

NOTICE TO THE PROFESSION**PBOnline:**

On September 3, 2013, four private bar panel members agreed to begin using PBOnline as part of LAM's testing of the System. Given the positive initial test results, we are now encouraging all private bar panel members to obtain training and a PBOnline account in advance of April 1st, 2014, when the System will become the primary method of certificate delivery to private bar panel members.

PBOnline System Requirements: In order to access the System, counsel must have:

- 1) Web access;
- 2) Web Browser:

Operating System	Browser	Notes
Windows XP with Service Pack 3	Firefox (latest version)	Internet Explorer can not be used to access PBOnline
	Google Chrome (latest version)	
Windows Vista	Firefox (latest version)	
	Google Chrome (latest version)	
	Internet Explorer 9	
Windows 7 & 8	Firefox (latest version)	
	Google Chrome (latest version)	
	Internet Explorer 9 or 10	
Mac OS X	Safari (latest version)	
	Firefox (latest version)	
IOS 6 & 7 (iPhone / iPad)	Safari (latest version)	
Android (Phone & Tablet)	Dolphin (default browser)	
	Firefox (latest version)	

3) Adobe Reader (available free of charge by download on a computer or at the App Store for Apple and Play Store for Android smart phones and tablets);

4) Effective December 2, 2013, PBOnline training will be available in person, and/or through video presentation. You may access video training via the Legal Aid Manitoba Website, www.legalaid.mb.ca, under the tab "Resources for Lawyers - PBOnline". If required, counsel may take advantage of in person training through our Systems department. Once your training is complete you will be able to take advantage of the PBOnline system.

Changes to Area Director Offices:

Effective the 1st of January 2014 the structure of the Area Offices in Manitoba will change. The Brandon, Parklands and Northern Area Offices will be under the authority of a single Rural Area Director, Theresa McDonald. The Winnipeg Area Office will continue under the Authority of the Winnipeg Area Director, Cathy Sherman. Please ensure all correspondence on Administrative office issues is directed either to Head Office in Winnipeg, or the Area Director for your region.

Office Closures:

Prairie CLC Office Closure

The Prairie CLC was closed on October 31, 2013. Staff from that office were redeployed to Agassiz and Willow.

Kelsey CLC Office Closure

The Kelsey CLC was closed on October 31st, 2013. Staff from that office were redeployed to the Northlands CLC.

Parklands CLC Office Closure

The Parklands CLC will be closed effective March 31st, 2014. Staff from that office will be relocated to the Amisk CLC.

Translation Services for Client Interviews:

Counsel interviewing a client or witness who does not speak English may now use the CanTalk Translation Service with prior authorization from the Area Director.

The CanTalk system will provide an interpreter over the telephone. Generally this can be arranged, without prior notice, in only a few minutes. The service can also be used when you are calling the client or witness on the phone. When you are ready to use the service contact CanTalk at 1-877-209-7356 or 204 786-0149.

1. Provide the CIN Number **5571**
2. If your client is to be contacted by phone tell CanTalk you need a "call out" and the phone number where the interviewee is located. .
3. You will be required to provide counsel's last name, first name, the name of the interviewee and the certificate number.
4. Where you can provide the language spoken by the interviewee please advise the agent. If you are not sure the agent will determine the language by speaking with the interviewee.

Please remember that prior authorization is required for this service.

Administration of Justice Offences Enhanced Duty Counsel Project

Over the past 2 years, LAM has experienced volume increases as follows:

- in 2011/12, a total of 26,487 certificates were issued; an increase of 1,514 certificates over 2010/11
- in 2012/13, a total of 28,643 certificates were issued; an increase of 2,156 certificates over 2011/12

In the first 2 quarters of 2013/14 LAM has seen an increase of 900 legal matters over the same period during 2012/13.

While there has been growth in all areas of legal aid with respect to legal matters issued, the most significant growth has been in the area of administration of justice offences, and in particular breach of probation charges.

