

THE ALBERTA LEGAL SERVICES MAPPING PROJECT

Report for the

WETASKIWIN JUDICIAL DISTRICT

September 15, 2010



Glynnis Lieb PhD

Canadian Forum on Civil Justice
110 Law Centre, University of Alberta
Edmonton AB T6G 2H5
Ph. (780) 492- 2513
Fax (780) 492-6181

Acknowledgements

The Alberta Legal Services Mapping Project is a collaborative undertaking made possible by the generous contributions of many Albertans. We are grateful to the Alberta Law Foundation and Alberta Justice for the funding that makes this project possible. The project is guided by Research Directors representing the Alberta Law Foundation, Alberta Justice, Calgary Legal Guidance, the Canadian Forum on Civil Justice, Edmonton Community Legal Centre, Legal Aid Alberta, and the Alberta Ministry of Solicitor General and Public Security. We are also indebted to our Advisory Committee which is made up of a wide group of stakeholders, and to the interview Participants for their valuable input and support. We also thank all members of the Research Team and everyone who has dedicated their time as a research participant in order to make this Report possible.

Disclaimer

This report and its appendices have been prepared by the Canadian Forum on Civil Justice and the Alberta Legal Services Mapping Team and represent the independent and objective recording and summarization of input received from stakeholders, service providers and members of the public. Any opinions, interpretations, conclusions or recommendations contained within this document are those of the writers, and may or may not coincide with those of the Alberta Law Foundation or other members of the Research Directors Committee.

TABLE OF CONTENTS

1.0	INTRODUCTION.....	7
1.1	Outline of the Report.....	7
1.2	Strengths and Limitations of the Research	8
1.3	Database	9
2.0	ABOUT THE WETASKIWIN JUDICIAL DISTRICT.....	9
2.1	Population.....	9
2.2	Education.....	13
2.3	Employment & Industry.....	13
2.4	Cost of Living	14
3.0	EXISTING LEGAL AND RELATED SERVICES IN WETASKIWIN	14
3.1	Identification of Legal and Related Services	15
3.2	Geographic Location of Services	17
3.3	Capacity of Existing Services.....	19
3.4	Key Services in the Wetaskiwin Judicial District	19
3.4.1	Legal Aid (LAA)	19
3.4.2	Lawyers.....	23
3.4.3	Court House Services	25
3.4.4	Alberta Law Library	28
3.4.5	Law Information Centre (LInC)	29
3.4.6	Royal Canadian Mounted Police (RCMP)	30
3.5	Barriers to Accessing Existing Legal Services	32
3.5.1	Lack of Affordable Legal Services	32
3.5.2	Lack of Service Provider Knowledge.....	33
3.5.3	Lack of Public Knowledge about How to Address Legal Needs	34
3.5.4	Lack of Coordination of Public Legal Education and Information (PLEI)	35
3.5.5	Transportation	36
3.5.6	Poverty.....	36
3.5.7	Stigma of having legal problems	37
4.0	UNDERSTANDING LEGAL NEEDS IN WETASKIWIN.....	37
4.1	Statistics	37
4.1.1	National Prevalence	38
4.1.2	Service Statistics.....	39
4.2	Specific Populations and Specialized Legal Needs	42
4.2.1	New Canadians.....	44
4.2.2	Aboriginal Peoples	45
4.2.3	People Living with Disabilities and Addictions.....	45
4.2.4	Domestic Violence	46
4.2.5	Seniors.....	46
4.2.6	Self-Represented Litigants (SRLs).....	47
4.3	Consequences of Not Accessing Legal Services.....	47
5.0	GAPS AND CHALLENGES IN MEETING LEGAL NEEDS	47
5.1	Gaps in Legal Services.....	47
5.1.1	Inadequate Local Access to All Types of Legal Services	47
5.1.2	Services for New Canadians	48

5.1.3 The Absence of Legal Services That Specialize in Addictions	48
5.1.4 Lack of Awareness and Access to Public Legal Education and Information (PLEI)	48
5.2 Challenges in Filling the Gaps	54
5.2.1 Absence of Networking Opportunities, Resources and Training	55
5.2.2 Lack of Resources and Training.....	55
6.0 IMPROVING LEGAL SERVICE DELIVERY	55
6.1 Good Practices to Build On	55
7.0 RECOMMENDATIONS	56
7.0.1 Recommendations for ALF to Consider	57
7.0.2 Recommendations for Alberta Justice to Consider	59
7.0.3 Recommendations for LAA to Consider	60
8.0 CONCLUSIONS	60
References.....	62

LIST OF FIGURES

Figure 1 – Map of the Wetaskiwin Judicial District 9

LIST OF TABLES

Table 1 – Educational Attainment for Wetaskiwin Judicial District 13

Table 2 – Services Available within the Wetaskiwin District by Area of Law & Service
Type 16

Table 3 – Physical Locations of Legal and Related Services 18

Table 4 – LAA Basic Income Eligibility Guidelines 21

Table 5 – LAA Income Guidelines if Clients Pay a Portion 21

Table 6 – Income Guidelines to Receive Referrals Only 22

Table 7 – Income Guidelines to Receive Legal Advice, 22

Table 8 – Lawyers who are Practicing in the Wetaskiwin District 24

Table 9 – Prevalence of Legal Problems in Canada and Alberta 38

Table 10 – Wetaskiwin Provincial Court Volumes 40

Table 11 – Camrose Provincial Court Volumes 41

Table 12 – Leduc Provincial Court Volumes 42

Table 13 – Services That Offer PLEI by Area of Law 49

Table 14 – Recommendations for Improving Legal Service Delivery in Wetaskiwin 56

THE ALBERTA LEGAL SERVICES MAPPING PROJECT: Report for the WETASKIWIN JUDICIAL DISTRICT

1.0 INTRODUCTION

The Wetaskiwin Judicial District is the eighth of eleven Alberta Judicial Districts to be mapped as part of the Alberta Legal Services Mapping Project (ALSMP). The ALSMP is a large-scale, multi-year endeavour, designed to gain an understanding of the legal needs of Albertans and of the legal services available in Alberta.

The goals of this project are to:

- Collect and share information about existing legal services in Alberta.
- Gain a better understanding about the characteristics of people and communities across Alberta and their legal needs.
- Identify strengths and gaps in current legal service delivery and resources.
- Strengthen relationships between legal service providers through the sharing of knowledge and expertise.

The report for the Calgary Judicial District, the pilot region for the ALSMP research, includes a detailed introduction to the project and details of the research methodology and can be accessed from the Canadian Forum on Civil Justice (the Forum) website at <http://cfcj-fcjc.org/docs/2009/mapping-calgary-en.pdf>. A Focus Group Question Guide was used in the Wetaskiwin Judicial District (Appendix A). This instrument was created after we were advised that the Project budget and time lines would be reduced. We reviewed our existing questionnaires and selected the main questions that best elicit the information we require.

Team members travelled to the Wetaskiwin Judicial District on July 28, 2010 to conduct in-person interviews with available service providers. We attempted to hold a Focus Group meeting in Wetaskiwin, but were unable to secure attendees due to summer holidays and service providers' time constraints. Thus, we also conducted interviews between July 12th and August 6th via telephone with legal and related social and health service providers in Wetaskiwin as well as Leduc, Camrose, Ponoka, Provost, Killam, Devon, and Rimbey.

1.1 Outline of the Report

In this project we strive to address the following major research questions:

1. What programs, services and facilities relating to the administration of justice, public access and public understanding, are available in each Alberta judicial district?
2. What do we know about the users of current legal education, information, advice, representation and support services?
3. How can current legal services be enhanced to better meet client needs and how can service gaps be effectively filled?

In this Report we will first describe the relevant characteristics of this Judicial District, and then discuss the existing legal and related services in Wetaskiwin. We will then discuss the predominant legal needs followed by identified gaps in legal and related services, noting the challenges, good practices and creative approaches of service providers. Following this, we will discuss non-legal factors that are impacting legal services provision. We will conclude by making recommendations designed to support good practices, remove barriers and fill identified gaps in needed services. Suggestions for how they might best be achieved are also provided.

1.2 Strengths and Limitations of the Research

The Project is an ambitious undertaking that involves the collection of valuable quantitative and qualitative data. The result is a combination of facts and figures with qualitative themes to provide context and explanations for the trends that emerge. The strengths of this Project are:

- it produces a large amount of useful data regarding what legal and related services exist,
- it engages people who live and work in the District and gains from their insights and experiences,
- it relies on mixed methodology and can thus provide a more complete picture of the topics that are addressed, and
- it takes a holistic approach to examining legal and related needs.

That said, there are always limitations when conducting research:

- We were unable to travel to rural communities due to time and budgetary restraints.
- We were unable to include members of the public from this District for the same reasons.
- We were also unable to involve representatives from every legal and related service in the District.
- Due to summer holidays and service providers' time constraints, we had to conduct a portion of the interviews via telephone, rather than in person. While this is an effective method of data collection, it does not allow for the same

degree of engagement or facilitation of dialogue as in-person interviews or focus groups.

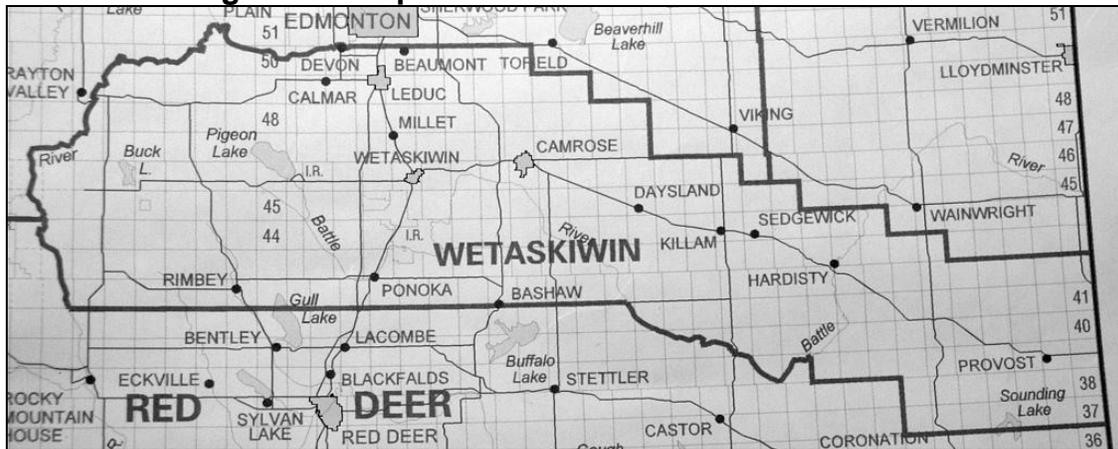
1.3 Database

One of the deliverables of this Project is the creation of a database that provides information about all of the mapped legal and related services in Alberta. The database contains basic information about services such as mandates, as well as details about location, eligibility criteria, required documentation and accessibility. The administrative interface for this database can be viewed online by project partners by going to www.albertalegalservices.ca/admin/ then entering *guest* as the user name and *mappingdata* as the password.

Beyond the scope of this project, but very closely related, will be the development of a website that will be user-friendly and available to members of the public as well as service providers. There is a significant amount of interest in this next step, and the Team is currently seeking suggestions about where the data should ultimately be housed and how the public interface should be developed.

2.0 ABOUT THE WETASKIWIN JUDICIAL DISTRICT

Figure 1 – Map of the Wetaskiwin Judicial District



2.1 Population

The three largest communities in the Wetaskiwin Judicial District are Leduc, Camrose and Wetaskiwin itself. Thus, each of these communities will be described briefly. Participants made observations about demographics in these as well as some additional communities, so those comments will be highlighted. Then populations for the remainder of the District will be listed.

Wetaskiwin

In 2006 the city of Wetaskiwin had a population on 11,673, which was a 4.7% increase from 2001 (Statistics Canada, 2006). Participants reported that the population is currently approximately the same; around 12,000 residents. At the time of the 2006 Census, 12% of the population self-identified as being of Aboriginal descent.

As of 2006 there were approximately 860 immigrants and 45 non-permanent residents living in Wetaskiwin. The three largest groups of visible minorities are:

- Filipinos (36%),
- South Asians (20%), and
- Black (Statistics Canada's terminology; 18%).

The most commonly spoken languages after English are:

- German (2.5%),
- French (1.5%),
- Cree (1.0%),
- Tagalog (0.9%), and
- Chinese dialects (0.5%).

