

Transition from Regional Centres to Local Agents 2010-2011

Implementation Evaluation Report



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Executive summary

This report evaluates the implementation of seven local agent offices in Kamloops, Kelowna, Prince George, Surrey, New Westminster, Langley, and Victoria, which replaced five LSS regional centres as a cost-saving measure in April 2010. New Westminster and Langley are satellites of the Surrey office. The former Surrey Regional Centre served these communities in the past. The period covered by the report is the first year of transition--April 2010 until March 31, 2011.

The objectives of the evaluation were to:

1. determine whether the new local agents are meeting the objectives LSS set out for them and how well the transition challenges have been met,
2. consider what, if anything, could have been done differently to better assist and support local agents in setting up their offices, and
3. review the new supporting structures and assess if there are any gaps to be filled or areas to be strengthened so that the local agent objectives can better be met moving forward.

To do this, all 5 local agent lawyers and 13 intake legal assistants (ILAs) were interviewed, as were relevant LSS managers and staff. The evaluation also relied on the offices' activity reports on their outreach efforts, and the number of hard-to-place cases taken and pro bono services provided. In addition, CMS, administrative, and Crown Publishing data were analyzed.

Findings

The evaluation found that overall, the local agent offices are largely fulfilling the objectives set out for them. The lawyers and ILAs felt supported by LSS during the transition and difficulties with start-up were quickly addressed. The evaluation also found, however, that there were fewer intake hours in some locations compared to the former regional centres and/or as stated in the local agents' contracts.

Specific findings are listed below.

Intake services

- Exception reviews were up 47% (23 applications) in Kamloops and up 45% (35 applications) in Prince George compared to the regional centres; they were down in Kelowna, Surrey and Victoria.
- The average time to refer improved or remained consistent compared to the former regional centres, except in Victoria, where it took one day longer to find a referral lawyer.
- Referral rates improved or remained consistent compared to the regional centres, except in Surrey, where referral rates decreased by 16%.
- Four intake legal assistants were mostly satisfied with the training they received (the others did not require training).
- All 13 ILAs are aware of and use the online Intake Policy and Procedures manual.

Applications and referrals

- Applications decreased the most (12%) in Kamloops, decreased slightly in Victoria and Prince George, and remained the same in Kelowna. There was an overall increase in applications in the Surrey region, i.e., the area formerly served by the Surrey Regional Centre and now served by Surrey, New West and Langley local agents.
- Referrals went up in Prince George. Referrals were down in Kamloops and Surrey (even when combined with New West and Langley). Kelowna and Victoria referrals remained consistent.
- Referrals for Aboriginal clients went down in the Surrey region (by 51 referrals or 15%) and Victoria (by 39). Aboriginal referrals went up in Kelowna, Prince George and Kamloops.
- Fewer intake hours are provided in Kamloops and Kelowna compared to the regional centres.
- Clients who visited local agent offices mostly came from the same areas as they did before the regional centre closures, though there was a 46% (52 clients) decrease in clients from Burns Lake visiting the Prince George office. However this is explained by the fact that since the regional centre closure, Burns Lake has been served by the Fort St James local agent. At the Surrey local agent, clients from Langley and New West decreased (not surprisingly, as there are local agent offices in New West and Langley) over the year before, as did people from Burnaby and Abbotsford, among other areas. In some cases, though, the number of applicants started to fall off before the transition.
- Call Centre volumes increased from clients in each of the local agent areas, except for Prince George.
- Intake legal assistants are referring clients to other individuals, agencies, and other relevant resources when they are not eligible for legal aid and/or have related issues.

Distribution of referrals

- Under their contracts, local agents are required to refer approved applicants to lawyers who have an LSS Vendor Number “on an equitable basis.” Findings indicate that, although there was some fluctuation in the number of lawyers receiving referrals across the sample sites, for the most part these were modest and not suggestive of any systematic changes due to the new service delivery model.

PLEI and outreach

- PLEI materials are accessible to the public through each of the local agent offices. Most re-orders from local agents are for family law publications.
- Local agents are performing community outreach, but do not appear to be providing as many hours as described in their contracts, except for Prince George. Community outreach hours are not known for Kelowna and Surrey.

Local agent lawyer roles

- Local agent lawyers are forming relationships with the local bar, but LSS staff who were interviewed have mixed feelings on whether communication with LSS is as strong as it was when there were regional centres.

- All of the local agent lawyers except in Kamloops are taking difficult-to-place cases.
- All of the local agent lawyers are providing pro bono services, particularly in Surrey.

Complaints to A & I

- Two clients complained to A&I about how they were treated by staff at one local agent office.
- No complaints were received regarding the local agent lawyers.
- Surrey forwarded a series of complaints to LSS about one tariff bar lawyer.
- Local agents forwarded four complaints to LSS about clients. Each involved issues regarding financial eligibility.

1.0 Introduction

In March 2010, LSS closed 5 regional centres (all but Vancouver and Terrace) to reduce overhead costs and replaced them with local agents' offices in Kamloops, Kelowna, Prince George, Surrey, and Victoria, as well as satellite intake locations in Langley and New Westminster. This brought the total number of local agent locations in the province to 31.

Local agents are private lawyers who are contracted by LSS to administer legal aid. Their primary responsibilities are to provide intake services, which comprises taking legal aid applications and providing applicants with relevant legal information and referrals to relevant community services, issuing lawyer referrals on an equitable basis, and scheduling duty counsel.

1.1 Project objectives

LSS objectives for the new local agents were to:

1. Maintain high quality in-person intake services,
2. Establish an effective LSS liaison with key stakeholders, and
3. Mitigate the loss of services unique to the regional centre model.

Two particular challenges had to be addressed in the transition. The first was to ensure that the new local agents could provide good services as well as handle the high volumes of applications that were expected in the locations where they were placed.

The second challenge was for local agents to gain the trust and respect of both the legal and broader community as the provider of legal aid, given the strong allegiances that were built over years by the regional centres and their managing lawyers. LSS faced similar challenges in 2002 when the provincial government cut the legal aid budget by 40% over three years, resulting in a reduction in legal aid services. Unique this time was that five high-volume locations were affected simultaneously.

2.0 Evaluation

2.1 Evaluation objectives

The evaluation objectives were to:

1. determine whether the new local agents are meeting the objectives set out for them and how well the transition challenges have been met;
2. consider what, if anything, could have been done differently to better assist and support local agents in setting up their offices; and
3. review the new supporting structures and assess if there are any gaps to be filled or areas to be strengthened so that the local agent objectives can better be met moving forward.

2.2 Evaluation methodology

The evaluation examines the first year of transition to the local agent model -- April 1, 2010, to March 31, 2011.

The following data and activities were used to determine whether the model was implemented as intended:

- CMS data on applications and referrals; time between interview and referral (local agents and regional centres);
- CMS data on referrals to lawyers and duty counsel;
- Crown Publishing data on distribution of LSS publications;
- Local agent reports on outreach activities, hard-to-place cases, and pro bono work;
- complaints to LSS about local agents;
- costs of local agents and regional centres;
- phone interviews with all 5 local agent lawyers;
- phone interviews with all 13 intake legal assistants (including Langley and New West locations);
- limited number of follow-up calls to community stakeholders;
- interviews with internal stakeholders in PLIA, LAR, and others as deemed necessary (managers, coordinators, provincial supervisors); and
- results of the 2010/2011 LSS Client Satisfaction Survey

2.3 Limitations

Two indicators in the framework were dropped from the evaluation methodology. One was the tariff bar's perspective on the new local agents. It was concluded that surveying the tariff bar or interviewing members of the tariff advisory committees about the five new local agent offices was not a high priority at this time.

3.0 Description of services

This section of the evaluation report is organized by project objective and corresponding measures.

Objective 1: To maintain high-quality intake services

The objectives for high-quality intake services were broken down into three categories:

- A. to consistently apply intake policy and make timely referrals
- B. to maintain or enhance access to legal aid services
- C. to equitably distribute referrals

A. To consistently apply intake policy and make timely referrals

To measure the extent to which the quality of intake services under the local agent model was maintained, the evaluation examined the following indicators:

- number of exception reviews
- time between interview and referral
- consistency of referral rates
- measures taken to train intake staff
- awareness of LSS Intake Policies & Procedures (IPP)

Number of exception reviews

An increase in exception reviews was anticipated during the first year of transition, and one of the reasons a second provincial supervisor position was created. The number of exception reviews was examined because a high number of review requests can indicate a lack of experience or poor training of Intake Legal Assistants (ILAs) (since coverage decisions have to be escalated to the Provincial Supervisors for Legal Aid Applications). However, there may be other contributing factors, such as an increase in family applications that can only proceed by exception review.

In Prince George, exception reviews were up 45% (35 applications; see table below), where intake staff were new to the job and may have been uncertain about LSS intake policy. Unlike the other locations, the requests from Prince George were almost evenly split between Aboriginal and non-Aboriginal applications.

It is less clear why exception review requests were also up by 47% (23 applications) in Kamloops, where there was experienced intake staff.

Exception reviews were down during the transitional year in Kelowna, Surrey, and Victoria.

