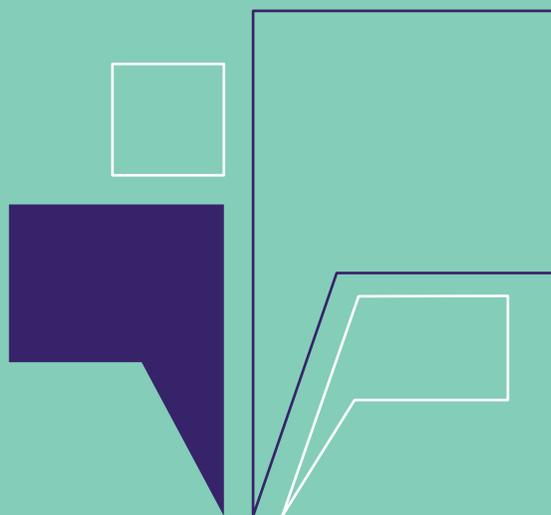


AN EVALUATION OF THE CONNECTING ARTICLING FELLOWSHIP PROGRAM

2017

 **The Law
Foundation
of Ontario**
Advancing access to justice



Report contents

- 3 Introduction
- 3 Evaluation goals and methodology
- 4 What we learned
- 5 Program overview
- 8 Analysis



About The Law Foundation of Ontario

Established by statute in 1974, The Law Foundation of Ontario is the sole foundation in Ontario with the mandate of improving access to justice. Through granting and collaboration, the Foundation invests in knowledge and services that help people understand the law and use it to improve their lives.

Introduction

As part of The Law Foundation of Ontario's commitment to learning and regularly reviewing its funding decisions, the Foundation undertook an evaluation of the Connecting Articling Fellowships (CAF) program. The program places articling students at community legal clinics where the students serve linguistic minorities directly in their own language (other than French) and/or rural and remote communities. We are happy to report that the program had a positive impact on meeting community needs and has provided high quality training to articling students.¹

Evaluation goals and methodology

Our goals in evaluating the CAF program were to understand:

- How have changes to the articling landscape impacted the need for the CAF program?
- How well has the program achieved its intended outcomes? Has it improved access to justice for rural and remote communities? Has it improved access to justice for linguistic minorities? How?
- Is there room for improvement in the program? Could the benefits of the program be achieved more effectively or efficiently?
- Are the benefits of the program sustainable? To what degree did the program build capacity for ongoing results?
- What is the overall assessment of the quality of the program?

The following activities were conducted to gather information for this evaluation:

- Foundation staff met with stakeholders and conducted an environmental scan to understand how the articling landscape has changed since the launch of the CAF program
- Foundation staff reviewed all reports from fellows and host organizations
- The Foundation contracted an external consultant to:
 - Interview students who participated in the CAF
 - Interview the executive directors of clinics who hosted fellowships²
 - Report on the current location of past fellows and the nature of their practice, including whether they remained in the community in which they articulated and whether they continue to serve rural and remote communities or linguistic minorities as part of their practice

¹ This program began in 2009 and will end in 2019. While the Foundation funding of this particular program ends in 2019, the Foundation will continue its work to help those who experience barriers to access to justice, including linguistic minorities and rural and remote residents of Ontario. For a full list range of grants made in support our vision of 'putting people at the heart of justice', please visit: <http://www.lawfoundation.on.ca/what-we-do/grants-made/>. For information about our continuing support of the Connecting Project, an innovative suite of programs aimed at improving access to legal information and services for linguistic minorities and people who live in rural or remote areas, please see: <http://www.lawfoundation.on.ca/what-we-do/the-connecting-project/>.

² We thank the host organizations and in particular the following clinic executive directors, who gave very generously of their time to help with this evaluation and have provided leadership and support to the fellows during this program: Grace Alcaide Janicas, Dennis Bailey, Ronald Cronkhite, Shannon Down, Avvy Go, Michael Hefferon, Shalini Konanur, Paul Lantz, and Michele Leering.

What we learned

- The CAF program increased the number of legal services available to linguistic minorities and rural/remote populations and, in particular, increased the services provided in areas of law that are relevant to the low-income population
- First language services and culturally competent services improve the quality of the service for clients
- Articling students received excellent training through the CAF program that included progressive responsibility for files supported by training and mentoring
- The host organizations were strong community partners and provided high quality supervision and training
- The 10-month placement period and turnover of students without any period of crossover in some locations produced challenges for outreach to and building relationships with linguistic communities
- Forty-four percent of fellows who were placed in rural or remote areas continued to practice in these areas after the fellowship ended
- Students who were given the opportunity to provide services in a language other than English or French further developed their ability to deliver legal services in that language over the course of the fellowship

Program overview

The *Connecting Report* recommended the establishment of the CAF program based on the belief that “people should receive legal information and services in their first language wherever possible” and that “clients in rural and remote areas should have, where possible, direct access to legal practitioners”.³ The CAF program aimed to increase access to justice for linguistic minorities and rural/remote populations by placing articling students in clinics and legal aid offices across the province.