A service provider who is based in Wetaskiwin and doing rural outreach is well-placed to observe a broad cross section of the population of this judicial district. S/he described it as follows:

Low literacy levels. There are a lot of people hiding because the white population is a little racist. The way they communicate and the history factors into that - basically the communication styles are different. Some dispute resolution would be helpful. Wetaskiwin has a good number of newcomers as well. There are many different cultures here, but there still is that lingering racism. There's some crime as well - some gang attacks. There's a good deal of homelessness as well. [04]

Service providers reported that Wetaskiwin is close enough to Edmonton for easy travel back and forth and thus sees some influx of crime from the city. Additionally, Hobbema is located very close to Wetaskiwin and tends to experience a great deal of violent crime, some of which impacts Wetaskiwin.

Leduc

The population of the city of Leduc was 18,967 at the time of the last census (Statistics Canada, 2006). As of 2006, Leduc had not experienced a large influx of new Canadians in response to the beginnings of the most recent economic upturn in Alberta. One thousand of the 1,185 immigrants had been living in the city since before 1991. There were also no Census respondents who self-identified as being non-permanent residents in 2006. Five hundred residents self-identified as being of Aboriginal descent.

The largest visible minority group in Leduc is Filipino people. They comprise 35% of the population of visible minority residents who responded to the 2006 Census. Filipino people are followed by Black people at 19% and South Asian at 17% (Statistics Canada, 2006).

Camrose

The population as of the 2006 Census was 15,620 (Statistics Canada, 2006). Participants reported that Camrose is a retirement community. It is also largely a farming and working class community.

Most people in Camrose are long-term residents, including immigrants. Most (790) of the 1,025 new Canadians have been living in this community since before 1991. The years between 2001 and 2006 only saw an increase of 120 new Canadians (Statistics Canada, 2006). There were also only 35 non-permanent residents living in this community as of 2006. An additional 530 residents self-identified as being of Aboriginal ancestry.

The vast majority of visible minority groups in Camrose are of Asian descent. The three groups that represent the largest groups are;

- Chinese (1%),
- Black (Statistics Canada's terminology; 0.7%), and
- Southeast Asian (0.6%).

Observations about Additional Communities

The following are summaries of observations made by service providers about a few other towns in this District.

Rimbey

Rimbey is a rural community with a population of 2,252 that attracts people at retirement age who want to move away from the cities. According to participants, oil and gas, farming/ranching and tourism are the main sources of revenue in this community.

Killam

Killam has a population of just over 1,000 people. Again, it is seen as a retirement and farming community. It is also an oil hub.

There is a high percentage of people who leave high school to gain employment and never complete school. Those who do graduate tend to move away. Participants reported that low literacy is a concern here. Another fact that service providers noted is that there is an increasing immigrant population, which is adding to the diversity of this community.

Ponoka

Although Ponoka is located close to the city of Red Deer, many service providers from Wetaskiwin service this community. The population of Ponoka is between 3,000 and

4,000. According to service providers there is an increasing number of immigrants moving to this community. Ponoka also has a significant number of single persons who are AISH or income support dependent.

Most of the residents' social and health needs are able to be met within the community. The challenge is that many legal services located elsewhere (eg. LAA and Children's Services).

Wainwright

Wainwright is in the St. Paul Judicial District but is serviced by some organizations that are located in Wetaskiwin. Service providers reported that Wainwright is "very rural," in that it is a close knit, labour driven community. Participant reported that the population tends to be low income with low education and low levels of literacy. However, Census 2006 data indicate that 5.2% of persons in this community are considered to be low income compared to 12.2% of Albertans. It was also reported that there is a very transient and cyclic element to the population, due largely to people travelling through (and stopping) en route to the oilsands, and seasonal military training (although, the military camp does provide its own services). Census 2006 data indicate that 69% of residents had lived at the same address for at least 5 years compared 52% of Albertans. This may be because people who are short-term residents are less likely to complete Census information forms.

There are 9 counties and municipalities in the Wetaskiwin Judicial District.

- Beaver County (population of 5,676)
- Brazeau County (population of 7,040)
- County of Camrose (population of 7,160)
- Flagstaff County (population of 3,506)
- Leduc County (population of 12,730)
- Municipal District of Clearwater (population of 11,826)
- Municipal District of Provost (population of 2,547)
- Municipal District of Wainwright (partial; population of 3,558)
- Ponoka County (population of 8,640)
- Wetaskiwin County #10 (population of 10,535)

All of these counties and municipal districts except Leduc and Beaver County experienced slight population decreases between 2001 and 2006. Leduc County experienced a slight increase and the population of Beaver County stayed about the same (Statistics Canada, 2006). The total population for this District, including cities/towns and counties/municipalities is approximately 144,167.

2.2 Education

The commonly shared perceptions about communities in this District were that levels of education were low and residents are mostly working class people. Educational attainment statistics (Table 1) largely support these observations.

**Table 1 –
Educational Attainment for Wetaskiwin Judicial District**

Education	Alberta		Wetaskiwin		Leduc		Camrose	
	Total %	Aboriginals %	Total %	Aboriginals %	Total %	Aboriginals %	Total %	Aboriginals %
Less Than High School	14	26	34	46	27	35	27	40
High School	24	25	25	18	27	26	26	29
Trade	12	18	12	14	15	12	12	8
University/College	48	27	29	21	31	23	33	23

Sources: Statistics Canada (2006)

High school dropout rates are 50% higher in these communities than provincial averages. Proportions of people with completed high school or trades are about the same but college or university completion rates are significantly lower.

2.3 Employment & Industry

The average household income in Wetaskiwin is \$64,717.00. The three most common occupation types are:

- Sales and Services (26%).
- Trades (21%).
- Business-Related (15%).

Wetaskiwin is known for having the highest car sales per capita of any city in Canada. There are a number of auto dealers in what is known as the “Auto Mile” that advertize very assertively to local residents (<http://wetaskiwinautorow.com/>), including nearby major centres such as Edmonton.

The unemployment rate in Wetaskiwin was 3.1% in 2006 (relative to Alberta’s rate of 4.3%). The successful car dealerships and the ability to travel to Edmonton for work relatively easily may account, at least in part, for this lower rate of unemployment. The unemployment rate in Leduc was 4.7% in 2006. As with Wetaskiwin, sales, trades and business are the three most common occupations in Leduc. The unemployment rate in Camrose was 4.8% in 2006. Again, sales, trades and business are the three most common occupation types (Statistics Canada, 2006).

2.4 Cost of Living

As service providers indicated, people tend to move to communities in this District to retire. Part of the reason for this is that these communities are smaller but still within easy driving distance from Edmonton. Another reason could be the lower cost of living. The average housing price, for example, is less than two thirds that of Edmonton or Red Deer and less than half that of Calgary. According to a local real estate information site, Zoocasa (http://www.zoocasa.com/en/area_details/1060-Wetaskiwin-Alberta/demographics), the average property price in Wetaskiwin is \$176,835.00. By comparison, the average housing prices are \$311,500 in Edmonton, \$259,000 in Red Deer and \$419,400 in Calgary (Canada Mortgage and Housing Corporation, 2009; Red Deer Regional Economic Development, 2010).

3.0 EXISTING LEGAL AND RELATED SERVICES IN WETASKIWIN

The Team began research in the Wetaskiwin Judicial District by mapping all legal services that could be found on the Internet and in any directories. Legal services were categorized into one or more of the following categories based on the definitions provided below:

- **Advice** – individualized answers about how the law will apply to a person’s particular case, what outcome is likely, or what option the person should pursue. Legal advice can only be given by a lawyer or a law student.
- **Enforcement** – the application or regulation of a law, carrying out of an executive or judicial order or ensuring observance of or obedience to laws.
- **Legal Information** – the provision of one-on-one information concerning procedural and substantive law that directly pertains to the individual’s personal legal needs. Legal information can only be provided by a lawyer or law student.
- **Representation** – a lawyer, law student or paralegal recognized by the Court, preparing legal documents (pleadings, Affidavit, etc.) or appearing on behalf of a client. Legal representation includes duty counsel and unbundled legal services, a possible example of which includes drafting of pleadings.
- **Support** – services that offer court support programs or any other support/help finding or talking to legal and related services on behalf of clients needing legal assistance.
- **Public Legal Information and Education (PLEI)** – the provision of general information about the law, about the options that are available and about basic court processes. The information can be in the form of written materials (pamphlets, brochures, websites), educational programs, or telephone/in-person services.

Social or health services that provide any kind of formal or informal legal support (eg. advocacy or referrals) or see large numbers of clients with existing or potential legal needs were also mapped.

Due to summer vacations and lack of time on the part of the service providers, we were unable to coordinate a focus group meeting for Wetaskiwin. Thus, a selection of legal and related social and health service providers who were available and willing to participate were recruited for individual interviews¹, and the Team conducted interviews with representatives from twelve legal and related services. Of these: three were sole-purpose² legal services; seven was a cross-over legal and social/health service; and two were sole-purpose social services.³

3.1 Identification of Legal and Related Services

The Team mapped 68 organizations that offer a total of 163 legal and related services in the Wetaskiwin Judicial District. Of the services mapped:

- 72 are sole-purpose legal services,
- 44 are cross-over legal and social/health services and
- 47 are sole-purpose social/health services.

¹ The Team has developed a prioritization process, which has been described in detail in the methodology discussion of the Calgary Judicial District Report at page 13, footnote 16. <http://cfcj-fcjc.org/docs/2009/mapping-calgary-en.pdf>

² "Sole-purpose" is a term used for the purposes of this Project, to differentiate legal services that do not have any social or health service components and social or health services that do not have any legal service components.

³ A commitment of the ALSMP is to confidentiality. As we are now only able to include a very small number of participants we are no longer listing service representatives that have been interviewed.

**Table 2 –
Services Available within the Wetaskiwin District
by Area of Law & Service Type⁴**

AVAILABLE LEGAL SERVICES⁵	City of Wetaskiwin	Other Communities	Outside Judicial District
	Database	Database	Database
Administrative Law			
<i>Advice</i>	-	-	2
<i>Enforcement</i>	-	-	10
<i>Representation</i>	-	-	-
<i>Support</i>	2	3	3
<i>PLEI</i>	3	15	31
Civil Law			
<i>Advice</i>	-	-	1
<i>Enforcement</i>	5	4	4
<i>Representation</i>	1	-	-
<i>Support</i>	4	5	-
<i>PLEI</i>	7	17	26
Criminal Law			
<i>Advice</i>	3	2	1
<i>Enforcement</i>	8	9	5
<i>Representation</i>	4	3	-
<i>Support</i>	8	15	1
<i>PLEI</i>	12	35	11
Family Law			
<i>Advice</i>	-	-	1
<i>Enforcement</i>	-	2	3
<i>Representation</i>	1	1	-
<i>Support</i>	7	12	-
<i>PLEI</i>	9	28	13

Aside from PLEI providers, there are particularly low numbers of administrative and

⁴ Categorizing types of service is not straightforward. For example, the Native Counseling Court Worker Program is classified as “support”, although court workers are able to appear on behalf of clients. A service was only counted as providing PLEI if substantive information was offered about laws, rights, responsibilities or procedures. Not all advice and representation services also met the PLEI requirements.

⁵ Some services offered multiple types of services in more than one area of law. Therefore numbers are greater than the total number of *different service organizations* mapped and interviewed.

family law services in this District. Service providers readily identified the low overall numbers of legal services but did not identify this as a major problem. They explained this as due to the small size of their communities and proximity to Edmonton, and thus understandable, although locally located services were, of course, seen as ideal.

Taken together, the interviews give a distinct impression of tight and insular local communities. Like the St. Paul district, service providers share what legal information they know with others in their immediate networking groups, but these groups often do not include all available services. They spoke about the lack of good information about other services – especially legal options – and are more apt to seek out information by word of mouth than formal methods such as research or collaborations.

Because it's a small community you get a lot of rural community support. People are helping other people. If someone had a legal issue and didn't know where to turn, probably a friend or neighbour or relative would be trying to find information on their behalf. It's very much still the rural community mentality. Not like in the big city where it's like "You're on your own, good luck." [03]

Service providers need basic legal service knowledge, such as the fact that toll-free numbers exist for both Lawyer Referral and Law Line. The interesting dynamic about this District is that the librarians (public and law) seem to be very active and proactive in acquiring, learning and sharing legal information. The libraries seem to be popular stopping grounds for people who have legal needs and the librarians from multiple communities were very willing and informative participants in this study, even to the point of providing Team members with tours of other organizations and their community and asking us to provide evaluations of how easily accessible information is in their libraries.

