



Creating and promoting pro bono opportunities for Alberta lawyers

First Annual Report 2007



Our mission and objectives

Mission

PBLA's mission is to improve access to justice by increasing the scope and availability of pro bono legal services for Albertans of limited means. Pro bono legal services are intended to complement, not to replace a properly funded legal aid system.

Objectives

PBLA's objectives are to promote access to the justice system in Alberta by creating and promoting opportunities for lawyers to provide pro bono legal services to persons of limited means by:

1. creating opportunities for Alberta lawyers to discharge their professional responsibilities to provide pro bono legal services;
2. improving the overall delivery of pro bono legal services by facilitating the integration and coordination of services provided by pro bono organizations throughout the province of Alberta;
3. ensuring province-wide access to high-quality pro bono legal services to persons of limited means by:
 - (i) supporting and improving the quality of existing pro bono programs;
 - (ii) working with existing pro bono legal clinics to assist them in providing pro bono services; and
 - (iii) fostering the development of new pro bono programs where needed;
4. enhancing the growth of a pro bono culture within the Alberta bar;
5. raising general public awareness of pro bono legal services to community organizations and persons of limited means who require legal services; and
6. raising the awareness of Alberta lawyers of the need for pro bono services and of the resources available to lawyers who are prepared to provide pro bono services.



Rodney A. Jerke, QC

Message from the president

To uphold and preserve the fundamental principles of justice, including the rule of law, the independence of the bench and bar, effective and equal access to justice and to promote equity and diversity in the legal profession.

This statement, which is one of the goals of the Law Society of Alberta (LSA), was the vision behind the establishment of Pro Bono Law Alberta (PBLA) in 2007 as the 100th Anniversary Legacy Project of the LSA. The goal of the Benchers was to support a profession-wide initiative worthy of being the legal profession's legacy. The principles stated in that goal now stand at the root of and are being joined with the robust culture of *pro bono* service, which stands at the heart of the legacy.

The result has been the formation and launch in May 2007 of an organization with a mission "to improve access to justice by increasing the scope and availability of pro bono legal services for Albertans of limited means."

During this, our year of implementation, we have focused on three main areas:

Creating an enduring organization: The registration of PBLA as a society, constitution of the board of directors and the advisory board, and its designation of charitable status have given structure to the organization. The development of PBLA's mission statement, objectives and strategic plan have provided a clear direction on where the organization will go. Securing sustainable funding ensures that PBLA's ambitious goals can be met. PBLA is well positioned to fulfill its vision to be "the model of a pro bono organization that enables a significant number of lawyers to provide access to justice through pro bono projects and programs, has carved out its slice of the 'access to justice pie' alongside other organizations such as Legal Aid and provides support to the pro bono clinics which have become a model nationally."

Creating an enduring operation: Attention here has been focused on the groundwork to ensure long term viability, including the development of plans (communication, program and project), systems (accounting and audit) and products (the website and quarterly newsletter). Operating with our executive director, Susan Billington, QC, on secondment from the Law Society of Alberta, we have created job descriptions for our executive director, project manager and executive assistant positions. In addition, we have been successful in hiring Myra Skerrett as our executive assistant. The Child Advocacy Pro Bono Project, a new project brokered by PBLA, has been founded through a joint initiative with national law firm Borden Ladner Gervais LLP and the Children's Legal and Educational Resource Centre (CLERC). This project helps vulnerable children and youth access fundamental legal services they would otherwise be unable to access or pay for in a variety of civil law matters.

External activities: PBLA's objectives include working with pro bono organizations across the province, enhancing the growth of a pro bono culture within Alberta, raising public awareness of pro bono legal services to the community and raising the awareness of Alberta lawyers of the need for pro bono services and resources available. Efforts in this regard have included participation in the numerous public events highlighting pro bono legal services throughout

the year, participating in and creating significant publicity about the legal profession's participation in pro bono legal services and leadership in provincial, inter-provincial, national and international events supporting and enhancing pro bono culture. Of special note is PBLA's leadership in hosting the 2007 Stakeholders' Round Table and in following up on outcomes of that conference, and our support of sister organizations, including the recent establishment of Pro Bono Law Saskatchewan.

