea, Montreal, had a profound impact. The first director of that project was appointed by the Quebec Ministry of Justice to draft the legislation for a new legal aid plan in 1971.

Opposition to the drafted legislation arose from the Quebec Bar which resulted in two major compromises being reached - the provision of the choice of a private rather than staff lawyer by legal aid clients was included; and, local control provisions were deemphasized in favour of regional corporations overseeing the general administrative functions of local offices.

The Legal Aid Act was passed in 1972 and the Legal Services Commission was appointed in 1973. Although the statutory orientation is not as locally-based as was originally envisaged, the Act does provide for a large network of decentralized offices conceptually similar to the American neighbourhood law firm. Coverage extends to both criminal and civil areas of law.

Ontario

Ontario first implemented an organized legal aid plan in 1951, whereby lawyers provided legal assistance on a voluntary basis. Applications went to local Committees which assigned counsel if the client was considered eligible.

In 1967, a tariff-based judicare plan was initiated. The Legal Aid Act of 1966 empowered the Law Society of Upper Canada to establish and administer the Ontario Legal Aid Plan. Ontario's experience at the outset was much like England's. A strong judicare system was advocated over the service delivery model pioneered in the United States.

The development of the Community Legal Services Program had a significant impact on the development of legal aid in Ontario, as did similar programs in other provinces. Mounting judicare costs served to heighten the debate over delivery methods, which spurred the appointment of a task force (The Osler Committee) in 1973 by the provincial government.

The Task Force recommended the establishment of an independent non-profit corporation which would assume the control of legal aid in Ontario from the Law Society. It was further recommended that the staff model be used to complement judicare delivery. While the first recommendation has not been acted upon, the Law Society is funding community clinics which supplement the civil legal aid services provided by the private Bar. As is now the case in England, a staff component to legal aid is now firmly rooted in Ontario.

Manitoba

Legal aid services have been available in Manitoba since the 1930's, at which time the Law Society of Manitoba administered a voluntary legal aid centre. In 1962, the provincial government approved a tariff of fees for criminal matters.

A task force on legal aid was appointed in 1970 by the newly-elected government, and resulted one year later in the establishment of a mixed system controlled by an independent Board of Commissioners. The Legal Aid Services Society of Manitoba which came into effect in 1972, took on the responsibility of administering a comprehensive legal aid service in the province. Staff lawyers working in the neighbourhood law offices created by the new Board supplement the judicare system.

Saskatchewan

Prior to 1967, legal aid services were furnished on a voluntary basis. Between 1967 and 1974, the Law Society of Saskatchewan and the Attorney-General established a legal aid plan for criminal offences. A nominal fee was payable to lawyers who handled cases, and only criminal matters were covered.

The federally funded Saskatoon Legal Assistance Clinic had a strong impact on legal aid developments in the province. The 1972 Attorney-General's Committee on Legal Aid (The Carter Committee) recommended the establishment of a staff system which emphasized the community's involvement. The resulting Community Legal Services Act, which was passed in 1974, established the Saskatchewan Community Legal Services Commission. The Commission was comprised of three citizens, three lawyers, and three persons from the client community.

In September of 1983, a new Legal Aid Act came into force. This legislation had the effect of streamlining the administration of services by replacing area boards which functioned under contractual agreement, with area offices operated and staffed by the Commission. Legal aid now operates under a new name - the Saskatchewan Legal Aid Commission. Coverage extends to both criminal and civil areas of law.

Alberta

Alberta had no formal legal aid plan prior to 1970; however, legal aid was available in the mid-1960's for a restricted number of criminal cases. A pilot project to provide criminal legal aid was in operation in Edmonton in 1963, and in 1967 another project was initiated which extended legal aid services to include coverage in some civil matters.

In 1970, the Law Society and the provincial government entered into an agreement whereby the Law Society was empowered to establish, maintain, and operate the legal aid plan. The Legal Aid Society of Alberta was incorporated in May of 1973 under the Societies Act of Alberta. Coverage was extended to both criminal and civil areas of law.

While employing strictly a judicare method of delivery, it should be noted that a 1975 Joint Committee of the Legal Aid Society of Alberta had recommended an expansion of legal aid services through the use of clinics and local law offices.

British Columbia

A province-wide arrangement was set up in British Columbia in 1952 which was jointly operated by the Law Society and local bar associations. Legal services were provided free of charge, and on a voluntary basis. In 1964 a new scheme was adopted which set a fee structure for criminal cases. The Law Society was responsible for the administration of this scheme. In 1970, the Legal Aid Society of British Columbia was incorporated, and took on responsibility for administering legal aid throughout the province on a fee-for-service basis.

In 1974, the Justice Development Commission initiated the Delivery of Legal Services Project. In the ensuing Leask Report, the limitations of the judicare system were noted, and it was recommended that use be made of para-professionals in delivering quasi-legal services. Subsequent to this Report an independent Legal Services Commission, established in 1975, was given direct control over the Legal Aid Society. At that time, full responsibility for regional legal aid offices which had been funded by the Attorney-General since 1970, was transferred to the Commission.

In 1979, the Legal Aid Society and the Legal Services Commission were amalgamated to form the Legal Services Society. The former agency provided legal services while the Commission funded the Society as well as community law offices, and served a public education function.

The delivery model is now mixed, employing a network of community law offices which supplement services provided through the private bar. Coverage extends to both criminal and civil areas of law.

Yukon Territory

In the Yukon, legal aid became a territorial responsibility in 1971 when the administration of justice functions were transferred to the two territories from the federal government. The Legal Aid Ordinance of 1975 established the Legal Aid Committee and outlines a judicare model of service delivery. Coverage extends to both criminal and civil areas of law.

Northwest Territories

Similarly, the Northwest Territories became responsible for the provision of legal aid services in 1971. In 1979, the Legal Services Ordinance established the Legal Services Board which is now responsible for the administration of legal aid throughout the Northwest Territories. Criminal and civil legal aid services continue to be provided, largely through a judicare system.

Legislative Overview

The right of Canadians to secure legal counsel is entrenched in the new Charter of Rights and Freedoms of Canada's Constitution (1982), and is binding on all levels of government. Part 10(b) of the Charter states..."Everyone has the right on arrest or detention... to retain and instruct counsel without delay and to be informed of that right..."

The relative autonomy of the provinces in the legal aid area is founded in the Canada Act (1982), formerly known as the British North America Act of 1867. It states that each province holds "exclusive legislative authority in the administration of justice and in matters of property and civil rights." A comparative overview of the legislative basis for legal aid across jurisdictions reveals both similar and contrasting founding principles.

In assembling the following summary, the enacting legislation as well as subsequent amendments applicable to the year 1983 were considered. It is important to note that this overview does not necessarily reflect the application of legislative provisions in actual practice, nor does it necessarily reflect the application of regulations or practices not expressly mentioned in the legislation. For example, although a penalty for abuse of the Plan is provided for in the Ontario regulations, it is omitted from the enacting legislation. For this reason, the provision is not contained in Chart I - Legislative Overview.

The provinces of Prince Edward Island and Alberta do not have a legislative basis for legal aid. In the former case, a public defender system operates as part of the provincial Department of Justice; in the later case, the Legal Aid Society was incorporated in 1973 under the Societies Act of Alberta.

Similarities

Common to the enacting legislation for most Plans are provisions concerning limitation of Plan liability, eligibility, and coverage. The enacting legislation for most Plans states that the legal aid plan is not liable for any act or omission thereof by a legal aid lawyer, three provinces excepted. In Nova Scotia, Quebec and British Columbia, no provision is listed concerning Plan liability.

The Plans are directly responsible for establishing eligibility standards and for assessing client eligibility. Generally, those unable to afford the services of a lawyer without sacrificing some personal assets, or those who would not be able to provide the necessities to their families, are deemed to be eligible. In appeals or civil cases very often the opinion of a lawyer is sought to determine if a reasonable man of modest means would engage a lawyer to proceed with the case, if faced with a similar situation.

Civil matters are covered to some extent in all jurisdictions; however, there is great diversity in scope of coverage across the country. Typical civil coverage exclusions include matters related to: breach of promise of marriage; alienation of affection; defamation; loss of service of a female in consequence of rape or seduction; and, electoral matters. No civil coverage exclusions of this nature are stated in the legislation for Nova Scotia, New Brunswick, Quebec, and Saskatchewan.

In most jurisdictions, legislation provides for the coverage of indictable offences under the Criminal Code and matters arising under the Extradition Act and the Fugitive Offenders Act, as well as some summary conviction offences. Legal aid directors exercise discretion as to which summary offences or charges dealing with youth are covered, but are generally instructed to authorize only those cases where; 1) there is a likelihood of imprisonment or loss of means of earning a livelihood upon conviction; or, 2) if because of extraordinary circumstances, it is in the interests of justice that the applicant be represented by counsel.

Differences

Highlighted below are notable differences in the enacting legislation. Chart 1 to follow, presents summary information for each jurisdiction.

Objectives

Of the five legal aid plans that have a statement of objectives included in the legislation, four specifically recognize the provision of information to clients as being part of the legal services offered - Quebec, Saskatchewan, British Columbia, and the Northwest Territories. In addition to a reactive role, this provision stresses a proactive or preventive role for legal aid.

Administrative Body

Provincial law societies across Canada were central to the development of organized legal aid at the outset, and their influence in administering legal aid is embodied in the enacting legislation. Gradually, the responsibility for legal aid has shifted to an independent body in most jurisdictions, and significantly, the adoption of a salaried staff component to service delivery strategies has generally accompanied this shift in responsibility.

Those Plans administered by provincial law societies operate in New Brunswick, Alberta, and Ontario. In all but the latter case, services are provided strictly through a judicare system.

Between 1972 and 1977, legislative changes eliminated controlling responsibility by law societies - first in Quebec and Manitoba (1972); then in Saskatchewan (1974), Newfoundland and British Columbia (1975), and Nova Scotia (1977). It is noteworthy that with this shift in responsibility, a staff component to service delivery was adopted if not already implemented. Plans operating in Nova Scotia and Saskatchewan provide services largely through salaried staff while the remaining provinces, including Ontario, provide legal assistance through a combined judicare-staff system.

Involvement by provincial law societies continues, as is evidenced in the legislated members of each Plan's administrative body. Generally, provision is made for the appointment of a specified number of members on the recommendation of the law society, the Quebec Plan excluded. The legislation for Manitoba, Saskatchewan, British Columbia, and the Northwest Territories expressly states the inclusion of a specified number of non-solicitors or non-Law Society members.

Partial Payment Scheme

The enacting legislation for all legal aid plans provides for the partial payment of services based on the client's ability to pay. In addition, all Plans may require a contribution from those clients who recover costs as a result of a legal action. Legislation for five jurisdictions stipulates that monies recovered are to be assigned to the Plan - Newfoundland, Manitoba, Saskatchewan, British Columbia, and the Northwest Territories.

Penalty for Abuse of Plan

Generally, all Plans have a legislative provision outlining a penalty for the client's abuse of the system. If the client becomes ineligible or if for other reasons, legal aid is suspended, withdrawn, or cancelled, the client must reimburse the fund for services received. In the case of Newfoundland, Quebec, and British Columbia, a client or applicant may be fined or dealt with through summary proceedings. This provision also applies to solicitors in the former two provinces.

Other Provisions

The legislation provides for a criminal and civil duty counsel service in Newfoundland, New Brunswick, and Ontario. A criminal duty counsel service is provided for in Manitoba. Although a duty counsel service does not exist as such in the Yukon and Northwest Territories, provision is made for criminal counsel to accompany court circuits if probable need exists.

The legislation for Saskatchewan, British Columbia, and the Northwest Territories allows for the use of paralegals in delivering services provided that they are supervised by a lawyer.

In Quebec and Saskatchewan, all fee-generating cases are excluded from coverage. However, in the former province, retroactive coverage is granted if a case is lost or monies cannot be recovered. Additionally, under the Quebec Act legal aid is considered a right rather than a privilege; that is, persons lacking the financial means to assert a right are entitled to legal aid provided that coverage is not expressly excluded from the legislation.

Objective or organization	Legislative basis	Administrative body
<p><u>Newfoundland</u> Legal Aid Commission</p> <p>Objective: not stated</p>	<p>The Legal Aid Act January 6, 1976</p> <p>1976 No. 42 s.12, 1979, c.52, s.1 s.13, 1979, c.52, s.2 s.53, 1979, c.35, Sch.A.</p>	<p>Board of Commissioners</p> <ul style="list-style-type: none"> - 5 members appointed by Lieutenant-Governor - 3 to be members of the Law Society - 2 ex-officio members; Deputy Minister of Justice Provincial Director
<p><u>Nova Scotia</u> Legal Aid Commission</p> <p>Objective: not stated</p>	<p>Legal Aid Planning Act January 6, 1970</p> <p>The Legal Aid Act November 1, 1977</p>	<p>Board of Commissioners</p> <ul style="list-style-type: none"> - 15 directors plus 2 public service representatives (non-voting) - 7 of the 15 directors appointed on recommendation of the Nova Scotia Barristers' Society - members may be public servants or hold public office
<p><u>New Brunswick</u> Legal Aid New Brunswick</p> <p>Objective: not stated</p>	<p>Legal Aid Act January 1, 1972</p> <p>1971 C.11 s.10, 12, 14; 1973, C.54 s.9, 14; 1974, C.25 (Supp.) s.6, 12, 17; 1979, C.33</p>	<p>Legal Aid Committee</p> <ul style="list-style-type: none"> - "not less than five members of the Barristers' Society, to advise the Provincial Director"
<p><u>Quebec</u> Legal Services Commission</p> <p>Objective: Legal aid is defined as every benefit granted under this Act to an economically underprivileged person to facilitate access to the courts, professional services of an advocate or a notary and necessary information concerning his rights and obligations.</p>	<p>Legal Aid Act September 5, 1972</p> <p>12, 13, 89a; 1972, c.15 63, 80, 87.1; 1978, c.8 85; 1979, c.56 85, 86, 87; 1979, c.32 1982: c.17, 21, 36, 53</p>	<p>Board of Commissioners</p> <ul style="list-style-type: none"> - 10 members - "chosen from those groups of persons who because of their activities are likely to contribute to the study and solution of the legal problems of the underprivileged"
<p><u>Ontario</u> Legal Aid Plan</p> <p>Objective: not stated</p>	<p>The Law Society Amendment Act April 5, 1951</p> <p>Legal Aid Act March 29, 1967</p> <p>Legal Aid Act (Amendment MDD) September 1, 1971</p>	<p>Law Society Director of Legal Aid Area directors Area Committee</p>

<p>The Commission may, upon receipt of an application, and where the applicant is found eligible, furnish legal aid with a partial charge to any person who is able to pay a portion thereof.</p> <p>Where a client recovers costs in respect of the proceeding for which a certificate was issued pursuant to a judgment or order of court, the costs shall be paid to the Commission.</p>	<p>The client must reimburse the fund if legal aid has been suspended, withdrawn, cancelled, or if false information has been provided by the client. Solicitor making false statements in billing is guilty of a summary offence and liable to a fine of \$500 - \$5,000.</p> <p>Anyone contravening any provisions of this Act is guilty of a summary offence and liable to a \$500 - \$5000 fine on first offence and \$800 fine or 3 months imprisonment on second offence.</p>	<p>Legal Aid certificate expires in 30 days if no solicitor is retained.</p> <p>The Commission may appoint counsel to attend court on a daily or other basis for the purpose of advising or representing any person in a civil or criminal matter. Security of a debt may be required before aid granted. Costs against a recipient may be paid by the Commission, at discretion of the provincial director.</p>
<p>The Commission may determine that an applicant is financially able to contribute some part of the cost of the legal aid applied for. When a recipient recovers under settlement, order or other, a contribution may be required.</p> <p>Where a court orders costs to be paid to a recipient of legal aid, the recipient may be required to pay those costs to the Commission.</p>	<p>Legal aid may be refused, suspended or withdrawn, and payment for legal services rendered required by the client.</p> <p>Where false or misleading statements were knowingly made by a client, a contribution is to be made.</p>	
<p>The area director may determine an applicant to be able to contribute some part of the cost of legal aid applied for.</p> <p>Where the holder of a legal aid certificate recovers, some contribution is to be made to the Barristers' Society.</p>	<p>A cancelled certificate requires reimbursement for costs incurred to the point of cancellation, unless this were to be unjust.</p>	<p>Legal Aid certificate expires in 60 days if no solicitor is retained. Applicant may be required to deposit security with the provincial director.</p> <p>The area director may appoint duty counsel to attend court within the area.</p> <p>Solicitors may apply to the area director to have their names placed on one or more of: criminal duty counsel panel, criminal legal aid panel, civil duty counsel panel, civil legal aid panel, legal advice and services panel.</p>
<p>A recipient who fails in the action is not exempt from condemnation of costs in favour of the adverse party, or payment of them.</p> <p>When a recipient recovers under settlement, order or other, a contribution may be required.</p>	<p>Every person, client or solicitor, contravening any of the provisions of this Act or the regulations commits an offence and is liable, on a summary proceeding, in addition to payment of costs, to a fine of not more than \$1000 in the case of an individual or to a fine of not more than \$5000 in the case of a corporation.</p> <p>Legal Aid may be refused, suspended or withdrawn as the case may be, with regard to any person otherwise eligible, when such person neglects to comply and cooperate.</p>	<p>Legal Aid may be granted retroactively, although extra-judicial fees are not covered.</p> <p>Every interested party in a dispute or case may contest the right of a person to legal aid, by making an application for that purpose to the general manager. Such contestation may relate only to the quality of an economically underprivileged person and must not relate to the probable existence of the right exercised by the recipient.</p>
<p>Contributions may be required if the applicant is financially able to pay some part of the cost.</p> <p>A lien is put on property recovered.</p>	<p>None stated.</p>	<p>Every application for legal aid shall be referred by the area director to an assessment officer for a report as to whether the applicant can pay no part, some part or the whole of the cost of the legal aid applied for.</p> <p>Panels of duty counsel may be established by area directors in their areas.</p>

Objective of organization	Legislative basis	Administrative body
<p><u>Manitoba</u> Legal Aid Services Society</p>	<p>Legal Aid Services Society of Manitoba Act February 1, 1971 1972 c.63 1974 c.59 1977 c.61 1979 c.76 1980 c.78</p>	<p>Board of Directors - 11 appointed by the Lieutenant-Governor in Council - 4 members on recommendation of the Law Society - 4 members to be non-solicitors</p>
<p><u>Saskatchewan</u> Legal Aid Commission</p> <p>Objective: The objects of the Act are to provide legal services to persons and organizations in respect of civil and criminal matters where such persons and organizations are financially unable to secure such services from their own resources and where such services are not fee-generating services. The Commission may initiate, conduct and participate in any public legal education and other programs that the commission considers advisable to achieve the purposes of the Act.</p>	<p>Act to Amend the Legal Profession Act April 1, 1967</p> <p>The Community Legal Services (Saskatchewan) Act August 20, 1974</p> <p>C-20 1979, c.9, 3, 4, 5 (New 7), 8, (9 Rep), 10, 11 13, 14, 15, 20 (New 21), 24, 25, 27, 28, (New 35).</p> <p>The Legal Aid Act September 1, 1983 C-20 repealed.</p>	<p>Commission - 11 members - 3 appointed by the Chairman of the Advisory Committees - 2 Law Society members nominated by the Society - 1 Law Society member appointed by the Attorney-General - 4 non-Law Society members appointed by the Lieutenant-Governor - 1 employee of the Justice Department appointed by the Minister</p>
<p><u>British Columbia</u> Legal Services Society</p> <p>Objective: The objects of the Society are to ensure that:</p> <ol style="list-style-type: none"> services ordinarily provided by a lawyer are afforded to individuals who would not otherwise receive them because of financial or other reasons; education, advice and information about law are provided for the people of British Columbia. 	<p>Court Rules of Practice Act Section 7 April 9, 1968</p> <p>The Legal Services Commission Act August 1, 1975</p> <p>The Legal Services Society Act October 1, 1979</p>	<p>Board of Directors - 14 members - 7 appointed by the Lieutenant-Governor in Council; 2 to be non-solicitors - 7 appointed by the Law Society; 2 to be non-solicitors.</p>
<p><u>Yukon Territory</u> Legal Aid Committee</p> <p>Objective: Legal Aid in both criminal and civil matters shall be made available to every person in the Territory and to every person ordinarily resident in the Territory who, in the opinion of the Committee cannot afford to retain his own lawyer without depriving himself or his dependents of reasonable necessities or without sacrificing modest capital assets.</p>	<p>Legal Aid Ordinance December 1975</p>	<p>Legal Aid Committee - 3 members appointed by the Commissioner - 1 appointed on recommendation of the Yukon Law Society</p>
<p><u>Northwest Territories</u> Legal Services Board</p> <p>Objective:</p> <ol style="list-style-type: none"> ensure the provision of legal services to all eligible persons; ensure that the legal services provided and the various systems for providing those services are the best that circumstances permit; and develop and coordinate territorial or local programs aimed at reducing and preventing the occurrence of legal problems among the people and increasing their knowledge about the law, legal processes and the administration of justice. 	<p>Legal Services Ordinance November 1, 1979</p>	<p>Board of Directors - appointed by the executive - 1 lawyer recommended by Law Society - 1 person from NWT public service - 1 person neither lawyer nor from public service - 1 NWT resident to be recommended by the Attorney-General - 1 person nominated by the regional committees - executive director (ex-officio)</p>

Partial payment scheme	Penalty for abuse of plan	Other provisions
<p>Contributions may be required if applicants are financially able.</p> <p>All moneys recovered by an applicant from an opposing party, by way of costs or otherwise, shall be paid to the Society.</p>	<p>Where an applicant becomes ineligible, the cost of the legal aid furnished is to be reimbursed to the Society.</p>	<p>The Society may appoint counsel, as prescribed by the regulations, to attend in any Magistrate's court of the province on a daily or such other basis as may be required, for the purpose of advising any person charged with a criminal offence or who is being detained or is under arrest. Provision for the establishment of neighbourhood legal aid centres is also included in the legislation.</p>
<p>Contributions may be required if applicants are financially able.</p> <p>Costs awarded in favour by an applicant in any matter in respect of which the services provided become the property of the Commission.</p>	<p>Reimbursement of cost by client found to be ineligible for legal aid provided.</p>	<p>The Commission or Board may employ any person who is not a solicitor to provide services under this Act provided the person is supervised by a Solicitor; but such employee shall not appear as counsel in any Superior, district or surrogate court.</p> <p>Costs awarded against a client may be paid in whole or in part by the Commission on behalf of the client.</p>
<p>Where costs are awarded to a legal aid recipient, those costs shall be deemed to be assigned to the Society and recoverable by it.</p>	<p>A person who by false representation of a material fact obtained a service under this Act that is ordinarily provided by a lawyer commits an offence and is liable to the fine specified in section 5 of the <u>Summary Convictions Act</u>.</p>	<p>The Society or a funded agency may employ with or without remuneration, an individual who is not a lawyer or an articled student to provide services that would ordinarily be provided by a lawyer so long as the individual is supervised by a lawyer, but the individual may not appear as counsel in a court except with leave of the court.</p>
<p>When a judgement, order or other money settlement is obtained by the client, an amount equal to the amount of fees and disbursements paid to the legal aid counsel who acted for that person shall be paid by that person to the Commission.</p> <p>Contributions may be required if the Committee determines the client to be financially able.</p>	<p>Reimbursement of cost by client found to be ineligible for legal aid provided.</p>	<p>The Committee shall arrange for criminal legal aid counsel to accompany the Supreme Court and the Magistrate's Court on all circuits where in the opinion of the Committee, criminal legal aid counsel will be required.</p> <p>Where necessary and practical to do so, the Committee shall arrange for criminal legal aid counsel to precede the court circuit so that counsel can have time to prepare the cases where legal aid is required.</p>
<p>All costs that are payable under a judgement, order, settlement or other arrangement to a recipient of and in respect of legal services shall be paid to the Board.</p>	<p>When a client is found to be no longer eligible he shall pay for the cost of providing legal services to him up to the time of the finding.</p>	<p>Circuit provision applies as per Yukon Territory (above).</p> <p>A lawyer may assign legal aid cases assigned to him to a student; the lawyer is responsible to the Board for ensuring compliance with the Legal Profession Ordinance.</p> <p>The Board (or regional committee) may employ persons who are not lawyers or law students, referred to as non-professionals, to provide legal services to eligible persons.</p>

Grounds for Refusal

Chart 2 to follow, depicts the legislative and regulatory grounds for possible refusal of criminal and civil legal aid to an applicant.

Grounds for denial of legal aid vary among the provinces. For example, in Nova Scotia and the Northwest Territories, an applicant may be refused legal aid, based on his or her criminal history. In Newfoundland, New Brunswick, Ontario and the Northwest Territories, an applicant may be refused services for a matter which had been handled on his or her behalf by the Plan in the past. Note that grounds for refusal are often discretionary rather than absolute.

Two Plans do not identify legislative or regulatory grounds for refusal - those of Saskatchewan and British Columbia.

CANADIAN CENTRE FOR JUSTICE STATISTICS

BRIEFING NOTES

Release: Release of qualitative and quantitative legal aid information for the years 1981-82 and 1982-83 via limited distribution developmental report.

