

**Kinna-aweya Legal Clinic
Board Meeting Report
Coordinator of Legal Services – Claire Littleton**

Meeting Date: April 29, 2023

Client Service

We have had a full complement of legal staff and have been providing the full array of legal services throughout the District, including travelling to most First Nations and smaller communities. We continue to have many hearings at the Landlord and Tenant Board and at the Social Benefits Tribunal.

We continue to complete many birth certificate applications and income tax returns for clients in District communities. The deadline for the First Nations Drinking Water Class action was extended one year to March 2024, and we remain busy helping clients complete and submit their claims.

We are constantly working on making the most of our physical space, including hiring Ryan Pooman to paint a mural in our entrance area. Ryan is an artist from Fort William First Nation. He designed the mural to highlight the Seven Grandfather Teachings and honour the history and geography of Kinna-aweya Legal Clinic. We are thrilled with the results.

Statistics

Highlights for the period from January 1, 2023 to March 31, 2023:

- We conducted approximately 55 Social Benefits tribunal and 20 Landlord and Tenant Board hearings. Many cases were settled we participated in many early resolution and mediation sessions.
- We also assisted and offered limited representation to many clients at the Landlord and Tenant Board through the Tenant Duty Counsel program.
- We opened 445 summary advice matters, 231 income tax returns, and 140 files.

Personnel

We are very pleased to have hired Sarah Racine in the position of Housing Systems Navigator in the Eviction Prevention Program. Sarah brings a wealth of front-line experience working with clients and community members, most recently at the Ontario Aboriginal HIV and AIDS Strategy. She has taken on her work with the Eviction Prevention Project with competence and enthusiasm.

The administrative support person for the program, Megan Belluz, is currently on parental leave and Jessica Barry has stepped back into this role. We expect Megan to return in June 2023.

Legal Aid Ontario

Legal Aid Ontario granted the Northern Region application for training funding, and we will be holding another in-person training session in Sudbury in May, 2023. We are hopeful that Legal Aid Ontario will continue to fund learning and training for clinics into the future.

Casework

In addition to our regular casework we have started several court applications and appeals. We have filed a Judicial Review Application in the Federal Court regarding a federal COVID relief benefit. We are also working together with the Income Security Advocacy Centre on an appeal of an ODSP denial, which focuses on important questions about access to medical care and other services for people with disabilities.

We continue to work on another Divisional Court appeal of a denial of an appeal by the Social Benefits Tribunal. In that case, our client passed away after the appeal was filed and we have been able to obtain instructions from her husband to proceed with the appeal.

We continue to work with our colleagues across the province to raise concerns about scheduling delays at both the Social Benefits Tribunal and the Landlord and Tenant Board. Our staff members represent northern clinics on both the Steering Committee on Social Assistance and the Legal Clinic Housing Issues Committee, which advocate directly with Tribunals Ontario on important issues such as scheduling delays and access to digital hearings.

We have set up a client interview room and we also meet with clients in the Board room when necessary. Nevertheless, it is not uncommon for there to be more than two hearings being conducted from Kinna-aweya offices at the same time. We have advocated with the tribunals and with Legal Aid Ontario for increased funding to address the costs associated with the downloading of hosting hearings onto clinics.

Many caseworkers have identified an interest in specializing in particular areas of our practice. We will be starting a caseworker specialization pilot project in June 2023. The discussions that we had about the ACLCO staff engagement report highlighted the need for us to make some changes in order to better serve the needs of the community and avoid overworking our staff. We are hopeful that the new model will address both of these goals.

Training

Together with the other 10 northern legal clinics, we have received funding from LAO to host a regional training session at the end of May in Sudbury. Sessions will include a presentation from the ACLCO race equity committee, a mock ODSP hearing, and a session focussed on how to assist and support clients with housing cases on First Nations. The training will be for all legal and support staff, as well as clinic management.

We have identified internally that we need to do more training with legal staff about how to conduct ODSP appeals. There have been many changes at the Social Benefits Tribunal, including many new tribunal members and we want to make sure that we are employing best practices in advocating for our clients. We will be holding internal trainings for legal staff in the near future.

We continue to take advantage of other training opportunities offered by Legal Aid Ontario, the ACLCO, the Advocates' Society, and elsewhere. Several of our staff attended a two part course offered by the Metis Nation of Ontario through Legal Aid Ontario. All of our licensed legal staff completed their Law Society of Ontario training requirements for 2022.

All staff participated in an excellent internal training session about workplace violence and harassment and psychological safety as part of our Strategic Planning weekend.

I have attended three 2-day management courses arranged by Legal Aid Ontario through the American Management Association. These courses have been on the following topics: strategic planning, accounting and finance for non-financial managers, and effectively managing people. I have found some aspects of these courses to be very relevant and helpful, but much of the course material is not relevant to Canada or to non-profits. Legal Aid Ontario has paid a lot of money for clinic managers to access this training and I will be encouraging them to seek out Canadian training opportunities focussed on non-profits in the future.

Community Development/Law Reform/PLE

1. Committees and Community Organizations

Our staff continues to be actively involved with various committees, including the Housing and Homelessness Coalition, Poverty-Free Thunder Bay, the Low Income Energy Network, and the Urban Aboriginal Advisory Committee.

2. SCSA and LCHIC

I am the co-chair of the Provincial Steering Committee on Social Assistance, which is made up of clinic staff from across the province. We

advocate directly with the Ministry of Community and Social Services and with the Tribunal for systemic change that will benefit our clients. The committee is very active and meets regularly via Zoom.

I recently met with the Associate Chair and the Registrar of the Social Benefits Tribunal in order to provide them with orientation to the clinic system and discuss how we can effectively work together, particularly on administrative issues. Together with two colleagues from other clinics, we had a very successful meeting with the Social Benefits Tribunal and plan to have such meetings regularly going forward.

Caycie Soke is the Northern regional representative on the Legal Clinic Housing Issues Committee, which advocates with the Landlord and Tenant Board and directly with the provincial government around housing issues.

3. Reaching out to healthcare professionals

We have started the process of reaching out to doctors, nurse practitioners, and other primary care providers to offer public legal education about how to complete ODSP application forms and other benefits that are available to low-income people.

We have presented to the doctors at the Fort William Clinic and plan to reach out to other family health teams in the coming months. We have also hosted 4 medical students from the Northern Ontario School of Medicine for their first year community placement.

4. Bora Laskin Faculty of Law

Matthew Jollineau has secured funding through the Law Foundation of Ontario to work with us over the summer. He will be doing his IPC placement with us in the fall. David Speiss, will be doing his IPC placement with our office in the winter 2024 term.

5. Thunder Bay Public Library

Claire and Beth met with the new CEO of the library to discuss their future plans for the library and how they can continue to try to meet some of the unique needs of our clients and community.

I look forward to meeting with you all to share more about the work of the clinic and to answer any questions that you might have.

Respectfully submitted,

Claire Littleton,
Coordinator of Legal Services.