A very significant accomplishment has been obtaining sustainable operational funding. Certainly, the generous financial support provided by the Alberta Law Foundation for both the start-up and ongoing funding of PBLA is critical and demonstrates the foundation's continued commitment to the provision of pro bono legal services in Alberta. Likewise, the support of the LSA through its Benchers by providing start-up funds and committing to participate for a three-year period in the ongoing operational funds of PBLA demonstrates in a very tangible way commitment to the objectives of this organization. I would be remiss if I did not specifically thank Jim Peacock, QC, past president of the Law Society of Alberta, and Don Thompson, QC, executive director of the Law Society of Alberta, for their vision, determination and support for this initiative.

Special mention must be made of the PBLA Advisory Board members, who have all willingly stepped forward to lend their support in a very visible way to PBLA's goals, particularly the goal of enhancing the growth of the pro bono culture within the Alberta Bar.

The determination, creativity and vision of the PBLA Board of Directors can not be overstated. This hard working group of individuals has provided the engine which has moved this initiative forward and ensured its long term success. For that, for their sense of adventure to go where no organization has ever gone before, and for their support of me personally, I am grateful. Thank you.

To Myra Skerrett for stepping in so capably and so quickly becoming an integral part of this institution, we are fortunate. And to Susan Billington, QC, acting executive director, without whom none of this would have happened, we express more than our gratitude.

As we move forward we will be working hard to fulfill our executive director position on a permanent basis and to hire our program developer. The focus in the year to come will be on implementation of our programs in our three key areas:

- expanding the delivery of pro bono services throughout the province;
- supporting and enhancing the work of the pro bono clinics; and
- increasing the number of lawyers providing pro bono services.

We look forward with enthusiasm and excitement for the year to come. My thanks for allowing me the privilege of serving as this organization's first president.

Rodney A. Jerke, QC
President



Susan V.R. Billington, QC

Executive director's report

One might think that conceiving of and then starting a new province wide not-for-profit agency made up of lawyers to create and promote opportunities for Alberta lawyers to provide pro bono – that is *free* – legal services to low income Albertans is a vision so overwhelming that it would be an insurmountable task! The PBLA Board of Directors has demonstrated during the first operating year that this vision can become and is a now reality. It has taken the inspiration, vision and tenacity of many committed and talented lawyers and pro bono stakeholders coming together to build a vision and lay the foundation for PBLA in its first year of operations.

The information on the following pages explains in greater detail the range of activities that PBLA has been involved in over the past year to establish a solid foundation to accomplish its mission and objectives. Highlights of the year include:

- Open for business – PBLA is open for business and is registered as a provincial not-for-profit agency – April 1, 2007
- Official launch – PBLA is launched to the profession as the legacy project of the Law Society of Alberta in two events in Calgary and Edmonton May 23 and 24, 2007
- Strategic plan adopted – September 2007
- Child Advocacy Pro Bono Project – first brokered law firm project – October 30, 2007
- Second Annual Pro bono Stakeholders' Round Table – November 1 and 2, 2007
- Alberta Law Foundation announces funding for staff lawyers in pro bono clinics – November 2007
- Law Society commits to participate in core operational funding for three years to 2010
- The Alberta Law Foundation provides core operational funding for 2008-2009
- Charitable status granted from Charities Directorate, Canada Revenue Agency

I extend a special tribute to our founding board members under the leadership of President Rod Jerke, QC, for their inspiration, vision, dedication and hard work in establishing PBLA. A special thank you is also extended to our advisory board members who as influential leaders in the legal community have provided their support and encouragement for the mission and objectives of PBLA. Many thanks to the Benchers, management team, staff and my assistant Sharon Allard at the Law Society for embracing PBLA as the legacy project of the Law Society of Alberta; and to consultant Merrill Cooper, Guyn Cooper Research, who has provided strategic guidance throughout. Particular mention must also be made to our provincial affiliated organizations, Pro Bono Law BC (Executive Director Jamie Maclaren) and to Pro Bono Law Ontario (Executive Director Lynn Burns) for their unconditional and unfailing support of the start-up of PBLA.

Finally, many thanks go to our core operational funders: the Law Society of Alberta and the Alberta Law Foundation. Without their faith in building the vision of PBLA, laying the foundation during our first year for the development of projects and programs to improve access to justice for low income Albertans ineligible for Legal Aid would not have been possible.

