THE ANNUAL REPORT

OF THE

EXECUTIVE DIRECTOR

OF THE

COMMUNITY ADVOCACY & LEGAL CENTRE

Michele Leering
Executive Director
November 4, 2004
Belleville, Ontario
(613) 966-8686, ext 27
1-877-966-8686, ext 27

Table of Contents

Clinic Mission, Vision, Values … 3

Strategic Plan 2003 - 2007 - A graphic visualization … 4

"Fire in the Belly Quotable Quote" … 5

Annual Report of the Executive Director … 6

Statistics …15

Community Advocacy & Legal Centre

Mission

Community Advocacy & Legal Centre provides access to the justice system through quality legal services, advocacy and information for people living on a low income. We strive to achieve social justice with dignity by influencing change in our community, our institutions, and poverty law.

Vision

We strive to achieve social justice with dignity by influencing change in our community, our institutions and the law.

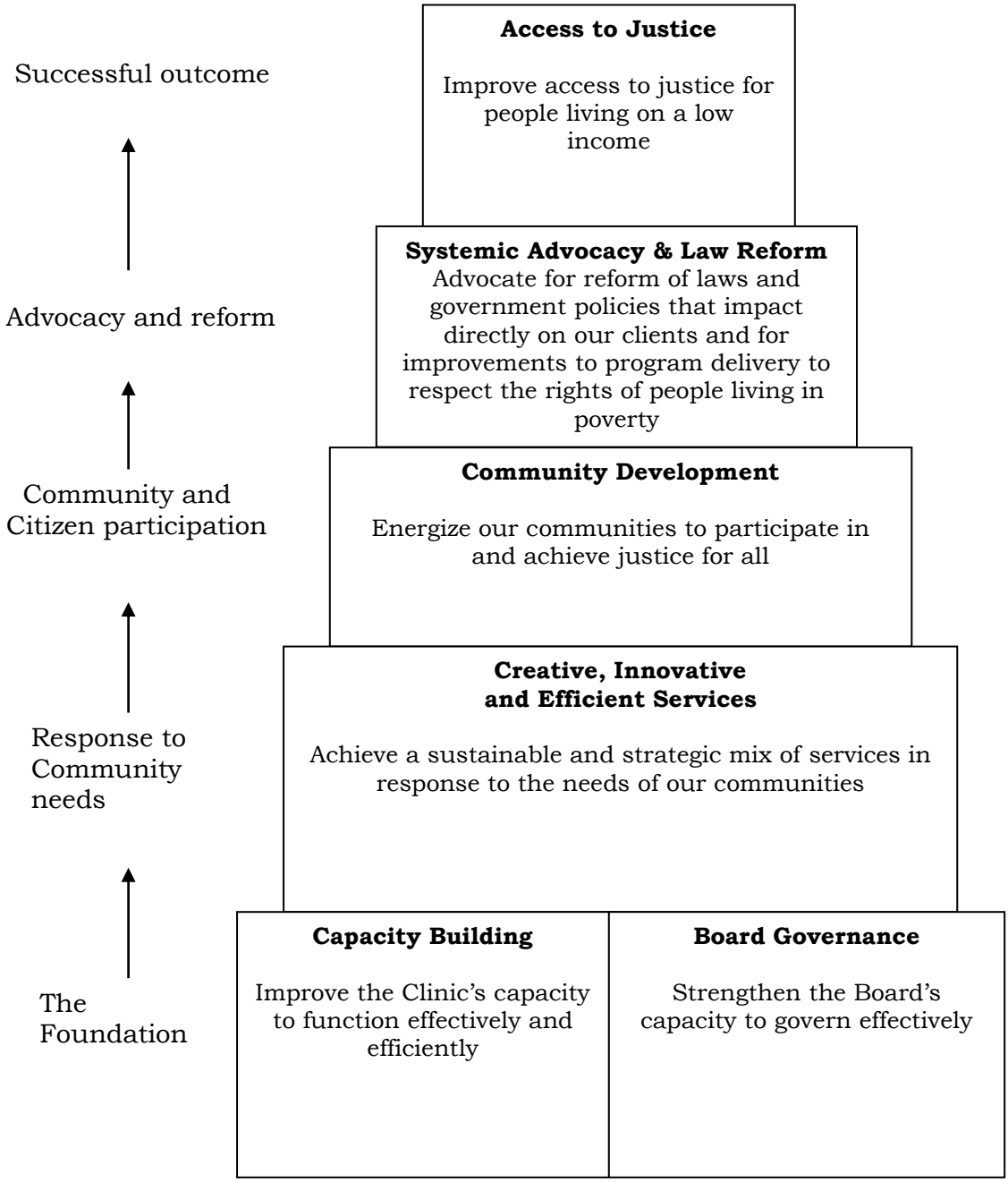
Values

We believe:

