

Kinna-aweya Legal Clinic

Overview of Services

Kinna-aweya Legal Clinic provides legal advice and assistance to residents of the District of Thunder Bay, particularly Indigenous people, who need assistance with poverty law issues. We help people get income maintenance benefits and maintain access to housing.

We offer our services at no cost to people with low incomes who meet our financial eligibility guidelines.

The main areas that we deal with are income maintenance – Ontario Works, Ontario Disability Support Program, CPP Disability, Employment Insurance, Canada Child

Benefit – and preventing evictions.

In addition to casework, our staff are involved in community development projects, public legal education workshops, outreach activities, and law reform initiatives.

Our main office is in Thunder Bay and we have full-time branch offices in Geraldton and Marathon with toll-free phone numbers. Armstrong and Whitesand are serviced by a legal worker that travels to the community approximately every two months.

Legal workers travel regularly to various towns and First

Nations communities throughout the District.

We also have a toll-free phone number that can be dialed from anywhere in the District.

Kinna-aweya is an independent, non-profit corporation overseen by an all-Indigenous Board of Directors. We are funded by Legal Aid Ontario.



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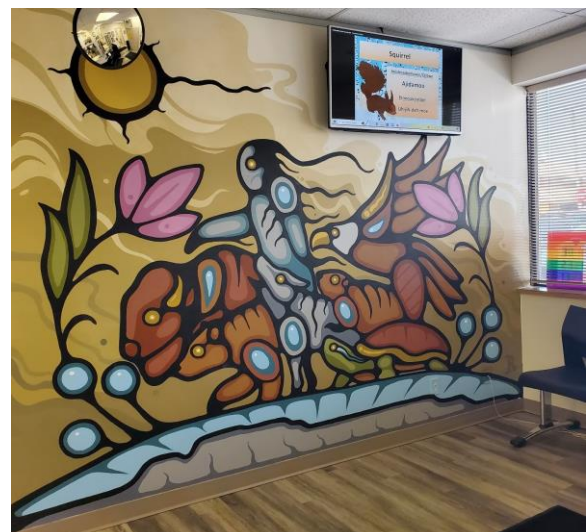
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Mural (Thunder Bay Office)

By Tracey Lawrence

A while back we decided that it would be more warm and welcoming for clients, especially Indigenous clients, who access our services if the client reception area was "spruced up". While we are certainly not begrudging the colour palette choice of the office, we did feel that a mural that incorporated some bright colours would be a nice change. We reached out to the Indigenous artist community with a call for proposals and we were certainly not disappointed by the amazing ideas that were presented to us. If anything, it was extremely difficult to settle on just one selection. We had a democratic selection process and we chose to go with Ryan Pooman, an Ojibwe Painter and Tattoo Artist at Hightide Tattoo Parlour in Thunder Bay, Ontario. Ryan is Bear Clan and a member of Fort William First Nation. His art is inspired by traditional woodland paintings, stories, and his tattooing style, creating digital and painted pieces.

Within this piece, the artist's inspiration came from showing the representation of the connection Indigenous peoples hold to all living beings. The Seven Grandfather teachings carry intergenerational knowledge with teachings that have meaning by guiding both individual and community well-being. It is very important to us at Kinna-aweya Legal Clinic to try to incorporate these teachings in our day to day work and the imagery presented captures the spirit of these teachings beautifully. The mural also contains Nanabijou (The Sleeping Giant), which is viewable from many parts of Thunder Bay, including Kinna-aweya Legal Clinic, where the mural is located. Nanabijou within the mural was placed as a reminder of the teachings, beliefs and connection Indigenous peoples hold to the land. The sun in the mural is representative of Kinna-aweya Legal Clinic's logo.



Indigenous Cultural Coordinator Update



National
Indigenous
Peoples Day

#NIPD2023



By Ann McGuire

Boozhoo, Aaniin, Kinna-aweya!

This year my title changed to a more appropriate name which is really reflective of the work I do at Kinna-aweya part-time. This year I plan to have regular monthly Debwewin Committee meetings, visit our Branch Offices in Geraldton and Marathon, and participate in as much activities as possible to support our brothers and sisters in the community.