Table 1: Exception reviews

Interview Fiscal Year	Office Case	Client Group	Exception Reviews Requested
2009/2010	Kamloops (RC)	Native	11
		Non-Native	38
		Total	49
2010/2011	Kamloops (LA)	Native	19
		Non-Native	53
		Total	72
		% change	↑47%

Interview Fiscal Year	Office Case	Client Group	Exception Reviews Requested
2009/2010	Kelowna (RC)	Native	4
		Non-Native	70
		Total	74
2010/2011	Kelowna (LA)	Native	1
		Non-Native	53
		Total	54
		% change	↓27%

Interview Fiscal Year	Office Case	Client Group	Exception Reviews Requested
2009/2010	Prince George (RC)	Native	41
		Non-Native	36
		Total	77
2010/2011	Prince George (LA)	Native	57
		Non-Native	55
		Total	112
		% change	↑45%

Interview Fiscal Year	Office Case	Client Group	Exception Reviews Requested
2009/2010	Surrey (RC)	Native	4
		Non-Native	50
		Total	54
2010/2011	Surrey (LA)	Native	5
		Non-Native	35
		Total	40
		% change	↓26%

Interview Fiscal Year	Office Case	Client Group	Exception Reviews Requested
2009/2010	Victoria (RC)	Native	16
		Non-Native	79
		Total	95
2010/2011	Victoria (LA)	Native	14
		Non-Native	44
		Total	58
		% change	↓39%

Time between interview and referral AND Consistency of referral rates

The average time from interview to referral improved or remained consistent compared to the regional centres, except in Victoria, where it took, on average, about a day longer to get a referral at the local agent office. Thus referrals largely remained timely under the local agent model.

Referral rates remained consistent following the transition to the local agent model in Kelowna and Victoria, and improved in Kamloops and Prince George. However, in Surrey, referral rates decreased by 16%. Referral rates can change for reasons other than how well intake policy is applied. Given the experience of Surrey intake staff, it is hard to know what the decrease means.

Table 2: Referral rates & time to refer

Interview Fiscal Year	Office Case	Client Group	Average Time To Refer	Referral Rate
2009/2010	Kamloops (RC)	Native	7.3	70.6%
		Non-Native	11.3	62.3%
		Total	10.0	64.9%
2010/2011	Kamloops (LA)	Native	11	78%
		Non-Native	10	68%
		Total	10.3	71.3%

Interview Fiscal Year	Office Case	Client Group	Average Time To Refer	Referral Rate
2009/2010	Kelowna (RC)	Native	5.4	67.0%
		Non-Native	8.7	58.3%
		Total	8.2	59.3%
2010/2011	Kelowna (LA)	Native	6.3	68.8%
		Non-Native	7.3	57.3%
		Total	7.1	59.0%

Interview Fiscal Year	Office Case	Client Group	Average Time To Refer	Referral Rate
2009/2010	Prince George (RC)	Native	9.9	69.2%
		Non-Native	10.1	67.2%
		Total	10.0	68.2%
2010/2011	Prince George (LA)	Native	7.8	81.0%
		Non-Native	8.7	72.2%
		Total	8.2	76.4%

Interview Fiscal Year	Office Case	Client Native Class	Average Time To Refer	Referral Rate
2009/2010	Surrey (RC)	Native	10.4	76.1%
		Non-Native	11.7	67.2%
		Total	11.6	68.1%
2010/2011	Surrey (LA)	Native	11.9	64.0%
		Non-Native	11.5	50.6%
		Total	11.6	51.9%

Interview Fiscal Year	Office Case	Client Native Class	Average Time To Refer	Referral Rate
2009/2010	Victoria (RC)	Native	9.4	74.3%
		Non-Native	10.9	63.1%
		Total	10.6	65.2%
2010/2011	Victoria (LA)	Native	11.3	71.0%
		Non-Native	12.0	62.1%
		Total	11.7	63.7%

Measures taken to train intake staff AND Awareness of the IPP

Most of the intake staff at the local agent offices had been employees of the regional centres and did not require formal training. Three new intake workers from Surrey and one from Prince George were brought to Vancouver for two days of classroom training and job shadowing.

The provincial intake supervisors also provided as-needed support over the phone or via email, and all the ILAs attended the Intake Training Conference for three days in March 2011. Site visits to Prince George and Surrey by the Provincial Supervisors provided more opportunities to reinforce training.

Currently, questions or issues can be raised during monthly ILA teleconferences. Surrey's office supervisor is a former intake worker who assists the new ILAs.

ILA interviews

The four ILAs who took the two-day training in Vancouver were largely satisfied with it. One commented that the hands-on training and job shadowing were great but the CMS classroom training was not useful: "In my opinion, it isn't a job you could learn in a classroom...maybe the policies and procedures...but for an intake job, job shadowing is much more effective."

When asked what further training would be helpful to their role, 9 of the 13 ILAs interviewed said they did not need any more training because they were familiar with LSS. Three commented that the conferences were useful for keeping up to date on coverage and policy changes. Three ILAs also said that while they did not need training, they felt newer staff needed more than they got. One commented: "...They needed more job shadowing—they only got one afternoon. Two weeks of training would be appropriate."

One ILA suggested that it would be helpful to learn more about determining financial eligibility: "For some of the financial information you feel like you need to be an accountant; like if a client is self-employed, it can get very complicated."

The ILAs were provided with copies of the new *LSS Intake Training Manual* (now called the *LSS Intake Manual*), which is also available on the IPP site and the Local Agent Portal. Most of the ILAs said they were aware of it, but 10 said they did not use it at all; 2 said they sometimes used it; and 1 said they had used it a lot at the beginning.

The reasons given for not using the manual were that they did not need it and they used the online IPP instead. Note that the manual is aimed at new employees only and was not available when the new ILAs started in their positions.

There is high awareness of the IPP--all 13 ILAs said they used it: "That's our bible"; "I have it up and open all the time"; "It's very good."

B. To maintain or enhance access to legal aid services

The following indicators were used to measure how well the local agents maintained or enhanced access to legal aid services:

- # of applications & referrals compared to regional centres
- time from interview to referral
- # of Aboriginal applications & referrals compared to regional centres
- local agent intake hours and locations compared to regional centres
- geographic location of clients for each model
- # and type of advertisements and other means of raising awareness of new service
- difficulties/successes identified regarding accessibility

Number of applications & referrals AND Number of Aboriginal applications and referrals

In 2010/2011, province-wide legal aid applications and referrals went up over the year before. However, applications went down in Kamloops and Prince George; and referrals went down in Kamloops, Victoria, and Surrey (even with the addition of Langley and New West). However, a decrease in applications and referrals might be expected in the first year of transition.

Kamloops had the most significant decrease in applications, which was 12%. Referrals were down just 3%, though Aboriginal referrals went up slightly. Looking at the applications and referrals month by month, however, showed that the numbers improved over time, supporting the conclusion that a contributing factor was the “closed” sign left on the regional centre office for six months and difficulty getting the phones set up (see page 22). The decrease in applications may also have been the result of fewer intake hours compared to the regional centre (see page 17).

Table 3: Applications & Referrals

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2009/2010	Kamloops (RC)	Native	579	409	70.6%
		Non-Native	1,302	811	62.3%
		Total	1,881	1,220	64.9%
2010/2011	Kamloops (LA)	Native	550	429	78%
		Non-Native	1,109	754	68%
		Total	1,659	1,183	71.3%

Kelowna total applications and referrals remained virtually the same, with an increase in the numbers of Aboriginal applications and referrals.

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2009/2010	Kelowna (RC)	Native	215	144	67.0%
		Non-Native	1,521	886	58.3%
		Total	1,736	1,030	59.3%
2010/2011	Kelowna (LA)	Native	256	176	68.8%
		Non-Native	1,498	859	57.3%
		Total	1,754	1,035	59.0%

In Prince George, the number of applications were down slightly (by 2.5%), but overall referrals were up (9%), including Aboriginal referrals, which went up 7%.

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2009/2010	Prince George (RC)	Native	871	603	69.2%
		Non-Native	847	569	67.2%
		Total	1,718	1,172	68.2%
2010/2011	Prince George (LA)	Native	798	646	81.0%
		Non-Native	877	633	72.2%
		Total	1,675	1,279	76.4%

Compared to the Surrey Regional Centre, applications at the Surrey local agent office were down 8% and referrals down 30% in the first year. The change in applications may be explained by the opening of satellite intake locations in Langley and New West; communities that were served through the Surrey Regional Centre. Adding the numbers from those offices, the number of applications was up 4% for the Surrey region, though referrals were still down 18%. See tables on the next page.

Including Langley and New West, Aboriginal applications for Surrey were about even, but referrals were down 15% (51 referrals) compared to the regional centre the year before.

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2009/2010	Surrey (RC)	Native	443	337	76.1%
		Non-Native	3,930	2,640	67.2%
		Total	4,373	2,977	68.1%
2010/2011	Surrey (LA)	Native	386	247	64.0%
		Non-Native	3,644	1,845	50.6%
		Total	4,030	2,092	51.9%

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2010/2011	Langley (LA)	Native	13	10	76.9%
		Non-Native	236	147	62.3%
		Total	249	157	63.1%
	New Westminster (LA)	Native	41	29	70.7%
		Non-Native	225	156	69.3%
		Total	266	185	69.5%

In Victoria, applications and referrals were about the same as the year before, including for Aboriginal clients.