3.2 Geographic Location of Services

Existing legal and related services, although few in number, are quite evenly disbursed throughout communities in the Wetaskiwin Judicial District (Table 3).

**Table 3 –
Physical Locations of Legal and Related Services**

Location	Legal Services		Social/Health Services
	Sole Purpose	Legal & Social/Health	
Beaumont	2	2	3
Breton	6	2	-
Buck Lake	-	-	-
Calmar	-	1	1
Camrose	9	17	19
Devon	2	3	-
Hobbema	1	5	1
Killam	6	3	1
Leduc	9	7	9
Millet	-	2	1
Ponoka	10	2	9
Provost	2	3	2
Rimbey	3	2	5
Wetaskiwin	18	7	11
TOTAL Service LOCATIONS in District	68	56	62
TOTAL Service Locations Outside District	48	4	4
TOTAL PHYSICAL LOCATIONS	116	60	66

As service providers indicated, many legal services are located outside the District. Most are in Edmonton, with a few PLEI providers located in Calgary. The interesting contrast is that services with a social or health component are much more likely to be locally situated. Another interesting observation is that Wetaskiwin is the first of the mapped Judicial Districts in which there are more local legal services than cross-over

legal and social/health or sole purpose social/health. This could be the reason that service providers did not perceive a lack of legal services in their District.

3.3 Capacity of Existing Services

The most significant challenge that service providers reported related to capacity was filling available service positions. As one participant stated, “no one wants to move two and a half hours away from the city.”

3.4 Key Services in the Wetaskiwin Judicial District

Some of the most widely known about and utilized legal services in the city of Wetaskiwin are:

- Legal Aid Alberta
- Lawyers
- Court House Services
- Alberta Law Libraries (ALL)
- Law Information Centre (LInC)
- Royal Canadian Mounted Police (RCMP)

In this District, the libraries stood out as especially valuable and widely accessed services. This applies not just to the law library in the Wetaskiwin Courthouse, which is discussed in Section 3.4.3, but to the public libraries in the various communities as well. There are not many legal and related services that are physically located in the District and, if they are, that are open full days, five days a week. Thus the public libraries are relatively accessible starting points for people who are seeking legal information.

3.4.1 Legal Aid (LAA)

LAA is funded by the Government of Alberta, Alberta Law Foundation and Government of Canada to provide legal advice and representation to low-income individuals. As of April 2010, very significant changes have been made to the Legal Aid Alberta (LAA) service delivery model that affects all areas of Alberta, but in differing ways. These changes are recent and complex, with pilot Legal Service Centres located in Edmonton and Calgary currently offering services not yet available elsewhere in the province. For these reasons, we consider it appropriate to provide a detailed overview of LAA services and as much clarity as possible about eligibility guidelines and access processes.

In April 2009 a Legal Aid Alberta Review (<http://cfcj-fcjc.org/clearinghouse/publication.php?id=22322>) made 19 recommendations to the

Minister of Justice, including substantial service delivery changes. This review was not targeted at doing more with less, but the financial downturn intervened.⁶

In order to continue as much service as possible and at the same time respond to the Review recommendations for service change and increased efficiencies, after long debate, the LAA Board decided to reduce eligibility guidelines by 30% for a saving of \$5.5 million. This means (based on previous usage numbers) that approximately 6,000 people will now not qualify for a certificate. Clients will no longer have the right to choose their Counsel. In part, this change is to facilitate a client pathway that first goes to Duty Counsel for evaluation of legal need, with a certificate being issued only if the matter cannot be addressed by other available service options. As well, LAA was concerned that clients sometimes choose Counsel without sufficient experience to address their case and it is hoped that the change will allow LAA to assign lawyers best suited to client needs.

LAA is now focused on assessing clients' legal needs and providing services that best suit those needs. Appointing a lawyer for a client is no longer the main goal of LAA. It may be decided, for example, that mediation is the best way for a client to resolve a family law issue. If LAA staff determines that mediation is an appropriate first step they will guide clients through that process.

At the Legal Services Centres (LSCs) there will now be access to brief legal advice in person and by telephone.⁷ Telephone intake will be available across the province. Expansion of the Duty Counsel program is planned as soon as fiscally possible, and LAA want to go ahead with the Review recommendation to pilot civil assistance, especially for debt. It is also recognized that a staff office is needed in Wetaskiwin. However, funding is not yet in place to support these initiatives and it is unclear whether, or when, these plans will go ahead.

Regional Offices

LAA has divided the province into eleven regions, each with a Regional Office. Regional staff travel on circuits to many surrounding communities. Due to the recent changes, some circuiting will be reduced. Regional Officers will now be able to do intake over the phone. This will improve the ability to make a LAA application for those Albertans who live in remote areas and are still eligible under the revised financial guidelines. Prospective clients may make first contact either with Regional Offices or with Duty Counsel at courthouses where this service exists. The basic eligibility guidelines are listed in Table 4.

⁶ For a more detailed summary of the recent changes to LAA, refer to the ALSMP Report for the Edmonton Judicial District.

⁷ Brief services may include document review and preparation; third party contacts for clarification or issue settlement; settlement advocacy; and coaching for clients who can self-represent.

**Table 4 –
LAA Basic Income Eligibility Guidelines**

Household Size	Monthly Net Income Level	Annual Net Income Level
1 person	\$919	\$11,000
2 persons	\$1,140	\$13,680
3 persons	\$1,620	\$19,440
4 persons	\$1,750	\$21,000
5 persons	\$1,883	\$22,596
6+ persons	\$2,014	\$24,168

These guidelines may be increased somewhat within the ranges below if the applicant makes a contribution to the cost (Table 5).⁸ If net income falls within the following ranges, legal aid coverage may be granted on the condition that payments are made (eg. down payment, monthly payments). Clients may be asked to start making small payments right away, or provide some kind of security agreement even before a lawyer is assigned to their case:

**Table 5 –
LAA Income Guidelines if Clients Pay a Portion**

Household Size	Monthly Contribution Range	Annual Contribution Range
1 person	\$919 - \$1,225	\$11,028 - \$14,700
2 persons	\$1,140 - \$1,516	\$13,680 - \$18,200
3 persons	\$1,620 - \$2,158	\$19,440 - \$25,900
4 persons	\$1,750 - \$2,333	\$21,000 - \$28,000
5 persons	\$1,883 - \$2,508	\$22,596 - \$30,100
6+ persons	\$2,014 - \$2,683	\$24,168 - \$32,200

Legal Services Centres

Effective April 6, 2010, the Edmonton office of LAA (which serves the Wetaskiwin Judicial District) changed how it provides services by launching the first Legal Services Centre (LSC). That was followed by Calgary in June 2010. These LSC's are operating as pilots and it is not known yet whether an LSC will be opening in Wetaskiwin.

⁸ Although cost contributions are requested, LAA report only recovering eleven cents on the dollar. Clients may make a subsequent submission concerning inability to pay if their financial circumstances change, and accounts are written off if the client makes a case not to pay. LAA representatives also reported that it has been suggested that increasing the amount recovered would improve their financial situation, however they resist this course of action because people accessing legal aid are the poorest of the poor.

In accordance with the priorities set out in the 2009 LAA Review, LSC's will provide services in the following areas of law:

- criminal, including both adult and youth;
- family, including child welfare;
- immigration and refugee; and
- civil, including housing, income support, employment and debt.

Clients will be able to access legal information, referral services, brief services, legal advice and appropriate streaming to one of LAA's other legal services.

The eligibility guidelines provided above apply for the issue of a certificate for legal representation. There are, however, different eligibility guidelines for other programs available through the LSCs (Table 6).

**Table 6 –
Income Guidelines to Receive Referrals Only**

Family Size	Monthly Net Income
1 person	\$2,700
2 persons	\$3,200
3 persons	\$3,850
4 persons	\$4,175
5 persons	\$4,500
6+ persons	\$4,800

If income falls within the guidelines in Table 7, clients will be eligible for legal advice by LAA staff lawyers, brief services (such as assistance with court forms), information that will help them resolve their issue and better navigate the justice system, and referrals to other agencies that may be able to assist. These clients will not be eligible for full representation by a lawyer in court, but LAA staff lawyers will be able to provide advice to assist clients in knowing what steps to take.

**Table 7 – Income Guidelines to Receive Legal Advice,
Brief Services, Information and Referrals Only**

Family Size	Monthly Net Income
1 person	\$1,750 - \$2,700
2 persons	\$2,165 - \$3,200
3 persons	\$3,085 - \$3,850
4 persons	\$3,340 - \$4,175
5 persons	\$3,585 - \$4,500
6+ persons	\$3,835 - \$4,800

Legal Services Centre (formerly Alberta Law Line)

The toll-free Law Line number (1-866-845-3425) is still operational and calls from outside Edmonton will be accepted. However, former Alberta Law Line staff are now part of the LSC in Edmonton providing in-person and telephone services. Calls from LInCs are received on a priority basis. There is also a priority call pilot program with nine women's shelters across the province.⁹ LAA management acknowledge that response time to individual callers may be delayed, resulting in lengthy wait times. We note that:

- there continues to be no eligibility criteria for gaining information and referrals via a direct call to the Law Line,
- the old [higher] eligibility levels apply for brief advice [as per those listed above],
- LAA is attempting to monitor discrete calls and waiting times.

Perceptions about LAA

Service providers did not speak a lot about LAA in this District. There were again concerns about the changes that are being implemented. But mostly the participants spoke about the need for more direct access to LAA in the various communities.

We do have our courthouse [in Rimbey]. Legal aid is supposed to be coming by every once in a while but they often don't. They're supposed to come from Red Deer, but they don't see them too often here. [03]

What was notable in this District was the feeling of detachment from LAA (and other key services); that people were used to doing without them and did not expect to be able to access these services readily. This is understandable because staff from services such as LAA are not permanently situated in these communities and instead travel on circuit between some – but not all – communities. While participants were resigned to their situation, there certainly was not the sentiment that they were content with this level of access.

3.4.2 Lawyers

The number of lawyers located in this District is low (Table 8). The lawyer to population ratio is even more sparse than that of the Fort McMurray Judicial District where there were 39 private lawyers registered for a total population of over 90,000. Here, the ratio of lawyers practicing in the District is 52 to approximately 144,000. Additionally, though, residents can travel to Red Deer and Edmonton for legal services relatively easily.

⁹ This pilot project runs until December 2010, at which point it is anticipated that both organizations will be making recommendations with respect to future directions.

**Table 8 –
Lawyers who are Practicing in the Wetaskiwin District**

Location	Bar Members		
	Registered ¹⁰	Government	Private
Beaumont	2	-	2
Breton	-	-	-
Buck Lake	-	-	-
Calmar	-	-	-
Camrose	17	1	15
Devon	1	-	1
Hobbema	3	-	3
Killam	-	-	-
Leduc	13	-	12
Millet	-	-	-
Ponoka	5	-	5
Provost	-	-	-
Rimbey	1	-	1
Wetaskiwin	21	8	13
TOTAL	63	9	52

The need for more lawyers (especially those who accept LAA certificates) was not expressed as urgently in Wetaskiwin as it was in Fort McMurray. The difference between the two Districts is that residents from communities in the Wetaskiwin District will travel to either Edmonton or Red Deer to access lawyers.

Experiences with Lawyers

As we found in the St Paul District, there was not much discussion about lawyers in the Wetaskiwin District. Participants reported that very few lawyers are located in the smaller communities (as is verified by the data in Table 8). There seems to be the assumption that people could not afford them anyway, making the number of available lawyers seem almost irrelevant.

We did hear that when people could afford to retain lawyers, they often do not know how to go about finding them and do not know how to interact with lawyers. They do not know their rights or legal options or what services and treatment they should expect

¹⁰ In some cases, the total number of registered Bar members may be higher than the sum of those in government and private practice. This is because those practicing in corporate settings have not been included in this Table.

from a lawyer. For example, one participant expressed concern about clients being advised to plead guilty when it was not in their best interests to do so.

A recent poll conducted by Ipsos-Reid for the Law Society of Alberta (<http://www.lawsocietyalberta.com/#survey>), reported that most Albertans were satisfied with the services of lawyers in meeting everyday legal needs such as matters concerning real estate and Wills and estates. However, public participants that have been included in the ALSMP (Edmonton and Calgary Judicial Districts) and previously in the SRLMP and *Civil Justice System and the Public* (<http://cfci-fcjc.org/publications/cjsp-en.php>) were generally not satisfied. These participants tended to be involved in contentious civil and family court cases or criminal matters, though. These represent a small minority, and the most complex of legal needs which can have serious financial and other personal consequences. Clearly, such cases are more likely to generate dissatisfaction.

