

LEGAL AID COMMISSION OF THE NORTHWEST TERRITORIES

Annual report 2023-2024

COMMISSION D'AIDE JURIDIQUE DES TERRITOIRES DU NORD-OUEST

Rapport annuel 2023-2024



If you would like this information in another official language, call us.

English

Si vous voulez ces informations dans une autre langue officielle, contactez-nous.

French

Kīspin ki nitawihitīn ē nīhīyawihk ōma ācimōwin, tipwāsinān.

Cree

Tłıchq̓ yatı k'èè. Dı wegodi newq̓ dè, gots'ō gonede.

Tłıchq̓

ʔerihł'is Dēne Sų́íné yatı t'a huts'elkēr xa beyáyatı theʔą ʔat'e, nuwe ts'ēn yółłı.

Chipewyan

Edı gondı dehgháh got'ıe zhatıé k'ée edatł'éh enahddhę nıde naxets'é edahłı.

South Slavey

K'áhshó got'ıne xədə k'é hederı ʔedłhtł'é yerııwę nıde dúle.

North Slavey

Jii gwandak izhii ginjik vat'atr'ıjähch'uu zhit yinoththan jı', diits'at ginohkhıı.

Gwich'in

Uvanittuaq ilitchurisukupku Inuvialuktun, ququaqluta.

Inuvialuktun

ᑕᑦᑭᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ ᑕᑦᑲᑦᑲᑦ.

Inuktitut

Hapkua titiqqat pijumagupkit Inuinnaqtun, uvaptinnut hivajarlutit.

Inuinnaqtun

Indigenous Languages:

867 767-9346 Ext.71037

867-767-9348

866-561-1664 Toll Free

Table of Contents

EXECUTIVE SUMMARY	3
ORGANIZATIONAL STRUCTURE.....	4
A MESSAGE FROM THE CHAIR OF THE COMMISSION	5
THE LEGAL AID COMMISSION	6
A MESSAGE FROM THE EXECUTIVE DIRECTOR.....	8
THE LEGAL AID OUTREACH PROGRAM	10
THE COURT WORKER PROGRAM	13
OFFICE OF THE CHILDREN’S LAWYER	14
MOVING NORTH-THE BEST DECISION AN OTTAWA LAWYER EVER MADE	15
LEGAL AID ASSIGNMENTS	20
LEGAL AID CLINICS.....	21
APPEALS	21
LEGAL AID TARIFF.....	23
FINANCIAL REPORT 2023-24	24
STATISTICAL REPORTS FOR 2023/24	25
MAP OF THE NORTHWEST TERRITORIES	37
OFFICE LOCATIONS AND CONTACT NUMBER.....	38

Executive Summary

The Northwest Territories Legal Aid Commission (LAC) administers the *Legal Aid Act* and the *Legal Aid Regulations*. The LAC promotes access to justice throughout the Northwest Territories by:

1. providing legal aid services to eligible persons;
2. promoting public knowledge of the law;
3. encouraging flexibility and innovation in the provision of services;
4. recognizing the diversity of legal needs; and
5. operating within an independent but accountable framework.

Résumé

La Commission d'aide juridique est chargée de l'application de la Loi sur l'aide juridique et ses règlements, et fait la promotion de l'accès à la justice à l'échelle des Territoire du Nord-Ouest en :

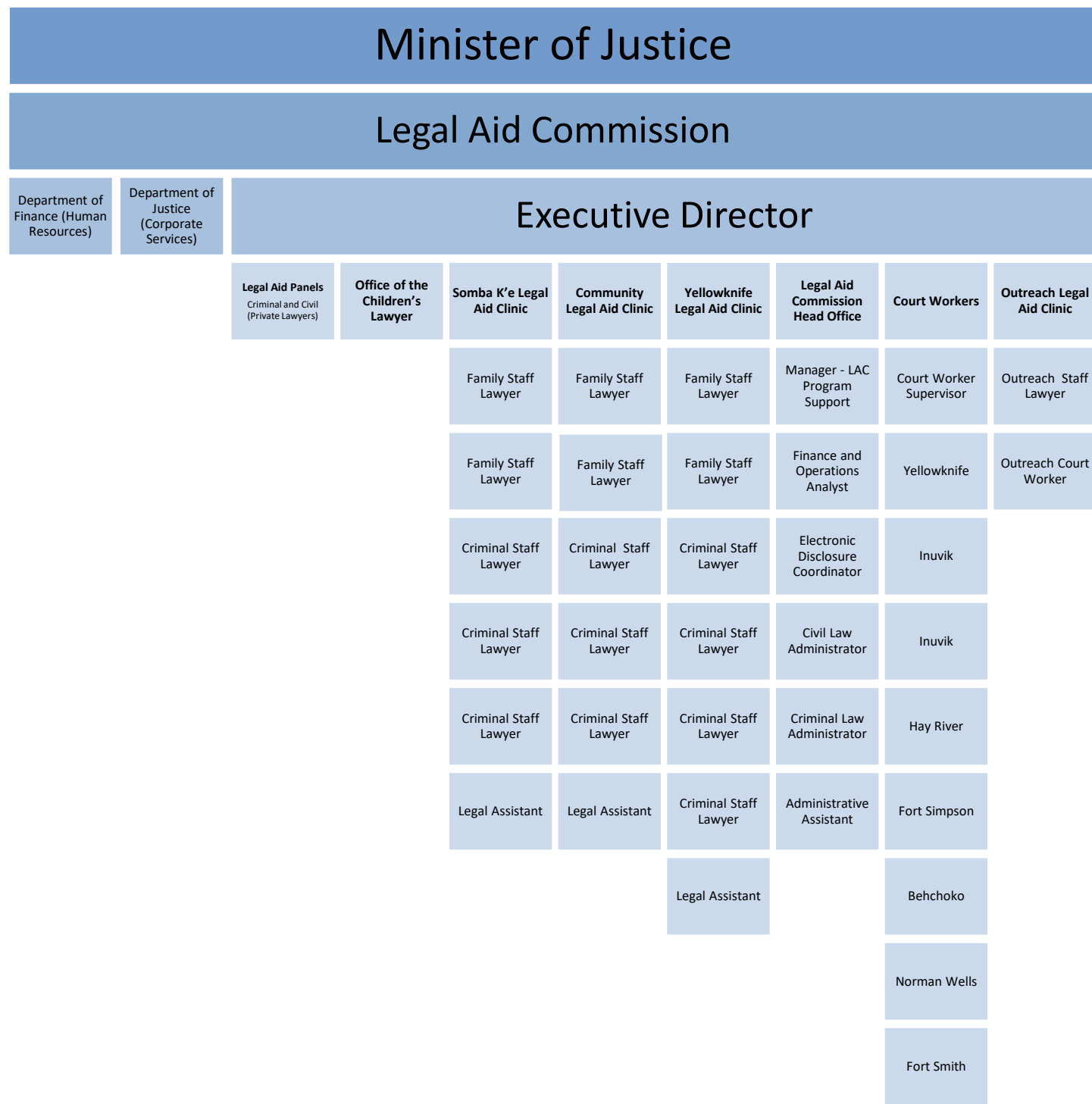
1. fournissant des services d'aide juridique aux personnes admissibles;
2. encourageant la connaissance de la loi;
3. favorisant la souplesse et l'innovation dans la prestation de programmes et de services d'aide juridique;
4. reconnaissant la variété des besoins sur le plan juridique des personnes admissibles;
5. exerçant ses activités indépendamment du gouvernement, mais en étant transparent à l'égard de ce dernier.



Photo provided by Kate Cannell

Organizational Structure

The following organizational chart reflects the structure of the Legal Aid Commission as of March 31, 2024.



A Message from the Chair of the Commission

It is an honor to serve as Chair of the NWT Legal Aid Commission, representing the interests and needs of our residents. I would like to express my heartfelt gratitude to my fellow Commission members for their unwavering commitment:

- **Joan Mercredi** – representing the South Slave region
- **Paul Parker** – representing the Law Society of the NWT
- **Brad Patzer** – Assistant Deputy Minister (Attorney General) representing the GNWT Public Service

This past year, our communities faced significant challenges due to evacuations related to wildfires. I want to commend our dedicated staff at Legal Aid for their resilience and commitment to serving clients during this difficult time. Their professionalism has ensured that we continue to focus on our clients' needs, even amid uncertainty.

I extend my sincere appreciation to the Department of Justice for their continued support, which is essential for us to provide vital Legal Aid services to our clients.

I would also like to highlight the invaluable dedication and support of Tracy Bock, Executive Director. Tracy's leadership has been instrumental in guiding us through these challenges and in adapting our services to meet the evolving needs of our clients.

Together, we are committed to enhancing access to justice in the Northwest Territories, and I look forward to the work ahead.

Alana Mero
Chair
NWT Legal Aid Commission

THE LEGAL AID COMMISSION

Commission Members

The Minister of Justice appoints members of the Legal Aid Commission under subsection 4(4) of the *Legal Aid Act*. By convention various regions are represented on the Commission. The 2023/2024 Commission was composed of the following:

Joan Mercredi	Representing the South Slave
Alana Mero, Chair	Representing the Beaufort Delta
Brad Patzer	Representing the Public Service
Paul Parker	Representing the Law Society of the Northwest Territories

Mandate of the Legal Aid Commission

The Commission sets policy, makes recommendations to the Minister with respect to the hiring of the Executive Director, administers legal aid clinics, maintains a panel of private lawyers for eligible clients for criminal and family matters, and hears appeals in cases where legal aid has been denied or lawyers believe their accounts have been reduced without justification. Additional powers are prescribed under subsection 4(9) of the *Legal Aid Act*.

The Government of the Northwest Territories has been responsible for providing legal aid since 1971. The Legal Services Board was established and given responsibility for providing legal aid, Court Worker services, and public legal education and information services throughout the Northwest Territories.

Three legal aid clinics in Yellowknife continue to offer criminal defense and family law services to clients in all NWT communities. The Outreach Legal Aid Clinic operates from dedicated space, staffed by one lawyer and one Court Worker. The Office of the Children’s Lawyer is staffed by one lawyer who supervises a panel of private Bar lawyers who deliver legal services to eligible child clients.

The Legal Aid Commission was established as a corporation by the *Legal Aid Act*. The Commission reports to the Minister of Justice as a public agency listed in Schedule A to the *Financial Administration Act*. All employees of the Commission are members of the GNWT Public Service.

Legislative Objectives

The purpose of the *Legal Aid Act*, as set out in section 2, is to promote access to justice throughout the Northwest Territories by:

1. providing legal aid services to eligible persons;
2. promoting public knowledge of the law;
3. encouraging flexibility and innovation in the provision of services;
4. recognizing the diversity of legal needs; and
5. operating within an independent but accountable framework.

