



# Clinic Outline

## 1. Executive Summary

Access Pro Bono (APB) will develop and operate a virtual public interest legal clinic (the Everyone Legal Clinic) to serve as an experiential learning centre for articling students and new notaries, and as an incubator for legal practitioners who then provide affordable legal services to underserved communities across BC. In its two-year pilot phase, the Clinic will engage dozens of volunteer mentors, and employ four to five FTE supervising lawyers and one FTE administrator to remotely train, supervise and support several cohorts of 10 to 15 articling students and 5 to 10 new notaries over several pairs of six-month semesters.

In the first “learning” semester, articling students will attend the Law Society of BC’s Professional Legal Training Course (PLTC) in either Kamloops, Vancouver or Victoria. They will then set up a home office in their chosen BC community. There, they will join notaries in attending remote training seminars, and serving pro bono clients and some paying clients under the remote supervision of staff lawyers.

In the second “service” semester, APB will refer paying clients to clinicians, and clinicians may also source their own paying clients. All clinicians will keep 50% of the legal fees they collect from APB-referred clients. The Clinic will keep the other 50% to support its infrastructure. Clinicians will keep a much larger percentage of their own sourced client fees, including any indirect legal aid tariff payments to articling students. All clinicians will carry their work product and client book through to private (post-Clinic) practice as a lawyer or notary.

## 2. Objectives

- A. Increase access to affordable and high quality legal services in communities throughout BC;
- B. Increase professional capacity for public interest legal service throughout BC, particularly in underserved communities;
- C. Provide a new generation of BC legal service providers with the substantive knowledge and practical skills (including practice management, cultural competency and human relationship skills) required to thrive in highly adaptive forms of public-minded legal practice;
- D. Improve equity, diversity, working conditions and quality of education in BC’s lawyer and notary training systems, and reduce unmet need for articling positions in BC;
- E. Promote new virtual, fixed fee and modular forms of legal practice.

## 3. Timeline

- A. The pilot developmental phase will run from May 10/21 to May 6/22.
- B. The pilot operational phase will occur over two years.
- C. The first session’s learning semester will run from May 9/22 to October 28/22, and its service semester will run from October 31/22 to May 12/23.
- D. The second session’s learning semester will run from September 6/22 to March 3/23, and its service semester will run from March 6/23 to September 1/23.
- E. Subsequent sessions will be scheduled on dates yet to be determined.

## 4. Governance

- A. The Clinic will be operated by APB, and generally overseen by a sub-committee of the APB Board of Directors.
- B. The Clinic will benefit from the regular advice of an external stakeholder group, and will follow the constant and incremental refinement process of UX design.

## 5. Staff

- A. The Clinic will employ a mixed total of four to five FTE Supervising Lawyers (roughly the mixed equivalents of one or two FTE family lawyers, one FTE civil/admin lawyer, one FTE criminal defense lawyer and one FTE solicitor/ “Managing Partner”) who will serve as non-specific principals to a first cohort of 15 articling students, and subsequent cohorts of 10 to 15 articling students.
- B. The Supervising Lawyers will be supported by an FTE Clinic Administrator, and by the added efforts of APB’s Executive Director, Director of Legal Services, Director of Finance and Online Projects Manager.
- C. The Managing Partner will oversee daily Clinic operations (with the help of the Clinic Administrator), and will teach articling students how to run their own practice by the Law Society of BC’s best standards.
- D. An FTE Legal Referral Services Intake Operator will support APB’s existing LRS staff to manage higher call volumes generated by strategic advertising.

## 6. Clinicians

- A. The Clinic will admit articling students and new notaries in the pilot cohorts on the preferential basis of: 1) desire to practice in an underserved BC community; 2) previous clinical experience serving vulnerable people; and 3) diversity, inclusion and accessibility factors to compensate in part for the racial and socioeconomic inequities of BC's articling system (with a special focus on supporting Indigenous people).
- B. The Clinic will make a concerted effort to employ one or more Indigenous Supervising Lawyers, admit several Indigenous law graduates as clinicians, and support them in serving Indigenous communities.
- C. The Clinic will invite the participation of experienced lawyers in the incubator and lawyer referral aspects of its operations; experienced lawyers who are willing to relocate their practices to areas of BC with too few legal aid practitioners will have access to the full range of remote learning and pro bono service opportunities, but will mainly participate in the service and referral aspects of the Clinic.

## 7. Infrastructure

- A. Themis Solutions Inc. (Clio) will provide in-kind use and support of its cloud-based practice management software to all Clinic staff and clinicians; Clio will also waive fees for clinicians and lawyers participating in their first year of the Clinic and its lawyer referral network.
- B. Qase Inc. will develop customized applications for the Clinic, and will provide in-kind use and support of its online service platform to all Clinic staff and clinicians.
- C. The Law Society of BC may cover articling students' PLTC fees.
- D. The vast majority of Clinic instruction, file supervision, support and communication will occur by virtual means (e.g. Zoom, Qase, telephone).
- E. Vancouver-area staff and clinicians will have weekday access to the APB head office and infrastructure in downtown Vancouver.

