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Nunavut Legal Aid  
**Nunavut Maligaliykiit**  
L'aide Juridique du Nunavut



# **ANNUAL REPORT**

## **LEGAL SERVICES BOARD OF NUNAVUT**

### **2021-2022**

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# **MESSAGE FROM THE CHAIR OF THE BOARD**



# **EXECUTIVE SUMMARY**

## General Overview

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COVID continued to pose many challenges for the organization, especially with full to partial orders for staff to work remotely and not be able to meet or serve clients in person. The court continued with limited matters, focusing on urgent or essential cases, such as child welfare. Most of these hearings were done by a small number of resident judges and by phone or video conferencing until the court began to resume some court circuits in early January 2022. The LSB was cautious about sending staff into communities unwilling to have court and associated personnel as there continued to be some outbreaks from holiday gatherings. Also, LSB took precautions and carefully managed preparations for having staff return to office work and how to manage in-person client meetings.

The LSB faced significant reporting issues during this reporting period following ransomware, COVID-19, and the devastating Gjoa Haven fire. Nonetheless, we tried to capture as much information as possible for this report.

## Head Office & Fire

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In March 2022, our head office in Gjoa Haven burned down and was a total loss. The headquarters was in the Government of Nunavut building. Staff were expected to work from home until suitable office accommodations could be found. This was very difficult for the staff, mainly as staff did not have dedicated office space within their home, which also contributed to not having space for office equipment such as a desk, chair, filing cabinets, copier/fax machine, including confidential storage or space to do confidential work from documents to phone calls. As a result, it was not reasonable or possible to put staff and clients at risk – so much of this work had to be assigned to other staff who could meet the legal standards of client confidentiality.

## Board Activities

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In 2021-22, the Board of Directors met several times as a Board and for Committees via online/conference calls due to COVID; however, with restrictions lifted, the Board could meet in person/online conference calls. To respond to some of the COVID restrictions, travel logistics and delays between board meetings, the Board continued to rely on several committees (Executive, Panel Admissions, Finance) to assist in the timely review and approval of private panel applications, budget matters, human resource issues, and other Board business.

The most significant activity of the Board in 2021-2022 was the search for a new CEO through a headhunting firm, which began in the Spring. However, it took a considerable amount of time. It resulted in the hiring of Sarah Mihailovich, who accepted the offer in early January and began her position in Rankin Inlet in early March 2022.

## Finances

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For 2021-22, the LSB's total budget was \$13,002,932. Most of this funding, \$4,715,619, was spent on criminal cases, \$1,359,157 on family cases, and \$641,624 on civil cases. The LSB has additional expenses like articling students, board governance, and administrative expenses \$3,551,507.

In addition, LSB provides \$2,735,025 in funding to the three regional clinics, which offer office space and administrative support, including court workers in the communities.

Maliiganik Tukisiiniarvik in Iqaluit, Qikiqtani Region received \$1,424,622.

Kivalliq Legal Services in Rankin Inlet, Kivalliq Region, received \$741,217.

Kitikmeot Legal Centre in Cambridge Bay, Kitikmeot received \$569,186.

The LSB takes pride in carefully stewarding the public's money. The organization ensures its resources are spent effectively and efficiently for Nunavummiut, who needs legal services.

## Law Practice

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### Criminal Law

LSB employs 15 Criminal Law lawyers: 10 in Iqaluit, 3 in Rankin Inlet and 2 in Cambridge Bay. In addition, LSB has 33 Criminal Law private lawyers on its Criminal Law Panel.

For 2021-22, LSB opened 5296 criminal files, a significant increase over the two previous years. At a superficial level, this means there has been an increase in the number of charges laid and, likely, the people charged.

The LSB supported approximately 95 circuits in communities outside of Iqaluit and approximately 27 special sittings. These are relatively the same as for the two previous years – any changes reflect the normal year-to-year variances and are not part of a more significant trend.

### Family Law

LSB employs five Family Law staff lawyers: two in Iqaluit, two in Rankin Inlet, and one in Cambridge Bay. It also has eight private family law lawyers on its Family Law Panel.

In 2021-2022, LSB lost the legal aid application system in the HQ fire, which made the number of family legal aid applications unavailable. At this time, the family practice had a waiting list of eligible Nunavummiut waiting for this service.

Providing timely client service for our Family Law applicants has been a challenge. Given the demand in the territory for representation on low- and high-conflict files, it has been increasingly challenging for the LSB to keep up with and provide timely assistance to clients applying for family law assistance. The LSB requires complete applications for any family law matters. However, any adult or child applicant with a child welfare matter is deemed eligible. These matters usually result from child and family services, court-ordered appointments, or individual applications.

This work will continue to be a priority until the LSB has been able to reduce the backlog entirely, but it will likely take a year or two to reach the level that the LSB wants and needs to be in providing timely family law service.

## Civil Law

LSB employs three Civil Law staff lawyers: two in Iqaluit and one in Cambridge Bay. The Board directive and goal is to have one Civil Law staff lawyer per region. Until then, LSB can relocate or hire a Civil Law staff lawyer in Rankin; the other two Civil Law staff lawyers support this region.

The Civil Law practice has continued to grow and is now recognized by LSB. This is a significant achievement for LSB and Nunavummiut. We have a full complement of civil lawyers, with a senior civil lead managing our intake process.

Legal aid applications continue to grow in employment, residential tenancy, human rights, police misconduct, and general civil poverty law matters.

## Inuit Employment & Inuit Employment Plan

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The LSB continues to take initiatives to comply with our responsibilities under Article 23 of the Nunavut Land Claims Agreement. Best efforts are made to hire, train, and support the professional development of Inuit frontline staff and the hiring and promotion of Inuit staff in midlevel management and director positions. In 2021-2022, the LSB employed 7 full-time and 17 part-time Inuit court workers across the territory who provided clients with a broad range of services, from intake, translation, community outreach and litigation support. One full-time clinic director supports the clinics.

## Nunavut Law Program

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During this reporting period, LSB hired many students to do their articles at LSB. This increased the articling student budget; however, the results were hiring several students after graduation.

LSB maintains an open-door hiring policy for NLP graduates should they decide to article or work at Legal Aid in criminal, family, or civil law.

## COVID 19 – Global Pandemic

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2021-2022, LSB operations continued to provide services primarily by phone because of the COVID-19 pandemic. Even with the partial restrictions lifted by Governments towards the end of 2021, LSB maintained limited in-person interactions with clients. The Nunavut Court of Justice began to reschedule court circuits at the end of 2021 and 2022. Still, LSB remained cautious about staff travelling within the territory, especially those who did not support or favour outsiders travelling into their communities. Outbreaks still occurred, especially during and around the Christmas holidays.



# GOVERNANCE

The LSB is governed by a Board of Directors that includes representatives from the three regional clinics, two members-at-large, the Law Society of Nunavut, and the Government of Nunavut. The Minister of Justice appoints all LSB Board members for a three-year term.

Legal services are provided through three regional legal aid clinics, each with a regional board of directors. The Chief Executive Officer is supported by a Chief Operations Officer, a Chief Legal Officer, a Chief Financial Officer, and a Strategic Policy and Planning Manager.

The Board of Directors is responsible for financial management and reporting, policy development, strategic planning, organizational oversight and accountability, and hearing appeals of denials of legal aid coverage.

The members of the Legal Services Board for the 2021-22 fiscal year were as follows:

- Madeleine Redfern – Chair and Qikiqtani Representative
- Tara Tootoo-Fotheringham – Kivalliq Nominee
- Simon Qingnaqtut – Kitikmeot Representative
- Julie Bedford – Nunavut Law Society Representative
- Mark Witzaney – Department of Justice Representative
- Lili Weeman – Member at Large
- Danny Zita – Member at Large

There is also an Executive Committee of the Board comprised of at least three board members. The Executive Committee usually meets on an as-needed basis, either in person, by teleconference, or by email, as dictated by the amount of Board business requiring attention and decisions in between regular Board meetings. The Chair ensures information flow and oversight to the entire Board by providing regular updates on Executive business and decisions at the following in-person meeting.