Commission Meetings

During the 2023-2024 fiscal year, the Legal Aid Commission had one substantive meeting by Zoom and 1 meeting in person. The Commission also met virtually on eight other occasions to conduct appeal hearings.

Association of Legal Aid Plans of Canada

The Association of Legal Aid Plans of Canada (ALAPC) is a voice for Canada's Legal Aid Plans. It provides a national perspective on legal aid and access-to-justice issues. Every jurisdiction in Canada participates in this voluntary group of Executive Directors, CEOs and senior staff. The objectives of ALAP are to undertake, support and facilitate research concerning access to justice issues; to improve public awareness of access to justice issues; and to undertake such activities, on its own or with others, as may be in the interest of access to justice in Canada.

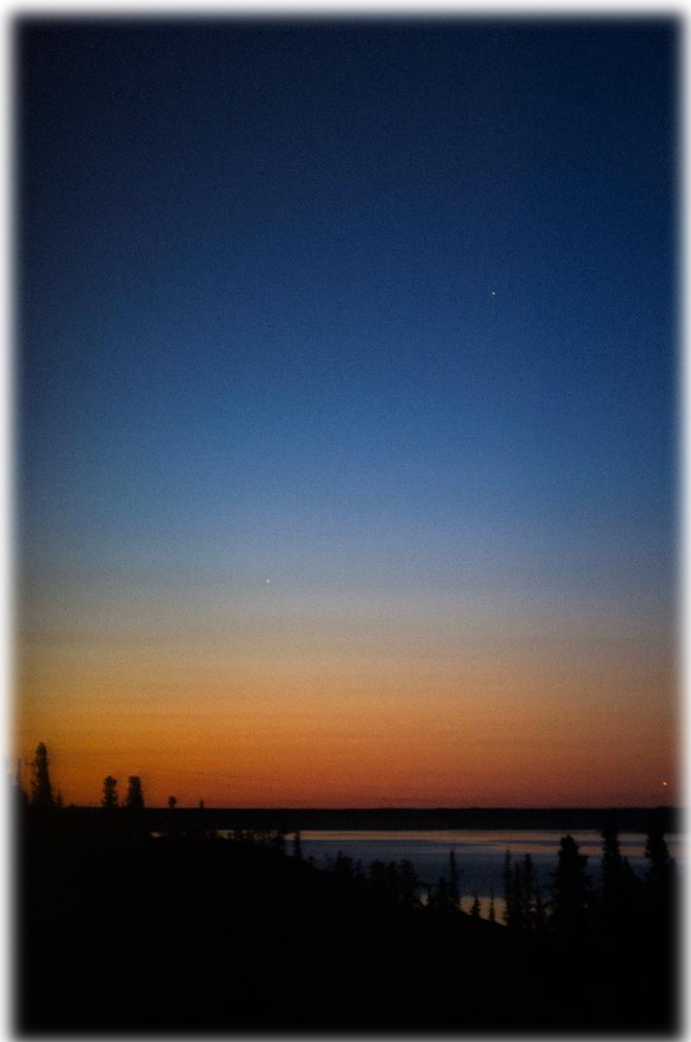


Photo provided by Jonny Vu

A Message from the Executive Director

Tracy Bock

As the Executive Director of the Northwest Territories Legal Aid Commission, I am pleased to present our 2023-2024 Annual Report.

From our comprehensive coverage to our generous eligibility, I believe our legal aid program in the NWT is one of the best in Canada. Professional and committed service to our clients and access to justice remains our focus. I am grateful for the diligence and dedication of all our staff – lawyers, court workers, and administration staff – who make our program so successful.

The NWT Legal Aid Commission uses a hybrid Staff Lawyer and Private Panel model. I would like to acknowledge the assistance and commitment of the private Bar (both resident and non-resident), without whom we would not be able to cover Court schedules.

The NWT Legal Aid Commission consists of several core program areas: Criminal, Family and Civil law, Court Worker program, Outreach Services, Office of the Children’s Lawyer, and Public Legal Education.

2023-2024 was very challenging for Legal Aid: We were just getting over the scheduling backlog of COVID when the Northwest Territories faced an unprecedented spring and summer of floods, forest fires and evacuations. Yellowknife was evacuated in mid-August until early September. Court Circuits were canceled and all matters in Territorial and Supreme Court were adjourned. Our lawyers, court workers and support staff scattered across the country.

We had to pivot functioning the best we could, remotely. Bail Hearings were done remotely, and we appreciate the tremendous help of our southern counsel during this time.

Highlights from this past year include:

- **Updating our Legal Aid Guidelines:** Work began on updating and revising guidelines for Family, Criminal and our Outreach program.
- **Law School Outreach:** Along with representatives from the Crown’s Office, Legal Division (Department of Justice), a private firm, Lawson-Lundell, we visited UNB and Dalhousie Law Schools to promote legal opportunities in the north as part of our lawyer recruitment efforts. We hope this will be ongoing and expanded to other law schools.
- **Articling Program:** Three Articling Students were hired, and we hope to encourage young lawyers to practice Criminal and Family Law in the NWT. We hope they will work with Legal Aid when they are called to the Bar.
- **Recruitment and Retention:** Despite highly competitive wages and benefits, not to mention a sense of adventure, hiring lawyers and staff lawyers continues to be difficult. We have expanded our private lawyer panel to cover the Circuit and other out of Yellowknife matters. Over the next year, we will continue to work on lawyer recruitment and the expansion of both our family and criminal panels.
- **Gladue Reporting:** Aboriginal Legal Services of Toronto, was hired to produce a report on how best to implement a Gladue Program in the Northwest Territories.
- **Record Keeping and LAIN:** We will continue to digitize our records and modernize our computer and technology resources to build a more efficient and resilient system.

The Legal Aid Commission is an active participant in several national meetings: the Federal-Provincial-Territorial Permanent Working Group on Legal Aid, the Tri-partite Working Group on the Aboriginal Court Work Program, the Association of Legal Aid Plans of Canada, and the various sub-committees of these groups.

The NWT Legal Aid Commission provides a voice for those who need it most. We serve an often-marginalized population as they navigate the justice system. At times, we face great challenges in our efforts, particularly in the areas of scheduling and capacity. With compassion, innovation, and cooperation, we have and will continue to overcome those challenges.

I invite you to read through the *Annual Report* to discover more about our Legal Aid program in the Northwest Territories.



Photo provided by John Hale

The Legal Aid Outreach Program

The Outreach Legal Aid Clinic is a 2-person office, staffed by a court worker and an outreach lawyer.

The Clinic offers up to 1 hour of free legal advice and coaching to any NWT resident who has a legal problem in the following areas:

- a. Tenant rights;
- b. Family law, including child protection, separation and divorce;
- c. Disability, CPP, EI and Income Support claims and appeals;
- d. Employment rights;
- e. Mental Health;
- f. Debtor/Creditor/Small Claims; and
- g. Wills and Estates advice.

Persons seeking assistance from the Clinic do not undergo a financial eligibility test.

Walk-in clinics are held twice weekly, on Tuesday afternoons and Wednesday afternoons from 1:30 p.m. to 4:30 p.m. Advice is given by telephone appointments on Tuesday and Wednesday mornings.

In 2023-2024, the outreach lawyer conducted Clinics in Behchoko, N'Dilo, Dettah, Inuvik, Ft. Smith, Hay River, and Norman Wells.

In the 2023-2024 fiscal year, the Clinic assisted 1135 persons. There is often a waiting list for persons to speak with the outreach lawyer, which can be frustrating for those on the call back list. The court worker plays a pivotal role in triaging calls and inquiries to ensure that persons with urgent needs speak to the outreach lawyer as a matter of priority.

Some persons who call the Clinic are unsure whether their problem is a legal one. Most persons have a better understanding of their legal rights and obligations after talking with the outreach lawyer for 30 minutes or less. Some matters require longer discussions, and a small number of persons use the available hour without getting their legal problem resolved.

Some of the most frequently asked questions by persons who contact the Clinic are:

- What legal steps should I take now that I am separated?
- What do I need to do to get a divorce?
- How can I get child support started or changed?
- What steps do I need to take to relocate with my child?
- I'm having a hard time parenting with my ex. What can I do?
- How can I adopt, or custom adopt a child that I care for?

- A social worker is threatening to take my children. Can I stop them?
- What should I do to get a valid will or power of attorney?
- A family member has died without a will. What do I do?
- I have been named executor in a will. What do I do?
- I have a hearing in front of the Rental Officer and might get evicted. What do I do?
- Can I appeal an order made by the Rental Officer?
- My landlord is doing things I think are illegal. What are my protections as a tenant?
- I got served with an Emergency Protection Order (“EPO”). What can I do?
- I want to change my EPO. Can I do that?
- Is my situation something that the small claims court would deal with?

