

**Kinna-aweya Legal Clinic
Board Meeting Report
Coordinator of Legal Services
Sally Colquhoun**

Meeting Date: May 1, 2021

Client Service

We are continuing to strictly limit having clients in the office, and a number of staff are working from home. Most of our staff members have been fortunate to have had their first vaccination for COVID, and so we are allowing those who would prefer to be working in the office to be there. We are complying with all of the public health guidelines, including the number of people per square foot, wearing masks, physically distancing, and frequently sanitizing high-touch surfaces. We have air purifiers in each office.

We are not opening files for Indian Day School Class Action applications as we feel that those matters really require in-person meetings. I have also asked staff to restrict other file openings to automatic casetypes (denial or cancellation of income maintenance benefits and eviction applications).

During the period when we were primarily working from home in the spring and summer we refined our processes for doing file openings electronically, and started using the electronic tickler system. We are still having weekly Zoom meetings to keep in touch and discuss the many issues that come up that need to be dealt with sooner than our half-day staff meetings that are held every six weeks or so.

We still have Landlord and Tenant Board hearings and Social Benefits Tribunal hearings scheduled and are dealing with those on a case-by-case basis in terms of whether the client is able to take part from home. We have helped clients access devices on loan from the library. The LTB will continue to hold hearings and issue eviction orders, although the enforcement of the orders by the Sheriff's office has been suspended unless they are expedited.

There hasn't been any extension of limitation periods in this stay-at-home period and so we have to file internal review requests and appeals in accordance with the relevant limitation periods.

Statistics

Our statistics continue to be lower than usual, largely due to the ongoing restrictions due to the pandemic. We have also had unfilled positions for periods of time and have been training new staff.

Personnel

We were fortunate to be able to hire Molly MacDonald fairly quickly after Claire McDowell left in January. We had interviewed Molly in August when we offered the position to Claire, who had experience working in a legal clinic. Molly has been in private practice for several years, and while she didn't have direct experience in the areas of law that we practice, she has good transferrable skills such as file management and interviewing. She started at the beginning of February and is working out well.

Caycie started her maternity leave two weeks earlier than we had expected. Her baby was born early but is doing well. His name is Harvey Lawrence James Ezack.

We have hired a lawyer with two years' experience to replace Caycie. He is starting on April 26th.

We hosted a placement student from the Aboriginal Community Advocacy course at Confederation College for six weeks in March and April.

Legal Aid Ontario

LAO has released the draft Rules for Entity Service Providers and has asked for feedback until May 20th.

I attended Town Hall meetings about the interim funding agreement and the draft Rules.

Casework

We continue to provide advice and representation to clients dealing with income maintenance and housing issues. We have resolved all the issues with respect to the filed Divisional Court appeal that we filed in December, and the client's tenancy is secure. The appeal has been withdrawn. We started drafting another appeal of an LTB matter late last week but fortunately received a positive response to our request for a review hearing from the LTB so have not had to file an appeal in that case.

I am part of an inter-clinic group responding to the move to only digital hearings in the tribunals that we deal with.

Training

I have been part of the Advisory Committee to the ACLCO to help organize the provincial management training. It will be provided electronically over several days. There will also be caseworker training provided.

The Northern Income Maintenance Study Group meeting included training from the CRO about the new rules for social assistance overpayments.

The TDCP has provided a series of training sessions about housing issues including a session about how to appeal to the Divisional Court.

Our staff were all fortunate to have the opportunity to do reconciliation training through the First Nations University of Canada.

Community Development

1. ACLCO

The ACLCO have provided a detailed analysis of the draft Rules proposed by LAO, making it much easier for clinics to provide feedback individually.

2. Bora Laskin Faculty of Law

I was on the hiring committee for the new Director of the clinic at the law school. We interviewed several candidates in March and the position has been filled.

We were not matched with a student from Bora Laskin for next year's IPC placement. It is unfortunate in some ways but with two new staff lawyers it would have been challenging to provide the necessary supervision.

3. SHIW Project

I have taken over the legal supervision of this project with Claire McDowell's departure. Esma will be reporting directly to the Board about the activity that she has undertaken. She has done several public education sessions.

4. Public Legal Education

I was one of the panelists at a webinar about the new federal income replacement benefits organized by the LSPC.

Other

1. Indian Day School Class Action

We regularly meet with staff from other agencies that are assisting with IDSCA applications, at meetings organized by the Nokiiwin Tribal Council.

2. SCSA

I am one of the northern representatives on this provincial legal clinic committee that works towards systemic solutions for social assistance issues. We have not heard more about the provincial government's plan to close the Social Benefits Tribunal.

We had a meeting with the Social Benefits Tribunal senior management to discuss a number of systemic issues. We are assisting them in their rollout of a secure email document exchange so that we can send medical evidence to the SBT in a secure fashion.

3. Immigration and Refugee Law Clinic

The Multicultural Association's application for funding for a legal clinic to provide advice and assistance with immigration matters has been successful. They hope to have it set up to start providing service in September. I have agreed to sit on their advisory committee. It will be very useful to have somewhere to refer people who have immigration law issues.

4. Other

I attended a number of meetings including the Aboriginal Community Advocacy Advisory Committee, the federal pre-budget hearing organized by our local MPs, the Northern Region Transformation Project Working Group, the Thunder Bay Community Safety and Well-Being community consultation about housing, the Steps to Justice Content Committee, the Northern Clinic Executive Directors, the Access to Justice Collective, and various staff meetings and Board executive meetings.

Respectfully submitted,

Sally Colquhoun,
Coordinator of Legal Services.