The Board's biggest priority and activity for 2021-2022 was to find and hire a new CEO. A recruitment committee was struck. Odgers Berndtson, a company specializing in recruiting senior managers, was hired to assist in the CEO recruitment. COVID posed additional challenges in recruitment as many eligible and qualified applicants were not looking to relocate at all. Of the few that might consider a move, they weren't willing to move to Nunavut. As a result, the recruitment process was done multiple times throughout the year. An internal candidate's application was set aside due to external factors beyond the control of that applicant and LSB. An external candidate was offered and accepted the position with them to start as the new CEO in Rankin Inlet in early March.

In early 2022, Mark Witzaney moved from the Government of Nunavut Department of Justice to the Department of Finance. As such, he resigned from his position, and his appointment was to be revoked by a Department of Justice representative to comply with the Legal Services Act. At the same time, it was determined that the two members were not eligible to be on the Legal Services Board due to their employment as public servants and not as the Government of Nunavut Department of Justice representative. The Government of Nunavut was notified and verified that the appointments were not compliant with the legislation and that both appointments would be revoked. The Government of Nunavut and independent legal counsel determined it was impossible to make Board decisions until the Minister of Justice made new appointments. This impacted the ability of the LSB to meet as it was impossible to have quorum with only two Board members, especially with the continued absence and non-participation of the Kitikmeot representative and the Kivalliq representative not being appointed.

Key elements of the LSB's envisioned future, overarching goals and strategic priorities of the strategic plan are described here:



OVERARCHING GOALS OF THE STRATEGIC PLAN	THE STRATEGIC PRIORITIES
Accountability Transparency Consistency Improve efficiency and effectiveness Improve financial processes and controls	Client Services Territorial Board Governance Corporate Structure Communication Human Resources

## Application of Inuit Qaujimajatuqangit

Inuit Qaujimajatuqangit, which means “that which has long been known by Inuit,” is a concept that covers the Inuit ways of doing things and includes the past, present and future knowledge, experience and values of Inuit society. The three regional clinic's administrative staff and court workers in the communities are all Inuit. As such, incorporating IQ in service delivery to our clients is critical. Our Inuit staff also help our non-Inuit staff, from management to lawyers, both staff and panel lawyers, become more aware of the value and need for IQ in respectful and culturally appropriate service delivery in a predominantly non-Inuit justice system.

### Pijitsirarniq: Concept of Serving

Serving is central to Inuit as a measure of the individual responsibility to others, including colleagues and clients. This stems from a sense of maturity and well-being for oneself and others. The key is the understanding that each person has a contribution to make and is or can be a valued contributor to their workplace and community. LSB fosters this commitment by having a workplace where staff

respect and value each other, priority focus on helping and serving our clients, community, and territory by providing legal aid for the common good.

## **Aajiiqatigiingniq: Cooperation & Decision-Making**

Working together to achieve the same goals and objectives relies on good communication skills, acceptance, and commitment to shared goals. All staff are expected to become contributing members of the organization and their community and actively support the well-being of Inuit in Nunavut. Thinking and acting collaboratively and assisting with developing shared understandings are valued skills at LSB. LSB supports providing legal aid services in a manner that helps clients deal with difficulties resulting from criminal charges, family breakdowns, and conflicts with employers, landlords, and the government for denial of services or human rights violations. LSB is committed to helping clients resolve conflict in the least disruptive ways to our clients, their families and communities and bring about just outcomes. Staff at LSB and its regional clinics are committed to learning, considering, and respecting various perspectives and worldviews within the communities and developing and promoting justice processes that allow for inclusive decision-making - where appropriate and possible.

## **Pilimmaksarniq: Skills and Knowledge Acquisition**

The concept of skills and knowledge acquisition and capacity building is central to the success of Inuit and non-Inuit in a challenging environment, including in a foreign Justice System. Building personal awareness, respect, and capacity in Inuit ways of knowing and doing are critical expectations for all our staff. Supporting and demonstrating empowerment to lead successful and productive lives that are respectful of all is a decisive end goal of the Legal Services Board. Indeed, growing the skills and knowledge base of all levels of our staff results in better service quality for our clients across the territory.

## **Qanuqtuurungnarniq: Being Resourceful to Solve Problems**

The concept of being resourceful to solve problems through innovative and creative use of resources and demonstrating adaptability and flexibility in response to a rapidly changing world are strengths all our staff continue to develop. Resourcefulness is shown in all aspects of daily operations and thinking that seeks to improve how the LSB staff and its regional clinics handle problems within the organization, with its partner agencies, with our clients and challenges within the communities we serve. This is a skill that is vital to our staff. Working in communities where there is a chronic lack of mental health, addictions, educational, counselling, and crime prevention programs, our legal staff are forced to be very resourceful when developing alternative plans for clients to bring before the Court.

## **Piliriqatigiingniq: Collaborative Relationship or Working Together for a Common Purpose**

Developing collaborative relationships and working together for a common purpose is vital to achieving the goals of LSB and its regional clinics in fulfilling our mandate. LSB recognizes the importance of balancing the rights of individuals and the broader community, whether within the LSB team, with our clients, their families, or their communities. Nonetheless, LSB recognizes often its primary focus will be and must be the rights of the individuals it serves but does so within the broader community context. Expectations for staff reflect working for the common good, collaboration, shared leadership, and volunteerism. Piliriqatigiingniq also sets expectations for supportive behaviour development, strong relationship-building and working together to achieve good outcomes.

# **ORGANIZATIONAL STRUCTURE**

LSB's organizational structure is too complex to be accurately reflected in an organizational chart. The LSB comprises:

- The Legal Services Board employs senior and middle managers, staff counsel, and some administrative staff and is responsible for delivering legal aid in Nunavut.
- Three regional clinics (each with a separate Board of Directors) in Rankin Inlet, Cambridge Bay, and Iqaluit are responsible for overseeing the work of regional court workers, coordinating and supporting the work of lawyers, and helping to identify regional access to justice issues and public legal education priorities.
- Headquarters in Gjoa Haven with seconded GN employees.
- Resident Inuit court workers in most communities in Nunavut.
- Legal Services Board partnership works closely with its regional offices to ensure effective and efficient response to community needs.





## Organizational Chart – Legal Services Board of Nunavut

Legal Services Board of Nunavut Organization Chart (Simplified)



## The Team

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The LSB prides itself on its team approach and comprises the board, regional clinic boards, senior LSB staff, GN seconded Gjoa Haven staff, lawyers, regional clinic administrative staff, and court workers. In addition, the LSB uses private lawyers to assist with the workload.

## Lawyers

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Staff lawyers are based in 3 regional clinics: Maliiganik Tukisiiniarvik Legal Services (Iqaluit), Kivalliq Legal Services (Rankin Inlet), and the Kitikmeot Law Centre (Cambridge Bay). LSB staff positions for 15 criminal lawyers, five family lawyers (and one vacancy), three civil/poverty lawyers and the CEO, who is required by statute to be a lawyer.

Panel lawyers are legal counsels who are contracted to assist LSB in the provision of legal services. In 2021-2022, there were 33 lawyers on the criminal panel, six lawyers on the family panel and five lawyers on the civil law panel.

## Management and Administrative Support Staff

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In addition to the staff lawyers, LSB employs an executive management team comprising a Chief Executive Officer, a Chief Operations Officer, a Chief Legal Officer, and a Chief Financial Officer. The Gjoa Haven office has a Finance/Office Manager, a Senior Statute Administrator and a Finance and Operations Analyst/Statute Clerk.

## Court Workers

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A fundamental component of LSB's successful service delivery is the Inuit Court Worker Program. 2021-2022, court workers worked in most of Nunavut's communities. In communities that do not have a resident court worker, the community is supported by a neighbouring community court worker. Court workers provide clients with a critical link to the justice system and give the lawyers an essential cultural and language connection to the communities and clients they represent and serve. Court workers coordinate legal aid application interpretation, facilitate client and witness meetings, help prepare for court appearances, assist with community clinics, and access to justice and public legal education work.

## Acknowledgement of Appreciation

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LSB extends sincere gratitude to all staff for their efforts to deliver high-quality legal aid services and access to justice in Nunavut. This team has proven to be dedicated, hardworking, and committed to ongoing efforts to improve and enhance access to justice for Nunavummiut.