3.4.3 Court House Services

Prior to discussing the main court house services that are offered in this District, it is necessary to clarify which courts sit in the various court houses that are located here. There are multiple court houses and even the service providers reported that they find it difficult to know where people have to attend court based on the nature of their cases and where they live.

- Wetaskiwin has Provincial Court, which includes family, traffic, civil claims, and criminal and circuits to Ponoka.
- Camrose has Provincial Court, which also includes family, traffic, civil claims, and criminal. They circuit to Killam.
- Leduc also has Provincial court (family, traffic, civil claims, and criminal) and circuits to Breton and Drayton Valley.
- Rimbey is in the Wetaskiwin Judicial District but, due to the distance, Red Deer Provincial Court circuits to Rimbey instead. However, civil and family matters are heard in Ponoka.
- All charges from Camrose, Leduc, and Wetaskiwin are transferred to the Court of Queen's Bench in Wetaskiwin.
- Charges from Drayton Valley are transferred to the Court of Queen's Bench in Edmonton.¹¹

The primary court house services that participants referred to were Duty Counsel and Family Justice Services, as well as Alberta Law Libraries and the LInC (both to be discussed separately in the next two Sections).

1) Duty Counsel

Criminal and Family Court Duty Counsel can be accessed at the courthouse. There is no financial eligibility testing for assistance through this program. Duty Counsel provides

¹¹ Court Services representatives kindly provided this information.

free legal advice and assistance to people making their initial criminal court appearance unrepresented by counsel.

Currently Edmonton, Calgary, Red Deer and Lethbridge have staff Duty counsel available to deliver the new service model in which Duty Counsel will have expanded hours with availability to also meet and assist clients once court has concluded sitting for the day. The goal is to achieve better outcomes for clients. This change has not happened in the Wetaskiwin District yet. As previously stated however, many residents from communities in this District travel outside of it for legal services and this applied to attending court dates as well. Service providers reported that residents of communities in this District also sometimes travel to court in Red Deer or Edmonton.

Wherever this service is available, LAA encourages clients to first contact Duty Counsel as they are best able to make an immediate assessment of the matter and facilitate prompt connections to relevant service components, including a Certificate for representation when appropriate.

Duty Counsel services are provided in:

- Adult and Youth divisions of Provincial Court
- Family Court (Provincial Court)
- Domestic Violence Court
- Drug Treatment Court
- Mills/O'Connor applications
- Duty Counsel service is also available for persons requiring assistance for Mental Health Review Panel hearings and Institutional Disciplinary Hearings.

In addition, LAA Duty Counsel provides legal services as required when Emergency Protection Orders have been granted, to assist clients in reviewing and opposing the Orders, and dealing with breaches of these Orders.

Participants indicated that Duty Counsel is a valuable resource in this District, but again reported that Duty Counsel, in general, do not have the capacity to deal with the volume of clients needing assistance.

3) Family Justice Services (FJS)/Family Law Information Centre (FLIC)

FJS/FLIC was launched in 2005 and is a group of programs and services that are offered by Alberta Justice and the Alberta Courts. They focus on providing free or low-cost services to members of the public with family law needs. There are currently eight programs that are available to residents of this District through either the local office in Wetaskiwin, or in Edmonton or Red Deer.

The first is **Caseflow Conference**. This program is mandatory for individuals who are going to Provincial Court with family matters, and is intended to resolve disputes between parties and ensure they are prepared to proceed to court. The Caseflow

Conference provides an opportunity for discussion of the parties' issues about the application(s) in a private, less formal atmosphere than a courtroom.

The **Child Support Resolution Project** attempts to help litigants resolve conflicts related to child support agreements prior to attending the Court of Queen's Bench. This service is mandatory for all interim applications or variations on child support Orders.

Family Court Counsellors provide information about options and services for resolving family matters that are alternative to going to court. They also offer assistance completing court documents and arranging court dates. In order to qualify, at least one dependent child must be involved and at least one party must reside in Alberta.

The **FLIC** provides information about:

- child support Guidelines, including the tables for each province;
- how to calculate child support;
- how to apply for or change a Queen's Bench Order in various family law matters; and
- how to oppose a family law application in the Court of Queen's Bench of Alberta.

The FLIC website is: <http://www.albertacourts.ab.ca/familylaw/>. Litigants can also access booklets and forms through FLIC.

Family Mediation Services offers free information and assistance with bringing applications concerning guardianship, parenting or contact, mediation services to assist families in resolving parenting issues, courses to improve parenting skills and communication between parents who are living apart, and other court-directed services intended to aid in resolving parenting disputes. In order to qualify for this service, at least one party must earn less than \$40,000 annually.

The **Focus on Communication in Separation Program** is a six-hour, skills-based communication course teaching parents how to communicate effectively while living apart. This program aims to enhance the communication skills of parents, reduce parental conflict and improve long-term outcomes for children. Upon completing the course, parents will be able to reduce conflict through good communication and problem solving skills, decrease tensions arising from conflicts and decrease stress for children and parents (2009 Alberta Court Calendar). This voluntary program is for separated or divorced parents of young children.

The **Parenting after Separation** course is a free six-hour workshop that was developed in Alberta by the Court of Queen's Bench and Alberta Justice and is now used nationally and internationally. The purpose of the workshop is to assist parents in understanding the process and effects of separation and to encourage parents to make positive choices about how they will continue to parent their children after separation. This program is voluntary for parents who are in Provincial Court but mandatory for parents who are in the Court of Queen's Bench.

Finally, the **Parenting after Separation for High Conflict Families (PASHC)** course is a three-hour seminar available to all parents who have already completed the six-hour Parenting after Separation course. Participants may be ordered to attend by a judge, or attend voluntarily. PASHC offers information about the process of separation, how to emotionally disengage from one another and how to identify and renegotiate boundaries. Parents will be encouraged to develop a *Parallel Parenting Plan*, which can be an effective tool to reduce conflict and minimize the contact between parents (2009 Alberta Court Calendar).

Participants spoke of the importance of these services but emphasized that legal processes are quite stressful for people experiencing family law-related matters and that they really need ample available support. One particular concern was that parents who are (or should be) seeking child support are not getting enough guidance and support to take the necessary steps.

The biggest problem for single moms is child support. The department that helps them is much better than it used to be but they still find the process quite intimidating. [08]

Only three services are provided out of the Wetaskiwin office and one out of Camrose. These three are;

- Family Court Counsellors/Intake Assistance,
- Focus on Communication in Separation Course, and
- Parenting After Separation Course.

The PAS course is also offered in Camrose.

Other FJS services available in Red Deer or Edmonton include:

- Brief Conflict Intervention (where mediation is unsuccessful);
- Child Protection mediation;
- Child Support Recalculation (this is different from the Child Support Resolution Program);
- Open Parenting Assessments;
- Parental Conflict Intervention (where mediation is unsuccessful); and
- Parenting/Contact evaluations.

3.4.4 Alberta Law Library

Alberta Law Libraries are also located in the courthouses in Wetaskiwin, Camrose and Leduc, and provide important resources to members of the public as well as members of the Bar and Judiciary. Service providers and members of the public spoke positively

about this service. The only complaint was that members of the public cannot sign out materials, so they must complete their reviews of information at the library or copy all the material they may need. This Service will be described further in Section 6.1.2, in the discussion about PLEI providers.

3.4.5 Law Information Centre (LInC)

Throughout the mapping project, the LInCs have been consistently described as an important and valuable resource. There is no permanent LInC office in the Wetaskiwin Judicial District however. The LInC staff from Red Deer travel to Wetaskiwin approximately one day a week, where there is an office in the Wetaskiwin Courthouse. In addition to travelling to Wetaskiwin, LInC staff from Red Deer also travel to Rimbey and Ponoka. Additionally, LInC staff provide in-person, telephone and Internet services to various rural communities in this District.

Due largely to its limited availability, the LInC did not play as prominently in the feedback we received from service providers in this District.

The LInC was launched in Edmonton in 2007 as an effort by the Government of Alberta to provide a “gateway” into the justice system for the public to begin finding out how to address their legal needs.¹² The LInC mandate is to help people understand the Alberta court system.

The Alberta Justice website describes the LInC as being able to help individuals get the information they need for all civil and criminal matters. Staff members will help members of the public understand Alberta’s legal system. They will help individuals:

- learn about general court procedures,
- locate and explain court forms,
- learn about legal advice options, and
- find out about alternatives to court.

LInC can:

- provide information about civil and criminal matters,
- explain what court forms can be used,
- explain the steps to take in making a legal application, and
- refer individuals to legal and other resources in the community.

LInC cannot:

- give legal advice,
- help choose how to solve your legal problem,

¹² LInCs were also established in Red Deer and Grande Prairie that year, and in Calgary in 2009.

- help make legal applications, or
- tell people what to say in their court forms.

Staff cannot provide legal advice or representation, but will provide information about general court procedures, legal advice options and alternatives to court. Individuals can also access public legal information and education (PLEI resources), particularly about civil and criminal law. Staff will facilitate access to legal forms.

Since April, 2007 the LInC has also had a dedicated legal advice line to LAA. This service was developed jointly by LAA and Alberta Justice, and is available for all LInC offices. As part of this development, Alberta Justice ensured that a private room with a dedicated phone was available for the provision of legal advice in most of the LInCs. LInC staff triage the clients and only the ones they direct are able to access this service. In return, the service was designed so that these callers have priority over regular Legal Services Centre callers. LAA provided legal advice to almost 900 LInC clients through this partnership in 2009-2010.

3.4.6 Royal Canadian Mounted Police (RCMP)

The RCMP Detachments in the Wetaskiwin Judicial District are organized into 12 sections and units. These units work together to promote public safety and awareness, enforce Federal, Provincial and Municipal laws and provide an overall sense of security to residents.

- [General Duty](#)
- [General Investigation Section](#)
- [Traffic Services](#)
- [Community Policing / Victim Services](#)
- [Police Dog Services](#)
- [Forensic Identification Section](#)
- [Red Deer Rural](#)
- [Domestic Violence Unit](#)
- [Community Response Unit](#)
- [Organized Crime Unit](#)
- [Enhanced Policing](#)
- [Municipal Employees](#)

The RCMP offer four main services to communities in this District.

The **Aboriginal Policing Services** operates in Hobbema and is responsible for the development of culturally sensitive policing services which are acceptable to Aboriginal peoples, and promotes the recruitment of Aboriginal people into the RCMP. The RCMP delivers police services to Aboriginal peoples through the First Nations Community Policing Service (FNCPS). The RCMP-FNCPS model incorporates the following principles;

- service levels equivalent to those of non-First Nations communities,
- compatibility and sensitivity to First Nations culture and beliefs,
- flexibility to accommodate local variations in policing needs, and
- a framework which allows for the transition to an independent First Nations-administered police service or a Community Tripartite Agreement, whichever is desired by the community (from website).

The **Auxiliary Police Program** is a volunteer program intended to enhance community-based policing and provide an opportunity for citizens to participate in law enforcement on an organized basis. Auxiliary constables provide a complementary service to the RCMP.

Duties that an auxiliary constable may perform under direct supervision of a regular member of the RCMP are widely varied, and include, but are not limited to:

- community policing programs (ie. Neighborhood Watch, Bicycle Safety, Child Identification),
- guarding crime scenes to protect evidence,
- searching for missing persons,
- routine crowd, traffic or parade control,
- operational ride-alongs,
- routine general duty patrols and traffic patrols,
- office duties (i.e. Computer queries, Detachment front desk duties, answering phones), and
- routine duties as assigned by the Detachment Commander (from website).

Crime Stoppers is a well-known community program that combines the police, the media and the public in a co-operative crime-solving effort. It combats two major obstacles to the reporting of crime within a community - apathy and fear – by offering cash awards and anonymity (from website).

Finally, **Community Policing Services** are available in all communities in this District. Traditional policing such as crime investigation, law enforcement and maintenance of order are still part of policing under this philosophy, as well as attempting to address unique needs and problems with the people and communities they serve (from website).

Service providers did not speak a lot about police services but, when they did, expressed positive opinions about the quality of service.

We do have an RCMP dispatch here in town. It has been very positive. [07]

3.5 Barriers to Accessing Existing Legal Services

The barriers that emerged as themes in the Wetaskiwin Judicial District revolved around the lack of knowledge about the justice system as well as about legal rights and responsibilities. The most daunting barriers are the lack of communication between service providers, and between the public and service providers.