Date: November, 1984

Inquiries: Lee Wolff (613) 993-6521

Chart 2 - Legislative and Regulatory Grounds for Possible Refusal of Legal Aid, 1983

Grounds for refusal	Newfoundland	Nova Scotia	New Brunswick	Quebec	Ontario	Manitoba	Yukon Territory	Northwest Territories
Obligatory requirements								
Failure to provide information or documents required by the legal aid plan.	s.43(1a)(1b)	s.18(1a)(1b)	Not stated.	s.70(a)(b)	Not stated.	Not stated.	Not stated.	Not stated.
Failure to cooperate with legal aid solicitor.	s.43(1d)	s.18(1d)	Not stated.	s.70(d)	Not stated.	Not stated.	Not stated.	Not stated.
Applicant has unjustifiably failed any obligation to the legal aid plan.	s.49(1b) reg. 7a(vii)	Not stated.	req. s.38a(vi)	Not stated.	reg. s.41a(vi)	reg. s.20(1f)	reg. s.22(c)	reg. s.19(3a)
Making a false statement or concealing information.	s.43(1e)	s.18(1e)	s.11(4b)	Not stated.	Not stated.	Not stated.	reg. s.25(1)	s.21(4)
Failure of applicant to exercise legal rights and remedies.	s.43(1c)	s.18(1c)	Not stated.	s.70(c)	Not stated.	Not stated.	Not stated.	Not stated.
Residential requirements								
The cause of action may be prosecuted and defended only in another jurisdiction.	reg. s.7b(iv)	Not stated.	reg. s.38b(v)	Not stated.	reg. s.41b(v)	Not stated.	reg. s.22(f)	Not stated.
The relief sought is enforceable only in some other jurisdiction.	reg. s.7b(iv)	Not stated.	reg. s.38b(iv)	Not stated.	reg. s.41b(iv)	Not stated.	reg. s.22(e)	reg. s.19(3e)
Applicant not a Canadian resident.	Schedule VIII	s.18(1h)	Not stated.	Not stated.	Not stated.	Not stated.	Not stated.	reg. s.19(3d)
Legal matters excluded								
Legal aid applied for is frivolous, vexatious, or abusive of the legal process.	reg. s.7a(iii)	Not stated.	reg. s.38(a)(iii)	Not stated.	reg. s.41a(iii)	reg. s.20(1c)	reg. s.22(e)	reg. s.19(2c)
The aimed at relief is no more than that which would be obtained by the applicant as a member of the public.	reg. s.7a(iv)	Not stated.	reg. s.38(a)(iv)	Not stated.	reg. s.41a(iv)	reg. s.20(1d)	Not stated.	Not stated.
The help sought is available without legal aid.	reg. s.7a(iii)	Not stated.	reg. s.38a(vii)	Not stated.	reg. s.41a(vii)	reg. s.20(1e)	Not stated.	s.21(3) reg. s.19(2f)
Relief sought is not enforceable in law.	reg. s.7a(v)	Not stated.	reg. s.38a(v)	Not stated.	reg. s.41a(v)	Not stated.	reg. s.22(b)	reg. s.19(2a)
Previous actions								
Applicant receiving or has received an unreasonable amount of total aid.	Not stated.	s.18(1g)	Not stated.	Not stated.	Not stated.	Not stated.	Not stated.	reg. s.19(3c)
Applicant has already been charged for the same or a similar offence.	Not stated.	s.18(1f)	Not stated.	Not stated.	Not stated.	Not stated.	Not stated.	reg. s.19(3b)
Applicant is seeking aid for the same action or matter for which a certificate was previously granted.	reg. s.7b(iii)	Not stated.	reg. s.38b(iii)	Not stated.	reg. s.41b(iii)	Not stated.	Not stated.	reg. s.19(3b)
Pertains to action								
The applicant is one of a number of persons with the same interest so that one or more persons could sue or defend on behalf of or for the benefit of all.	reg. s.7b(i)	Not stated.	reg. s.38b(i)	Not stated.	reg. s.41b(i)	Not stated.	reg. s.22(d)	reg. s.19(3g)
The applicant may be joined in action as a plaintiff by one or more persons who seek the same right to relief.	reg. s.7b(ii)	Not stated.	reg. s.38b(ii)	Not stated.	reg. s.41b(ii)	Not stated.	Not stated.	reg. s.19(3f)
Help is requested for something applicant is concerned with in a representative, fiduciary or official capacity, and it appears the cost can be paid out of some property or fund.	reg. s.7a(i)	Not stated.	reg. s.38a(i)	Not stated.	reg. s.41a(i)	reg. s.20(1a)	Not stated.	reg. s.19(2a)
Justification for aid								
Applicant can probably get financial or other aid.	reg. s.7a(ii)	Not stated.	reg. s.38a(ii)	Not stated.	reg. s.41a(ii)	reg. s.20(1b)	reg. s.22(g)	reg. s.19(2b)
Applicant does not show sufficient reason for the granting of legal aid at the particular time.	reg. s.7b(vi)	Not stated.	reg. s.38b(vi)	Not stated.	reg. s.41b(vi)	reg. s.20(1g)	Not stated.	reg. s.19(3h)

Funding Structure

Federal-Provincial Cost-sharing

Civil Legal Aid

Until recently, the cost of civil legal aid services was largely borne by provincial governments. In July of 1980, the Canada Assistance Plan Regulations (1966) were amended enabling the federal government to share in the cost of providing civil legal aid as an item of special need. The Act provides for the sharing of one-half of eligible welfare and social assistance costs with the provinces.

Under the Act, civil legal aid is shareable when all conditions applicable to items of assistance are met. Shareability of provincial civil legal aid cases with the National Department of Health and Welfare is based on the following conditions.

- . The authority to provide civil legal aid as an item of special need must be found in general or specific provisions of the provincial social assistance legislation and cannot be available to persons in need under any other federal or provincial legislation.
- . Eligibility must be determined on the basis of a needs test administered by a provincially approved agency as defined under the Canada Assistance Plan Act. The needs test must be the same or comparable to the one used by the province to determine eligibility for social assistance and/or other items of special need.
- . The costs being claimed must be the actual cost to the province for providing civil legal aid to persons in need as an item of special need. The claim is submitted for sharing to the Canada Assistance Plan Directorate according to the procedures established under Canada Assistance Plan regulations.

By the end of 1982-83 provincial social assistance legislation had been amended to satisfy cost-sharing conditions in all but four jurisdictions - Newfoundland, Prince Edward Island, Saskatchewan, and Alberta.

Although all jurisdictions had not yet claimed civil legal aid costs, advance payments totalling approximately \$16.7 million were made to three provinces during 1982-83 - Nova Scotia, Quebec and Ontario; the corresponding 1981-82

payment totalled \$17.5 million. Note that interim payments made thus far are subject to final audit, and for this reason, the federal contribution to civil legal aid cannot be confirmed at this time.

All legal aid expenditures in the Yukon and Northwest Territories have been cost-shared under the criminal legal aid agreement since the time of signing; March of 1977 and August of 1971 respectively.

Criminal Legal Aid

As specified under the Canada Act (1982), the federal government has exclusive jurisdiction over legislation and procedural guidelines related to criminal matters. Financial support for criminal legal aid on the part of the federal government lends practical effect to the right to legal counsel as guaranteed under the new Charter, and supports minimum standards of service across the country with respect to criminal matters.

Cost-sharing of legal aid with respect to the criminal law between the Federal Department of Justice and the Provinces started in 1972. Quebec and British Columbia signed by December of that year; the four Atlantic provinces, Ontario, Manitoba and Alberta signed in 1973; and Saskatchewan signed in 1974.

An agreement comparable to those concluded with the provinces was first signed with the Northwest Territories in 1971. Agreements were most recently concluded in 1979, at which time the Legal Services Ordinance was passed. The initial agreement with the Yukon Territory was signed in March of 1977. Cost-sharing with the two territories extends to both criminal and civil matters.

Cost-Sharing Formula

Initially the federal share was the lesser of 50 cents per capita of provincial population or 90% of provincial expenditures for criminal legal aid. It was increased to the lesser of 75 cents or 90% for 1976-77; to the lesser of 82 cents or 90% for 1977-78; and to the lesser of 92 cents or 90% for 1978-79.

The formula applied in the two Territories calls for a 50% federal contribution with specified maximums.

As set out in the 1978 Master Cost-Sharing Agreement between Canada and the Provinces, an escalation factor was to be built into the formula for the years 1978-79 to 1980-81. This agreement was extended to March 31st of 1982. Payment by Canada to the Provinces during this period was the lesser of 90% of shareable expenditures or an amount based on a formula which incorporated three components - the federal contribution for the preceding year; an escalation factor; and, change in provincial population.

The new adult criminal legal aid agreement, negotiated at the end of 1983-84, is effective as of the 1st day of April, 1983. It provides for a federal contribution during the expenditure year (unlike the previous agreement, under which the federal contribution was paid one year after the expenditure year). In light of the change from lag year to current year payments, the 1983-84 federal payment is for expenditures made during that fiscal year. A Supplementary Agreement stipulates that a contribution will become payable by Canada for expenditure year 1982-83, should Canada terminate the agreement before April 1, 1994.

Under the terms of the new agreement, the federal government contribution is based on two components: (1) a base component which reflects the lesser of 50% of national shareable expenditures, or 90% of the per capita provincial shareable expenditure on legal aid in 1982-83 (the base year); and, (2) a growth component which reflects the lesser of 50% of the increase in the per capita provincial shareable expenditure from the base year to the expenditure year; or, the base component multiplied by the percentage increase from the base year to the expenditure year, in the Gross National Product minus one percent. Financial provisions are to be reviewed during 1984-85, at which time they may be renegotiated with respect to subsequent years.

Negotiations for the cost-sharing of legal aid for young offenders are now in progress.

Coverage

Section 3(1) of both the 1978 and 1983 agreements lists those matters which are cost-sharable with the federal Department of Justice.

"3.(1) The Provincial Agency shall authorize the provision of legal aid to eligible persons in relation to:

- a) offences contrary to an Act of Parliament punishable by way of indictment;
- b) proceedings under the Juvenile Delinquents Act and all summary conviction offences for a violation of
 - i) an Act of Parliament, or
 - ii) a Regulation made pursuant to an Act of Parliament

where, in the opinion of the Provincial Agency, there is a likelihood that upon conviction there will be a sentence of imprisonment or the loss of means of earning a livelihood, or where, in the opinion of the Provincial Agency, special circumstances exist that warrant the provision of legal aid;

- c) proceedings pursuant to the Extradition Act and the Fugitive Offenders Act;
- d) appeals by the Crown in any of the matters referred to in paragraphs (1)(a), (1)(b) and (1)(c) of this section; and
- e) appeals by an accused in any of the matters referred to in paragraphs (1)(a), (1)(b) and (1)(c) of this section where, in the opinion of the Provincial Agency, the appeal has merit or where the court appealed to request the appointment of counsel on behalf of the appellant."

Note that eligibility criteria for cost-shared services are not standard across the country. Although attempts have been made to establish minimum standards, no uniform method for determining eligibility for legal aid services has been set.

CHAPTER THREE

Legal Aid Resources - Statistical Highlights, 1981-82 and 1982-83

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Introduction

This chapter examines legal aid revenues, expenditures, and personnel resources in Canada for the years 1981-82 and 1982-83.

First, a selected set of national data tables are presented. The contents of these tables are interpreted for the reader and general observations are highlighted. Table footnotes are placed at the end of the chapter. Second, statistical summaries for each province are presented. Information in the summaries was extracted from either the national data tables or from the provincial data sets contained in Part II of this report.

The reader is cautioned against making unqualified comparisons of data across provinces. Comparative observations are of agencies and provincial populations which are fundamentally different. As well, the reader must be cautious when comparing the two reporting periods for a given jurisdiction because of "expansion" or "cut-back" effects.

Data variations are in large part a reflection of different service delivery strategies. In Newfoundland, Quebec, Ontario, Manitoba and British Columbia, legal aid services are provided by private lawyers as well as by staff professionals through community clinic networks. In Prince Edward Island, Nova Scotia, and Saskatchewan, salaried professionals are normally employed to deliver legal services. Conversely, only private lawyers provide legal services in New Brunswick, Alberta, and the two Territories.

Variations in the range of services provided are also reflected in the statistical measures presented. Although both criminal and civil legal aid is now available in all jurisdictions, the extent of coverage varies as do the client eligibility guidelines. Research, public legal education, and special program activity are also funded to varying degrees by legal aid plans.

Characteristics of provincial populations also affect the extent to which legal aid is provided across jurisdictions. Differences in income levels, unemployment rates, crime rates, and age distributions are some examples. Geographic characteristics of the area serviced also impact on the data.

Lastly, different accounting procedures among the jurisdictions have a known, but as yet, not fully understood impact on statistical measurement.

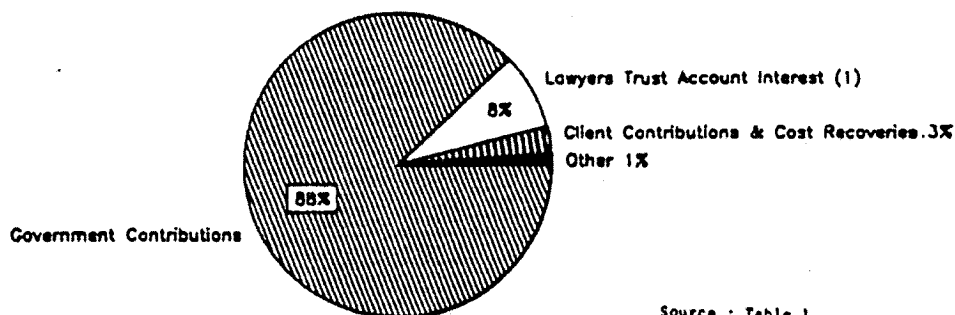
The data contained in this report represent the first attempt at collecting a definitionally consistent set of statistics at the national level. It is expected that the description of accounting practices will be improved upon in future reports. At that time, a better interpretation of data both within and across provinces will be possible. Definitions around which data were gathered are provided in Part II of this report. These definitions were developed and approved by the Advisory Committee of the Legal Aid Program.

Revenues - Canada Overview

Statistical Highlights

- constant dollar revenues increased in 1982-83 from \$154.4 million to \$159.4 million - this represents a 3% increase over 1981-82 revenues;
- contributions from government accounted for 88% of total revenues in 1982-83;
- among the provinces, the proportion of total 1982-83 revenues derived from government contributions ranged from a low of 77% in Ontario to a high of 100% in Prince Edward Island;
- lawyers trust account interest revenues, received in Ontario, Manitoba, and British Columbia, comprised close to 15% of total revenues for those provinces in 1982-83;
- while Ontario experienced a 28% decrease in constant dollar revenues from lawyers trust account interest over the 1981-82 fiscal year, British Columbia experienced a corresponding increase of 39%;
- client contributions and cost recoveries comprised 3% of total revenues in both fiscal years - the Ontario and Alberta Plans received the highest proportion of total revenues from clients (7% in 1982-83).

Figure 1
Legal Aid Revenue by Source, Canada,
1982-83



Source : Table 1

Total Revenue = \$159,425,000

1. Lawyers' Trust Account Interest is a source of revenue in Ontario, Manitoba and British Columbia.

TABLE 1 - TOTAL REVENUE BY SOURCE, LEGAL AID, CANADA, 1981-82 AND 1982-83 (\$000)

PROVINCE	YEAR	TOTAL		GOVERNMENT CONTRIBUTIONS(1)		CLIENT CONTRIBUTIONS AND COST RECOVERIES		LAWYERS TRUST ACCOUNT INTEREST		OTHER	
		\$	100%	\$	%	\$	%	\$	%	\$	%
NEWFOUNDLAND	1981-82	1013		976	96	20	2	NA	NA	17	2
	1981-82*	1112		1072	96	22	2	NA	NA	19	2
	1982-83	1279		1247	97	17	1	NA	NA	14	1
PRINCE EDWARD ISLAND	1981-82	128		128	100	NA	NA	NA	NA	NA	NA
	1981-82*	141		141	100	NA	NA	NA	NA	NA	NA
	1982-83	129		129	100	NA	NA	NA	NA	NA	NA
NOVA SCOTIA	1981-82	2860		2697	94	25	1	NA	NA	138	5
	1981-82*	3141		2962	94	27	1	NA	NA	152	5
	1982-83	2563		2427	95	41	2	NA	NA	95	4
NEW BRUNSWICK	1981-82	1200		1173	98	23	2	NA	NA	4	---
	1981-82*	1318		1288	98	25	2	NA	NA	4	---
	1982-83	2745		2650	97	95	3	NA	NA	-	-
QUEBEC	1981-82	45736		45008	98	249	1	NA	NA	479	1
	1981-82*	50227		49428	98	273	1	NA	NA	526	1
	1982-83	51879		51092	98	304	1	NA	NA	483	1
ONTARIO	1981-82	56224		40538	72	3583	6	11600	21	504	1
	1981-82*	61745		44519	72	3935	6	12739	21	553	1
	1982-83	58231		44887	77	3916	7	9148	16	280	---
MANITOBA(2)	1981-82	5213		5054	97	158	3	..	..	-	..
	1981-82*	5725		5550	97	174	3	..	..	-	..
	1982-83	6973		5812	83	140	2	1017	15	4	---
SASKATCHEWAN	1981-82	5169		5136	99	31	1	NA	NA	2	---
	1981-82*	5677		5640	99	34	1	NA	NA	2	---
	1982-83	5913		5878	99	26	---	NA	NA	10	---
ALBERTA	1981-82	6097		5413	89	538	9	NA	NA	146	2
	1981-82*	6696		5945	89	591	9	NA	NA	160	2
	1982-83	9148		8284	91	604	7	NA	NA	260	3
BRITISH COLUMBIA(3)	1981-82	15459		13146	85	51	---	1808	12	453	3
	1981-82*	16977		14437	85	56	---	1986	12	497	3
	1982-83	18838		15769	84	46	---	2760	15	263	1
YUKON(4)	1981-82	536		531	99	5	1	NA	NA	-	-
	1981-82*	589		583	99	5	1	NA	NA	-	-
	1982-83	590		581	98	9	2	NA	NA	-	-
NORTHWEST TERRITORIES	1981-82	1003		1003	100	..	..	NA	NA	-	-
	1981-82*	1101		1101	100	..	..	NA	NA	-	-
	1982-83	1137		1137	100	..	..	NA	NA	-	-
CANADA	1981-82	140638		120803	86	4683	3	13408	10	1743	1
	1981-82*	154449		132664	86	5143	3	14725	10	1914	1
	1982-83	159425		139893	88	5198	3	12925	8	1409	1

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

(1) EXPRESSED IN 1982-83 DOLLARS ADJUSTED USING CONSUMER PRICE INDEX

Expenditures - Canada Overview

Statistical Highlights

Total Expenditures

- legal aid expenditures totalled \$162.3 million in 1982-83 - this represents a 4% increase over 1981-82 expenditures on an inflation adjusted (constant dollar) basis;
- constant dollar expenditures decreased in three provinces over the two year period - Nova Scotia (-12%), Prince Edward Island (-9%) and Ontario (-6%);
- constant dollar expenditure increases generally ranged between a low of approximately 5% (Quebec, Saskatchewan), to a high of approximately 20% (Manitoba, Alberta, British Columbia) - in New Brunswick, due to a significant expansion of services, expenditures increased by 90%;
- in 1982-83, the national per capita legal aid expenditure was \$6.57; the corresponding per capita expenditure was generally lowest in Atlantic Canada and Alberta (\$1.00 - \$4.00), higher in central Canada, the Prairie Region and British Columbia (\$6.00 - \$8.00), and highest in Northern Canada (\$25.00 and \$28.00).

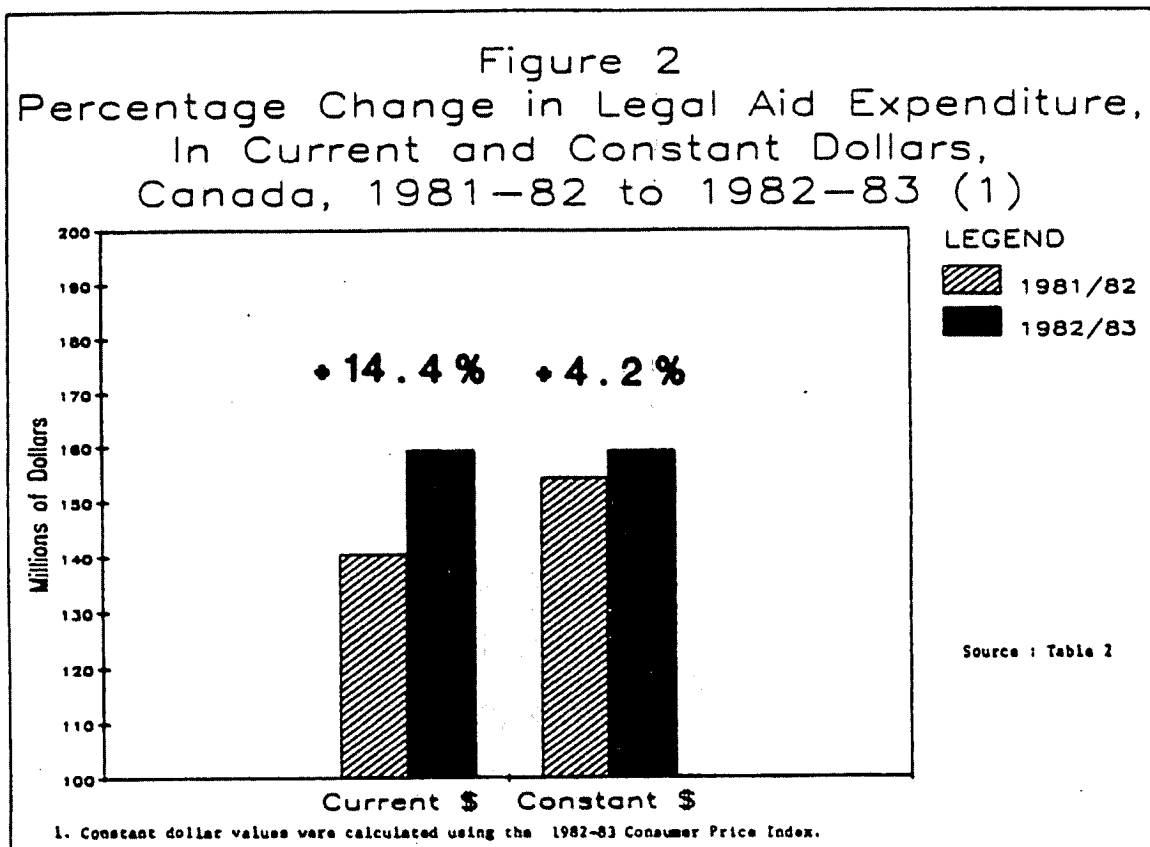
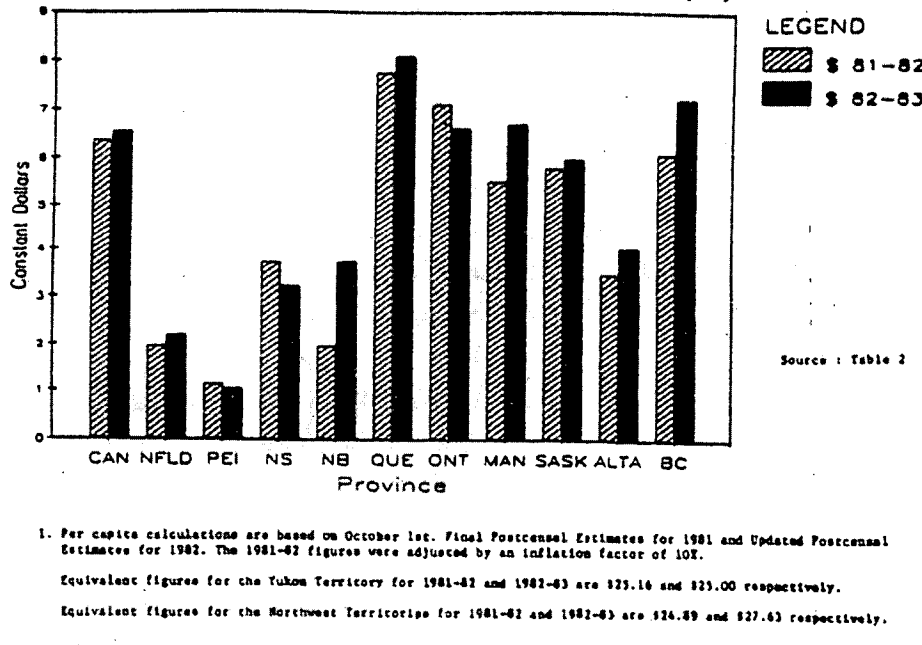


Figure 3
Total Per Capita Legal Aid Expenditure,
Canada and the Provinces,
1981-82 & 1982-83 (1)

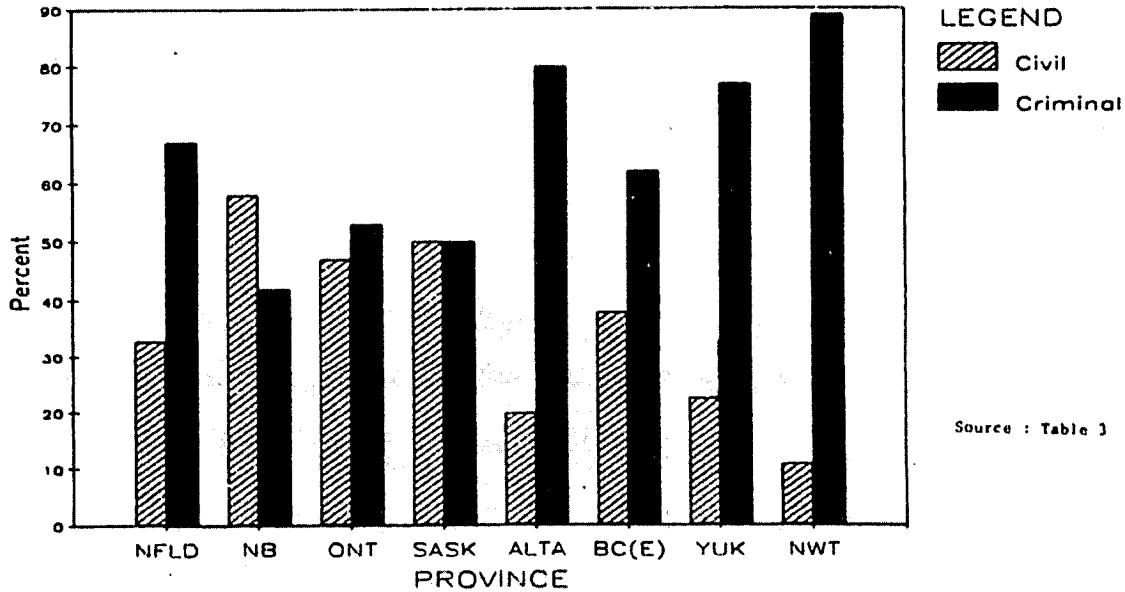


Direct Legal Service Expenditures

The following highlights exclude data for six jurisdictions - Prince Edward Island, Nova Scotia, Quebec, Manitoba, British Columbia, and the Northwest Territories.

- criminal legal service expenditures increased by 23% in Alberta, by 15% in Newfoundland and by 8% in New Brunswick on an inflation adjusted basis over the two year period - decreases were reported in the Yukon (-8%), Ontario (-7%), and Saskatchewan (-5%);
- civil legal service expenditures increased substantially in New Brunswick, the Yukon (53%), Saskatchewan (27%), Newfoundland (25%), and Alberta; (16%); Ontario experienced a 9% decrease in civil case expenditure over the two year period on an inflation adjusted basis;
- in 1982-83 civil case expenditures as a proportion of direct service expenditures ranged from 20% in Alberta to 58% in New Brunswick - conversely, the corresponding criminal proportion ranged from a low of 42% in New Brunswick to 80% in Alberta;
- over the two year period, civil case expenditures showed the highest increase as a proportion of total direct service expenditures in New Brunswick (17% to 58%), the Yukon (15% to 23%), and Saskatchewan (43% to 50%);
- at the national level, approximately 35% of direct legal service dollars were expended on the provision of services through staff professionals during both fiscal years.

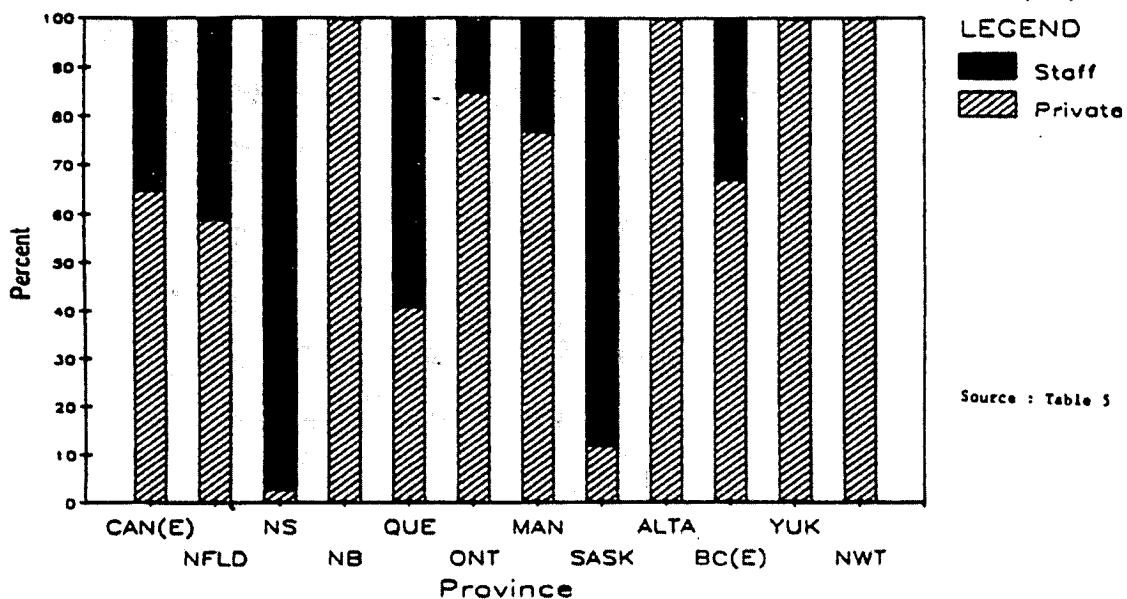
Figure 4
 Proportion of Direct Legal Service Expenditure by Type of Matter, Selected Provinces, 1982-83 (1)



Source : Table 3

1. Northwest Territories data exclude the Malliganik Tukisilniakvik clinic.

Figure 5
 Proportion: Direct Legal Service Expenditure, Private Lawyers and Staff Professionals, Canada and the Provinces, 1982-83 (1)



Source : Table 5

1. Prince Edward Island data are excluded. Northwest Territories data exclude the Malliganik Tukisilniakvik clinic.

Expenditure Data

Total per capita expenditure and expenditure by object data are displayed nationally in Table 2. Criminal and civil legal service costs are displayed in Table 3 for selected provinces. A percentage change table follows. A correct reading of these tables requires some explanation.