# **FINANCIAL STATUS OF THE BOARD**



# **INUIT EMPLOYMENT PLAN**

The LSB is committed to the longer-term goal of 85% Inuit representation in all areas and levels within the organization in the foreseeable future. During 2021-2022, the clinic director position in the Kivalliq remained vacant despite several recruitment efforts. The decision was made to incorporate all three clinic director positions into one director position held by an Inuk.

The most significant and crucial factor affecting Inuit employment within LSB is outside its control: Nunavut needs more Inuit lawyers. However, a substantial development in the LSB's commitment to supporting and hiring Inuit staff is with the recent completion of the Nunavut Law Program; the LSB hired three Inuit and three long-term Nunavut residents as new lawyers.

LSB is firmly committed to finding ways to hire more Inuit and support retention through the following objectives:

- Increase Inuit employment within LSB and its Regional Clinics to proportional representation levels within Nunavut, as required under the NLCA
- Consistently reviewing and discussing organizational changes and career development opportunities that would result in the creation of additional mid-level management positions for our Inuit staff
- Develop an Inuit Priority Hiring Policy within the organization
- Invest in Inuit employees to improve professional skill sets through training and mentorship
- Foster and sustain a workplace environment reflective of Inuit values and culture
- Promote quality of work life as an integral part of the profession
- Promote the LSB as an Inuit employer of choice in the legal and management profession

Across the organization, (LSB, three regional clinics, and seconded GN employees), Inuit employment is 53%. Separating the data for professional and non-professional staff shows a stark difference: The executive and financial management levels and the lawyers are predominantly non-Inuit. The administrative, legal support and court worker staff are all Inuit.

# Inuit Court Worker Program

A fundamental component of LSB's service delivery is its support of the Inuit Courtworker Program. While the regional clinics employ court workers (either full-time or part-time as needed), LSB funds the clinics to support these positions.

Court worker positions are based in clinics and smaller hamlets throughout each region. In 2021-2022, the Kitikmeot Law Centre employed five court workers throughout their five communities, Kivalliq Legal Services employed four court workers for their seven communities, and Maliiganik Tukisiiniarvik employed 15 court workers for their 13 communities. In communities that do not have a resident court worker, the community is supported by a neighbouring community court worker.

Court workers provide essential services to ensure access to justice in the territory. They not only provide vital support to circuit lawyers through interpretation and client and witness support, but they also provide much-needed administrative assistance in coordinating community legal aid applications, maintaining contact with clients without phones or computers, and serving documents.

Court workers provide clients with a critical link to the justice system and give the lawyers a meaningful cultural connection to their clients and the communities.

The court worker program also faces all the demands articulated in the previous sections. The court workers assist and complement every legally aided matter. Constant pressures and demand for legal services mean that Iqaluit, Rankin Inlet, and Cambridge Bay court workers work daily to provide meaningful services. Court workers are essential and involved in nearly every activity of the LSB.

This year, court workers participated in a nationwide working group meeting in Ottawa, which sought to define a baseline for court worker training and develop a framework for information sharing.

LSB recognizes that more support is required in the Court Worker Program, particularly in ensuring increased training, assistance, mentoring, professional development opportunities, and suitable and safe workspaces within the communities. The LSB has prioritized this area for review and will dedicate resources to ensure the program is adequately funded.

# **THE PRACTICE OF LEGAL AID**

## OPERATIONS OVERVIEW

Operations are divided into the front-end and back-end sides of the business of LSB, the front-end being the public-facing delivery of our services and the back-end being the business and administration of running legal aid. It is the role of operations to ensure that the two divisions are running efficiently and effectively and that the allocated internal resources match the requested services. Operations focus on providing each of the organization's divisions working to streamline service delivery to clients to increase their satisfaction. In short, operations are responsible for getting things done to execute all things related to legal aid in Nunavut. The COO partners extensively with the CEO, CFO, and CLO to provide leadership and guidance for all LSB business activities.

### General Business

The GN's business planning cycle, which LSB subscribes to, usually begins in late June of any given year. LSB undertook a historical cost analysis in conjunction with clinics and leadership to determine whether any forced growth costs existed within the expenditure framework of the operation. LSB declined to request additional funding due to the narrow nature of the GN's definition of forced growth and COVID-19 fiscal realities.

LSB provides briefing notes to the GN Department of Justice on an ongoing basis as the Legislature sittings happen.

## THE COVID-19 GLOBAL PANDEMIC AND LSB'S ONGOING RESPONSE

The COVID-19 pandemic created an unprecedented disruption to the LSB's operations and ability to provide services. This note provides an overview of the organization's steps to address the medium and longer-term impacts of the pandemic and some of the successes and challenges we encountered.

### Ongoing Shut Down

LSB shut down its clinics and offices on March 16, 2020, anticipating a broader shutdown by the GN and the Courts. The GN issued its shutdown notice in late March. The court issued an Emergency Closure Order (ECO) on March 17, 2020.

The ECO cancelled all regular in-person court sittings, including all circuits. Some court time was made available in Iqaluit and over the phone on an as-needed basis to deal with urgent matters.

In 2021-22, interruptions to the court's regular operation continued, which affected LSB operations.

### Operational Response

The shutdown posed an immediate and unprecedented set of challenges for LSB. We had to ensure the safety of our staff and clients. We had to support and oversee staff working remotely in communities with significant phone and internet challenges. We had to look for ways to continue to provide service to our clients. We had to work with our various justice sector and institutional partners to ensure, where possible, that our efforts in re-opening were coordinated and recognized our client's rights and interests.

The mobile/toll-free phone numbers ensured staff were responsible for answering calls and communicating with the community, our partners, and the media.

We also supported staff who might face a range of challenges working remotely. We continued to ensure staff had access to the hardware they needed, including laptops and Wi-Fi hubs. We also instituted a technology stipend to ensure staff were not subsidizing the LSB using personal internet and phone accounts.

The COVID-19 Operational Plan laid out organizational responsibilities, protocols, assignments, and priorities in one place. This document was distributed to all staff and was regularly updated through 2022. It served as the road map to navigate the pandemic from an operational perspective.

## **Staffing and Private Counsel Issues**

Recruitment efforts were ongoing throughout the pandemic. As we were concerned about the ability of private lawyers to travel to Nunavut, we continued with the recruitment and not only filled existing vacancies but overfilled criminal staff lawyer positions. We continued to use external lawyers coming north and working through the two-week isolation period, but overall, we significantly reduced our use of external counsel. It was anticipated that this would continue into 2022.

These staffing decisions have significant budget implications. Maintaining staff positions at current levels requires very careful management of our external counsel spending and, as discussed above, a reduction of the number of external lawyers used and paid. As this practice continues in the face of the pandemic, we run the risk of losing southern lawyers, as their practices may migrate away from taking our work. This will be a central issue for LSB in the next year or two.

Again, the staff's work should be praised. These have been extraordinarily stressful times, and the LSB has managed through them.

## **Work with other Justice Sector Partners**

LSB always strives to be a responsible partner in the administration of justice in Nunavut. COVID-19 continues to create a greater need to work closely with the Public Prosecution Service of Canada (PPSC) and the courts to manage the cases affected by the lockdown to co-ordinate the re-opening to minimize chaos and inconvenience to our clients and the communities we serve.

One of the challenges for LSB in working with other justice sector partners is that we must balance any corporate position with the individual rights that each client has in respect of their matters. For example, LSB assumed it would not support challenges to the first shutdown for delayed applications. Further, the LSB took a position that the court lost jurisdiction over any matters adjourned and declined to agree with either the Court or the PPSC that jurisdiction had been maintained.

Overall, LSB strengthened its working relationship with the PPSC. Although the two organizations did not always agree, we maintained regular communication and worked together on issues where we could agree. This productive relationship has led to some early discussions about working together on increased restorative justice initiatives and administrative efficiencies that would benefit access to justice, especially for our clients.



## Re-opening the Clinics and LSB Offices

The LSB clinics followed all COVID-19 protocols when the GN opened and closed them. This was done after the development and implementation of a detailed re-opening plan. All efforts were made to ensure staff could continue to work from home if they felt unsafe and to accommodate other family circumstances related to COVID-19, that clinics had access to cleaning supplies and PPE and that social distancing and PPE would be strictly mandated.