The Foundation issued its first call for applications to host a CAF in 2009. Eleven organizations were approved to host CAFs. The first fellows started in the 2010-11 articling year. It was anticipated that articling students would:

- Increase the number of high quality legal services provided to low-income linguistic minorities and rural/remote populations
- Create opportunities for poverty law service providers to conduct outreach and make connections to linguistic client groups and rural/remote client groups with unmet legal needs

While the number of articling fellowships and host organizations changed over the years,⁴ there are currently six community legal clinics that host one CAF each:

- Algoma Community Legal Clinic in Sault Ste. Marie
- Community Advocacy & Legal Centre (CALC) in Belleville
- Keewaytinok Native Legal Services in Moosonee
- Metro Toronto Chinese & Southeast Asian Legal Clinic (MTCSALC) in Toronto
- South Asian Legal Clinic of Ontario (SALCO) in Toronto
- The Legal Clinic in Perth

There have been, effectively, four types of CAF placements:

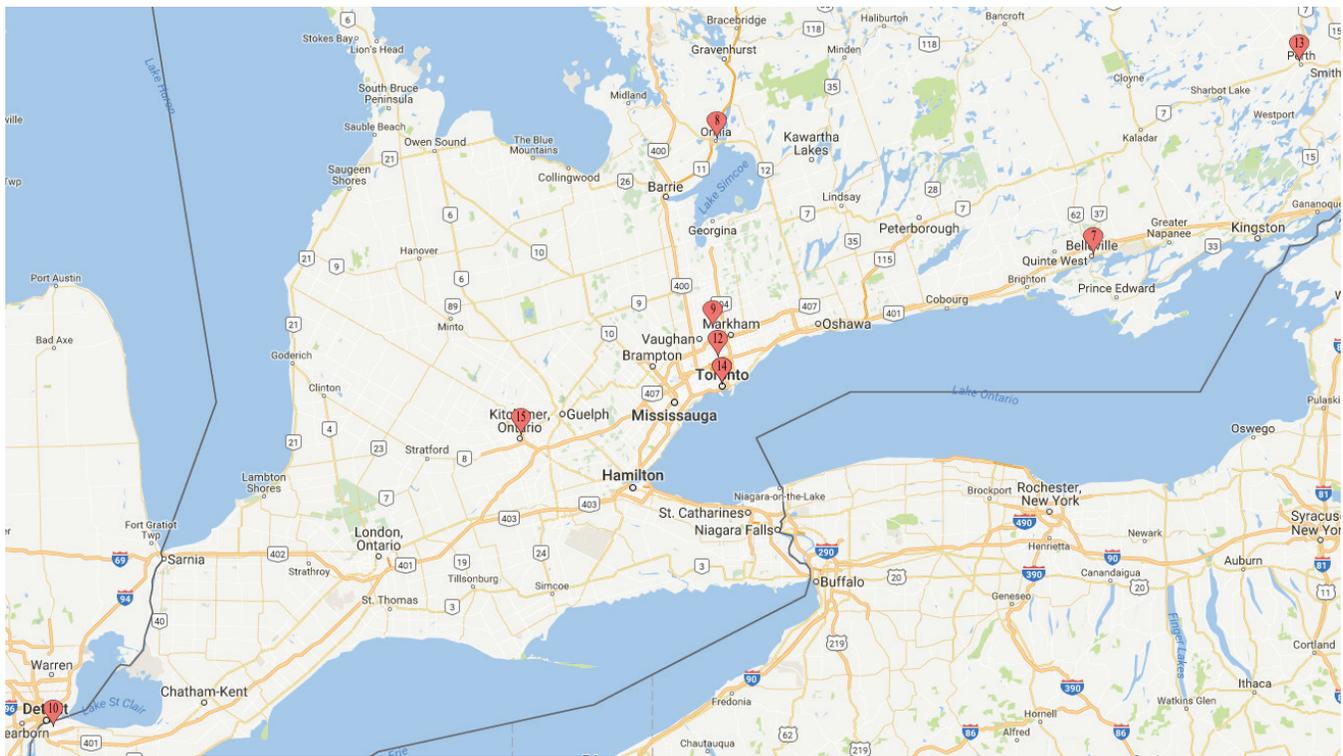
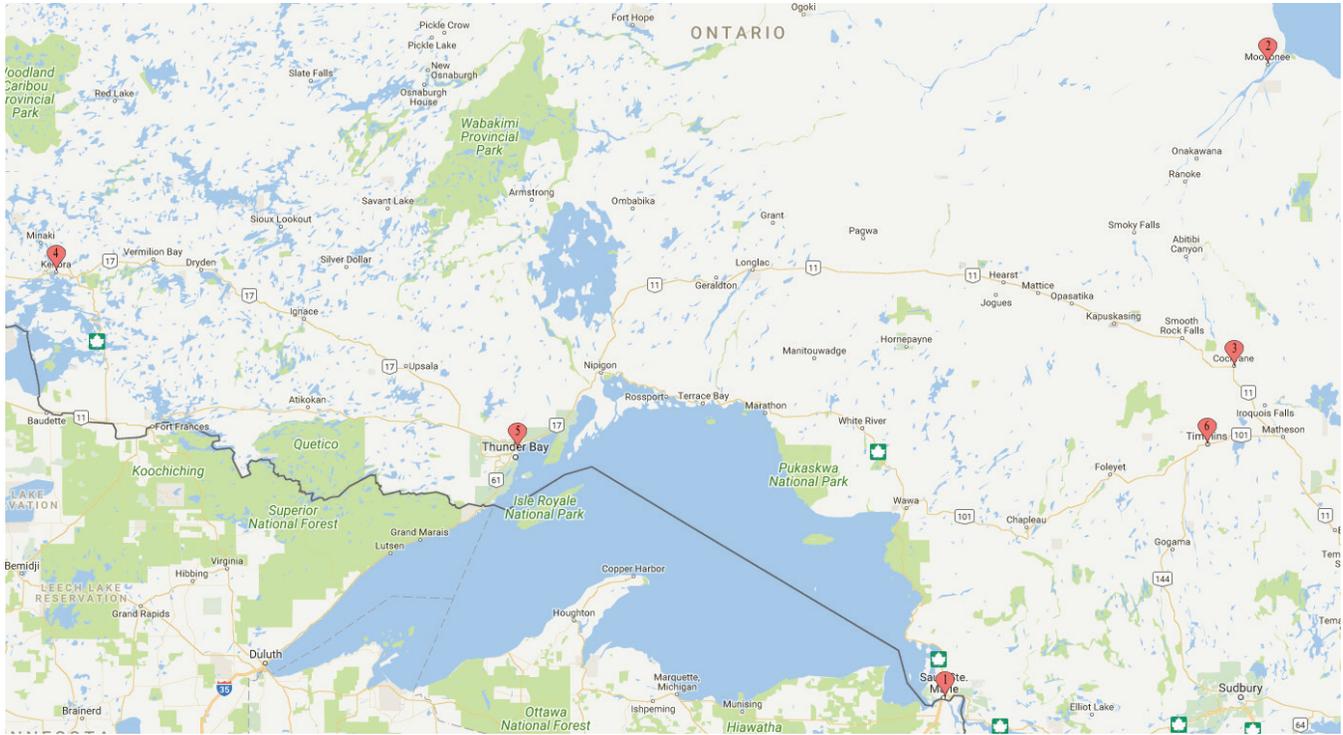
- Rural and remote clinics
- Rural and remote clinics serving a linguistic minority
- Urban clinics focused on serving linguistic minorities
- Urban clinics that serve all community members and seek to improve service to a linguistic minority community through the CAF

³ Karen Cohl and George Thomson, “Connecting Across Language and Distance”, online: <http://www.lawfoundation.on.ca/wp-content/uploads/The-Connecting-Report.pdf> (accessed December 15, 2016) at page 81 [the “Connecting Report”].

⁴ The following is a complete list of the organization that have hosted a CAF: Algoma Community Legal Clinic; Community Advocacy & Legal Centre; Community Legal Clinic - Simcoe, Haliburton, Kawartha Lakes; Community Legal Clinic of York Region; Keewaytinok Native Legal Services; Legal Aid Ontario; Metro Toronto Chinese and Southeast Asian Legal Clinic; South Asian Legal Clinic of Ontario; The Legal Clinic; Toronto Workers’ Health & Safety Legal Clinic; and Waterloo Region Community Legal Services.