Expenditure by Object

The expenditure by object distribution described in Table 2 is not comparable across jurisdictions. Most importantly, the definitional framework applied to direct legal service expenditures (i.e. legal case costs) and administrative expenditures must be reviewed in the context of each individual jurisdiction. Direct legal service expenditures may be inflated for certain provinces while the administrative expenditure object may be deflated. For example, the Nova Scotia direct legal service expenditure is inflated due to the inclusion of the salary cost of support staff who directly support the work of legal aid lawyers. In all other provinces, these costs are classified under "administrative" expenditure. The classification of community clinic costs, and specifically the administrative cost component, also requires further clarification.

Other significant caveats relate to the British Columbia and Northwest Territories data. In the former case, accounting procedures changed over the two year period, rendering the expenditure data less comparable. A 38% current dollar increase in tariff levels introduced toward the latter part of 1981-82, combined with an increased workload, resulted in some expenditure increase over the two year period. The actual extent of this increase is not known. In the Northwest Territories, direct legal services are provided from a community clinic as well as through the private bar, however, clinic expenditures are included in the "special program" category. For this reason, direct legal service expenditures reported are low.

TABLE 2 - TOTAL PER CAPITA EXPENDITURE AND EXPENDITURE BY CATEGORY, LEOPARD, LEOPARD, 1981-82 AND 1982-83

PROVINCE	YEAR	TOTAL		PER CAPITA DEVIATION FROM NATIONAL AVERAGE	DIRECT LEGAL SERVICE EXPENDITURE		SPECIAL PROGRAM EXPENDITURE (1)		ADMINISTRATIVE EXPENDITURE (2)		POPULATION (3) (000)	
		(0000)	100%		0	0	(0000)	%	(0000)	%		(0000)
NEWFOUNDLAND	1981-82	1024		1.80	-4.00	337	34	9	1	458	45	568.3
	1981-82a	1125		1.98	-4.40	612	54	10	1	503	43	568.3
	1982-83	1267		2.22	-4.35	724	57	12	1	531	42	571.5
PRINCE EDWARD ISLAND	1981-82	128		1.04	-4.76	..	..	NA	NA	..	..	122.7
	1981-82a	141		1.15	-5.23	..	..	NA	NA	..	..	122.7
	1982-83	129		1.05	-5.52	..	..	NA	NA	..	..	123.1
NOVA SCOTIA (4)	1981-82	2891		3.40	-2.40	2336	81	186	6	368	13	549.3
	1981-82a	3173		3.74	-2.64	2565	81	204	6	404	13	849.3
	1982-83	2786		3.26	-3.31	2355	85	59	2	372	13	955.2
NEW BRUNSWICK	1981-82	1264		1.82	-3.99	933	74	1	---	330	26	596.3
	1981-82a	1388		1.99	-4.38	1025	74	1	---	362	26	596.3
	1982-83	2635		3.76	-2.81	2161	82	1	---	473	18	701.5
QUEBEC	1981-82	45700		7.08	1.28	39876	87	366	1	5458	12	6450.6
	1981-82a	50189		7.78	1.40	41792	87	402	1	5994	12	6450.6
	1982-83	52710		8.12	1.56	46390	89	318	1	5003	11	5490
ONTARIO (5)	1981-82	55241		5.59	0.79	46341	82	626	1	9280	17	8647.6
	1981-82a	51764		7.14	0.77	50892	82	681	1	10191	17	8647.6
	1982-83	58200		6.65	0.69	46865	81	837	1	10498	18	8750.6
MANITOBA	1981-82	3701		5.66	-0.75	4067	77	16	---	1178	23	1027.8
	1981-82a	5712		5.56	-0.82	4400	77	19	---	1294	23	1027.8
	1982-83	6981		6.73	0.16	5426	78	18	---	1537	22	1937.3
SASKATCHEWAN (6)	1981-82	5152		5.30	-0.51	2873	56	22	---	2257	44	972.5
	1981-82a	5658		5.82	-0.56	3155	56	24	---	2479	44	972.5
	1982-83	5904		6.00	-0.56	3429	59	43	1	2432	41	983.5
ALBERTA	1981-82	7250		3.19	-2.61	5389	74	..	..	1871	26	2372.5
	1981-82a	7973		3.51	-2.87	5918	74	..	..	2055	26	2372.5
	1982-83	9457		4.05	-2.52	7189	76	..	..	2269	24	2336
BRITISH COLUMBIA (7)	1981-82	15446		5.59	-0.22	11899	77	1792	11	1845	12	2764.4
	1981-82a	16963		6.14	-0.24	13067	77	1869	11	2026	12	2764.4
	1982-83	20333		7.25	0.59	17472	86	949	5	1912	9	2803.6
YUKON (8)	1981-82	536		22.91	17.10	505	94	NA	NA	31	6	23.4
	1981-82a	589		25.16	18.78	555	94	NA	NA	34	6	23.4
	1982-83	590		25.00	18.43	561	95	NA	NA	29	5	23.6
NORTHWEST TERRITORIES (9)	1981-82	1054		22.67	16.86	377	36	487	46	190	18	46.3
	1981-82a	1158		24.89	18.52	414	36	535	46	209	18	46.3
	1982-83	1329		27.63	21.06	553	40	606	46	190	14	48.1
CANADA	1981-82	141897		5.31	-	..	..	..	..	..	..	24441.9
	1981-82a	155831		6.38	-	..	..	..	..	..	..	24441.9
	1982-83	162321		6.57	-	..	..	..	..	..	..	24724.1

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE) (4 EXPRESSED IN 1982-83 DOLLARS ADJUSTED USING CONSUMER PRICE (NDE

Direct Legal Service Expenditure

Expenditures for criminal and civil cases are displayed in Table 3 for selected provinces. Table 5 presents the proportion of direct legal service expenditures which were paid to private lawyers. Definitional problems noted in the preceding expenditure by object discussion apply to these tables as well.

Among the provinces for which data are available, criminal and civil expenditure patterns show considerable variation. Most pronounced is the civil expenditure increase reported in New Brunswick. Civil legal aid coverage commenced in October of 1981, which explains in large part, the substantial increases reported over the two year period. Proportionately, expenditures on private lawyers also vary considerably across provinces. This illustrates the different service strategies for delivering legal aid across Canada - a judicare system operates in New Brunswick, Alberta, the Yukon Territory and the Northwest Territories; a staff system operates in Prince Edward Island, Nova Scotia and Saskatchewan; and a combined system operates in Newfoundland, Quebec, Ontario, Manitoba, and British Columbia.

TABLE 3 - DIRECT LEGAL SERVICE EXPENDITURE BY TYPE OF MATTER, LEGAL AID, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	DIRECT LEGAL SERVICES		CRIMINAL LEGAL AID		CIVIL LEGAL AID	
		(\$000)	100%	(\$000)	%	(\$000)	%
NEWFOUNDLAND(1)	1981-82	557		384	69	173	31
	1981-82*	612		422	69	190	31
	1982-83	724		486	67	238	33
NEW BRUNSWICK	1981-82	933		771	83	162	17
	1981-82*	1025		847	83	178	17
	1982-83	2161		916	42	1245	58
ONTARIO(2)	1981-82	46341		24325	52	22016	48
	1981-82*	50892		26714	52	24178	48
	1982-83	46865		24893	53	21972	47
SASKATCHEWAN	1981-82	2973		1646	57	1227	43
	1981-82*	3155		1808	57	1347	43
	1982-83	3429		1724	50	1705	50
ALBERTA	1981-82	5389		4271	79	1118	21
	1981-82*	5918		4690	79	1228	21
	1982-83	7189		5760	80	1429	20
BRITISH COLUMBIA(3)	1981-82	11899		6950(E)	58	4949(E)	42
	1981-82*	13067		7632(E)	58	5435(E)	42
	1982-83	17472		10910(E)	62	6562(E)	38
YUKON	1981-82	505		429	85	76	15
	1981-82*	555		471	85	83	15
	1982-83	561		434	77	127	23
NORTHWEST TERRITORIES(4)	1981-82	377		326	86	51	14
	1981-82*	414		358	86	56	14
	1982-83	533		474	89	59	11

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)(NA NOT APPLICABLE)(E ESTIMATE)(# EXPRESSED IN 1982-83 DOLLARS ADJUSTED USING CONSUMER PRICE INDEX)

TABLE 4 - PERCENTAGE CHANGE OVER PREVIOUS YEAR, CURRENT AND CONSTANT EXPENDITURES, LEGAL AID, CANADA, 1981-82 TO 1982-83

PROVINCE	PERCENTAGE CHANGE IN CURRENT DOLLARS				PERCENTAGE CHANGE IN CONSTANT DOLLARS			
	TOTAL	DIRECT LEGAL SERVICES	CRIMINAL	CIVIL	TOTAL	DIRECT LEGAL SERVICES	CRIMINAL	CIVIL
NEWFOUNDLAND(1)	24	30	27	38	13	18	15	25
PRINCE EDWARD ISLAND	1	..	..	..	-9	..	..	..
NOVA SCOTIA(2)	-4	1	..	..	-12	-8	..	..
NEW BRUNSWICK	108	132	19	669	90	111	8	599
QUEBEC	15	16	..	..	5	6	..	..
ONTARIO(3)	3	1	2	...	-6	-8	-7	-9
MANITOBA	34	35	..	..	22	23	..	..
SASKATCHEWAN	15	19	5	39	4	9	-5	27
ALBERTA	30	33	35	28	19	21	23	16
BRITISH COLUMBIA(4)	32	47	57(E)	33(E)	20	34	43(E)	21(E)
YUKON	10	11	1	67	...	1	-8	53
NORTHWEST TERRITORIES(5)	26	41	45	16	15	29	32	5
CANADA	14	..	..	..	4	..	..	..

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT APPLICABLE)(E ESTIMATE)(# EXPRESSED IN 1982-83 DOLLARS ADJUSTED USING CONSUMER PRICE INDEX)

PROVINCE	YEAR	DIRECT LEGAL SERVICES		PRIVATE LAWYERS		STAFF PROFESSIONALS	
		\$	100%	\$	%	\$	%
NEWFOUNDLAND	1981-82	557		329	59	228	41
	1981-82 ¹	612		361	59	250	41
	1982-83	724		430	59	293	40
PRINCE EDWARD ISLAND	1981-82	..		17	..	..	..
	1981-82 ¹	..		19	..	..	..
	1982-83	..		7	..	..	..
NOVA SCOTIA(1)	1981-82	2336		131	6	2205	94
	1981-82 ¹	2565		144	6	2422	94
	1982-83	2355		63	3	2291	97
NEW BRUNSWICK	1981-82	933		933	100	NA	NA
	1981-82 ¹	1025		1025	100	NA	NA
	1982-83	2161		2161	100	NA	NA
QUEBEC	1981-82	39876		15091	38	24784	62
	1981-82 ¹	43792		16573	38	27218	62
	1982-83	46390		19208	41	27182	59
ONTARIO(2)	1981-82	46341		40744	88	5597	12
	1981-82 ¹	50892		44745	88	6147	12
	1982-83	46865		39947	85	6918	15
MANITOBA	1981-82	4007		2848	71	1159	29
	1981-82 ¹	4400		3128	71	1273	29
	1982-83	5426		4189	77	1237	23
SASKATCHEWAN	1981-82	2873		179	6	2694	94
	1981-82 ¹	3155		197	6	2959	94
	1982-83	3429		399	12	3030	88
ALBERTA	1981-82	5389		5389	100	NA	NA
	1981-82 ¹	5918		5918	100	NA	NA
	1982-83	7189		7189	100	NA	NA
BRITISH COLUMBIA(3)	1981-82	11899		6933	58	4966	42
	1981-82 ¹	13067		7614	58	5454	42
	1982-83	17472		11731	67	5741	33
YUKON	1981-82	505		505	100	NA	NA
	1981-82 ¹	555		555	100	NA	NA
	1982-83	561		561	100	NA	NA
NORTHWEST(4) TERRITORIES	1981-82	377		377	100	NA	NA
	1981-82 ¹	414		414	100	NA	NA
	1982-82	533		533	100	NA	NA
CANADA(5)	1981-82	115093		73459	64	41633	36
	1981-82 ¹	126395		80673	64	45721	36
	1982-83	133105		86411	65	46692	35

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE) (1) EXPRESSED IN 1982-83 DOLLARS ADJUSTED USING CONSUMER PRICE INDEX)

Personnel Resources - Canada Overview

Statistical Highlights

- . the legal aid plan staff count totalled 1,970 persons on March 31st of 1983;
- . over the two year period, staff reductions were experienced in Nova Scotia (75 to 57), Quebec (837 to 829), and Saskatchewan (141 to 139);
- . among applicable provinces, an estimated 13,317 legal aid panel members from the private bar were available to provide legal services on March 31st of 1983 - this represents 59% of total active bar members in applicable provinces.

TABLE 6 - TOTAL LEGAL AID PERSONNEL RESOURCES AS OF MARCH 31ST, CANADA, 1981-82 AND 1982-83

PROVINCE	YEAR	LEGAL AID STAFF	LEGAL AID PANEL MEMBERS		ACTIVE BAR
		TOTAL	NO.	% OF ACTIVE	MEMBERS
		NO.	NO.	BAR MEMBERS	NO.
JUDICARE SYSTEM:					
NEW BRUNSWICK	1981-82	24	379(E)	..	..
	1982-83	25	435(E)	72	603
ALBERTA	1981-82	84	1500	42	3548
	1982-83	84	1500	40	3745
YUKON	1981-82	1	NA	NA	29
	1982-83	1	NA	NA	35
NORTHWEST TERRITORIES(1)	1981-82	3	20	67	30(E)
	1982-83	3	20	67	30(E)
STAFF SYSTEM:					
PRINCE EDWARD ISLAND(2)	1981-82	4	19	23	84
	1982-83	4	7	7	94
NOVA SCOTIA	1981-82	75	NA	NA	922
	1982-83	57	NA	NA	947
SASKATCHEWAN	1981-82	141	..	..	1039
	1982-83	139	289	26	1099
COMBINED SYSTEM:					
NEWFOUNDLAND	1981-82	24	125(E)	..	..
	1982-83	24	135(E)	42	324
QUEBEC(3)	1981-82	837	3862	34	11219
	1982-83	829	3921	33	11825
ONTARIO(4)	1981-82	..	..	..	10770
	1982-82	585	8738	79	11106
MANITOBA	1981-82	75	670	48	1403
	1982-83	85	700	50	1392
BRITISH COLUMBIA(5)	1981-82	..	1500(E)	38	3940
	1982-83	134	1500(E)	36	4163
CANADA(6)	1981-82	..	..	..	..
	1982-83	1970	13317(E)	59	35363(E)

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

Provincial Summaries - Legal Aid Resources, 1981-82 and 1982-83

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Newfoundland

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%. Also note that the Newfoundland Plan classifies provincial statute offence cases as civil rather than criminal. This is reflected in the highlights to follow.

Revenues

- . constant dollar revenues increased in 1981-82 from \$1.1 million to \$1.3 million - this represents a 15% increase over 1981-82 revenues;
- . contributions from government accounted for approximately 97% of total revenues in both fiscal years - the corresponding increase in revenue dollars from this source over the two year period was 16% on an inflation adjusted basis.

Expenditures

- . legal aid expenditures totalled \$1.3 million in 1982-83 - the cost of criminal cases was \$486,000 and the cost of civil cases was \$238,000;
- . from 1981-82 to 1982-83, total expenditures increased by 13% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 18% over the two year period - criminal case expenditures increased by 15% and civil case expenditures increased by 25%;
- . approximately 57% of total expenditures funded direct service costs in 1982-83 - 67% of these expenditures financed criminal matters while the remaining 33% financed civil matters;
- . during both fiscal years, 59% of direct legal service expenditures financed matters handled by private lawyers - the remaining 41% financed matters handled by salaried professionals;
- . the total per capita expenditure was \$2.22 in 1982-83.

Personnel Resources

- . on March 31st of 1981 and 1982, the legal aid staff count totalled 24 persons;
- . on March 31st of 1983, 42% of total active bar members were legal aid panel members.

Prince Edward Island

Note: Highlights for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . all legal aid expenditures are fully funded by government in Prince Edward Island - revenues are estimated to be equal to expenditures for each year.

Expenditures

- . legal aid expenditures were \$129,000 in 1982-83;
- . from 1981-82 to 1982-83, total expenditures decreased by 9% on an inflation adjusted basis;
- . the total per capita expenditure was \$1.05 in 1982-83.

Personnel Resources

- . on March 31st of 1982 and 1983, the legal aid staff count totalled 4 persons, 3 of whom provided professional legal services to clients;
- . 19 private lawyers billed the Plan during 1981-82 for services rendered, compared to 7 in 1982-83.

Nova Scotia

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%. Expenditures reflect accrual-based accounting procedures.

Revenues

- . constant dollar revenues decreased in 1982-83 from \$3.1 million to \$2.6 million - this represents an 18% decrease over 1981-82 revenues;
- . contributions from government accounted for approximately 95% of total revenues in both fiscal years - the corresponding decrease in revenue from this source over the two year period was 18% on an inflation adjusted basis.

Expenditure

- . legal aid expenditures totalled \$2.8 million in 1982-83 - from 1981-82 to 1982-83, total expenditures decreased by 12% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures decreased by 8% over the two year period (note that these expenditures include the salary cost of staff who directly support the work of legal aid lawyers);
- . approximately 85% of total expenditures funded direct service costs in 1982-83 (note that these expenditures include the salary cost of staff who directly support the work of legal aid lawyers);
- . in 1982-83, 3% of direct legal service expenditures financed matters handled by private lawyers, down from 6% in the previous year - the remaining expenditures financed matters handled by salaried professionals (note that these expenditures include the salary cost of staff who directly support the work of legal aid lawyers);
- . the total per capita expenditure was \$3.26 in 1982-83.

Personnel Resources

- . the total legal aid staff count declined from 75 persons on March 31st of 1982 to 57 on March 31st of 1983.

New Brunswick

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%. Also note that civil coverage was provided for only a six month period in 1981-82. This explains in large part, the substantial resource increases in 1982-83.

Revenues

- . constant dollar revenues more than doubled in 1982-83 from \$1.3 million to \$2.7 million in the previous year;
- . contributions from government accounted for approximately 97% of total revenues in both fiscal years - the increase in revenue from this source over the two year period was 106% on an inflation adjusted basis.

Expenditures

- . legal aid expenditures totalled \$2.6 million in 1982-83 - the cost of criminal cases was \$916,000 and the cost of civil cases was \$1,245,000;
- . from 1981-82 to 1982-83, total expenditures increased by 90% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 111% over the two year period - criminal case expenditure increased by 8% and civil case expenditure increased by seven times its 1981-82 constant dollar value;
- . approximately 82% of total expenditures funded direct service costs in 1982-83, up from 74% in the previous year - 58% of these expenditures financed civil matters in 1982-83, up from 17% in 1981-82;
- . total direct legal service expenditures finance matters handled by private lawyers - staff professionals do not provide direct legal services to clients;
- . the total per capita expenditure was \$3.76 in 1982-83.

Personnel Resources

- . on March 31st of 1983, the legal aid staff count totalled 25 persons;
- . on March 31st of 1983, 72% of total active bar members were legal aid panel members.

Quebec

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$50.2 million to \$51.9 million - this represents a 3% increase over 1981-82 revenues;
- . contributions from government accounted for 98% of total revenues in both fiscal years - the increase in revenue dollars from this source over the two year period was 3% on an inflation adjusted basis.

Expenditures

- . legal aid expenditures totalled \$52.7 million in 1982-83;
- . from 1981-82 to 1982-83, total expenditures increased by 5% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 6% over the two year period;
- . approximately 88% of total expenditures funded direct service costs in 1982-83;
- . in 1982-83, 41% of direct legal service expenditures financed matters handled by private lawyers, up from 38% in the previous year - the remaining expenditures financed matters handled by salaried professionals;
- . the total per capita expenditure was \$8.12 in 1982-83.

Personnel Resources

- . the total legal aid staff count declined from 837 on March 31st of 1982 to 829 on March 31st of 1983.

Ontario

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%. Community clinic data are included in the statistical highlights to follow.

Revenues

- . constant dollar revenues decreased in 1982-83 from \$61.7 million to \$58.2 million - this represents a 6% decrease over 1981-82 revenues;
- . contributions from government accounted for 77% of total revenues in 1982-83, up from 72% in the previous year - the corresponding increase in revenue from this source over the two year period was 1% on an inflation adjusted basis;
- . lawyers trust account interest was the second largest revenue source in Ontario; in 1982-83, 16% of total revenues were received from this source, down from 21% in 1981-82 - the decrease in revenue dollars from this source was 28% on an inflation adjusted basis.

Expenditures

- . legal aid expenditures totalled \$58.2 million in 1982-83 - the cost of criminal cases was \$24.9 million and the cost of civil cases was \$22.0 million (note that civil case expenditures include administrative costs incurred by the community clinics);
- . from 1981-82 to 1982-83, total expenditures decreased by 6% on an inflation adjusted basis;
- . direct legal service constant dollar expenditure (including administrative costs incurred by community clinics) decreased by 8% over the two year period - criminal case expenditures decreased by 7% and civil case expenditures decreased by 9%;
- . approximately 81% of total expenditures funded direct service costs (including administrative costs incurred by community clinics) in 1982-83 - 53% of these expenditures financed criminal matters while the remaining 47% financed civil matters;
- . in 1982-83, 85% of direct legal service expenditures financed matters handled by private lawyers, down from 88% in the previous year - the remaining expenditures financed matters handled by salaried professionals (note that these expenditures include administrative costs incurred by community clinics);
- . the total per capita expenditure was approximately \$6.65 in 1982-83.

Personnel Resources

- . on March 31st of 1983, the legal aid staff count totalled 585 persons;
- . on March 31st of 1983 an estimated 79% of total active bar members were legal aid panel members.

Manitoba

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$5.7 million to \$7.0 million - this represents a 22% increase over 1981-82 revenues;
- . contributions from government accounted for 83% of total revenues in 1982-83 - lawyers trust account interest was the second largest revenue source, accounting for 15% of total revenue during the same year.

Expenditures

- . legal aid expenditures totalled \$7.0 million in 1982-83;
- . from 1981-82 to 1982-83, total expenditures increased by 22% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 23% over the two year period;
- . approximately 78% of total expenditures funded direct legal service costs in 1982-83;
- . in 1982-83, 77% of direct legal service expenditures financed matters handled by private lawyers, down from 71% in the previous year - the remaining expenditures financed matters handled by salaried professionals;
- . the total per capita expenditure was \$6.73 in 1982-83.

Personnel Resources

- . the total legal aid staff count increased from 75 persons on March 31st of 1982 to 85 persons on March 31st of 1983;
- . on March 31st of 1983, 50% of total active bar members were legal aid panel members.

Saskatchewan

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$5.7 million to \$5.9 million - this represents a 4% increase over 1981-82 revenues;
- . contributions from government accounted for 99% of total revenues in both fiscal years - the corresponding increase in revenue dollars from this source over the two year period was 4% on an inflation adjusted basis.

Expenditure

- . legal aid expenditures totalled \$5.9 million in 1982-83 - criminal and civil case expenditures amounted to equivalent sums of \$1.7 million;
- . from 1981-82 to 1982-83, total expenditures increased by 4% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 9% over the two year period - criminal case expenditures decreased by 5% while civil case expenditures increased by 27%;
- . approximately 58% of total expenditures funded direct service costs in 1982-83 - 50% of these expenditures financed civil matters in 1982-83, up from 43% in 1981-82;
- . in 1982-83, 12% of direct legal service expenditures financed matters handled by private lawyers, up from 6% in the previous year;
- . the total per capita expenditure was \$6.00 in 1982-83.

Personnel Resources

- . on March 31st of 1983, the legal aid staff count totalled 139 persons, 53 of whom were lawyers providing direct legal services to clients;
- . on March 31st of 1983, 26% of total active bar members were legal aid panel lawyers.

Alberta

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$6.7 million to \$9.1 million - this represents a 37% increase over 1981-82 revenues;
- . contributions from government accounted for 91% of total revenues in 1982-83, up from 89% in the previous year; the increase in revenue dollars from this source was 39% on an inflation adjusted basis.

Expenditures

- . legal aid expenditures totalled \$9.5 million in 1982-83 - the cost of criminal cases was \$5.8 million and the cost of civil cases was \$1.4 million;
- . from 1981-82 to 1982-83, total expenditures increased by 19% on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 21% over the two year period - criminal case expenditures increased by 23% and civil case expenditures increased by 16%;
- . approximately 76% of total expenditures funded direct services in 1982-83 - 80% of these expenditures financed criminal matters while the remaining 20% financed civil matters;
- . all direct legal service expenditures were directed to matters handled by private lawyers - staff professionals do not provide direct legal services to clients;
- . the total per capita expenditure was \$4.05 in 1982-83.

Personnel Resources

- . on March 31st of 1982 and 1983, the legal aid staff count totalled 84 persons;
- . on March 31st of 1983, 40% of total active bar members were legal aid panel members.

British Columbia

Note: Revenues and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$17.0 million to \$18.8 million - the extent to which changes in accounting procedures over the two year period affect this increase is uncertain;
- . contributions from government accounted for approximately 84% of total revenues in both fiscal years;
- . lawyers trust account interest was the second largest source of revenue, accounting for 15% of total revenues in 1982-83; revenue dollars from this source increased by 39% over the two year period.

Expenditures

- . legal aid expenditures totalled \$20.3 million in 1982-83;
- . from 1981-82 to 1982-83, total expenditures increased by 20% on an inflation adjusted basis - although accounting procedures were not consistent over the two year period, the combined effect of a 38% current dollar increase in the tariff in late 1981-82 and the impact of an increased workload, resulted in an increase in real expenditures over the two year period;
- . the total per capita expenditure was \$7.25 in 1982-83.

Personnel Resources

- . on January 1st of 1983, the central and branch office staff count totalled 134 persons (clinic staff are excluded);
- . on March 31st of 1983, 36% of total active bar members were legal aid panel members.

Yukon Territory

Note: Highlights for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . legal aid expenditures are fully funded by government - funds from sources other than government are payable through government.

