

Legal Services Society

2015/16 – 2017/18 SERVICE PLAN



**Legal
Services
Society**

British Columbia
www.legalaid.bc.ca



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Accountability Statement

The 2015/16 – 2017/18 Legal Services Society (LSS) service plan was prepared under the Board's direction in accordance with the *Budget Transparency and Accountability Act* and the BC Reporting Principles. The plan is consistent with government's strategic priorities and fiscal plan. The Board is accountable for the contents of the plan, including what has been included in the plan and how it has been reported.

All significant assumptions, policy decisions, events and identified risks, as of January 1, 2015, have been considered in preparing the plan. The performance measures presented are consistent with Legal Service Society's mandate and goals, and focus on aspects critical to the organization's performance. The targets in this plan have been determined based on an assessment of Legal Service Society's operating environment, forecast conditions, risk assessment and past performance.



Tom Christensen

Chair, LSS Board of Directors

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Strategic Direction and Context

Strategic Direction

To advance our strategic goals, LSS will be working on three priority actions for 2015/16, as outlined in our mandate letter (<http://www.lss.bc.ca/about/ourMandate.php>). The first is the continued implementation of our new Client Information System (CIS) to improve delivery and management of LSS services. This priority action is aligned with Goal 3 and Taxpayer Accountability Principles (TAP) under service and cost-consciousness. The second is to implement, monitor, and evaluate the five Justice Innovation Transformation Initiatives (JITI) projects. This action is aligned with Goals 1 to 4 and TAP under integrity, cost consciousness, and accountability. The third is to work with the Ministry of Justice, the judiciary, and other key provincial and national stakeholders to identify drivers of, and systemic and sustainable solutions to, the increasing cost and complexity of large criminal cases. This third action is aligned with Goals 3 and 4 and TAP under cost consciousness and accountability. In addition to the priority actions, LSS will continue to work on MyLawBC, an interactive website that guides users to a resolution of their legal issues. Guided pathways to legal information will be at the heart of this new and innovative resource. We will also be working on outreach to smaller communities and defining a vision to enhance services to Aboriginal clients.

Operating Environment

LSS is facing financial pressures from factors beyond our control such as general economic conditions, which remain uncertain and affect revenue. Within the current budget, LSS has restricted capacity to deliver legal aid services, which can compromise our ability to respond to unanticipated service demands. LSS sets strict coverage and financial criteria for all cases due to our budget level, and this means we are only serving about 40% of family applicants. LSS will use operational data and evaluation evidence to ensure that we are allocating our existing limited resources to the most cost-effective services. We also plan to improve the nimbleness and flexibility of LSS business processes to support capacity.

To receive funding for JITI projects beyond the current three year commitment, LSS will need to demonstrate the effectiveness of the projects, including outcome measures and cost efficiencies. However, the small scale of the projects and the short data collection period could constrain our ability to demonstrate the desired client outcomes and justice system efficiencies. LSS will mitigate this risk by maintaining our work with government to ascertain evaluation criteria and to advocate for continued funding.

Transitioning to CIS has been a significant change that requires monitoring and support to users to ensure smooth operational functioning. Areas where we predict challenges include user acceptance and proficiency, data accuracy, and reporting. LSS has a change management committee in place to identify and assess change, work with stakeholders to resolve impacts, and manage and support mitigation activities. LSS will use the CIS governance committee to address ongoing operational issues and anticipated improvements to the new system.

Lawyer dissatisfaction is a concern for LSS because it jeopardizes our ability to serve clients. LSS often has difficulty in finding local lawyers to handle legal aid cases in rural or remote communities.

Legal Services Society

LSS's projects (CIS, JITI, and MyLawBC) will mean major changes for lawyers, and we will be relying on lawyers to learn and adapt to new systems and practices. The risk is that for some lawyers the changes could be overwhelming, and they may find it difficult to transition. We hope that for most lawyers, CIS will be a positive change that addresses many of their previously expressed concerns. We are mitigating the risk through communication, training, and change management techniques.

The key challenges LSS faces in regards to its workforce in a declining skilled-labour pool include recruitment, retention, succession planning, remuneration levels, and burnout arising from consistently strained capacity. In recognizing the value of our human resources and the pressures currently experienced, LSS has created a framework for addressing and managing these issues with our newly developed Human Resources Strategic Plan and Workplace Engagement Workplan.