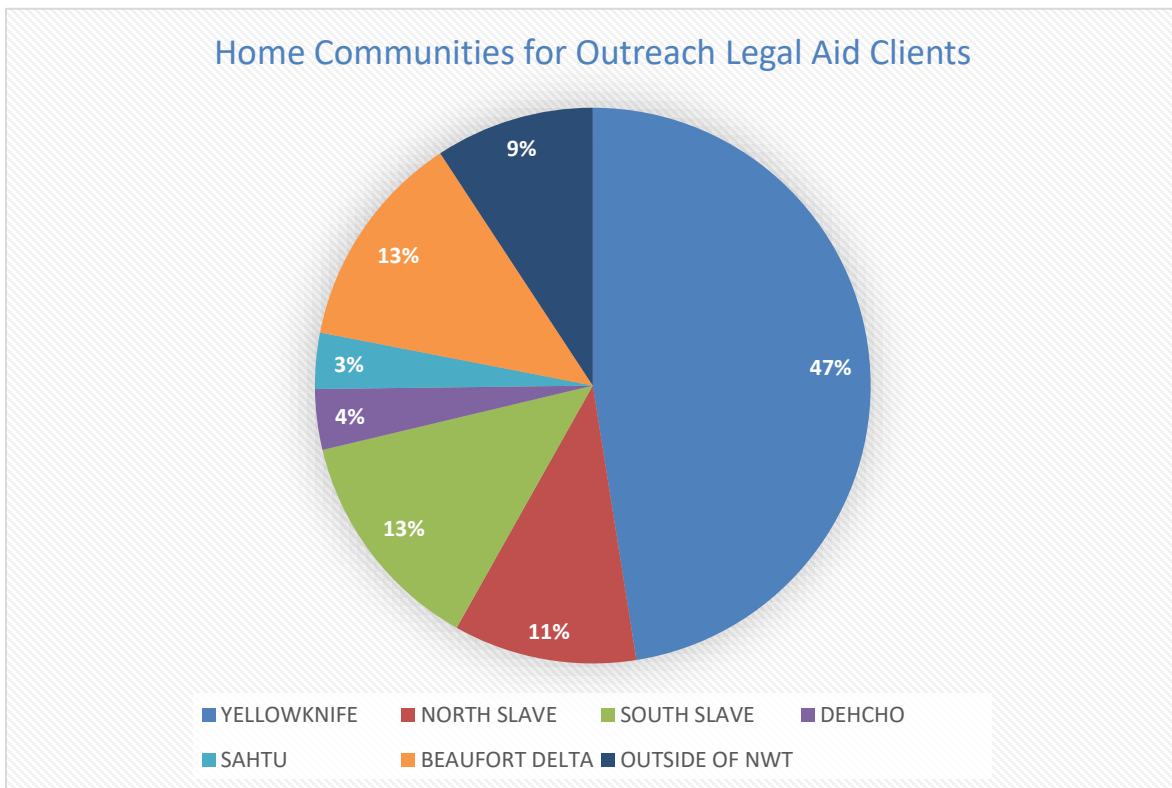
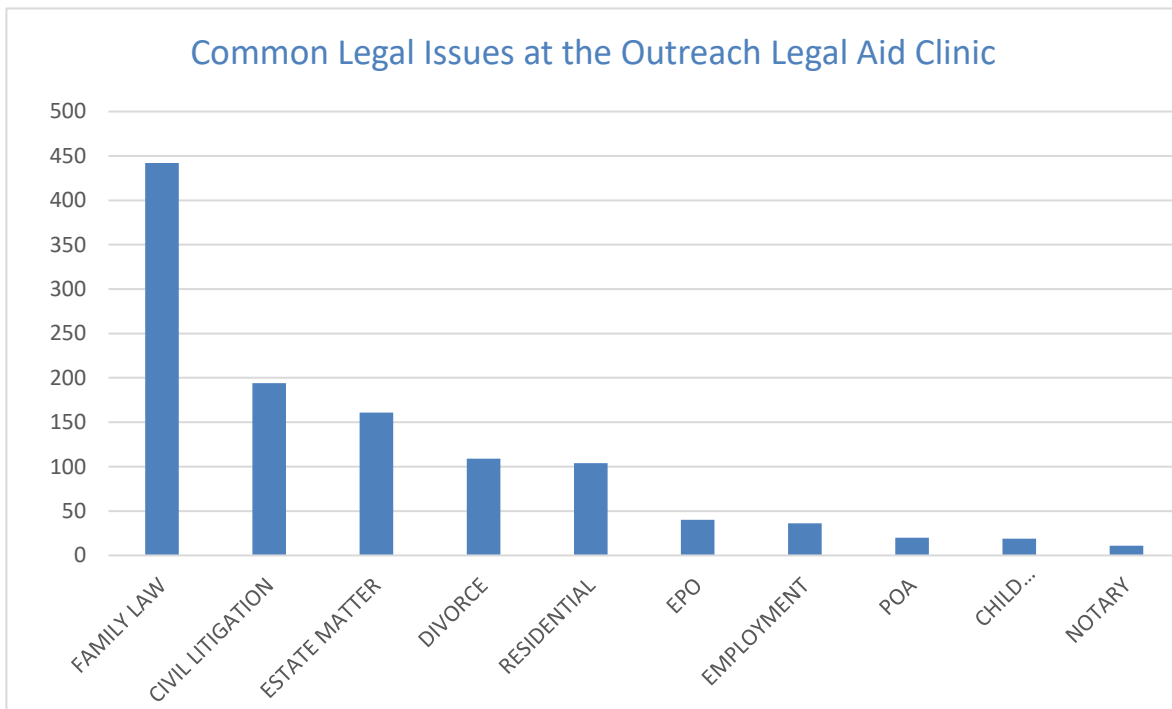
In addition to giving information about legal rights and responsibilities, the Clinic also encourages the participation in other services and programs including the GNWT’s Parenting After Separation course (now available throughout the NWT by webinar), the Family Law Mediation Program and the YMCA’s Independent Legal Advice and Representation Program. Some persons who have multiple points of contact with GNWT programs and services and have legal problems are referred to the Intensive Case Management Program for their ongoing assistance and support.

In the 2023-2024 fiscal year, 748 persons self identified as Indigenous, Inuvialuit, or Métis; 8 persons self identified as speaking Tlicho; 9 persons self identified as being French language speakers and 13 persons indicated that their first language was not an NWT official language.

In the upcoming year, the Clinic will strive to continue to deliver services in an efficient and timely manner. Through individualized advice, direction and assistance, the goal is to help each person address their situation successfully in or out of court.



Photo provided by Jonny Vu



The Court Worker Program

In the Northwest Territories, court workers play a crucial role in assisting individuals who interact with the justice system. Their primary responsibility is to aid clients in applying for legal aid, ensuring that all applications and supporting documentation are submitted to the Legal Aid office. Court workers also provide general information and referrals to services within and outside the justice system, acting as a vital link between clients, lawyers, and the justice system—especially in remote communities that lack resident lawyers and where justice is primarily accessed through court circuits.

Some court workers may represent individuals without legal representation in Justice of the Peace Court. They typically assist with guilty pleas, sentencing hearings, and occasionally with straightforward trials. Additionally, they support legal counsel in Territorial Court and Youth Justice Court by ensuring the attendance of clients and witnesses, facilitating translation and communication, gathering information, and conducting client interviews. In certain instances, court workers may also assist clients with guilty pleas and sentencing in Territorial Court.

Court workers contribute significantly to public legal education through their daily interactions with clients, offering information and guidance regarding the court system and referring them to other services. They engage in legal education initiatives by working with school classes and community justice committees, promoting the legal aid program at community career fairs, broadcasting public announcements on the radio, and providing information at seminars and community programs. Some court workers also participate in community inter-agency committees.

The Legal Services Board employs eight court workers, six of whom are located outside Yellowknife, ensuring service delivery across all regions of the Northwest Territories. These court workers are employees of the GNWT and members of the public service. The Aboriginal Court Worker Program has received federal financial support since 1978.



Picture provided Jonny Vu

Office Of The Children's Lawyer

The Office of the Children's Lawyer (OCL) provides legal assistance to children and youth whose families are engaged in court proceedings that involve child protection concerns, parenting time disputes, or decision-making disputes.

The Children's Lawyer administers the OCL, one of several clinics under the umbrella of the Legal Aid Commission. The OCL provides legal assistance through six experienced family lawyers retained on a contractual basis.

A comprehensive Policy and Procedures Manual ("Manual") defines the role of the panel lawyers. This Manual was completed after consultations with interested stakeholders, a cross jurisdictional review, and input from two internationally recognized experts. Furthermore, commentary was added to the Law Society's *Code of Professional Conduct* to allow panel lawyers who follow the Manual to also meet their other professional obligations. The Manual is subject to ongoing revision and adjustment. The OCL acts when appointed by a court.

The OCL will conduct an evaluation of its program in the fiscal year 2025-2026, previously scheduled for the fiscal year 2015-2016. The completion of a new database, the Legal Aid Information Network (LAIN), delayed the evaluation.

Stakeholders such as the Director of Child and Family Services, family lawyers, parents and the courts, have increasingly recognized that early involvement of the OCL in high conflict matters usually decreases conflict and promotes an early resolution. At the same time, children and youth gain real opportunities to voice their own views and preferences with respect to issues that affect them. The overall result is increased satisfaction with the litigation process by all participants, and reduced demand on the legal system in general.



Photo provided by John Hale

Moving North-The best decision an Ottawa Lawyer Ever Made

John Hale, Panel Lawyer

I turned 65 earlier this year and have been a criminal defense lawyer for over half my life—35 years and counting. Instead of following the trend of retiring like many of my peers, I made the bold decision to move my practice from Ottawa to Yellowknife. Contrary to what some may think, I'm not insane; this move is likely the best personal and professional decision I've ever made (after marrying my ultra-patient wife, Carol Ann, who has wholeheartedly embraced this adventure). Friends and colleagues often ask, "What the hell?"—how did a Montrealer, established in Ottawa, conclude that moving to the far North was a good idea at this stage in life?

After graduating from McGill in 1987, I began my legal career in Ottawa, where I opened my own practice after being called to the Bar in 1989. The opportunity to work in various courts within 100 km kept me engaged, and I enjoyed the regional circuit courts. In my second year of practice, I started teaching criminal law at Carleton University. One of my students was Scott Cowan, who later became a busy lawyer in Goderich. I followed his journey on Facebook, and in 2017, his posts about his work in the North captured my attention. After 28 years in practice, I felt I had achieved much of what I wanted, but my work had begun to feel stagnant, and I was yearning for something new.

Inspired by Scott's Indiana Jones-style adventures in lawyering, I reached out to him to learn how to get involved. He connected me with the Legal Aid Commission of the NWT, and soon I was scheduled for a circuit in Inuvik and Tuktoyaktuk in October 2018. I had no idea what to expect; I imagined Yellowknife as a backwater and thought I would just spend a weekend there before heading to Inuvik. To my surprise, I found a vibrant city with a mix of cultures, modern amenities, and supportive legal professionals. The warmth of the community struck me, and I quickly made friends.

That first weekend above the 60th parallel, I discovered local yoga studios, great restaurants, and even witnessed the northern lights, which left me in awe. I attended a get-together of Crown and defense counsel, and the camaraderie I experienced was a welcome change from Ottawa's competitive environment. On October 15th, I was called to the Bar of the NWT, and I felt an immediate connection to this new place.

Over the next few years, I returned frequently to Yellowknife, feeling more at home each time. A turning point came in April 2021 during a lengthy murder trial. Living in a house instead of a hotel transformed my experience; I settled into a routine and enjoyed the city not as a visitor, but as a 'Knifer'. The more I visited, the more I looked forward to my time in Yellowknife and began dreading my returns to Ottawa. The stressful, competitive atmosphere of my previous life contrasted sharply with the laid-back, supportive environment I found in the North.

By late 2022, I realized I needed to pay attention to my feelings about my career and lifestyle. I broached the subject of a move with Carol Ann in spring 2023. After weighing our options during a summer visit, we decided to make Yellowknife our permanent home. Now, two months into our new life here, I couldn't be happier. I enjoy a short

commute to work, an abundance of legal opportunities, and a community of lawyers who are supportive rather than competitive.

Ultimately, our move was a lifestyle choice, trading the stress of city life for the beauty and tranquility of the North. The breathtaking surroundings and our shared love for the outdoors have sealed the deal. Each morning, I look out at Yellowknife Bay, watching floatplanes and the vibrant life on the water, and I know that we made the right choice.



Photo provided by John Hale

Legal Aid Coverage

Brydges Service

The *Brydges* service is a free telephone service offered on a 24-hour basis to individuals in the Northwest Territories who are in custody, are under arrest, or are the subject of an active investigation by law enforcement authorities before arrest and need immediate advice on their *Charter* rights and criminal law. Translation services are available in 140 languages through this line.