Expenditures

- . legal aid expenditures were \$590,000 in 1982-83 - the cost of criminal cases was \$434,000 and the cost of civil cases was \$127,000;
- . total expenditures remained constant over the two year period on an inflation adjusted basis;
- . direct legal service constant dollar expenditures increased by 1% over the two year period - criminal case expenditures decreased by 8% while civil case expenditures increased by 53%;
- . approximately 95% of total expenditures funded direct service costs in 1982-83 - 23% of these expenditures financed civil matters in 1982-83, up from 15% in 1981-82;
- . total direct legal service expenditures financed matters handled by private lawyers - staff professionals do not generally provide full legal services to clients;
- . the total per capita expenditure was \$25.00 in 1982-83.

Personnel Resources

- . on March 31st of 1981 and 1982, one staff person administered legal aid in the Yukon Territory.

Northwest Territories

Note: Resources and expenditures highlighted for 1981-82 have been adjusted by an inflation factor of 10%.

Revenues

- . constant dollar revenues increased in 1982-83 from \$1,101,000 to \$1,137,000 - this represents a 3% increase over 1981-82 revenues.

Expenditures

- . legal aid expenditures totalled \$1.3 million in 1982-83;
- . from 1981-82 to 1982-83, total expenditures increased by 15% on an inflation adjusted basis;
- . the total per capita expenditure was \$27.63 in 1982-83.

Personnel Resources

- . on March 31st of 1981 and 1982, three staff persons administered legal aid in the Northwest Territories, clinic staff excluded;
- . on March 31st of 1983, 67% of total active bar members were legal aid panel members.

Table Footnotes

Columns may not add to indicated totals due to rounding. Calculations are also subject to rounding error.

Symbols

- : zero
- : too small to be expressed
- .. : not available
- NA : not applicable
- (E) : estimate

Table 1 - Total Revenue by Source, Legal Aid, Canada, 1981-82 and 1982-83

- (1) Includes all monies granted by government.
- (2) The 1981-82 data include lawyers trust account interest in the "government contribution" category.
- (3) Revenues reported for 1982-83 include receivables.
- (4) Client contribution and cost recovery revenue are reported separately although it is received by the Plan as part of government revenue.

Table 2 - Total Per Capita Expenditure and Expenditure by Object, Legal Aid, Canada, 1981-82 and 1982-83

- (1) Includes monies expended on public legal education activity and the funding of projects undertaken by external agencies.
- (2) Includes monies expended on legal research activity and administration.
- (3) Population figures for 1981 as per Population, Cat. No. 91-001, Final Postcensal Estimate, Statistics Canada (1981). 1982 data are updated Postcensal Estimates. Both as at October 1.
- (4) Salaries of administrative staff who directly support the work of legal aid lawyers are included in "direct legal service" expenditure rather than in "administrative" expenditure. Accrual-based expenditures are reported.
- (5) Total monies granted to community clinics by the Plan are included under "direct legal service" expenditures. Administrative costs incurred by community clinics are therefore included in "direct legal service" expenditure rather than in "administrative" expenditure.
- (6) Equivalent value for free services is included in the "administrative" category. In 1981-82, the Department of Supply and Services provided a value equivalent to \$147,000 of free office space. The corresponding amount in 1982-83 was \$252,000.
- (7) Accrual rather than cash-based expenditures are reported for the 1982-83 reporting period. In 1982-83, the Native Courtworker and Counselling Association was directly funded by the Ministry of the Attorney General, rather than by the Plan.
- (8) Services, supplies, and accommodation provided by the territorial government are not included.
- (9) Legal service expenditures incurred by the Maliiganik Tukisiiniakvik Clinic are included under "special program" expenditures. Although considered an external agency, caseloads handled by this clinic are included in the territorial data. Office space and financial administration services provided by the territorial government are not included.

Table 3 - Direct Legal Service Expenditure by Type of Matter, Legal Aid, Selected Provinces, 1981-82 and 1982-83

- (1) Expenditures on provincial statute offence cases are included in the "civil" rather than the "criminal" category.
- (2) All monies granted to community clinics by the Plan are included under "direct legal service" expenditures. Administrative costs incurred by community clinics which generally provide civil services, are therefore included in the "civil" category.
- (3) Accrual rather than cash-based expenditures are reported for the 1982-83 reporting period.
- (4) Excluded are costs incurred by Maliiganik Tukisiiniakvik Clinic on legal services. This clinic is considered an external agency, however, its caseload activity is included in Plan caseload statistics.

Table 4 - Percentage Change Over Previous Year, Current and Constant Expenditures, Legal Aid, Canada, 1981-82 to 1982-83

- (1) Expenditures on provincial statute offence cases are included in the "civil" rather than the "criminal" category.
- (2) Accrual-based expenditures are reported. "Direct legal service" expenditures include salaries of administrative staff who directly support the work of legal aid lawyers.
- (3) All monies granted to community clinics by the Plan are included under "direct legal service" expenditures. Administrative costs incurred by community clinics which generally provide civil services, are therefore included in the "civil" category.
- (4) Accrual rather than cash-based expenditures are reported for the 1982-83 reporting period.
- (5) Excluded are costs incurred by Maliiganik Tukisiiniakvik Clinic on legal services. This clinic is considered an external agency, however, its caseload activity is included in Plan caseload statistics.

Table 5 - Direct Legal Service Expenditure on Private Lawyers and Staff Professionals, Legal Aid, Canada, 1981-82 and 1982-83

- (1) Staff expenditures include salaries of administrative staff who directly support the work of legal aid lawyers. Accrual-based expenditures are reported.
- (2) Total monies granted to community clinics by the Plan are included in the "staff expenditure" category. Staff expenditures therefore include administrative costs incurred by community clinics.
- (3) Accrual rather than cash-based expenditures are reported for the 1982-83 reporting year.
- (4) Excluded are costs incurred by Maliiganik Tukisiiniakvik Clinic on legal services. This clinic is considered an external agency, however, its caseload activity is included in Plan caseload statistics.
- (5) Canada totals exclude data for Prince Edward Island.

Table 6 - Total Legal Aid Personnel Resources as of March 31st, Canada, 1981-82 and 1982-83

- (1) Legal aid staff of the Maliiganik Tukisiiniakvik Clinic are excluded. This clinic is considered an external agency, however its caseload activity is reported in Plan caseload statistics. An estimated 125 non-resident lawyers provide services on occasion.

- (2) Number of legal aid panel members refers to the number of lawyers who actually provided services.
- (3) Number of legal aid panel members refers to the number of lawyers and notaries who actually provided services.
- (4) Lawyers who are on a panel list in more than one judicial district are counted more than once.
- (5) A January 1st count is reported. Includes central and branch offices. Community law office staff are excluded.
- (6) Legal aid panel member calculations exclude Prince Edward Island, Nova Scotia, Quebec and the Yukon. Legal aid panels are not applicable in these jurisdictions.

CHAPTER FOUR

Legal Aid Caseload - Statistical Highlights, 1981-82 and 1982-83

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Introduction

This chapter examines legal aid caseload characteristics in Canada for 1981-82 and 1982-83.

First, a national caseload table which contains approved application counts is presented. The contents of this table are interpreted for the reader and general observations are highlighted. Data tables for selected provinces follow, which contain completed case counts and offence distributions. Table footnotes are presented at the end of the chapter. Second, statistical summaries for each province are presented. In addition to the above-mentioned counts, summary service, duty counsel, and total application counts are highlighted where available. This information was extracted from either the national data tables, or from the provincial data sets contained in Part II of this report.

The reader is again cautioned against making unqualified data comparisons. Legal aid plans and the provincial populations they serve vary substantially. Each plan is uniquely characterized by its service delivery strategies, the types and range of services offered, target clientele, and eligibility guidelines. Demographic and geographic characteristics of each jurisdiction also impact on service delivery.

Counting units used to measure caseload levels are heavily dependent on service delivery strategy and administrative procedure. At this point in statistical development, a total count of legal aid applicants and clients is not available for Canada. The total application count is an incomplete measure of requests for service because many applicants are screened prior to their filing of an application. Differences in screening practices are evident among offices within provinces, and among legal aid plans. In combination, summary service, duty counsel, and full service approved application counts would reflect total number of service units rendered; however, much of this information is either unavailable or captured according to inconsistent definitions. A further difficulty in interpreting these service units both within and among provinces is related to administrative procedure. That is, services may be quantified using the same counting unit,

but the procedure followed to arrive at that counting unit may not be exactly the same.

It is expected that the description of caseload counting units will be improved upon in future reports. The definitional framework for the measures presented in this chapter were developed and approved by the Advisory Committee of the Legal Aid Program and are contained in Part II of this report.

Caseload - Canada Overview

Statistical Highlights

- approximately 469,500 full service legal aid applications were approved in 1982-83 - 212,800 (45%) were for criminal matters and 256,700 (55%) were for civil matters;
- over the two year period, the change in total applications approved generally ranged from a 17% decrease in the Northwest Territories to a corresponding increase of 29% in Manitoba - New Brunswick experienced an 81% increase, largely due to the commencement of civil matter coverage in 1982-83;
- between 1981-82 and 1982-83, criminal applications approved decreased in three jurisdictions: the Northwest Territories (-19%), the Yukon (-17%), and Prince Edward Island (-16%) - in all other jurisdictions increases of between 4% (Quebec) and 28% (Manitoba) were evidenced;
- the number of civil applications approved increased in most jurisdictions over the two year period, Nova Scotia and British Columbia excepted - percentage decreases for these provinces were -17% and -20% respectively;
- civil matters generally comprised under 40% of total caseload in 1982-83 - the provinces of New Brunswick (67%), Quebec (65%), and Ontario (56%) were major exceptions to the rule.

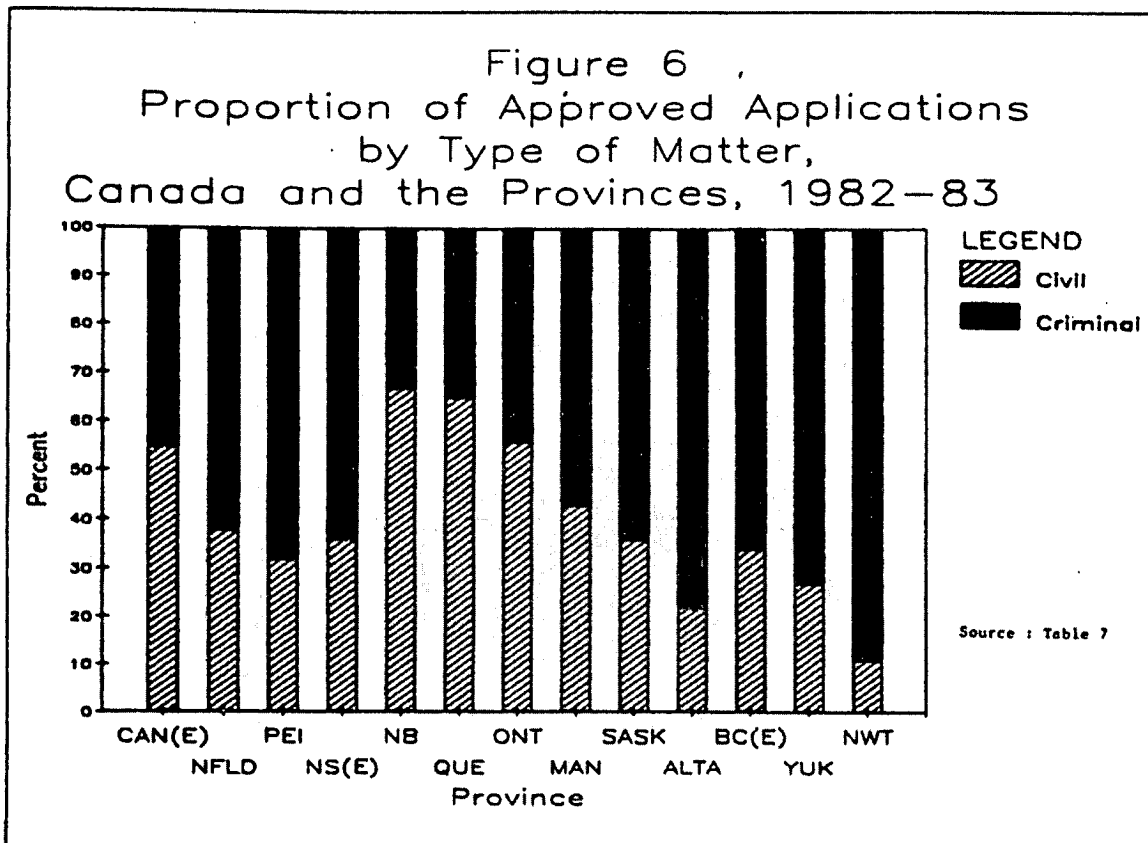
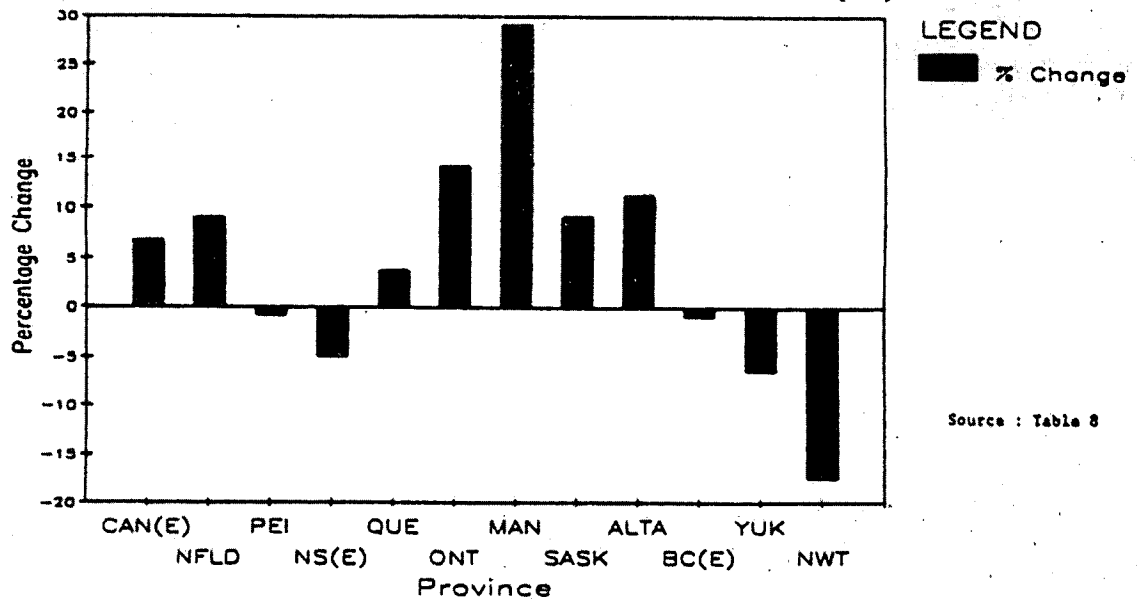


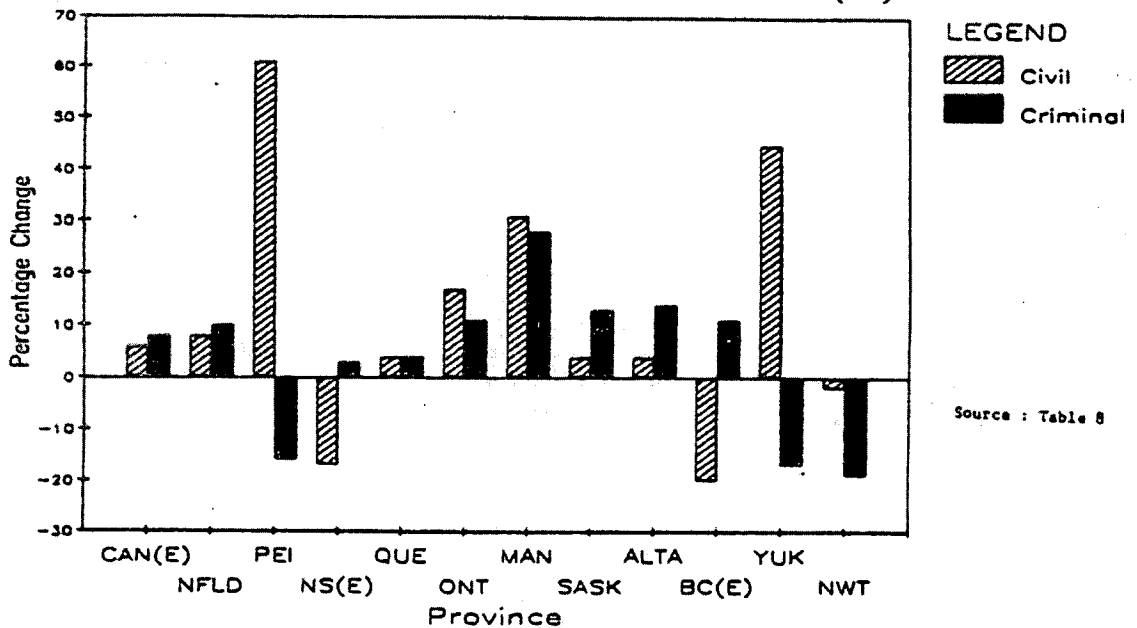
Figure 7
 Percentage Change in Approved Applications,
 Canada and the Provinces,
 1981-82 to 1982-83 (1)



Source : Table 8

1. An equivalent figure for New Brunswick is +8%. This figure is included in the Canada calculation.

Figure 8
 Percentage Change in Approved Applications,
 Criminal & Civil, Canada & the Provinces,
 1981-82 to 1982-83 (1)



Source : Table 8

1. Equivalent figures for New Brunswick are +20% for criminal and +14% for civil. These figures are included in the Canada calculations.

Approved Applications

Table 7 to follow contains approved application counts. At this stage in the development of national statistics, this count is the closest estimate of the full service legal aid caseload in Canada.

The approved application count represents a service unit rather than a count of persons to whom legal aid services are provided. This requires further explanation.

First, it should be recognized that this count is normally applied to full service matters only; that is, applications are not filed for summary service or duty counsel matters. The extent to which this is true varies somewhat across jurisdictions. For example, in Prince Edward Island and New Brunswick, summary services are included in the approved application count. Conversely, circuit court matters are often excluded from the count because applications are not always filed.

Second, the service units which are reflected in the approved application count do not necessarily reflect equivalent work units among provinces. For example, when new matters arise which relate to an approved application, the extent to which these matters are dealt with by the filing a new application or by adding to an old application has not been assessed. The meaning of the count is also affected by the degree to which clients do not return for legal services following the approval of an application.

The following table contains the compilation of available approved application counts, and is generally informative on a province-by-province basis. Comparisons of this counting unit among legal aid plans should be done for purposes of approximation only.

TABLE 7 - APPROVED LEGAL AID APPLICATIONS BY TYPE OF MATTER, CANADA, 1981-82 AND 1982-83

PROVINCE	YEAR	APPROVED APPLICATIONS					
		TOTAL NO.	100%	CRIMINAL NO.	%	CIVIL NO.	%
NEWFOUNDLAND(1)	1981-82	3603		2205	61	1398	39
	1982-83	3935		2428	62	1507	38
PRINCE EDWARD ISLAND	1981-82	758		608	80	150	20
	1982-83	751		510	68	241	32
NOVA SCOTIA(2)	1981-81	15440(E)		9137(E)	59	6303(E)	41
	1982-83	14679(E)		9422(E)	64	5257(E)	36
NEW BRUNSWICK(3)	1981-82	3559		1795	50	1764	50
	1982-83	6446		2152	33	4294	67
QUEBEC(4)	1981-82	219875		77051	35	142824	65
	1982-83	228240		79988	35	148252	65
ONTARIO(5)	1981-82	98568		44825	45	53743	55
	1982-83	112563		49896	44	62667	56
MANITOBA	1981-82	13530		7825	58	5705	42
	1982-83	17486		9985	57	7501	43
SASKATCHEWAN	1981-82	26167		16272	62	9895	38
	1982-83	28610		18348	64	10262	36
ALBERTA	1981-82	15508		11886	77	3622	23
	1982-83	17267		13501	78	3766	22
BRITISH COLUMBIA(6)	1981-82	37627(E)		21963(E)	58	15664(E)	42
	1982-83	37076(E)		24472(E)	66	12604(E)	34
YUKON	1981-82	548		453	83	95	17
	1982-83	513		375	73	138	27
NORTHWEST TERRITORIES	1981-82	2311		2087	90	224	10
	1982-83	1907		1688	89	219	11
CANADA	1981-82	437494(E)		196107(E)	45	241387(E)	55
	1982-83	469473(E)		212765(E)	45	256708(E)	55

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 8 - PERCENTAGE CHANGE OVER PREVIOUS YEAR, APPROVED LEGAL AID
APPLICATIONS BY TYPE OF MATTER, CANADA, 1981-82 TO 1982-83

PROVINCE	PERCENTAGE CHANGE IN APPROVED APPLICATIONS		
	TOTAL	CRIMINAL	CIVIL
NEWFOUNDLAND(1)	9	10	8
PRINCE EDWARD ISLAND	-1	-16	61
NOVA SCOTIA(2)	-5(E)	3(E)	-17(E)
NEW BRUNSWICK(3)	81	20	143
QUEBEC(4)	4	4	4
ONTARIO(5)	14	11	17
MANITOBA	29	28	31
SASKATCHEWAN	9	13	4
ALBERTA	11	14	4
BRITISH COLUMBIA(6)	-1(E)	11(E)	-20(E)
YUKON	-6	-17	45
NORTHWEST TERRITORIES	-17	-19	-2
CANADA	7(E)	8(E)	6(E)

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED)

(.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

Completed Case Statistics

The tables presented in this section contain three different types of case counts - completed dossiers, completed charges, and open dossiers. Due to the varying counting units employed both within and among jurisdictions, a national table containing either a completed dossier or charge count cannot be presented at this time.

As is the case with approved applications, the degree to which completed case counts represent equivalent work units has not yet been determined. In fact, it appears that differing administrative procedures result in even less comparability with respect to completed case counts. An example is the effect of interim-billing on the part of private lawyers, where billings may signify case completions or the partial completion of legal services rendered on an approved application.

Provincial data sets have been combined in the following tables for ease of presentation only. These tables are organized by type of count. Although accurate on a province-by-province basis, statistics contained in these tables should be considered experimental for the purpose of comparing caseload levels among legal aid plans.

TABLE 9 - COMPLETED LEGAL AID DOSSIERS, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	COMPLETED DOSSIERS
		NO.
NOVA SCOTIA	1981-82	15440
	1982-83	14679
NEW BRUNSWICK(1)	1981-82	1756
	1982-83	4586
ALBERTA	1981-82	14965
	1982-83	16513

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)
(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 10 - COMPLETED CASES, LEGAL AID, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	COMPLETED CASES
		NO.
NEWFOUNDLAND(1)	1981-82	2969
	1982-83	3397
YUKON	1981-82	717
	1982-83	..
NORTHWEST TERRITORIES	1981-82	2250
	1982-83	..

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)
(.. NOT AVAILABLE)(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 11 - CRIMINAL LEGAL AID DOSSIERS COMPLETED BY TYPE OF PROFESSIONAL, SELECTED PROVINCES,
-1981-82 AND 1982-83

PROVINCE	YEAR	CRIMINAL DOSSIERS COMPLETED					
		TOTAL		PRIVATE LAWYERS		STAFF PROFESSIONALS	
		NO.	100%	NO.	%	NO.	%
NOVA SCOTIA	1981-82	9137		84	1	9053	99
	1982-83	9422		57	1	9365	99
NEW BRUNSWICK(1)	1981-82	1319		1319	100	NA	NA
	1982-83	1733		1733	100	NA	NA
ONTARIO	1981-82	43443		43443	100	NA	NA
	1982-83	40973		40973	100	NA	NA
MANITOBA	1981-82	..		5758	..	..	..
	1982-83	..		7431	..	..	..
ALBERTA	1981-82	11632		11632	100	NA	NA
	1982-83	12799		12799	100	NA	NA

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)
(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 12 - COMPLETED CHARGES BY TYPE OF PROFESSIONAL, LEGAL AID, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	CHARGES COMPLETED					
		TOTAL		PRIVATE LAWYERS		STAFF PROFESSIONALS	
		NO.	100%	NO.	%	NO.	%
NEWFOUNDLAND(1)	1981-82	1951		874	45	1077	55
	1982-83	2100		932	44	1168	56
PRINCE EDWARD ISLAND	1981-82	1075		25	2	1050	98
	1982-83	971		9	1	962	99
YUKON	1981-82	630		630	100	NA	NA
	1982-83	..		..	..	NA	NA
NORTHWEST TERRITORIES(2)	1981-82	1929		..	..	..	..
	1982-83	1690		..	..	..	..

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)(NA NOT APPLICABLE)
(E ESTIMATE)

TABLE 13 - LEGAL AID DOSSIERS OPENED BY TYPE OF PROFESSIONAL, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	TOTAL OPEN DOSSIERS				CRIMINAL				CIVIL							
		TOTAL		PRIVATE LAWYERS		STAFF PROFESSIONALS		TOTAL		PRIVATE LAWYERS		STAFF PROFESSIONALS					
		NO.	100%	NO.	%	NO.	%	NO.	100%	NO.	%	NO.	%				
PRINCE EDWARD ISLAND	1981-82	..		..	..	..	..	..	..	..	..	150	9	6	141	94	
	1982-83	..		..	..	..	..	..	..	..	..	241	7	3	234	97	
QUEBEC(1)	1981-82	219875		75156	34	144719	66	77051	27297	35	49754	65	142824	47659	34	94965	66
	1982-83	228240		80937	35	147303	65	79988	29894	37	50094	63	148252	51043	34	97209	66
MANITOBA	1981-82	13530		10661	79	2869	21	7827	6643	85	1184	15	5703	4018	70	1685	30
	1982-83	17486		14335	82	3151	18	9985	8647	87	1338	13	7501	5688	76	1813	24

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 14 - CIVIL LEGAL AID DOSSIERS COMPLETED BY TYPE OF PROFESSIONAL, SELECTED PROVINCES,
1981-82 AND 1982-83

PROVINCE	YEAR	CIVIL DOSSIERS COMPLETED					
		TOTAL		PRIVATE LAWYERS		STAFF PROFESSIONALS	
		NO.	100%	NO.	%	NO.	%
NEWFOUNDLAND(1)	1981-82	1018		156	15	862	85
	1982-83	1297		187	14	1110	86
NOVA SCOTIA	1981-82	6303		280	4	6023	96
	1982-83	5257		90	2	5167	98
NEW BRUNSWICK(2)	1981-82	437		437	100	NA	NA
	1982-83	2853		2853	100	NA	NA
ONTARIO	1981-82	..		33589	..	..	..
	1982-83	..		28421	..	..	..
MANITOBA	1981-82	..		3865	..	..	..
	1982-83	..		4775	..	..	..
SASKATCHEWAN	1981-82	10152		47	---	10105	100
	1982-83	9512		78	1	9434	99
ALBERTA	1981-82	3333		3333	100	NA	NA
	1982-83	3714		3714	100	NA	NA
YUKON	1981-82	87		87	100	NA	NA
	1982-83	..		..	..	NA	NA
NORTHWEST TERRITORIES(3)	1981-82	321		..	..	..	..
	1982-82	..		..	..	..	..