Despite some of the challenges LSS is facing, we are looking forward to a number of exciting new projects, as well as working collaboratively with our partners, stakeholders, and the Ministry of Justice to build a better justice system for all British Columbians.

Performance Plan

To advance the LSS vision, we develop goals, strategies, and performance measures that engage LSS staff, our service partners, and our clients in finding timely and lasting solutions to clients' legal issues while managing to budget. Our service plan is aligned with TAP. In particular, our third goal ("LSS manages resources soundly") and associated performance measures are centred around ensuring that we provide effective and efficient services, and providing maximum benefit to clients within the funding and staffing resources available to us. All employees and contractors will review and sign the new Standards of Conduct Policy, introduced in 2014/15 as required under TAP. LSS is also working with the Ministry of Justice on implementing a Strategic Engagement Plan and an Evaluation Plan.

In the 2014/15 – 2016/17 Service Plan, LSS had five goals. This year, we transformed Goal 2 ("People with low incomes participate in solving and preventing legal issues") into a strategy under Goal 1 ("People with low incomes who have legal issues use LSS services") to better reflect our priorities.

LSS conducts four major stakeholder surveys, which provide data for many of our performance measures. LSS develops action plans to address the survey results and implement identified relevant operational and service improvements. The client satisfaction, work environment, and lawyer surveys are conducted triennially, while the public opinion poll is conducted annually. LSS staff develop the survey questions and methodology, and independent research organizations carry out the data collection, analysis, and presentation of a final report. The society also monitors and reports on key internal operational and financial data, which are tested internally. A new CIS will provide opportunities to track and report on new operational measures.

LSS benchmarks its performance against like organizations, where possible, using the Common Measurement Tool (CMT). CMT is an independent client satisfaction benchmarking tool and data service that allows us to compare client satisfaction results against agencies providing similar services. We benchmark our employee engagement score against the BC Public Service and like Crowns using statistics provided by BC Stats. Though legal aid plans across Canada have not yet developed a common method of measuring performance, we regularly share performance and outcome information.

We set survey targets by considering benchmark data and evaluating the level of improvement possible given the strategies and activities planned in the coming period. For operational and financial measures, we set targets based on a reasonable expectation of performance based on historical results. Meeting our targets would demonstrate continuous improvement in stakeholder satisfaction with, support for, and use of our services, as well as financial responsibility, all of which are necessary to achieve our goals.

Goal 1: People with low incomes who have legal issues use LSS services.

LSS needs to ensure our services are accessible, address the needs of clients, are culturally appropriate, and that the public is aware that these services are available.

Strategies

- Make it easier for clients to access legal aid services.
- Partner with Aboriginal and other underserved communities to deliver services that support positive client outcomes.
- Support service partners and front-line workers to deliver effective and efficient services.
- Support clients to be active participants in solving their legal issues.

Performance Measures

Performance Measure	2013/14 Actual	2014/15 Forecast	2015/16 Target	2016/17 Target	2017/18 Target
a) Percent of clients satisfied with the accessibility of LSS services ¹	N/A	73%	N/A	N/A	76%
b) Percent of clients satisfied with the helpfulness of LSS services ¹	N/A	66%	N/A	N/A	69%
c) Percent of clients satisfied overall with LSS services ¹	N/A	66%	N/A	N/A	69%
d) Percent of clients satisfied with LSS support to help them participate in resolving their legal issues ¹	N/A	63%	N/A	N/A	66%

¹ Data is from the triennial Client Services Survey.

Discussion

Overall client satisfaction with the accessibility and helpfulness of LSS services and support shows that we are providing clients with the services they need when and where they need them, fulfilling our mandate to help people solve their legal problems and to facilitate access to justice. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance Plan on page 7.

Goal 2: People with low incomes get help with related legal issues so they can solve and prevent legal problems.

Clients' legal problems often arise from or lead to other problems such as health, housing, and debt issues. By working with other service providers to help clients get support for these issues, LSS can improve client outcomes as well as reduce clients' use of justice, health, and social services over the long term.