Youth Applications – *Youth Criminal Justice Act (Canada), Youth Justice Act (NWT)*

The Legal Aid Commission makes coverage available for youth without the need for financial assessment. The Commission considered the unique circumstances facing youth in the Northwest Territories and looked at approaches from across Canada to this issue. It was determined that access to justice was best served by deleting the requirement where financial means of parents or guardians be considered in assessing youth eligibility.

Adult Applications – *Criminal Code*

Although an applicant may be financially eligible for legal aid, the Commission or the Executive Director may decline to provide legal aid coverage for certain offences in accordance with the discretion extended by the *Legal Aid Act* and the *Regulations* under the *Act*, as well as *Guidelines* established by the Commission.

Presumed Eligibility

Presumed eligibility arises only in the context of criminal law. Clients who first appear in Territorial Court are presumed eligible for legal aid and as such, are assisted with preliminary or straightforward matters that duty counsel can deal with in a summary fashion, including guilty pleas and non-complex sentencing hearings. If the lawyer determines that the matter requires a preliminary inquiry, trial or a more complex sentencing process, the client must apply for legal aid for a determination of their financial eligibility and a review of other determining factors.

Family Law Applications

Legal aid is generally provided to financially eligible applicants in matters involving family breakdowns when there are issues relating to children, spousal support, family violence, or matters relating to child protection.

After a client completes an application for legal aid assistance involving a family law matter, a request for a legal opinion is sent to one of the staff lawyers or to a member of the family law panel. The lawyer advises the Executive Director of the Legal Aid Commission on the merits of the matter. If the opinion is that there is no merit in proceeding, the applicant will receive a “Notice of Denial of Legal Aid” with explanation of the reasons for the denial.

Approved matters are usually assigned according to the date of application. An exception is made – and matters are given priority in assignment – when the client is facing an imminent court date, if the matter involves family violence, or if the client is facing child protection proceedings.

Civil Applications

The *Legal Aid Act* authorizes the provision of legal aid services on a discretionary basis for some civil matters. The *Act* and the *Regulations* specify that certain civil cases are not covered. Most frequently, civil matters are referred to the Outreach Legal Aid Clinic for summary advice, information and referral.

Residency and Reciprocity

A person who is not ordinarily resident in Canada is not eligible for legal aid coverage except in relation to charges under the *Criminal Code* or the *Controlled Drugs and Substances Act*.

The NWT Legal Aid Commission is a participant in the Inter-Provincial Reciprocity Agreement that allows legal aid coverage to be extended to applicants from any province or territory who require assistance with a family matter arising in another Canadian jurisdiction.



Photo provided by Jonny Vu

Financial Eligibility

Legal Aid Applications

Potential clients must complete an application for each matter for which they are requesting legal aid. Court Workers take the applications either in person or by telephone. Applicants are required to provide detailed financial information with supporting documents to determine their eligibility for legal aid. This information includes a statement of income for the applicant and takes into account anyone else living in the household.

Commission employees review applications in detail to determine an applicant's financial eligibility. Eligible applicants are assigned duty counsel for criminal matters or go into an assignment process for family law matters. Applicants who are not financially eligible are sent a notice of denial. Any applicant may appeal a denial to the Legal Aid Commission.

In some cases, using criteria set out in the *Act*, its *Regulations* and the Commission's policies, staff determine that an applicant can contribute to the cost of their legal aid services. A conditional authorization for legal aid is given to the applicant requiring them to make a contribution. Usually, applicants have a set period assigned to make these contributions. Some applicants can be assessed a contribution to be paid on the completion of their file, if it is expected there will be a financial gain for the client at that time. Contributions and recoveries are deposited into the GNWT Consolidated Revenue Fund and are not used to directly offset the cost of legal aid.



Photo provided by Kate Cannel

Legal Aid Assignments

Panels

The Legal Aid Commission has established both criminal and family law panels of private lawyers who are prepared to accept legal aid assignments. The assignment of cases is determined by Section 15 of the *Legal Aid Act*, which provides that the Executive Director must consider the rights of the client, fiscal responsibility, conflicts of interest; and in some limited circumstances, the preference of the client. In addition, the Executive Director may consider any other relevant factors.

Clients facing Life Imprisonment

Applicants do not have the right to choose a particular lawyer. However, clients who are charged with an offence for which life imprisonment is the maximum penalty (other than break & enter or trafficking), are entitled upon application, to indicate their preferred choice of counsel from a list established by the Executive Director. This preference, however, is only one factor that the Executive Director considers in assigning counsel to a given matter.

Circuit Counsel

The *Legal Aid Act* requires that the Executive Director arranges to have at least one lawyer (circuit counsel) accompany the Territorial Court on each circuit where a lawyer may be required for the delivery of legal aid. Applicants for such services are subject to the same criteria as all other applicants who need legal services.

Presumed eligibility services comprise most of the legal aid services provided on circuits.

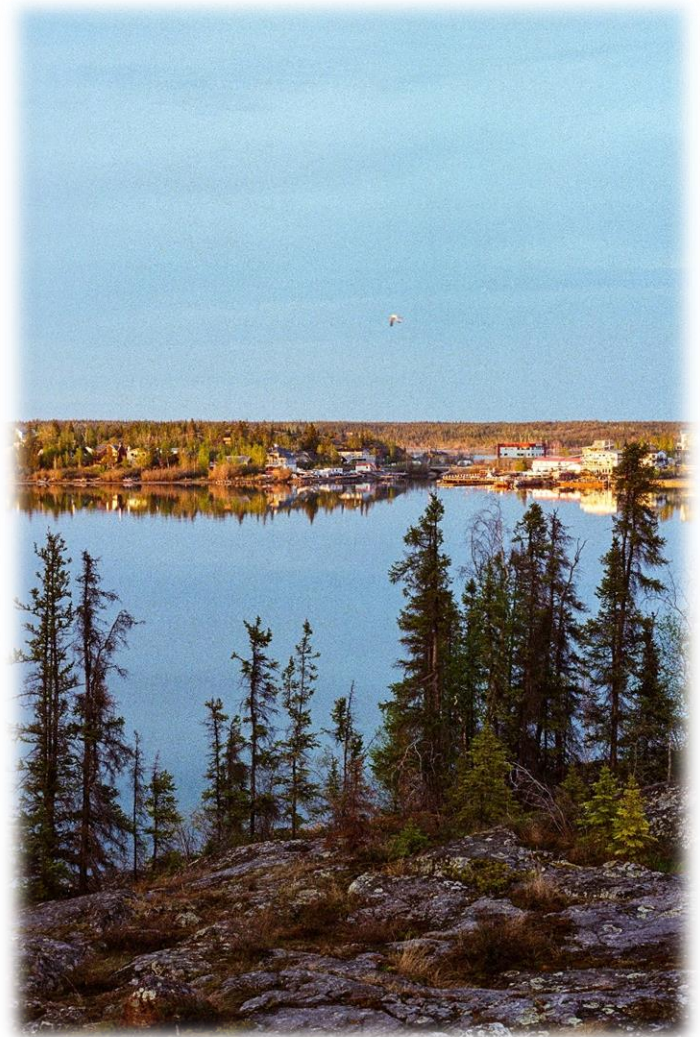


Photo provided by Jonny Vu

Legal Aid Clinics

The Commission has 18 staff lawyer positions: ten criminal lawyers, six family lawyers, one Outreach lawyer, and the Children’s Lawyer. On March 31, 2024, 12 of these positions were filled. Staff lawyers provide services throughout the NWT.

Yellowknife Legal Aid Clinic

The Yellowknife Legal Aid Clinic was staffed at 2023-24 fiscal year end with 3 criminal lawyers, 1 family lawyer and 1 legal assistant.

Community Legal Aid Clinic

This office was staffed at the 2023-24 fiscal year end with 1 family lawyer, 1 criminal lawyer, and 1 legal assistant.

Somba K’e Legal Aid Clinic

This office was staffed in 2023-24 with 3 criminal lawyers, 2 family lawyers and 1 legal assistant.

Outreach Legal Aid Clinic

This office has been staffed since September 2022 with one Outreach Court Worker and an Outreach lawyer. Outreach services are provided in office and throughout the NWT by in-person mobile Outreach clinics.

Appeals

Any decisions on coverage made by the Executive Director may be the subject of an appeal to the Commission. An applicant who is assessed a contribution, or is denied legal aid, may appeal the decision by providing written notice of their intention to appeal. The Executive Director shall then bring the matter before the Commission for an appeal hearing.

Lawyers also have the right to appeal the Executive Director’s taxation of an account. Written notice is required. The Executive Director will then bring the matter to the Commission for a hearing. There is no further right of appeal from the Commission’s decision.

There were 9 eligibility appeals in 2023/24. The results of the eligibility appeals were as follows:

Allowed:	1
Denied:	8

Administration and Finance

Funding for the Legal Aid Commission

The Legislative Assembly allocates money to the Legal Aid Commission to administer the *Legal Aid Act* and provide legal services and other programs under the *Act*. The GNWT also receives funding for the Legal Aid Program, Indigenous Court Work Program, and public legal education, through the *Access to Justice Agreement* with the Government of Canada. In 2023/24 Justice Canada contributed \$2,998,054 to the total cost of \$9,024,000 pursuant to the funding agreement in place through to 2027.

Personnel

The staff of the Legal Aid Commission are appointed and employed under the *Public Service Act*. They are employees of the GNWT Department of Justice. The Department of Finance provides human resources support to the Commission.

Financial Services

Financial services are generally provided by the Department of Justice, though some services are provided by the Department of Finance. Since the Commission does not hold separate funds, it is audited in conjunction with the Department of Justice. A separate annual independent audit is completed in compliance with the *Access to Justice Agreement* with Canada.



Photo provided by John Hale

LEGAL AID TARIFF

Experience	Hourly Rates (\$)	Daily Rates (\$)
Student at law	59	342
Less than 4 years	90	518
4-6 years	106	670
7-10 years	131	780
11 & more years	146	873

The rates are the same regardless of the level of court for which legal aid services are provided.