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO)(--- TOO SMALL TO BE EXPRESSED)(.. NOT AVAILABLE)
(NA NOT APPLICABLE)(E ESTIMATE)

TABLE 15 - APPEAL DOSSIERS COMPLETED BY TYPE OF MATTER, LEGAL AID, SELECTED PROVINCES,
1981-82 AND 1982-83

PROVINCE	YEAR	APPEAL DOSSIERS COMPLETED					
		TOTAL NO.	100%	CRIMINAL NO.	%	CIVIL NO.	%
NEWFOUNDLAND(1)	1981-82	102		102	100	-	-
	1982-83	81		81	100	-	-
NOVA SCOTIA	1981-82	153		126	82	27	18
	1982-83	147		112	76	35	24
NEW BRUNSWICK	1981-82	24		24	100	-	-
	1982-83	22		22	100	-	-
ONTARIO(2)	1981-82	1821		1411	77	410	23
	1982-83	1703		1372	81	331	19
MANITOBA(3)	1981-82	293		171	58	122	42
	1982-83	324		181	56	143	44
ALBERTA	1981-82	453		426	94	27	6
	1982-83	509		494	97	15	3
NORTHWEST TERRITORIES	1981-82	28		28	100	-	-
	1982-83	39		39	100	-	-

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE)
(NA NOT APPLICABLE) (E ESTIMATE)

TABLE 16 - FEDERAL CRIMINAL LEGAL AID DOSSIERS OPENED BY MAJOR OFFENCE CATEGORY, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	TOTAL CRIMINAL OPEN DOSSIERS NO.	CRIMINAL CODE OFFENCES								NARCOTICS CONTROL/ FOOD & DRUGS ACTS	JUVENILE DELINQUENTS ACT	OTHER FEDERAL STATUTES
			HOMICIDE NO.	SEXUAL ASSAULTS/ SEXUAL OFFENCES NO.	OTHER ASSAULTS NO.	ROBBERY NO.	THEFT/BREAK AND ENTER/ POSSESSION NO.	FRAUD/ FALSE PRETENSE NO.	DRUNK/ IMPAIRED DRIVING NO.	OTHER NO.			
QUEBEC(1)	1981-82	77051	253	459	3094	1866	19482	3832	10620	23973	3448	9262	742
	1982-83	79988	310	530	3586	1949	21950	4266	10904	22707	3721	9127	938
MANITOBA(2)	1981-82	7656	111	185	697	349	3145	529	650	1378	332	225	35
	1982-83	9804	167	241	1060	321	4041	665	987	1649	383	253	35
		%	%	%	%	%	%	%	%	%	%	%	%
QUEBEC	1981-82	100	---	1	4	2	25	5	14	31	5	12	1
	1982-83	100	---	1	4	2	27	5	14	28	5	11	1
MANITOBA	1981-82	100	1	2	9	5	41	7	8	18	5	3	---
	1982-83	100	2	2	11	3	41	7	10	17	4	3	---

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

TABLE 17 - FEDERAL CRIMINAL LEGAL AID DOSSIERS COMPLETED BY MAJOR OFFENCE CATEGORY, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	TOTAL CRIMINAL DOSSIERS COMPLETED NO.	CRIMINAL CODE OFFENCES								NARCOTICS CONTROL/ FOOD & DRUGS ACTS	JUVENILE DELINQUENTS ACT	OTHER FEDERAL STATUTES
			HOMICIDE NO.	SEXUAL ASSAULTS/ SEXUAL OFFENCES NO.	OTHER ASSAULTS NO.	ROBBERY NO.	THEFT/BREAK AND ENTER/ POSSESSION NO.	FRAUD/ FALSE PRETENSE NO.	DRUNK/ IMPAIRED DRIVING NO.	OTHER NO.			
NOVA SCOTIA	1981-82	8414	14	87	608	233	3313	870	434	2387	487	181	-
	1982-83	8956	9	116	532	164	3248	967	576	2536	526	262	-
ONTARIO(1)	1981-82	43316	482	321	4284	2083	17732	2937	2176	8209	2771	2060	265
	1982-83	40778	486	340	4072	1897	17230	2719	2007	7588	2410	1823	206
ALBERTA	1981-82	11205	184	380	857	539	5042	572	371	1779	917	553	11
	1981-82	12149	353	338	968	612	5418	689	493	2083	774	418	1
		%	%	%	%	%	%	%	%	%	%	%	%
NOVA SCOTIA	1981-82	100	---	1	7	3	38	10	5	28	6	2	-
	1982-83	100	---	1	6	2	36	11	6	29	6	3	-
ONTARIO	1981-82	100	1	1	10	5	41	7	5	19	6	5	1
	1982-83	100	1	1	10	5	42	7	5	19	6	4	1
ALBERTA	1981-82	100	2	3	8	5	45	5	3	16	8	5	---
	1982-83	100	3	3	8	5	45	6	4	17	6	3	---

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

TABLE 10 - FEDERAL CHARGES COMPLETED BY OFFENCE CATEGORY, LEGAL AID, SELECTED PROVINCES, 1981-82 AND 1982-83

PROVINCE	YEAR	TOTAL CHARGES COMPLETED	CRIMINAL CODE OFFENCES								NARCOTICS CONTROL/FOOD & DRUGS ACTS	JUVENILE DELINQUENTS ACT	OTHER FEDERAL STATUTES
		NO.	HOMICIDE NO.	SEXUAL ASSAULTS/SEXUAL OFFENCES NO.	OTHER ASSAULTS NO.	ROBBERY NO.	THEFT/BREAK AND ENTER/POSSESSION NO.	FRAUD/FALSE PRETENSE NO.	DRUNK/IMPAIRED DRIVING NO.	OTHER NO.			
NEWFOUNDLAND (1)	1981-82	1849	5	56	115	30	722	124	142	498	157	..	..
	1982-83	2019	14	61	153	22	853	179	127	491	119	..	..
PRINCE EDWARD ISLAND (2)	1981-82	1075	7	..	..	16	416	175	99	241	58	6	-
	1982-83	971	2	..	..	6	439	82	102	235	22	22	-
NEW BRUNSWICK (3)	1981-82	1446	35	21	168	48	594	29	81	295	116	..	119
	1982-83	1731	47	24	160	70	687	32	79	342	104	27(E)	186
YUKON (4)	1981-82	581	6	15	46	5	269	30	45	140	23	..	4
	1982-83	..	..	..	..	..	..	..	..	..	..	..	..
NORTHWEST TERRITORIES (5)	1981-82	1669	25	48	157	58	530	70	158	536	97	29	..
	1982-83	1651	7	35	151	7	479	66	120	694	70	22	..
			%	%	%	%	%	%	%	%	%	%	%
NEWFOUNDLAND	1981-82	100	---	3	6	2	39	7	8	27	8	..	..
	1982-83	100	1	3	8	1	42	9	6	24	6	..	..
PRINCE EDWARD ISLAND	1981-82	100	1	..	..	1	39	16	9	22	5	1	-
	1982-83	100	---	..	..	1	45	8	11	24	2	2	-
NEW BRUNSWICK	1981-82	100	2	1	7	3	41	2	6	20	8	..	8
	1982-83	100	3	1	9	4	40	2	5	20	6	2	11
YUKON	1981-82	100	1	3	8	1	46	5	8	24	4	..	1
	1982-83	100	..	..	..	..	..	..	..	..	..	..	..
NORTHWEST TERRITORIES	1981-82	100	1	3	9	2	32	4	9	32	5	1	..
	1982-83	100	---	2	9	---	29	4	7	42	4	1	..

SEE FOOTNOTES AT END OF CHAPTER.

SYMBOLS WITHIN TABLE: (- ZERO) (--- TOO SMALL TO BE EXPRESSED) (.. NOT AVAILABLE) (NA NOT APPLICABLE) (E ESTIMATE)

Provincial Summaries - Legal Aid Caseload, 1981-82 and 1982-83

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Newfoundland

Note: The highlights to follow do not reflect total caseload because counts were not available for services of a summary nature. Circuit court cases are included in duty counsel statistics rather than in the application and completed case counts. In January of 1983, all duty counsel services were cancelled. Also note that the Newfoundland Plan classifies provincial statute offence matters as civil rather than criminal matters.

Duty Counsel Counts

- . the duty counsel count totalled 1,324 in 1982-83; criminal duty counsel was provided on 1,280 occasions and civil duty counsel was provided on 44 occasions;
- . the total duty counsel count decreased by 8% between 1981-82 and 1982-83 - while the criminal duty counsel count declined by 10%, the civil duty counsel count increased slightly.

Application Counts

- . in 1982-83, 7,238 written applications for service were made - 3,497 (48%) were made for criminal matters and 3,741 (52%) were made for civil matters;
- . the application count increased by 23% over the two year period - the criminal application count increased by 20% and the civil application count increased by 25%;
- . the approved application count totalled 3,935 in 1982-83 - 2,428 (62%) were for criminal matters and 1,507 (38%) were for civil matters;
- . the approved application count increased by 9% over the two year period - criminal applications approved increased by 10% and civil applications approved increased by 8%;
- . while the total application count increased by 23% over the two year period, the approved application count increased by 9%;
- . 40% of total civil applications were approved in 1982-83, down from 47% in the previous year - this compares to 69% of total criminal applications approved, up from 76% in 1981-82.

Completed Case Counts

Note: Criminal case counts are based on charges completed rather than dossiers completed.

- the total completed case count in 1982-83 was 3,397 - criminal charges completed totalled 2,100 (62%) and civil dossiers completed totalled 1,297 (38%);
- the total completed case count increased by 14% over the two year period - criminal charges completed increased by 8% and civil dossiers completed increased by 27%;
- in 1981-82 and 1982-83, approximately 44% of total criminal charges were completed by private lawyers compared to 14% of total civil dossiers completed - the remaining cases were handled by staff professionals;
- approximately 2% of total completed cases were appeal cases in 1982-83, down from 3% in 1981-82.

Federal Caseload Characteristics

- in 1981-82, 1,849 federal charges were completed compared to 2,019 in 1982-83 - this represents a 9% increase over the two year period;
- over the two year period, property crime increased from 46% of total federal criminal charges completed to 52% in 1982-83 - violent crimes comprised close to 12% of the total during both fiscal years.

Prince Edward Island

Note: All cases involving an approved application are counted, regardless of type of service provided. That is, summary, duty counsel, and full service matters are included if an application was filed and approved. Note that applications are not necessarily filed for all services rendered. For this reason, the highlights to follow do not necessarily reflect total caseload.

Application Counts

- . in 1982-83, 751 written applications were approved - 510 (68%) were for criminal matters and 241 (32%) were for civil matters;
- . the approved application count remained relatively stable over the two year period, however, criminal applications approved declined by 16% while civil applications approved increased by 61%;

Completed Case Counts

Note: The completed dossier count is not used in Prince Edward Island. Criminal cases completed refer to charges completed, while civil dossiers completed refer to dossiers opened.

- . in 1982-83 criminal charges completed totalled 971 and civil dossiers opened totalled 241;
- . over the two year period criminal charges completed declined by 10% while civil dossiers opened increased by 61%;
- . in 1982-83, 1% of total criminal charges were completed by private lawyers compared to 7% of total civil dossiers opened - the remaining cases were handled by staff professionals.

Federal Caseload Characteristics

- . in 1981-82, federal charges completed totalled 1,075 compared to 971 in 1982-83 - this represents a 10% decrease over the two year period;
- . during both fiscal years, property crimes comprised close to 55% of total federal criminal charges completed - violent crimes comprised close to 7% of the corresponding total;
- . in 1982-83, 22 Juvenile Delinquent Act cases were completed - this represented 2% of total federal criminal charges completed during that year.

Nova Scotia

Note: The highlights to follow do not reflect total caseload because counts are not available for summary and duty counsel services.

Completed Case Counts

- . the total completed dossier count in 1982-83 was 14,679 - criminal charges completed totalled 9,422 (64%) and civil dossiers completed totalled 5,257 (36%);
- . the total completed dossier count declined by 5% over the two year period - criminal dossiers completed increased by 3% and civil dossiers completed decreased by 17%;
- . in 1981-82 and 1982-83, 2% of total criminal dossiers were completed by private lawyers - civil dossiers completed by private lawyers decreased from 4% to 2% of the total over the two year period;
- . approximately 1% of total completed dossiers were appeal cases during both fiscal years.

Federal Caseload Characteristics

- . in 1981-82, federal criminal dossiers completed totalled 8,614 compared to 8,956 in 1982-83 - this represents an increase of 4% over the two year period;
- . during both fiscal years property crime comprised close to 47% of total federal criminal dossiers completed - violent crimes comprised close to 9% of the corresponding total;
- . in 1982-83, 262 Juvenile Delinquent Act dossiers were completed, compared to 181 in the previous year - this represents 3% and 2% of total federal dossiers completed respectively.

New Brunswick

Note: Application and dossier counts include summary services. Civil legal aid coverage commenced in October, 1981.

Duty Counsel Counts

- . the duty counsel service count totalled 19,703 in 1982-83 - criminal duty counsel was provided on 14,724 occasions and civil duty counsel was provided on 4,979 occasions;
- . the duty counsel count increased by 19% between 1981-82 and 1982-83 - while the criminal duty counsel count increased slightly, the civil duty counsel count more than doubled.

Application Counts

- . in 1982-83, 7,469 written applications for service were made - 2,408 (32%) were for criminal matters and 5,061 (68%) were for civil matters;
- . the total application count increased by 84% over the two year period - the criminal application count increased by 16% and the civil application count more than doubled;
- . the approved application count totalled 6,446 in 1982-83 - 2,152 (33%) were for criminal matters and 4,294 (67%) were for civil matters;
- . the approved application count increased by 81% over the two year period - criminal applications approved increased by 20% and civil applications approved more than doubled;
- . the application count increased by 84% over the two year period - the approved application count increased by 81%;
- . 85% of total civil applications were approved in 1982-83, down from 89% in the previous year; 89% of criminal applications were approved in 1982-83, up from 86% in 1981-82.

Completed Case Counts

Note: Completed case counts include some double-counting because the dossier count is based on number of payments made. It is possible that more than one payment could be made on a certificate due to interim - billing practices.

- . the total completed case count in 1982-83 was 4,586 - criminal dossiers completed totalled 1,733 (38%) and civil dossiers completed totalled 2,853 (62%);

- . the completed case count more than doubled over the two year period - criminal dossiers completed increased by 31% and civil cases completed increased by 6.5 times the 1981-82 count;
- . all dossiers are completed by private lawyers in New Brunswick - salaried staff do not provide professional legal services to clients;
- . approximately 1% of total completed cases were appeal cases during both fiscal years.

Federal Caseload Characteristics

Note: These data are based on charges completed rather than dossiers completed.

- . in 1981-82, 1,446 federal criminal charges were completed compared to 1,731 in 1982-83 - this represents a 20% increase over the two year period;
- . during both fiscal years, property crime comprised close to 42% of total federal charges completed and violent crimes comprised close to 17% of the corresponding total.

Quebec

Note: The highlights to follow do not reflect total caseload because counts are not available for summary and duty counsel services. Note that caseload counts are based on open rather than completed dossiers. Municipal offences are included in the civil caseload figures; however, their numbers are estimated to be few.

Application Counts

- . the total number of written applications filed in 1982-83 increased by 4% over the previous year - the corresponding increases for criminal and civil applications were 4% and 3% respectively;
- . in 1982-83, 228,240 applications were approved - 79,988 (35%) were for criminal matters and 148,252 (65%) were for civil matters.
- . the approved criminal and civil application counts increased by an equivalent amount over the two year period (4%);
- . during the 1982-83 fiscal year 72% of refused applications were not accepted for financial reasons - 83% of total criminal applications refused and 70% of total civil applications refused.

Open Dossier Counts

- . in 1982-83, 37% of total criminal dossiers opened were assigned to private lawyers compared to 34% of civil dossiers opened - the remaining cases were assigned to staff professionals.

Criminal Caseload Characteristics

- . in 1981-82, total criminal dossiers opened totalled 77,051, compared to 79,988 in 1982-83 - this represents a 4% increase over the two year period;
- . during both fiscal years property crimes comprised close to 33% of total criminal dossiers opened - violent crimes comprised close to 8% of the corresponding total;
- . in 1982-83, 9,127 Juvenile Delinquent Act cases were opened, down from 9,262 in the previous year - this represented 11% and 12% of total criminal dossiers opened in each respective year.

Ontario

Note: Calendar year community law clinic activity is included in the following highlights.

Summary Service Counts

- . the summary service count totalled 114,886 in 1981-82 and 130,409 in 1982-83 - this represents an increase of 14% over the two year period.

Duty Counsel Counts

- . the duty counsel count totalled 244,626 in 1982-83 - criminal duty counsel was provided on 196,134 occasions (80%) and civil duty counsel was provided on 48,493 occasions (20%);
- . the total duty counsel count increased by 8% between 1981-82 and 1982-83 - the criminal duty counsel count increased by 9%, and the civil duty counsel count increased by 6%.

Application Counts

- . the approved application count totalled 112,563 in 1982-83 - 49,896 (44%) were for criminal matters and 62,667 (56%) were for civil matters;
- . the approved application count increased by 14% over the two year period - criminal applications approved increased by 11% and civil applications approved increased by 17%.

Completed Case Counts

Note: Private bar caseload only is reported.

- . in 1982-83, 40,973 criminal dossiers were completed - this represents a 6% decrease over the two year period;
- . approximately 2% of total completed dossiers were appeals in 1981-82 and 1982-83.

Federal Caseload Characteristics

- . in 1981-82, 43,316 federal criminal dossiers were completed compared to 40,778 in 1982-83 - this represents a 6% decrease over the two year period;
- . during both fiscal years, property crime comprised close to 49% of completed federal criminal dossiers - violent crimes comprised close to 17% of the corresponding total;
- . in 1982-83, 1,823 Juvenile Delinquent Act cases were completed, down from 2,060 in the previous year - this represents 4% and 5% of total federal criminal dossiers completed in each respective year.

Manitoba

Note: Summary services include services provided over the phone. Caseload counts are based on open, rather than completed dossiers.

Summary Service Counts

- . the summary service count totalled 43,606 in 1981-82 and 55,938 in 1982-83 - this represents an increase of 28% over the reporting period.

Duty Counsel Counts

- . in 1982-83, duty counsel was provided on 19,226 occasions - this represents a 19% increase over the two year period.

Application Counts

- . the total number of written applications filed in 1982-83 increased by 28% over the previous year - the corresponding increases for criminal and civil applications were 23% and 33% respectively;
- . the approved application count totalled 17,486 in 1982-83 - 9,985 (57%) were for criminal matters and 7,501 (43%) were for civil matters;
- . the approved application count increased by 29% over the two year period - criminal applications approved increased by 28% and civil applications approved increased by 31%.

Open Dossier Counts

- . in 1981-82, approximately 85% of criminal open dossiers were assigned to private lawyers compared to 70% of civil dossiers opened - the proportions assigned to private lawyers increased the following year to 87% and 76% respectively.

Criminal Caseload Characteristics

- . in 1981-82, total criminal dossiers opened totalled 7,656 compared to 9,804 in 1982-83 - this represents a 28% increase over the two year period;
- . during both fiscal years, property crime comprised close to 48% of total criminal dossiers opened - violent crimes comprised close to 18% of the corresponding total;
- . in 1982-83, 255 Juvenile Delinquent Act cases were opened, up from 225 in the previous year - this represents 3% of total criminal dossiers opened in each year.

Saskatchewan

Note: The highlights to follow do not reflect total caseload because counts are not available for summary and duty counsel services. Also, a completed criminal dossier count is not available.

Application Counts

- . the approved application count totalled 28,610 in 1982-83 - 18,348 (64%) were for criminal matters and 10,262 (36%) were for civil matters;
- . the approved application count increased by 9% over the two year period - criminal applications approved increased by 13% and civil applications approved increased by 4%.

Civil Dossiers Completed

- . in 1981-82, civil dossiers completed totalled 10,152 compared to 9,512 in 1982-83 - this represents a 6% decrease over the two year period;
- . during both fiscal years, approximately 99% of total civil dossiers were completed by staff professionals.

Alberta

Note: The highlights to follow do not reflect total caseload because counts are not available for summary services provided. Also note that the family court duty counsel program was discontinued during 1981-82. This in large part explains the decrease in civil duty counsel counts over the two year period.

Duty Counsel Counts

- . the duty counsel service count totalled 14,485 in 1982-83 - the criminal duty counsel count was 15,481 and the civil duty counsel count was 4;
- . the total duty counsel count decreased by 3% over the 1981-82 fiscal years - while the criminal duty counsel count declined by 2%, the civil duty counsel count decreased substantially.

Application Counts

- . the total number of written applications filed in 1982-83 increased by 22% over the previous year - the corresponding increases for criminal and civil applications were 20% and 28% respectively;
- . the approved application count totalled 17,267 in 1982-83 - 13,501 (78%) were for criminal matters and 3,766 were for civil matters;
- . the approved application count increased by 11% over the two year period - criminal applications approved increased by 14% and civil applications approved increased by 4%;
- . in 1982-83, 13% of refused applications were not accepted for financial reasons - 14% of total criminal applications refused and 12% of total civil applications refused.

Completed Case Counts

- . the total completed dossier count in 1982-83 was 16,513 - criminal dossiers completed totalled 12,799 (78%) and civil dossiers completed totalled 3,714 (22%);
- . the total completed dossier count increased by 10% over the two year period - criminal dossiers completed increased by 10% and civil dossiers completed increased by 11%;
- . all dossiers are completed by private lawyers in Alberta - salaried staff do not generally provide professional legal services to clients;

- . approximately 3% of total completed dossiers were appeal dossiers in both years.

Federal Caseload Characteristics

- . federal criminal dossiers completed totalled 12,149 in 1982-83 - this represents an 8% increase over the two year period;
- . during both fiscal years, property crime compised 51% of total federal criminal dossiers completed and violent crime comprised close to 17% of the corresponding total;
- . in 1982-83, 418 Juvenile Delinquent Act dossiers were completed, down from 553 in the previous year - this represents 3% and 5% of total federal dossiers completed in each respective year.

British Columbia

Note: The highlights to follow do not reflect total caseload because counts are not available for summary services, duty counsel services, and completed full service dossiers.

Application Counts

- in 1982-83, an estimated 69,719 applications for service were made - 32,732 (47%) were made for criminal matters and 36,987 (53%) were made for civil matters;
- the total number of written applications filed in 1982-83 increased by 8% over the previous year - the corresponding increases for criminal and civil applications were 14% and 3% respectively;
- the approved application count is estimated at 37,076 for 1982-83 - an estimated 24,472 (66%) were for criminal matters and an estimated 12,604 (34%) were for civil matters;
- the approved application count decreased slightly over the two year period - criminal applications approved increased by 11% while civil applications approved decreased by 20%;
- 34% of total civil applications were approved in 1982-83, down from 44% in the previous year - this compares to 75% of total criminal applications approved, down from 77% in 1981-82.

Yukon Territory

Note: The highlights to follow do not reflect total caseload because counts of a summary nature are not available. Duty counsel services provided on court circuits are included in the duty counsel count. A refused application count is not applicable to circuit court data.

Duty Counsel Counts

- . in 1982-83, criminal duty counsel was provided on 150 occasions in Whitehorse.

Application Counts

- . the total number of written applications filed in 1982-83 decreased by 3% over the previous year - the corresponding percentage changes for criminal and civil applications were -12% and +34 respectively;
- . the approved application count totalled 513 in 1982-83 - 375 (73%) were for criminal matters and 138 (27%) were for civil matters;
- . the approved application count decreased by 6% over the two year period - criminal applications approved declined by 17% and civil applications approved increased by 45%.

Completed Case Counts

Note: Criminal case counts are based on charges rather than dossiers completed.

- . in 1981-82, the total completed case count was 717 - criminal charges completed totalled 630 (88%) and civil dossiers completed totalled 87 (12%);
- . all dossiers are completed by private lawyers in the Yukon - salaried staff do not provide full legal services to clients;
- . in 1981-82, approximately 2% of cases completed were appeal cases, circuit court caseload excluded.

Federal Caseload Characteristics

- . 581 federal charges were completed in 1981-82;
- . in 1981-82, property crimes comprised approximately 52% of total federal charges completed - violent crimes comprised 12% of the corresponding total.

Northwest Territories

Note: The highlights to follow do not reflect total caseload because counts were not available for services of a summary nature. Note that duty counsel service counts are contained in the application and caseload data.

Application Counts

- the approved application count totalled 1,907 in 1982-83 - 1,688 (89%) were for criminal matters and 219 (11%) were for civil matters;
- the approved application count decreased by 17% over the two year period - criminal applications approved declined by 19% and civil applications approved declined by 2%.

Completed Case Counts

Note: Criminal case counts are based on charges completed rather than dossiers completed.

- in 1981-82, the total completed case count was 2,250 - criminal charges completed totalled 1,929 (86%) and civil dossiers completed totalled 321 (14%);
- in 1981-82, approximately 1% of total completed cases were appeal cases.

Criminal Caseload Characteristics

- in 1982-83, 1,651 charges were completed compared to 1,669 in 1981-82 - this represents little change over the two year period;
- over the reporting period, property crime decreased from 36% of total charges completed to 33% - violent crime decreased from 16% to 12% of the corresponding total;
- during both fiscal years, Juvenile Delinquents Act matters approximated 20 - this represents 1% of total charges completed during both years.

Table Footnotes

Columns may not add to indicated totals due to rounding.

Symbols

- : zero
- : too small to be expressed
- .. : not available
- NA : not applicable
- (E) : estimate

Table 7 - Approved Legal Aid Applications by Type of Matter, Canada, 1981-82 and 1982-83

- (1) Provincial statute offence cases are included in the civil application count. Also note that circuit court cases are excluded.
- (2) Estimates refer to a completed dossier count.
- (3) Summary services are included.
- (4) Municipal statute offence cases are included in the civil application count.
- (5) Calendar year community clinic data are included. The 1981 and 1982 application counts are combined with 1981-82 and 1982-83 fiscal year data respectively.
- (6) Data for the Victoria community law office are partially excluded.

Table 8 - Percentage Change Over Previous Year, Approved Legal Aid Applications by Type of Matter, Canada 1981-82 to 1982-83

- (1) Provincial statute offence cases are included in the civil application count. Also note that circuit court cases are excluded.
- (2) Estimates refer to a completed dossier count.
- (3) Summary services are included.
- (4) Municipal statute offence cases are included in the civil application count.
- (5) Calendar year community clinic data are included. The 1981 and 1982 application counts are combined with 1981-82 and 1982-83 fiscal year data respectively.
- (6) Data for the Victoria community law office are partially excluded.

Table 9 - Completed Legal Aid Dossiers, Selected Provinces, 1981-82 and 1982-83

- (1) These figures include some double-counting because the dossier count is based on number of payments made. It is possible that more than one payment could be made on a certificate due to interim billing practices. Also note that dossiers are opened for all matters requiring application, summary service cases included.

Table 10 - Completed Charges, Legal Aid, Selected Provinces, 1981-82 and 1982-83

- (1) Circuit court cases are excluded.

Table 11 - Criminal Legal Aid Dossiers Completed by Type of Professional, Selected Provinces, 1981-82 and 1982-83

- (1) These figures include some double-counting because the dossier count is based on number of payments made. It is possible that more than one payment could be made on a certificate due to interim billing practices. Also note that dossiers are opened for all matters requiring application, summary service cases included.

Table 12 - Charges completed by Type of Professional, Legal Aid, Selected Provinces, 1981-82 and 1982-83

- (1) Circuit court cases are excluded. Also note that provincial statute offences are included in the civil rather than the criminal case count.
- (2) Although a judicare method of service delivery applies in the Northwest Territories, one community clinic is funded by the Plan to provide legal aid services. Caseload activity for this clinic are included in the data.