Interview Fiscal Year	Office Case	Client Group	Apps	Refs	Referral Rate
2009/2010	Victoria (RC)	Native	571	424	74.3%
		Non-Native	2,425	1,529	63.1%
		Total	2,996	1,953	65.2%
2010/2011	Victoria (LA)	Native	542	385	71.0%
		Non-Native	2,438	1,514	62.1%
		Total	2,980	1,899	63.7%

Local agent intake hours compared to regional centres

Local agent office hours are listed in the local agents' contracts with the proviso that "the distribution of hours and location of services may be changed by mutual agreement to improve access to services" The evaluation found that while intake hours decreased at some new local agents in the first year of transition (see Table 4 on the next page), there was some confusion regarding office hours as stated in the contracts and specifically walk-in intake hours. Office hours can include intake over the phone and duty counsel scheduling.

The Kamloops local agent provides 10 fewer hours of intake per week than the regional centre did the year before. This may partly explain the dramatic decrease in applications following the closure of the regional centre (along with the confusion regarding the closed sign on the old office). While not required to provide as many hours as the regional centre, the Kamloops local agent provides 10 fewer hours than stated in the contract.¹

The Kelowna local agent also has fewer intake hours than the regional centre did; though it is meeting the terms of its contract (although the number of courthouse hours was not specified).

The Victoria local agent provided the same number of intake hours and locations as the regional centre. However it has 33 fewer office intake hours than stated in the local agent's contract.²

Access to intake has increased in Prince George and Surrey, where there are more intake hours since the regional centre closures. The Prince George local agent improved access by introducing intake hours at the courthouse, and slightly exceeds the hours proposed in their contract. The Surrey local agent is responsible for intake legal assistants at Langley and New Westminster, which accounts for most of the extra 27 hours per week that the Surrey local agent provides compared to the regional centre. The total hours also exceeds what Surrey was contracted to provide.

¹ The Kamloops local agent intends to increase the number of intake walk-in hours and clarity is required around office and intake hour language.

² Following the evaluation period, Victoria was given an LSS intake grant to provide intake hours in Aboriginal communities.

Table 4: Intake hours

Office	Regional Centre ³	RC Weekly hours	Local Agent (currently) ⁴	LA Weekly hours	Difference in hours
Kamloops	Mon-Thurs— 9:00 am to 11:30 am; 1:00 pm to 3:30 pm	20 hours	Office: Mon-Thurs — 1 pm to 3:30 pm	10	-10 hours
	Courthouse: Mon, Weds, Thurs — 9 am to 11:30	7.5 hours	Courthouse: Mon, Weds, Thurs — 9 am to 11:30 am	7.5	same
Kelowna	Mon-Fri — 8:30 to 12 pm; 1:00 pm to 4:30 pm	35	Office: Mon-Fri — 9 am to 11 am, 1 pm to 3:30 pm	22.5	-12.5 hours
	Courthouse: Mon, Tues, Weds: 12:30 to 4 pm Thurs: 9:30 am to 4 pm	17	Courthouse: Mon-Thurs — 9 am to 11 am; 1 pm to 3:30 pm	18	+ 1 hour
Prince George	Mon, Tues, Thurs, Fri — 8:30 to 12 pm; 1 pm to 4:30 pm; Weds — 8:30 a.m. to 12 pm	31.5	Office: Mon-Thurs — 9 am to 12 pm and 1 pm to 4 pm	30	-1.5 hours
			Courthouse: Tues-Thurs — 9:30 am to 11:30 am	4	+ 4 hours
Surrey	Mon-Fri — 8:30 a.m. to 12:00 p.m.; 1:00 pm to 4:30 pm	35	Office: Mon-Thurs — 8:30 am to 12 pm/1 pm to 4:30 pm; Fri —8:30 am to 12 pm/1 pm to 3 pm	33.5	-1.5 hours
	Courthouse: Mon, Tues, Thurs, Fri: 9 am to 12:30 pm; 1:30 to 3:30; Weds: 9 am to 12:30 pm	25.5	Surrey Courthouse: Mon-Thurs— 8:30 am to 12 pm; 1 pm to 4:30 pm; Fri — 8:30 am to 12 pm	31.5	+27 hours
			New West: Monday and Wednesday — 9:00 a.m. to 12:00 p.m. Langley: Tuesday, Wednesday, and Thursday — 10:00 a.m. to 3 p.m.	6 + <u>15</u> = 21	
Victoria	Office: Mon-Fri — 9:00 am to 12 pm	15	Office: Mon-Fri — 9:00 am to 12 pm	15	same
	Victoria Courthouse: Mon-Fri – 9:00 am to 12 pm Western Communities Courthouse: Mon and Thurs – 8:30 am to 10 am	15 + <u>3</u> = 18	Victoria Courthouse: Mon-Fri — 9 am to 12 pm Western Communities Courthouse: Mon and Thurs — 8:30 am to 10 am	15 + <u>3</u> = 18	same

³ Intake hours as recorded by PLIA; descriptive information is incomplete for some areas.

⁴ According to LSS website as of September 2011.

Geographic location of clients for each model

The evaluation examined whether there was a change in where legal aid clients at the local agent offices came from compared to the regional centres. Any shifts in “client cities” would be difficult to attribute directly to changes in legal aid office locations, but the regional centre closures may have been a contributing factor.

CMS data on local agent office applications by “client city” in 2010/2011 was compared to those for the regional centres in 2009/2010. Regional centre data for 2007/2008 and 2008/2009 was also examined to see whether any changes in the applicant numbers were normal fluctuations or not.

For the most part, where clients came from did not dramatically change at the local agent offices. The number of applicants from the surrounding areas of Kamloops, Kelowna, and Victoria showed little change compared to the regional centres the year before.

Applicants at the Prince George local agent office were more likely to come from Prince George itself than when there was a regional centre (81% of clients compared to 71%). The biggest change was in the number of clients from Burns Lake who visited the Prince George local agent, which went down by 46% (52 applicants) in the transitional year compared to the regional centre the year before. However this is explained by the fact that after the regional centre closure, intake services in Burns Lake were provided by the Fort St. James local agent, who travels to Burns Lake to do in-person intake.

The Surrey office had the most potential for a shift in where its clients came from. Langley and New West clients who would have visited the Surrey regional centre in the past would be expected to visit the intake locations closer to home rather than head to the Surrey local agent. Likewise, surrounding areas might find the Langley and New West locations more convenient.

While the number of applicants from New West who used to visit the Surrey Regional office only decreased by 18 people for the Surrey local agent, the number of clients from Langley dropped by 90 (41%). (See Table 5 on the next page.) This represents a slightly larger fluctuation in client city than occurred in the previous three years of the regional centre.

Table 5: Client geographic location

Surrey Local Agent (2010/2011)			Surrey Regional Centre (2009/2010)	
Client city	Area of law	Apps	Area of law	Apps
New Westminster	CFCSA	7	CFCSA	8
	Criminal	53	Criminal	73
	Family	39	Family	41
	Immigration	20	Immigration	15
	Total	119	Total	137
Langley	CFCSA	9	CFCSA	12
	Criminal	157	Criminal	206
	Family	48	Family	79
	Immigration	3	Immigration	10
	Total	217	Total	307

The new intake location in Langley had 158 applicants from the area in 2010/2011, which suggests clients may simply have chosen to go to the new closer location (see below).

New Westminster Intake 2010/2011			Langley Intake 2010/2011		
Client City	Area of law	Apps	Client city	Area of law	Apps
New Westminster	CFCSA	2	Langley	CFCSA	4
	Criminal	108		Criminal	58
	Family	3		Family	94
	Immigration	3		Immigration	2
	Total	116		Total	158

Interestingly, both Langley and New West locations had clients from Surrey in the first year of transition (representing 24% and 22% of their total clients respectively), though the proportion of Surrey residents who still went to the Surrey local agent in 2010/2011 was up slightly at 70% of the total compared to 66% of the total at the regional centre the year before.

What is more interesting about the geographic location of clients at the Surrey office is the four-year decline in applicants from some areas. The number of Abbotsford clients declined in Surrey after the transition, which appears to be part of a trend, as the numbers have been dropping at least since 2007/2008, when there were 155 clients compared to 82 last year (a 47% decrease). Only a few Abbotsford residents appear to be going to the Langley office (see below), which is a considerable distance away from Abbotsford.

Surrey Local Agent (2010/2011)			Surrey Regional Centre (2009/2010)		Langley office (2010/2011)		
Client City	Area of law	# Apps	Area of law	# Apps	Client City	Area of law	# Apps
Abbotsford	CFCSA	1	CFCSA	7	Abbotsford	Criminal	3
	Criminal	65	Criminal	74		Family	9
	Family	7	Family	22			
	Immigration	9	Immigration	16			
	Total	82	Total	119		Total	12

The number of Burnaby applicants in Surrey has tended to fluctuate, but was 35% lower at the Surrey local agent in 2010/2011 compared to its highest level in the three previous years at the regional centre. Some Burnaby residents appear to have shifted over to the New West office in the first year (see below).

Surrey Local Agent (2010/2011)			Surrey Regional Centre (2009/2010)		New West office (2010/2011)		
Burnaby	CFCSA	7	CFCSA	11	Burnaby	Criminal	37
	Criminal	65	Criminal	65		Family	2
	Family	35	Family	45		Immigration	1
	Immigration	14	Immigration	17			
	Total	121	Total	138		Total	40

Note that applications from Coquitlam and Maple Ridge-area clients have been counted under the Vancouver Regional Centre since the closure of the Surrey Regional Centre. Interestingly, there was an increase in Call Centre calls from Maple Ridge clients after the switch to local agent offices. See more below.