STAFF LAWYER SALARIES

Staff lawyers, as GNWT employees, are paid according to the pay scales established for GNWT legal counsel. These rates are based on legal experience, and were fixed as follows for 2023-2024:

	Pay Scale	\$
Staff Lawyer I	18	\$104,910 to \$125,307
Staff Lawyer II	20	\$114,816 to \$137,163
Staff Lawyer III	22	\$125,697 to \$150,150
Staff Lawyer IV	24	\$137,456 to \$164,190
Staff Lawyer V	25	\$143,774 to \$171,756



Photo provided by Jonny Vu

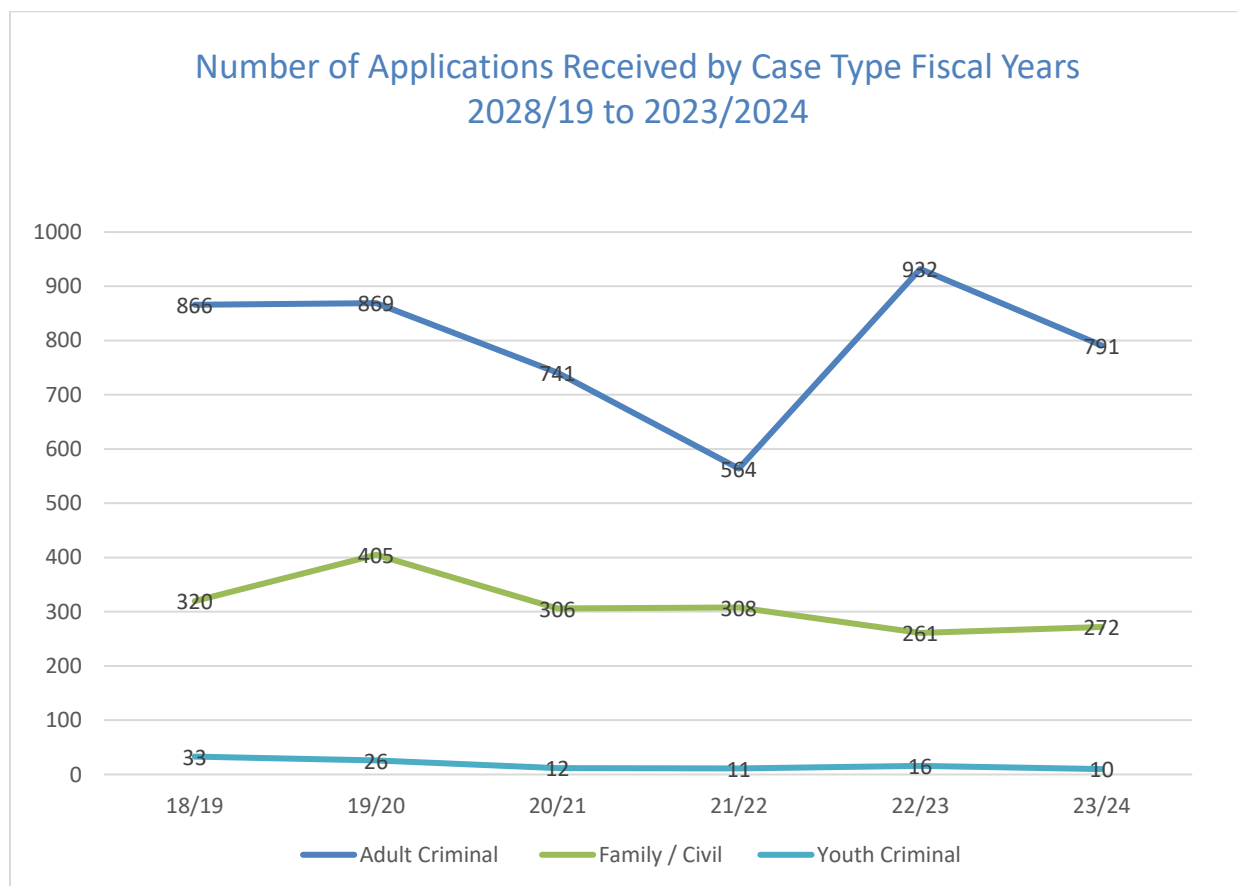
Financial Report 2023-24

	Actual Expenses	2023-24 Budget	Variance
Legal Aid Commission Administration (82015)			
Staff Wages & Benefits	1,048,205.88	1,105,000.00	56,794.12
Operations & Maintenance Expenses	298,076.46	830,000.00	531,923.54
Total Administration	1,346,282.34	1,935,000.00	588,717.66
Court Workers (82016)			
Staff Wages & Benefits	961,168.47	1,143,000.00	181,831.53
Operations & Maintenance Expenses	30,722.23	31,000.00	277.77
Travel	136,505.23	39,000.00	(97,505.23)
Total Court Workers	1,128,395.93	1,213,000.00	84,604.07
Legal Aid Staff Lawyers (82017, 82070 & 82059)			
Staff Wages & Benefits	2,823,354.38	3,456,000.00	632,645.62
Operations & Maintenance Expenses	219,032.29	359,000.00	139,967.71
Travel	420,519.19	162,000.00	(405,755.54)
Total Staff Lawyers	3,462,905.86	3,977,000.00	366,857.79
Legal Aid Commission			
Commission Expenses	1,950.00		(1,950.00)
Total Commission Expenses	1,950.00	-	(1,950.00)
Panel Lawyers			
Panel Lawyer Tariff Fees	1,587,823.38	1,363,000.00	(224,823.38)
Travel	370,736.71	536,000.00	165,263.29
Total Legal Aid Fees & Disbursements	1,958,560.09	1,899,000.00	(59,560.09)
TOTAL	7,898,094.22	9,024,000.00	978,669.43

STATISTICAL REPORTS FOR 2023/24

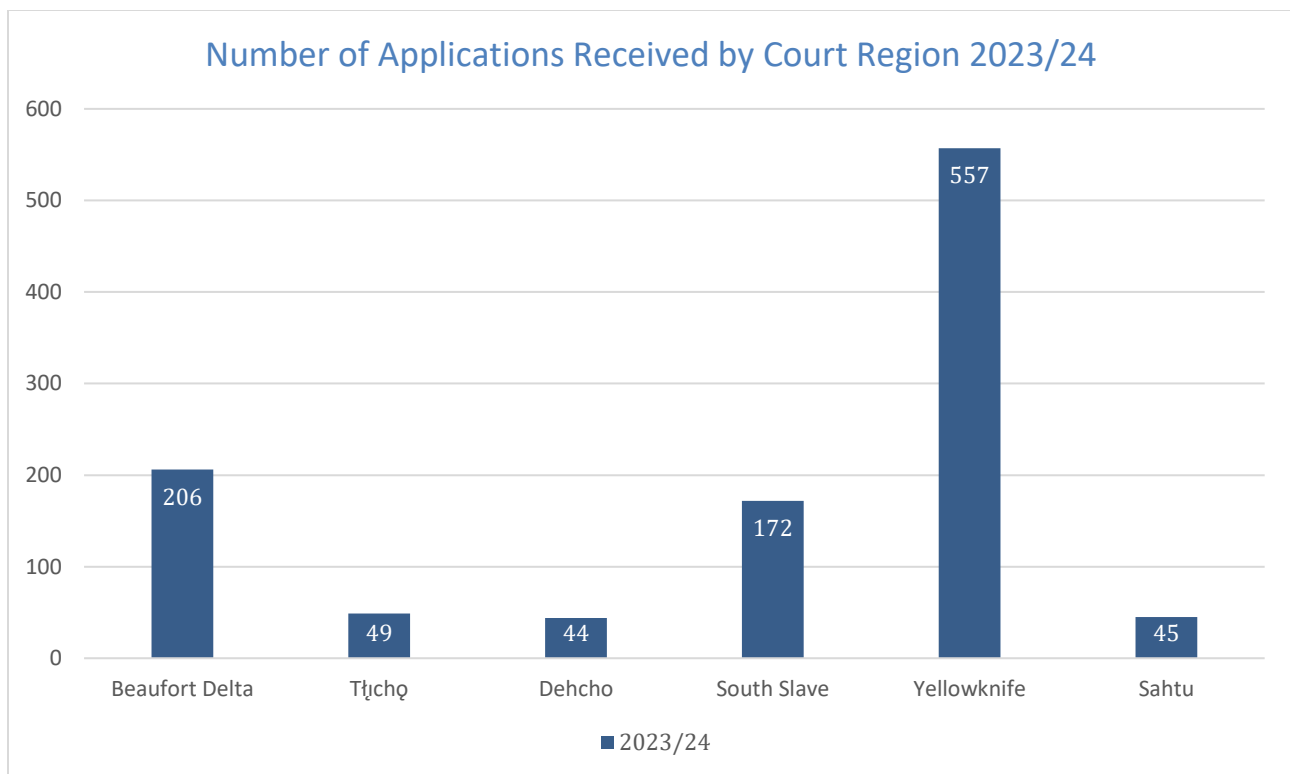
Number of Applications Received by Case Type

	18/19	19/20	20/21	21/22	22/23	23/24
Adult Criminal	866	869	741	564	932	791
Family / Civil	320	405	306	308	261	272
Youth Criminal	33	26	12	11	16	10
Total	1264	1300	1059	883	1209	1073



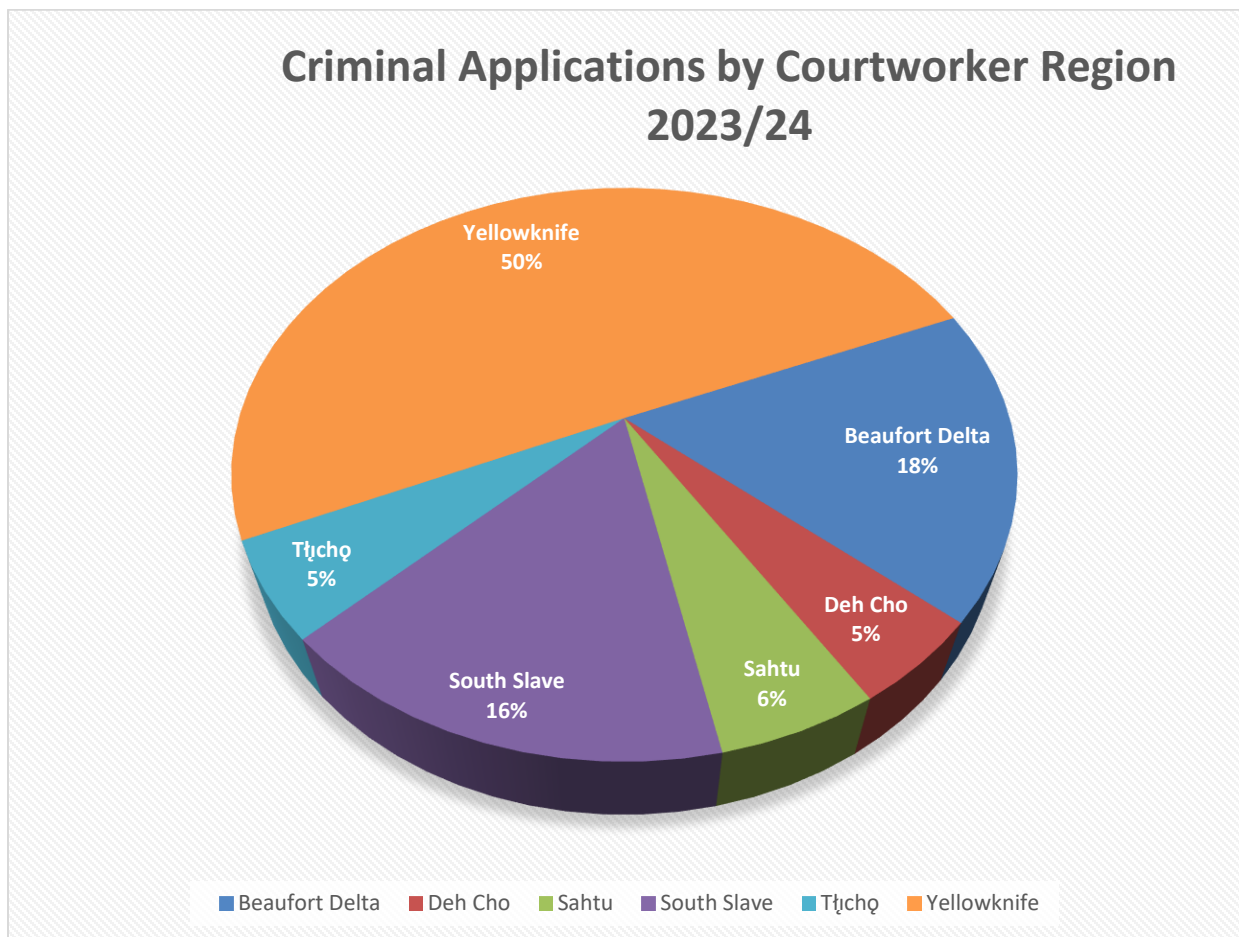
Number of Applications Received by Court Region