Table 13 - Legal Aid Dossiers Opened by Type of Professional, Selected Provinces, 1981-82 and 1982-83

- (1) Municipal statute offence cases are included in the civil rather than the criminal open dossier count.

Table 14 - Civil Legal Aid Dossiers Completed by Type of Professional, Selected Provinces, 1981-82 and 1982-83

- (1) Circuit court cases are excluded. Also note that provincial statute offences are included in the civil case count.
- (2) These figures include some double-counting because counts are based on number of payments made. It is possible that more than one payment could be made on a certificate due to interim billing practices. Also note that dossiers are opened for all matters requiring application, summary service cases included.
- (3) Although a judicare method of service delivery applies in the Northwest Territory, one community clinic is funded by the Plan to provide legal aid services. Caseload activity for the clinic are included in the data.

Table 15 - Appeal Dossiers Completed by Type of Matter, Legal Aid, Selected Provinces, 1981-82 and 1982-83

- (1) Circuit count cases are excluded.
- (2) The civil dossier count excludes community clinic data.
- (3) Refers to open rather than closed appeal dossiers.

Table 16 - Federal Criminal Legal Aid Dossiers Opened by Major Offence Category, Selected Provinces, 1981-82 and 1982-83

- (1) Appeals are included in the offence distribution. Other motor vehicle offences are included in the "drunk/impaired driving" category. Provincial statute offence cases are included in the "other" category.
- (2) Provincial/municipal statute offence cases are included in the "other" category.

Table 17 - Federal Criminal Legal Aid Dossiers Completed by Major Offence Category, Selected Provinces, 1981-82 and 1982-83

- (1) Appeals are included in the offence distribution.

Table 18 - Federal Charges Completed by Offence Category, Legal Aid, Selected Provinces, 1981-82 and 1982-83

- (1) Circuit court cases are excluded. Other motor vehicle offences are included in the "drunk/impaired driving" category. Other federal statute offence cases are included in the "other" criminal code category. Matters dealt with under the Welfare of Children Act are included in the offence distribution.
- (2) Appeals are included in the offence distribution. Sexual assaults, sexual offences, and other assaults totalled 57 in 1981-82 and 61 in 1982-83.
- (3) Appeals and Juvenile Delinquents Act matters are included in the offence distribution. Other motor vehicle offences are included in the "drunk/impaired driving" category.
- (4) Juvenile Delinquents Act cases are included in the offence distribution. Note that circuit court cases are excluded.
- (5) In 1982-83 circuit court matters are included in the "other" Criminal Code category. This category also includes some territorial ordinance offence cases and other federal statute offence cases for both reporting periods.

CHAPTER FIVE

Concluding Remarks

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Data Limitations

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Future Directions

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Data Limitations

The statistics contained in this report are intended to describe aggregate expenditure patterns and service volumes of Canadian legal aid plans for a two year period. They are not intended to provide a precise and comprehensive account of the legal aid sector which has been formally in place for over a decade. Just as cyclical activity levels are experienced by the Plans over the course of a year, one year cannot be assumed to be representative of another. A wide range of pressures can impact on services provided by each Plan at different times and in different ways - changes in government priority, legislation, internal policy and procedure, and level of funding support are exemplary.

The reader should also be aware of the inability, at this stage in statistical development, to empirically assess data quality. Statistics contained in this report were obtained in aggregate form from administrative records; that is, the statistical function of these data is secondary to a primary administrative function. Detailed documentation of the procedures followed by each Plan to derive administrative data have yet to be obtained, examined, and validated by the Program.

A final note of caution relates to the need to further refine data element definitions and their subsequent categorizations. Additional insight into the extent to which concepts as originally stated have been measured by the data, is expected to emerge through the statistical experimentation which this report promotes.

Future Directions

The completion of this report leads to many avenues for future study. It is clear that to portray a true picture of legal aid - one that enables informed comparative analyses - a number of questions must be addressed. Our situation parallels that of a photographer - each time a photograph is studied, details emerge that call for an enlargement. Indeed, the developmental emphasis of this report is intended to lead to the questioning of statistical measures

applied to the legal aid sector. In turn, relevant factors affecting interpretations suggested by the statistics will be examined.

Since the initial review of this document a number of valuable ideas have surfaced, many of which point to the need to expand on the legal aid statistics currently collected. Proposed enhancements also relate to the shortcomings associated with relying heavily on statistics to accurately describe the delivery of services throughout the country. Factors which affect statistical interpretation include the services, policies, and procedures of the Plans, as well as certain demographic, social and economic characteristics of provincial populations. Potential developmental projects related to internal Plan activity include comprehensive descriptions of services provided, coverage standards, and client eligibility guidelines. Exemplary measures of provincial population characteristics relevant to the legal aid sector include the size of low income or target populations, the incidence of crime, the incidence of family and other civil matters, and incarceration rates by specific offence types. Apart from injecting more meaning into national legal aid statistics, the aforementioned information could also be of use to those administering legal aid plans across Canada.

Further insight into the nuances of statistical interpretation is expected to result from the limited distribution of this report. It is through the ongoing process of experimentation and feedback that the value of national statistical measurement in the legal aid sector will be enhanced.

LEGAL AID SERVICES IN CANADA

1981-82 AND 1982-83

PART TWO - SUPPLEMENTARY DOCUMENTATION

Sections

- A. The Canadian Centre for Justice Statistics
- B. List of Contacts
- C. Supplemental Legal Services
- D. National Definitional Framework
- E. Provincial Data Sets - Legal Aid Statistics
- F. Population Data Tables
- G. Bibliography

A. The Canadian Centre for Justice Statistics

The Mandate of the Centre

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Centre Organization Chart

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Mandate of the Centre

In June of 1981, the Canadian Centre for Justice Statistics was created to consolidate, reorganize, and support the collection of national justice statistics in Canada.

The Centre manifests a federal-provincial partnership through which needs are articulated, priorities established, and programs developed. Advice and direction are provided to each of the Centre's programs by individuals from all Canadian jurisdictions. Ultimate control of projects undertaken by the Centre rests with the Deputy Ministers responsible for justice in Canada and the Chief Statistician of Canada who together form the Justice Information Council. A chart illustrating the structure of the Centre follows.

The Centre's mandate is to produce and to support the production of relevant information on crime and the administration of justice in Canada. Products and services are developed to assist justice managers, policy-makers, and the general public. The intent in developing a national information service is to assist Centre clients in:

- . reducing the disparity of justice services delivered;
- . developing a means to evaluate the impact of changes in legislation on justice services;
- . establishing a rational basis for sharing costs of justice services;
- . reducing the duplication of services provided; and,
- . improving the quality of services delivered throughout the Canadian justice system.

Product Objective

The Centre's product objectives are based on the premise that national statistics should eventually enable managers and policy-makers to make inter-jurisdictional comparisons of:

- . the present or future utilization of services;
- . caseload and caseload composition;
- . resource and expenditure levels; and,
- . organizational structure, operational policies, legislation, and any other contextual information considered relevant.

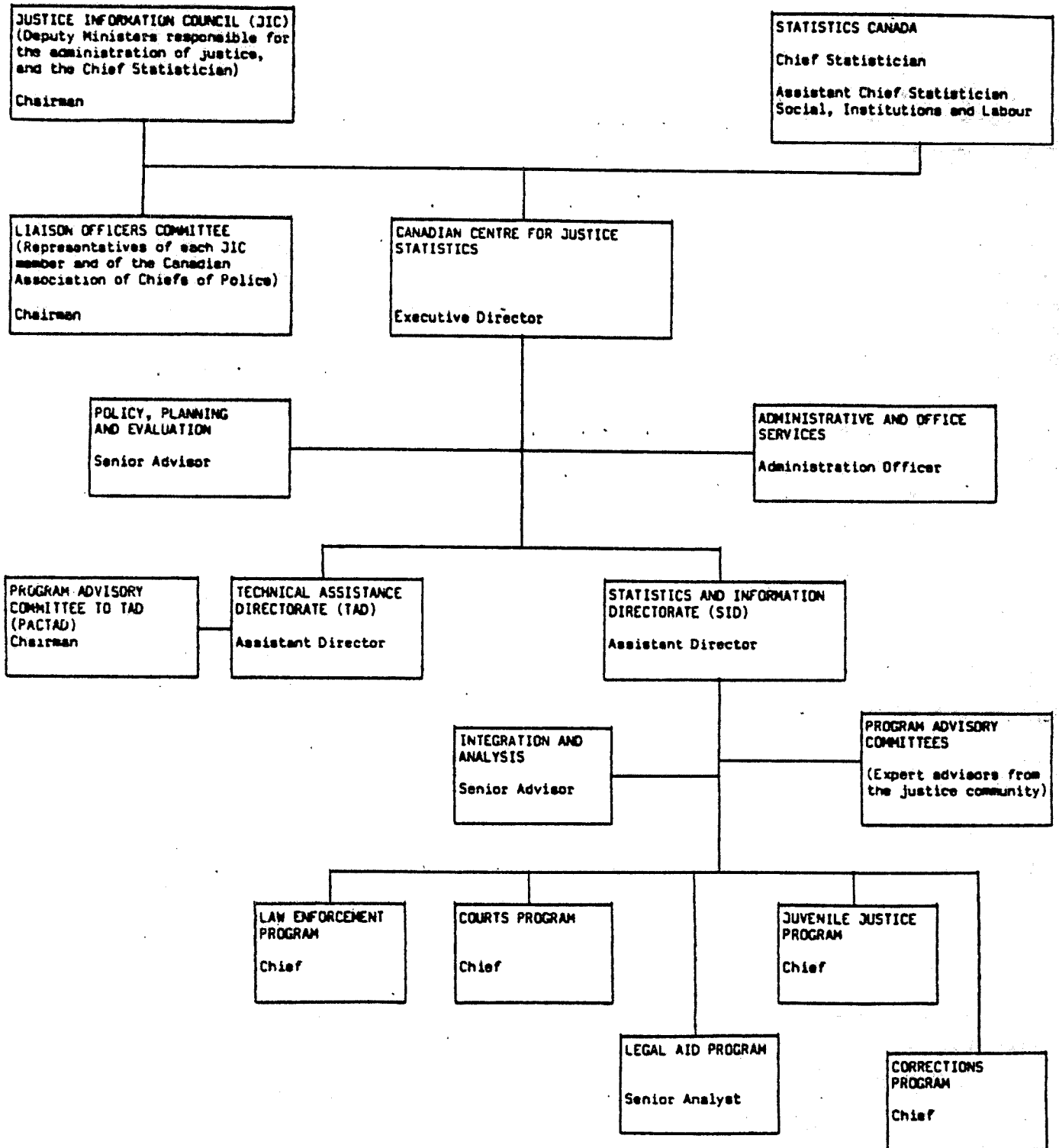
Service Objective

Services delivered by the Centre can be classified into three categories:

- . obtaining information on high priority justice related issues that are not necessarily of an enduring nature or of national scope;
- . introducing or modernizing information systems, to support both the production of national statistics as well as jurisdictional operations; and,
- . assisting in the effective use of information.

The Centre assists in the above-mentioned areas through the provision of financial resources as well as subject matter, methodological, and systems expertise.

ORGANIZATIONAL STRUCTURE: THE CANADIAN CENTRE FOR JUSTICE STATISTICS AND ITS PARTNERSHIP



16.7.1984

B. List of Contacts

	PAGE
Survey Respondents	B - 1
Legal Aid Program Advisory Committee	B - 3

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C. Supplemental Legal Services

Summary of Supplemental Services

In 1978, there were approximately 800 agencies other than legal aid plans assisting the public on a variety of legal matters. These organizations serve to complement and extend the services offered by legal aid plans, and as such, they are an integral part of the legal service network in Canada.

Supplemental legal assistance can include the provision of advocacy, advisory or educational services. All agencies serve either an educational or advisory function. Approximately one third of all agencies provide legal representation services. Methods of service delivery and scope of assistance available vary from province to province.

The number of organizations providing supplementary legal assistance is displayed in Chart I. This information was extracted from the 1978 directories of Canadian Public Legal Information produced by the Canadian Law Information Council. Information for the Northwest Territories and the Yukon was not available from these source documents.

Agencies which were not described as delivering services to a specific target group were classified as serving the general public. In some cases, an agency will provide services to both the general public and a specific target clientele. Such agencies were only scored once under the appropriate target category. Although this occurs infrequently, it results in some under-counting of agencies serving the public. A number of small target groups have been combined in the classification of "other" (e.g. unemployed, environmentalists, religious, veterans, homosexuals and immigrants).

Agencies are categorized as being in the public or private sector. An agency was classified as public if it operated under government directives. Private agencies include those which are self-governed, regardless of their source of funding.

Chart I also displays a count of agencies providing legal representation services before a decision-making body (e.g. courts, administrative tribunals). This category was also used to count any agency which provided any type of direct mediation of a legal problem.

Chart 1 - Supplemental Legal Services, 1978

Jurisdiction	Sector	Public	Youth	Seniors	Women	Natives	Property	Disabled	Other	Total
Newfoundland	Public	6(3)	1(1)	-(-)	-(-)	1(1)	1(1)	-(-)	-(-)	9(6)
	Private	5(2)	-(-)	1(-)	2(-)	1(1)	-(-)	-(-)	1(1)	10(4)
	Total	11(5)	1(1)	1(-)	2(-)	2(2)	1(1)	-(-)	1(1)	19(10)
Nova Scotia	Public	6(1)	-(-)	-(-)	1(-)	-(-)	2(-)	-(-)	-(-)	9(1)
	Private	10(1)	2(-)	1(1)	2(-)	-(-)	-(-)	1(-)	2(2)	18(4)
	Total	16(2)	2(-)	1(1)	3(-)	-(-)	2(-)	1(-)	2(2)	27(5)
Prince Edward Island	Public	4(-)	1(1)	-(-)	1(-)	-(-)	1(1)	-(-)	-(-)	7(2)
	Private	5(-)	1(-)	-(-)	-(-)	1(1)	-(-)	-(-)	-(-)	7(1)
	Total	9(-)	2(1)	-(-)	1(-)	1(1)	1(1)	-(-)	-(-)	14(3)
New Brunswick	Public	5(1)	1(-)	-(-)	1(-)	1(-)	1(-)	-(-)	-(-)	9(1)
	Private	9(-)	1(1)	-(-)	3(1)	1(1)	1(-)	3(-)	1(-)	19(3)
	Total	14(1)	2(1)	-(-)	4(1)	2(1)	2(-)	3(-)	1(-)	28(4)
Quebec	Public	64(40)	2(-)	-(-)	1(-)	-(-)	27(26)	11(-)	-(-)	105(66)
	Private	124(13)	7(7)	7(1)	22(5)	4(3)	16(-)	5(-)	39(3)	224(34)
	Total	188(53)	9(7)	7(1)	23(5)	4(3)	43(28)	16(-)	39(3)	329(100)
Ontario	Public	56(43)	3(-)	2(-)	1(-)	19(19)	4(-)	3(1)	1(1)	89(64)
	Private	86(24)	5(-)	3(1)	10(-)	1(-)	10(2)	2(-)	1(-)	118(27)
	Total	142(67)	8(-)	5(1)	11(-)	20(19)	14(2)	5(1)	2(1)	207(91)
Manitoba	Public	8(3)	2(-)	1(-)	1(-)	-(-)	1(-)	-(-)	-(-)	13(3)
	Private	5(-)	1(-)	1(1)	2(-)	3(1)	1(1)	-(-)	1(-)	14(3)
	Total	13(3)	3(-)	2(1)	3(-)	3(1)	2(1)	-(-)	1(-)	27(6)
Saskatchewan	Public	22(14)	1(-)	-(-)	-(-)	-(-)	2(-)	1(-)	1(1)	27(15)
	Private	9(-)	1(-)	3(-)	4(-)	2(2)	-(-)	-(-)	-(-)	19(2)
	Total	31(14)	2(-)	3(-)	4(-)	2(2)	2(-)	1(-)	1(1)	46(17)
Alberta	Public	11(3)	2(-)	1(-)	1(-)	-(-)	1(-)	2(1)	-(-)	18(4)
	Private	20(5)	4(-)	1(-)	6(1)	2(2)	1(1)	1(-)	2(-)	37(9)
	Total	31(8)	6(-)	2(-)	7(1)	2(2)	2(1)	3(1)	2(-)	55(13)
British Columbia	Public	9(-)	1(1)	-(-)	-(-)	-(-)	2(-)	-(-)	-(-)	12(1)
	Private	30(15)	2(1)	2(1)	7(1)	5(3)	2(-)	3(-)	4(-)	55(21)
	Total	39(15)	3(1)	2(1)	7(1)	5(3)	4(-)	3(-)	4(-)	67(22)
Canada Totals	Public	191(108)	14(3)	4(-)	7(-)	21(20)	42(28)	17(2)	2(2)	298(163)
	Private	303(60)	24(9)	19(5)	58(8)	20(12)	31(6)	15(-)	51(6)	521(108)
	Total	494(168)	38(12)	23(5)	65(8)	41(32)	73(34)	32(2)	53(8)	819(271)

Note: Bracketed figures refer to the number of agencies which provided legal representation services before a decision-making body. These figures are included in the preceding figure.

D. National Definitional Framework

Program Scope

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Data Element Definitions

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Program Scope

Information collected by the national legal aid statistics program is limited to descriptions of legal aid services delivered by legal aid offices which are funded in whole or in part by the legal aid plan of the province.

Data reported refer to all relevant activity during the fiscal year reporting period, beginning April 1 and ending March 31, unless otherwise noted.

Legal Aid Services

Three types of services are counted.

Summary Service

Includes advice which is given on matters of law (including eligibility for legal aid) to a person during a formal interview. This can include simple tasks such as making a telephone call or drafting a letter on behalf of a client. It does not include enquiries at the "front desk" of the legal aid office, nor telephone enquiries. Further, it does not include advice given following the approval of an application for assistance.

Duty Counsel Service

Refers to legal services provided, usually by a lawyer attending a court, place of detention, or other location for the purpose of appearing on behalf of or giving legal advice to a person at that location without prior arrangement.

Legal Assistance Service

Refers to substantial legal work performed on behalf of a client who formally applies and as a result of the application receives legal assistance. Legal assistance goes beyond help provided through either the duty counsel or legal advice service.

The data characterize services provided by type of matter or problem involved. This refers to the legal consequence specifically categorized, of a client's problem.

The classification of legal matters is as follows:

- (a) Criminal - Federal Statute Offences
 - Provincial/Municipal Statute Offences
- (b) Civil
 - Family Matters
 - Other Matters

Offence classifications used will be compatible with those applied to other national data bases. The national classification scheme is now under development.

Family law matters will include the following:

- marriage, nullity, divorce, judicial separation
- corollary relief, support/maintenance, matrimonial property
- custody/access, legitimacy, adoption, guardianship, child welfare

Intra-family criminal code offences will be classified based on the court in which the case is heard. This rule applies to charges under the Juvenile Delinquents Act or equivalent provincial acts.

All general law matters will be grouped together. That is, civil litigation (e.g. contract law, tort law, bankruptcy, etc.) and administrative law matters are included under "other" civil matters.

Legal Aid Office

For national reporting purposes, a legal aid office refers to any establishment providing direct legal service which is funded in whole or in part by the legal aid plan. All offices report to and/or are administered centrally by the Plan (i.e. community clinics are included). It is recognized that external agencies other than community clinics may receive grants from the Plan to provide services which could be termed legal aid. Services provided through these agencies are generally excluded from the scope of the program for data collection purposes, except insofar as funding of external agencies is reported as an expenditure of the Plan. Although caseloads handled through external agencies other than community clinics will not be counted, services provided will be described.

Legal Aid Plan

A legal aid plan is a commission, agency or organization established in a province or territory either by law, regulation or agreement for the purpose of providing legal counsel to indigent persons for criminal, civil, family and administrative tribunal matters; and/or special services such as duty counsel, legal advice and assistance, mental health patient programs, public legal education, preventive law programs, referral, general information services and advice which is ancillary to a request for legal assistance.

Data Element Definitions

Symbols: - : zero
 ... : too small to count
 .. : not available
 NA : not applicable
 (E) : estimate

Note: Data element definitions are listed below in order of presentation in the body of the report. Certain of the categorized data elements appear in the individual plan data sets only.

Expenditures and Resources

(1) Revenue by Source

Revenue refers to all monies received directly by the legal aid plan in a given year (i.e. accounts receivable are excluded).

Definition of Categories

Government contributions refer to both federal and provincial monies allocated to the Plan through the provincial government. Federal contributions under the federal/provincial cost-sharing agreements for criminal legal aid, and those under the Canada Assistance Plan, are not recorded separately since monies are generally directed to the Consolidated Revenue Fund of the Province, and not to the Plans directly.

Lawyer's trust account interest includes all monies received from the law profession.

Client contributions refer to all monies received from the aided person for legal assistance; flat user fees are included.

Cost recoveries refer to the party cost ordered or agreed to be recovered in the case. Includes all monies recovered from a judgement, award, or settlement.

(2) Expenditure by Object

Expenditures refer to the actual gross dollars expended by the Plan in a given fiscal year (i.e. accounts payable are excluded). Expenditures made on behalf of the Plan by other agencies are not included but are noted on relevant tables.

Definition of categories

Legal service expenditures include salary costs of staff lawyers and other professionals (i.e. private or staff) providing direct legal services to legal aid clients. Specific costs incurred on individual cases are also included (e.g. travel expenses).

Public education includes preventive law programs, educational programs, and publicity.

Funding of external agencies and other projects refers to monies expended by the legal aid plan on projects undertaken external to the Plan.

Research refers to legal research activity.

Administration includes rent; administrative staff salaries; office supplies; equipment and maintenance; conference, meeting, and membership expenses, etc. Administrative expenses of community law clinics are included.

(3) Legal Service Expenditure - Private and Salaried Professionals

Legal service expenditures (as discussed above) include salary costs of staff lawyers and other professionals providing direct legal services to legal aid clients. Specific costs incurred on individual cases are also included.

Definition of categories

Private practice lawyers refer to lawyers and notaries who operate their practice from within a private firm, and bill the legal aid plan for services rendered.

Salaried professionals refer to legal aid staff who are employed by the legal aid plan to provide direct services to clients from the legal aid office. Support staff are excluded.

(4) Personnel Resources as of March 31st

Personnel resources refer to the actual number of staff employed by the Plan on March 31st. That is, a head count rather than a staff complement or a person year expended count is reported. Both full-time and part-time employees on staff at the time of the count are included.

Definition of categories

Legal aid staff includes staff of legal aid offices funded by the Plan. Note that notaries are classified as lawyers where applicable.

Other professional staff include research staff, paralegals, accountants, translators, librarians, etc.

Support staff include law students, clerical staff, etc.

Lawyers in private practice include those indicating a willingness to provide legal aid services through inclusion on a resource list maintained by the Plan (i.e. legal aid panel list). An unduplicated count of lawyers is reported.

Active Bar members include the total number of lawyers certified and insured to practice in the jurisdictions. Government employed lawyers are excluded.

II Legal Aid Caseload

(5) Summary Service Count

Summary services refer to the provision of advice, information, or any other type of minimal service to an individual during a formal interview. It can include simple legal tasks such as making a telephone call or drafting a letter on behalf of a client. It does not include inquiries at the "front desk" of the legal aid office, or telephone inquiries.

The provision of summary services does not require that the applicant complete a formal application for assistance, however, summary assistance may be provided following rejection of a formal written request. Only summary services provided to the client in person are included.

The count refers to the number of times clients were assisted through summary services provided by the Plan.

(6) Duty Counsel Count

Duty counsel services refer to legal services provided to an individual by a lawyer at a location other than a legal aid office, where the person assisted had not previously applied in writing for services rendered.

The count refers to the number of times clients were assisted through duty counsel services provided by the Plan.

Definition of categories

Criminal duty counsel refers to services in criminal matters that are generally provided at a court or place of detention.

Civil duty counsel refers to services in civil matters that may additionally be provided at locations other than a court or place of detention (e.g. psychiatric hospital, senior citizens' home).

(7) Total and Approved Applications

Application refers to a formal request evidenced in writing whereby a person applies to a legal aid office for assistance. When aggregated, the total number of applications will reflect the number of individual requests for assistance, rather than the total number of persons seeking assistance. Requests for assistance must be recorded on the intake document used by the legal aid office. Related legal matters enumerated at the time of contact with the office are included on one application, regardless of the requirement for a court appearance. If a matter related to that on the original application

arises at a later date (other than appeal), a new application is not filed. Separate application forms are filed for criminal and civil matters.

Total number of applications reported for the year will include all applications filed during that time, regardless of when the application was approved or rejected.

Definition of categories

Approval of a legal aid application is signified through the issuance of a certificate, referral, or any other authorization which denotes that legal services will be granted to the applicant. This count and the counts of summary service and duty counsel service are mutually exclusive.

Caution must be taken when comparing total and approved application counts across provinces due to a lack of consistent application procedures. That is, the extent to which potential clients are screened prior to filing an application varies from province to province.

(8) Refused Applications by Grounds for Refusal

Refused application refers to an application that has been denied. An application can be refused, appealed and again refused. For statistical purposes, the initial refusal only is counted.

Refusal counts are generally not comparable across jurisdictions due to inconsistent application procedures.

Financial ineligibility refers to a refusal for legal aid based on some financial information disclosed by the applicant pertaining to his/her assets and liabilities. If one application is refused on grounds of financial ineligibility as well as one or more other reasons, financial eligibility is counted as the major reason.

(9) Completed Dossiers by Private Practice and Salaried Professionals

Dossier refers to an application which has been approved and for which a file has been opened. The dossier consists of one or several related legal matters which a potential client enumerates at the time of contact with the legal aid office. That is, multiple charges can be included in one dossier. Dossiers are opened for all approved applications regardless of the necessity for court representation. In the event that a client requests assistance on both a civil and criminal matter, two dossiers are opened. If a new legal problem arises at a later date for which a client is eligible, a new dossier is not opened if the matter is related to the problem(s) contained in the active dossier. Only legal matters related to those enumerated at the time of the original application are included in the first dossier, appeals excepted.

Total number of dossiers completed will include all files closed during the reporting period, regardless of the date of opening. When the case has been dealt with through the provision of legal services, or at which time final billings associated with the case have been received, the dossier is

considered closed. At that point, the case is considered complete in terms of human and financial resources required on the part of the legal aid plan. This count and counts of summary and duty counsel services are mutually exclusive.

(10) Completed Federal Criminal Dossiers by Major Offence Category

Definition of categories

At a later date the appropriate sections of the Criminal Code to be included in each category will be specified. In the interim, standards normally applied by the Plan are used.

Note that only one offence is reported per dossier; that is, the offence deemed to be most serious in nature. Appeal cases are not included in distributions which display offence data.

Cases reported under the Juvenile Delinquents Act are counted separately from the offence categories.

(11) Completed Appeal Dossiers

Appeal refers to an appeal of a lower court decision; not an appeal of a refused application. Appeal dossiers include only one matter.

E. Provincial Data Sets - Legal Aid Statistics, 1981-82 and 1982-83

	PAGE
Newfoundland	E - 1
Prince Edward Island	E - 4
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Manitoba	E - 19
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Alberta	E - 26
British Columbia	E - 29
Yukon Territory	E - 32
Northwest Territories	E - 36

Newfoundland

Contact(s): Newman Petten
Lynne Mulroney

Source(s) for Approved Data

All data pertinent to the exercise were supplied by the Plan (i.e. it was not necessary to consult alternate data sources).