Legal needs are dealt with as they are presented but there just does not seem to be a lot of proactive initiatives, collaborations and attempts to improve the accessibility of legal supports or enhance processes. This again is likely largely due the fact that so many key services are only locally available on a circuit basis, if at all.

[Barriers are] probably mostly communication and being aware that the services are there in the first place - that legal assistance is available other than our lawyer's office., Often people come to our offices at their wits end - they can't afford normal lawyers and they're looking for advice and we can direct them to other agencies like the John [Howard] Society or Legal Aid and so on. [02]

3.5.1 Lack of Affordable Legal Services

Service providers again spoke of the need for more access to free or inexpensive legal advice and representation. As with previously mapped Districts, participants focused on the perceived inaccessibility of lawyers due to the cost and the restrictive LAA certificate guidelines.

Income is the biggest [barrier]. Accessing legal services are too expensive for them. They can usually find a way to get to get to the lawyer, it's just the cost. [05]

Money. Not having the resources to hire a lawyer or having to go through legal aid and having difficulties qualifying. Being caught in the middle too - not being poor enough to qualify and not being rich enough to afford a lawyer. And we all know that money really does buy freedom. [06]

The lack of community legal clinics and limited number of locally based legal services contribute to the challenge of finding low-cost legal supports. As service providers mentioned, such options are available in Edmonton or Red Deer, but many people do not have the money or transportation to travel, and cannot afford to miss work to access these services. Thus legal problems that could have been prevented or resolved through better access to legal services, escalate into serious issues.

A lot of people don't access legal services because of the implicated cost, even though they could use some information. They won't access it for fear of how much it will cost. [03]

3.5.2 Lack of Service Provider Knowledge

Service providers reported lacking knowledge about the existence of basic legal services. Even service providers who appeared to have the most general knowledge about available resources, underlined their own need for more knowledge and information.

We need more legal services. You can find mental help and all sorts of things, but there's not much in the way of legal information. Who do you go to and how much does it cost? If I need an affidavit done where do I go? Even information about elections needs to be more widely publicized. Access to information is the biggest problem I don't really know if we have legal services here. I know in Edmonton there are immigrant centres and Legal Aid, but where do I go for legal information in my community? The legal information framework isn't that great here. I don't have information about legal websites or where to go. [04]

The restricted business hours of locally based services (eg. the Law Library is only open from 9:00-12:30) as well as the circuit schedule that many services have adopted in order to reach out to communities, means that there simply is not the opportunity for consistent networking and collaboration. While service providers want to know more about other services and work more closely together, these factors combine to make it difficult for service providers to learn about communities they serve, to work closely with others, or to have time for regular meetings where they could gain knowledge through information-sharing and networking.

Referrals

One negative effect of this lack of knowledge about other service providers is that members of the public are not referred to appropriate services as effectively or efficiently.

It all comes down to communication, making people aware that services exist and how to access them. That's the biggest key with any type of program or service: figuring out what's there and how to connect people to it. [02]

Service providers reported that they do not always know whether any services exist to assist with particular needs. Even when they know about specific services, if the service

is not located in their community they are unsure about the location to send people to. In fact they indicated that they sometimes do not know where to go themselves for legal services (eg. which courthouse their case is going to be heard in).

3.5.3 Lack of Public Knowledge about How to Address Legal Needs

Given the lack of legal service knowledge among service providers, it follows that the lack of knowledge about how to address legal needs is a significant barrier for the general public. There are few opportunities to engage in legal education, combined with low visibility of legal services in this District. There is a need for more proactive distribution of legal information and encouragement of legal education. At the same time, low educational levels are also widespread in this District, so written PLEI has limited utility other than to inform the service providers.

Lack of knowledge about where to begin is also an issue. The legal system isn't something that people use on a daily basis until they have to. People aren't well informed about that area More info is needed. Something like more toolkits. Since it's so complex and most people can't understand legal jargon, there could be simplified booklets that could start the conversation for legal issues. There should be one for each area, family, criminal, and so on. [03]

The interviews with public library staff in multiple communities suggest that a significant number of people with legal problems find their way to the library. Often however, they are looking for more direction and information than public library staff are able to provide. Interestingly, legal service providers saw the public libraries as a resource, while the social/health service providers did not share that perception to the same degree.

Members of the public as well as service providers do not generally understand court processes. Service providers described this as a significant barrier. This was identified as a major problem in residential tenancy matters, where it was reported that neither the landlords nor the tenants understand the relevant laws or legal processes.

One of the barriers – and this may be true for landlords and other people – is [not] understanding the court systems and processes. I will give you an example. I had to deal with an eviction a few years ago and I was pushed from pillar to post. I was juggled around and nobody could tell me which court I was supposed to be in. I went to three courthouses before I found out which one this case should be in. I know this one local landlord who was a lawyer before he was a landlord – so he knows the system - and he is getting out of the business because the system is quite biased. He says the one bad tenant [negates] 50 good ones for the cost and the damages, and it is impossible to recoup those costs. We have come across a few bad landlords, too, and compelling them to bring properties up to code is nearly impossible. I have often run into individuals who are being bullied by aggressive landlords who just won't fix anything. The whole landlord-tenant business is very difficult and complicated. [08]

3.5.4 Lack of Coordination of Public Legal Education and Information (PLEI)

Legal service providers spoke of the need for information about basic legal rights and responsibilities, as well as legal processes and information about existing services, to be more accessible for the public, as well as for themselves.

A simplified information booklet/toolkit would be great. A step-by-step guide. The law is a lot more complicated than that of course, but at least for Joe Blow on the street it would give them somewhere to start with. [03]

Consistent with their recognition of their own limited knowledge of other services or PLEI resources, we found that some of the services and resources they suggested are needed, already exist. Their suggestions make it clear that they were not aware of these.

Maybe video conferencing. We're set up here through ICCAN so there could be training sessions and more online information. Most people would be more interested in the family day to day kind of stuff - wills and so on. You could conference with legal aid to get information or it could be a lawyer giving information on preparing wills or it could be any kind of direction like that. Most people don't seek out the law until they need it. [03]

The lack of networking and collaboration in this District makes it difficult to disseminate PLEI or to share information about existing PLEI providers or opportunities for the public to engage in learning about laws and legal processes. The value of PLEI as a preventative measure, was also noted.

There's anxiety around legal information too. It's like going to a doctor - you only go when you're in trouble. The common person doesn't understand all the complex issues... doesn't understand things like wills and estates, for instance. I think presentations for common people would help a lot. Prevention is better than cure - they do it in the health system but not in the legal system. [04]

3.5.5 Transportation

There was no direct discussion about transportation as a barrier, but the challenge of transportation nonetheless emerged as a theme in many contexts. The view that was expressed was that knowledge about services is the biggest hurdle, and the assumption seemed to be that, if there was a service that people knew of, they would somehow get there. This perspective contrasts to feedback the Team has received in the rest of central Alberta where transportation is seen as a barrier. In Wetaskiwin, the participants we interviewed seemed to just accept transportation as a challenge that has to be dealt with.

There are services that cannot be local but that is the nature of the size of our community. The legal community is fairly accessible. If something isn't around here, people just go to Edmonton. That is the normal process. [08]

Service providers did acknowledge low income as a barrier to accessing transportation in addition to barriers accessing legal services. Others reported that having to travel to larger urban centres can be intimidating for people from rural areas.

Also if people seek services in bigger cities [but] there [are] questions about where to find services and even parking. That can intimidate people as well. [07]

3.5.6 Poverty

The service providers appear to be dealing frequently with people who are vulnerable and living in poverty, which we have also seen in other Districts. Low levels of educational attainment and literacy further exacerbate this vulnerability.

Specific types of legal problems tend to be higher when poverty rates are high. Service provider reports corroborate this – violent and drug crimes were said to be very high, particularly in and around the city of Wetaskiwin. Hobbema is located close to Wetaskiwin and tends to experience very high rates of serious crimes. Wetaskiwin has experienced increased need for legal resources such as court time and law

enforcement, due to the higher crime and related problems occurring in nearby Hobbema.

3.5.7 Stigma of having legal problems

This barrier has been previously reported as a privacy concern by participants in rural locations in the ALSMP as well as the Self-Represented Litigants Mapping Project (SRLMP). Aboriginal groups also commonly speak about the fear associated with the justice system due to their punitive experiences. What is new in this District, and emerged as a theme for the first time, is the emphasis on a stigma associated with seeking legal information.

Another barrier in a small town is not necessarily accessibility, but privacy. The courthouse and the lawyer's office are both on the main street. A lot of people are uncomfortable because it's a small town and people will talk We did have a Service Canada location here in town That was recently taken out - one of the cutbacks just this spring. That was where a lot of people went if they were having problems with their employers. I know they dealt a lot with the new immigrants as well, getting settled with government forms, social insurance numbers, employment, and so on. A lot of people wouldn't go to other places to ask for help, but a lot of people made use of that service. People were in and out of there all the time, partly because there was no stigma attached to it. [07]

Real concern was expressed about individual fears about not only how they will be judged by other members of their general communities, but also how they will be treated/judged by service providers if they seek legal help. It stands to reason that the lack of local legal services or proactive efforts to engage the public in talking about legal needs, has resulted in people perceiving their own legal problems as unique and something not to be talked about openly.

4.0 UNDERSTANDING LEGAL NEEDS IN WETASKIWIN

The following section contains a discussion about the types and incidence of legal needs that people have, and the services that are available to address those needs.

4.1 Statistics

Statistics were provided by Court Services. By referring to these, and to national and provincial statistics about the prevalence of legal problems, coupled with the observations of the service providers and researchers, we are able to provide some insight into the primary legal needs in this District.

4.1.1 National Prevalence

National statistics on the prevalence of legal problems among Canadians paint a picture of vast everyday need (Currie, 2006, 2007, 2009). These surveys have repeatedly found that approximately 47% (11.6 million) of Canadians have a legal problem with potentially negative consequences for their everyday lives. Analysis of the data specific to Alberta places incidence at 52%.

This is evidence of a need to effectively address prevalent legal problems. Table 9 provides a breakdown of legal problems by frequency according to type of problem and compares national and Alberta rates. Participants tended to report more than one legal problem with the average being around three, both in Alberta and nationally.

**Table 9 –
Prevalence of Legal Problems in Canada and Alberta**

Type of legal Problem	Frequency of Problem ¹³	
	National % (N = 8873)	Alberta % (N = 600)
Consumer	22.0	25.4
Debt	20.4	27.0
Employment	17.8	19.0
Wills & Power of Attorney	5.2	6.7
Family: Relationship breakdown	3.6	5.0
Personal Injury	2.9	4.3
Police Action	2.0	3.0
Discrimination	1.9	1.7
Housing	1.7	1.0
Hospital treatment or release	1.6	1.8
Other family	1.4	2.0
Threat of legal action	1.2	1.3
Social Assistance	1.2	1.7
Disability Benefits	1.0	1.2
Immigration	0.6	0.2

As can be seen in Table 9, the general patterns for incidence of problems in Alberta are very similar to the national pattern.¹⁴ It should be noted that family law problems are divided between relationship-related and other matters. When combined, family matters

¹³ Percentages do not add to 100% because some respondents reported more than one problem within each category. Percentages are not rounded because of the extremely large number of Canadians potentially represented by the national statistics (95% confidence ratio), where 1% equals approximately 250,000 Canadians. National percentages are taken, with permission, from Currie (2007, p.12). Alberta numbers provided in a personal communication from Ab Currie, December 7, 2009.

¹⁴ The small percentage differences that occur cannot be considered significant because the sample sizes are not comparable. While 600 respondents is a sufficient number to make the Alberta results reliable within the province, it is a mere fraction of the total national sample. Percentages were also provided for the number of each type of problem reported by Alberta respondents (a total of 938). While this changes the numbers within each category, the overall frequency pattern is very similar.

at 7% are the fourth most frequently reported problem in Alberta. When both disability benefits and other social assistance are combined, benefits rank eighth in Alberta, accounting for 2.9% of reported problems.

Frequency of a problem does not, however correlate with perceived seriousness. By far, respondents considered social benefit problems, followed by family matters, to be the most serious. In contrast, the more prevalent consumer and debt problems were viewed as the least serious.¹⁵

The prevalence of legal problems demonstrated by this research reveals the potential need for legal services as an everyday occurrence for a significant portion of the population. In fact, as the survey focuses on problems already perceived as serious, it likely underestimates actual legal need, which would also include many non-problematic everyday matters such as making a Will or formalizing a contract.