Region	2023/24
Beaufort Delta	206
Tłıchǫ	49
Dehcho	44
South Slave	172
Yellowknife	557
Sahtu	45
Grand Total	1073



Criminal Applications by Court worker Region

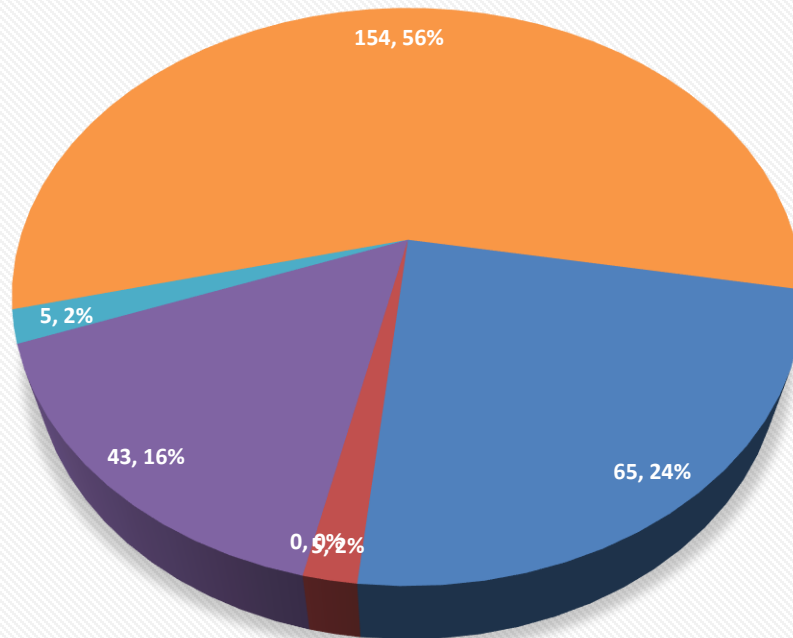
Region	Criminal (Adult and Youth)
Beaufort Delta	141
Deh Cho	39
Sahtu	45
South Slave	129
Tłıchǫ	44
Yellowknife	403
Grand Total	801



Family Applications by Court worker Region

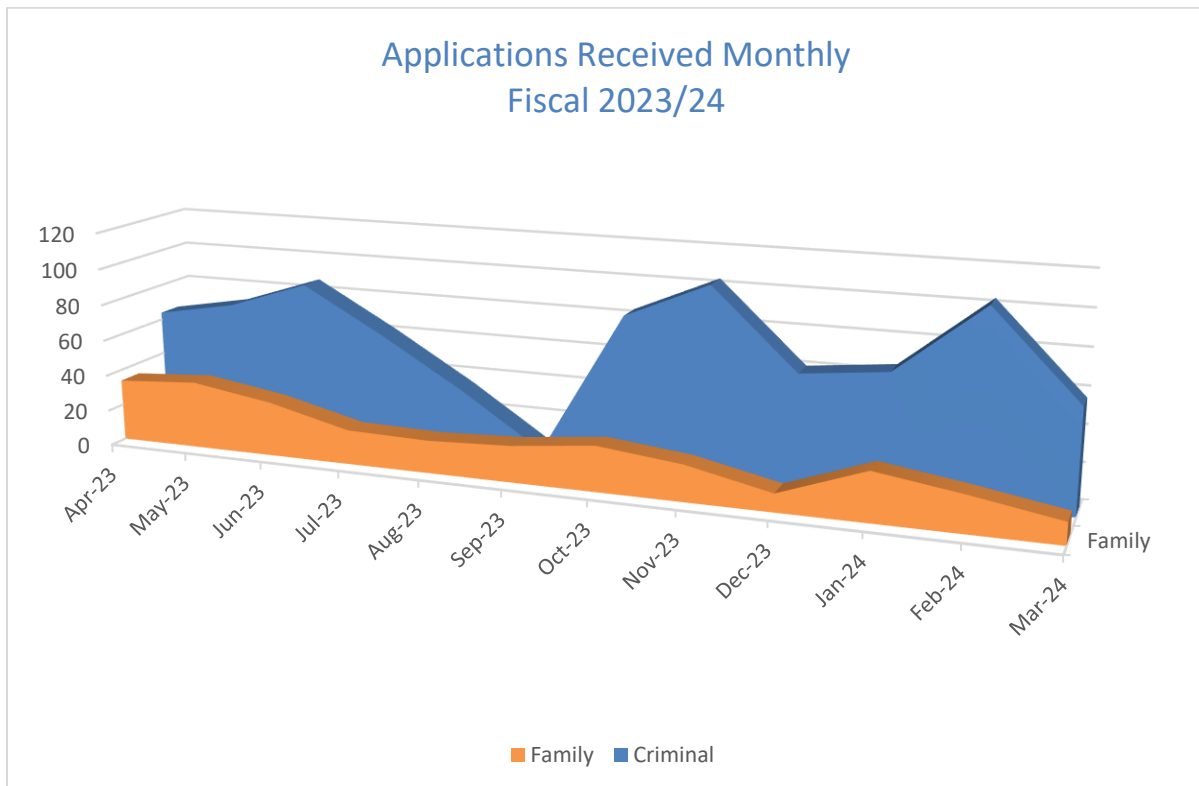
Region	Family
Beaufort Delta	65
Deh Cho	5
Sahtu	0
South Slave	43
Tłıchq	5
Yellowknife	154
Grand Total	272

Family Applications by Courtworker Region 2023/24



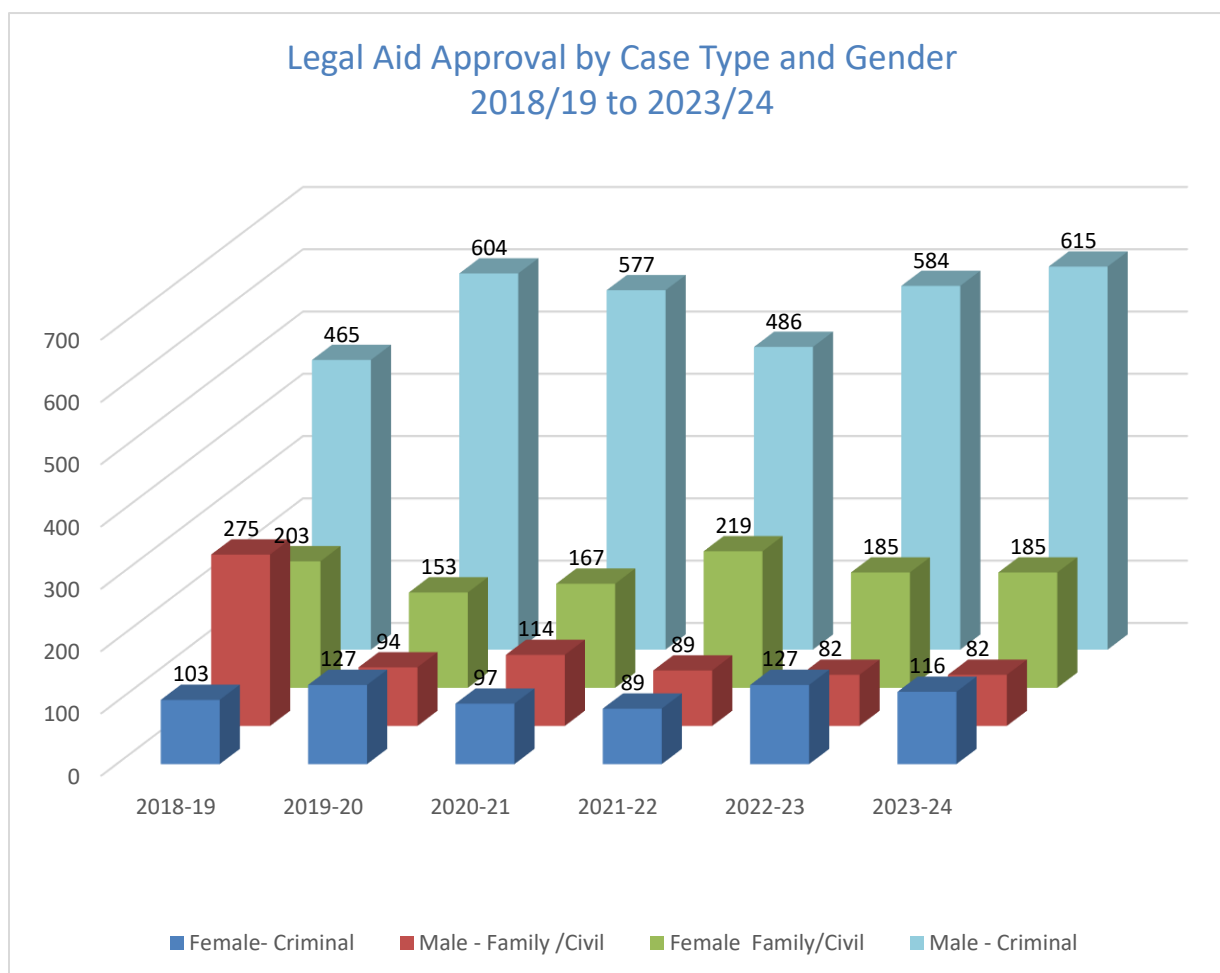
Applications Received Monthly

Month	Family	Criminal
Apr-23	34	64
May-23	37	72
Jun-23	30	87
Jul-23	19	62
Aug-23	18	35
Sep-23	20	5
Oct-23	25	84
Nov-23	20	104
Dec-23	10	61
Jan-24	27	66
Feb-24	20	104
Mar-24	12	57
Grand Total	272	801