Expenditure data source - claim form, internal records
Caseload data source - internal records

Claim form expenditure data were adjusted to comply with category definitions. Total dollar figures presented in the claim form are accurate for statistical purposes. Caseload information contained in the claim form is consistent with internal records. Annual reports are not available.

Major Definitional Inconsistencies

Provincial statute offences are included in civil expenditure and caseload data.

Criminal caseload statistics reflect a charge rather than a dossier count because the former counting procedure is more consistent with the collection of other justice sector data in the province. Also, matters dealt with on court circuit are counted in duty counsel caseload statistics only.

Missing data

- (1) Family and other civil expenditures are not distinguishable.
- (2) Summary service counts are not maintained.
- (3) Grounds for refusal information is not aggregated.
- (4) Welfare of Children Act cases are not aggregated.
- (5) Age and sex data are not aggregated.

Future Availability of Data

The Commission considers the above-mentioned data to be of some value, but due to resource constraints, it is not collected at the provincial level.

The Commission intends to count cases involving juveniles in the future. The Commission has also expressed a willingness to move toward the national case count, however the implications of doing so require further consideration.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR.	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSIS RECOVERED	SPECIFIC PURPOSE GRANTS(1)	OTHER
1981-82	1,013	967	NA	20		9	17
1982-83	1,279	1,236	NA	17		12	14

(1) Refers to monies granted by the federal government to fund a student employment program.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN(1)	TOTAL CIVIL	FAMILY	OTHER	TOTAL	PUBLIC EDUC.	EXT. PROJ.	TOTAL	RESEARCH	ADMIN.
1981-82	1,024	557	..	384	..	173	..	..	9	9	NA	458	NA	458
1982-83	1,267	724	..	486	..	238	..	..	12	12	NA	531	NA	531

(1) Municipal offences are not handled by legal aid. Expenditures related to provincial statute offences are included in total civil expenditures.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	557	329	228
1982-83	724	430	293

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF	SUPPORT STAFF(1)		
1981-82	24	-	10	2	12	125(e)	..
1982-83	24	-	10	2	12	135(e)	324

(1) Summer students are excluded.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Rejected applicants often receive services however counts are not taken.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	1,446	1,426	20
1982-83	1,324	1,280	44

(1) Court circuit cases are included in the count. In January, 1983, all duty counsel services apart from those provided on court circuit were cancelled. Note that provincial statute offence cases are included in the civil count.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	5,908	2,911	2,997	3,603	2,205	1,398
1982-83	7,238	3,497	3,741	3,935	2,428	1,507

(1) Note that all persons seeking assistance are required to complete an application, circuit court cases excepted. Provincial statute offence cases are included in the civil case count.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	2,305	706	1,599	..	..	..	..	..	..
1982-83	3,303	1,069	2,234	..	..	..	..	..	..

(1) Provincial statute offence cases are included in the civil case count. Circuit court cases are excluded.

TABLE 9 - COMPLETED DOSSIER BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS(1)

YEAR	TOTAL COMPLETED DOSSIERS			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	2,969	1,030	1,939	1,951	874	1,077	1,018	156	862
1982-83	3,397	1,119	2,278	2,100	932	1,168	1,297	187	1,110

(1) Criminal case counts are based on charges dealt with rather than dossiers completed. Circuit court cases are excluded. Note that provincial statute offence cases are included in the civil case count.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT(4)	OTHER FEDERAL STATUTES
		TOTAL	MDM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT 84E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING(2)	OTHER(3)			
1981-82	1,849	1,692	5	25	31	115	30	722	124	142	498	157	..	..
1982-83	2,019	1,900	14	32	29	153	22	853	179	127	491	119	..	..

(1) Counts are based on charges dealt with. Circuit court cases are excluded.
 (2) Includes other motor vehicle offences.
 (3) Includes other federal statute offences.
 (4) Number of charges dealt with under the Welfare of Children Act cannot be extracted from the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	102	102	..	..	-	-	-
1982-83	81	81	..	..	-	-	-

(1) Circuit court cases are excluded.

Prince Edward Island

Contact(s): Kent Brown

Source(s) for Approved Data

Available data pertinent to the exercise were collected by Centre staff, as directed by the contact.

Expenditure data source - annual report, claim form

Caseload data source - annual report, claim form

Inconsistent expenditure data are reported in the annual report and claim form. The latter source is considered most accurate for statistical purposes. Caseload statistics presented in the claim form and annual report do not differ.

Major Definitional Inconsistencies

Case counting procedures applied to criminal and civil matters differ. Criminal caseloads are reported on a charge basis while civil caseloads are reported on an open dossier basis.

Missing Data

- (1) Criminal, civil, and administrative legal aid expenditures are not distinguishable.
- (2) The cost of cases handled by salaried staff cannot be separated from administrative expenses.
- (3) Summary service and duty counsel counts are not recorded separately. All cases involving an approved application are counted regardless of type of service.
- (4) Total application counts do not apply. Only approved applications are completed and counted. Similarly, information on the refused applicant population is not available.
- (5) Appeal data are not aggregated.
- (6) Age data for civil caseload are not aggregated.
- (7) Age data characteristic of criminal legal aid clients are available, however, categorizations used are very broad.
- (8) Sex data for criminal caseload are not aggregated.

Future Availability of Data

There are no plans to change reporting practices at this time.

A - RESOURCES

PROVINCE: PRINCE EDWARD ISLAND

TABLE 1 - REVENUE BY SOURCE(1)(a) \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	128	128	NA	NA	NA	NA	NA
1982-83	129	129	NA	NA	NA	NA	NA

(1) Expenditures are fully funded by the provincial Department of Justice.

TABLE 2 - EXPENDITURE BY OBJECT(1) \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN
1981-82	128	..	..	..	NA	..	..	NA	NA	NA	NA	..	NA	..
1982-83	129	..	..	..	NA	..	..	NA	NA	NA	NA	..	NA	..

(1) Criminal civil and administrative expenditures cannot be accurately displayed at this time. Note that the provincial Department of Justice provides certain administrative services to legal aid which are not accounted for in these data.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	..	17	..
1982-83	..	7	..

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS(1)	NO. OF PRIVATE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROV'NL STAFF	SUPPORT STAFF		
1981-82	4	-	3	-	1	19	84
1982-83	4	-	3	-	1	7	94

(1) Private counsel are retained only if a scheduling problem or other conflict prevents a staff lawyer from acting. Figures refer to the number of lawyers who actually provided services.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Services of a summary nature are often provided to rejected applicants, however, these services are not counted.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82			
1982-83			

(1) Services of a duty counsel nature are provided informally, however, data are not captured for this service.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS

YEAR	TOTAL APPLICATIONS(1)			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	758	608	150
1982-83	751	510	241

(1) All potential applicants are screened for eligibility prior to filing an application. As a result, virtually all applications are accepted.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82									
1982-83									

(1) A refused application count is not maintained. See explanatory note, Table 7.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETED			CRIMINAL(1)			CIVIL(2)		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	1,075	25	1,050	150	9	141
1982-83	971	9	962	241	7	234

(1) Refers to number of charges dealt with rather than number of dossiers completed.
 (2) Refers to number of dossiers opened.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY (1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	1,075	1,011	7	4	53		16	416	175	99	241	58	6	-
1982-83	971	927	2	2	39		6	439	82	102	235	22	22	-

(1) Charges rather than completed dossiers are counted. Appeals are included in the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82							
1982-83							

(1) This information is not aggregated.

Nova Scotia

Contact(s): Albert Bremner

Source(s) for Approved Data

Available data pertinent to the exercise were collected by Centre staff, as directed by the contact.

Expenditure data source - annual report

Caseload data source - annual report

Claim form data are not considered accurate for statistical purposes. Total dollar figures presented in the claim form coincide with those appearing in the annual report, however, categorized data differ. Caseload data are consistent between sources.

Major Definitional Inconsistencies

Direct legal service expenditures include both salary costs for staff professionals and administrative staff. These expenditures cannot be separated.

Missing Data

- (1) Criminal and civil legal service expenditures are not distinguishable.
- (2) Summary service counts are not consistently collected throughout the province.
- (3) Services of a duty counsel nature are not counted.
- (4) Application counts are not aggregated at the provincial level.
- (5) Grounds for refusal information is not aggregated.
- (6) Age and sex data are not aggregated.

Future Availability of Data

The Technical Assistance Directorate of the Centre has been working with Nova Scotia Legal Aid, toward the improvement of the legal aid caseload information system. The new system commenced operations April 1, 1984. Given that no problems are encountered, all caseload data to be captured for national statistical purposes will be available for the 1984-85 reporting period.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS(1)	OTHER
1981-82	2,860	2,577	NA		25	120	138
1982-83	2,563	2,427	NA		41	-	95

(1) Refers to monies granted by the federal government to fund an evaluation research project.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL(1)	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER	TOTAL	PUBLIC EDUC.(2)	EXT. PROJ	TOTAL	RESEARCH	ADMIN
1981-82	2,891	2,336	..	..	..	..	..	..	186	NA	186	368	30	338
1982-83	2,786	2,355	..	..	..	..	..	..	59	NA	59	372	30	342

(1) Accrual rather than cash-based expenditures are reported. Also included is the cost of all administrative staff who directly support the work of legal aid lawyers.

(2) Public Legal Education operates independently of the Plan and receives no funding from the Plan.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED(1)
1981-82	2,336	131	2,205
1982-83	2,355	63(2)	2,291

(1) Salaries of staff who directly support the work of legal aid lawyers are included.

(2) This decrease is the result of fewer certificates being issued to the private bar as a cost-cutting measure.

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS(2)	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF(1)	SUPPORT STAFF		
1981-82	75		42		33	NA	922
1982-83(3)	57		32		25	NA	947

(1) Articled clerks are not included in the count. The Articled Clerk Program was cancelled in 1982-83 due to budget cutbacks.

(2) Panel lists are not maintained. All members of the Bar able to provide legal aid services constitute the total number of potential private practice lawyers that may deliver legal aid services.

(3) The reduction in the staff resource count is a result of budget restraint and consequent staff layoffs.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Complete data are not available due to inconsistent counting procedures applied across the province.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82			
1982-83			

(1) Although work of this nature is carried out on an informal basis, a comprehensive count is not maintained.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82						
1982-83						

(1) This information is not aggregated at the provincial level.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82									
1982-83									

(1) This information is not aggregated at the provincial level.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETED DOSSIERS			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED(1)	TOTAL	PRIVATE	SALARIED
1981-82	15,040	364	15,076	9,137	84	9,053	6,303	280	6,023
1982-83(2)	14,679	147	14,532	9,422	57	9,365	5,257	90	5,167

(1) Included are 397 provincial/municipal statute offence cases in 1981-82. The corresponding figure for 1982-83 is 354.
 (2) In 1982-83, the issuance of fee-for-service certificates to the private bar was restricted to cases of necessity.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FOA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	8,614	7,946	14	87		608	233	3,313	870	434	2,387	487	181	-
1982-83	8,956	8,168	9	116		532	164	3,248	967	576	2,556	526	262	-

TABLE 11 - COMPLETED APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER-PARTY INITIATED	CLIENT INITIATED
1981-82	153	126	..	..	27	..	..
1982-83	147	112	..	..	35	..	..

New Brunswick

Contact(s): Marilyn Bubar

Source(s) for Approved Data

Most of the data pertinent to the exercise were supplied by the Plan (i.e. approval was given to consult the claim form for caseload distributions not displayed in the annual report).

Expenditure data source - annual report, claim form
Caseload data source - annual report, internal records, claim form

Expenditure and caseload data presented in the annual report and claim form are consistent.

Major Definitional Inconsistencies

The dossier count deviates from the national definition due to interim billing practices of private practice lawyers. The total completed dossier count refers to number of payments made which may exceed the number of actual certificates completed. Note that summary services are not distinguished from full legal services for the purpose of reporting caseload statistics.

Offence data are based on charges completed rather than dossiers completed.

Missing Data

- (1) Family and other civil expenditures are not distinguishable.
- (2) Summary service counts are not maintained. All requests for assistance require the filing of an application and are not categorized by nature of service.
- (3) Grounds for refusal information is not aggregated.
- (4) A juvenile criminal case count is not aggregated.
- (5) Age and sex data are not aggregated.

Future Availability of Data

Juvenile counts will be available for the year 1983-84.

There are no further plans to change the information system at this time. The Plan has however, expressed a willingness to keep track of that additional information which other jurisdictions are able to report on to the extent possible.

A - REVENUES

PROVINCE: NEW BRUNSWICK

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED (1)	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	1,200	1,173	NA	22	1	NA	4
1982-83	2,745	2,650	NA	44	51	NA	-

(1) Costs are recovered in civil cases only. There are generally no cost recoveries in criminal cases.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL(1)	FAMILY	OTHER	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN
1981-82	1,264	933	771	693	78	162	..	..	1	NA	1	330	1	329
1982-83	2,635	2,161	916	850	66	1,245	..	..	1	NA	1	473	1	472

(1) Civil legal aid coverage commenced in October 1981. Coverage was provided in the latter six months of 1981-82.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	933	933	NA
1982-83	2,161	2,161	NA

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF TOTAL	LAWYERS				SUPPORT STAFF
		ADMIN. SERVICE	DIRECT SERVICE	OTHER PROF'NL STAFF		
1981-82	24	9	-	-	15	
1982-83	25	9	-	-	16	

NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
379 (e)	..
435 (e)	603

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT (1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Included in the application and dossier counts. Application must be made for all services apart from duty counsel.

TABLE 6 - DUTY COUNSEL COUNT

YEAR	TOTAL	CRIMINAL	CIVIL(1)
1981-82	16,527	14,666	1,861
1982-83	19,703	14,724	4,979

(1) Civil coverage was provided for a six month period in 1981-82.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS (1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	4,064	2,080	1,984	3,559	1,795	1,764
1982-83	7,469	2,408	5,061	6,446	2,152	4,294

(1) Note that applicants are not screened for eligibility prior to filing an application. Summary services are included.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL

FISCAL YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	472	270	202	...	...	...	...	...	...
1982-83	1,360	451	909	...	...	...	...	...	...

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS (1)

YEAR	TOTAL COMPLETED DOSSIERS			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	1,756	1,756	NA	1,319	1,319	NA	437	437	NA
1982-83	4,586	4,586	NA	1,733	1,733	NA	2,853	2,853	NA

(1) Note that these figures include some double-counting because the dossier count is based on number of payments made. It is possible that more than one payment could be made on a certificate due to interim-billing practices.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY (1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT (3)	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&C, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING(2)	OTHER			
1981-82	1,446	1,211	35	21		108	48	594	29	81	295	116	..	119
1982-83	1,731	1,441	47	24		160	70	687	32	79	342	104	27	186

(1) These data are based on charges dealt with. Also note that appeals are included in the offence distribution.
 (2) Other motor vehicle offences are included.
 (3) Juvenile Delinquent Act matters are included in the preceding offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	24	24	10	14	-	-	-
1982-83	22	22	7	15	-	-	-

Quebec

Contact(s): René Morin

Source(s) for Approved Data

All data approved for the exercise were supplied by the Plan (i.e. it was not necessary to use information derived from alternate data sources).

Expenditure data source - internal records

Caseload data source - annual report, internal records

Claim form data are not considered accurate for statistical purposes. Total dollar figures presented in the claim form coincide with those submitted in the survey, however, categorized data differ. Caseload counts required for national statistical purposes are not contained in the claim form.

Major Definitional Inconsistencies

Direct legal service expenditures include administrative costs for one community clinic.

Caseload counts are based on open rather than completed dossiers. Note that municipal offences are included in the civil caseload figures; however, their numbers are estimated to be few.

Missing Data

- (1) Legal service expenditure data are not readily available in a format consistent with the national categorization.
- (2) Summary service counts are not consistently captured.
- (3) Duty counsel counts are not maintained.
- (4) Appeal data are not readily available.
- (5) Age and sex data are not available for pilot study purposes.

Future Availability of Data

The Commission is in the process of examining the relationship between open and closed dossiers. Completed dossier counts are now being captured for the private bar, however, it is uncertain if this counting procedure will later be applied to the legal aid staff caseload count.

Client profile information will be made available for national statistical purposes when national requirements are firmly established.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	45,736	45,008	N/A	N/A	249	N/A	479
1982-83	51,879	51,092	N/A	N/A	304	N/A	483

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER			
		TOTAL	TOTAL CRIM	FED. CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN	
1981-82	45,700	39,876	..	..	..	..	..	..	..	366	366	N/A	5,458	560	4,898
1982-83	52,710	46,390	..	..	..	..	..	..	..	318	318	N/A	6,003	598	5,405

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	39,876	15,091	24,784
1982-83	46,390	19,208	27,182

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS(1)	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF	SUPPORT STAFF		
1981-82	837	10	324		503	3,862(2)	11,219(4)
1982-83	829	10	320		499	3,921(3)	11,825(5)

- (1) Refers to the number of advocates and notaries in private practice to whom payments were made.
 (2) Includes 2,484 advocates; 1,378 notaries.
 (3) Includes 2,628 advocates; 1,293 notaries.
 (4) Includes 8,769 advocates; 2,447 notaries.
 (5) Includes 9,251 advocates; 2,374 notaries.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

- (1) A comprehensive provincial count is not maintained.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82			
1982-83			

- (1) Although a duty counsel service is provided by staff lawyers, a count is not maintained.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	251,150	80,463	170,687	219,873	77,051	142,824
1982-83	240,472	83,959	176,513	228,240	79,988	148,252

(1) Potential applicants undergo a preliminary screening procedure prior to the completion of an application. Note that municipal statute offences are treated as civil.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	31,275	3,412	27,863	22,456	2,932	19,524	8,819	480	8,339
1982-83	32,232	3,971	28,261	23,137	3,281	19,856	9,095	690	8,405

(1) Note that municipal statute offences are treated as civil.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS(1)

YEAR	DOSSIERS COMPLETED			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	219,875	75,156	144,719	77,051	27,297	49,754	142,824	47,859	94,965
1982-83	228,240	80,937	147,303	79,988	29,894	50,094	148,252	51,043	97,209

(1) Refers to open dossiers counts. Note that municipal statute offences are treated as civil.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	MDM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING(2)	OTHER(3)			
1981-82	77,051	63,579	253	149	310	3,094	1,866	19,482	3,832	10,620	23,973	3,468	9,262	742
1982-83	79,988	66,202	310	165	365	3,586	1,949	21,950	4,266	10,904	22,707	3,721	9,127	938

(1) Refers to open dossier counts. Note that appeals are included in the offence distribution.

(2) Includes other motor vehicle offences.

(3) Includes provincial statute offences.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CRIMN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82							
1982-83							

(1) These data are not readily available.

Ontario

Contact(s): Dermot McCourt
Nancy Spooner

Source(s) for Approved Data

All data approved for the exercise were supplied by the Plan (i.e. it was not necessary to consult alternate data sources).

Expenditure data source - internal records
Caseload data source - internal records

Claim form data are not considered accurate for statistical purposes. Total dollar figures presented in the claim form coincide with those submitted in the survey, however, categorized data differ slightly. Aggregated caseload counts are consistent between sources, however, some variation is evident in the categorized data.

Major Definitional Inconsistencies

Direct legal service expenditures include administrative costs incurred by community clinics.

Note that the scope of services provided by the Plan excludes community clinics due to their treatment as external agencies funded by the Plan. This is inconsistent with the treatment of similar clinics providing services in other jurisdictions.

For the purpose of displaying Ontario data alone, corresponding information pertaining to community clinics will be included in table note format. These data sets will be aggregated to the extent possible when displaying data across provinces in a comparative manner. Note that clinic caseload data are reported on a calendar rather than a fiscal year basis.

Missing Data

- (1) Age and sex data are not aggregated.
- (2) Completed dossier counts are not available for community clinic activity.

Future Availability of Data

The Plan has expressed an interest in collecting age and sex data provincially. These data are expected to be available for the reporting year 1985-86. There are also plans to collect completed dossier counts on community clinic activity, however, date of implementation is not known. The calendar year reporting period for community clinic caseload activity is not expected to change.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS(1)	OTHER
1981-82	56,224	35,068	11,600	2,413	1,169	5,470	504
1982-83	58,231	38,092	9,148	2,519	1,397	6,795	280

(1) Refers to monies granted by government for the funding of community-based law clinics.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM.	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ(1)	TOTAL	RESEARCH	ADMIN
1981-82	56,241	41,148	24,335	24,226	110	16,813	12,862	3,951	6,090	117	5,973	9,003	557	8,446
1982-83	58,200	40,412	24,901	24,583	318	15,511	11,556	3,956	7,632	73	7,560	10,156	749	9,407

(1) Includes monies expended on community law clinics, student legal aid societies, and special projects. Community law clinic expenditures amounted to \$5,469,935 in 1981-82 and \$6,793,142 in 1982-83. Included in the preceding figures are administrative expenses incurred by both the Plan and the community clinics. The Plan incurred expenses of \$266,504 in 1981-82 and \$334,258 in 1982-83 in the administration of the clinic program.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED(1)
1981-82	41,148	40,744	404
1982-83	40,412	39,947	465

(1) Refers to expenses of a salaried duty counsel program which covers criminal matters. These expenditures include an administrative expense of \$9,642 and \$8,063 in 1981-82 and 1982-83 respectively. Community clinic salary costs are excluded because they are paid by clinic boards rather than by the Plan. These approximated \$1,375,600 in 1981-82 and \$1,612,000 in 1982-83.

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31(1)

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS(3)	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE(2)	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF	SUPPORT STAFF		
1981-82	..	..	..	..	..	..	10,770
1982-83	356	63	15	27	251	8,738	11,106

(1) Community clinic staff are excluded. The personnel count for clinics totalled 220 in 1981-82 and 229 in 1982-83. The 1981-82 count includes 59 direct service lawyers, 109 paralegals and 52 support staff. The figures for 1982-83 are 63, 112 and 54 respectively.

(2) Included are 40 private lawyers who operate judicial offices on a part-time basis.

(3) Lawyers who are on a panel list in more than one judicial district are counted more than once.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	46,105
1982-83	53,334

(1) Excludes calendar year community clinic activity. The counts for 1981 and 1982 are 68,781 and 77,075 respectively.

TABLE 6 - DUTY COUNSEL COUNT

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	226,565	180,615	45,950
1982-83	244,626	196,134	48,493

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM.	CIVIL	TOTAL	CRIM.	CIVIL
1981-82	111,456	..	..	81,048	44,825	36,223
1982-83	124,811	..	..	90,892	49,896	40,996

(1) Note that in some cases potential applicants are screened prior to filing an application. Application procedures vary across offices. Community clinic data are excluded. During the 1981 calendar year 17,520 files were opened. The corresponding figure for 1982 is 21,671.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	34,165	18,630	15,535	7,469	3,908	3,561	26,696	14,722	11,974
1982-83	36,217	18,716	17,501	7,781	3,518	4,263	28,436	15,198	13,238

(1) Community clinic data are not available.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS(1)

YEAR	TOTAL COMPLETED DOSSIERS			CRIMINAL(2)			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	77,032	77,032	NA	43,443	43,443	NA	33,589	33,589	NA
1982-83	69,394	69,394	NA	40,973	40,973	NA	28,421	28,421	NA

(1) Community clinic data are not available. Note that criminal matters are generally not handled by community clinic staff.
 (2) Provincial/municipal statute offences totalled 127 in 1981-82 and 195 in 1982-83.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	MDM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	43,316	38,220	482	321		4,284	2,083	17,732	2,937	2,176	8,205	2,771	2,060	265
1982-83	40,778	36,339	486	340		4,072	1,897	17,230	2,719	2,007	7,588	2,410	1,823	206

(1) Appeals are included in the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS CROWN			CIVIL APPEALS(1)		
		TOTAL	INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	1,821	1,411	96	1,315	410	..	..
1982-83	1,703	1,372	137	1,235	331	..	..

(1) Community clinic data are excluded.

Manitoba

Contact(s): Nadia Burke

Source(s) for Approved Data

All data pertinent to the exercise were supplied by the Plan (i.e. it was not necessary to consult alternate data sources).

Expenditure data source - annual report

Caseload data source - annual report

Expenditure and caseload data appearing in claim forms and annual reports are consistent.

Major Definitional Inconsistencies

Total community clinic expenses are included under legal service expenditures. Administrative and legal service clinic expenditures are distinguishable at the aggregate level but cannot be separated for criminal and civil matters.

Completed dossier counts represent private bar activity only. Salaried staff caseloads are characterized by an open dossier count. Total caseload counts for the province are available for open dossiers only.

Summary service statistics include services provided over the phone.

Missing Data

- 1) Family and other civil expenditures are not distinguishable.
- 2) Salaried staff duty counsel counts cannot be reported for civil and criminal matters separately.
- 3) Grounds for refusal information is not available.
- 4) Age and sex data are not aggregated.

Future Availability of Data

A completed dossier count for salaried staff cases will be available for the reporting period 1984-85.

There are no further plans to change reporting practices at this time.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	5,213	5,034	..(1)	133	25	N/A	-
1982-83	6,973	5,812	1,017	114(2)	26	N/A	4

(1) Included in government contributions.

(2) The policy of collecting a user fee was abolished effective May 1, 1982.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE(1)							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN
1981-82	5,201	4,502	2,362	2,323	40	2,140	..	..	16	N/A	16	682	N/A	682
1982-83	6,981	6,029	3,307	3,256	51	2,722	..	..	18	N/A	18	935	54	881

(1) All law clinic expenses are included under legal service expenditures. These amounted to \$1,654,416 in 1981-82 and \$1,839,724 in 1982-83. Administration, library, and legal service expenditures totalled \$476,007, \$19,417, and \$1,158,992 in 1981-82. The respective 1982-83 figures are \$579,899, \$22,621, and \$1,237,204. Criminal and civil legal service expenditures are not distinguishable for clinic activity.

TABLE 3 - LEGAL SERVICES EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	4,007	2,848	1,159
1982-83	5,426	4,189	1,237

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF				
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'L STAFF	SUPPORT STAFF
1981-82	75	..	..	..	..
1982-83	85	3	24	14	44

NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF PRIVATE BAR MEMBERS
670	1,403
700	1,392

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	43,606
1982-83	55,938

(1) Includes services provided over the phone.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	4,679	3,462	1,217
1982-83	5,962	4,282	1,680

(1) Refers to private practice activity only. Salaried staff serviced 11,511 cases in 1981-82 and 13,264 in the following year.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	17,302	9,881	7,621	13,530	7,823	5,705
1982-83	22,325	12,196	10,129	17,486	9,985	7,501

(1) Prior to the filing of a written application, potential clients undergo a preliminary screening procedure.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	3,972	2,056	1,916	..	..	..	..	..	..
1982-83	4,839	2,211	2,628	..	..	..	..	..	..

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETE			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	..	9,623	..	..	5,758	..	..	3,865	..
1982-83	..	12,206	..	..	7,431	..	..	4,775	..

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FOA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	5,451	4,950	107	140	484	324	2,320	381	312	882	287	190	24	
1982-83	7,099	6,531	136	163	568	309	3,059	535	491	1,270	331	208	20	

(1) Refers to private bar activity only.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

FISCAL YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	177	130	20	110	47	..	..
1982-83	237	133	19	114	104	..	..

(1) Refers to private bar activity only.