Call Centre volumes

Clients who did not visit a legal aid office after the transition may have used the Call Centre instead. Looking at Call Centre calls by client city, one can see an increase in calls from applicants in all local agent areas but Prince George. An increase was anticipated and additional staff were added to the Call Centre at the time of transition.

Table 6: Call Centre volume

Client City	Apps		% change
	2010/2011	2009/2010	
Kamloops	160	127	↑26%
Kelowna	95	70	↑36%
Prince George	80	96	↓17%
Surrey	1,441	1,101	↑31%
Victoria	430	371	↑16%

Call Centre numbers for client cities where in-person application numbers dropped in the first year of transition were also examined. The data showed calls went up from clients in Burnaby and Burns Lake, but stayed the same from Abbotsford.

Client City	Apps		% change
	2010/2011	2009/2010	
Abbotsford	224	225	↓0.4%
Burnaby	488	456	↑7.0%
Burns Lake	37	11	↑236%

Number and type of advertisements and other means of raising awareness of new service

The LSS Communications Department issued a general media release regarding upcoming changes to the five regional centres in November 2009. In March 2010, just before the local agents were set to open, another media release was issued along with a backgrounder describing who the local agents were and where their offices were located.

In addition, communities that were affected by the closure of a regional centre were targeted with legal aid ads that listed the local agents' and Call Centre's phone numbers. The ads were placed in 32 community newspapers on three separate occasions in late March and early April 2010, costing \$17,000.

Updates regarding the regional centre closures and new legal aid locations were also published in ELAN, the LSS newsletter for community workers across the province.

The local agents were asked about LSS support for advertising their location and office signage. All of the five lawyers were satisfied with LSS support. One said, "There was a notice put in the paper, the bar was apprised, the website was updated, [and] signs were made for our office here."

Difficulties/successes identified regarding accessibility

The opening of the new offices largely went smoothly, though not without some hiccups. There was a “closed” sign with no alternative address on the Kamloops Regional Centre for six months while the legal aid office sign was still prominently displayed. The Kamloops local agent informed LSS of the problem, which was taken up by Facilities and Administration. A call to the landlord resulted in having both signs taken down. Kamloops also reported having problems getting their phone system set up, resulting in a six week delay getting started.

Office renovations at the Victoria local agent were delayed by two months, including getting the phones set up, resulting in frustration for staff but did not result in a closure.

Applications at the Langley office were initially low, but traffic to the office picked up once people knew it was there.

Information staff at the Surrey mall, where the regional centre had been located, being unaware that there was new office, told people legal aid had closed without redirecting them. There was a sign on the old office but this was only visible to people who went up to the 13th floor of the building. A call was made to the information centre staff to tell them where the new offices were located, though it is unclear when.

Site visits

The Provincial Supervisors and Intake Services Coordinator conducted site visits to all but the Victoria local agent’s office in the first year of transition. There was no particular reason for not going to Victoria except that few problems were expected there because both the ILAs and lawyer had LSS experience. (A more recent visit in July 2011 found the office set-up was excellent. Some of the other offices have also had subsequent visits.)

A site visit to the New Westminster office in June 2010 found the intake office, located in the duty counsel room at the courthouse, needed better signage because people were unaware that an ILA was taking applications in that space. In addition, a query at the court registry resulted in being told there was no legal aid office at the courthouse. There is still no permanent sign on the intake/duty counsel room, but when the ILA is there, she pins up an LSS sign.

Langley intake is in an office with a number of different tenants. Initially, there was concern that the ILA’s desk was not positioned properly for her security. The Surrey office said more recently that the ILA is safe because there is a big window in the room and the receptionist can see everything that is going on. The only desk position that would be safer would create glare from the window on the ILA’s computer, making it hard to work. It would also result in having the computer screen facing the receptionist and people in the waiting room, jeopardizing confidentiality.

Kelowna still does not have good signage according to one interviewee. There are a number of community organizations in the same building with the local agent, and people do not see a sign for legal aid until they are upstairs on the floor of the office. The signage at the courthouse is good, however.

Kamloops is in a commercial building a couple of blocks from the courthouse. There are signs at the courthouse and in an upstairs window of the office building.

All of the offices received an LSS banner, largely intended for taking to outside events. Prince George has displayed the banner outside the legal aid office space in the courthouse, which is across the street from the local agent's office. One interviewee commented that it was a better location than the regional centre had.

2011 Client Survey

The 2011 LSS Client Services Survey found most clients were satisfied with the organization's accessibility. Although the survey report is organized by client group and not by areas of the province, among intake clients across BC, 69% were satisfied with legal aid accessibility⁵ compared with 66% four years ago. Among representation clients, 75% were satisfied.

Asked how helpful legal aid services were in dealing with their legal problems, 59% of intake clients were satisfied compared to 55% in 2007. Interestingly, intake clients who went through a local agent or through the Call Centre were particularly likely to be satisfied with legal aid services.

Regarding the application process, the survey found that intake clients' ratings improved since 2007. The ease of finding out how or where to apply for legal aid was particularly positive.⁶ Intake clients who went through a local agent were especially satisfied that the process of applying was straightforward.

Since we don't know how clients responded in the five areas covered by the evaluation, we cannot attribute the positive scores to the effectiveness of the newer local agents. However, the improved scores may indicate that the closures and transition to local agents did not create a significant reduction in accessibility, helpfulness of service, or ease of the application process.

C. To equitably distribute referrals

- Distribution of referrals by local agents

Under the terms of their contracts, local agents must "refer approved applicants to lawyers who have an LSS Vendor Number on an equitable basis." The contracts also state that the local agents will "appoint all duty counsel within the location as directed."

Many factors affect the distribution of referrals, but CMS data on tariff bar referrals and duty counsel billing hours was examined for the period before and after the transition to find out if any significant changes occurred in who was getting referrals. If, however, tariff bar lawyers took fewer referrals or duty counsel hours after the transition to the local agent model, it is not clear whether those lawyers

⁵ The survey question was: On a scale from 1 to 5 where 1 means very dissatisfied and 5 means very satisfied, please rate your satisfaction with how easy it was to reach someone at legal aid, to fill out the forms, and to get the legal aid services you needed.

⁶ The survey consultant, Synovate, suggested this could be the result of increased access to the Internet among intake clients.

decided to take fewer or were offered fewer -- however, wider than expected discrepancies warrant some discussion.

Tariff Bar Referrals

The following table compares the total number of lawyers accepting referrals from Regional Centres (2009-2010) to the number accepting referrals from Local Agents (2010-2011) for all five regions included in the sample. This has also been broken down by area of law, which provides a sense of how the lawyer referrals were distributed and changed between the two models. The final column for each year contains the total number of referrals for that year.

This table reveals that, although there was a pattern of fluctuation in lawyers accepting referrals across the sample sites, in almost all cases, this change is modest. It is worth noting that the numbers were consistently lower across all areas of law in 2010-2011. This may be explained by a variety of factors external to the program change, and does not appear large enough to suggest systematic changes in referral distribution practices by local agents.

Table 7: Tariff Bar Referrals

Tariff Bar Referrals												
Regional Centre 2009-2010 Number of Lawyers						2009/2010	Local Agent 2010-2011 Number of Lawyers					2010/2011
Referral Office	Criminal	Family	CFCSA	Immigration	Total lawyers**	Total Referrals	Criminal	Family	CFCSA	Immigration	Total Lawyers**	Total Referrals
Kamloops	102	37	21	0	135	1,362	100	36	21	0	129	1,355
Kelowna	71	36	24	0	109	1,214	60	42	17	0	99	1,345
Prince George	61	43	33	0	101	1,194	64	28	23	0	85	1,539
Surrey***	203	112	52	25	331	3,369	203	104	54	16	337	2,695
Victoria	101	77	48	2	154	2,238	90	69	52	3	145	2,099
Total	538	305	178	27	830	9,377	517	279	167	19	795	9,033

**Some lawyers accepted referrals from two or more areas of law. These lawyers are counted as one in the columns for each area of law. The "total lawyers" column counts each lawyer only once. This column does not sum previous columns across.

***The Surrey data for 2010/2011 includes the Local Agents for New Westminster and Langley because the Surrey Regional Centre served all three of these areas.

Annual Comparison

The first column provides the difference in the total number of lawyers receiving referrals from 2009/10 to 2010/11. This analysis confirms a pattern of fewer lawyers receiving referrals in all cities, with this decrease ranging from between 6 to 16 fewer lawyers. One region (Surrey) had 6 higher. This may be explained by the inclusion of New Westminster and Langley Local Agents in the 2010/11 sample.

Referral Office Location	Annual Comparison		
	2009/10-2010/11		
	# of Lawyers Increase/ Decrease	# Increase/ Decrease in Referrals	% Increase/ Decrease in Referrals
Kamloops	-6	-7	-0.5%
Kelowna	-10	131	10.8%
Prince George	-16	345	28.9%
Surrey***	6	-674	-20.0%
Victoria	-9	-139	-6.2%
Total	-35	-344	0.13

The next two columns provide the annual differences in total referrals made for each region. It is interesting to note that there appears to be no correlation between fluctuations in the number of *referrals* and fluctuations in the number of *lawyers* accepting referrals. In fact, in Kelowna, Prince George and Surrey, they appear to be inversely related. Given that this comparison includes only two years, and without sufficient historical data to contextualize this finding, it is difficult to determine whether this is connected to changes in program delivery, or whether this is simply a typical pattern of fluctuation.

The only shift in referral numbers that stands out is Surrey (674 fewer referrals), but given that this sample changed in 2010/2011 to include New Westminster and Langley, changes may be reflective of the shift in sample composition, rather than program delivery.