## Issues in 2021-2022

Depending on the status of COVID in the territory and the availability of a vaccine, the LSB planned much of our operations around the following assumptions:

- The two-week mandatory isolation in the south before re-entering Nunavut would remain in place based on CPHO orders.
- LSB would have to continue to rely more heavily on staff counsel and resident private counsel than before.
- Circuits would see backlog and delay, adding to the work, especially in the future, when Circuits resumed.
- The situation would remain volatile and subject to unpredictable and quick changes.
- The Court would continue to manage without regular assistance from Deputy Judges, which would put further stress on the Court system.
- PPE and other public health protocols would be strictly enforced at all LSB offices and on the circuits.
- Internal and external communication remained essential to ensure coordination and transparency.
- The events of this year have created significant stress for our staff and our clients.

## Technology Adaptation

During the reporting period, the LSB continued to adapt to a rapidly changing world and associated disruptions, specifically the COVID-19 pandemic shutdowns that started in March 2020. Attempting to work remotely revealed weaknesses in LSB's network infrastructure, difficulties in locating where information was held, and various network discrepancies that prevented staff from working as efficiently as possible.

However, the disruptions also revealed LSB's ability to respond and adapt to changes. This report summarizes the technologies LSB adopted to address these challenges.

### Clio – Practice Management

Clio is a subscription cloud-based platform designed for practice management. "Cloud-based" means that all the documents are stored on a server accessible by any computer anywhere in the world. The only requirement is an internet connection.

Clio simplified the way lawyers work because:

- Client matters can be accessed anywhere with an internet connection.
- Data storage in Clio is secure, as reported by an independent Security Threat Risk Assessment.

- all client files are in one system, making them easy to locate.
- Conflict checking is faster and more accurate.
- Reduced paper use by as much as 80 to 90%: reduced cost of toners and paper.
- Client matters can be transferred between lawyers in any office or to articling students working remotely.
- Executives and team leads have full visibility over which files are assigned to lawyers and how many files each lawyer carries.
- Able to securely archive matters without taking physical space for six years per the LSN record-keeping requirements.

CLIO has been 100% active in the Civil Team since October 2019. The Family practice has transitioned to CLIO.

As for criminal defence, we have tested how files could be transitioned to CLIO but faced significant hurdles. The criminal defence team is distinct from the other two practice areas in that:

- Defence lawyers pass files between each other and need an open system.
- Internet connectivity is an issue in smaller communities. Circuits pose a unique challenge.
- Onboarding must be done as a group (all defence lawyers at once)—requires significant operational implementation.
- We are looking into how we can overcome these hurdles.

## The Intranet

The LSB developed an Intranet site in-house in 2020. The intranet is a cloud-based platform that centralizes all internal LSB information, including announcements, policies, documents, schedules, and other internal information.

Unlike CLIO, the Intranet does not contain client-specific matters. It contains LSB-internal files. Unlike a traditional server, the intranet does a lot more than file storage because it serves as a centralized document repository, and users can also chat, send messages, and screen share.

In the past, we lost some of the legal knowledge created by departing lawyers because there was no central place to keep these precedent materials, best practices, and other LSB-specific materials. The intranet was designed to hold information in one place and to serve as the LSB's institutional and organizational memory.

The intranet environment allowed users to back up their computers to the cloud, hoping to prevent loss due to computer hardware failure.

## Amalgamation of Online Portfolio

Besides CLIO and the intranet, the LSB has taken control of several online subscription products and appointed the Manager of Strategic Policy Initiatives to administer the programs.

Some of our online subscriptions include:

- Legal research platforms: WestlawNext, Divorcement
- Practice Management: CLIO
- Productivity: Microsoft products (email and Office 365), Sharepoint, Mango App

- Internet: [www.nulas.ca](http://www.nulas.ca)

In this fiscal year, the LSB continued to:

- Develop processes to transition the criminal defence practice to CLIO.
- Develop and populate the Intranet with “durable” information, including workplace policies, best practices, practice directions, training materials, and legal document precedents.
- Create a more client-centred, informative, and robust internet that distils our practice areas and public legal education materials, including the board policies.

## Clinics

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Legal aid clinics situated in Iqaluit, Rankin Inlet and Cambridge Bay are the regional administrative and services hubs for legal aid services for the Qikiqtani, Kivalliq and Kitikmeot communities. The clinics and LSB focused on better internal and external communications with colleagues and stakeholders, a standardization of office procedures, and capacity building for administration staff and court workers. This resulted in the clinics achieving administrative consistency over the next two years.

Staffing in the clinics was largely stable, with a few exceptions in the court worker portfolio. Positions are now filled, and clinics currently have 24 court workers, both full-time and part-time, working to bridge the gap between a foreign justice system and Nunavummiut.

The regional offices are societies in their own right under the provisions of the Societies Act. All three regional boards held AGMs following respective bylaws and are in good standing with Legal Registries.

# **THE PRACTICE OF LEGAL AID**

LSB provides legal aid services to financially eligible Nunavummiut in the legal areas of coverage set out by the Legal Services Act. This includes criminal defence representation, child representation, child protection and limited family law coverage, and restricted civil/poverty representation in residential tenancy, employment/labour law, guardianship applications, excessive use of force by police, human rights and sometimes Coroner's Inquests.

A Board-approved eligibility scale defines the criteria for accessing legal aid in Nunavut, with the income thresholds specified in the adjacent chart. As a result, all those individuals applying for legal aid who receive income support are automatically financially eligible for the services LSB provides. As per the Legal Services

Act, if an applicant has income more significant than the eligibility amount, it is possible for an applicant to be still eligible for and get legal aid assistance by contributing towards their legal costs and if the matter is deemed of sufficient public interest, such as legal support being provided for a Coroner's Inquest.

LSB is committed to representing eligible citizens of Nunavut in a professional and culturally competent manner. Of primary importance is protecting the guaranteed rights of those who are most vulnerable in our communities – such as those charged with offences, children, or those whose children have been taken from their homes by the government. LSB is committed to ensuring that our services are regionally relevant, of a high quality, and equal to the legal services found in other Canadian jurisdictions, if not better. As always, the context of this work is shaped by the unique and vast geographical, cultural, and legal landscape of Nunavut. It is important to note that the LSB provides the broadest legal aid coverage of any legal plan in Canada.

Some of the fundamental founding principles of the territory always influence our policy, program, and delivery development. These include, but are not limited to, ensuring these services are available to all Nunavut communities. Language support is available for every lawyer, court worker, and client to ensure that clients participate as fully as possible in their matters. In addition, LSB is committed to hiring, supporting, and training Inuit staff at every opportunity.

Underlying these principles and our mandate is our keen understanding that most Nunavut communities have limited access to justice resources, information, or support. The justice system is only within reach for most of the population when the court flies into the community for a week and, often, very infrequently. LSB consistently strives to improve access by providing toll-free information lines, a 24/7 criminal defence advice-on-arrest line, ensuring lawyers' early attendance in communities

Household Size	Gross income
1 person	\$50, 400
2 people	\$62, 400
3 people	\$88, 800
4 people	\$96, 000
5 people	\$103, 200
6 people	\$110, 400
7 people	\$117, 600
8 people	\$124, 800
9 people	\$132, 000
10+ people	\$139, 200

"An individual is presumed eligible, and will receive legal aid coverage from the LSB, when that individual has been charged in Nunavut with an eligible offence. Coverage will include the provision of legal advice on a Section 10B Charter call, at a show cause hearing and at a first appearance to enter a plea. Should a plea of guilty be entered at the first appearance, coverage can be extended to allow for the making of submissions on sentencing" – Criminal Law eligibility policy.

for court weeks, expanding coverage areas in response to community needs, maintaining court worker positions in many communities, and when possible, community outreach and education programs.

## Criminal Practice Overview

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The criminal practice remained stable, yet strained, this year despite the ongoing challenges of the global pandemic. Given the onerous travel restrictions and quarantine requirement for entering Nunavut, the LSB was significantly restricted regarding our reliance on the panel lawyers. This forced the LSB criminal lawyer staff to handle most of the circuits, discrete trial work, dockets, and other criminal matters without the usual assistance from the private panel.