Annually, the Foundation spends approximately \$0.35M on the CAF program. The total invested as of April 2017 is just over \$3.4M for 67 fellowships. Forty-nine fellowships have been completed and six fellowships are in progress. Twelve further fellowships have been approved: six will begin in 2017 and six will begin in 2018. The program will end in 2019.

CAF host organizations



- | | | |
|--------------------------------------|--|---|
| 1. Algoma Community Legal Clinic | 8. Community Legal Clinic – Simcoe, Haliburton, Kawartha Lakes | 12. South Asian Legal Clinic of Ontario |
| 2. Keewatinok Native Legal Services | 9. Community Legal Clinic of York Region | 13. The Legal Clinic |
| 3. Legal Aid Ontario – Cochrane | 10. Legal Aid Ontario – Windsor-Essex Bilingual Legal Clinic | 14. Toronto Workers’ Health & Safety Legal Clinic |
| 4. Legal Aid Ontario – Kenora | 11. Metro Toronto Chinese and Southeast Asian Legal Clinic | 15. Waterloo Region Community Legal Services |
| 5. Legal Aid Ontario – Thunder Bay | | |
| 6. Legal Aid Ontario – Timmins | | |
| 7. Community Advocacy & Legal Centre | | |

Analysis

1. How have changes to the articling landscape impacted the need for this program?

As part of this evaluation, staff met with knowledgeable individuals to discuss changes to the articling landscape, trends in the availability of legal services in different languages and places across the province, and legal needs.⁵

Some aspects of the articling landscape have not changed since the CAF program was launched:

- The demand for articling placements continues to exceed the available placements. Multiple stakeholders reported that clinics are routinely approached by students who are willing to take unpaid articling placements. The available articling positions remain concentrated around urban centres.
- There continues to be discussions about articling and licensing generally.
- There continues to be concern about the “greying of the bar”, particularly in some rural and remote areas of the province.
- The articling program in Ontario’s community legal clinics continues. The clinics participate in a lottery process to determine which will receive one of four articling students funded by LAO. Some clinics have taken advantage of the Law Practice Program (LPP) and others have secured funding through other programs to hire summer and articling students.

There have also been significant changes to the articling landscape in Ontario:

- The LPP was introduced at Ryerson University. This program replaces articling for the students who participate in it. Students are engaged in a blended (online and in-person) training program in the fall and then complete a four-month placement. About 50% of LPP students completed law school outside of Canada. The LPP reports that, in the first two years of the program, the LPP attracted students who were fluent in 57 languages including Arabic, Cantonese, Chinese, Farsi, Mandarin, Persian, Portuguese, Spanish, Tamil, Urdu, and Vietnamese. More than 440 work placements were set up in the first two years of the LPP, 70% of which were paid. Students are placed with small and large employers across all legal sectors. The LSUC decided the program would continue for at least two more years (until the 2018 – 19 licensing year).
- The Bora Laskin Law School at Lakehead University opened. This law school, located in Thunder Bay, aims to attract Indigenous students and students from rural and remote communities to the practice of law. Experiential learning is incorporated into the program and students do not need to article after graduating in order to practice. They complete a four-month/15-week practice placement during their final year of law school. Lakehead’s law school is seeing results with respect to graduates working in northern and/or smaller communities: “54% of our first graduating class [are] working as lawyers across northern Ontario: Dryden, Sudbury, Thunder Bay, Kapuskasing, and Sault Ste. Marie. Another 10% are practicing in small towns:

⁵ We thank the following people, who generously gave of their time to meet with us: Lenny Abramowicz, Renatta Austin, André Bacchus, Faisal Bhabha, Julie Banting, Trudy McCormack, David McKillop, Diana Miles, Sandra Nishikawa, Cory Philipzk-Sambrano, Steven Starbuck, and Cheri Tredree.

Bracebridge, Brantford, Brockville, Owen Sound, and Sarnia”.⁶

- There has been an increase in foreign-trained lawyers becoming licensed – from 40 to 50 per year in the early 2000s to more than 650 per year now. One stakeholder estimates that 65% of those are foreign-born and 35% are Canadian-born. It is unclear what percentage of foreign-trained lawyers speak languages other than English and French.
- The University of Toronto program to assist foreign-trained lawyers with accreditation was discontinued in 2013. Also, in 2013, Osgoode Hall Law School launched a new program with courses that are preapproved by the NCA committee. The Canadian Common Law LLM program provides students with accreditation and an LLM.⁷ The program began with approximately 50 students and now has more than 100 graduates each year.
- LAO expanded its articling program. LAO also hires summer students and offers placements to LPP students and students at Lakehead’s Faculty of Law.
- LAO launched a new translation and interpretation service for the clinics, which makes primarily phone-based translation and interpretation services available to clinics and their clients.