Duty counsel referrals

Billing information from MicroStrategy's family and criminal duty counsel service cubes was examined before and after the transition to the local agent model. The CMS data is organized by pre-authorized hours, total billing hours approved, number of clients, fees, disbursements, and total costs. For the purposes of looking at distribution, approved hours were compared before and after the transition. These are usually close to the pre-authorized amounts but reflect the actual work done. The billing information was also compared to the duty counsel roster in CMS, which is maintained by head office, to see if there were lawyers billing LSS who were not on the roster.

Some lawyers will have experienced an increase or decrease in duty counsel billing hours, but it is difficult to know what that means. To determine what normal fluctuations might be, a spot check of one family duty counsel and one criminal duty counsel location in 2008/2009 was also examined. As might be expected, most lawyers experienced changes in the number of referrals they took over all three years (2008/2009; 2009/2010; 2010/2011). However, for quality assurance, any significant changes in distribution should be discussed with local agents and tariff bar lawyers to discover whether there are any issues or not.

Note that duty counsel were only counted in the discussion below if they had billed for pre-approved hours (some duty counsel were assigned a small number of hours for which they did not bill, indicating they may not have provided services).

The findings are summarized tables on the following pages, with more detail in the text below them.

Family duty counsel			
Local agent	% change in net cost of family duty counsel	# lawyers performing duty counsel compared to previous year⁷	Most significant change in approved hours
Kamloops	59% increase	Same; 1 lawyer who had not provided services in 2009/2010 took hours in 2010/2011.	The new lead duty counsel provides three and half times the volume of duty counsel hours compared to the next largest amount. This is not related to the local agent role.
Kelowna	10% decrease	Same; 1 lawyer not on the LSS roster was pre-authorized for an hour of duty counsel but did not bill LSS for any hours. 3 lawyers provided services that had not the year before.	Two lawyers' hours decreased by about 100 hours each while another's increased by over 200 hours.

Family duty counsel			
Local agent	% change in net cost of family duty counsel	# lawyers performing duty counsel compared to previous year⁸	Most significant change in approved hours
Prince George	Doubled	Decrease; 12 compared to 16 the previous year; 7 lawyers no longer provided duty counsel after the transition	Two lawyers' costs went up substantially: each was approved for 6 hours under the regional centre, but 690 and 464 hours under the local agent. This is likely due to fewer family law lawyers taking legal aid in the area.
Surrey	2% increase	Increase; 21 compared to 15 the previous year. 7 lawyers provided duty counsel services that did not the year before.	Two lawyers' hours went down 55%.
Victoria	14% increase	Decrease; 20 compared to 22 the previous year.	The new lead duty counsel provides the third highest (by a slim margin) duty counsel hours. This is not related to the local agent role. There were no wide discrepancies in pre-approved hours.

⁷ These do not represent significant changes.

⁸ These do not represent significant changes.

Criminal duty counsel			
Local agent	% change in net cost of criminal duty counsel	# lawyers performing duty counsel compared to previous year⁹	Most significant change in approved hours
Kamloops	2% decrease	Decrease; 20 compared to 22 in previous year; 3 of the lawyers in 2010/2011 had not provided duty counsel services the year before.	One lawyer's billings decreased 87% over the year before. The lawyer who billed the most in 2010/2011 increased his duty counsel hours from 75 to 266.
Kelowna	33% increase	Same; 10 before and after transition; only 1 lawyer was added over the year before and 1 other stopped providing services in the first year of transition.	The local agent's approved duty counsel billings represented 27% of the total for all lawyers. The Expanded Duty Counsel Project accounted for 34% of the total amount he billed. However the project is unrelated to the local agent role.

Criminal duty counsel			
Local agent	% change in net cost of criminal duty counsel	# lawyers performing duty counsel compared to previous year	Most significant change in approved hours
Prince George	22% increase	Decrease; 13 compared to 16 in the previous year. 1 of the 13 was not assigned any hours the year before; 2 others were assigned hours the year before but had not billed for them.	The local agent provided 62% more duty counsel hours over the year before.
Surrey	17% increase	Increase; 36 compared to 35 the year before. 2 new lawyers were added; 1 stopped providing services in the first year of transition.	In general, an equitable distribution of hours.
Victoria	3% increase	Decrease; 3 fewer duty counsel (36 down from 39).	In general, an equitable distribution of hours.

Kamloops

Family: The biggest difference between fiscal years 2009/2010 and 2010/2011 was the approved billing hours (480¹⁰) for the former managing lawyer of the regional centre (who is not the new local agent). However, this is explained by her role as lead duty counsel, and is not related to the local agent model.

⁹ Same as above.

Criminal: Most of the lawyers who provided criminal duty counsel in both fiscal years experienced some increase or decrease in hours. The biggest change was for one lawyer whose billings decreased 87% over the year before (9 hours compared to 69 the year before).

The lawyer who billed the most in 2010/2011, increased his duty counsel hours from 75 to 266.

Three lawyers who were not assigned duty counsel dates according to CMS still billed LSS for criminal duty counsel hours in 2010/2011. However some dates in the schedule were "TBD." One of those billed the second most approved hours in 2010/2011 (184 hours).

Kelowna

Family: Overall there was little change in the distribution of family duty counsel hours in Kelowna before and after the transition to the local agent model. Three out of the 12 lawyers who billed in 2010/2011 had not billed any hours when there was a regional centre.

Criminal: The former managing lawyer of the Kelowna regional centre and current local agent experienced the largest increase in approved criminal duty counsel billing hours, with 566 billing hours approved in 2010/2011 (compared to 4 hours the year before).

The Expanded Duty Counsel Project took place in Kelowna from June 2009 to March 2011, overlapping with the opening of the local agent's office. The former managing lawyer provided expanded duty counsel services to clients facing breach charges, which accounted for 34% of his duty counsel billings (\$17,861 out of \$52,286).

Only one other lawyer had slightly more hours (577), and also provided the most hours of service when there was a regional centre. However, another lawyer who did 171 hours of duty counsel in 2009/2010, dropped to just 21 hours in 2010/2011. Four others also experienced reduced hours under the local agent, while two had about the same number as before.

Prince George

Family: Seven lawyers who provided services when there was a regional centre were no longer providing duty counsel hours in the first year under the local agent. There were also three fewer lawyers providing family duty counsel services in 2010/2011 over the previous year (13 compared to 16). Two lawyers are doing substantially more work under the local agent (690 and 464 hours), which represents a large increase for each over the previous year. Five others experienced a drop in approved billing hours.

Criminal: The local agent increased billable hours by 62% (312 hours compared to 193) over the previous year, surpassing the other lawyers in total duty counsel billings. Only one other lawyer was close to the local agent in the number of duty counsel hours performed (258 hours).

There were 3 fewer lawyers overall providing services (13 down from 16).

¹⁰ This represents 528 clients and billings of \$44,312.29, which was 28% of the total family duty counsel costs in Kamloops in 2010/2011.

Surrey

Family: There were six more lawyers with approved billing hours for family duty counsel in 2010/2011 over the previous year. There were no significant fluctuations in the distribution of hours, though two lawyers saw a 55% decrease in approved duty counsel hours; another's hours went up 94% but did not represent a large portion of the overall approved hours.

Criminal: There was very little change in the distribution of criminal duty counsel hours in Surrey in the first year of the transition. All but one lawyer continued to provide services over the year before. Two lawyers who provided services after the transition did not the year before. Most of the 36 lawyers experienced some fluctuation in approved billing hours; 3 lawyers' billings substantially increased while one other's substantially decreased. In general, however, their billings do not represent a large variance from other lawyers' billings. The local agent provided a little fewer duty counsel services after the transition.

Victoria

Family: There was little change in the distribution of family duty counsel hours in Victoria after the transition to the local agent. There were two fewer lawyers providing services, resulting in more hours for 12 of the 20 lawyers compared to the year before. One lawyer was pre-authorized for duty counsel hours both before and after the transition but did not bill in either year.

Criminal: Three fewer lawyers provided duty counsel services after the transition to the local agent model. In general, there was not a large variance in approved billing hours for criminal duty counsel in 2010/2011, though a few experienced a considerable decrease or increase over the year before. The local agent's hours were lower than in the previous year.

Objective 2: To establish an effective LSS liaison with key legal stakeholders (bar and courts)

Managing lawyers of regional centres served as important liaisons between legal stakeholders and LSS, both as representatives of LSS and as sources of information about local legal aid issues. The local agents' contracts state that they should "liaise with stakeholders, including the local court, bar, judiciary..." among others.

To measure the local agents' effectiveness in this role, two indicators were proposed:

- LSS management's perspective on the effectiveness of local agents' liaison role
- Tariff bar's perspective on the new local agents

The evaluation did not measure the tariff bar's perspective (see Limitations, page 7). However, there is some evidence in the local agents' reports on their activities that they have been engaging with the local tariff bar as legal aid representatives. A brief summary of those activities are described below. This is followed by the comments of LSS managers about the liaison role.

Engagement with tariff bar as a legal aid representative

Not all of the reports submitted by the local agents contain details about their activities with the tariff bar (they were not requested to), but there are indications that local agents are engaging with legal stakeholders in the community. What is not known, however, is the extent to which the relationships formed are positive or meeting the requirements of LSS.

