

26 - 2014

NOTICE TO THE PROFESSION

ACCESS TO JUSTICE INITIATIVE

Clinical Criminal Law Course – University of Manitoba Community Law Centre

The University of Manitoba Community Law Centre (UMCLC) located on the University of Manitoba campus, has been a part of Legal Aid Manitoba (LAM) since 1972.

The office primarily provides representation in *Criminal Code* offences that are not likely to result in a sentence of incarceration. If there is a reasonable possibility of jail, cases are referred back to LAM for re-assessment.

The UMCLC is staffed by 50 - 100 second and third year Law Students who volunteer their time. Four students are hired during summer months to provide continuity for clients of the Centre. The students provide representation under the authority of Section 21 of *The Legal Professions Act*, and are registered with the Law Society of Manitoba.

LAM is pleased to announce that it has partnered with the University of Manitoba Robson Hall Faculty of Law to reintroduce its Clinical Criminal Law Course in an updated format within the existing UMCLC funding provided by the Law Foundation of Manitoba, Legal Aid Manitoba, and the Faculty of Law.

The primary focus of the Clinical Criminal Law Course is the development of skills required in the practice of law. These skills include: interviewing, counseling, negotiation, and advocacy skills such as case assessment and research, witness examination (direct and cross), and oral argument.

Students enrolled in the Clinical Criminal Law Course must satisfactorily complete an average of 20 hours (2.5 work days) each week under the supervision of a Supervising Lawyer from LAM.

Student duties will include training, orientation, staffing duty days at the UMCLC, conduct of UMCLC files, and assisting the Supervising Lawyer with specified file tasks on the supervising lawyer's files. Students will also accompany their Supervising Attorney to court to watch, and assist with, the conduct of cases. The completion of these tasks will meet an overall target for the course of 260 hours of file related work. Students will augment their hands-on learning through a regular seminar with Professor David Deutscher, who has a longstanding involvement with the Centre and with clinical education at the Faculty.

The Clinical Criminal Law course will begin during the 2015 Winter Session.

LAM appreciates the opportunity to partner with the Law Foundation of Manitoba and the Robson Hall Faculty of Law to enhance experiential learning for Law Students in the area of Criminal Law and to enhance access to justice for low income Manitobans. LAM also greatly appreciates the support and cooperation it has received from Staff Lawyers who have volunteered to take on the added responsibility of supervising Law Students enrolled in the Clinical Criminal Law Course.

ONLINE LEGAL AID APPLICATION

LAM has developed a web service for submitting legal aid applications online. Effective December 15, 2014, LAM will begin testing the online application with selected Application, Intake and Assessment Officers. The testing will include attending court and taking applications at the Winnipeg Application Centre. Once testing is concluded, the online application will be released for use by Private Bar and Staff lawyers.

LAM's current application assessment process requires an application to be filled out on paper, and later entered into our computer database system. The online application system will remove this redundancy and improve processing time.

The online application system is a multi-platform system. It supports the same operating environments as [PBOOnline](#). The format of the electronic application is very similar to the original paper form.

The online application system will also allow documents, such as proof of income, to be uploaded and submitted with an application. It will also prompt the interviewer to enter and include information required by LAM's Winnipeg and Regional Area Offices to efficiently process applications.

A signature from an applicant can be entered by means of a touch screen, or a signature pad (Topaz Systems, T-L460-HSB-R). Note that the PBOOnline system also supports this signature pad (provided the plug-in is installed in your browser).

It is anticipated that this innovation will improve the quality of applications received by LAM, and will increase operational efficiencies and cost savings at the Winnipeg and Regional Area Offices.

FAMILY LAW CERTIFICATES

If you practice Family Law you may have noticed that many family certificates issued as Tariff II matters under the [Domestic Tariff](#), are now worded differently. Counsel can expect to see wording on family certificates similar to the following:

Commence and conclude family proceedings and all corollary relief, costs.

or

Commence and conclude family variation proceedings, costs.

LAM acknowledges that assigned counsel and their client will determine the relief requested in pleadings as part of the solicitor-client relationship. Counsel are reminded, however, that trial authorization is required for all domestic tariff matters. This includes family and child protection proceedings. Requests for trial authorization will be assessed in accordance with the established policies set out in the [Area Directors' Manual](#), and in particular sections 5.1 and 5.3.