



**Newsletter
December 2019**

President's Message

CLEA's Mission Statement

**“Unknown Rights Are Not Rights
at All”**

CLEA is a charitable organization that provides legal information to Manitobans. We believe that legal knowledge is necessary for full and equal participation in our society. CLEA develops programs and resources especially to work with communities where there are understood needs. These services help individuals better understand our legal system and how to resolve their legal issues.

CLEA Staff

Mary Troszko, Executive Director
Jennifer Dunik, Law Phone-In
Lawyer
Charlene Thomas, Law Phone-In
Lawyer
Brittney Fehr, WSH Hotline Lawyer
Brendon Yarish, Legal Writer

Board of Directors

Lia Gervino, President
Stacey Soldier, Vice-President
Brandin Stoesz - Treasurer
Sarah Thurmeier, Secretary
Darren Grunau
Mary-Ellen Wayne
Melanie Beaudry
Stacia Franz
Gabriel Chung
Eldene Spencer

Dear Friends,

The Board, together with CLEA's staff, continues to further our work in providing timely information and resources to those who contact our office. As we move closer to the end of 2019 and into our thirty-sixth year, I encourage you to continue to check our website for up-coming events, available programs and resources. Special thanks must be extended to CLEA's staff who, on a daily basis ensure that our mandate is met. To the members of the law community who volunteer their services and our various funding partners who continue to support CLEA's endeavours, our deepest gratitude.

On behalf of the Board and staff of CLEA, I wish you all the best that the up-coming holiday season can offer as we continue to look forward to serving the community through CLEA.

Sincerely,

Lia Gervino

CLEA celebrates its 35th Anniversary Friday, December 27th!

New for 2020!

- *Our Workplace Sexual Harassment Hotline**
- *Workplace Sexual Harassment publications and workshops**
- *Our new and improved website will be coming in January**
- *Updated family law publications**

CLEA Welcomes New Board Members

Sarah Thurmeier

Sarah Thurmeier is a family lawyer at Fillmore Riley LLP, where she has been practicing since 2014.

She is trained in the Collaborative Practice model, and she encourages her clients to resolve the issues arising from the restructuring of their families through the Collaborative process. Sarah is also an experienced negotiator and litigator.

Sarah volunteers regularly at the Legal Help Centre's Drop-in Clinics. She is also on the CLEA lawyer referral panel and is a regular presenter through the CLEA Speakers Bureau.

In her free time Sarah enjoys singing in a community choir, curling, and playing softball.

Eldene Spencer

G. Eldene Spencer is originally from Antigua, WI, and is a graduate of the University of Manitoba, where he pursued his undergraduate degrees (B.A., B.Ed.) and his post graduate degree (M. Ed.) in Educational Administration. After almost twenty years of teaching Foreign Languages in the Public School System, and as a University Instructor, he ended his career in Education as a Bilingual Staff Officer of the Manitoba Teachers' Society. During his long tenure with the MTS, he assumed responsibilities in the Professional Issues Department, with the Professional Conduct Committee, and finally in the Teacher Welfare Department dealing with Labour relations issues and Teacher Negotiations in both Official Languages.

During the early years of his Teaching Career, Eldene was very involved with the Caribbean Community and Folklorama.

Eldene brings to CLEA a wealth of experience as an Educator and a Labour Relations Staff Officer and as community representative. He is looking forward to making a significant contribution to the Vision and Work of CLEA in the Winnipeg community.

Eldene has a variety of interests such as classical music, jazz, theatre, and opera. He is also an avid tennis and squash player and has aspirations of playing tennis one day at Wimbledon!!

We bid farewell to directors Megan Bowman and Justin Douglas. We thank them for their commitment to the organization and to public legal education. We wish them all the best in their future endeavours.

A Special Thank You to the Following:

Core Funders:

Department of Justice Canada

The Manitoba Law Foundation

The Law Society of Manitoba

All of our members, donors, volunteers and supporters!

Don't Forget to Renew your Membership!

Public Legal Education Award 2019

Our 6th Annual Public Legal Education Award Reception will be held at the Manitoba Legislative Building on Monday, December 9th. Justice Minister Cliff Cullen will present CLEA's Advocate of Public Legal Education award to Allan Fineblit, Q.C.

Allan practices law with the firm of Thompson Dorfman Sweatman LLP in Winnipeg. His practice is focused on professional regulation, governance, employment law, dispute resolution, legal ethics, strategic planning, and practice management. His clients include regulators, governments, lawyers and other professionals, and a wide variety of companies and organizations across Canada and internationally.