The local agent in Victoria sits on four committees: two related to practices at the new integrated court, the third a "court users" committee consisting of various representatives of the court system. The local agent was appointed by the Canadian Bar Association to these committees to bring a legal aid perspective to the discussions. The local agent was also invited to join the Cells Renovation Committee. He reported that he wanted to ensure that duty counsel could continue to work effectively when overnight detainees were moved to other locations while courthouse cells were closed for renovations. He is also involved with pro bono lawyers.

The Victoria local agent was involved in the planning for the LSS lawyer recognition ceremony in Victoria in April 2011, which he also hosted. Attending the event were the Attorney General, several members of the judiciary, Law Society benchers, and governors of the Law Foundation, thus enhancing the profile of legal aid in the larger legal community.

The Kelowna local agent attends regular meetings of the Community Court Committee.

The Kamloops local agent reported that she maintains a positive relationship with the local bar through open communication about any issues that arise.

Less is known from the activity reports about the extent to which the local agents in Surrey and Prince George connect with the tariff bar as a representative of LSS. However LSS staff commented that the local agent in Surrey attends meetings with the private bar at the courthouse, and the Prince George local agent is in contact with duty counsel.

LSS managements' perspective on local agents' liaison role

Three LSS managers and two coordinators were asked for their opinion regarding the effectiveness of the local agents in informing the society about significant issues in the legal community as well as how well they are communicating on behalf of LSS to legal stakeholders.

Of those, one said they could not comment on the liaison role because they have little contact with the local agents. Another interviewee likewise has minimal interaction with the local agent lawyers, but sometimes works with their assistants.

The local agents were perceived by three other interviewees as performing the liaison role for LSS, though it was noted that some local agents are harder to reach than others. One interviewee said that the most engaged local agents are the ones who have not worked for LSS before.

This is somewhat borne out by the number of teleconference meetings the local agents attended in the first year of transition. Out of 5 meetings (the calls are bi-monthly, but the sixth was replaced by the 2011 Intake Training Conference in Vancouver), the local agents who had not worked for LSS before had attended 3 each; the other two had attended 1 and 2 meetings each. All of the new local agents attended the intake conference.

Compared to pre-existing local agents, however, the attendance of all of the new local agents is about the same. Out of the 20 local agents ¹¹on the teleconference attendance list, only 7, including 3 new local agents, attended more than one or two of the five teleconference calls.

One of the interviewees noted that each of the local agents is connected to the legal community in some way and will pass along information of interest to LSS. "They're keeping us in the loop. If there are issues with duty counsel, they immediately send us an email."

The Surrey local agent was acknowledged as performing a helpful role when duty counsel withdrew services in January 2011. He attended meetings at the courthouse, kept LSS apprised of the situation, and continues to maintain a good relationship with duty counsel.

The same interviewee said the Prince George local agent keeps in touch with the private bar, and informed LSS that duty counsel wanted more hours on Wednesday afternoons.

¹¹ One area had three local agent names listed but was counted as one.

LSS managers have the opportunity to attend local agent teleconference calls if they have items they wish to discuss with the local agents. But for one interviewee the lines of communication are still not as strong as they were under the regional centre model. “We used to rely on the tariff bar to help inform decisions, but I think some of that has been lost [with the regional centre closures.] There’s less communication about the state of things, which makes you wonder what you’re not hearing.” The same interviewee suggested that legal stakeholders would be more likely to phone a regional centre than a local agent if they had concerns about an issue.

It is not clear whether the perception of less communication is the result of the reporting structure, which is to PLIA, or because there is a difference between the engagement of staff lawyers compared to local agents, who are also expected to maintain a private practice.

Objective 3: To mitigate the loss of services unique to the regional centre model

A. To refer people to individuals, agencies and other relevant resources

The following indicator measured whether legal aid clients are being referred to other resources and/or receiving PLEI materials to help them address their main legal matter and related issues.

- Awareness of intake legal assistants that referrals are part of their job and are acting accordingly

Referrals for main legal matter

All of the intake legal assistants said if clients are not eligible for legal aid, they referred them to other agencies, individuals, or publications that might be able to help them with their legal matter. The most common referral was to duty counsel, both family and criminal. Other referrals included law students at UVic and UBC, the Justice Access Centre, Lawyer Referral, women's groups, transition houses, as well as publications, both LSS and others. One ILA mentioned the Family Law website: "I tell people about it all the time."

Some of the intake legal assistants had prepared lists of agencies that they handed out to clients. But one ILA expressed concern about whether the information was going to be helpful: "I'm blindly saying, 'go there'; and this is the best you can do for them. We try to keep up to date on what agencies will do, what assistance they provide, but I have two pages of agencies and may only know what six actually do."

Referrals for related issues

If legal aid clients appeared to have issues related to their main legal matter, such as housing, debt, or mental health issues, all of the ILAs said they would provide referrals to other help. These included many of the same organizations listed above, but also included the Residential Tenancy office, the mental health worker at one of the courthouses, the Elizabeth Fry poverty advocate, and the Coalition for People with Disabilities.

LSS publications were mentioned, including *Can't Pay Your Mortgage?*; *Living Together or Living Apart*; *If Your Child is Taken*, and "the welfare ones go like hotcakes." Another said: "LSS publications are great. I've always found them to be very plain language and approachable for people."

Providing referrals was not automatic for one ILA. In the case of help for related matters, the ILA said, "If they raise that specifically." And unlike the others, the same ILA said about referrals for the main legal matter: "Yes, if it's my assessment that they'd be interested in receiving that."

B. To ensure LSS and other PLEI materials are accessible to the public

The following indicators were used to measure the extent to which local agent offices ordered PLEI publications and made them available to the public.

- # of publications ordered by office
- Types of publications used
- Availability and display in offices, including courthouse and other locations, if any

Number of publications ordered by office

The following table shows the number of publications ordered by the local agents. Comparable data was not available for the regional centres because Crown Publishing data only began in September 2009.

Table 8: Volume of publications ordered

April 2010 to March 2011		
Local agent	Monthly average	Total
Kamloops	152	1,818
Kelowna	99	1,186
Prince George	133	1,599
Surrey	734	8,803
Victoria	478	5,731

Source: Crown Publishing

Types of publications ordered

The five local agents ordered publications covering all areas of law. The publications ordered the most (over a thousand copies between April 2010 and June 2011) were:

- *If Your Child Is Taken by the Ministry of Children and Family Development (now called If Your Child is Taken: Your Rights)*
- *Living Together or Living Apart*
- *Parents' Rights, Kids' Rights*
- *Surviving Relationship Violence and Abuse*
- *What to do if you are charged with...* (if counted as a series)

Overall, family law publications are the most ordered and presumably are the most used by people who visit the local agent offices. This is followed by criminal law publications, then Aboriginal, and in descending order, legal aid, poverty/consumer law, seniors, and immigration publications. Only a small number of the publications ordered by the five local agents are in languages other than English.

Availability of publications

When the Provincial Supervisors conducted site visits in May and June 2010, the availability of print resources was among the items they checked.

LSS publications were displayed in waiting rooms and/or intake offices at the Kamloops, Kelowna, Prince George, and Surrey locations. The ILA at the Surrey Courthouse also has publications on display. The ILA in the Langley office had a bookcase on which to put LSS materials.

Only the intake room at the courthouse in New West did not have publications on display because the space was too small (the courthouse itself had only an outdated copy of an LSS booklet in its brochure racks). Since that site visit, however, a small filing cabinet and some display shelves for publications were purchased for the ILA.

The Victoria office was not visited during the transition period, but a visit in July 2011 found that the waiting room had a good display of publications.

C. To liaise with community stakeholders (intermediaries and community agencies)

Regional centres played an important role as the face of LSS, and strong relationships were built between managing lawyers, staff, and their communities. The following indicators measured the extent to which local agents are also developing such relationships. The indicators for this measure were:

- # and type of organizations contacted
- # of attendees at outreach activities
- Perception of community stakeholders of local agent as legal aid provider

Number and type of organizations contacted AND Number of attendees at outreach activities

Local agent contracts require offices to “provide 14 hours per month to plan, promote, and provide law-related community development and/or public legal education activities and information for advocates, aboriginal and other community stakeholders and the general public.” This is referred to as “outreach” here, but what that constituted varied among the local agent offices.

The local agents were asked to keep records of their activities during the transition, which are summarized in Table 8, on the next page. In some instances, the activities recorded cannot be considered outreach activities in the strictest sense. However, in the absence of a guideline, only an ILA’s record of incoming calls from the public regarding whether they could get legal aid was discounted here.

The actual number of hours devoted to outreach was not recorded in Kelowna and Surrey (though they were in Langley and New West). Of the offices that did record their hours, only Prince George was providing 14 hours of outreach, including planning, per month in the first year of operation.

The Victoria and Kamloops local agent lawyers expressed their intention to improve the number of hours devoted to outreach in the coming year. The Victoria and Surrey offices noted that they got off to a slow start as the transition was initially difficult. However in the case of Surrey, the number of activities recorded suggests the office performed the required amount of outreach.

All of the local agent offices provided some outreach to Aboriginal organizations in the area.