## 8. Calendar & Curriculum

### First "Learning" Semester

- A. Following graduation from their legal studies, all clinicians will attend the first few weeks of the first semester by Zoom in their location of choice; clinicians will be introduced to their colleagues and staff, trained in Clinic processes, and trained in APB, Qase and Clio systems.
- B. Notary clinicians will practice in their home communities while articling students attend PLTC. They will engage in a daily mix of remote learning, paid service provision and pro bono service provision; Clinic staff and several guest lecturers will provide group instruction; APB and Qase will refer paying and non-paying clients to notary clinicians from the overflow of APB's 60,000+/year pro bono, "low bono" and full-rate service requests from across BC.
- C. Articling students will attend PLTC in either Kamloops, Vancouver or Victoria.

- D. Immediately following PLTC, articling students will set up office in their home communities with remote guidance and support from Clinic staff.
- E. Articling students will then engage in a daily mix of remote learning, pro bono service provision, and limited paid service provision; Clinic staff and several guest lecturers will provide group instruction; APB and Qase will screen and refer clients to articling students.
- F. Group instruction modules will include (in no particular order): trauma-informed practice, cultural competency, file management, trust accounting, wellness practices, marketing, web design, use of technology, trial advocacy (for articling students), and others.

### Second "Service" Semester

- G. Articling students will launch their fee-charging practices; APB and Qase will refer paying and non-paying clients to articling students from the overflow of APB's 60,000+/year pro bono, "low bono" and full-rate service requests from across BC.
- H. APB will ramp up LRS advertising in clinicians' home communities (and in general) to ensure service demand for clinicians and regular LRS lawyers and notaries.
- I. Once retained by clients, clinicians will consult the appropriate Supervising Lawyer(s) by Zoom, phone or in person as needed; Supervising Lawyers will provide daily bookable access to clinicians.
- J. Having passed PLTC, and having been approved by all Supervising Lawyers, articling students will graduate to call after twelve months;
- K. Notary clinicians will also wrap up Clinic practice after twelve months.
- L. All clinicians may bring their Clinic work product and any/all Clinic-sourced clients along to private (post-Clinic) practice.

## 9. Clinic Services

- A. Articling students will offer fixed-fee legal services in areas of law involving people's "everyday legal problems", including (but not limited to) family, employment, tenancy, criminal, consumer, wills and estates, contracts, human rights, mental health, child protection, strata and immigration law.
- B. Notary clinicians will offer a full range of fixed-fee notarial services.
- C. Clinicians will have access to an extensive library of legal templates and precedents on the Clio system, across different areas of law.
- D. Qase will present a standardized list of clinicians' fixed-fee services to prospective clients for purposes of transparency and cost certainty.
- E. Clinicians will provide services on a reduced rate or pro bono basis when clients meet specific financial eligibility criteria (as applied by Qase and APB staff).
- F. Clinicians may assist Supervising Lawyers and local lawyers to provide legal aid to regional clients for indirect tariff payments.
- G. The Supervising Lawyers will supervise each clinician case file to the degree they determine necessary.



## 10. Fees & Remuneration

- A. Clinicians will pay no tuition or admission fees; the Clinic will cover articling students' PLTC fees; clinicians will have free use of Clinic infrastructure, Qase, Clio and LexisNexis applications.
- B. Clinicians will keep 50% of all fees from APB-referred clients; the Clinic will keep the other 50% to support Clinic infrastructure.
- C. Articling students will keep a much larger percentage of fees from their own sourced clients, as well as any indirect legal aid tariff payments.

## 11. Support for Clinicians

- A. APB will advertise the availability of Clinic services in each clinician's community; LRS calls will be referred to appropriate clinicians within closest proximity to the prospective client.
- B. To supplement the supervision and assistance provided by Supervising Lawyers, the Clinic will match each clinician with a pro bono mentor sourced from the clinician's local community (where possible); mentors may include retired judges, lawyers and notaries, and may continue their relationships with clinicians beyond graduation.
- C. The Clinic will introduce each clinician to their local Chamber of Commerce, and will facilitate supportive relationships between clinicians, lawyers, notaries, advocates and other service providers in their community.
- D. Clinicians will engage with their colleagues via Telegram application and virtual social activities scheduled throughout the Clinic calendar; the Clinic will cultivate a community and network of Clinic graduates for mutual support through the early years of private practice.
- E. APB will work with the provincial government to explore the possibility of a student loan forgiveness and/or deferral program for clinicians during their Clinic year, and/or during a period of time practicing in an underserved BC community.

## 12. Research & Evaluation

- A. APB will engage a professional evaluator in the periodic evaluation of Clinic user experiences, including those of Clinic staff, clinicians and clients; Clinic operations will be adjusted incrementally on a continual basis in response to evaluation findings and recommendations.
- B. APB will partner with the Access to Justice Centre for Excellence at the University of Victoria to collect and analyze data from Clinic operations; APB will offer disaggregated Clinic data to justice sector researchers for free and for their own purposes.

## 13. Post-pilot

- A. If the pilot succeeds overall and resources allow, the Clinic could accept 20-30 new clinicians at the beginning of each new session (along with the hiring of more Supervising Lawyers); ideally, the articling student to Supervising Lawyer ratio will not exceed 10:1 for students engaged in their service semester.
- B. Clinic revenue from clinicians' collected service fees should cover a sizeable amount of annual expenses, particularly as the clinician cohorts scale up; Clinic reliance on annual grants should lessen considerably beyond the pilot years.
- C. The Clinic could also expand to include new types of legal service provider as they are approved by the Law Society of BC.

