

Attachment 2: Background Information on Legal Aid Ontario: Profile, Scope and Eligibility

In Ontario, Legal Aid Ontario (LAO) plays a key role in providing legal help to financially eligible low-income Ontarians. LAO is a Provincial corporation established by the Ontario government under the Legal Aid Services Act, 1998. The LAO is independent from, but accountable to, the Provincial government and is overseen and managed by a board of directors appointed by the Lieutenant Governor in Council on the recommendation of the Attorney General and, for some directors, the Law Society of Ontario.

LAO is funded primarily by the Provincial Legislature, though the corporation can enter into arrangements for funding from other sources as well. LAO reports annually on its work and fiscal management to the Provincial Attorney General.

LAO's objects include the following:

- (a) to establish and administer a cost-effective and efficient system for providing high-quality legal aid services to low-income individuals in Ontario;
- (b) to establish policies and priorities for the provision of legal aid services based on its financial resources;
- (c) to facilitate co-ordination among the different methods by which legal aid services are provided;
- (d) to monitor and supervise legal aid services provided by clinics and other entities funded by the Corporation;
- (e) to co-ordinate services with other aspects of the justice system and with community services; and
- (f) to advise the Attorney General on all aspects of legal aid services in Ontario, including any features of the justice system that affect or may affect the demand for or quality of legal aid services.

LAO Program Scope and Eligibility Criteria:

LAO provides legal aid services to Ontarians in a variety of ways, including directly by LAO lawyers and staff, through the certificate program which allows individuals to retain private lawyers who receive payment from the LAO for their services, and through clinics which are funded by, but operate independent of, LAO.

LAO's services cover the areas of family law, refugee and immigration law, criminal law and mental health law. To be eligible to receive legal services from the LAO, an individual must meet eligibility criteria including family annual income level. The eligible level of annual income differs depending on family size and area of law in which services are required, ranging from \$18,795 for an individual seeking services in family

or immigration law to \$50,803 for a family of five seeking support for a criminal law matter.

LAO can issue to individuals who meet the eligibility criteria a certificate the individual can use to retain a private lawyer to provide them legal services. An individual seeking legal services can apply to an LAO committee which will determine whether to issue the individual a certificate. Where a certificate is issued, LAO pays the lawyer retained by the individual for a certain number of hours provided.

LAO reports providing funding to 70 independent legal clinics in Ontario, 12 of which are in Toronto. In determining whether to provide funds to an independent clinic, LAO considers matters including the legal needs of the individuals or communities the clinic will serve, and the cost effectiveness and efficiency of providing legal services through the clinic. Clinics each have their own practices of speciality and provide legal services in areas including housing, landlord-tenant matters, workers' rights, human rights and immigration. Each clinic sets its own eligibility guidelines for individuals seeking to access the clinic's services.

LAO Certificate Services

For eligible individuals, a certificate confirms Legal Aid Ontario will cover the cost of a private lawyer who accepts legal aid work for a certain number of hours.

The table below shows requirements for a legal aid certificate

Family size	Family / immigration and refugee: Family income must be lower than	Criminal: Family income must be lower than
1	\$18,795	\$45,440
2	\$32,131	\$45,440
3	\$39,352	\$45,440
4	\$45,289	\$45,440
5	\$50,803	\$50,803

Note: LAO may request clients to pay for some of their fees, and will review any assets such as any money in the client's bank account, investments, property, etc.

The table below shows financial qualifications for LAO duty counsel services

Family size	Family income must be lower than	Assets must be lower than
1	\$45,440	\$15,000
2	\$45,440	
3	\$45,440	
4	\$45,440	
5+	\$50,803	

Additional information

- Additional information on Legal Aid Ontario coverage can be accessed at their website: <https://www.legalaid.on.ca/will-legal-aid-pay-for-my-lawyer/>
- Duty counsel is available for individuals with an income lower than \$45,440
- The limitations and gaps in LAO services, programs and eligibility requirements for clients served by the 519 Legal Clinic are set out in the report.