Susan V.R. Billington, QC

Executive Director

(on secondment from the Law Society of Alberta)



PBLA Launch May 2007: Susan V.R. Billington, QC; the Honourable Ron Stevens, QC; Rod Jerke, QC; James Peacock, QC

Building the vision

THE CREATION OF PBLA

The development of Pro Bono Law Alberta is due to the strategic pro bono initiatives adopted by the Law Society of Alberta over the past decade. The Law Society of Alberta has worked to promote and provide a structure for the delivery of pro bono services in Alberta since the establishment of its Pro Bono Committee in 1998. Highlights include:

- commissioning the creation of a pro bono legal clinic start-up kit, based on the Calgary Legal Guidance (CLG) model to serve as a “how-to” manual for new pro bono clinics, including the Edmonton Community Legal Centre (ECLC), the Children’s Legal and Educational Resource Centre (CLERC), the Central Alberta Community Legal Clinic (CACLC) and Lethbridge Legal Guidance (LLG);
- facilitating the extension of insurance coverage to better accommodate corporate/government and retired/inactive lawyers who wish to provide pro bono services through an authorized pro bono provider;
- brokering a partnership with Miller Thomson, Calgary Legal Guidance and Edmonton Community Legal Centre for the referral of specific pro bono files; and
- together with the Canadian Bar Association (Alberta branch) establishing the *Distinguished Service Award for Pro Bono Legal Service* awarded annually at the Alberta Law Conference.

In its 2003 report entitled *Pro Bono Publico*, the Law Society proposed the development of a new service with the vision to support, maximize and coordinate the delivery of pro bono legal services throughout Alberta. The result was the convening of the first annual Pro Bono Stakeholders’ Round Table in October 2006. At the end of the two day consultation under the guidance of consultant Merrill Cooper of Guyn Cooper Research, the pro bono stakeholders: 1) agreed to create a new provincial organization and 2) agreed on the objectives, a governance model and action plan to implement a new provincial pro bono organization called Pro Bono Law Alberta.

A board of directors was formed under the leadership of Bencher and Pro Bono Committee Chair Rod Jerke, QC, with a representative from each of the six Alberta pro bono stakeholder organizations: Calgary Legal Guidance; Edmonton Community Legal Centre; the Central Alberta Community Legal Clinic; Lethbridge Legal Guidance; the Children’s Legal and Educational Resource Centre; and the Volunteer Lawyers Service. These representatives have worked tirelessly in the first year of operations to build the vision of PBLA and to lay the foundation for a sustainable and functional not-for-profit charitable organization devoted to creating and promoting pro bono opportunities for Alberta lawyers.

At the same time as the policy foundations for PBLA were being laid during 2006, the Law Society of Alberta was planning to celebrate its 100th anniversary. There was a strong sentiment that the celebration should include a “legacy project,” something that would demonstrate the commitment of the Law Society of Alberta to its mission of serving the public interest. At the September 2006 Convocation of the Benchers, the formation of a provincial pro bono organization was unanimously adopted by the Benchers as the legacy project of the Law Society of Alberta. The profile of PBLA and its introduction to the legal community has benefitted from the high profile given as the legacy project of the Law Society of Alberta which was launched to the profession in events held in Calgary and Edmonton in May 2007. Many thanks to the now Past President Jim Peacock, QC, and Executive Director Don Thompson, QC, of the Law Society and to the Law Society Pro Bono Committee for their leadership in the establishment of PBLA.

Funding for PBLA in its inaugural year was generously provided by the Alberta Law Foundation and the Law Society of Alberta.

Laying the foundation

THE PBLA STRATEGIC PLAN 2007

The work of the board of directors and staff of PBLA over its first year of operations has focused on laying a solid foundation for the operations of the organization. To accomplish this main goal, the board held its first strategic planning session in June 2007 which resulted in the adoption of the PBLA Strategic Plan in September 2007.

As a newly formed not-for-profit with many great ideas and an energetic board and staff, the challenge was to focus on strategic initiatives that will serve PBLA as it grows and develops. Two main priorities were identified:

- 1) developing and implementing pro bono projects and programs; and
- 2) building a sustainable organization by obtaining secure and ongoing operational funding. The second priority of secure operational funding is a key factor in the first priority of project and program development.

In laying the foundation for a firm financial footing for PBLA, the board undertook a scan of the funding environment for legally related not-for-profit charitable organizations with the guidance of consultant Merrill Cooper of Guyn Cooper Research. As a result of this process, the PBLA Board requested ongoing core operational funding from two sources: the Law Society of Alberta and the Alberta Law Foundation.