Table 9: Outreach activities (April 1, 2010 to March 31, 2011)

Local Agent	Organization/event and no. of times contacted	No. of attendees	No. of hours
Kelowna	37 activities, such as courthouse education in the schools, Community Court Committee, meetings with Ki-Low-Na Friendship Centre and Native Courtworker, and the distribution of PLEI materials (29 of the activities involved the local agent lawyer)	Ranging from 1 to “numerous”	Unknown
Kamloops	15 activities included LSS conference planning, Elizabeth Fry events, and 4 visits to Aboriginal band offices.	Ranging from 1 to 300	47 hours
Prince George	42 activities included preparing notices for counsel (for example, on information needed for custody applications), referral lists for clients, letters to agencies, attendance and preparation for meetings with, for example, the Solicitor General; Phoenix Transition House, Carrier Sekani Family Services, Native Courtworkers LSS workshop/Gladue training/community engagement	Unknown	175 hours
Surrey (includes New West & Langley)	Surrey: 49 activities included the distribution of PLEI materials to community organizations, including Kla-how-weya Aboriginal Centre; attending Surrey Connect Day; Surrey Defence Bar and Bar Association meetings (local agent lawyer); and participation on the FLWS Advisory committee. New West: Distribution of business cards and PLEI materials to organizations such as New West Interagency, DIVERSEcity, DOVE Committee at DeltaAssist, and PICS Langley: Calls to community agencies; materials delivered to community agencies such as Ishtar Transition House; presentations at Aldergrove Family Services and Langley Family Services	Ranging from 1 to 250	Total unknown Langley: 12 hours New West: 25.5 hours
Victoria	Local agent attended Law Day and Criminal Law Club, 3 court practices committees, and had discussions with Chief of Tseycum First Nation.	40 to 500	6-8 hours/month

Perception of community stakeholders of local agent as legal aid provider

In August and September 2010, several months after the new offices opened, the Intake Services Coordinator interviewed 3 community agencies in each of the new local agent locations to find out if these agencies believed their clients were still getting the same quality of legal aid services following the closure of the regional centres. Their comments are briefly summarized below. Supplemental calls were made by the evaluator to organizations in the areas where there were early indications of problems with access to legal aid.

Kamloops

Two of the three agencies contacted by LSS in Kamloops were not experiencing problems with the new local agent's office. One contact, a worker for the Lytton First Nation band, said he was aware of the new local agent but said most of his clients are in custody and they use the Call Centre to apply for legal aid. Kamloops Immigrant Services said their clients were having no problem applying for legal aid and found the ILAs helpful.

A manager at the Clearwater Community Resource Centre told the Intake Services Coordinator that it had no information on legal aid and did not know how to help clients apply for legal aid. The evaluator called the manager to follow up. The manager said she still did not know what legal aid services were available. It was determined, however, that the manager confused legal aid with the Elizabeth Fry Society. The centre did not usually send clients to legal aid because their issues were largely related to poverty, such as housing.¹²

A call was made in October 2011 to the Interior Indian Friendship Society. The society had been notified of the new office, but a manager there said it was still a struggle for clients to get legal aid—she said they have to wait a long time to get services. The manager said LSS should post legal aid information at the courthouse and provide organizations with materials they can post on their information boards.

Kelowna

A joint letter from three Kelowna agencies complained to LSS about the regional centre closures. When contacted later by the Intake Services Coordinator, however, none of them had issues with the local agent and said the new service was working out fine.

A call was made in October 2011 to Métis Community Services in Kelowna. A coordinator who helps families facing child protection matters said she did not know about the new local agent office, but as far as she knew her clients were still able to access legal aid.¹³ She said clients talk to duty counsel at the courthouse, or sometimes the judge tells them they need a lawyer, and they find a way to apply for legal aid.

¹² The evaluator emailed the manager some links to the LSS and Family Law in BC websites.

¹³ Same as above.

Prince George

Two out of the three agencies contacted by the Intake Services Coordinator said the new services were working out well, especially now that there was a legal aid office at the courthouse. However, the Phoenix Transition House commented that their clients still did not know where to apply for legal aid. According to the local agent's activity report, the local agent lawyer and ILA subsequently met with transition house staff to inform them of legal aid services.

Prince George is in the unique position of being the only new local agent location where there is now an LSS community partner, the Urban Aboriginal Justice Society. This is expected to enhance legal aid awareness in the area, particularly in the Aboriginal community.

Surrey

None of the three agencies contacted by the Intake Services Coordinator reported problems with applying for legal aid, but one advocate commented that some of his clients do not like having to go to a lawyer's office and he refers them instead to the Call Centre.

Victoria

The three agencies contacted by the Intake Services Coordinator were aware of the new local agent and did not think access had changed, but expressed concerns with legal aid coverage, which they felt was lacking.

D. To lessen any negative impact on advice, representation, and duty counsel services by the loss of staff lawyers

- # and type of difficult-to-place cases
- # and type of pro bono services provided
- # and type of complaints about local agents

Number and type of difficult-to-place cases

If requested by the LSS Call Centre or their own staff, local agents must accept a minimum of two referrals a year representing hard-to-place cases. Reports submitted by the local agents covering April 1, 2010 to March 31, 2011, are summarized below.

Table 10: Difficult-to-place cases

Local Agent	# of cases and case type	Description
Kelowna	13 criminal cases (8 clients)	Local counsel would not take clients due to mental health issues and other challenges.
Kamloops	0	Due to time commitments of local agent's other work.
Prince George	2 criminal cases	No lawyer wanted to represent these clients because they were difficult to deal with.
Surrey	3 criminal cases	No English; difficult to deal with. There are few difficulties finding lawyers to take cases in Surrey.
Victoria	3 cases (at the new integrated court for homeless with history of criminal activity and either mental illness or addictions)	Clients could not be placed because they had fired previous 2 or 3 lawyers. Victoria bar is willing to accept most referable cases.

Number and type of pro bono services provided

Local agent contracts state that lawyers will provide two hours of pro bono legal services per month (24 hours per year). Pro bono services include summary advice, assistance or representation in the areas of family, criminal and poverty law.

According to the activity reports submitted to LSS for fiscal year 2010/2011, summarized below, only the local agent in Kamloops is not providing the required number of hours of pro bono work.

Table 11: Pro bono services (April 2010 to March 2011)

Local Agent	No. of cases by case type	No. of hours
Kelowna	5 criminal; 1 family (MCFD issues)	Local agent does 2 hours pro bono /week (104 hours/ year) assisting unrepresented clients
Kamloops	2 poverty law; 2 family; 1 mental health; 1 prison law; 1 medical issue	19 hours
Prince George	18 criminal; 3 poverty law; 5 agency appearances; 1 family; 2 other advice	28 hours
Surrey	106 criminal; 15 driving-related; 1 traffic ticket; 1 family; 1 employment-related	83 hours
Victoria	20 + (the no. of cases was incomplete); breaches of probation/ undertakings (largely Aboriginal clients); legal advice for people at courthouse	130 hours

E. To be informed of LSS policies

The evaluation measured local agent awareness of LSS policies and how local agents handled lawyer complaints. The indicators for this objective were:

- Local agent awareness of LSS policies, in particular the External Complaints policy
- # of complaints local agents forward to A&I

Local agent awareness of LSS policies

The local agent lawyers were asked about their awareness of LSS policies, in particular the External Complaints policy, which requires “contractors” to forward to LSS any complaints received from a client or the public.

Each of the five local agent lawyers was aware that LSS policies are posted on the Local Agent Portal. One local agent said they did not know what the policies said, however.

When asked which policies LSS brought to their attention, one local agent could not remember, and the other four understood this to mean intake policies and could not describe any specific policies.

Asked if they were aware of the External Complaints policy, each said yes. One said they could not give details of it, however.

Number of complaints local agents forward to A&I

Few complaints have been reported about the new local agent offices. The Audit and Investigation department provided the following information:

- Two clients complained to A&I about how they were treated by staff at one local agent office.
- No complaints were received regarding the local agent lawyers.
- Surrey forwarded a series of complaints to LSS about one tariff bar lawyer.
- Local agents forwarded four complaints to LSS about clients. Each involved issues regarding financial eligibility.

4.0 Strengths and Weaknesses

The evaluation considered what, if anything, might have been done differently to better assist and support local agents to set up their offices; and whether there are any gaps to be filled in the new supporting structures.

Local agent lawyers' view of the transition

The following section describes the opinions of the 5 lawyers interviewed for the evaluation.

Expression of Interest process

Local agents found the Expression of Interest process and contract negotiations straightforward overall. However, one commented that filling out the Expression of Interest was complicated and vague in terms of requirements. Another said they had to ask someone in another office to explain what the document meant with respect to technology.

No one had any concrete suggestions for how the process could be improved. One lawyer said the “government lingo” was complex. Another wondered if it had been well advertised because there did not seem to be a lot of interest in the area to take on the role.

Community outreach

Local agents were asked if they had suggestions for how LSS could assist them to perform community outreach. One said they were not sure what community outreach means, but if it means to increase community knowledge about legal aid, then LSS was assisting as much as they could.

Another said it would be a benefit to have a seminar on the basics of community outreach: “What can we do, what kind of agencies to contact, what does it look like? People may not know how to go about it, especially the new agents. What community outreach looks like across the province might be very different.”

Another said LSS could assist by paying the local agents better. “The money we get to run the local agent system allows us to get by but is not overly generous and it has raised a real issue for me in terms of reaching Aboriginal and remote communities...that’s expensive and it takes more time.”

One local agent said intake hours had to be reduced to facilitate community outreach.

LSS support during the transition

The local agents said they felt supported during the transition. A number of them expressed appreciation for the Intake and Regional Centre manager and LSS staff.

The only complaint was with the IT department. One local agent office wanted to send referrals to lawyers via the computer rather than by fax, but IT said it was not possible. The agent contacted a local high tech firm which said it was possible.