- Justice is a right for individuals and communities
- In being client centred and accessible
- Every person is of infinite value
- In being responsive to, and collaborative with, our community
- In creative, innovative and effective services and work

STRATEGIC PLAN FRAMEWORK 2003 - 2007

- a graphic visualization -



"Fire in the Belly"
Quotable Quote

"I believe “fire in the belly” is how some great cause or calling shows up in each of us. “Fire in the belly” is:

- The passion that sustains us over a long period of time, that enables us to stay the course for that noble cause and to be in action toward it every day with a sense of direction and urgency.

- It is the energy that draws others in, that enables us to connect with a very large number of other people.

- It is the insight that lets us see how almost everything and everyone can, in some way, help us advance toward our vision.

- It is the belief in the fundamental justness of the cause that inoculates us against cynicism and limited expectations.”

Martha Bergmar, Vice President of Programs – U.S. National Legal Aid and Defenders Association

ANNUAL REPORT OF THE EXECUTIVE DIRECTOR

Overview

2004 has been an exciting year of continued renewal and accomplishment.

Our work is guided by our Board's five-year strategic plan (2003 - 2007) with its six major goals.

We continue to challenge ourselves to rethink how we are doing our work and how we can be more effective and efficient. All our staff have risen to this challenge and we have accomplished great things! We are increasing our ability to do innovative and creative work and carry out special projects.

We continue to increase our capacity by:

- streamlining clinic administration;
- improving our intake and file handling practices;
- new use of software and technology;
- enhanced planning and project management;
- creating self-directed work teams;
- collaborating more deliberately with other legal clinics, Legal Aid Ontario partners and others on innovative projects;
- leveraging in new resources including locating other funding sources to support special project work.

However, our greatest resource is our staff. This year, in particular, I want to recognize the "fire in the belly" - that special gift that clinic staff here bring to their work. I could never have imagined, even a few years ago, that we could ever do as much as we are doing and still be as excited about it as many of us are. The challenges sometimes seem insurmountable. We often feel tired or defeated, or we get cynical and jaded. In spite of all that - staff push on, trying very hard to make a difference and to find new energy and ideas to inspire each other. The people I work with at this clinic are very special people. And I think we need to celebrate the extra commitment they bring to our shared work.

This year our staff have included Denise Bird, Shannon Blaind, Gina Cockburn, Johanna Ebbers, Richard Ferris, Diane French, Carolyn Hamilton, Marieanne Langer, David Little, Mary McCormick, Deirdre McDade, John McKean, Jessica Michael (articling student), Jessica Miklos (summer 2004), Lynda Morgan, and Sharon Powell.

It has also been a banner year for Board involvement with and enthusiasm for our work. Without their clear direction and support, we would not have as much of an impact in this community and for our clients. We are fortunate to work with this group of people who share our "fire in the belly".

Significant accomplishments in 2004

Some of this year's more significant accomplishments have included:

- Meeting a significant increase in demand for individual client services without additional money for staffing from our principal funder Legal Aid Ontario.

  The demand continues to be heavy. In the first nine months, we dealt with 3633 requests for **information, advice and brief services,** which appears to be a decrease from last year's record but equivalent to the same period in 2002. The decrease is actually attributable to a change in the way we record our work not in the amount of work we have actually done. We implemented a new statistics software program this year and changed our "work flows" to compensate for its sluggish response times. We decided to create fewer records by amalgamating repeated contacts and more complex work for callers into one "brief services" record. Not surprisingly, our "brief services" increased 80% from 628 cases in the first nine months of 2003 to 1167 in 2004. Furthermore, our new statistics program also records that we helped 7031 people in the first nine months of 2004 compared to 5192 in 2003.

  We experienced a big increase in the number of clients we represent formally before courts and tribunals. We took on 373 new cases in the first nine months, which is a 27% increase over last year. This is a new record in the clinic's history.

- Increasing our satellite services and improving our efficiency in offering services to residents of Quinte West (Trenton), Centre and North Hastings (Madoc and Bancroft) and South and Central Lennox & Addington (Napanee).