TABLE 9a - OPEN DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETE			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	13,930	10,661	2,869	7,827	6,643	1,184	5,703	4,018	1,685
1982-83	17,486	14,335	3,151	9,985	8,647	1,338	7,501	5,688	1,813

TABLE 10a - OPEN FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER (1)			
1981-82	7,656	7,044	111	185	697	349	3,145	529	650	1,378	352	225	35	
1982-83	9,804	9,131	167	241	1,060	321	4,041	665	987	1,649	383	255	35	

(1) Includes provincial/municipal statute offences.

TABLE 11a - TOTAL OPEN APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	293	171	24	147	122	..	..
1982-83	324	181	34	147	143	..	..

Saskatchewan

Contact(s): Ian Wilson
Laura Lacoursière

Source(s) for Approved Data

All data pertinent to the exercise were supplied by the Plan (i.e. it was not necessary to consult alternate data sources).

Expenditure data source - internal documents
Caseload data source - internal documents, annual reports

Data presented in the claim form and annual report differ. The claim form is done on a cash basis of accounting and includes value for free services. The financial statements are done using accrual-based accounting. Caseload statistics presented in the annual report and claim forms conflict due to coverage and definitional inconsistencies. Claim form data are not considered accurate for statistical purposes.

Major Definitional Inconsistencies

Caseload counts reported to the Commission by community clinics represent a combination of dossier and charge counts.

Missing Data

- (1) Federal and provincial criminal legal service expenditures are not distinguishable.
- (2) Family and other civil legal service expenditures are not distinguishable.
- (3) Summary service counts are not maintained.
- (4) Duty counsel counts are not maintained.
- (5) Total and refused application counts are not maintained.
- (6) Appeal data are unavailable.
- (7) Age and sex data are not aggregated.

Future Availability of Data

The Technical Assistance Directorate of the Centre has recently been given approval to assist the Commission toward the improvement of the legal aid management information system. This effort could assist the Commission considerably in supplying the caseload information recommended for collection at the national level.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	5,169	5,136	N/A	15	16	N/A	2
1982-83	5,913	5,878	N/A	15	11	N/A	10

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER	TOTAL	PUBLIC EDUC.(1)	EXT. PROJ.(2)	TOTAL	RESEARCH	ADMIN.(3)
1981-82	5,152	2,873	1,646	..	..	1,227	..	..	22	NA	22	2,257	NA	2,257
1982-83	5,904	3,429	1,724	..	..	1,705	..	..	43	NA	43	2,432	NA	2,432

- (1) Staff professionals perform public education services as part of their regular workload. The respective expenditure is not distinguishable from legal service expenditures.
- (2) Includes funding of the Public Legal Education Association of Saskatchewan and the Clinical Law Program operated by the University of Saskatchewan.
- (3) In 1981-82 the Department of Supply and Services provided \$147,000 value of office space. The corresponding value for 1982-83 was \$252,000. These dollars are included in the data.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	2,873	179	2,694
1982-83	3,429	399	3,030

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31/81

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF	SUPPORT STAFF		
1981-82	141	2	55	32	52	..	1,039
1982-83	139	2	53	33	51	289	1,099

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) A minimal service is provided however, counts are not maintained.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	N/A
1982-83	N/A

(1) Staff lawyers provide services of this nature however, a count is not maintained.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM(1)	CIVIL
1981-82	26,167	16,272	9,895
1982-83	28,610	18,348	10,262

(1) A total of 828 provincial/municipal cases were approved in 1981-82.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82									
1982-83									

(1) A refused application count is not maintained.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS(1)

YEAR	TOTAL COMPLETED			CRIMINAL(2)			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	26,444	378	26,066	16,292	331	15,961	10,152	47	10,105
1982-83	27,052	525	26,527	17,540	447	17,093	9,512	78	9,434

(1) Due to inconsistent reporting practices, the number of criminal cases completed reflects a combined dossier and charge count.
 (2) Includes 842 provincial statute offence cases in 1981-82. The respective figure for 1982-83 is 859.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	15,450	14,395	120	88	1,286	316	5,396	1,208	1,874	4,107	458	597	-	
1982-83	16,681	15,660	169	125	1,161	353	5,602	1,373	1,863	5,014	499	522	-	

(1) Due to inconsistent reporting practices, the number of criminal cases completed reflects a combined dossier and charge count. Note that appeals are included in the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82							
1982-83							

(1) This information is not aggregated.

Alberta

Contact(s): David McGuire

Source(s) for Approved Data

Available data pertinent to the exercise were collected by Centre staff.

Expenditure data source - claim form, annual report
Caseload data source - claim form, annual report

Claim form data are considered accurate for statistical purposes. Data presented in the annual report are consistent with those presented on the claim form.

Major Definitional Inconsistencies

None

Missing Data

- 1) Summary service counts are not maintained.
- 2) Age and sex data are not aggregated.

Future Availability of Data

The Society expects to report a summary service count consistent with the national definition for the reporting year 1985-86.

There are no plans to collect provincial aggregates for age and sex characteristics at this time. This data could be generated by the information system on special request.

TABLE 1 - REVENUE BY SOURCE \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.(1)	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	6,097	5,413	N/A	538		N/A	146
1982-83	9,148	8,284	N/A	604		N/A	260

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN(1)
1981-82	7,260	5,389	4,271	4,271	-	1,118	..	..	..	..	N/A	1,871	N/A	1,871
1982-83	9,457	7,189	5,760	5,759	1	1,429	..	..	..	..	N/A	2,269	N/A	2,269

(1) The cost of information pamphlets for public consumption is included.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	5,389	5,389	N/A
1982-83	7,189	7,189	N/A

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF				
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'L STAFF	SUPPORT STAFF
1981-82	84	3	-	40	41
1982-83	84	3	-	40	41

NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
1,500	3,548
1,500	3,745

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) These services are not counted at this time.

TABLE 6 - DUTY COUNSEL COUNT

YEAR	TOTAL	CRIMINAL(1)	CIVIL(2)
1981-82	15,989	15,851	138
1982-83	15,485	15,481	4

(1) Includes 684 provincial/municipal offence cases in 1981-82, and 800 in the following year.

(2) The family court duty counsel program was discontinued during 1981-82.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS

YEAR	TOTAL APPLICATIONS(1)			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	22,916	16,231	6,685	15,508	11,886	3,622
1982-83	28,012	19,434	8,578	17,267	13,501	3,766

(1) Note that potential clients undergo preliminary screening procedures prior to filing an application. Those refused during this process are not included in these data.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL(2)
1981-82	7,408	4,345	3,063	1,284	840	444	6,124	3,505	2,619
1982-83	10,743	5,933	4,812	1,429	838	591	9,316	5,095	4,221

(1) Excludes those refused during preliminary screening stages.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL DOSSIERS COMPLETED			CRIMINAL			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	14,965	14,965	N/A	11,632	11,632	N/A	3,333	3,333	N/A
1982-83	16,513	16,513	N/A	12,799	12,799	N/A	3,714	3,714	N/A

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	11,205	9,724	184	380	857	539	5,042	572	371	1,779	917	553	11	
1982-83(1)	12,149	10,956	353	338	968	612	5,418	689	495	2,083	774	418	1	

(1) The total criminal dossier count is lower than that shown in Table 9 due to the exclusion of 152 opinions.

TABLE 11 - COMPLETED APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	453	426	67	359	27	..	..
1982-83	509	494	120	374	15	..	..

British Columbia

Contact(s): Dan Maas

Source(s) for Approved Data

Available data pertinent to the exercise were collected by Centre staff, and were supplemented by information provided over the phone.

Expenditure data source - annual report, internal records
Caseload data source - annual report

Claim form data are not considered accurate for statistical purposes. Caseload data appearing on the claim form are generally consistent with those approved, however expenditure data differ.

Major Definitional Inconsistencies

Accounting procedures changed after the 1981-82 fiscal year. Expenditure data were derived through the use of accrual rather than cash-based accounting procedures in 1982-83.

Completed case counts refer most closely to number of court proceedings for an individual matter rather than to number of completed dossiers. This results in an inflated case count; that is a count that would tend to be higher than both dossier and charge-based counts. These data are available for private lawyers only.

Missing Data

- 1) Federal and provincial criminal legal service expenditures are not distinguishable.
- 2) Personnel resource counts cannot be displayed as per the Table 4 distribution.
- 3) Duty counsel counts are not aggregated.
- 4) A refused application count by reason for refusal is not maintained.
- 5) A juvenile case count is not available.
- 6) A comprehensive clinic case count is not available.
- 7) Criminal appeal data are not readily available.
- 8) Age and sex data are not aggregated.

Future Availability of Data

A new management information system was introduced toward the latter part of 1982. It is expected that caseload data recommended for collection at the national level will be fully available for the 1984-85 reporting period.

TABLE 1 - REVENUE BY SOURCE(1) \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	15,439	13,146	1,808		51	NA	453
1982-83	18,838	15,769	2,760		46	NA	263

(1) Note that revenues reported for 1982-83 include receivables; accrual-based accounting procedures were employed. This causes some inconsistency in the data for the two reporting periods.

TABLE 2 - EXPENDITURE BY OBJECT(1) \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN
1981-82	15,446	11,899	6,950(e)	..	..	4,949(e)	3,650(e)	1,299(e)	1,702	855	847	1,845	-	1,845
1982-83	20,333	17,472	10,910(e)	..	..	6,562(e)	4,610(e)	1,952(e)	949	949	-(2)	1,912	-	1,912

(1) Note that accounting procedures employed to derive these figures differ. In 1982-83, accrual rather than cash-based expenditures are reported.
 (2) In 1982-83, the Native Courtworker and Counselling Association was directly funded by the Ministry of the Attorney General, rather than by the Plan.

TABLE 3 - LEGAL SERVICES EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS(1) \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	11,899	6,933	4,966
1982-83	17,472	11,731	5,741

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31SI(1)

YEAR	LEGAL AID STAFF				
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'NL STAFF	SUPPORT STAFF
1981-82	..	..	..	..	..
1982-83	134	..	35	..	..

NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
1,500(e)	3,940(e)
1,500(e)	4,163(e)

(1) Count as of January 1, 1983. Includes head office and branch offices; community law office staff are excluded.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT

YEAR	SUMMARY SERVICE COUNT
1981-82	27,031
1982-83	32,643

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	NA
1982-83	NA

(1) Duty counsel services are provided but counts are not aggregated.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)(e)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	64,458	28,692	36,006	37,627	21,963	15,664
1982-83	69,719	32,732	36,987	37,076	24,872	12,604

(1) Note that partial data for the Victoria Community law office are excluded.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	27,301	6,689	20,342	..	..	..	..	..	..
1982-83	32,643	8,260	24,383	..	..	..	..	..	..

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS(1)

YEAR	TOTAL COMPLETE			CRIMINAL(1)			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	..	33,589	..	..	23,431	..	..	10,158	..
1982-83	..	43,962	..	..	30,892	..	..	13,070	..

(1) Figures are based on proceeding counts. Because a case may include more than one proceeding, the proceeding count tends to be higher than a dossier count.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

FISCAL YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FOA	JUVENILE DELINQUENT ACT(2)	OTHER FEDERAL STATUTES	
		TOTAL	HOM.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER				
1981-82	23,242	21,377	266	370			1,883	1,030	7,865	1,537	2,695	5,731	1,835	..	30
1982-83	30,649	28,120	341	504			2,421	1,144	10,598	1,902	3,704	7,466	2,477	..	52

(1) Counts represent only those cases handled by the private bar. All figures are based on proceeding counts which over-emphasize those matters which tend to require more court proceedings. Note that appeal data are included in the table.

(2) Juvenile Delinquent Act offences are included in the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CROWN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	51	..	..
1982-83	71	..	..

(1) Counts represent only those appeals handled by the private bar.

Yukon

Contact(s): Gina Turner

Source(s) for Approved Data

All data pertinent to the exercise were supplied by the Plan (i.e. it was not necessary to consult alternate data sources).

Expenditure data source - claim form

Caseload data source - claim form, internal records

Claim form data are considered accurate for statistical purposes. Annual reports are not available.

Major Definitional Inconsistencies

Duty counsel services provided on court circuits are not included in the duty counsel count.

Criminal dossier counts are based on charges dealt with rather than dossiers completed. Also note that the offence distribution data exclude circuit court cases. Similarly, appeal cases handled on court circuit are excluded.

Missing Data

- 1) Summary service counts are not maintained.
- 2) Completed case counts for the year 1982-83 are not available.
- 3) Juvenile Delinquent Act cases are not aggregated.
- 4) Age and sex data are not aggregated.

Future Availability of Data

Efforts are now underway to accommodate the counting of dossiers rather than charges. Although caseload statistics for 1982-83 will not be available, the Plan has indicated that 1983-84 caseload data will be captured.

There are no other plans to change reporting practices at this time.

TABLE 1 - REVENUE BY SOURCE(1) \$000's

YEAR	TOTAL(e)	GOV'T CONTR(e)	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	536	536	N/A		5	N/A	-
1982-83	590	590	N/A		9	N/A	-

(1) Expenditures are fully funded by government. Funds from sources other than government are payable through government and are therefore included in the government contribution category.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL(1)	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ	TOTAL	RESEARCH	ADMIN(2)
1981-82	536	505	429	429	N/A	76	68	8	N/A	N/A	N/A	31	N/A	31
1982-83	590	561	434	434	N/A	127	93	34	N/A	N/A	N/A	29	N/A	29

(1) Included are travel expenses of \$22,130 for 1981-82 and \$22,473 for 1982-83.

(2) Services, supplies, and accommodation provided by the territorial government are not accounted for.

TABLE 3 - LEGAL SERVICE EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL	PRIVATE	SALARIED
1981-82	505	505	N/A
1982-83	561	561	N/A

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF					NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'L STAFF	SUPPORT STAFF		
1981-82	1	-	-	1	-	29	29
1982-83	1	-	-	1	-	35	35

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Services are provided by the Office of the Legal Aid Clerk however, records are not maintained.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82	N/A	N/A	N/A
1982-83	150(e)	150(e)	N/A

(1) An informal criminal duty counsel service commenced in 1982-83. Figures refer to only the Whitehorse location for a ten month period.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS(1)

YEAR	TOTAL APPLICATIONS			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	591	469	122	548	453	95
1982-83	576	412	164	513	375	138

(1) The number of total applications does not represent total number of potential clients due to screening of applicants prior to filing an application. Also note that very often, applications are completed after service delivery on circuit court.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)(e)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL(2)
1981-82	43	16	27	16	16	-	27	-	27
1982-83	63	37	26	37	37	-	26	-	26

(1) These data are not applicable to circuit court cases.
 (2) Urgency of matter is generally the reason for refusal in civil cases.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETE			CRIMINAL(1)			CIVIL		
	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	717	717	N/A	630	630	N/A	87	87	N/A
1982-83	..	..	N/A	..	..	N/A	..	..	N/A

(1) Criminal matters are counted on a charge basis. Includes 41 circuit court cases.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FOA	JUVENILE DELINQUENT ACT(2)	OTHER FEDERAL STATUTES
		TOTAL	MOB.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER			
1981-82	581	554	6	15		44	5	269	30	65	140	23	..	4
1982-83	..	..	..	..		..	..	..	..	..	..	..	..	..

(1) Figures are charge-based. Note that 41 circuit court cases are excluded.
 (2) Juvenile Delinquent Act offences are included in the offence distribution.

TABLE 11 - COMPLETED APPEAL DOSSIERS(1)

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS(2)		
		TOTAL	CRIMN INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	8	8	..	..	..	..	..
1982-83	..	..	..	..	..	..	..

(1) Appeal court is held in Vancouver. Note that circuit court appeals are excluded from the count.
 (2) Due to the low incidence of civil appeal cases, these figures are not aggregated.

Northwest Territories

Contact(s): Doug Miller

Source(s) for Approved Data

Available data pertinent to the exercise were collected by Centre staff.

Expenditure data source - internal records, claim form

Caseload expenditure source - claim form

Claim form expenditure data conflict with those approved. The claim form has been identified as an accurate source for caseload data.

Major Definitional Inconsistencies

Criminal caseloads are reported on a charge basis. The closed dossier concept is inconsistent with the file system used. Open files are maintained for each client and are updated over time. These files are rarely closed.

Missing Data

- 1) Source of revenue data categorizations are not available.
- 2) Summary service counts are not maintained.
- 3) Total application counts do not apply. Only approved applications are completed and counted. Similarly, information on the refused applicant population is not available.
- 4) Civil caseload counts are not available for 1982-83.
- 5) Age and sex data are not aggregated.

Future Availability of Data

The Plan has expressed an interest in developing a management information system which would produce statistics compatible with those recommended for collection at the national level. Discussions between the Technical Assistance Directorate of the Centre and the Plan are now underway.

A - REVENUES

PROVINCE: NORTHWEST TERRITORIES

TABLE 1 - REVENUE BY SOURCE(1) \$000's

YEAR	TOTAL	GOV'T CONTR	LAWYERS TRUST ACCT. INTEREST	CLIENT CONTR.	COSTS RECOVERED	SPECIFIC PURPOSE GRANTS	OTHER
1981-82	1,003	1,003	N/A	..	..	NA	..
1982-83	1,137	1,137	N/A	..	..	NA	..

(1) Funds from sources other than government are therefore reflected in the government contribution category.

TABLE 2 - EXPENDITURE BY OBJECT \$000's

YEAR	TOTAL	LEGAL SERVICE EXPENDITURE							SPECIAL PROGRAM EXPENDITURE			OTHER		
		TOTAL(1)	TOTAL CRIM	FED CRIM	PROV/MUN	TOTAL CIVIL	FAMILY	OTHER CIVIL	TOTAL	PUBLIC EDUC.	EXT. PROJ(1)	TOTAL	RESEARCH	ADMIN(2)
1981-82	1,054	377	326	320	6	51	30	21	487	N/A	487	190	N/A	190
1982-83	1,329	533	474	467	7	59	45	14	606	N/A	606	190	N/A	190

(1) External agencies funded are the Native Courtworker's Program and the Melliiganik Tukisiliniakvik Clinic. Legal aid cases handled by the latter agency and included in the caseload data.
 (2) Office space and financial administration services are provided by government and are not reflected in these data.

TABLE 3 - LEGAL SERVICES EXPENDITURE - PRIVATE & SALARIED PROFESSIONALS \$000's

YEAR	TOTAL(1)	PRIVATE	SALARIED
1981-82	377	377	N/A
1982-83	533	533	N/A

TABLE 4 - PERSONNEL RESOURCES AS OF MARCH 31ST

YEAR	LEGAL AID STAFF(1)					NO. OF PRIVATE PRACTICE PANEL MEMBERS	NO. OF ACTIVE BAR MEMBERS(2)
	TOTAL	LAWYERS ADMIN. SERVICE	LAWYERS DIRECT SERVICE	OTHER PROF'L STAFF	SUPPORT STAFF		
1981-82	3	1	-	-	2	20	30(a)
1982-83	3	1	-	-	2	20	30(a)

(1) Staff of Melliiganik Tukisiliniakvik Clinic are not included; services other than legal aid are provided through this agency.
 (2) An estimated 125 non-resident lawyers provided services on occasion.

B - CASELOAD CHARACTERISTICS

TABLE 5 - SUMMARY SERVICE COUNT(1)

YEAR	SUMMARY SERVICE COUNT
1981-82	
1982-83	

(1) Although services of this nature are provided, statistics are not maintained.

TABLE 6 - DUTY COUNSEL COUNT(1)

YEAR	TOTAL	CRIMINAL	CIVIL
1981-82			
1982-83			

(1) Although a lawyer is available to represent clients in the Yellowknife courthouse, services are only provided to eligible persons. Application and caseload data include this service.

TABLE 7 - TOTAL AND APPROVED APPLICATIONS

YEAR	TOTAL APPLICATIONS(1)			APPROVED APPLICATIONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82	2,311	2,067	224
1982-83	1,907	1,600	219

(1) All potential applicants are screened for eligibility prior to filing an application. As a result, virtually all applications are accepted.

TABLE 8 - REFUSED APPLICATIONS BY GROUNDS FOR REFUSAL(1)

YEAR	TOTAL REFUSED			FINANCIAL INELIGIBILITY			OTHER REASONS		
	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL	TOTAL	CRIM	CIVIL
1981-82									
1982-83									

(1) A refused application count is not maintained. See explanatory note, Table 7.

TABLE 9 - COMPLETED DOSSIERS BY PRIVATE PRACTICE AND SALARIED PROFESSIONALS

YEAR	TOTAL COMPLETE TOTAL	PRIVATE		SALARIED	CRIMINAL(1)			CIVIL		
		TOTAL	SALARIED		TOTAL	PRIVATE	SALARIED	TOTAL	PRIVATE	SALARIED
1981-82	2,250	2,250	N/A	1,929(2)	1,929	N/A	321	321	N/A	
1982-83	..	..	N/A	1,690	1,690	N/A	..	..	N/A	

(1) Criminal counts are based on charges rather than dossiers.

(2) Includes 232 circuit court cases. The respective figure for 1982-83 is not known.

TABLE 10 - COMPLETED FEDERAL CRIMINAL DOSSIERS BY MAJOR OFFENCE CATEGORY(1)

YEAR	TOTAL	CRIMINAL CODE OFFENCES										NARCOTICS CONTROL ACT & FDA	JUVENILE DELINQUENT ACT	OTHER FEDERAL STATUTES(3)
		TOTAL	HON.	SEXUAL OFFENCES	SEXUAL ASSAULTS	OTHER ASSAULTS	ROBBERY	THEFT B&E, POSS.	FRAUD FALSE PRETENSE	DRUNK, IMPAIRED DRIVING	OTHER(2)			
1981-82	1,669	1,562	25	48	157	38	530	70	158	536	87	20	..	
1982-83	1,631	1,559	7	35	151	7	479	66	120	694	70	22	..	

(1) A charge based count is reported. In 1981-82, 232 circuit court cases are excluded. In 1982-83, circuit court matters are included in the other category; their number is not known.

(2) Included are territorial ordinance offence cases; however, their numbers are estimated to be few.

(3) Included in "other" Criminal Code offence category.

TABLE 11 - COMPLETED APPEAL DOSSIERS

YEAR	TOTAL	CRIMINAL APPEALS			CIVIL APPEALS		
		TOTAL	CRIM INITIATED	CLIENT INITIATED	TOTAL	OTHER PARTY INITIATED	CLIENT INITIATED
1981-82	28	28	..	..	-	-	-
1982-83	39	39	..	..	-	-	-

F. Population Data, 1981 and 1982

PAGE

Population Table

F - 1

Low Income Population Data

F - 2

TABLE 1 - ESTIMATES OF TOTAL POPULATION AS OF OCTOBER 1, 1981 AND 1982

PROVINCE	YEAR	TOTAL POPULATION
		(000)
NEWFOUNDLAND	1981	568.3
	1982	571.5
PRINCE EDWARD ISLAND	1981	122.7
	1982	123.1
NOVA SCOTIA	1981	849.3
	1982	855.2
NEW BRUNSWICK	1981	696.3
	1982	701.5
QUEBEC	1981	6450.6
	1982	6490.0
ONTARIO	1981	8647.6
	1982	8750.6
MANITOBA	1981	1027.8
	1982	1037.3
SASKATCHEWAN	1981	972.5
	1982	985.5
ALBERTA	1981	2272.5
	1982	2336.0
BRITISH COLUMBIA	1981	2764.4
	1982	2803.6
YUKON	1981	23.4
	1982	23.6
NORTHWEST TERRITORIES	1981	46.5
	1982	48.1
CANADA	1981	24441.9
	1982	24724.1

NOTE: NUMBERS MAY NOT ADD DUE TO ROUNDING.

SOURCE: POPULATION, CAT. NO. 91-001 QUARTERLY ESTIMATES, STATISTICS CANADA.
1981 DATA ARE FINAL POSTCENSAL ESTIMATES AND 1982 DATA ARE UPDATED
POSTCENSAL ESTIMATES.

Low Income Population Data:

Low income cut-offs are based on the 1978 Statistics Canada Family Expenditure Survey. Family income is considered to fall below the low income level if 58.5% or more of income is spent on food, shelter, and clothing. The low income cut-off has historically maintained an arbitrary 20% difference in the ratio of expenditure to income between what low income families and all families spend on necessities. Since the 1978 Family Expenditure Survey indicated that all families spent 38.5% of their income on food, shelter, and clothing, the corresponding percentage for a low income family was 58.5% or more. The latest low income cut-offs (produced for 1978) are adjusted to the current year by using the Consumer Price Index. The table below is an excerpt from the Statistics Canada publication, Income Distributions by Size in Canada, 1982 (Catalogue No. 13-207) for the low income cut-off applied to the 1982 income data. See the 1981 publication for the low income cut-offs applied to the income year 1981.

Low Income Cut-Offs of Family Units, 1982

	Size of area of residence				
	Urban Areas				Rural areas
	500,000 and over	100,000-499,999	30,000-99,999	Less than 30,000 ¹	
	dollars 1978 base				
1 person	8,914	8,466	7,941	7,342	6,592
2 persons	11,761	11,162	10,414	9,663	8,615
3 persons	15,732	14,909	13,934	12,961	11,537
4 persons	18,129	17,229	16,107	14,982	13,336
5 persons	21,126	20,002	18,654	17,379	15,507
6 persons	23,073	21,800	20,377	18,953	16,930
7 or more persons	25,396	24,047	22,475	20,901	18,654

¹ Includes cities with a population between 15,000 and 30,000 and small urban areas (under 15,000).

Low Income Data Table

Source: Unpublished data derived from the Statistics Canada Survey of Consumer Finances, 1982 and 1983.

Coverage: All persons aged 16 years and over are included.

Exclusions: Residents of the Northwest Territories and the Yukon, members of households located on Indian reserves, inmates of institutions, and persons residing in other institutions (e.g. tuberculosis hospitals, orphanages, homes for the aged).

TABLE 2 - ESTIMATES OF ADULTS(16+) ABOVE AND BELOW THE LOW INCOME CUT-OFFS(1978 BASED) FOR INCOME YEARS 1981 AND 1982

PROVINCE	YEAR	ADULTS(16+)				
		TOTAL NO. 1000 (000)	BELOW INCOME CUT-OFFS NO. (000)	%	ABOVE INCOME CUT-OFFS NO. (000)	%
NEWFOUNDLAND	1981	378	66	17	312	83
	1982	392	76	19	317	81
PRINCE EDWARD ISLAND	1981	86	14	16	72	84
	1982	86	14	16	72	84
NOVA SCOTIA	1981	595	100	17	495	83
	1982	614	108	18	506	82
NEW BRUNSWICK	1981	487	89	18	398	82
	1982	495	98	20	397	80
QUEBEC	1981	4831	852	18	3979	82
	1982	4957	891	18	4066	82
ONTARIO	1981	6479	757	12	5722	88
	1982	6575	842	13	5733	87
MANITOBA	1981	730	119	16	612	84
	1982	732	131	18	601	82
SASKATCHEWAN	1981	656	106	16	550	84
	1982	690	104	15	586	85
ALBERTA	1981	1624	169	10	1455	90
	1982	1740	210	12	1530	88
BRITISH COLUMBIA	1981	2055	256	12	1800	88
	1982	2136	310	15	1825	85
CANADA	1981	17921	2526	14	15395	86
	1982	18416	2783	15	15632	85

NOTE: NUMBERS MAY NOT ADD DUE TO ROUNDING. THESE DATA ARE NOT AVAILABLE FOR THE YUKON AND NORTHWEST TERRITORIES.

SOURCE: UNPUBLISHED DATA, SURVEY OF CONSUMER FINANCES - 1982 AND 1983.

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