On May 5th, Red Dress Day I spoke at the Opening of "Medicines Lines of Womanhood Art Exhibit" by families of MMIWG & 2S with the Ontario Native Women's Association (ONWA) and presented my portrait of my sister Jamie McGuire wearing the "The Cloak of Colonialism". I talked about how the Ontario Metis Aboriginal Association first gave me advice and supported me over 30 years ago in seeking Justice for my sister, the need for women's crisis homes and how far ONWA has advanced in awareness and in supporting families and victims of violence which now includes the 2SLGBTQQIA. On June 21, 2023 I attended activities and celebrations for National Indigenous Peoples Day.

Miiqwech,

Ann McGuire

New Directions Speakers' School



New Directions Speakers' School was founded in 2008 through an initiative of the Thunder Bay & District Injured Workers' Support Group in collaboration with various community partners, including the Lakehead Social Planning Council and the Kinna-aweya Legal Clinic.

The school's main purpose is to develop public speaking and leadership skills and to raise awareness of social justice issues. The school is open to anyone who is an injured worker, living in poverty or facing other economic challenges. The school attempts to address and overcome barriers to participation and promotes an atmosphere of peer support and mutual aid.

This free 14 week course runs twice a year teaching public speaking and leadership skills in an environment of peer support and within the context of education in social justice issues; guest speakers present on issues relating to disability, poverty and unemployment. The training consists of exercises focusing on effective communication, public speaking and group facilitation combined with substantive lectures on social justice issues and other related topics presented by community trainers.

If you would like additional information on New Directions Speakers' School or would like to learn how you can participate or volunteer please email at: speakersschool@gmail.com

Hours of Operation

In Thunder Bay, our regular office hours are Monday to Friday, 9 am to 12 noon, and 1 pm to 5 pm. In July and August, our summer hours are Monday to Friday, 8:30 am to 12 noon, and 1 pm to 4:30 pm.

Intake is available on Monday, Wednesday and Friday. We have limited intake capacity; first come, first served.

In the branch offices, our legal workers travel to various communities. Intake availability varies; however, there are full-time administrative assistants in our branch offices, who can provide assistance and referrals.

Ombudsman Report on the Landlord & Tenant Board

By Claire Littleton

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On May 4, 2023 the Ontario Ombudsman released a long-awaited report about an investigation into delays and case backlogs at the Landlord and Tenant Board. The report, titled "Administrative Justice Delayed, Fairness Denied" addresses the causes of the alarming delays at the Landlord and Tenant Board and makes dozens of recommendations for how the underlying issues should be addressed. Administrative tribunals such as the Landlord and Tenant Board are supposed to provide fast and fair access to justice. Instead, backlogs and delays at the Landlord and Tenant Board mean that scheduling tenant applications can take up to two years. The average scheduling time for all applications is seven to eight months, where cases used to be scheduled for a hearing within a couple of weeks. The Ombudsman received more than 4000 complaints related to the Landlord and Tenant Board in the course of the investigation. Causes of the delays include a shortage of qualified adjudicators, a complex application process, antiquated case management systems, and a lack of available bilingual adjudicators. The Landlord and Tenant Board's digital first approach has not made these problems any better. Tribunals Ontario and the Ministry of the Attorney General have accepted the Ombudsman's recommendations, but time will tell whether the measures they choose to put in place will improve the situation.

Tenant Duty Counsel and Zoom

By Caycie Soke

Our office provides Tenant Duty Counsel assistance for unrepresented tenants at the Landlord and Tenant Board in partnership with the Advocacy Centre for Tenants Ontario. The Tenant Duty Counsel Program is funded by Legal Aid Ontario and provides free summary (or brief) legal advice to tenants. Legal workers from our office appear at all eviction hearings from our region scheduled before the Landlord and Tenant Board to offer legal assistance. Prior to the COVID-19 pandemic, we would attend the Landlord and Tenant Board in person and address all the matters in our region over the course of a day or two. However, post-pandemic, all these hearings have moved to the virtual platform, Zoom. This change has created some scheduling challenges for legal clinics around the province. Most challenging is that hearings are now scheduled sporadically over the course of a month, instead of in concentrated days, which requires more staff time. Despite these challenges, our clinic continues to provide this essential service to those who need it most, while advocating at the provincial level for appropriate changes to the format so we can better serve our clients.

