



## Pilot Outline

### 1. EXECUTIVE SUMMARY

Access Pro Bono (APB) will develop and operate a virtual public interest legal clinic (named 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 FTE supervising lawyers, a part-time supervising notary and one FTE administrator to remotely train, supervise and support two cohorts of at least 25 articling students and five new notaries over four six-month semesters.

In the first semester of each pilot year, articling students will attend the Law Society of BC's Professional Legal Training Course (PLTC). All clinicians will establish and manage an adaptive legal practice, and provide pro bono services to regional and remote clients referred by APB. In the second semester of each pilot year, articling students will provide a range of affordable fixed-fee services (under remote supervision) to regional and remote clients referred by APB, Legal Aid BC and other legal non-profit organizations. All clinicians will keep half of their collected billings for APB-referred work, and 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 pilot year will run from May 9/22 to May 5/23, with the first learning-focused semester running from May 9/22 to October 31/22, and the second service-focused semester running from November 1/22 to May 5/23.
- D. The second pilot year will run from May 8/23 to May 10/24, with the first learning-focused semester running from May 8/23 to November 3/23, and the second service-focused semester running from November 6/23 to May 10/24.

### 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 four FTE Supervising Lawyers (one FTE family lawyer, one FTE civil/admin/immigration lawyer, one FTE criminal defense lawyer and one FTE solicitor/ "Managing Partner") who will serve as non-specific principals to a first cohort of 25 articling students, and a second cohort of 25 to 50 articling students.
- B. The Clinic will also employ a part-time Supervising Notary who will serve as the supervisor to a first cohort of five notary clinicians, and a second cohort of five to ten notary clinicians.
- C. The Supervising Lawyers and Supervising Notary will be supported by an FTE Clinic Administrator, and by the added (and compensated) efforts of APB's Executive Director, Director of Legal Services, Director of Finance and Online Projects Manager.
- D. 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.
- E. The Supervising Notary will teach notary clinicians how to run their own practice by the Society of Notaries Public of BC's best standards.
- F. 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 two 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.
- B. The Clinic will make a concerted effort to admit Indigenous students, and support them in serving Indigenous communities.
- C. Articling students will incorporate as personal law corporations, and register as “qualified vendors” with Legal Aid BC (as permitted) in the last month of the first semester.

## 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 students; Clio will also offer discounted annual fees for Clinic graduates.
- 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 students.
- 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 24/7 access to ~1000 square feet of office/meeting space in a highly accessible Metro Vancouver location; the Clinic office space will be outfitted with dockable workstations, a dedicated office for the Clinic Administrator, a copier/printer and standard law/notary office equipment.
- F. Vancouver-area staff and clinicians will have weekday access to the APB head office and infrastructure in downtown Vancouver.

## 8. CALENDAR & CURRICULUM

### *First Semester – May to October*

- A. Following graduation from their legal studies, all clinicians will attend the first two 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, trained in APB, Qase and Clio systems, and may begin the personal incorporation process.
- B. Notary clinicians will set up office in their home communities by late May (if they have not set up office already). From May through October, 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. From May to July, articling students will attend PLTC in their choice of 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. From August through October, articling students will engage in a daily mix of remote learning and pro bono service provision; Clinic staff and several guest lecturers will provide group instruction; APB and Qase will screen and refer pro bono 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 Semester – November to April*

- G. In early November, 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 students and regular LRS lawyers and notaries.
- I. Once retained by clients, clinicians will consult the appropriate Supervising Lawyer(s) or Supervising Notary by Zoom, phone or in person as needed; Supervising Lawyers and the Supervising Notary will provide daily bookable access to clinicians.
- J. Having passed PLTC, and having been approved by all Supervising Lawyers, articling students will wrap up Clinic practice in late April;
- K. Having been approved by the Supervising Notary, notary clinicians will also wrap up Clinic practice in late April.
- 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 serve as “qualified legal aid vendors” and provide tariff services to regional clients as permitted by Legal Aid BC.
- G. The Supervising Lawyers and Supervising Notary 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 clinicians’ personal incorporation fees and articling students’ PLTC fees; clinicians will have free use of Clinic infrastructure, Qase and Clio.
- B. Clinicians will keep 50% of all service fees collected via Qase; the Clinic will keep the other 50% to support Clinic infrastructure.
- C. Articling students will keep any and all 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, students 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. EXPANSION

- A. If circumstances and resources allow, the Clinic could expand as early as the second pilot year to include experienced lawyers who are willing to relocate their practices to areas of BC with too few legal aid practitioners; lawyer clinicians would have access to the full range of remote learning and pro bono service opportunities, but would mainly participate in the service and referral aspects of the Clinic.
- B. The Clinic could also expand to include new types of legal service provider as they are approved by the Law Society of BC.

### 14. POST-PILOT

- A. If the pilot succeeds overall and resources allow, the Clinic could accept 30-60 new clinicians at the beginning of each semester (along with the hiring of more Supervising Lawyers and another Supervising Notary); ideally, the articling student to Supervising Lawyer ratio will not exceed 10:1 for students engaged in their second semester.
- B. Clinic revenue from clinicians' collected service fees should cover a sizeable amount of annual expenses, particularly as the clinician cohort scales up; Clinic reliance on annual grants should lessen considerably beyond the first pilot year.