During 2021-22, we filled 15 criminal lawyer staff positions. The increase in the number of budgeted positions was to account for the COVID restrictions and the inability/difficulty in arranging exemptions and travel for southern lawyers into the territory. Many of our panel lawyers also expressed the inability to complete quarantine, so the staff lawyers absorbed some privately assigned files.

During the pandemic closures, our staff worked remotely from home across the country and were tireless in their pursuit of keeping many matters on track, especially with the significant release rate from correctional facilities, pursuing novel COVID-related remedies, and ensuring the system was responsive to the needs of our clients.

## Budget Implications

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Many of the additional criminal positions were filled by articling students; therefore, LSB did not incur significant relocation expenses.

LSB returned to a criminal lead structure in Rankin Inlet to oversee the criminal staff lawyers across the territory.

LSB continues to incur additional travel costs for clients as the Department of Justice downloads travel expenses for clients released from custody to non-home communities. This meant many clients were released, but not always to the charge community. LSB continued to cover these costs without an associated budget from the GN.

## Criminal Appellate Practice Overview

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LSB has significantly increased its capacity in criminal appeals. With the development and implementation of an appellate coordinator and dedicated resources to this practice area, LSB has been instrumental in upholding and facilitating the primary means by which substantive criminal law and the law of evidence evolve and develop in Nunavut: the assessment of trial error.

Criminal appeals are of particular importance, not only for the individual clients but also to ensure that proper appellate oversight and direction are provided to the bar regarding sentencing ranges and tariffs, proper evidentiary procedures, and the interpretation of the law by the Nunavut Court of Justice. Appeals are essential to ensure that procedural and legal errors in the legal system or unfair or unjust decisions are highlighted and addressed appropriately according to the principles of justice.

The Board has the final say in appeals, and an appeal committee hears the case details.

## Criminal Practice Statistics

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All Nunavummiut who have been charged with a crime are presumptively eligible to receive, and do receive, support from the point of arrest through the bail hearing stage, first appearance, and subsequent elections and plea. Only if further legal aid assistance is required and clients are also financially eligible will they receive trial, sentencing, and potentially appellate services.

In addition to the circuits attended by staff and private lawyers, the LSB also provides service for individuals who are arrested, whether during or outside of office hours. This includes representation at show cause hearings (bail hearings) that are sometimes scheduled outside of regular working hours.

Finally, the LSB also funds criminal appeals. With the addition of Criminal Appeals Management Counsel, the LSB has seen a significant increase in the number of criminal appeals argued before the Nunavut Court of Appeal.

The costs of providing services in criminal law were \$4,715,619.00.

## Family Practice

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### Overview of Challenges and Response

LSB struggles to meet the demands of those applying for legal aid assistance for regular family law matters. It has been increasingly challenging for the LSB to keep up with and provide timely assistance to clients. To add further to the volume is the lack of other court-provided services, mediation, or other government services within the territory, contrary to the services many of the different jurisdictions provide to their citizens. This means that the LSB provides family law assistance, regardless of the severity of the conflict, as no other service agencies can help.

The LSB requires complete applications for any family law matters. However, any adult or child applicant with a child welfare matter is automatically deemed eligible. These matters usually result from child and family services, court-ordered appointments, or individual applications. The LSB's family law processes have contributed to the backlog and created further barriers to providing timely and appropriate services to clients. Some clients who have applied may go months without any contact from LSB or with a lawyer. The Board of Directors repeatedly stated this is a serious and unacceptable situation. Despite allocating more resources and recommendations to management, the family law backlog remains a problem.

The LSB implemented a new family law intake process and file management system in the reporting year. This process is designed to prioritize quick contact, avoid a large queue, and assess the client's needs, the merit of the file, and the next steps early on.

The LSB was to undertake significant efforts to address the outstanding backlog of applications, explicitly conducting an audit of the backlog, devising mechanisms to prevent additional backlog, and developing and adapting a file management system. The audit was a joint effort between the staff, court workers, lead family counsel and management. The LSB contacted every client, confirmed their interest/disinterest in continuing their application for assistance, and then prioritized the matters. This audit significantly influenced and contributed to our discussions surrounding the need to review and restructure our intake process.

These efforts were mired at times by challenges, primarily that, although prudent and warranted, the process revision was long and complicated, and there was a lot of confusion regarding how Clio (file management system) would assist with the practice and the intake process.

Following the audit, consultations ensued between staff family lawyers and policy counsel. The relationship between the intake and the implementation of Clio is integral to the success of the internal review and shift in process, so further consultations occurred with HQ to ensure the intake process and transition into Clio produced the most efficient capturing of information for both the practice and administrative areas.

Thankfully, the family law backlog has not affected Child and Family Services assignments. Despite many child welfare matters and court-ordered appointments of counsel for children, family lawyers continue to offer the legislated range of services to Nunavummiut. LSB supports a toll-free family law information line for individuals seeking general legal information on family matters.

Under Family Law, who does LSB assist?

All parents who have their children apprehended by the state are presumptively eligible for assistance from legal aid. If desired, that help is available from the moment of apprehension to the first stage hearing to all subsequent motions or trial appearances.

Legal aid will assist all children who become involved in the legal system, some of whom are required to testify in court or who can provide input on a family law matter. In addition, legal aid will assist all youth in conflict with the law who do not choose private counsel.

Eligible Nunavummiut going through a family legal conflict or breakdown receive LSB assistance with support, custody, access, mobility, and contested custom adoptions.

## Practice Structure Overview and Statistics

As of June 2021, we had a full complement in the family practice. However, we anticipate a future vacancy in the early months of the 2022 reporting period.

The practice management model comprises lead counsel, staff counsel, the CLO and the COO who manage the daily requirements of this busy and essential practice area. The LSB also heavily relies on the private panel counsel to assist with the volume of clients and any conflict files that the LSB staff counsel cannot help with.

The costs of providing services in family law were \$1,359,157.00.

## Civil Practice

LSB has a full complement of three civil lawyers, with one designated as a senior civil lead (based in Cambridge Bay) to manage the civil application process. The other two lawyers are in Iqaluit; however, the intention is to have one of the two based in the Rankin Inlet office.

Over the reporting period, the intake process has been monitored, reviewed and revised as necessary.



This process stresses access to justice principles, with clients contacting a lawyer within 48-72 hours of the initial contact with LSB. All inquiries regarding civil matters are sent to a central intake email and managed on a rotation by civil staff lawyers. The matter is reviewed and assigned to counsel, and the client is then contacted, and a comprehensive intake is completed. Clients are now being assisted in a timely and meaningful way.

LSB has also implemented a summary for the civil category of services. This permits LSB to ensure clients are provided essential guidance, education and assistance on matters that do not require a more comprehensive retainer. These matters have a three-week time limit for service. If the file requires additional help, the application is then processed accordingly.

The coverage areas were broadened, specifically with the influx of guardianship and RCMP complaint assistance. The civil team has shifted the focus to the access to justice model, prioritizing civil liberties and administrative law remedies, and completely transformed how the Government of Nunavut addresses and approaches the guardianship files. It is now known that LSB will provide this type of support for these vulnerable members of the community, and each case will be reviewed with a high level of scrutiny that deserves such an order.

In circumstances where the client may be refused assistance, we provide a comprehensive package to the client outlining the reason for the denial, how-to guide on the right to appeal the decision, specific referrals from the Law Society of Nunavut to other counsel, explanations and guidance for steps the client should be taking in the meantime (i.e. limitation periods, preservation of evidence, records, etc.) and any other information or resources that would serve the client well.

The costs of providing service in the civil practice were \$641,624.00.

# **COMMUNITY AND PROFESSIONAL RELATIONS**

The LSB enjoys positive and meaningful relationships with the legal community and inter-related justice organizations in Nunavut and Canada. In addition, our interactions with Nunavut Health, Social Services, Family Services, and, more recently, the Office of the Advocate for Children and Youth have been mutually beneficial.

## Association of Legal Aid Plans

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The CEO sits on the Association of Legal Aid Plans of Canada (ALAP). This organization comprises senior management and board members from all the legal aid plans in Canada and is mandated to undertake, support and facilitate research concerning access to justice issues; to improve public awareness of access to justice issues; and to undertake such activities on its own or with others, as may be in the interest of access to justice in Canada. The LSB Chair and other legal aid plan Chairs participate in ALAP meetings when the agenda pertains to governance or areas deemed necessary and beneficial at the regional and national levels.