  In the spring of 2004, we opened a brand new satellite in Quinte West and moved to a more suitable location in Madoc. Our Quinte West office is now our busiest for intake!

  Referral, advice and brief services are now available five days per week for communities outside Belleville. All callers to satellites are automatically forwarded to our Belleville office first for intake. We still meet clients by appointment on a regular basis in those communities.

- Implementing innovative legal file case management pilot projects

  We have developed new systems for both Ontario Disability Support Plan "disability" appeals and Criminal Injuries Compensation cases. By increasing our efficiency we have been able to free up staff time to take on other work. By standardizing and monitoring case strategy more closely, we believe we have also increased our advocacy effectiveness.

- Providing enhanced duty counsel assistance at the Ontario Rental Housing Tribunal (partially funded by a small grant from the Advocacy Centre for Tenants Ontario)

  Two staff attend weekly to advise tenants and speak to matters before the Tribunal.

- Carrying out an Eviction Prevention Project (funded by a grant from Provincial Homelessness Initiative Funds administered by the County of Hastings)

  We continue to offer the "hot line" service - all our staff include reception and intake provide immediate answers to tenants needing legal advice. The funding we receive has enabled us to hire additional staff so we can do this. Our triage system continues to work well. The "Disrepair Project" continued - targeting housing that is continually in disrepair and for which little or no action has been taken by the landlord to improve the safety or condition of the rental unit. We've also been offering pro-active sessions to service providers on "Tenant Emergencies" and "Legal Rights of Low Income Tenants - Spotting the issues." We also devote considerable resources to prevention through our participation in the Housing Working Group.

- Providing support and supervision to the Affordable Housing Research Project in Hastings County

  We continued to work in partnership with five other community agencies to carry out this innovative community action research project. In June, the Housing Work Group (as we call ourselves) sponsored a major public forum in Belleville and provided the community with a preliminary look at the project's findings. Our project researchers (under a HRDC JCPI grant) finished their contract in July and we have continued to meet to develop recommendations and edit the final report. The report "Boxed In: the Affordable Housing Crisis in Hastings County" will be released on November 22, 2004 on National Housing Strategy Day.

  The Housing Working Group has developed a comprehensive Action Plan for Hastings County. We've recommended the formation of an Affordable Housing Action Network to ensure the Action Plan gets implemented. This Network promises to be a broadly based representative coalition to tackle issues of homelessness and the creation of affordable housing options. We will continue our significant support for this initiative through to 2006. We recently developed and submitted a funding proposal to the Supported Communities Partnership Initiative, a Human Resources Development Canada program to support this work.

  Our staff also made a submission to the Research Project entitled "Observations from the Front Lines" which details the kind of housing problems we see here and identifies potential systemic solutions. Our submission soon to be released publicly makes recommendations for:

  - Ensuring safe, secure and adequate housing
  - Ensuring laws are respected
  - Changes to social assistance practices
  - Other changes that would be helpful to help low income tenants
  - Preventing eviction.

- A new partnership with Pro Bono Law Ontario commencing in July 2004

  This project aims to leverage in additional legal resources for our clients and the community to meet needs we cannot serve due to constrained resources. There are two phases to this year long project. Our Phase One accomplishments to date include:

  - Creating steering committees with the Hastings and Lennox & Addington County Law Associations
  - Attending first annual Pro Bono Law Ontario conference
  - Sponsoring Justice Stephen Goudge's presentation on the value of pro bono work at the Hastings Law Association AGM
  - Offering legal training to private bar lawyers in Special Education and Safe Schools Act issues in Napanee and Belleville and creating our referral panel
  - Creating new intake project to refer clients to pro bono panel - Child Advocacy Project
  - Providing community legal education sessions for non-profit service providers interested in Child Advocacy Project Issues
  - Outreach through our newsletter about the project
  - Distributing two legal information pamphlets created for the Child Advocacy Project
  - Networking to share ideas and resources with other fledgling projects

- Publishing two lengthy and informative newsletters and creating an Eastern Ontario Legal Clinic "affinity group" to share articles for future publications

  A total of 3000 copies were distributed throughout our three county service area to clients, clinic members, social service agencies, community organizations, schools, churches, politicians, lawyers, libraries, Legal Aid Ontario partners, and other key contacts. They were recently posted to the Ontario Project for Inter-clinic Community Organizing at www.opicco.org. so they will receive much larger circulation.