Overall, changes have been made that should improve access to justice for rural and remote populations and linguistic minorities. However, stakeholders consistently report that access to justice for these groups remains a challenge.

Changes to the population

The *Connecting Report* relied on StatsCan information from the 2006 census. Since the report was released, the 2011 census information has been made public and several reports analysing the data have been released. The 2011 data⁸ reveals some interesting facts about linguistic minorities in Canada:

- More than 200 languages were reported as a home language or mother tongue.
- 6.8M persons reported a mother tongue other than English or French and 4.2M reported speaking a language other than English or French most often at home. The proportion of the population who reported speaking a language other than English or French most often at home went from 11.9% to 12.6%.
- 80% of the population who reported speaking a language other than English, French, or an Indigenous language (collectively referred to by StatsCan as “immigrant languages”) most often at home lived in one of Canada’s six largest census metropolitan areas (which include Toronto and Ottawa). Roughly 1.8M people who speak an immigrant language at home live in the GTA. One third of those people spoke Cantonese, Punjabi, Chinese (not otherwise specified), Urdu, and Tamil. In Ottawa, the languages spoken most often among those who speak an immigrant language at home are Arabic, Spanish, Chinese (not otherwise specified), Mandarin, Somali, Persian (Farsi), and Vietnamese. In Toronto, the use of English only at home shows a “steady decline” from 62.5% in 2001 to 55% in 2011.
- The number of persons speaking Tagalog, a Philippine-based language, at home increased the most (+64% between 2006 and 2011).

⁶ Bora Laskin Faculty of Law, “Practice placements”, online: https://www.lakeheadu.ca/academics/departments/law/practice_placements (accessed April 27, 2017).

⁷ Osgoode Hall Professional Development, “Canadian Common Law”, online: <http://www.osgoodepd.ca/graduate-programs-and-courses/specializations/canadian-common-law/> (accessed April 27, 2017).

⁸ Stats Can, “Linguistic Characteristics of Canadians: Language, 2011 Census of Population,” online: <http://www12.statcan.gc.ca/census-recensement/2011/as-sa/98-314-x/98-314-x2011001-eng.cfm> (accessed December 15, 2016).

- Seven other language groups saw their numbers grow by more than 30%: Mandarin (+51%), Arabic (+47%), Hindi (+44%), Creole (+42%), Bengali (+40%), Persian (+33%), and Spanish (+32%). The population reporting one of these seven languages as their main home language numbered more than 1.1M in 2011 as compared to more than 810,000 in 2008.
- The number of people who spoke Italian, Polish, and Greek most often at home decreased in the same period.
- There was also significant growth in the population speaking Urdu, Russian, Gujarati, Punjabi, and Tamil.

Connecting Articling Fellows who were hired for their language capacity spoke the following languages:

- Cantonese
- Dari
- Farsi
- Hindi
- Mandarin
- Pashto
- Punjabi
- Spanish
- Tamil
- Urdu

2. How well did the program achieve its intended outcomes? Has it improved access to justice for rural and remote communities? Has it improved access to justice for linguistic minorities? How?

From the review of the CAF reports since the inception of the program, it is clear that the program has, to some degree, expanded access to justice for rural and remote communities, as well as for linguistic minorities. More specifically, the program has had the following benefits:

- Increased the number of legal services available to linguistic minorities and rural/remote populations
- Contributed to the quality of service
- Increased services in relevant areas of law
- Increased the number and type of outreach activities that clinics can undertake

Number of legal services available

The primary goal of the CAF program was to increase the number of high quality legal services provided to low-income linguistic minorities and rural or remote populations. Fellows have provided a range of services from summary legal advice to full representation to clients in rural and remote locations and to clients who speak a language other than English or French. Fellows do a variety of types of work, including file work, research, interviews, interpretation and translation, and community outreach.

The Foundation receives limited quantitative information about the CAFs and is unable to comprehensively ascertain the number of services provided by fellows. Former fellows reported that between 50% and 80% of their time was spent serving clients. The remaining time was split between outreach and training activities. When asked, the executive directors of the rural clinics said that the fellows contribute significantly to their ability to serve residents of rural and remote communities (average score 4.8 out of 5). Executive directors of clinics who sought to introduce a new linguistic capacity through the CAF rated the fellow's impact on improving the clinic's ability to serve linguistic minorities as 3 to 4 out of 5.