At the December 2007 Convocation, the Law Society agreed to participate in ongoing core operational funding for PBLA for three years (to 2010). It should also be mentioned that the Law Society has supported the establishment of PBLA with substantial in-kind support including: office space, communication support, IT support, staff support and the secondment of policy

counsel Susan Billington, QC, as acting executive director. The Alberta Law Foundation is also a key funder of PBLA and has generously participated in the ongoing core funding for the operations of PBLA for the 2008-2009 fiscal year. PBLA achieved its goal of becoming a federally registered charity in December 2007.

With sustainable operational funding in place, the second priority for PBLA is to focus on the development of pro bono projects and programs. The board has directed that the development of pro bono programs and projects should focus on three goals:

- 1) to expand the pro bono clinic model to locations that currently do not have legal information and summary legal advice services through a pro bono clinic (locations outside Calgary, Edmonton, Red Deer and Lethbridge);
- 2) to develop programs in cooperation with the existing pro bono clinics;
 - a) to include new areas of law; and
 - b) to include increased direct legal representation of clients; and
- 3) to develop relationships with lawyers and law firms to assist them in developing law firm pro bono policies and projects.

Substantial progress has been made toward each of these three main project development areas in the first year of operations which will carry forward to our second year of operations.

Please refer to the PBLA website at www.pbla.ca for details of program and project development.

Outreach to the profession

HIGHLIGHTS OF 2007

In its first year of operations, PBLA worked to reach out to various sectors of the legal community and to the pro bono stakeholders in Alberta. The following are highlights:

- **Pro Bono Law Alberta Launch**, May 23, 2007 (Calgary) and May 24, 2007 (Edmonton)
- **Lethbridge Legal Guidance Open House**, May 11, 2007
- **Edmonton Community Legal Centre Annual General Meeting**, June 2, 2007
- **Meeting with Assistant Chief Justice**, The Honourable Neil Wittman, July 16, 2007
- **Canadian Bar Association Legal Expo**, Exhibitor at the Legal Expo with Pro Bono Law Ontario and Pro Bono Law BC in Calgary August 12, 13 and 14, 2007
- **National Pro Bono Canadian Bar Association**, section meeting, August 14, 2007
- **Student Legal Services, University of Alberta**, meeting with Executive Coordinator James Koizumi, August 21, 2007
- **Grande Prairie**, community consultations September 12, 2007 meetings with:
 - Local law firms and lawyers
 - Family Community Support Services representative
 - Law Information Centre (LiNC) Grande Prairie opening
- **Law Society of Alberta 100th Anniversary**, celebration of commemorative stamp (Edmonton), September 2007
- **Canadian Forum on Civil Justice**, meeting with Diana Lowe, executive director, September 2007
- **Flying Lawyers Association meeting**, Just Air pro bono project, September 26, 2007
- **Pro Bono Students Canada**, Public Interest Law Day reception at the Art Gallery of Calgary, October 2, 2007
- **Law Society 100th Anniversary Gala Dinner**, October 2007
- **CBA ADR South section**, presentation on JDR, October 23, 2007
- **Calgary Legal Guidance**, annual general meeting and volunteer appreciation, October 24, 2007
- **Artful Bench and Bar**, hosted by the Children's Legal and Educational Resource Centre, October 30, 2007
- **Second Annual Pro Bono Stakeholders' Round Table**, November 1 and 2, 2007
- **Law Society of Alberta 100th Anniversary Conference**, October 26, 2007
- **Association of Women Lawyers Retreat**, November 2 to 4, 2007
- **Calgary Legal Guidance 35th Anniversary Celebration**, November 6, 2007
- **Fort McMurray**, interagency meeting and meeting with local lawyers, November 20, 2007
- **Legal Aid Alberta**, meeting with representatives Glenda Graham, Chair, and Fred Fenwick, Jan 15, 2008
- **Pro Bono Students Canada**, Just Cause event, University of Calgary Faculty of Law, January 22, 2008
- **Canadian Centre for Professional Legal Education**, presentations in Edmonton and Calgary, February 15, 2008
- **Volunteer Lawyers Service**, meeting with the board of directors, March 3, 2008
- **Canadian Bar Association Alternate Dispute Resolution Section (south)**, February 6, 2008
- **Canadian Bar Association Charities Law Section (south)**, February 26, 2008
- **University of Alberta Faculty of Law**, presentation on PBLA, March 4, 2008
- **Alberta Law Conference Exhibitor (Calgary)**, March 13 and 14, 2008