4.1.2 Service Statistics

The Team requested statistics from all services where representatives were interviewed. To date, only Court Services has provided statistical data for this District.¹⁶ Thus, as had been anticipated might be the case when this project was proposed, it is not possible to draw conclusions about public need and service capacity based on service statistics. Instead, service providers' interview responses are used to derive qualitative themes about the public's legal and related needs in Wetaskiwin and these data are supplemented by the national data and researcher observations.

The national research concerning the prevalence of justiciable¹⁷ legal problems (Currie, 2007), provides a foundation of both national and Alberta specific data within which to consider the ALSMP findings for all Alberta Judicial Districts. These findings indicate a much greater need for legal services than has traditionally been understood.

Court Services Statistics

There are three court houses in the Wetaskiwin District; Wetaskiwin, Camrose and Leduc. Provincial court statistics are provided for each of the three local court houses (Tables 10-12). Residents also frequently travel to Edmonton and Red Deer for court dates due to charges or claims that arise out of these areas.

¹⁵ While it seems intuitive that for the most part consumer problems would not have as serious an impact as many others the same is not true of debt. Based on the CJSP data reported in Stratton & Anderson (2008), we would suggest that debt is seen as manageable until it precipitates or combines with other problems, such as family breakdown, loss of job, foreclosure, etc.

¹⁶ We believe this is partially due to lack of time for the Team to pursue statistics from service providers.

¹⁷ Justiciable is defined as "capable of being decided by a court."

**Table 10 –
Wetaskiwin Provincial Court Volumes**

Area of Law	2004/05 Volume	2005/06 Volume	2006/07 Volume	2007/08 Volume	2008/09 Volume	Average Annual Volume (2004-2009)
Civil						
Claims Filed	202	122	79	83	115	120
Family						
Actions Commenced	271	174	279	298	359	276
Child Welfare Actions Commenced	788	860	536	520	479	637
Criminal						
Charges Commenced – Adult	12,877	12,050	10,228	13,207	12,368	12,146
Charges Concluded – Adult	12,804	12,176	10,145	12,531	12,698	12,071
Charges Commenced – Youth	2,430	2,528	2,281	1,970	2,148	2,271
Charges Concluded – Youth	2,428	2,569	2,277	2,014	2,243	2,306
Other						
Average Preliminary Hearings per Month	22	21	24	27	25	24
Average Courtroom Time (hours)	1,193	1,322	1,285	1,367	1,346	1,303

The Wetaskiwin court house is very busy for a small community (Table 10). The number of criminal charges stand out as very high relative to the population (12, 000). Compare these numbers, for example, to Red Deer where the average annual adult criminal charges commenced are 48,872 relative to a local population of 90,084.

These statistics lend support to Service Provider reports that there are a high number of violent crimes in the area. As previously mentioned, Hobbema has experienced a high rate of serious crime in recent years, and these matters are usually heard in the Wetaskiwin court house.

**Table 11 –
Camrose Provincial Court Volumes**

Area of Law	2004/05 Volume	2005/06 Volume	2006/07 Volume	2007/08 Volume	2008/09 Volume	Average Annual Volume (2004-2009)
Civil						
Claims Filed	102	100	67	59	57	77
Family						
Actions Commenced	58	58	115	120	86	87
Child Welfare Actions Commenced	71	97	107	154	86	103
Criminal						
Charges Commenced – Adult	6,676	6,357	6,596	7,674	7,346	6,930
Charges Concluded – Adult	6,307	6,294	6,220	7,394	7,171	6,677
Charges Commenced – Youth	831	967	874	868	568	822
Charges Concluded – Youth	764	891	947	890	622	823
Youth Tickets Part I and II	0	0	0	0	0	0
Adult Tickets Part I and II	11,547	11,869	10,725	11,560	11,929	11,526
Electronic	0	0	0	0	4,303	0
Other						
Average Preliminary Hearings per Month	2	8	3	3	9	5
Average Courtroom Time (hours)	492	430	474	413	564	475

The Camrose court statistics are not as high as Wetaskiwin's, while the Camrose population is almost one and a half times the size of Wetaskiwin. This confirms participant observations that Camrose is more of a retirement community with fewer family and criminal legal problems.

**Table 12 –
Leduc Provincial Court Volumes**

Area of Law	2004/05 Volume	2005/06 Volume	2006/07 Volume	2007/08 Volume	2008/09 Volume	Average Annual Volume (2004-2009)
Civil						
Claims Filed	165	140	112	104	162	137
Family						
Actions Commenced	106	59	172	159	221	143
Child Welfare Actions Commenced	153	123	123	138	107	129
Criminal						
Charges Commenced – Adult	17,191	14,214	14,790	16,811	21,473	16,896
Charges Concluded – Adult	23,255	13,681	14,616	16,253	20,535	17,668
Charges Commenced – Youth	1,039	1,055	1,024	1,287	1,334	1,148
Charges Concluded – Youth	1,013	1,048	873	1,204	1,276	1,083
Youth Tickets Part I and II	0	0	0	0	0	0
Adult Tickets Part I and II	35,540	21,981	22,485	24,839	29,934	26,956
Electronic	0	0	0	0	6,104	6,104
Other						
Average Preliminary Hearings per Month	12	20	21	13	17	17
Average Courtroom Time (hours)	1,096	794	821	864	1,042	923

Proportionately, Leduc’s court statistics (Table 12) are similar to Wetaskiwin’s. The number of criminal charges and family actions commenced, as well as civil actions filed are quite high relative to its population of 18,967. Participants reported that Leduc, like Wetaskiwin, experiences a lot of violent and drug-related crimes as well as family violence.

As can be seen from these statistics, there are substantial legal needs in the communities in this District. Yet, there is limited access to many legal and related services, which are often not even available Monday to Friday, 9:00 to 5:00.

4.2 Specific Populations and Specialized Legal Needs

Service providers identified legal needs that members of their communities frequently experience. These include:

- adult guardianship,
- administrative law – benefit entitlements,
- child protection,
- criminal charges (eg. drug possession and trafficking, driving under the influence and family violence),

- employment related legal issues,
- environments and property (connected to oil industry issues),
- family law – all areas,
- forms – inability to complete any kind of forms (benefits, taxes or other legal),
- immigration,
- power of attorney,
- residential tenancy,
- small business matters, and
- wills and estates.

The Team has mapped the legal and related services that are available to people living in this District, and categorized those that appear to specialize in serving particular populations or dealing with particular legal needs (Table 13).

There are at least some services that offer specialization in most of the common areas of need that were identified.

- It must be noted that there is only one service that offers specialization in dealing with needs faced by new Canadians living in this District, and it is located in Edmonton.
- Additionally, while there are a few services that specialize in dealing with addictions and are located in this District, there are no legal services that specialize in working with people who have Fetal Alcohol Spectrum Disorder (FASD).
- Finally, there are services that offer supports to seniors, but none stated that they offer specialization in wills and estates planning. There is a particular need for these services to be available and to be free or low cost, as the population of this District includes many retirees and many people who are living with low incomes.

**Table 13 -
Specialization of Legal and Related Services**

Specialization	Legal Services		Social/Health Services
	Sole Purpose	Legal & Social/Health	
Aboriginal	3	4	2
Accidents/Injuries	-	-	-
Addictions	-	4	3
Alternatives to Court	4	3	-
Children	5	3	5
Consumer Issues	1	1	-
Crisis Intervention	-	2	4
Debt Management	-	1	-
Disabilities	2	1	2
Employment	-	-	1
Families	7	12	19
Family Violence/Abuse	4	16	5
FASD	-	-	2
Gay, Lesbian, Bisexual & Transgendered	-	-	-
Housing & Tenancy	8	1	13
Human Rights & Citizenship	11	1	-
Immigrants	1	-	-
Low Income/Poverty	2	-	9
Men	-	4	4
Mental Health	1	3	18
Pensions & Benefits	5	2	1
Seniors	6	2	6
Taxes & Finances	2	1	-
Victims & Offenders	19	16	4
Wills & Estate Planning	-	-	-
Women	1	8	6
Youth	9	7	12

4.2.1 New Canadians

Service providers did not speak a lot about new Canadians but did report that the rural areas are experiencing growing immigrant populations. These appear from the discussion to be mostly temporary foreign workers (TFWs) who are working in oil industry- related jobs, agriculture or the service industry.

There's a lot of immigrant issues - around employment and being treated fairly. Housing has also been pretty tight and there have been a few cases where people were asked to leave, so landlord and tenant comes in. [07]

Other than identifying employment and housing needs, participants did not separate out new Canadians from other residents when identifying needs and barriers. For instance, they spoke of the need for more available easy-to-read PLEI in print form but did not identify any additional languages for translation. Rather they said that legal literacy (and literacy in general) is a widely-faced barrier and PLEI needs to be created in very basic (Grade 5) English for everyone.

4.2.2 Aboriginal Peoples

There was not any extensive feedback about Aboriginal peoples and this seemed to be due to the fact that most Aboriginal people who live in the District and are experiencing social, health or legal problems live in Hobbema rather than in any of the other communities. Though some of the participants did provide services to residents of Hobbema, the Team also attempt to recruit service providers who lived and worked in Hobbema but were unsuccessful. This Report was circulated to these service providers for review and feedback, however.

Aboriginal peoples were spoken of by the service providers in Wetaskiwin in the context of experiencing violent crimes (as victims and perpetrators) and living in poverty. Social service providers discussed the needs of Aboriginal peoples more than legal service providers did. Their focus was on poverty and the need for support to meet basic needs, such as housing.

We also see a lot of single Moms with one or two children – young, some coming off reserve, some have even five or six children. We have very few subsidized housing units. The only option is to provide housing subsidy, but they need to find actual places to live still. [08]

Participants expressed concern about the violence that residents of Hobbema are facing in day-to-day life. They described gang activity, substance use and trafficking, and physical violence as major problems that need to be addressed in this community. They did not suggest how these challenges should be addressed, but stressed that there really needs to be a change for people living on this Reserve.

4.2.3 People Living with Disabilities and Addictions

Participants did speak of the need for more supports that are directed towards people living with mental illnesses, with the focus being on supports that are offered before individuals experience legal problems.

The service we are least able to provide is for people between 35 and 60 who are single. Many are dealing with mental health issues as well. [08]

The types of needs that participants focused on were largely basic necessities of life, such as shelter and health supports. These are the types of needs that, if properly addressed on a continual basis, could also reduce legal problems for this group.

4.2.4 Domestic Violence

As previously mentioned in this Report, service providers were concerned with the amount of violent crimes in communities such as Hobbema, Wetaskiwin and Leduc. Family violence makes up a large portion of that. Participants reported that there are high rates of assault in general, but expressed particular concern about domestic assaults.

They pointed to substance use and poverty as possible causes, as well as the “small town” attitude that leads people to fight their own battles instead of taking proper legal steps, including using violence as a method of dealing with problems.

The Safer Communities Taskforce was credited with taking steps to address problems that families are facing, in order to deal with or avoid family breakdown and/or violence.

We have a new family violence treatment program under Safe Communities. The idea behind it is that the perpetrators will be getting screening for drug and alcohol issues and will participate in an educational program. Probation is involved, and of course we are too, RCMP, and the Domestic Violence Unit. [06]

4.2.5 Seniors

This Judicial District stands out for the frequent mention of seniors, services aimed at seniors and a recognition that seniors have legal needs. One particularly interesting observation was that providers working with seniors in Camrose are finding that seniors are seeking legal assistance with divorce and separation, in addition to the usual areas of legal need that we identify with seniors.

Real concern was expressed again about the lack of legal knowledge and resulting vulnerability of seniors. Many do not understand the legal implications of not having their personal affairs in order. They observed a failure to first recognize problems as legitimate, and second to understand that they are legal in nature. To add to these barriers, many seniors are as confused by the legal system as the public in general and hesitant to try to figure it out or seek supports. Their lack of comfort with the Internet further limits their access to services that are available online.

In the case of seniors, it is ... the use of Wills or Powers of Attorney. People need to be better educated. Many think that these things will never be necessary. Many just don't understand – there is way too much legalese and they don't understand. [08]

4.2.6 Self-Represented Litigants (SRLs)

Nothing was said about SRLs in this District, in spite of the fact that high poverty and lack of services makes it likely that many litigants are appearing without representation. Service providers did state that people are choosing to plead guilty to criminal charges when they probably should not be and are not seeking support for legal matters that are far too complex for them to hope to resolve on their own. Once again, service providers did not have the advantage of knowing a lot about what people are experiencing aside from the matters they deal directly with.

4.3 Consequences of Not Accessing Legal Services

Service providers reported that lack of education, literacy and poverty are all factors that discourage people in this District from seeking out legal supports. The limited physical access to legal services is an additional barrier. The result is that many people do not recognize legal problems or, even when they do, avoid addressing them.

