

*Alberta Legal Services Mapping Project*  
**Judiciary and Tribunals – Questionnaire & Interview**

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**Introduction**

*As part of mapping what legal and related services are available to Albertans and what further resources are needed, we have asked organizations details about the legal information, advice representation and/or social support services they provide. We also want to include a decision makers' perspective about the needs of Albertans in the court/hearing room.*

*I will be asking you what you think the priority needs of represented as well as self-represented parties are in relation to areas of law and the steps/stages of the court process.*

*I would like to begin with some basic questions about which courts you sit in and which kinds of cases you hear.*

1. In which courts/tribunals do you sit?	Provincial Court <input type="checkbox"/> Court of Queen's Bench <input type="checkbox"/> Court of Appeal <input type="checkbox"/> Federal Court <input type="checkbox"/> Tax Court <input type="checkbox"/> Tribunal <input type="checkbox"/> If tribunal(s), specify: _____ _____ _____ _____												
2. In which geographic regions do you sit, including when on circuit?													
3. Which of the following cases do you hear?	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 2px 10px 2px 20px;">a. Do you hear civil (non-family) cases?</td> <td style="padding: 2px 10px 2px 20px;">Yes</td> <td style="padding: 2px 10px 2px 20px;">No</td> </tr> <tr> <td style="padding: 2px 10px 2px 20px;">b. Do you hear criminal cases?</td> <td style="padding: 2px 10px 2px 20px;">Yes</td> <td style="padding: 2px 10px 2px 20px;">No</td> </tr> <tr> <td style="padding: 2px 10px 2px 20px;">c. Do you hear family cases?</td> <td style="padding: 2px 10px 2px 20px;">Yes</td> <td style="padding: 2px 10px 2px 20px;">No</td> </tr> <tr> <td style="padding: 2px 10px 2px 20px;">d. Do you hear administrative cases?</td> <td style="padding: 2px 10px 2px 20px;">Yes</td> <td style="padding: 2px 10px 2px 20px;">No</td> </tr> </table>	a. Do you hear civil (non-family) cases?	Yes	No	b. Do you hear criminal cases?	Yes	No	c. Do you hear family cases?	Yes	No	d. Do you hear administrative cases?	Yes	No
a. Do you hear civil (non-family) cases?	Yes	No											
b. Do you hear criminal cases?	Yes	No											
c. Do you hear family cases?	Yes	No											
d. Do you hear administrative cases?	Yes	No											
4. If you hear administrative law cases, please specify what types.													
5. If you hear administrative law cases, please also specify at what level (e.g., 1 <sup>st</sup> instance or appeals).													

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<p>6. In your experience are there any of the following barriers for people appearing before you?</p> <ul style="list-style-type: none"> <li>• Delays for Appearances and Trials/Hearings            Explain _____            _____</li> <li>• Costs            Explain _____            _____</li> <li>• Forms            Explain _____            _____</li> <li>• Not Understanding the System, in general            Explain _____            _____</li> <li>• Not Understanding Components of the System such as:               <ul style="list-style-type: none"> <li>• Law                    Explain _____                    _____</li> <li>• Process                    Explain _____                    _____</li> <li>• Evidence (e.g. process for calling evidence, witnesses)                    Explain _____                    _____</li> <li>• Other Component                    Explain _____                    _____</li> </ul> </li> <li>• Language            Explain _____            _____</li> <li>• Transportation            Explain _____            _____</li> <li>• Other            Explain _____            _____</li> </ul>	<p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p> <p>Yes</p>	<p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p> <p>No</p>
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<p><b>We are interested in gaining a better understanding of how accessible and effective legal services are in Alberta. As decision maker, you have people appearing before you who are represented by private lawyers, under legal aid or duty counsel, and who are appearing without legal representation.</b></p>	
<p>7. In your experience do you see differences in the effectiveness of services to each of those groups?</p> <p style="margin-left: 20px;">Yes      No      D/K</p> <p>a) Please explain:</p>	
<p>8. Are there any changes that you think could be made that would improve the judicial/hearing process for the people involved?</p>	<p style="text-align: center;">Yes      No</p>
<p>9. Could you identify any ways members of the Bar could help the court/tribunal process be more efficient and effective?</p> <p style="margin-left: 20px;">Yes      No      D/K</p> <p>a) Please explain:</p>	
<p>10. Do you think that litigants who are represented by a lawyer gain an adequate understanding of the legal process?</p> <p>11. Explain:</p>	<p style="text-align: center;">Yes      No</p>
<p>12. Do you hear cases from people who are appearing without legal representation?  <i>(Only ask this if you don't already know the answer)</i></p>	<p style="text-align: center;">Always   Sometimes   Rarely   Never   N/A</p>

*Alberta Legal Services Mapping Project*  
**Judiciary and Tribunals – Questionnaire & Interview**