## Provincial/Territorial Working Group re Access to Justice Service Agreement

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The CEO and COO sit with officials of the Department of Justice Nunavut, the Department of Justice Canada, and other provincial/territorial legal aid plans on the PWG/TWG groups arising from the Access to Justice Service Agreement. The representatives meet regularly to discuss issues arising from the agreements' operation, funding formulae, and the court worker program(s). The MT Regional Clinic Director, Kathy Padluq, participated in the ongoing review of the strategic plan for the National Indigenous Court Worker program.

## Nunavut Communities and Community Justice Committees

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Most importantly, the LSB engages communities at the community level in various ways, including but not limited to legal counsel and Court Workers. This includes providing legal representation to eligible clients in court and with justice committees. LSB may also reach out and share public legal information with hamlet councils, schools, mental health service providers, and end users. LSB has partnered with our communities and has provided meaningful community-based public legal education.

## Public Legal Education & Information

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Public legal education and information (PLEI) is a mandated responsibility of LSB. This is a challenging task in a jurisdiction with many spread-out communities with different languages or dialects and cultural variances, especially concerning legal concepts. Each of LSB's lawyers has committed to performing PLEI initiatives, and the result has been some creative and meaningful interaction with Nunavut's communities and their residents. Staff lawyers participated in sessions at high schools and Nunavut Arctic College campuses around the territory. Partnerships are being established with local Inuit organizations, which have resulted in community sessions on residential tenancies, wills, and estates in the Kivalliq region and the development of mental health programming in the Kitikmeot.

LSB continues to work towards identifying and delivering PLEI in the communities with local partners, primarily through Court Workers, once we have developed sufficient and appropriate PLEI, including training and supporting Court Workers to deliver within their communities.

## Website

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The Legal Services Board maintained its website this year by ensuring regular updates. Content on the LSB website is in Nunavut's four official languages and can be viewed at [www.nulas.ca](http://www.nulas.ca). The website provides information on LSB's services, policies, annual reports, and contact information for the three regional clinics and its law lines. The website is regularly updated with revised information as necessary. Despite these efforts, the website needs a complete overhaul to better reach and meet the needs of our multiple audiences.

## Family, Criminal and Civil/Poverty Law Lines

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LSB offers information lines on toll-free family law and civil/poverty law. As of April 2021, the LSB continued to support the toll-free family and civil practice lines and three toll-free criminal law lines monitored from Monday to Friday, 9 am-5 pm.

## Policies, Directives and Other Projects

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The Board provides senior staff directives after reviewing programs and services at its Board meetings. An ongoing list of policies to be reviewed/developed and other projects are identified throughout the year to assign tasks to appropriate committees or staff. Due to organizational demands and limitations, LSB put its policy review and development on hold. Accompanying the policy review project is a plan to engage GN Justice to complete an MoU on several administrative matters of mutual interest. New policies have been identified for development in the next year.

# CONCLUSION

The Legal Services Board of Nunavut is fully committed to fulfilling its mandate and providing legal services to eligible Nunavummiut.

As articulated earlier, LSB's fundamental contributions to the justice system have far-reaching impacts on every community in the territory. This is a daunting, scary, and intimidating situation for many of our clients dealing with the legal and justice systems. LSB takes pride in providing support and advocacy to our clients during their time of need, not only through legal representation but also through culturally sensitive support.

LSB also completes independent financial audits, captures and reports accurate statistical information, and identifies organizational needs and legal practice trends. This vital information contributes to monitoring and adjusting internal practices, including the best use of financial resources to help make LSB a more efficient and effective organization. This approach is designed to make the organization more responsive to its clients and fully transparent and accountable to its funders and the public.

The exceptional efforts made by the Board of Directors, the senior management team, the legal staff, regional clinics, regional boards, regional court workers and administrative staff, and the support of our funders and justice colleagues have all contributed to improving access to justice for Nunavummiut.

# **APPENDIX A – AUDITED FINANCIAL STATEMENTS**

**LEGAL SERVICES BOARD OF NUNAVUT**  
**FINANCIAL STATEMENTS**  
MARCH 31, 2022



**LEGAL SERVICES BOARD OF NUNAVUT**  
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MARCH 31, 2022

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## MANAGEMENT RESPONSIBILITY FOR FINANCIAL REPORTING

The management of the Legal Services Board of Nunavut is responsible for the integrity and objectivity of the financial statements and related note disclosures. The financial statements were prepared in accordance with Canadian Public Sector Accounting Standards and, consequently, include some amounts which are based on the best estimates and judgment of management.

In carrying out its responsibilities, management is responsible for the operation of financial systems and related internal controls to provide reasonable assurance that financial information presented by the management of Legal Services Board of Nunavut is reliable, assets are safeguarded, transactions are properly authorized, resources are managed efficiently and economically, and operations are carried out effectively in the attainment of corporate objectives, and that transactions are in accordance with the *Legal Services Act* and the *Financial Administration Act* of Nunavut.

The external auditors, Lester Landau Chartered Professional Accountants, conduct an independent examination, in accordance with Canadian auditing standards, and express their opinion on the financial statements. The external auditors have full and free access to financial management of Legal Services Board of Nunavut and meet when required.



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Madeline Redfern  
Board Chair



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Sarah Mihailovich  
Chief Executive Officer

20220829

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Date

## Independent Auditors' Report

To the Minister of Justice, Government of Nunavut and the Board of Directors of the Legal Services Board of Nunavut

# Report on the Audit of the Financial Statements

## Opinion

We have audited the financial statements of the Legal Services Board of Nunavut (the Board), which comprise the statement of financial position as at March 31, 2022, and the statements of operations and accumulated surplus and changes in net financial assets (debts) for the year then ended, and a summary of significant accounting policies and other explanatory information.

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Board as at March 31, 2022 and its financial performance and its cash flows for the year then ended in accordance with Canadian Public Sector Accounting Standards.

### Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the *Auditors' Responsibilities for the Audit of the Financial Statements* section of our report. We are independent of the Board in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada, and we have fulfilled our other ethical responsibilities in accordance with these requirements. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our opinion.

## Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the financial statements in accordance with Canadian Public Sector Accounting Standards, and for such internal control as management determines is necessary to enable the preparation of the financial statements that are free of material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Board's ability to continue as a going concern, disclosing, as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Board or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Board's financial reporting process.

## **Auditors' Responsibilities for the Audit of the Financial Statements**

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion. Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists. Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of these financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit. We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Board's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Board's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusions are based on the audit evidence obtained up to the date of our auditors' report. However, future events or conditions may cause the Board to cease to continue as a going concern.
- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.

We communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

We also provide those charged with governance with a statement that we have complied with relevant ethical requirements regarding independence, and to communicate with them all relationships and other matters that may reasonably be thought to bear on our independence, and where applicable, related safeguards.

### **Report on Other Legal and Regulatory Requirements**

As required by the *Financial Administration Act* of Nunavut we report that, in our opinion, Canadian Public Sector Accounting Standards have been applied on a basis consistent with that of the preceding year.

We further report in accordance with the *Financial Administration Act* of Nunavut and the *Legal Services Act* of Nunavut that, in our opinion, proper books of account have been kept by the Board, the financial statements are in agreement therewith and the transactions that have come under our notice have, in all significant respects, been within the statutory powers of the Board.

Under section 100(1) of the *Financial Administration Act* of Nunavut, the Board is required to submit its annual report to the appropriate Minister no later than 90 days after the end of its financial year, or an additional period, not exceeding 60 days that the Minister of Finance may allow. The Board was granted a 60 day extension. The annual report and independent financial audit was submitted within the legislated timeline.

Iqaluit, Nunavut  
August 29, 2022

A handwritten signature in black ink, reading "Lester Landau". The signature is fluid and cursive, with the first name "Lester" and last name "Landau" clearly distinguishable.

Chartered Professional Accountants  
Lester Landau Accounting Professional Corp.