Stakeholders, former fellows, and clinic executive directors agreed that articling students require a period of training and development before they can begin to carry cases and deliver a meaningful number of services. (This development, of course, is an important part of the articling experience.) Initially, some CAFs were split between multiple organizations with the result that students spent approximately three months with each host organization. Where the placements were three to four months in length, it was unclear whether they were able to contribute to an overall increase in services. In the more typical 10-month placements, there was consensus that the students were increasing service levels. Former fellows report that between 10% and 30% of their fellowship was spent training and getting up to speed.

Fellows frequently staff satellite offices, conducting intake and providing advice services. Alternatively, fellows deliver services that would otherwise be delivered by lawyers, freeing up lawyers to travel to satellite offices. This expands the reach of clinics and allows clinics to deliver more face-to-face legal services. One clinic executive director reported that the uptake at satellite offices, which were located in community service agencies, was fairly quick and worked well.

In clinics that have established relationships with linguistic minority clients, fellows deliver services to linguistic minorities the majority of their time. By contrast, where a student was placed in a clinic that did not have an established connection to a linguistic population, it could take months before a significant proportion of the student's time was spent serving members of the linguistic community.

The clinics that did not previously have capacity to serve the target community in their language estimated that students spent 30% to 70% of their time serving the target community and reported an increase of 40% to 51% in demand for services from the target community during the CAF.

To the extent that the purpose of the CAF is to increase the number of services to linguistic minorities, placing students in clinics with existing connections to the target community resulted in students providing more services to clients from the linguistic community. In general service clinics, there was not always enough work from the target community to occupy the CAF full time. Further, the process of directing community members to the fellow as opposed to another staff member complicated the intake process at times.

Quality of service

The recommendation to establish the CAF program was based on the belief that “people should receive legal information and services in their first language wherever possible” and that “clients in rural and remote areas should have, where possible, direct access to legal practitioners”.⁹

While clinics now have access to phone-based interpretation and translation services through LAO, they report that there is additional benefit to having a service provider who speaks the client’s language. Clients are sometimes more forthcoming with service providers who share their language and cultural background. Fellows were able to help other staff conduct interviews and translate information. Reports indicated that this contributed to the high quality of the services that clinics were able to provide.

When asked, clinic executive directors who aimed to improve service to linguistic minorities stated that it was very important (5 of 5) to serve clients in their own language. One executive director qualified that statement by saying that the importance varied from one community to another.

Clinic executive directors emphasized the benefit of culturally appropriate services. Some reported that clients who spoke a particular language were more willing to seek assistance from a clinic once they learned that there was a service provider who spoke their language. Having culturally relevant services available in the client’s language was seen to be particularly important when discussing difficult or intimate subjects, including mental illness, domestic violence, and disability.

Some clinics found it challenging to oversee work done in a language that none of the supervising lawyers spoke. Students would sometimes translate what they had written to get feedback from supervising lawyers.

Areas of law covered

In 2008, the *Connecting Report* highlighted the particular legal needs of linguistic minorities and those living in rural and remote communities. More recently, the *Listening to Ontarians* report, part of the Ontario Civil Legal Needs Project, looked at the legal problems most commonly reported by low and middle-income Ontarians.¹⁰ *Listening to Ontarians* also confirmed that members of rural and remote communities, as well as linguistic minorities, tend to experience more barriers to accessing civil justice.

The final reports from host organizations reveal that an area not regularly addressed is health care and mental health. Many of the CAFs participated in the establishment of relations with health care providers, but few of them provided services relating to mental health law. Nonetheless, as LAO estimates that 50% of clinic clients face mental health and addiction challenges,¹¹ a substantial portion of services were likely delivered to clients with mental illnesses and may have involved mental health issues.

⁹ Connecting Report at page 81.

¹⁰ Report of the Ontario Civil Legal Needs Project (May 2010) online http://www.lsuc.on.ca/media/may3110_oclnreport_final.pdf particularly at pages 20-21.

¹¹ The Mental Health Strategy for Legal Aid Ontario, online <http://beta.legalaid.on.ca/strategic/wp-content/uploads/sites/4/2016/03/MHS-Final-EN.pdf> at page 9.

In addition to client services, students also contributed to project work. CAFs were involved in projects focused on: outreach to forestry workers and migrant workers; PLE and law reform initiatives to address government cuts to social assistance benefits; a Living Wage project; advocacy to support a national housing strategy; the Colour of Poverty campaign; and the Race Report Card.

The chart below shows the overlap between areas of need identified in the *Connecting Report* and the *Listening to Ontarians Report* and the areas in which CAFs provide service to their communities.