Strategies

- Collaborate with service partners to assess and refer clients to services for their related legal issues.
- Support front-line workers to assess and refer clients to services for their related legal issues.

Performance Measures

Performance Measure	2013/14 Actual	2014/15 Forecast	2015/16 Target	2016/17 Target	2017/18 Target
a) Percent of clients satisfied with the level of support LSS gave them to address their related legal issues ¹	N/A	52%	N/A	N/A	55%
b) Percent of lawyers satisfied with LSS support for increasing their ability to help clients address related legal issues ²	N/A	N/A	35%	N/A	N/A
c) Percent of lawyers who support the integrated approach to providing legal aid service ²	N/A	N/A	69%	N/A	N/A

¹ Data is from the triennial Client Services Survey.

² Data is from the triennial Tariff Lawyer Satisfaction Survey.

Discussion

Measures (a) and (b) assess the effectiveness of the support provided by LSS to clients and lawyers to help clients address their legal issues. Measure (c) indicates the level of support from lawyers in advancing this goal. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance Plan on page 7.

Goal 3: LSS manages resources soundly.

LSS must manage resources effectively and efficiently to ensure we are achieving the optimum benefit for the society's clients within available funding.

Strategies

- Foster employee engagement and organizational communication.
- Engage with and develop stronger relationships with legal aid lawyers.
- Improve information technology systems to respond to a changing environment.
- Improve the nimbleness and flexibility of LSS business processes to support capacity.

Performance Measures

Performance Measure	2013/14 Actual	2014/15 Forecast	2015/16 Target	2016/17 Target	2017/18 Target
a) Overall average employee engagement ¹	69	N/A	N/A	70	N/A
b) Percent of lawyers satisfied with the overall support provided by LSS ²	N/A	N/A	62%	N/A	N/A
c) Number of new lawyers taking more than three referrals in the first six months ³	73	>60	>60	>60	>60
d) Budget-to-actual expenditure variance ³	-2.26%	1.5%	1.5%	1.5%	1.5%
e) Percent of the public that supports the provision of legal aid services ⁴	93%	>90%	>90%	>90%	>90%

¹ Data is from the triennial Work Environment Survey.

² Data is from the triennial Tariff Lawyer Satisfaction Survey.

³ Data is from our client information system and financial database.

⁴ Data is from our annual Public Opinion Poll.

Discussion

High employee engagement in the public sector, tracked by measure (a), is linked to improved service for clients. Measures (b) and (c) qualitatively and quantitatively assess our progress on maintaining a sustainable supply of lawyers to provide services to clients across BC. Maintaining a low budget-to-actual expenditure variance, measure (d), shows that we are effectively managing expenditures. Sustained public support for legal aid, measure (e), reflects public confidence in our services and how well we are managing the organization. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance Plan on page 7.

Goal 4: LSS provides leadership in justice innovation.

LSS believes that innovation is needed to bring about the fundamental justice system changes required for clients to achieve timely and lasting resolutions to their legal issues.

Strategies

- Promote outcomes-based justice innovation initiatives.
- Pilot evidence-based legal aid initiatives to improve access and outcomes.
- Communicate LSS’s strategic direction to stakeholders.

Performance Measures

Performance Measure	2013/14 Actual	2014/15 Forecast	2015/16 Target	2016/17 Target	2017/18 Target
Volume of references to LSS and justice innovation ¹	20	20+	20+	20+	20+

¹ Data is from an annual search of academic literature, stakeholder reports, and media. Our methodology included tracking references to LSS in relation to its justice innovation ideas and projects through Google Scholar, Canadian Newsstand Major Dailies, HeinOnline, and stakeholder websites. The search was limited to a specific set of search terms and conducted manually.

Discussion

A high volume of references to LSS’s justice innovation proposals in academic literature, government reports, and the media indicates that LSS’s ideas are being reviewed and considered by key justice system decision makers and opinion makers. This reflects the growing reach of LSS’s influence. Targets are set based on a reasonable expectation of improvement over results in baselines or the previous survey; see Performance Plan on page 7.