Service providers were particularly concerned about people not getting proper defence in criminal cases or pleading guilty when they should not be, because they do not understand the justice system and are intimidated. Additionally, people miss out on benefits that they are entitled to and do not receive decisions or child support that they are entitled to in child maintenance cases.

5.0 GAPS AND CHALLENGES IN MEETING LEGAL NEEDS

The gaps in legal services in the Wetaskiwin District are not immediately apparent, because there are a range of organizations and services offered. The remote locations of some services however, and the circuit style in which others are offered, combine to mean that there are actually fewer available services than may initially seem to be the case.

5.1 Gaps in Legal Services

The main gaps that emerged in this District were:

- Inadequate locally accessible legal services,
- Lack of services for new Canadians,
- Lack of services for people with addictions-related legal problems, and
- Lack of awareness and access to PLEI.

5.1.1 Inadequate Local Access to All Types of Legal Services

As has been highlighted throughout this report, there are not necessarily inadequate numbers of legal services that serve this District; the challenge is the limited physical access. Due to the limited number of legal services that are regularly available locally,

social services are absolutely key legal information and referral access points in these small communities. Some appear to be doing an excellent job over a wide range of social needs, but they generally lack information about available PLEI and possible referrals.

The most pressing concern that emerged from the lack of local access to legal services is the resulting **lack of advocacy** for people who are facing criminal charges or child protection cases (especially connected to addictions).

[People need] someone to direct them about what happens when they do get charged. Someone to point them in the right direction. I'd have to go back to the child and family services advocate. That's a really big one. [06]

5.1.2 Services for New Canadians

There is only one service available that specializes in working with new Canadians, and it is located in Edmonton. Although there are not particularly high numbers of new Canadians living in this District (see Section 1.2), the immigrant population is growing. Service providers reported that Wetaskiwin is becoming more and more multicultural.

There is a need for local services that will proactively provide basic legal information to immigrants and non-permanent residents. Currently, unless they live in a larger urban centre first, there is no place where they can go to find help with understanding basic legal needs such as signing leases, obtaining credit, learning about their rights in the workplace, or understanding laws about family violence. Some local service providers do help with these needs as they become aware of them and can offer suggestions or referrals, but there is a need for dedicated services for the immigrant population.

5.1.3 The Absence of Legal Services That Specialize in Addictions

Service providers also reported that substance abuse is an area of concern, which in turn is related to many of the violent crimes that occur. Yet, as can be seen in Section 4.3, there is a lack of services to deal with substance abuse/addictions.

There are also no services that specialize in prevention and awareness of FASD, or working with people who have legal needs and have been diagnosed with FASD. This was identified as a gap in a District where drinking and drug use are a concern.

5.1.4 Lack of Awareness and Access to Public Legal Education and Information (PLEI)

There was certainly a perception among Service Providers that PLEI and general legal service information are lacking and not accessible.

Really a 1-800 number where you could phone and get free legal information¹⁸. Where they could actually talk to someone. If that was available that would be a very good idea. It could be lawyer referral, some basic information, and so on. [06]

There was a call for an online resource that would incorporate the ALSMP database of legal services, with a Clicklaw-style website that has been created in British Columbia to provide access to PLEI resources.

A clearinghouse, not so much of legal advice but of where to go to get legal advice for a specific topic. For example the wrongful dismissal I am dealing with – the person has been on WCB since August 2007. We wanted to know if we could let them go. I went to three places and got three answers. WCB, for example, gave a different answer than Employment Standards. I followed WCB's advice and it turns out I should have followed Employment Standards. I didn't know to call a labour lawyer. Had I had a clearinghouse to look to for this type of problem, I could have seen that as an option. [08]

Service providers did not appear to know about many of the PLEI sources that are available:

**Table 13 –
Services That Offer PLEI by Area of Law**

Areas of Law	PLEI Providers	Topics
Administrative	Alberta Appeals Secretariat Alberta Children and Youth Services Alberta Civil Liberties Research Centre (ACLRC) Alberta Law Libraries Association des juristes d'expression française de l'Alberta Augustana Campus Beaumont Library Calmar Public Library Camrose & District Seniors Information Society Camrose Public Library Devon Public Library Environment	Appeals Civil liberties and human rights Financial benefits (appeals) Forms Legislation Licenses, registration and permits Pensions Social benefits

¹⁸ It should be noted that there is a Lawyer Referral Service line (1-800-661-1095) through which individuals can receive 30 minutes of free legal advice, as well as LAA's Legal Services Centre line (1-800-845-3425).

	<p>Family & Community Support Services (FCSS) Justice and Attorney General Killam Public Library Leduc Public Library Legal Resource Centre of Alberta Ltd. Millet Public Library Native Counselling Services of Alberta Ponoka Jubilee Library Provost Municipal Library Rimbey Municipal Library Seniors and Community Supports Service Alberta Wetaskiwin Public Library Wetaskiwin Seniors Centre Society</p>	
<p>Civil</p>	<p>Alberta Arbitration & Mediation Society Alberta Civil Liberties Research Centre (ACLRC) Alberta Conflict Transformation Society (ACTS) Alberta Health Services Alberta Law Libraries Association des jurists d'expression française de l'Alberta Augustana Campus Beaumont Library Calgary Legal Guidance Calmar Public Library Camrose & District Seniors Information Society Camrose Public Library Central Alberta Community Legal Clinic (CACLC) Central Alberta Women's Outreach Society (CAWOS) Devon Public Library Family & Community Support Services (FCSS) Justice and Attorney General Killam Public Library Leduc Public Library Legal Resource Centre of Alberta Ltd.</p>	<p>Civil liberties and human rights Consumer law Copyright law Court processes Elder abuse Debt Employment Guardianship Homeless rights Income support Income tax Immigration Landlord and tenant rights Legislation Mediation and arbitration Personal directives Persons in care Powers of attorney Real estate law Seniors rights Small claims Trusteeship Wills and estates law</p>

	<p>Millet Public Library Native Counselling Services of Alberta Ponoka Jubilee Library Provincial Court Provost Municipal Library Rimbey Municipal Library Seniors and Community Supports Service Alberta Wetaskiwin Public Library Wetaskiwin Seniors Centre Society</p>	
Criminal	<p>Alberta Children and Youth Services Alberta Conflict Transformation Society (ACTS) Alberta Law Libraries Association des juristes d'expression française de l'Alberta Augustana Campus Beaumont Library Brigantia Place Calgary Legal Guidance Calmar Public Library Camrose Association for Community Living (CAFCL) Camrose Open Door Camrose Public Library Central Alberta Community Legal Clinic (CACLC) Central Alberta Women's Outreach Society (CAWOS) Correctional Services of Canada Devon Public Library Ermineskin Women's Shelter Family & Community Support Services (FCSS) Family Violence Action Society Justice and Attorney General Killam Public Library Leduc Public Library Legal Resource Centre of Alberta Ltd. Millet Public Library Native Counselling Services</p>	<p>Breach of conditions Child abuse Court preparation Drug use and abuse Elder abuse Family violence and abuse Fraud Identity theft Judicial interim release Persons in care (rights) Restorative justice Restraining Orders and Emergency Protection Orders Solicitation Theft, mischief, non-domestic assault Traffic violations Victims and offenders Youth penalties, appeals and reviews Youth records</p>

	<p>of Alberta Ponoka Jubilee Library Provincial Court Provost Municipal Library Rimbey Municipal Library Rise Up Ministries Royal Canadian Mounted Police (RCMP) – K Division Seniors and Community Supports Service Alberta Town of Provost Wetaskiwin Public Library</p>	
Family	<p>Alberta Arbitration & Mediation Society Alberta Children and Youth Services Alberta Conflict Transformation Society (ACTS) Alberta Health Services Alberta Law Libraries Association des juristes d’expression française de l’Alberta Augustana Campus Beaumont Library Brigantia Place Calgary Legal Guidance Calmar Public Library Camrose Open Door Central Alberta Community Legal Clinic (CACLC) Central Alberta Women’s Outreach Society (CAWOS) Devon Public Library Ermineskin Women’s Shelter Family Justice Services Family Violence Action Society Justice and Attorney General Killam Public Library Leduc Public Library Millet Public Library Native Counselling Services of Alberta Provincial Court Provost Municipal Library Rimbey Municipal Library</p>	<p>Appeals Child intervention Child protection and welfare Child support Court preparation Custody and access Family violence Legislation Mediation and arbitration Parenting rights and responsibilities Separation and divorce</p>

	Rise Up Ministries Wetaskiwin Public Library	
--	---	--

Most of these services are physically located outside of the District and their resources can be accessed online or via telephone. Examples include:

- Alberta Civil Liberties Research Centre (ACLRC) – Calgary
- Alberta Conflict Transformation Society (ACTS) – Edmonton
- Calgary Legal Guidance – Calgary
- Central Alberta Community Legal Clinic (CACLC) – Red Deer
- Central Alberta Women’s Outreach Society (CAWOS) – Red Deer
- Association des juristes d’expression française de l’Alberta – Edmonton
- Legal Resource Centre of Alberta Ltd. – Edmonton
- Native Counselling Services of Alberta (NCSA) – Edmonton

Descriptions of the above services can be found in the ALSMP Reports for the Judicial Districts they are physically located in. Services that actually have physical locations within this Judicial District are limited. They include:

- Alberta Law Libraries
- Law Information Center (LInC)

We will provide brief descriptions of each of these services. The Government of Alberta also offers a wide variety of PLEI through its departmental websites. However, these sites can be complex to navigate. For a listing of PLEI that the Team has found on government websites refer to Section 6.1.2 of the Edmonton Judicial District Report (<http://cfcj-fcjc.org/docs/2010/mapping-edmonton-en.pdf>).

The Alberta Law Libraries

Alberta Law Libraries formed in 2009 through the amalgamation of Alberta Court Libraries with Alberta Law Society Libraries. Alberta Law Libraries provide services to the judiciary, members of the Bar, Crown Prosecutors, Justice Department employees, self-represented litigants and the public.

Alberta Law Libraries are located in court houses and provincial buildings throughout the province and are accessible to members of the public in the following communities:

Banff	Fort Saskatchewan	Peace River
Calgary	Grande Prairie	Red Deer
Camrose	High Level	St. Albert
Canmore	High Prairie	St. Paul
Drumheller	Hinton	Sherwood Park
Edmonton	Leduc	Stony Plain
Edson	Lethbridge	Vermilion
Fort McMurray	Medicine Hat	Wetaskiwin

The Libraries exist to help Albertans navigate the legal information landscape. A team of legal information professionals work collaboratively to meet the needs of clients in every region of Alberta. Alberta Law Libraries provide expert legal research services to the judiciary, Crown and Justice employees. Members of the public and self-represented litigants are guided to reliable sources of legal information without being given legal advice. Access to legal research assistance and the Libraries' collections is provided to all Albertans free of charge.

The libraries are actively engaged in educating clients on the effective identification and use of reliable legal information sources, both print and electronic, as well as information on the Canadian justice system. In-person seminars, tours and library orientations are offered regularly and a number of research guides and online tutorials are being made available. Alberta Law Libraries also works with other organizations to provide legal information workshops and presentations to members of the public.

Alberta Law Libraries provide Albertans with access to an impressive array of electronic legal research tools and a vast print collection. When the information needed cannot be supplied by the libraries, they will obtain it on behalf of the client or will refer them to the appropriate agency.

The Alberta Law Libraries were spoken about very favourably by other service providers. The only concern expressed was that members of the public cannot currently sign out materials, so they must complete their reviews of information at the library or copy all the material they may need. However, library staff are currently exploring the possibility of having a selection of resources that are targeted for the public and can actually be loaned out.

More information on Alberta Law Libraries' collections and services can be found on their website at www.lawlibrary.ab.ca.¹⁹

The Law Information Centre (LInC)

Detailed in Section 3.4.4, the LInC's primary objective is to provide PLEI, particularly about civil and criminal legal matters. While staff cannot give legal advice, they can distribute print PLEI and help individuals find online information and legal forms. They can also help individuals understand court processes.

5.2 Challenges in Filling the Gaps

Service providers identified lack of knowledge about existing services as a very serious challenge. However, lack of available legal services, low staffing complements and the resulting lack of time and ability to be proactive prevent professionals from focusing on increasing awareness or collaborations with other complementary legal and related services.

¹⁹ The Alberta Law Libraries website is currently being updated and current information about the services offered was provided for this Report by representatives.

