

THE COUNTY & DISTRICT LAW PRESIDENTS' ASSOCIATION
L'ASSOCIATION DES BÂTONNIERS DE COMTÉS ET DISTRICTS

Randall S. Boccock, Chair



Practising Lawyers' Group Urges Legal Aid Reform

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Toronto – Court backlogs could be significantly reduced, more people could access legal aid and more lawyers would take on legal aid cases should recommendations from Law Professor Michael Trebilcock's newly released report be implemented, the County and District Law Presidents' Association (CDLPA) said today.

“This report echoes what the County and District Law Presidents' Association has been recommending for some time. More lawyers need to be enticed to take on legal aid work and the income cut off line for qualifying for Legal Aid is simply too low. The current legal aid tariff system is universally recognized as far below the necessary rate and needs immediate attention,” said Randall Boccock, Chair of CDLPA.

CDLPA's own submission to Professor Trebilcock highlighted an urgent need to increase access to justice for the average Ontarian. CDLPA's recommendations included the following suggestions, as noted in Trebilcock's report:

- The guidelines to be eligible for Legal Aid are far too high and too few Ontarians qualify even though they qualify for social assistance. This means more people are representing themselves in court which creates a myriad of additional pressures on the overall system of justice.
- The hourly legal aid rate needs to be increased to encourage more lawyers to take on legal aid work. As it stands now, there is a serious shortage of newer lawyers willing to enter the practice of family and criminal law – the two main areas that attract the most clients who need legal aid help.
- Legal Aid - funded Criminal Law Offices, operating in Barrie, Ottawa and Brampton have overall costs higher on a per case basis than the practising bar in private practice. This has always been CDLPA's position and, in our estimation, are not cost efficient and lack an economic reason for existing.

“CDLPA is very pleased that Professor Trebilcock has recommended these important changes to the system,” said Ken Hall of CDLPA's Legal Aid committee.

“We support the idea of the tariff system being reviewed every three years once the rate has increased to achieve what Trebilcock calls initial equilibrium. This would ensure

the long term sustainability of legal aid,” said Paul Kowalyshyn of CDLPA’s Legal Aid committee.

“If you qualify for social assistance but can’t qualify for legal aid help, there’s a problem with the system,” said Bocoock. “That coupled with the fact that younger lawyers are not interested in legal aid work because of the low hourly rate means the system needs changing,” said Bocoock.

CDLPA welcomes many of the suggestions in Trebilcock’s report and hopes there’s serious consideration for implementation. It is CDLPA’s intention to consult practising lawyers in Ontario on the findings.

The County and District Law Presidents’ Association represents 46 member Associations in Ontario and over 7,100 members of the practising bar.

For More Information

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