



Summary Report
Roster Lawyer Consultation Sessions
held
October 3 and 10, 2007

CONSULTATION SESSIONS OVERVIEW

Throughout its development, the Legal Representation for Children and Youth (LRCY) service has involved stakeholders in developing its policies and processes. This involvement has included informal and formal consultations with lawyers on a regular basis.

Normally, and now it is policy that, LRCY meets with roster lawyers every six months to consult and review key changes, and service enhancements, invite lawyers to share their experiences and listen to suggestions for improvement. The most recent consultation sessions were held in Calgary on October 3, 2007 and in Edmonton on October 10, 2007. This summary report highlights key information and discussion points and the collective input provided by the lawyers who attended.

FOCUS FOR 2008

LRCY Manager Jackie Stewart told participants a major focus for the organization in the coming year is to ensure children and youth receive quality representation. This is largely being done by evaluating already established service standards, developing an evaluation process and continuing the Mentoring Pilot Project until April, 2008.

SERVICE STANDARDS AND POLICY

- LRCY is developing a policy regarding reimbursement for air flight wait time. Direct billing from the airlines to LRCY was recommended to LRCY.
- LRCY is reviewing the current standard that requires a lawyer to meet face-to-face with a child or youth after a court case is concluded. Feedback to date and many session participants noted it is often difficult to contact the youth afterwards or follow-up is inappropriate.
- Participants expressed concern that 30 days is not long enough to review court orders and conclude an appointment. LRCY will review this.
- In response to a question, Jackie Stewart indicated that she deals with complaints concerning lawyers by speaking directly with the lawyer in question. The matter is referred to the Law Society if it is a complaint about professional conduct.

ROSTER CRITERIA

Roster criteria will continue to be refined as LRCY evolves and grows.

A new, one-day pre-service training day has been finalized. This is a mandatory prerequisite for new lawyers wishing to get on the roster. Sessions were held on October 15 in Red Deer and November 30 in Lethbridge. Some participants suggested adding solicitor/client privilege and ethical dilemmas of being a child's counsel to this training day. The existing agenda speaks to Alberta's statutory framework regarding legal representation of children and youth, LRCY's policies and procedures, the role of counsel, and interviewing children.

Maintaining membership on the roster will now require annual attendance at an approved advanced training session. These are likely to be three hour sessions, related Terri Davies, LRCY Quality Assurance Manager. Topics under consideration are Mediation, Appeal Panels and an advanced course on interviewing children. Session participants suggested the following topics:

- Moral Dilemmas
- Safety and Security (including preventing false allegations)
- Aboriginal Issues
- Psychoactive Medication
- PChAD and Family Law Legislation
- Vicarious Traumatizations
- Reviewing Clinical or Case Assessments of Children
- Information sessions involving the police, caseworkers and other professionals who may be involved with a case.
- Refresher courses on interviewing, using language that can be understood by a child, confidentiality, overcoming a child's fear, etc.

Participants suggested that LRCY consider short, lunch time sessions and to distribute the training calendar well in advance to make scheduling easier. Hosting a group seminar with peers to share anecdotes and learn from each other was also considered valuable. Terri Davies indicated suggestions for training sessions are welcome at any time.

ROLE OF COUNSEL

LRCY has contracted a legal consultant to develop a discussion paper on the role of counsel in representing children. This document will preface a stakeholder consultation that will eventually lead to LRCY guidelines for lawyers on this issue.

WHAT CAN A YOUTH EXPECT FROM A LAWYER

A youth friendly handout to inform youth about what they can expect from a lawyer has been developed. This was reviewed with participants. Other than small editorial comments, the only suggestion was to also provide information on procedural rights. Once finalized, it will be made available to youth, caseworkers and others and posted on LRCY's website.

SECURE SERVICES AND RETAINER AGREEMENTS

The Edmonton retainer agreement ends in November. The Calgary agreement runs to the end of 2007. The Calgary agreement is different as it is based on a cost per case. All Edmonton and Calgary roster lawyers may form groups and have an opportunity to submit proposals on upcoming agreements.