Connecting Report	Listening to Ontarians Report	CAFs service
Consumer	X	X
Criminal justice	X	X
Employment	X	X
Family and child protection	X	X
Health care and mental health		
Housing	X (and real estate)	X
Human rights	X (disability in particular)	X
Immigration and refugee	X	X
Income support	X	X
	Wills and powers of attorney	X
	Personal injury	
	Money and debt	X
	Neighbourhood problems/property damage	
	Traffic and speeding violations	
	Small or personal business issues	
		First Nations governance

Increased the number and range of outreach activities that clinics can undertake

Many CAFs conduct outreach, build relationships with trusted intermediaries, and run public legal education sessions in a range of settings. Former fellows consistently estimated that they spent about 20% of their time on outreach.

Outreach, particularly to an underserved community, requires building trust. Clinic executive directors stated that having a fellow who spoke the language of the target community helped build that trust. However, many clinics reported that it was challenging to build outreach strategies around fellows who stayed at the clinic for only 10 months. It was difficult to ensure that the fellow’s knowledge of the community was transferred to someone else within the clinic or to the next fellow, especially when there was no crossover between fellows. One clinic executive director reported that “no institutional memory” was developed about the outreach efforts and target communities. That director suggested that having someone who was engaged in outreach efforts over a longer period could be more effective.

3. Is there room for improvement in the program? Could the benefits of the program be achieved more effectively or efficiently?

Overall, if the goal is to increase the target populations' access to legal services by providing more legal services and by funding outreach efforts to connect populations to legal clinics, there are some challenges associated with the use of articling students.

First, students require a significant amount of training and support. The early weeks of their fellowships are spent learning processes and being trained. Many clinic executive directors and stakeholders estimated that the first two to three months of articling are largely taken up with training. Students report spending a fair bit of time on administrative tasks, particularly in the early portion of their placements.

While they work up to carrying a full caseload, it was consistently reported that the caseload was lower than what would be carried by a staff lawyer. Students consistently report being given progressive responsibility for cases and appropriate training, supervision and professional development support, and it does not appear that the training could be done more efficiently. Students reported speaking to clients daily, being responsible for the carriage of files, and helping clients with their problems from intake to hearing.

Second, beyond the training period, students are taking on work, including outreach, translation, and intake, that may not always require legal skills and training.

Third, in rural and remote settings, practice involves considerable amounts of travel time.

Fourth, it was mentioned by several people consulted as part of this evaluation, that outreach efforts and efforts to build relationships between target communities and clinics would be more effective if supports were provided, including funds to support the translation of outreach materials and evaluation tools like client satisfaction surveys.

Fifth, language skills are not the only skills needed. At least two clinics highlighted the importance of cultural competency.

Ultimately, the two goals – to increase the number of high quality legal services available to linguistic minorities and rural/remote populations and to increase the number and type of outreach activities that clinics can undertake – are in tension. Articling students may in fact be an appropriate compromise. They are higher cost service providers than Community Legal Workers (CLWs) but lower cost than lawyers. They can both provide service and conduct outreach.

4. Are the benefits of the program sustainable? To what degree did the program build capacity for ongoing results?

Generally, former fellows were interested in social justice work before they started the fellowship. There is no indication that the CAF attracted people to social justice work who were not already so inclined. The program may have introduced some students to the possibility of a career in the clinic or legal aid system.

As discussed earlier, the fellowships increase service levels during the term of the fellowship. The benefits of the program could be more sustained if:

- Students stayed in rural and remote areas and filled gaps in service in those areas
- A relationship is established and maintained between a clinic and a linguistic group that did not previously approach the clinic for needed services
- Fellows developed language skills that supported their ability to continue to deliver first language legal services to linguistic minorities as lawyers

Did the students stay in rural and remote areas?

A report commissioned by the Canadian Bar Association (CBA) surveyed lawyers living in rural, northern, and isolated communities. They identified “advantages which attract them to live and practice” in the communities they serve.¹² Lawyers reported several reasons they lived and worked in rural, northern, and isolated communities:

- It was their hometown/where they were born and raised
- Lifestyle advantages associated with small town living
- More professional opportunities available (e.g. less competition, better income/benefits, increased variety of interesting work)¹³

Interestingly, one stakeholder cited the same kinds of factors – where students are from and wanting a particular lifestyle – as the reasons why some students are committed to finding jobs in Toronto and Ottawa and are not open to placements in rural areas. Another stakeholder suggested that the best way to find students who would stay in the north was to hire students with pre-existing ties to the community being served.

Of the 18 students who have completed CAFs in rural and remote areas, 8 (or 44%) remain in practice in rural and remote areas. Many students clearly express a willingness to stay in a rural or remote area. Fifty percent of Keewaytinok’s articling students have remained in the north and a number of students stayed on at the clinic at which they articulated.

