

Mandate and Terms of Reference for the Legal Aid Advisory Committee

Terms of Reference

Updated: July 7, 2017

Mandate

The Committee monitors and advises the Benchers on key matters relating to the state of legal aid in British Columbia. This advisory function supports the Law Society's public interest mandate, and advances the Law Society's Vision for Publicly Funded Legal Aid that the Benchers adopted on March 3, 2017 (the "Vision for Legal Aid"). The Committee advances the recommendations in the report of the Legal Aid Task Force (March 3, 2017), and may explore additional concepts that are consistent with the findings of that report and the Vision for Legal Aid.

Composition

1. Under Rule 1-47, the President may appoint any person as a member of a committee of the Benchers and may terminate the appointment.
2. At least half of the Committee members should be Benchers, and the Chair of the Committee must be a Bencher.

Meeting Practices

1. The Committee operates in a manner that is consistent with the Benchers' Governance Policies.
2. The Committee meets as required.
3. The Committee may invite guests to participate in discussions of topics, or engage in consultations, but the meetings are not "public".
4. Quorum consists of at least half of the members of the Committee. (Rule 1-16(1)).

Accountability

The Committee is accountable to the Benchers. If the Benchers assign specific tasks to the Committee, the Committee is responsible for discharging the work assigned. If a matter arises

that the Committee determines requires immediate attention by the Benchers, the Committee will advise the Executive Committee.

Reporting Requirements

With respect to its general monitoring and advisory function, the Committee provides status reports to the Benchers twice a year.

Duties and Responsibilities

1. The Committee must address the work assigned to the Committee in Recommendation 2 of the report of the Legal Aid Task Force (March 3, 2017):¹
 - a. Assist and advise the Benchers in helping the Law Society realize the vision set out in **Appendix 1**;
 - b. Assist and advise the Benchers concerning how best to advance mandate Items 2-4, with particular consideration of, *inter alia*, the following:
 - i. Developing and/or promoting research into the benefits of legal aid to society and the justice system;
 - ii. Developing and/or promoting the creation of proper data analytics systems within the justice system and legal aid in order to better support analysis of the importance of legal aid in society and the justice system. Such systems should help support not only a business case for properly funded legal aid, but the social justice case as well;
 - iii. Developing and/or promoting the creation of education materials and resources to help lawyers, politicians and the public better understand the importance of a strong legal aid system;
 - iv. Advocating with government and the public for improvements to legal aid in British Columbia;
 - v. Meeting with other stakeholder groups, including lawyers and law firms, to ensure that the Law Society's efforts to champion legal aid occur

¹ The report can be found [here](#). Mandate items 2-4 of the Legal Aid Task Force were: 2) Identify ways the Law Society could promote and improve lawyer involvement in delivering legal services through legal aid plans; 3) Identify ways to enhance Law Society leadership concerning legal aid; and 4) Develop the best methods for engagement with other organizations to coordinate the efficient use of resources in improving publicly funded legal aid.

collaboratively. Consideration should be given to hosting future colloquia to ensure efforts to advance legal aid revitalization continue to progress;

- vi. Working with government, the courts and the profession about ways to reduce the time and cost associated with mega-trials;
 - vii. Working with the courts to determine how active case management might be used to support a more efficient and cost effective litigation system, thereby making legal aid more sustainable;
 - viii. Developing proposals for how to improve the advocacy skills of junior lawyers and facilitate their involvement in undertaking legal aid work to better ensure the current quality of advocacy as well as the future of the legal aid defense Bar;
 - ix. Liaising with the Law Society's Truth and Reconciliation Advisory Committee and the Access to Legal Services Advisory Committee to ensure the Law Society has a consistent approach to improving access to justice for Indigenous Peoples;
 - x. Working with the Law Society's Communications Department and, if necessary, external experts, to ensure social media as well as traditional methods of communication are used to maximize the reach of the Law Society's efforts to educate, inspire and lead on legal aid reform in British Columbia.
2. If the Committee is unable to advance this work, it must advise the Benchers as to the reasons why the work cannot be performed;
 3. The Committee must advise the Benchers about the progress of its work and about any new developments regarding legal aid that the Committee determines are important in order for the Law Society to act in a manner consistent with the Vision for Legal Aid;
 4. Committee members are required to discharge their work in a manner consistent with the Law Society's public interest mandate, as set out in s. 3 of the Legal Profession Act.