Financial Plan

Summary Financial Outlook 2014-2018 (in \$ millions)

	2013/14	2014/15	2015/16 ¹	2016/17 ¹	2017/18 ¹
	Actual	Forecast	Budget	Budget	Budget
Revenue					
Provincial transfers ⁶	68.3	67.3	67.9	68.0	68.1
Large and major cases ^{2/6}	6.9	5.0	4.7	4.7	4.7
Justice transformation initiatives ⁶	-	2.0	2.0	2.0	2.0
Other revenue	4.9	5.2	4.0	4.0	4.0
Total Revenue	80.1	79.5	78.6	78.7	78.8
Expenses					
Tariffs	60.0	56.8	56.0	56.0	55.8
Justice transformation initiatives	-	2.0	2.0	2.0	2.0
Salaries	10.9	11.4	11.7	11.8	11.9
Contracted Services	5.2	5.1	4.1	4.1	4.1
Premises	1.7	1.9	1.9	1.9	1.9
Computers	1.1	1.0	1.1	1.1	1.1
Amortization ³	0.6	0.6	0.9	0.9	1.1
Office	0.6	0.4	0.5	0.5	0.5
Travel	0.1	0.1	0.2	0.2	0.2
Other	0.4	0.2	0.2	0.2	0.2
Total Expenses⁵	80.6	79.5	78.6	78.7	78.8
Net Surplus / (Deficit)	(0.5)⁴	0.0	0.0	0.0	0.0
Accumulated Surplus	5.5	5.5	5.5	5.5	5.5
Debt	0.0	0.0	0.0	0.0	0.0

Notes

¹ The budgets for the years 2015/16 through 2017/18 inclusive are projections and not yet approved. As per section 18 of the Legal Services Society Act, LSS will seek budget approval from the Attorney General in each of those respective years. LSS will provide tariff services budgeting to the bottom line in each year.

² Budgets for large and major cases are based on ministry approved budgets and may not reflect actual costs. In 2015/16, we estimate that Category B cases will cost \$2.0 million (2013/14 — \$2.2 million) and Category C cases will cost \$3.0 million (2013/14 — \$4.7 million) based on our forecasts as of January 9, 2015. LSS will manage expenditures to the available funding provided by the ministry as in previous years.

³ On December 14, 2012, the board restricted the accumulated surplus to be used for board-directed strategic initiatives. They allocated \$4.3 million for the CIS project as a board strategic initiative. It is anticipated that these costs will be capitalized starting in 2015/16 and will be amortized at an annual cost of \$0.43 million per year for each of the next 10 years.

⁴ The deficit shown in the 2013/14 actuals was approved by the Minister of Finance and the Attorney General and was funded from the accumulated surplus with the approval of Treasury Board.

⁵ Allocation of expenses between various categories is subject to change.

⁶ These revenues are funded by the Provincial Government.

Key Forecast Assumptions

1. The tariff budgets have not been adjusted for any changes to government policy, or new initiatives that may impact the society.
2. The tariff budgets have not been adjusted for higher volumes due to the Ministry of Children and Family Development (MCFD) hiring 200 additional social workers.
3. The tariff budgets have not been adjusted for any potential CIS and JITI impacts.
4. The tariff budgets have not been adjusted for any potential clients related to significant events (e.g., public interest demonstrations leading to prosecutions).

Sensitivity Analysis

The tariff budgets are based on our best estimate of volume of applications and referrals, referral rates, and average case costs taking into consideration any known changes to policies, initiatives, historical trends, etc.

Management Perspective on Future Financial Outlook

LSS is dependent on government to finance the majority of its expenditures. It also receives revenue from non-government sources that are tied to interest rates. Should government or interest rate related revenues continue to remain low or decrease, this would negatively impact our ability to provide services.

Appendix A

Hyperlinks to Additional Information

Organizational Overview

Mandate: <http://www.lss.bc.ca/about/ourMandate.php>

Who We Are, Vision, Mission, Values: <http://www.lss.bc.ca/about/Whoweare.php>

Description of Services: http://www.lss.bc.ca/legal_aid/

Legal Aid Service Locations: http://www.lss.bc.ca/legal_aid/legalAidOffices.php

Governance

Board Governance: <http://www.lss.bc.ca/about/ourGovernance.php>

Senior Management: <http://www.lss.bc.ca/about/executiveDirector.php>