Total adult breaches have increased by 4,439 legal matters (163.2%) between fiscal years 2008/09 and 2012/13. Youth breaches increased by 961 legal matters (200.6%) between fiscal years 2008/09 and 2012/13.

The increase in the volume of breach cases since 2008/09 at today's average cost per case has increased LAM costs by \$3.4 million, a portion of which LAM has been able to absorb through managing operating costs.

In order to explore ways to manage the costs associated with this increase in volume, LAM consulted with its stakeholders, and in particular the Criminal Defense Lawyers Association, (CDLA), Manitoba Bar Association, (MBA) Legal Aid Lawyers' Association, (LALA) and Justice Innovation.

After consulting with, and receiving input from the above named stakeholders, LAM has established an Enhanced Duty Counsel Project to provide services to eligible, out of custody accused dealing with administration of justice offences, effective December 1, 2013. The Project will not affect legal matters issued prior to December 1, 2013, and will be reviewed on or before December 1, 2014.

The details of the Project are as follows:

- The Project is restricted to eligible out of custody adult/youth accused whose only charge is an administration of justice offence.
- These matters would at first instance be diverted to existing staff lawyers providing duty counsel services throughout the Province. Where staff counsel are not available, matters would be issued to requested/available private bar counsel.
- If an individual is subsequently charged with an offence - other than an Administration of Justice offence - after they have been placed into the Project, the new legal matter shall issue to choice of counsel, who will also have the option of representing the client on the administration of justice offence as an "also" on the certificate.
- Staff counsel providing services as part of this Project will not be restricted to providing only traditional duty counsel services such as guilty pleas and remands.

Matters that are excluded from the Project are as follows:

- Where the client is denied bail or has no realistic hope of bail;
- Breaches of Long Term Offender Orders, s. 810 orders or orders where the prosecution is being done by the Criminal Organizations High Risk Offender Unit (COHROU/GRASP/WATSS);
- Administration of Justice Offences without accompanying substantive offences where the client is already pending on a substantive offence.

PRO BONO REPORTING FORM

Lawyers in Manitoba have a long history of providing access to justice for low-income individuals on a *pro bono* (free), or on a reduced fee, basis. As early as 1938, members of the Law Society of Manitoba organized an “Indigent Suitors Committee” to provide legal services to people who could not afford a lawyer (mostly in family matters). The “Legal Aid Committee on Criminal Matters” followed just over a decade later.

Need for services grew rapidly in the 1960’s and by January 29, 1969, increasing demand led to a roster of private bar lawyers (paid \$50.00 a day) to act as “Legal Aid Duty Counsel” at criminal intake court.

On July 27, 1971 the Government of Manitoba passed legislation to set up a formal legal aid plan. Funding through an equal cost-sharing agreement between the Federal and Provincial governments, supplemented by a grant from interest generated on lawyers’ trust accounts, was in place by March 31, 1974.

LAM acknowledges that lawyers continue to provide *pro bono* services to low income individuals; however, this information is not being reported to LAM on a consistent basis. In an effort to make it easier to report the provision of *pro bono* services by counsel, LAM has developed a [Pro Bono Reporting Form](#). The information gathered in these forms will be shared with stakeholders as part of LAM’s ongoing efforts to increase access to justice for low income individuals.

Private Bar Cheque Run

There will be no private bar cheque run done on the 30th of December 2013. There will be cheque runs done on the 23rd of December and 6th of January.

PRO BONO FINANCIAL SCREENING

Circle family size and yearly family income (gross):

Family Size	<Full Contribution
1	≤ 23,000
2	≤ 27,000
3	≤ 31,000
4	≤ 34,000
5	≤ 37,000
6	≤ 40,000
7	≤ 43,000

Family Size	>Full Contribution
1	> 23,000
2	> 27,000
3	> 31,000
4	> 34,000
5	> 37,000
6	> 40,000
7	> 43,000