---

13. If yes, are some groups of people <b>more likely</b> to be appearing without legal representation than others (e.g., type of legal issue, residence, gender, education, income, and ethnicity)?				
14. Do you think that litigants who are self representing gain an adequate understanding of the legal process?	Yes	No	D/K	
15. Explain:				
16. For those people who have not retained a lawyer do any of the following categories describe their situation?				
a. People who have an overall lack of resources (e.g., low income, education, literacy...).	Always	Often	Sometimes	Never D/K
b. People who have low income but some social resources (e.g., education, communication skills...).	Always	Often	Sometimes	Never D/K
c. People who have low income and are living with additional social barriers (e.g., disabilities, language...).	Always	Often	Sometimes	Never D/K
d. People who could afford a lawyer but are unable to find one.	Always	Often	Sometimes	Never D/K
e. People who were previously represented by a lawyer but are now self-representing (e.g., ran out of money).	Always	Often	Sometimes	Never D/K
f. People involved in cases where representation is supposed to be unnecessary (e.g., small claims, tribunals).	Always	Often	Sometimes	Never D/K
g. People who could retain a lawyer but prefer to self-represent.	Always	Often	Sometimes	Never D/K
h. Other: _____	Always	Often	Sometimes	Never D/K

*Alberta Legal Services Mapping Project*  
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<p>17. Do any of people who appear before you have <b>multiple</b> legal needs?</p>	<p>Always   Often   Sometimes   Never   D/K</p>
<p>18. If <b>YES</b>, do you see any patterns in the types of legal problems that tend to occur together?</p>	
<p>19. Do you provide people who are appearing without legal representation with referrals to <b>legal</b> services of any kind <i>(clarify if internal such as LInC, Advisors @ WCB or external)</i>?</p> <p>a) If <b>YES</b>, which ones?</p>	<p>Yes                  No</p>
<p>20. Do you provide people who are appearing without legal representation with referrals to <b>social</b> services of any kind?</p> <p>a) If <b>YES</b>, which ones?</p>	<p>Yes                  No</p>
<p>21. Do you ever suggest services/referrals to people who <b>have</b> legal representation?    Yes                  No</p> <p>a) If <b>YES</b>, please explain?</p>	
<p>22. Do you ever ask opposing counsel or other lawyers to assist people who are appearing without legal representation?</p>	<p>Yes                  No</p>

*Alberta Legal Services Mapping Project*  
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<p>23. Are there any resources or referrals you would like to be available to assist you in dealing with people who are appearing without legal representation?  <i>Prompt: (If not volunteered), would an easy to use bench book or database of resources be helpful?</i></p>	<p>Yes                  No</p>
<p>24. Are there specific resources you would like to see made available to people who are appearing without legal representation?    Yes                  No</p> <p>a) If <b>YES</b>, which is the most important?</p>	
<p>25. Do you have any further observations or suggestions about meeting the needs of people who appear without legal representation?</p>	
<p>26. Are there any processes that your court/tribunal could add (or change) to better meet the needs of the public?</p>	
<p>27. There is currently a lot of discussion about unbundling legal services. Do you think that it would be helpful for service providers and service users (e.g., time management) if there were legal professionals (e.g., lawyers, paralegals) who would help with only <b>specific parts</b> of legal processes (e.g., limited retainers to speak for them in court, negotiate settlements)?</p>	<p>Yes                  Sometimes                  No                  D/K</p>
<p>28. At which points in the legal process might this be helpful?  <i>Prompt: e.g., help and advice filling in forms</i></p>	

*Alberta Legal Services Mapping Project*  
Judiciary and Tribunals – Questionnaire & Interview

---

29. Do you think there could be a role for paralegals (Independent or under the supervision of a lawyer) appearing in court/tribunal processes? Yes No D/K

*Prompt: If they say NO, ask what they think about remote communities (where lawyers are often in short supply). R: note for yourself that court workers are paralegals.*

30. Please explain.

31. Are you involved in any networks or collaborations with other stakeholders within Alberta or nationally?  
Yes No

*Define “collaboration” as: working together in a cooperative, equitable and dynamic relationship, in which knowledge and resources are shared in order to attain goals and take action that is educational, meaningful, and beneficial to all. (For example: the JPAC, the SRL Advisory Committee, this project)*

*Define “networking” as: the exchange of information or services among individuals, groups or organizations. (For example: CIAJ, Superior Court Judges Association, AB Provincial Court Judges)*

a) If **YES**, which ones?

b) If **YES**, how do you find the experience of collaborating or networking?

32. Are there opportunities for networking or collaborating that you would like to see happen?

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---

33. Do you take part in any ongoing training or education, as a participant or an instructor?

Yes          No          D/K

a) If **NO**, please explain?

b) If **YES**, please describe?

**General**

*The following questions are intended to give you an opportunity to speak freely about the work that you do and the clients you serve. This is also an opportunity to add information to any of the previous questions.*

34. Are there any general thoughts or comments you would like to add about:

*Prompts: Any other concerns not addressed by these questions (e.g, missing services, groups of people not being served, work that has been done well, etc.)*

- Access to justice?
  
  
  
  
  
  
  
  
  
  
- Needs & expectations of users?
  
  
  
  
  
  
  
  
  
  
- Good service?

*Alberta Legal Services Mapping Project*  
Judiciary and Tribunals – Questionnaire & Interview

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- Gaps in service?
  
- Other?

35 Do you have any questions for me?

36 Is there anything else you would like to say? *Let them speak freely.*

**Prompts:**

*Any other concerns not addressed by these questions (e.g., missing services, groups of people not being served, work that has been done well, etc.)*

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**Researcher Observations**

*Record any observations about:*

- *the physical environment*
- *the interviewee*
  - o *e.g., general knowledge, confidence, attitude towards job, clients, and you*
- *your experience with the organization*
  - o *e.g., trying to find information, contact them, schedule interview*
- *Any other observations*