Another said: “My only criticism is with the IT end of things since the transition. A couple of things have happened and I had to hire my own techies to sort them out. I don’t know if LSS has any obligation, but it would have been nice to get a little help. When the Internet stops [which occurred at the courthouse] and LSS says, ‘Well, it isn’t us,’ it’s not helpful.”

Two Intake Legal Assistants also commented on a perceived lack of IT support (see page 25). This appears to be at odds with the local agent contract which states that “the LSS Computer Helpdesk Service is available to provide support for LSS custom-built software applications. The helpdesk service will also be available to assist in resolving connectivity issues to the LSS technical environment. This helpdesk service will only be available if the Local Agent adheres to the current LSS technical software standards.”

All local agents know who to contact at LSS if they have questions, and reported that LSS is very responsive to calls and emails.

The local agents said they were made aware of resources on the Local Agents Portal, but none of them said they use the portal.

They all said LSS prepared them well for their role as local agents. However, one said the staff training was insufficient for those who had not done intake before. The local agent said staff had just one day at the head office [it was in fact two days] and no hands-on training. Instead the office had to take its own initiative to provide hands-on training.

Going forward

When asked what LSS could do better to support local agents, two of the local agents had no suggestions and said LSS had done well and were keeping them in the loop. One complimented the work of a staff member in Vancouver, but also commented: “Head office is a large organization where different things are said by different people. The left hand not knowing what the right is saying. That is the nature of a large governmental agency.”

Two local agents raised issues that were mentioned by different lawyers earlier in the interviews. One said “I think the funding for the local agent office is insufficient. It is difficult to do the job we’re doing under the contract with the funding provided. When you factor in wages and overhead, at the end of the day we squeak by and there’s no room to grow or improve.... An improvement in funds would open up the options for what we could do here.”

Intake legal assistants' view of transition

The following section describes the opinions of the 13 ILAs interviewed for the evaluation.

Community outreach

Only some of the ILAs do community outreach at the offices, and of those, there were different interpretations of what it entailed.

One ILA was committed to doing presentations, phone calls, dropping off publications or doing emails for two hours per week. Another sets aside Fridays, when the office is closed, for outreach with community agencies. Another counts the extra time spent with intake clients explaining processes and rights as outreach hours. One equated outreach with the new grant for expanded intake. Another described it as distributing public legal information and education materials: "It's not like there's a book on it. We're always popping into agencies with PLE when it's updated."

One said LSS was not doing a lot to support them to do community outreach. "They [LSS] suggest you should attend here or there, but nothing else."

Asked what LSS could do, this ILA said it comes down to money: "We are working to budget. You used to be able to send out pens and things. We phoned [LSS] and [were told] there wasn't anything." Another said: "I'm not sure that [LSS] could come up with something worthwhile."

LSS support during the transition

All of the ILAs said LSS is responsive to their calls and emails. They praised the Provincial Supervisors and Intake Services Coordinator for always getting back to them and being extremely helpful.

Three ILAs expressed frustration over trying to contact other employees at LSS. They were used to different circumstances when they were in a regional centre, which compounded their frustration.

"We don't have access to 'Who're You Going to Call.' There are some of the main numbers on the portal and there's intake, but to call case management directly, those numbers aren't there. Vancouver has casual intake workers and if they've entered a case and we don't recognize [the ILA's name] and can't find it on the portal, then we have to ask other intake."

Another ILA concurred: "I can see part of a last name [in CMS]...and would like to email them, but I don't have access [to the contact information]. The contact list is brief. It's hard to get through to these other offices. It is repetitive and frustrating. I don't understand why they are confidential when we're part of the same system."

The third said: "It was nicer when we had a directory to refer to, but we don't have the authority anymore, which is a bit of a burden."

Two ILAs expressed concern with IT. According to one: "I sent them a message and I still haven't heard back. They aren't as helpful as they could be. We aren't part of the LSS anymore, but it [IT support] was cut right off. It is a little harsh, I think. They could have provided us with a bit more support."

Going forward

The ILAs were asked what LSS could do to support them in their role. Their responses are reflected in the table below.

Table 12: Suggestions for support from LSS

Suggestion	Counts (ILAs may be counted more than once)
Nothing/transition went well	6
More money/hire more staff	4
IT assistance	2
More training/training conferences	2
Lessen workload	3
Keep them in the loop	2
Access to CMS notes (just to read them)	1

Selected comments:

- “If you want things to work better, it comes down to dollars and cents.”
- “Hire more staff so we could be interviewing in more places.”
- “At the old office, a client would be at reception, and there was glass. We talked to them first. Now we’re wide open for anything...to clients with mental health issues...it’s been a concern a few times.”
- “We used to be able to send an autofax from our computer to the referral lawyer but we lost that capability when we became a local agent so when we contacted IT they said to call our local people, but when we call local people, they say they don’t have access to our system. IT said there was a program we could buy...but LSS won’t allow them to access CMS. I understand, but I think they could help the local agents with that so they don’t waste so much paper. Even if [IT] charged us a small fee; but they aren’t even offering. I don’t understand why IT isn’t able to help us. That’s my bugbear.”
- “[LSS has] a hand in what we do, but not too much. It’s a good balance. When we have a question, they’re there.”
- “I’m not sure that LSS could do anything, realistically, that they’d be willing to do.”
- “We are swamped most of the time. We don’t even have a casual for when one of us is away on holiday. The workload is so much more than it used to be.”

5.0 Conclusion

The evaluation concludes that the local agent offices in Kamloops, Kelowna, Prince George, Surrey, and Victoria are largely meeting the objectives LSS set for the new offices: providing quality legal aid services in areas previously served by regional centres. However, there are areas that warrant closer attention.

The transition went relatively smoothly, with local agent lawyers and staff giving high praise to the efforts of the Intake and Regional Centre Manager, the Intake Services Coordinator, and the Provincial Supervisors for legal aid applications. Only the IT department stood out as being less helpful than some of the local agents and intake legal assistants would have liked.

PLEI materials are on display at all of the offices and staff are regularly ordering more, particularly on family law.

Access to legal aid was only temporarily affected in Kamloops, where it was not clear that legal aid services were still available and where the new office was located. There were instances in other locations where people were unaware of the new offices, but this was addressed early on.

In the local agents' first year, three of the offices experienced only a small change in the number of applications and referrals. Applications and referrals went down significantly in Kamloops, though since the evaluation, applications and referrals have so far rebounded. The Surrey office also saw a decline in applications and referrals during the first year of transition, but this was offset by satellite intake locations in Langley and New West.

Referrals for Aboriginal clients went down in Surrey and Victoria, but in Kelowna, Prince George and Kamloops, Aboriginal referrals went up. With respect equitable distribution of referrals, there was little change in the distribution patterns by local agents. While there were some minor shifts in referral patterns, these were modest and not suggestive of inequitable distribution practices.

Local agent lawyers are involved with legal stakeholders in their communities, but there was some indication that there is room for improvement regarding communication back to LSS.

All but one lawyer took hard-to-place cases in the first year, and all provided pro bono services. Each of the offices is performing community outreach, including to the Aboriginal community, but there appears to be some confusion about what community outreach entails. There was significant variation in the outreach work performed as recorded by each office; however it was up to each local agent to determine which activities were most appropriate for their respective offices and communities. LSS intended to provide additional support for local agent outreach but the timing of a restructuring of the Community Outreach department meant this did not occur in a meaningful way in 2010/2011.

Overall, the local agent offices have mitigated the loss of services unique to regional centres. They are also cost-effective. In 2009/2010, it cost LSS \$2,773,572 to operate all the regional centres except Terrace and Vancouver. In 2010/2011, the local agent offices cost LSS \$1,658,880—a savings of just over \$1 million.

However, some local agent lawyers and ILAs indicated that they are operating with the bare minimum needed, and that to really make a difference in their communities would require more funding.

6.0 Recommendations

To strengthen the local agents in the newer locations, and to make future transitions easier, the evaluation recommends the following:

- To improve communication and strengthen the liaison role of local agents:
 - Create a strategy that enhances the use of local agents as a liaison for LSS within the legal community, both to relay messages to the tariff bar and to receive feedback from it.
 - Encourage managers to use the local agent teleconference meetings to give and get feedback on legal aid matters.
 - Circulate the minutes of the local agent teleconference meetings to relevant LSS managers.
- Provide training and ongoing support to the local agents regarding what defines community outreach and how to go about it. Consider creating –or facilitating the creation of–an outreach strategy.
- Continue to monitor applications and referrals and provide support to the local agents when necessary.
- Reassess the local agent contracts for the reasonableness of funding versus LSS expectations. When funding is available, support the local agents to expand their outreach efforts.
- Consider whether the IT department could provide better transitional support to local agent offices.
- Consider better integrating local agent ILAs with LSS processes when LSS moves forward with a new CRM (customer relationship management) system.
- Encourage local agents to use the Local Agent Portal.
- Provide key LSS contact phone numbers for departments outside Intake.
- Determine whether intake hours are adequate enough to serve the needs of the local agents' communities.

It is assumed that PLIA will continue to monitor the CMS data discussed in this report to address any concerns identified in the first year of transition. If LSS plans to evaluate the local agent model in the future, all offices should be encouraged to record their activity in the same format, and as simply as possible.¹⁴

¹⁴ Some ILAs provide lengthy reports on their activities that may or may not be an efficient use of their time.