Legal Aid Approvals by Case Type and Gender

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Female- Criminal	103	127	97	89	127	116
Male Family/Civil	275	94	114	89	82	82
Female Family/Civil	203	153	167	219	185	185
Male - Criminal	465	604	577	486	584	615
Total	1046	978	955	883	978	998



Legal Aid Approval by Case Type and Self-Identification

	Indigenous	Non-Indigenous	Did not self-identify
Criminal	698	33	60
Family/Civil	224	44	4
Youth	9	0	1
Annual Total	931	77	65

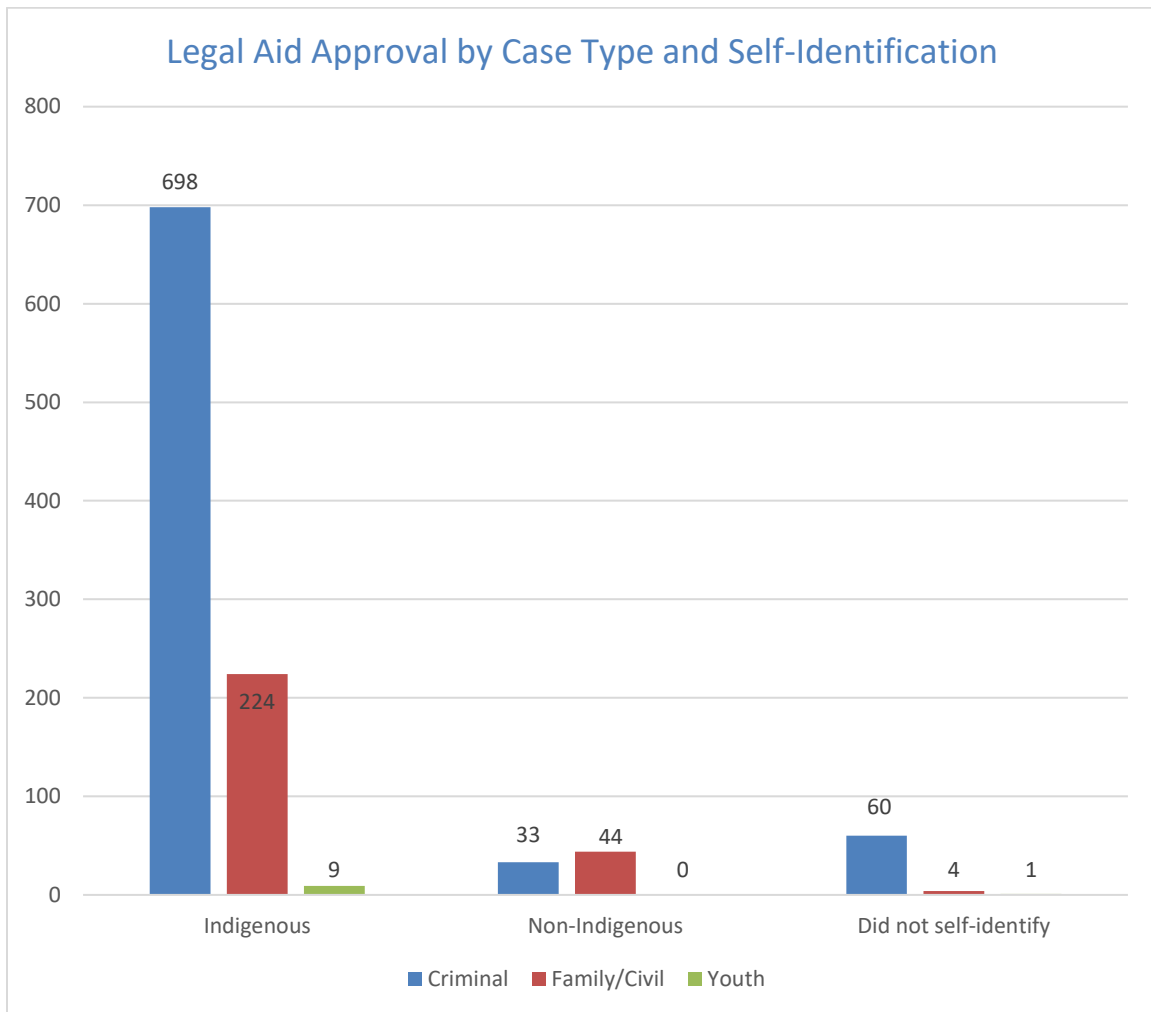
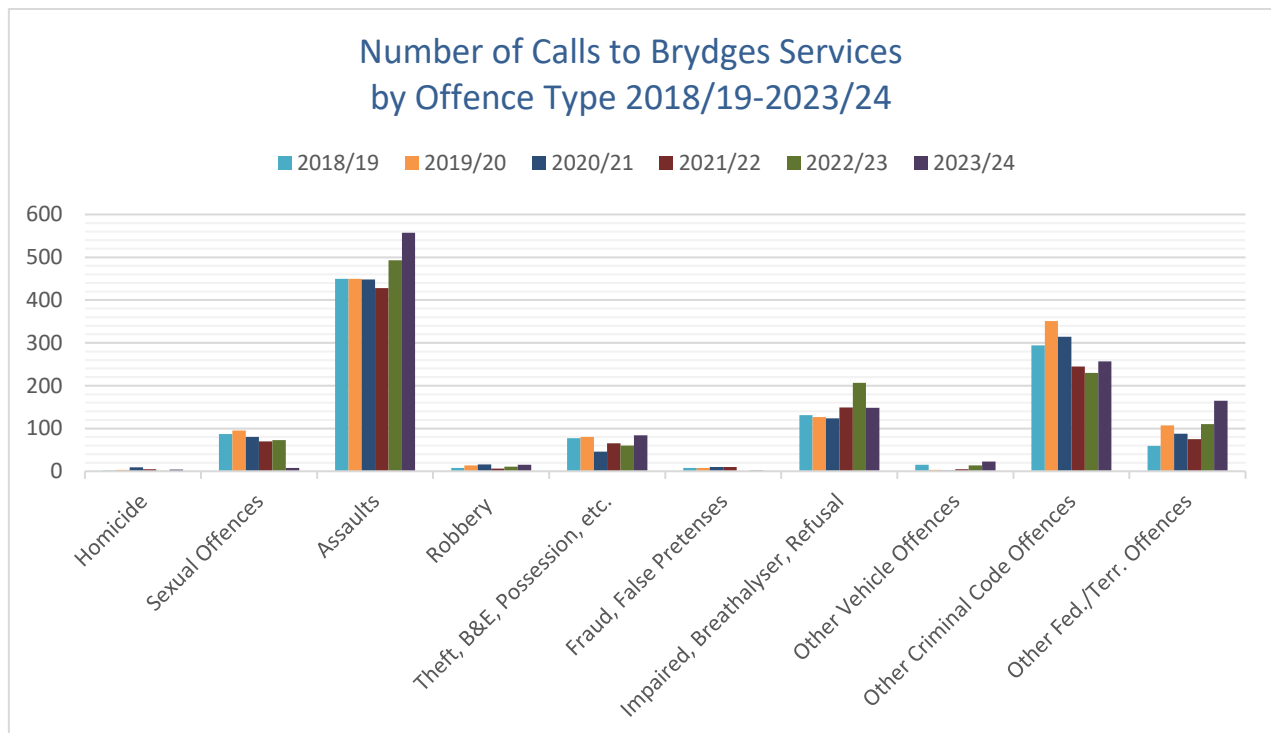




Photo provided by John Hale

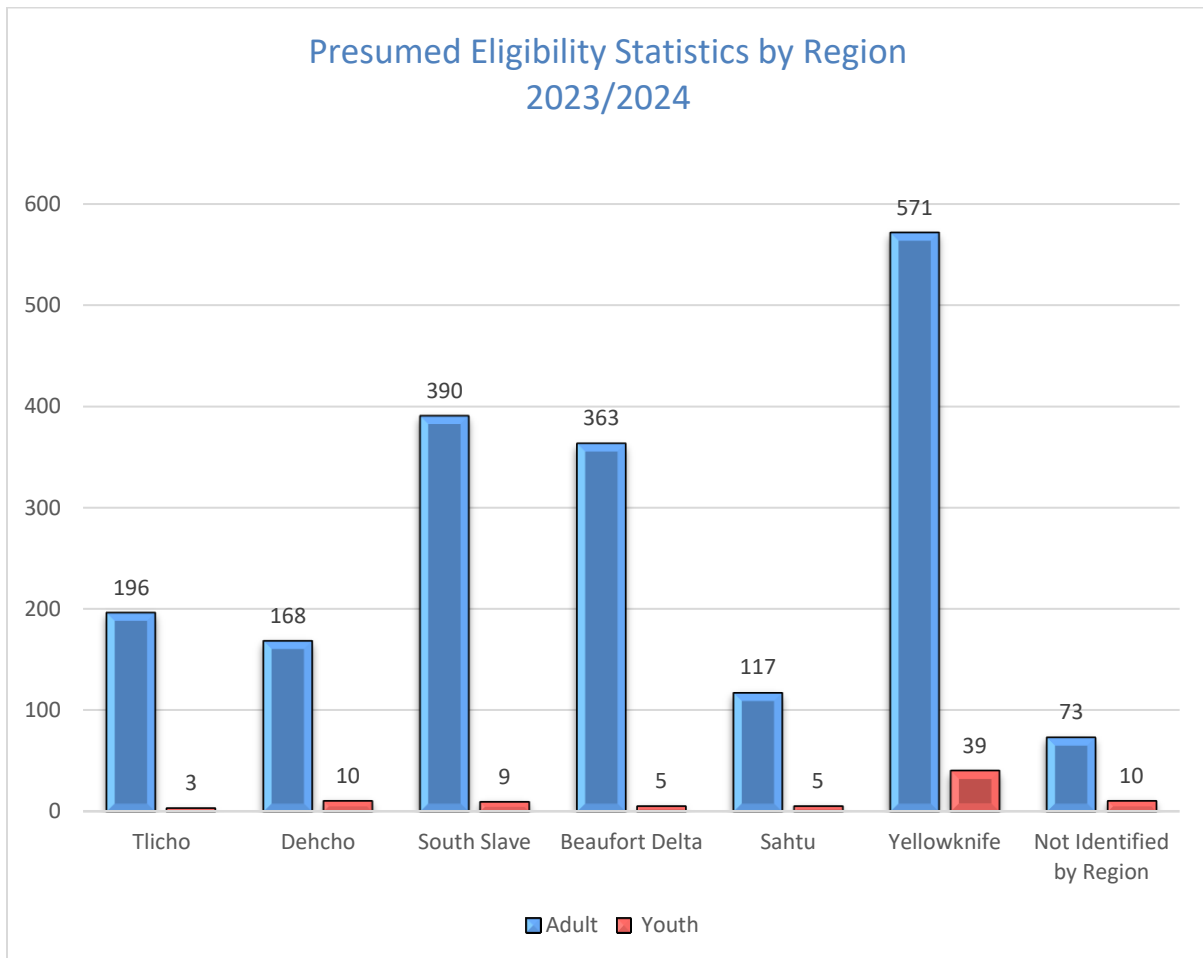
Number of Calls to Brydges Services by Offence Type