Eviction Prevention Project Update

By Sarah Racine

The Eviction Prevention Project (EPP) continues to work with the Kinna-aweya Legal Clinic team to provide services to clients in obtaining and maintaining sustainable housing. Onboarding for the new Housing Systems Navigator (HSN) Sarah Racine is now complete, and Megan Belluz has returned to her role as Housing Intake Support Worker (HISW). Moving forward the EPP will continue to support clientele, build community capacity and maintain strong relationships within the community and with service providers. With the return of in person forums, we look forward to participating in community events this summer and fall.

Sally's Pantry is a resource established within KALC. This service offers food security, personal hygiene and personal items to clients experiencing hardships. KALC staff along with the EPP program ensure that the shelves remain stocked with food items, household items and personal care items. This well used resource has been a staple in ensuring the health of our most vulnerable clientele. EPP has been able to offer additional resources and support the ever growing needs.

4 COVID Update

Our offices are fully open and we have resumed travel to the communities within our catchment area.

Awenen Niin ID Services

We continue to be an active member of the ID Action Group, a collection of various agencies that work together to improve access to services for obtaining ID.

TBDSSAB/Kinna-aweya Legal Clinic ID Services Partnership

By Matthew Jollineau

Since this past fall, Kinna-aweya Legal Clinic staff have had the opportunity to work closely with the staff at the District of Thunder Bay Social Services Administration Board (TBDSSAB) to build the capacity of TBDSSAB caseworkers to assist their clients with birth certificate applications. This work has gone very well. Through the fall and winter, Matthew Jollineau, Kinna-aweya's ID Service Worker, went to the TBDSSAB office weekly to assist TBDSSAB clients with birth certificate applications, and to help establish a file management system. After some training that was held for TBDSSAB caseworkers – with the help of Rodi-Lynn Rusnick-Kinisky of LUCLS, and Anita Jean of NorWest Community Health Centres – the caseworkers have begun assisting their clients with applications. We feel this partnership will be very successful, and TBDSSAB caseworkers will be able to regularly, and successfully, ensure that their clients obtain birth certificates. As part of this partnership, Kinna-aweya and TBDSSAB held a very successful ID Clinic at the Spence Court residence building, with the assistance of LUCLS, NorWest Community Health Centres, and Roots to Harvest.

Ontario Disability Support Program: Earned Income Changes

By Melanie MacKenzie

Starting February 1, 2023, people on ODSP who have a disability can earn **\$1,000** a month before their ODSP payments go down. This is a change from \$200 a month.

Now, if they earn more than **\$1,000**, their ODSP is reduced by **75%** of the amount they earn over \$1,000. The amount that ODSP takes is called a clawback.

For example, if someone earns \$1,500 in a month, their ODSP payment is reduced by **75% of \$500**. This means that they get **\$375 less** in their ODSP payment.

ODSP payments used to be reduced by 50% of anything over the old income cap of \$200.

The new rules only apply to people with a disability. The old rules still apply to a spouse who is not disabled, and a child who is 18 years of age or older and is **not** in high school or post-secondary school full-time. These people can only earn \$200 before their ODSP payments go down. Their payments are reduced by 50% of anything over \$200.

This change will mean that people will stop being eligible for ODSP after earning **less money** than before. Now, if a single person make **\$2,637.33** in monthly income, they are **no longer eligible** for ODSP or most ODSP related benefits. This is because the clawback reduces their ODSP payment amount to zero.

Comings and Goings

By Beth Ponka

- At our Area Community Meetings held in September 2022, we welcomed back some of our veteran Board members: Andrea O’Nabigon, Cindy Whittington, and Larry Wanakamik all returned to the Board after various periods of time away. Robyn Medicine was re-elected for another term. Theresa Ray, Candace Davies, and Alta Fenton are also on our Board of Directors. Miigwech for your service and commitment to Kinna-aweya Legal Clinic!
- Sally Colquhoun, our Coordinator of Legal Services and staff lawyer for 37 years, retired at the end of December 2022. Sally first started working at the clinic on contract in 1984. Sally has made an incredible contribution to the provincial legal community legal clinic system as well as helping clients in the District of Thunder Bay obtain benefits and maintain their housing for over 37 years.
- Claire Littleton, formerly one of our Staff Lawyers, was hired to replace Sally as the Coordinator of Legal Services. Congratulations, Claire!!
- Jennifer Fenton, a Licensed Paralegal and Community Legal Worker, recently left our office to accept a permanent position with another organization.
- Sarah Racine joined our staff on contract as the Housing Systems Navigator for the Eviction Prevention Project.
- Megan Belluz recently returned as the Housing Intake Support Worker for the Eviction Prevention Project.
- Matthew Jollineau is working as our ID Services Coordinator in a joint project between Kinna-aweya Legal Clinic and Thunder Bay District Social Services Administration Board.
- Molly MacDonald has returned in a permanent capacity as a Staff Lawyer.
- Allister McGillivray, who was working on contract, has left the clinic.
- Crystal Binag and Aundrea Thompson were our Pro Bono Students Canada students for the academic year. They are now finished and will be resuming their studies at the Bora Laskin Faculty of Law in September.