**LEGAL SERVICES BOARD OF NUNAVUT**  
**STATEMENT OF OPERATIONS AND ACCUMULATED SURPLUS**  
**FOR THE YEAR ENDED MARCH 31, 2022**

	Budget <u>2022</u>	Actual <u>2022</u>	Actual <u>2021</u>
<b>Revenues</b>			
Government of Nunavut Contributions			
Contribution agreement	\$ 12,411,333	\$ 12,411,333	\$ 12,411,333
Supplemental funding	0	226,255	0
Transfer from Department of Justice	0	300,000	0
Repayment	<u>0</u>	<u>(15,860)</u>	<u>(2,364)</u>
	0	12,921,728	12,408,969
Client contributions	0	0	500
Employee Rent Recoveries	<u>0</u>	<u>81,204</u>	<u>9,856</u>
	<u>12,411,333</u>	<u>13,002,932</u>	<u>12,419,325</u>
<b>Expenses (Schedule 10)</b>			
Administrative (Schedule 1)	2,227,340	1,924,973	2,157,602
Board governance (Schedule 2)	158,555	173,424	67,611
Criminal law (Schedule 3)	4,146,560	4,715,619	4,337,052
Family law (Schedule 4)	1,150,766	1,359,157	1,447,200
Civil law (Schedule 5)	585,133	641,624	604,707
Clinic administration (Schedule 6)	473,740	327,268	452,891
Articling students (Schedule 7)	692,469	706,086	331,162
Paralegal and courtworker (Schedule 8)	269,303	243,766	262,067
Access to Justice (Schedule 9)	0	89,522	0
Legal clinics	2,707,467	2,735,025	2,749,177
Staff rent	<u>0</u>	<u>86,468</u>	<u>9,856</u>
	<u>12,411,333</u>	<u>13,002,932</u>	<u>12,419,325</u>
<b>Net Surplus</b>	0	0	0
Accumulated Surplus, beginning of year	<u>0</u>	<u>0</u>	<u>0</u>
<b>Accumulated Surplus, end of year</b>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>	<u><u>\$ 0</u></u>

**LEGAL SERVICES BOARD OF NUNAVUT**  
**STATEMENT OF CHANGES IN NET FINANCIAL ASSETS (DEBTS)**  
**FOR THE YEAR ENDED MARCH 31, 2022**

	<u>2022</u>	<u>2021</u>
<b>Net Surplus</b>	-	-
Change in prepaid expenses	<u>(7,937)</u>	<u>(111,470)</u>
<b>Decrease in Net Financial Assets</b>	(7,937)	(111,470)
<b>Net Financial Assets (debts), beginning of year</b>	<u>(131,510)</u>	<u>(20,040)</u>
<b>Net Financial Assets (debts), end of year</b>	<u><u>(139,447)</u></u>	<u><u>(131,510)</u></u>

**LEGAL SERVICES BOARD OF NUNAVUT**  
**STATEMENT OF FINANCIAL POSITION**  
AS AT MARCH 31, 2022

	<u>2022</u>	<u>2021</u>
<b>Financial Assets</b>		
Accounts receivable (Note 3)	\$ 51,619	\$ 349,237
Due from Government of Nunavut (Note 5)	<u>2,042,880</u>	<u>1,791,497</u>
<b>Total Financial Assets</b>	<u>2,094,499</u>	<u>2,140,734</u>
<b>Liabilities</b>		
Accounts payable and accrued liabilities (Note 4)	<u>2,233,946</u>	<u>2,272,244</u>
<b>Net Financial Assets (Debts)</b>	<u>(139,447)</u>	<u>(131,510)</u>
<b>Non-Financial Assets</b>		
Prepaid expenses	<u>139,447</u>	<u>131,510</u>
<b>Total Non-Financial Assets</b>	<u>139,447</u>	<u>131,510</u>
<b>Accumulated Surplus</b>	<u>\$ 0</u>	<u>\$ 0</u>

**Approved by the Board**

Director

Director



**LEGAL SERVICES BOARD OF NUNAVUT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED MARCH 31, 2022**

**1. NATURE OF THE ORGANIZATION**

The Legal Services Board of Nunavut (LSB) was incorporated in July 2000, pursuant to section 391 of the *Legal Services Act R.S.N.W.T. 1988, C-14* of Nunavut. As the territory's legal aid plan, the LSB is responsible for providing legal services to financially eligible Nunavummiut in the areas of criminal, family and civil law. In addition to providing legal counsel, the LSB is also mandated to deliver public legal education and information in the territory and to develop and support the Inuit court workers program at the local level. The LSB programs also include an After Hours Law Line for citizens seeking legal advice on arrest outside of business hours, a Family Law Line offering general family law information, and a Civil Law Line offering general civil law information.

The LSB does not have a bank account and therefore is dependent on the Government of Nunavut to pay all expenses on their behalf. All expenses are paid by the Government of Nunavut through the Consolidated Revenue Fund and reimbursed from the LSB Revolving Fund up to the agreed upon annual contribution. As such, all the books and records are controlled by the Government of Nunavut and recorded in the Free Balance accounting system.

**2. SIGNIFICANT ACCOUNTING POLICIES**

The accounting policies followed by the Board are in accordance with Canadian public sector accounting standards and include the following significant accounting policies:

**(a) Measurement Uncertainty**

The preparation of the financial statements of the Board requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities, at the date of the financial statements and the reported amounts of revenues and expenses during the period. Items requiring the use of significant estimates include payroll related accruals.

Estimates are based on the best information available at the time of preparation of the financial statements and are reviewed annually to reflect new information as it becomes available. Measurement uncertainty exists in these financial statements. Actual results could differ from these estimates.

**(b) Revenue Recognition and Government Transfers**

Contributions are recognized as revenue in the year received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Contributions with stipulations that meet the definition of a liability per Section PS 3200 are recorded as deferred revenue. When stipulations are met, deferred revenue is recognized as revenue in the year in a manner consistent with the circumstances and evidence used to support the initial recognition of the contributions received as a liability.

**LEGAL SERVICES BOARD OF NUNAVUT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED MARCH 31, 2022**

**2. SIGNIFICANT ACCOUNTING POLICIES (continued)**

**(c) Accrual Basis**

The financial statements have been prepared using the accrual basis of accounting. For expenses, program costs may include amounts billed to the Board by lawyers and an estimate of amounts for work performed by lawyers but not yet billed to the Board.

**(d) Expenses**

Direct expenditures which are wholly attributable to a specific program are charged directly to the appropriate program. In circumstances where expenditures are not wholly attributable to a specific program these expenditures are allocated amongst the programs based on management's estimates of the time, effort and resources required to support these activities.

**(e) Financial Instruments**

The Board's financial instruments consist of accounts receivable, accounts payable and accrued liabilities, and amounts due (from) to Government of Nunavut which are reported at their fair values on the statement of financial position. The fair values are the same as the carrying values due to their short-term nature. It is management's opinion that the Board is not exposed to significant interest, currency or credit risks arising from these financial instruments unless otherwise noted.

**(f) Contributed Services**

Goods and services contributed to the Board to be consumed in operations are not recorded as revenue (or expenses) due to difficulties in determining fair value of such goods and services.

**3. ACCOUNTS RECEIVABLE**

	<u>2022</u>	<u>2021</u>
Kivalliq Legal Services	\$ 16,481	\$ 16,481
Maliiganik Tukisiiniakvik	<u>27,345</u>	<u>200,306</u>
	43,826	216,787
GST rebate	0	121,553
Other	<u>7,793</u>	<u>10,897</u>
	<u><u>\$ 51,619</u></u>	<u><u>\$ 349,237</u></u>

**LEGAL SERVICES BOARD OF NUNAVUT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
**FOR THE YEAR ENDED MARCH 31, 2022**

**4. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES**

	<u>2022</u>	<u>2021</u>
Legal Clinics - GN funding repayable	\$ 16,481	\$ 216,787
Other accrued liabilities	1,362,266	1,190,081
Accrued payroll	<u>855,199</u>	<u>865,376</u>
	<u>\$ 2,233,946</u>	<u>\$ 2,272,244</u>

**5. GOVERNMENT OF NUNAVUT FUND BALANCE**

	<u>2022</u>	<u>2021</u>
Opening balance	\$ (1,791,497)	\$ (1,098,170)
Revenues	(13,002,932)	(12,419,325)
Expenses incurred on behalf of LSB	13,002,932	12,419,325
Changes in:		
Accounts receivable and prepaids	(289,681)	(400,654)
Accounts payable and accrued liabilities	<u>38,298</u>	<u>(292,673)</u>
Closing balance	<u>\$ (2,042,880)</u>	<u>\$ (1,791,497)</u>

Amounts due (from) to the Government of Nunavut are non-interest bearing, unsecured and have no specific terms of repayment.