	2018/19	2019/20	2020/21	2021/22	2022/23	2023/24
Homicide	2	3	9	5	1	4
Sexual Offences	87	95	80	70	73	8
Assaults	450	450	448	428	493	557
Robbery	8	14	16	6	11	15
Theft, B&E, Possession, etc.	77	80	46	65	60	84
Fraud, False Pretenses	8	8	10	10		2
Impaired, Breathalyser, Refusal	131	127	124	149	207	148
Other Vehicle Offences	15	3	2	5	14	23
Other Criminal Code Offences	294	351	314	245	230	257
Other Fed./Terr. Offences	59	107	88	75	110	165
Annual Total	1131	1238	1058	1048	1198	1263



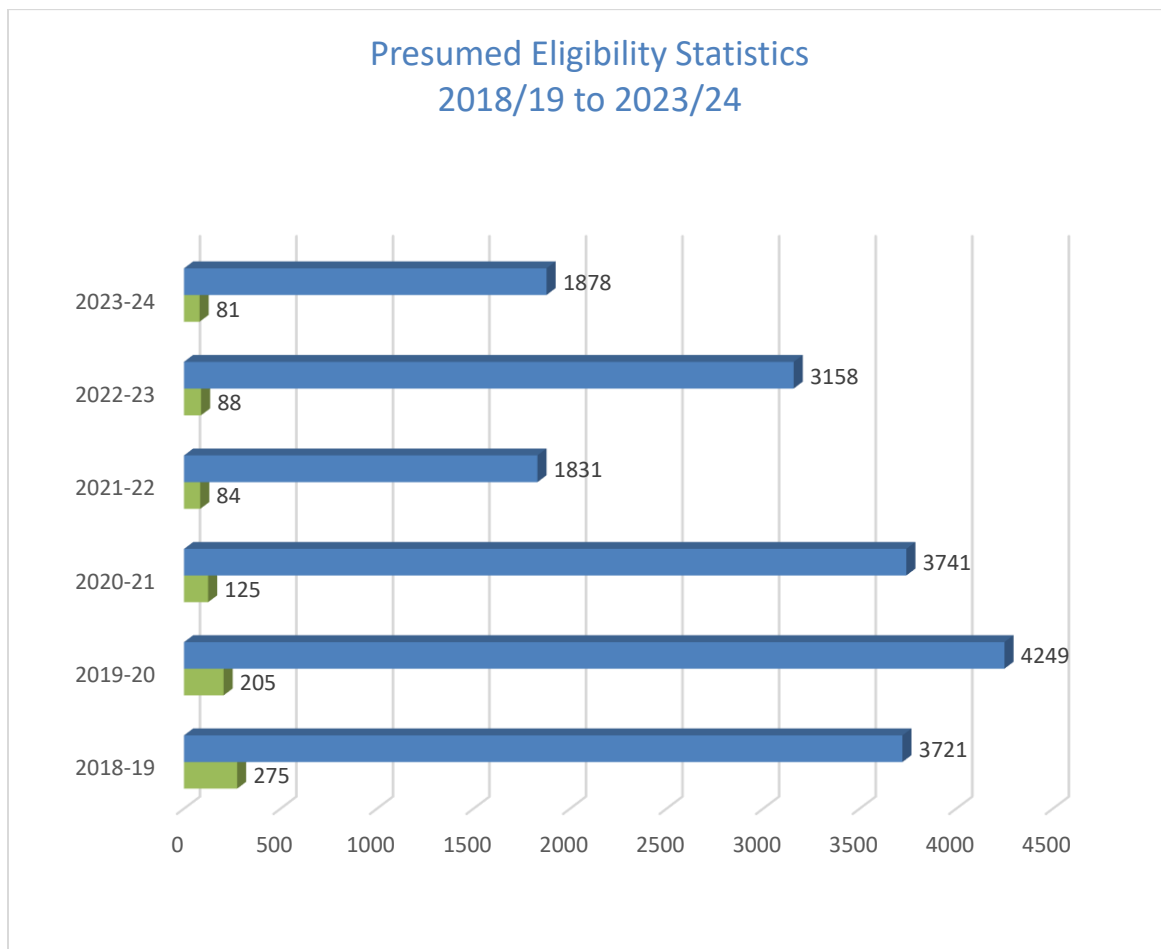
Presumed Eligibility Statistics by Region 2023/2024

	Adult	Youth
Tłıchǫ	196	3
Dehcho	168	10
South Slave	390	9
Beaufort Delta	363	5
Sahtu	117	5
Yellowknife	571	39
Not Identified by region	73	10
Annual Total	1878	81



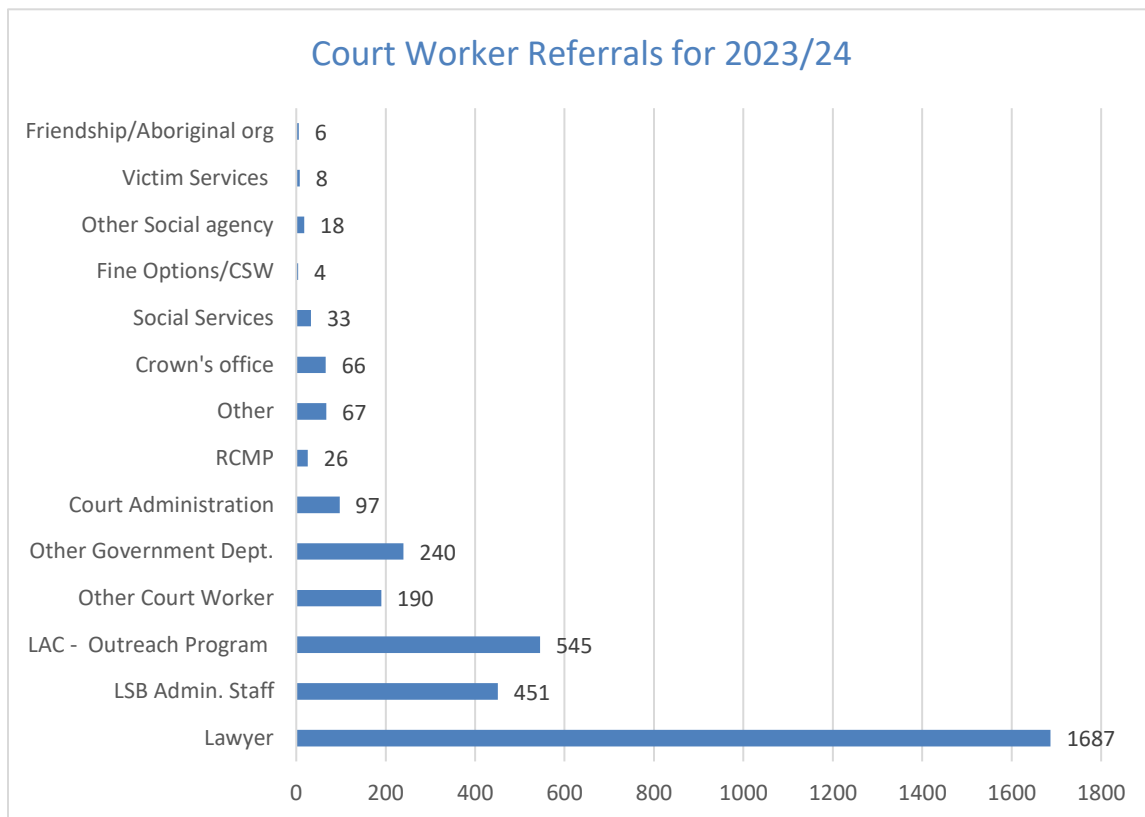
Presumed Eligibility Statistics by Year

	2018-19	2019-20	2020-21	2021-22	2022-23	2023-24
Youth	275	205	125	84	88	81
Adult	3721	4249	3741	1831	3158	1878



Court Worker Referral

Referral	Total
Lawyer	1687
LSB Admin. Staff	451
LAC - Outreach Program	545
Other Court Worker	190
Other Government Dept.	240
Court Administration	97
RCMP	26
Other	67
Crown's office	66
Social Services	33
Fine Options/CSW	4
Other Social agency	18
Victim Services	8
Friendship/Aboriginal org	6



MAP OF THE NORTHWEST TERRITORIES



OFFICE LOCATIONS AND CONTACT NUMBER

LEGAL AID COMMISSION

4915 48th Street
3rd Floor, YK Centre East
P.O Box 1320
Yellowknife, NT X1A 2L9
Tel: (867) 767-9361 ext. 82281
E-Mail: lac@gov.nt.ca

LEGAL AID CLINICS

Community Legal Aid Clinic

8, 4915 – 48th Street
3rd Floor, YK Centre East
Yellowknife, NT X1A 3S4
Tel: (867) 767-9383 ext. 82319

Somba K'e Legal Aid Clinic

5, 4915 – 48th Street
2nd Floor, YK Centre East
Yellowknife, NT X1A 3S4
Tel: (867) 767-9377 ext. 82309

Yellowknife Legal Aid Clinic

4, 4915 – 48th Street
3rd Floor, YK Centre East
P.O Box 11028
Yellowknife, NT X1A 3S4
Tel: (867) 767-9372 ext. 82299

Outreach Legal Aid Clinic

1, 4915 – 48th Street
3rd Floor, YK Centre East
Yellowknife, NT X1A 3S4
Tel: (867) 767-9384 ext. 82325

COURT WORKERS

Beaufort Delta Region

151 Mackenzie Road, P.O. Box 1100
Inuvik, NT X0E 0T0
Tel: (867) 777-7338
Toll Free: 1-844-836-8050

Deh Cho Region

2nd Floor, Nahendeh Kue Building,
P.O. Box 178
Fort Simpson, NT X0E 0R0
Tel: (867) 695-2106

Fort Smith

195 McDougal Road, P.O. Box 170
Fort Smith, NT X0E 0P0
Tel: (867) 872-6568

Sahtu Region

09 Woodland Ave, P.O. Box 36
Norman Wells NT, X0E 0V0
Tel: (867) 587-7250

South Slave Region

106 – 31 Capital Drive, P.O. Box 4324
Hay River, NT X0E 1G2
Tel: (867) 874-2475

Tłı̨chǫ Communities

General Delivery
Behchokö NT X0E 0Y0
Tel: (867) 392-6386

Yellowknife Area

3rd Floor YK Centre East, P.O. Box 1320
Yellowknife NT X1A 2L9
Tel: (867) 767-7387 or (867) 767-9359