We wish all of our staff, board members, students, and alumni the very best as they follow their path on their life journey!

Sexual Harassment in the Workplace Project Highlights

By Esma Haider

The SHIW project has progressed in many ways over the past few months. We have developed a new website called SHAPE your workplace. This website helps the public learn more about the project and services that legal clinics across Ontario provide in relation to SHIW. It will also help individuals to reach out to specific clinics within their region. A brochure regarding the SHIW project’s updated services is being prepared to hand out to community members and to keep at the front desk. We hope that this will further help clients understand the SHIW project and the services we specifically provide at our clinic.

Further, videos have been prepared which were used for public legal education sessions. The Advisory Committee also met during this time, and we discussed updates on the project and provided feedback on the videos prepared. We continue to provide public legal education services to organizations, youth, and employees and hope to inform vulnerable individuals on their rights within the workplace. Clinics across Ontario are planning ways to wrap up the SHIW project, which is expected to end on March 31, 2024.

Victim Quick Response Program (VQR)

By Chantal Walterson

The CICB was replaced by the Victim Quick Response Program (VQR) on October 1, 2019

The VQR+ is the administrative process that replaced the criminal injuries compensation process and the Financial Assistance for Homicide Victims program. The VQR provides immediate support to victims of crime. Though KALC does not assist clients directly with the VQR callers are often referred to local agencies who administer the program.

When one of our legal staff looked into obtaining information on the VQR program to give to a client in the form of a pamphlet/brochure she couldn't find anything except 1 online link which provided very little information.

The legal staff contacted a service agency who administers the VQR to see if they could provide information on where brochures/pamphlets about the VQR could be obtained. The service agency informed the legal staff that there were no publications available to the general public on the VQR and that the online link she had found was the only information available on the VQR.

Because there was a need for information about the VQR, our legal staff contacted Community Legal Education Ontario <https://www.cleo.on.ca/en> and a formal request was made for the need of a general brochure/pamphlet on the VQR program. CLEO reviewed our staff's request and explanation for the need of this publication and determined that there was a lack of information on the VQR and agreed to produce a brochure/pamphlet on the topic.

The VQR brochure/pamphlet was made available to the general public in February 2023 and can be viewed here: <https://www.cleo.on.ca/wp-content/uploads/vqrp-1.pdf>

Marathon Branch Office Update

By Miriam McCutcheon

We welcome 2023 with a little bit more normalcy. I have finally been able to travel to the surrounding communities that we provide service to on a regular basis. The communities that I travel to include Manitouwadge, Terrace Bay, Biigtigong Nishnaabeg (Pic River First Nation), Netmizaaggamig Nishnaabeg (Pic Mobert First Nation) and Pawgwasheeng (Pays Plat First Nation).

Once again, our office participated in the Volunteer Income Tax Program. This has proven to be a very essential program in our area. Hearings continued for Ontario Disability Support Program denials, Canada Pension Plan Disability denials and Landlord Tenant issues. These hearings all held virtually through Zoom.

In March, we travelled to Thunder Bay to attend our annual Board/Staff Planning Session. It was so nice to be all-together in one room. We also had fun participating in learning how to make our own ribbon skirt. It was nice that we were able to all wear them.

In May, we arranged for Megan Stuckey, Staff Lawyer from the Advocacy North Program to put on a presentation in Netmizaaggamig Nishnaabeg (Pic Mobert First Nation) on 'Wills & The Indian Act' and 'Power of Attorney for Personal Care for Elders and Seniors'. She is hoping to travel back this way in the fall to put on another presentation.

Also in May we travelled to Sudbury for Northern Regional Training. So grateful to be able to participate in these training sessions and it's so nice to see everyone in person again.