  We also won a "media award" from the Adult Protective Service Workers' Association for the quality of our newsletter. We have also received very positive feedback through our recent evaluation survey on our content.

  Recently, the Adult Protective Service Workers' Association asked to join the Affinity Group so that they can use legal articles we create in their newsletters!

- Continuing to target systemic problems with the Ontario Disability Support Plan decision-making process and the delivery of services to the disabled by the local Ministry office.

  We meet regularly with local Ministry of Community and Social Services staff to raise concerns and problem solve to improve the quality of service.

  We've continued our advocacy work at a provincial level as well particularly on the issue of Medical Special Necessities. Our work in collaboration with other clinics resulted in a positive change to the province wide ministry policy on travelling for counselling appointments.

- Continuing to work to reform laws through test case litigation and other co-ordinated litigation strategies.

  We have four cases before the Divisional Court on the definition of "disability" under the *Ontario Disability Support Plan Act*. We also settled one and won one on this issue this year. We still are involved with a case described at our last AGM challenging the discriminatory provisions of the Ontario Works regulation on "adults living with children". We are continuing to work collaboratively on this case with other legal clinics.

  We targeted social assistance overpayments this year in response to the injustice and unfairness we have discovered in the assessment and collection practices for both Ontario Works and Ontario Disability Support Plan clients. As a result, we currently have 65 cases before the Social Benefits Tribunal on this issue alone. We continue to alert new callers to the clinic, and others through newsletter articles, to the importance of challenging historic and current overpayments. Our strategy also includes meetings with provincial Ministry staff, complaints to the Provincial Auditor and the Ombudsman's office and developing test case litigation.

- Meeting regularly and pro-actively with Hastings County and the Prince Edward and Lennox & Addington County Social Services Department staff on *Ontario Works Act* issues

  Some of the issues we met about resulted in improved decision-making in cases and the quality of decision letters sent to clients, increased the availability of Community Start Up Benefits, and more compassionate treatment of overpayment deductions. We also provided legal educational sessions for some Hastings County. We feel a good working relationship contributes to early resolution of cases in dispute without the need for SBT hearings.

- Continuing to develop good working relationships with all the provincial members of parliament and their constituency staff and developing new relationships with federal members of parliament.

  These staff and our members of parliament play a vital role in helping our clients solve a multitude of problems and access services and benefits. They are a key referral source for us. We also met with our MPPs this year on the need for social assistance reform, and provided them with background papers. We are just beginning to do outreach with our new federal members.

- Finally changing the clinic's name to Community Advocacy & Legal Centre

  One small change, but a significant one. Staff have finally integrated the new name. The administrative headaches have been huge, but worth it!

- Working more closely with other legal clinics to strengthen the legal clinic system, improve our skills and knowledge, and improve our working relationship with our main funder Legal Aid Ontario. This work has included:

  - Active participation in the Association of Legal Clinics Ontario and several of joint LAO advisory committees (Clinic Profile and Provincial Learning and Clinic Caseworker)
  - Participation in Eastern Ontario staff working groups including chairing the Support Staff and Office Managers group
  - Collaborating with a regional housing issues study group and the Advocacy Centre for Tenants Ontario to create "boilerplate" precedents for Tenant Duty Counsel across the province
  - Participation in the Ontario Project for Inter-clinic Community Organizing
  - Assisting in the planning and organizing of three separate conferences for legal clinic staff (regional conferences held in Picton and Orillia) and a provincial conference for clinic Executive Directors and managers being held in Toronto
  - Development and presentation of workshops on:
    - legal issues including a couple on employment law, social assistance overpayments; and,
    - "how to" workshops on outcome measures and evaluation, project management, strategic and operational planning, community development, document generation and automated precedents, and case management models for ODSP disability work and Criminal Injuries Compensation cases; and,
    - networking workshops for clinic newsletters, web sites and the delivery of rural legal services.
  - Creation of an innovative "community of practice group" for legal clinic Executive Directors to share best practices and encourage innovation.
  - Recently publishing a report "Building the Best Teams: Naming and Nurturing the Fire in the Belly in Legal Clinic Staff" which looked at what, motivates, inspires and encourages clinic staff to continue in our work. Aptly named “Fire in the Belly’ this project included an on-line survey, focus groups, a workshop, the creation of a repository of inspirational materials and ideas. The report makes recommendations for recruiting, retaining and motivating clinic staff in the future. It has been widely distributed and initial feedback is encouraging.