¹² Vision Research on behalf of CBA, “Summary Report: Survey of Members in Rural, Remote and Isolated Communities”, online: https://www.cba.org/CBAMediaLibrary/cba_na/PDFs/CBA%20Wellness%20PDFs/Ipac-communitysurvey2013-e.pdf at page 2 [“Rural Survey”] (accessed May 1, 2017).

¹³ Rural Survey online

Six clinics have hired back a total of eight former fellows. Additionally, at least one former fellow went on to work at another clinic. The CAF program helped to identify and connect lawyers to the clinic system at a pivotal moment when they are just starting their legal careers.

Did the clinics sustain the relationships built with underserved communities?

Clinic executive directors universally reported that the CAF improved the clinics' ability to serve clients. Seven of nine executive directors interviewed reported that the CAF improved their knowledge of the target community, and eight of nine said that the CAF improved their outreach to the target community. However, only three indicated that the CAF changed the composition of the clinic's client base. Importantly, the two clinics that were introducing a new linguistic capability through the CAF reported that the CAF improved their ability to serve clients from the target community. However, neither thought that the CAF changed the composition of the clinic's client base.

One important benefit of the CAF was that the other clinic staff improved their understanding of the target community. Placing a CAF in a clinic sometimes improved the cultural competency of the clinic as a whole as the fellow was able to explain barriers and bridge cultural divides between clients and lawyers.

One clinic executive director reported that having the CAF "opened their eyes" to the importance of delivering services in a client's language and now hires for language skills.

Did fellows develop language skills that better prepared them to deliver first language legal services to linguistic minorities?

The clinics took steps to ensure that fellows' language skills were at the appropriate level. Where the clinic did not have the capacity within its own staff to assess a fellows' language skills, they took steps, including recruiting community members who spoke the language, to participate in interviews. Even though the fellows had language capacity at the outset of the fellowship, there was a benefit to the fellows to delivering legal services in a language other than English or French: students were able to develop their language skills over the course of the fellowship. Two former fellows reported significant improvements to their language skills and an improved ability to provide legal services in Mandarin and Cantonese respectively.

Secondary benefits

While the Foundation's goal with respect to the CAF program was to increase services to linguistic minorities and people in rural and remote locations, there were other benefits achieved by the program. Many spoke in support of the need for articling positions that introduced students to social justice work and clinic practice more particularly and expressed strong support for the program.

First, there are a number of benefits to the students who secure fellowships:

- Students gained an appreciation of the systemic nature of barriers to access to justice and poverty
- The CAFs that require language skills create opportunities that may be more likely to be filled by racialized lawyers, who have more difficulty finding articling positions than white students¹⁴

There are benefits to the public as well. Students report that their training prepared them to begin practicing because it included substantial exposure to clients, file management, and drafting and conducting hearings.

Lastly, the reports contain a wealth of information about the needs of the target communities. The CAFs share insights into the role that transportation, housing, education, and literacy play in creating barriers to access to justice. In interviews, the fellows described the impact these factors, as well as geographic remoteness and unreliable internet, had on access to justice in the areas they served.

5. What is the overall assessment of the quality of the program?

We are happy to report that the program had a positive impact on meeting community needs and provided high quality training to articling students. More specifically:

- The CAF program increased the number of legal services available to linguistic minorities and rural/remote populations and, in particular, increased the services provided in areas of law that are relevant to the low-income population
- First language services and culturally competent services improve the quality of the service for clients
- Articling students received excellent training through the CAF program that included progressive responsibility for files supported by training and mentoring
- The host organizations were strong community partners and provided high quality supervision and training
- The 10-month placement period and turnover of students without any period of crossover in some locations produced challenges for outreach to and building relationships with linguistic communities
- Forty-four percent of fellows who were placed in rural or remote areas continued to practice in these areas after the fellowship ended
- Students who were given the opportunity to provide services in a language other than English or French further developed their ability to deliver legal services in that language over the course of the fellowship

¹⁴ “In Year One the LPP had one-third (33%) of its enrolled candidates identifying as racialized as compared to just over one-fifth (21%) of the enrolled candidates in the Articling Program (a difference of 12%)” – LSUC Professional Development & Competence Committee Report to Convocation, September 22, 2016, p. 18.



416.598.1550

general@lawfoundation.on.ca

The Law Foundation of Ontario

20 Queen Street West, Suite 3002, Box No. 19, Toronto, ON M5H 3R3

www.lawfoundation.on.ca