Miigwech

Miriam McCutcheon, Community Legal Worker



First Nations Drinking Water Class Action

By Kim Facca

Kinna-aweya Legal Clinic is assisting applicants with their First Nation Drinking Water Class Action claim forms on Friday's. So far, we have helped 55 individuals complete and submit their claims to the claims processor.

Impacted First Nations and Individuals affected by long-term drinking water advisories that lasted for at least one year between November 20, 1995, and June 20, 2021, now have until March 7, 2024 to submit their claim for compensation.

Claims for Individual Damages submitted before March 7, 2023 will be assessed by the Administrator, and eligible payments will be processed. Claims submitted between March 8, 2023, and March 7, 2024, will be assessed, and eligible payments will be processed after March 7, 2024. All claims for Specified Injuries compensation will be processed after March 7, 2024.

To be eligible for compensation, individuals must:

- not have passed away before November 20, 2017;
- be a member of a First Nation; and
- have been impacted by a long-term drinking water advisory (boil water, do not consume or do not use) that lasted at least a year between November 20, 1995, and June 20, 2021.

If born before November 20, 1995, the claimant must have ordinarily resided/lived on an Impacted First Nation during a long-term drinking water advisory that lasted continuously for a year or longer, anytime between November 20, 2013, and June 20, 2021.

If born on or after November 20, 1995, the claimant must have ordinarily resided/lived on an Impacted First Nation during a long-term drinking water advisory that lasted continuously for a year or longer, anytime between November 20, 1995, and June 20, 2021.

Individuals can also apply for Specified Injuries compensation for injuries they experienced while complying with drinking water advisories.

Applicants seeking assistance should contact our office to make an appointment.

Services in the District – Whitesand First Nation and Armstrong

Melanie MacKenzie will be responsible for travelling to Whitesand First Nation to provide services to people in the area. Melanie is a Community Legal Worker and Licenced Paralegal who has worked at Kinna-aweya Legal Clinic as a legal worker since April 2010.

She plans to travel every two months to Whitesand First Nation to provide services. She was there March 7-8 and May 10-11, 2023. Thanks to the Health Centre, she has been able to use an office at the multiplex.

Melanie will be travelling to Whitesand again July 5 and will have office hours July 5 from 1-5 and July 6 from 9-3. If you would like to make an appointment with her, please call our Thunder Bay office at 1-888-373-3309.



8 Canada Child Benefit

The Canada Child Benefit has become a very significant part of low-income families' income. Our clinic has been retained by parents whose benefits are being reviewed by Canada Revenue Agency (CRA).

The CRA requests extensive information and sometimes it can be very difficult and at times costly to get this information. If parents are not able to provide this information, their benefits are cut off. Once this happens, overpayments, often totaling tens of thousands of dollars, are declared against them.

We are able to provide assistance for Canada Child Benefit matters. In addition, the Federal Members of Parliament (MPs) can assist: Patty Hajdu Constituency Office: 3 – 705 Red River Road, 766-2090, toll free at 1-888-266-8004 and Marcus Powlowski Constituency Office: 1 - 905 E. Victoria Ave., 625-1160, toll free at 1-800-667-6186.



Canada

Community Volunteer Income Tax Program

The Community Volunteer Income Tax Program is a partnership between the Canada Revenue Agency and various organizations and volunteers. The program is designed to assist financially eligible people who are unable to prepare their own income tax return. This free program assists people who cannot afford to pay to have their taxes completed and as a result, obtain income they would not otherwise receive. Completing a tax return is needed in order to qualify for many government funded programs, including the Canada Child Benefit, GST, Ontario Trillium Benefit, and the new Climate Action Incentive Payment.

Our Geraldton and Marathon branch offices assist people in their communities who have low income and simple tax situations. In Thunder Bay, clients are referred to the Lakehead Social Planning Council, who have a team of CVITP volunteers who provide this service.

Good Food Box



Kinna-aweya Legal Clinic is a host site for the Good Food Box program in Thunder Bay.

The Good Food Box is a non-profit program for families and individuals who want to purchase quality, fresh, local produce at a lower price than shopping at grocery stores.

You can purchase a box for \$22. Boxes are ordered and paid for by the first Thursday of each month. Food is available for pick up at the legal clinic on the 2nd last Thursday of the month.

This means food is accessible at a time when some have less money available for buying food. There are many other host sites throughout the city, to make it easier for people to pickup their food. To find the host site closest to you, call (807) 345-7819.