Alberta Law Conference March 2008: Doug Hudson, QC, board of directors, Lethbridge Legal Guidance; Susan Billington, QC, executive director, PBLA; Myra Skerrett, executive assistant, PBLA

Project profile

PBLA'S FIRST BROKERED PRO BONO PROJECT HELPS CHILDREN AND YOUTH



Project Launch October 2007: Bruce Churchill-Smith, QC, BLG partner; Brett Anderson, Chair, CLERC; Rod Jerke, QC, president, PBLA; Jim Peacock, QC, president, Law Society of Alberta

The Child Advocacy Pro Bono Project was announced as the first brokered project of PBLA on October 30, 2007. Through a Memorandum of Understanding developed in conjunction with Children's Legal and Educational Resource Centre (CLERC) and Pro Bono Law Alberta, Borden Ladner Gervais LLP (BLG) will provide pro bono legal services in a range of civil law matters to vulnerable children and youth unable to access or pay for legal services in the Calgary and surrounding area. These services will be provided pursuant to BLG's "pro bono policy" which counts pro bono hours as "billable" hours.

The Child Advocacy Pro Bono Project targets participation and opportunities for both barristers and solicitors at BLG. The scope of the project is quite broad and includes varying levels of volunteer involvement including:

- representation of children and youth in general civil law matters and education (school) related matters but will not include family law and child protection matters;
- development of policies and operational procedures for CLERC;
- research and development of educational and resource materials on children's law; and
- outreach presentations regarding children and the law to community and social service agencies.

Bruce Churchill-Smith, partner and coordinator of the project at BLG, advises that 15 lawyers at BLG have formally signed up as participating volunteer lawyers in the project and work on several cases has already begun.

CLERC has been operating and providing free (pro bono) service to vulnerable children and youth in the Calgary community for five years. CLERC currently has two lawyers on staff: Dale Hensley, executive director; and Julie Hart, lawyer for children and youth. "We are very excited that this arrangement with BLG, brokered by PBLA, will increase CLERC's capacity to help children in need of legal advice, service and education," says Ms. Hensley.

Part of the mandate of PBLA is to broker pro bono projects between law firms and community groups. "We are very pleased that within our first several months of operations, PBLA has been able to fulfill this role," says Rod Jerke, president of PBLA. For more information on law firm pro bono policies and project development, visit www.pbla.ca.



Condensed financial statements

As at March 31, 2008

	2008
CURRENT	
Cash	\$ 177,184
Goods and services tax recoverable	1,750
	<u>\$ 178,934</u>
LIABILITIES	
CURRENT	
Accounts payable and accrued liabilities	\$ 6,500
NET ASSETS	
Internally restricted	100,000
Unrestricted	72,434
	<u>172,434</u>
	<u>\$ 178,934</u>
REVENUES	
Grants	\$ 369,025
Donations	7,700
Interest	60
	<u>376,785</u>
EXPENSES	
Salaries, wages and benefits	114,578
Website	14,725
Equipment expense	14,202
Advertising and promotion	13,052
Stakeholder conference	11,414
Consulting	9,124
Professional fees	6,500
Printing	6,325
Meeting expense	4,779
Travel	3,913
Professional development	2,709
Goods and services tax expense	1,426
Insurance	1,125
Office	429
Memberships	50
	<u>204,351</u>
EXCESS (DEFICIENCY) OF REVENUE OVER EXPENSES	<u>\$ 172,434</u>

Statement of operations

For the year ended March 31, 2008

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Thank you

Pro Bono Law Alberta's success is possible with the support of many individuals and groups who work with us to improve access to justice to Albertans of limited means. Thank you for your support.

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Gillian D. Marriott, Treasurer
Suzanne M. Alexander-Smith, Secretary
Bruce Churchill-Smith, QC
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(on secondment from the Law Society of Alberta)
Myra Skerrett, Executive Assistant

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Dave Bretz, Chartered Accountant
Carol Austin, Charity Assist (web site design)
Michelle Riches, Riches Design (logo design)
Barb Burfoot, Verge Design

Donors

In PBLA's inaugural year, many people generously provided donations to enhance the start-up activities of PBLA. Thank you to:

The Honourable Mr. Justice J.A. Agrios
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