5.2.1 Absence of Networking Opportunities, Resources and Training

Due to the transient nature of many of the services, networking and collaborations are very difficult to achieve. This reduces the opportunity to envisage and develop initiatives. It also maintains a siloed approach to service delivery that prevents collaborations and preventative work. It is very difficult for service providers to build working relationships with each other when so many of them are just “travelling through” the various communities.

5.2.2 Lack of Resources and Training

Due to the fact that so many of these communities are so closely located to larger urban centres that it is expected that people can just travel for services, it is difficult for locally situated service providers to secure funding and resources.

It is also difficult for staff to take advantage of training opportunities because they may be the only person in a particular role, or one of few, and unable to get away. Additionally, many spend a significant portion of their time travelling between communities to provide services.

6.0 IMPROVING LEGAL SERVICE DELIVERY

Despite the challenges faced, service providers are making efforts to address legal needs creatively in this District.

6.1 Good Practices to Build On

The **Wetaskiwin Family Violence Collaboration** was described as a positive initiative through which relevant legal and social service providers keep each other informed and involved, when necessary, regarding community members who are experiencing family violence. The following quote refers to its impact in Killam.

There's a core of businesses and institutions (FCSS and police and so on) that sort of have their eyes open - a core group of people who really care and will reach out to help people. That's obviously great. Part of that might be that there are five churches here, which is a lot for a thousand people. That network is in place as well. [07]

Some service providers are also taking the initiative to try to **help local seniors** become better informed about legal resources and basic legal information.

Putting information out is beginning to come together. Getting the information out to the seniors via newspapers and presentations is happening. [05]

The Team observed that members of the public libraries in this District are eager to get involved and informed, and that libraries seem to be a real port of entry into the legal world for local residents. Public libraries are a starting point for people.

Alberta Law Libraries in this District seem to be just as valuable. The challenges facing them are:

- limited hours of service,
- the necessity for one Library Coordinator to travel between Wetaskiwin and Camrose presently to maintain the Camrose location during the current hiring freeze, and
- the intimidation factor of being located behind security in the court house.

7.0 RECOMMENDATIONS

The Recommendations which follow have been developed from a combination of evidence and analysis have been based on the mapping of services; the perceptions and experiences of service providers; the observations of the Research Team; Service Providers' feedback; and the knowledge of other research and models of successful service delivery.

The five Recommendations are designed to enhance legal service provision in the Wetaskiwin Judicial District.

**Table 14 –
Recommendations for Improving Legal Service Delivery in Wetaskiwin**

Recommendations	Reference Sections of the Report	How to Achieve the Recommendations	Justice Community Partners
Alberta Law Foundation			
1. Facilitate sharing of existing PLEI among legal as well as social and health service providers.	6.1.2	Create a Provincial Coordinator position to manage sharing and identify required PLEI.	LInC and/or the Legal Resource Centre (LRC)

Recommendations	Reference Sections of the Report	How to Achieve the Recommendations	Justice Community Partners
1. Encourage public to engage in legal education.	3.5.3	Create a series of PLEI presentations with brief legal advice to be provided in public libraries.	LRC and/or Alberta Law Libraries
2. Help service providers keep informed about other existing legal services and their mandates.	3.5.1 6.1.2	Provide a user-friendly, well maintained website that offers information about legal and related services.	The Forum (data transfer), LInC, Alberta Libraries, LRC, and/or PBLA
Alberta Justice			
3. Increase access to free legal supports and general information.	3.5.1 6.1.2	Increase LInC hours of operation in Wetaskiwin. Increase formal collaboration between the LInC and ALL to ensure greater accessibility of forms and PLEI to community members.	LInC ALL
Legal Aid Alberta			
4. Increase access LAA.	3.4.1 5.1.1	Increase LAA circuits in Wetaskiwin and/or increase Duty Counsel capacity at local court houses.	

7.0.1 Recommendations for ALF to Consider

The three recommendations that emerged for ALF are basically identical to three of the five that emerged in the Red Deer District. Once again, they center more on increasing communication and awareness among service providers and the public, than on the need for more services.

1. Social, health and community services are absolutely key access points for legal information and referrals in these small communities. They indicated a lack of even basic information about available PLEI or legal service referrals, and a desire to improve this situation.

Some sort of advertising or some way to get the information out to people. I know there are some hotlines you can call, but something that's more put out so that people can access and even know about it in the first place. It's great to have all these programs and hotlines and service centres, but if people don't really know they're there then that doesn't help. [07]

As discussed in Section 5.1.4, there is quality PLEI available to residents in this District but there is a need to establish effective and consistent sharing of existing resources, especially in terms of different languages. As mentioned in the Red Deer Report, the CACLC, for example, has brochures in 10 different languages – these resources should be shared, beginning with the other community clinics. The CAWOS also provides a lot of legal print material in office or online, as well as a Resource Guide (<http://www.womensoutreach.ca/resource.pdf>). The LInCs in Red Deer, Edmonton and, when circuiting to Wetaskiwin, can also provide criminal, civil and (in Red Deer) family information. However, it was not indicated to the Team that many of the service providers in this District know about these resources. The clinics are very busy, so support would need to be provided in order to oversee information-sharing and distribution to appropriate legal as well as social and health service providers.

Service providers indicated an awareness that it is probably not financially feasible to have all key legal services permanently located in even all the larger communities in this District. However, as was suggested in the Red Deer Report, funding could be made available for a provincial PLEI Coordinator position with the task of cataloguing and distributing current PLEI materials, and facilitating collaborative development of PLEI to meet identified gaps. This person(s) could be based out of any of the larger communities in Alberta; perhaps as a position funded through the LInCs, LRC or Law Libraries. It could be this person's task to identify what PLEI would be valuable for existing services based on their clientele, identify what they already have and what they could benefit from having. Most importantly, this person could track updated PLEI as it is produced and ensure that outdated material is replaced and new material is thoroughly circulated.

2. In this District we found that efforts need to be taken to encourage the public to engage in learning about laws and legal processes. As discussed in Section 3.5.3, there is low public awareness and a general apathy about the legal system. The same possible method for providing accessible PLE as we recommended for the Edmonton and Red Deer Districts could also be beneficial in the Wetaskiwin District. That is to facilitate a partnership between the public libraries and the Alberta Law Libraries and/or the Legal Resource Centre, to provide presentations on popular legal topics/needs. Ideally, a volunteer lawyer or law students could attend and provide brief legal advice (ie. 5 minutes per person) to attendees as well. Topics that were identified as priorities include;

- basic preparation for going to court (Section 3.5.3),
- basic human rights (Section 3.5.3 and 4.2.1),
- consumer needs (Section 4.2) such as responsibilities associated with signing telephone contracts or vehicle leases,
- labour laws (Section 4.2),
- landlord and tenant rights and responsibilities (Sections 4.2 and 4.2.1),
- consequences of getting a criminal record (Section 3.5.3 and 4.2),
- domestic violence (Section 4.2.4), and

- sexual assault (Section 4.2.4).

As project partners have identified, these types of public seminars are already being conducted in the province. The challenge – in addition to developing the seminars/presentations – is to ensure public awareness. It is difficult to reach people who are not already in legal crisis as they tend to pay little attention to the justice system and related services. In addition to ensuring widespread notification to legal services about upcoming public seminars, it may be effective for the organizing bodies to add key social and health services to their mailing lists and provide flyers to circulate among staff and post in waiting rooms.

3. In this District, Service Providers again indicated that they do not know what services are available for clients whose needs they cannot fully address. In order to help service providers gain an up-to-date understanding of what other services exist and their mandates (Section 5.1.4), an up-to-date, comprehensive and easily accessible source of service information is needed, to use for referrals. Facilitating the transformation of the ALSMP database to a website and its maintenance would help to address this need.

Basically a better infrastructure for legal information. If there's a website out there with legal information it needs to stay updated. [04]

We recognize that this idea is already being explored by ALF as there are a number of online directories in Alberta already. But one neutral body/organization needs to be identified that is in a position to take a leadership role in creating, housing and maintaining a comprehensive database and the accompanying website.

7.0.2 Recommendations for Alberta Justice to Consider

4. There needs to be more awareness of and exposure to legal information and support in this District. Service Providers are generally aware of the LInCs but access is very limited. There is a LInC office in the Wetaskiwin court house to which staff from Red Deer circuit approximately one day each week. Service providers were not always certain about when the local LInC office was open or what services it provides. They also reported that the hours are too restrictive to allow members of the public who work or live outside of the city to access it. Increasing LInC hours of operation by as little as one additional day per week, would greatly increase accessibility. Another possibility would be to create a formal collaboration between the LInC and Alberta Law Libraries to ensure that members of the public are able to access similar services (such as help finding forms) at ALL when the LInC office is not open, and that they are made aware they can go to either service for such PLEI needs.

The LInC is limited by its location in the court house as to when it can hold hours. However, scheduling public information sessions at the public library (see Recommendation 1) that LInC staff can participate in would help to increase awareness about how LInCs can help serve the community's legal needs.

7.0.3 Recommendations for LAA to Consider

5. Legal Service providers again expressed concerns about the accessibility of LAA (Section 3.4.1). However, in this District there was less focus on the changes that LAA is currently undergoing and more concern about the already limited physical access to LAA offices to attend for information and assessments. The concerns about accessibility begin even before eligibility is determined; when people just need some place to start and to get some direction.

Having better access to free legal aid, or at least an introduction so people can get some of the basics. Where to go and so on. [07]

There were also statements about the need for more lawyers who are locally based to take on LAA certificate cases or provide free basic advice. As previously stated, there is limited awareness in this District about options like telephoning the Legal Services Centres. However, there was a call for increased availability of Duty Counsel in local court houses and or increased LAA circuits to communities throughout this District. For instance, one service provider reported that Drayton Valley is "very active" with a large number of legal matters and resulting needs. This service provider felt that Drayton Valley is often overlooked when organizations are planning service provision. Even in Wetaskiwin there was call for more access to LAA intake and assessment.

8.0 CONCLUSIONS

The responses of service providers in this District illustrated a working environment that is best described as "working in a vacuum". There was some evidence of networking, certainly, but almost every participant stated that they work alone or with few other colleagues, and they do not have a complete understanding of the other services that are available or what they offer.

There was a very "transient" feel about many of the services. Staff spend so much time travelling between communities that they cannot set down roots and become immersed in any one community in order to truly get to know about other services there or focus on increasing their visibility and accessibility to the public. What is needed most in this District, according to what Team members were told by participants, is simply more physical accessibility to services that already exist. The desire is there on the part of service providers and they spoke passionately about their work. But they need more

information and a more complete understanding of the legal landscape in the communities in the Wetaskiwin District. Primarily, funders need to facilitate information-sharing and communication opportunities. Of course, there are additional services that would be beneficial to have access to, but these can come later. The services that are already available need to become known and properly utilized first, and be empowered to do their best to serve the public in this judicial district.

References

- Currie, A. (2006). A national survey of the civil justice problems of low- and moderate-income Canadians: incidence and patterns. *International Journal of the Legal Profession* 13 (3), 217-242.
- Currie, A. (2007). *The legal problems of everyday life: The nature, extent, and consequences of justiciable problems experienced by Canadians*. Ottawa: Justice Canada. http://www.justice.gc.ca/eng/pi/rs/rep-rap/2007/rr07_la1-rr07_a1/rr07_la1.pdf
- Currie, A. (2009). The legal problems of everyday life. In R. L. Sandefur (Ed.), *Sociology of Crime, Law and Deviance, Volume 12* (pp. 1-41). Bingley, UK: Emerald.
- Genn, H. (1999). *Paths to justice: What people think about going to law*. Oxford: Hart Publishing.
- Pleasence, P., Balmer, N., & Buck, A. (2008). The health cost of civil-law problems: Further evidence of links between civil-law problems and morbidity, and the consequential use of health services. *Journal of Empirical Legal Studies*, 5, 351-373.
- Stratton, M. (2006), *Balancing the Scales: Understanding Aboriginal perspectives on civil justice*. Edmonton, AB: Canadian Forum on Civil Justice. <http://cfcj-fcjc.org/publications/cjsp-en.php>
- Stratton, M. (2007). *Alberta self-represented litigants mapping project final report*. Edmonton, AB: Canadian Forum on Civil Justice. <http://cfcj-fcjc.org/publications/mapping-en.php#sr>
- Stratton, M. & Anderson, T. (2008). *Social, economic and health problems associated with a lack of access to the courts*. Edmonton, AB: Canadian Forum on Civil Justice. <http://cfcj-fcjc.org/publications/cjsp-en.php#21>