Allan was the Chief Executive Officer of the Law Society of Manitoba from 1998 to 2014, and prior to that was the Assistant Deputy Attorney General for Manitoba, the Executive Director of Legal Aid Manitoba, and in private practice.

Allan serves on numerous Boards, both in the community and nationally, including:

- Vice-Chair Board of Directors of the Canadian Lawyers Insurance Association and Chair of their Claims Committee;
- Board of Directors of End Homelessness Winnipeg Inc. and Chair of their Governance Committee;
- Council member and member of the Executive Committee, College of Physicians and Surgeons of Manitoba;
- Board member Manitoba Blue Cross;
- Past Chair of the Manitoba Health Appeal Board;
- Board of Directors of the Manitoba Council of Administrative Tribunals and serves as Board Treasurer;
- Member of the Winnipeg Citizens Hall of Fame Selection Committee;
- Past Chair of the Board of Trustees of the United Way of Winnipeg.

Allan was appointed as a Queen's Counsel in 1998 and in 2015 was awarded the Richard J. Scott Award for his commitment to access to Justice. In 2016, Allan received the President's Award from the Canadian Bar Association, Manitoba Branch.

Former Public Legal Education award recipients: Roland Penner, C.M., Q.C., Darren Klapak, Reeh Taylor, Q.C., Gerald McDowell, Debbie Wake, David Matas, Diane Dwarka, Betty Hopkins, Sandi Wagner, Len Fishman, Michael Lazar and Wayne Rose.

If you would like to support our work, you have several options:

- **Cheque or money order payable to Community Legal Education Association**
- **Donate online through CanadaHelps at www.communitylegal.mb.ca**
- **Current or past government of Manitoba employees can donate through the All Charities Campaign (catalogue #C226)**

CLEA is a registered charity: Charity Registration # 118870732RR0001

Tax receipts will be issued for all donations.

Updates

2019 National Referral Workshop

The American Bar Association holds an annual National Lawyer Referral Workshop that provides insights into current trends and developments and practical applications for Lawyer Referral and Information Services (LRIS) across North America. CLEA had a chance to send a representative to the 2019 Workshop that took place in Austin, Texas, from October 23 to 26. There were presentations and discussions with other LRIS programs about Access to Justice, LRIS Market Updates, Flat Fees, Unbundling, Panel Maintenance, Automated Referrals, Intake Staff and Lawyer Wellness.

Flat Fees - Practitioners and LRIS noted that traditional billing can put clients and lawyers on the opposite sides of a file where there are billing concerns over emails, phone calls, and requests for clarification, instead of being able to fully work together. There is a perception that lawyers are too expensive and the public may not even inquire about legal services. However, where flat fees are advertised, an individual may retain the services of a lawyer because they know what to expect and can fully assess the benefit versus cost.

Market Update ABA - The Chair of the ABA Standing Committee on Lawyer Referral & Information Service provided the Market Update (2018): 2019 LRIS Census Findings. 24% of the LRIS programs responded.

Additional services offered by LRIS – percentage of programs offering:

- Unbundling (22%) Flat Fees (18%)
- Modest Means (60%) Legal Clinics (16%)
- Call-in Advice (20%) ADR (11%)

Modest means panels are similar to Manitoba's Legal Aid program, providing coverage in certain areas of law based on the gross income of applicants.

882,204 individuals contacted LRIS in 2018
360,579 were referred to a lawyer (41%)
52,163 retained the lawyer (14.5%)
228,199 were referred to government program, social service, legal aid (26%)

The majority of the calls were in the area of family law (around 50%). Other subject areas with frequent requests for referrals and information include personal injury, employment, estate planning, criminal, real estate, landlord/tenant, and bankruptcy. The greatest areas of growth continue to be in family law, as well as elder law, consumer disputes, and employment.

Lawyer Referral Panels - The LRIS programs average 170 members on their lawyer referral panel. The range was from 30 members to 600 members. The average number of ABA members participating was 5.4%. CLEA has 157 members on our lawyer referral panel which is a higher participation rate amongst practicing lawyers in Manitoba.

Access to Justice - Updates on the changes in the legal landscape were provided noting the high rate of self-represented litigants. California civil court cases in certain districts involving at least one pro se litigant has reached 75%, and in Travis County, Texas, there have been years (2016) where as many as 97% of the civil/family cases involved at least one party who was self-represented. Presenters also pointed out the growing mismatch that exists between the cost of litigation and the amount in dispute in many cases. There is a growing do-it-yourself sector which is often unregulated and not necessarily helpful, and many lawyers lack the training or resources to provide the high-volume, low-billable practice in demand.

Law Phone-In has handled over 8,000 calls in 2019!
This brings our grand total to over 396,000 calls since 1975!