**LEGAL SERVICES BOARD OF NUNAVUT**  
**NOTES TO THE FINANCIAL STATEMENTS**  
FOR THE YEAR ENDED MARCH 31, 2022

**6. LEGAL CLINICS CONTRIBUTIONS**

	<u>2022</u>	<u>2021</u>
<u>Kitikmeot Law Centre operating as Kitikmeot Legal Services</u>		
Contribution agreements	\$ 515,250	\$ 515,250
Supplemental contributions	53,936	0
Deficit coverage contribution	<u>0</u>	<u>52,123</u>
Total used contributions	<u>569,186</u>	<u>567,373</u>
 <u>Kivalliq Legal Services</u>		
Contribution agreements	689,217	589,000
Supplemental contributions	52,000	100,218
Deficit coverage contribution	<u>0</u>	<u>14,519</u>
Total used contributions	<u>741,217</u>	<u>703,737</u>
 <u>Maliganik Tukisiniakvik</u>		
Contribution agreements	1,400,000	1,500,000
Supplemental contributions	0	(100,000)
Deficit coverage contribution	0	26,100
Rent	51,967	51,967
Unused contributions/adjustments	<u>(27,345)</u>	<u>0</u>
Total used contributions	<u>1,424,622</u>	<u>1,478,067</u>
	<u>\$ 2,735,025</u>	<u>\$ 2,749,177</u>

**7. COMPARATIVE AMOUNTS**

Certain 2021 financial statement amounts have been reclassified to conform to the financial statement presentation adopted in the current year.

# LEGAL SERVICES BOARD OF NUNAVUT

## SCHEDULE 1 - SCHEDULE OF ADMINISTRATIVE EXPENSES

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Executive office operations	\$ 1,358,788	\$ 1,201,805	\$ 1,263,218
Administrative operations	504,978	513,808	477,873
Programs and projects	342,814	170,796	153,527
Covid-19 related	20,760	21,614	66,292
Nunavut Law Program Support	-	16,950	196,692
	<b>\$ 2,227,340</b>	<b>\$ 1,924,973</b>	<b>\$ 2,157,602</b>

## SCHEDULE 2 - SCHEDULE OF BOARD GOVERNANCE

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Administrative support	\$ 6,000	\$ 1,750	\$ 5,635
Honoraria			
Regular and executive board meeting	16,450	10,256	5,062
CEO recruitment	2,400	15,708	-
Ongoing business	27,200	68,525	17,406
Committees	3,600	4,948	1,759
Regional board consultation	-	3,435	-
Professional fees	46,000	37,181	12,389
Recruitment	-	2,197	-
Translation and interpreting	20,000	11,288	23,131
Travel	36,905	18,136	2,229
	<b>\$ 158,555</b>	<b>\$ 173,424</b>	<b>\$ 67,611</b>

# LEGAL SERVICES BOARD OF NUNAVUT

## SCHEDULE 3 - SCHEDULE OF EXPENSES - CRIMINAL LAW PRACTICE

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 2,531,270	\$ 2,548,048	\$ 2,526,082
Travel and accommodations - staff	600,000	397,300	422,983
Private counsel	550,000	884,947	879,635
Travel and accommodations- private counsel	130,000	415,354	183,397
Relocation fees	12,600	18,996	7,208
Professional development	96,000	17,341	4,228
Disbursements - court, trial and appeals	89,310	179,079	135,058
Law line	113,400	114,822	113,951
Client and witness travel	-	130,498	61,228
Recruitment	23,980	9,234	3,282
	<b>\$ 4,146,560</b>	<b>\$ 4,715,619</b>	<b>\$ 4,337,052</b>

## SCHEDULE 4 - SCHEDULE OF EXPENSES - FAMILY LAW PRACTICE

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 908,971	\$ 958,047	\$ 1,239,356
Travel and accommodations - staff	62,000	54,313	24,025
Private counsel	117,000	259,323	164,813
Travel and accommodations - private counsel	18,000	33,464	1,549
Relocation fees	1,800	30,749	( 2,835)
Professional development	36,000	14,041	15,923
Disbursements - civil court and child welfare	1,000	1,631	1,087
Recruitment	5,995	7,589	3,282
	<b>\$ 1,150,766</b>	<b>\$ 1,359,157</b>	<b>\$ 1,447,200</b>

## SCHEDULE 5 - SCHEDULE OF EXPENSES - CIVIL LITIGATION

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 518,153	\$ 556,528	\$ 566,973
Travel and accommodations - civil law	20,000	51,407	10,490
Relocation fees	-	5,563	12,147
Professional development	18,000	5,764	1,683
Disbursements	-	449	4,204
Private counsel	25,000	16,041	7,166
Recruitment	3,980	5,872	2,044
	<b>\$ 585,133</b>	<b>\$ 641,624</b>	<b>\$ 604,707</b>

## LEGAL SERVICES BOARD OF NUNAVUT

### SCHEDULE 6 - SCHEDULE OF EXPENSES - CLINIC ADMINISTRATION

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 434,740	\$ 288,105	\$ 380,452
Travel and accommodations - staff	15,000	3,850	2,894
Recruitment	-	6,525	7,869
Professional development	24,000	28,788	16,655
Covid-19 related supplies and equipment	-	-	45,021
	<b>\$ 473,740</b>	<b>\$ 327,268</b>	<b>\$ 452,891</b>

### SCHEDULE 7 - SCHEDULE OF EXPENSES - ARTICLING STUDENTS

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 659,869	\$ 643,915	\$ 331,062
Travel and accommodations - staff	-	17,874	-
Professional development	32,600	44,297	100
	<b>\$ 692,469</b>	<b>\$ 706,086</b>	<b>\$ 331,162</b>

### SCHEDULE 8 - SCHEDULE OF EXPENSES - PARALEGAL AND COURTWORKER

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ 257,303	\$ 243,041	\$ 256,131
Recruitment	-	-	50
Professional development	12,000	725	5,886
	<b>\$ 269,303</b>	<b>\$ 243,766</b>	<b>\$ 262,067</b>

### SCHEDULE 9 - SCHEDULE OF EXPENSES - ACCESS TO JUSTICE

For the year ended March 31	Budget 2022	Actual 2022	Actual 2021
<b>Expenses</b>			
Salaries and benefits	\$ -	\$ 66,045	\$ -
Relocation fees	-	23,477	-
	<b>\$ -</b>	<b>\$ 89,522</b>	<b>\$ -</b>

# LEGAL SERVICES BOARD OF NUNAVUT

## SCHEDULE 10 - SCHEDULE OF EXPENSES BY OBJECT

For the year ended March 31	2022 Budget	2022 Actual	2021 Actual
<b>Expenses</b>			
Audit	\$ 18,000	\$ 14,300	\$ 11,745
Clinic contributions	2,654,467	2,683,058	2,697,210
Consultants and projects	10,000	3,000	26,696
Disbursements	90,310	181,159	139,772
Equipment	40,000	68,678	5,024
General and administrative	108,216	108,734	210,160
Honoraria	49,650	102,872	24,227
Legal	23,000	22,881	644
Legal research	38,266	40,241	61,410
Membership fees	158,688	115,902	98,306
Office rent	53,000	51,967	51,967
Private counsel	835,000	1,606,946	1,237,137
Professional development	281,480	211,156	59,425
Public legal education	11,500	18,040	10,595
Recruitment	133,955	107,923	16,527
Relocation fees	16,200	81,857	38,723
Salaries and benefits	7,086,099	6,804,224	7,161,534
Staff rent	-	86,468	9,856
Translation and interpreting	20,000	11,288	23,131
Travel and accommodations - client	5,000	132,682	61,228
Travel and accommodations - staff	682,000	503,020	457,499
Travel - other	96,502	46,536	16,509
	<b>\$ 12,411,333</b>	<b>\$ 13,002,932</b>	<b>\$ 12,419,325</b>



# ANNUAL REPORT

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