- Increasing our use of technology and software programs to increase our efficiency and effectiveness

  We are making great progress in many areas and recently have begun to develop a more comprehensive "on line" intake manual. We have ambitious plans in 2005 to work collaboratively with several clinics from the Hamilton area to upgrade our current housing law intake sections. To support our increased work in employment law areas, we are creating a new "employment law" section.

  Although purchasing a viable legal case management software system is both financially and technically out of our reach, we have automated as much of our

document and letter generation as is feasible using existing software. We have spent a great deal of time modifying our new statistics program to meet our needs for increased tracking and evaluation of our legal work.

We developed a unique "self-assessment tool" for staff to identify their strengths and weaknesses in using all existing software. Commencing next month we will be offering "just in time" skills enhancement training "in house" in the use of software. We consider this to be a very prudent use of extremely limited one time grant we received for IT training by LAO recently.

We purchased the necessary software to develop our own web site in house and have set January and February 2005 to work on this project. Tip sheets for low wage employees regarding their rights are already in development.

- Continuing to work towards “seamless legal services delivery for the poor” by working more collaboratively and strategically with other Legal Aid service providers.

  We met several times with the two Legal Aid Ontario Area Offices (Hastings/Prince Edward and Lennox & Addington), two supervisory criminal and family law duty counsel, and review counsel from Queen’s Legal Aid. Jointly, we updated our "referral protocol" to ensure seamless service delivery. We are planning a meeting with all these partners and the Kingston Community Legal Clinic and Area Legal Aid Office early in the 2005 to increase coordination and cooperation and maximize what we can do to meet unmet legal needs for our clients and communities in the future.

- Increasing our capacity to plan and evaluate all our work more effectively

  We've set aside time to do effective planning, moved to a project management model for much of our work, provided several training opportunities to increase our skill levels, begun to experiment with recording case outcomes for client files and to develop measurable outcomes for all our projects and some of our programs. We're been learning lots about what makes sense and does not in the theory of evaluation applied to our work. Along the way we've been thinking about performance measures, client service measures, bench marks and knowledge and information management issues! And rethinking the usefulness of the original quality standards criteria legal clinics abide by. We try not to let this pre-occupation interfere with the delivery of real services!

Challenges we face in 2005

We expect to continue to try and do more with same resources. **We hope to continue in much of the work already described and to**:

- Have a viable, intriguing and helpful clinic web site both advertising our services and providing pro-active legal information and self-advocacy materials.

- Help make the Hastings Affordable Housing Action Network become a reality and that our local community will be engaged around issues of homelessness and homelessness prevention!

- Continue our commitment to our work for vulnerable communities, focussing on the special needs of victims of domestic and sexual violence, the deaf, and the disabled. We hope that tonight's presentation and discussion prior to the AGM of "Walking on Eggshells: Abused Women's Experiences of Ontario's Welfare System" becomes a catalyst for local initiatives for social assistance reform and service delivery improvements in the Social Service Departments and the Ministry.

- Have a new satellite office location in Napanee

- Implement Phase II of the Pro Bono project which will leverage in resources to assist charitable and non-profit groups obtain free legal advice and assistance, and will provide recognition to private bar members for their pro bono work

- Continue to expand our funding base, diversifying from complete reliance on Legal Aid Ontario as our sole funder

- Complete a feasibility study for a "Community Law School" project. If viable, we will undertake this initiative as a special project to commemorate the clinic's 25th anniversary in December 2005

- Keep our highly motivated and accomplished staff team in place, and be able to supplement their efforts with a “volunteer” team

- Increase our ability to serve our clients more holistically, offering a broader range of legal information and advice to meet their needs

- Resolve a still looming legal disbursements funding crisis which will make it difficult for us to continue to provide quality legal services in our ODSP disability appeal work

- Participate in two developing national initiatives to increase legal information and assistance to people with a need for poverty law services

Thanks to the people who make it possible…

I have already thanked the Board and staff in my introduction.

I would like to recognize in particular, the volunteer contributions of Bob McCallum who has provided untold hours of IT support creating a better software resource to manage all our project work and manage information within this growing clinic.

And thanks to our clients, our funders, fellow service providers, the media and politicians who support our work and work collaboratively with us. This could not all be possible without you.

And finally ...

I would be pleased to consider any questions from the membership regarding our operation in this past year or regarding future service delivery.

Submitted for consideration by the Membership on November 4, 2004.