To order and pick up a Good Food Box through the legal clinic's office at 86 S. Cumberland Street, please call (807) 344-2478 for more information.

Board of Directors 2022/23

Alta Fenton	President	Thunder Bay
Lawrence Wanakamik	Vice-President	Armstrong
Cindy Whittington	Treasurer	Thunder Bay
Candace Davies	Secretary	Nipigon
Robyn Medicine	Director	Thunder Bay
Andrea O'Nabigon	Director	Geraldton
Theresa Ray	Director	Marathon

Staff Members

Geraldton Office:

Chantal Walterson
Pam Leblanc

Community Legal Worker/Licensed Paralegal
Administrative Assistant

Marathon Office:

Miriam McCutcheon
Brandi DeJonge

Community Legal Worker
Administrative Assistant

Thunder Bay Office:

Jessica Barry
Megan Belluz
Kim Facca
Esma Haider

Administrative Assistant/File Digitization Clerk
Housing Intake Support Worker – Eviction Prevention Project
Community Legal Worker/RSW
Community Legal Worker – Sexual Harassment in the
Workplace Project

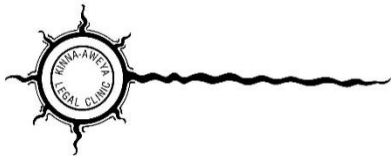
Teri Hofer
Cindy Johnson
Iris Johnson
Matthew Jollineau
Kelly King
Tracey Lawrence
Claire Littleton
Molly MacDonald
Melanie MacKenzie
Ann McGuire
Beth Ponka
Sarah Racine
Caycie Soke

Executive Assistant
Executive Assistant
Librarian
ID Services/MOU Coordinator – TBDSSAB/KINNA ID Project
Receptionist/Administrative Assistant
Community Legal Worker/Licensed Paralegal
Staff Lawyer/Coordinator of Legal Services
Staff Lawyer
Community Legal Worker/Licensed Paralegal
Cultural Coordinator
Director of Administration
Housing Systems Navigator – Eviction Prevention Project
Staff Lawyer



Kinna-aweya Legal Clinic

Main office:
86 S. Cumberland St.
Thunder Bay, ON P7B 2V3
Phone: 807-344-2478
Fax: 807-345-2842
Toll Free: 1-888-373-3309



We're on the Web!

www.kalc.ca

facebook



The clinic's main office is in Thunder Bay and there are two branch offices in Geraldton and Marathon. Each branch office is staffed by a full-time legal worker and a full-time administrative assistant and the legal workers are supervised by lawyers in the Thunder Bay office.

The branch office legal workers have resumed travel to the following First Nation communities: Mobert, Pays Plat, Long Lake 58, Ginoogaming, Aroland, MacDiarmid, and Lake Helen. In addition, they have also resumed travel to the following non-reserve communities: Manitouwadge, Schreiber, Nakina, Jellicoe, Beardmore, and Nipigon.

Geraldton and Area

404 Main Street, Unit A
P.O. Box 1090
Geraldton, ON P0T 1M0
Phone: (807)854-1278
Fax: (807)854-1542
Toll Free: 1-866-875-4952

Marathon and Area

#101 – 52 Peninsula Square
P.O. Box 658
Marathon, ON P0T 2E0
Phone: (807)229-2290
Fax: (807)229-0486
Toll Free: 1-866-389-1477

Important Dates to Remember:

Area Community Meetings are held every year in Armstrong, Geraldton, Marathon, Nipigon, and Thunder Bay. These meetings provide members with an update of the legal clinic's activities over the past year.

This year, the meetings are scheduled as follows:

Marathon:	Monday, September 18, 2023	5:00 p.m.
Geraldton:	Tuesday, September 19, 2023	5:00 p.m.
Nipigon:	Wednesday, September 20, 2023	5:30 p.m.
Thunder Bay:	Friday, September 22, 2023	Noon
Armstrong:	Wednesday, September 27, 2023	6:00 p.m.

The following Board member terms are expiring at these meetings:

Alta Fenton (Thunder Bay), Candace Davies (Nipigon), and Theresa Ray (Marathon).

The Annual General Meeting: Saturday, October 28, 2023, 9:30 a.m.

Thunder Bay, Location TBD

Membership in the legal clinic is open to people 18 years of age and older who reside in the District of Thunder Bay and who are of Indigenous ancestry. Membership application forms will be available at the meeting for new members.