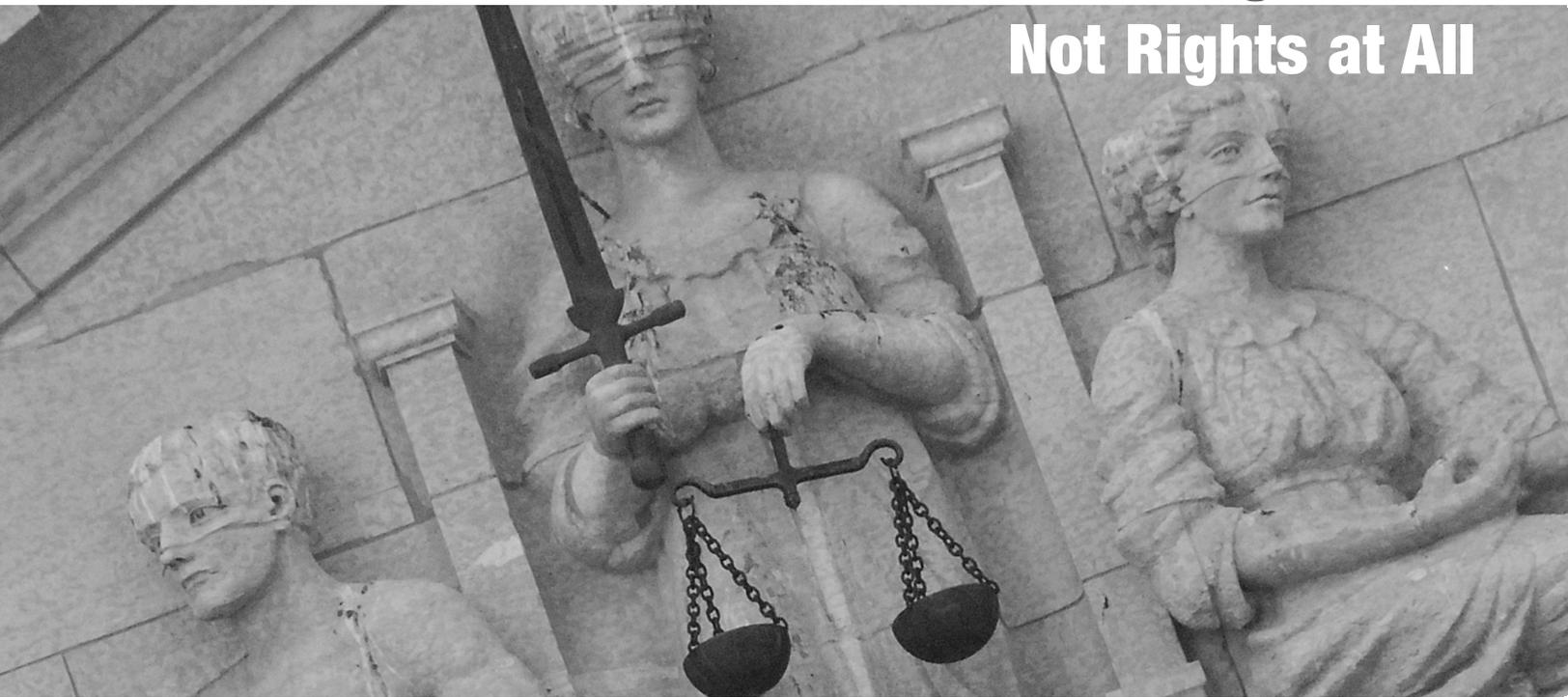


**Community Legal Education Association**

**Unknown Rights are  
Not Rights at All**



***Annual Report 2011–2012***

## WORKSHOPS and PUBLIC LAW CLASSES

### Speakers' Bureau

CLEA operates a Speakers' Bureau of volunteers who donate their time each year to provide legal information sessions to the community on request. There is currently a panel of 111 speakers, primarily lawyers, who are prepared to deliver presentations. CLEA arranged 41 speaking events for the 2011–2012 fiscal year. This includes workshops, Community Legal Intermediary Training course presentations, and school presentations. In total, over 500 people attended these sessions. Speakers volunteered some 162 hours, giving their legal knowledge and expertise. CLEA partnered with six various groups and agencies in delivering Speakers' Bureau presentations. Presentations were on 13 different topics. The most popular topics were: Wills & Estates, Family Law, and Criminal Law.

### Co-Sponsored Workshops

Co-sponsored workshops are education sessions where CLEA works with a partner from the community to develop and plan a program tailored to the partner's needs, whether it is for its clients, volunteers, staff, or the general public. CLEA works with a broad variety of community organizations to reach a broad base of Manitobans. Examples of our workshop partnerships include:

#### Winnipeg Public Library

CLEA partnered with the Winnipeg Public Library for the Lawyers in the Library series. A total of seven workshops on Wills and Estates were delivered at various branches: Henderson Highway, Louis Riel, Munroe, Millennium, Pembina Trails, St. James Assiniboia and St. John's. Thank you to presenters: Adeline Degner, Victoria Lehman, George Derwin, Timothy Lach, Lorrain Scollin and Tyler David Warren.

#### Manitoba Housing 55+

Two presentations were made in August about Wills and Estates by Adeline Degner.

#### Manitoba Hydro

George Derwin, CLEA's President, delivered five presentations, four on Wills and Estate Planning and one on Probate and Estate Administration at various Hydro locations.

### Law Day

The annual Law Day Open House took place at the Court House at 408 York on April 17, 2011. This year the format for

the legal information sessions at Law Day was slightly different. The sessions were Question and Answer sessions and CLEA arranged speakers on Family Law and Criminal Law. The sessions were held at 12:30 and 2:30. The Law Society's Equity Ombudsperson, Brenlee Carrington Trepel also presented information about her program. Thank you to the presenters: Victoria Lehman, Norm Yusim, Kathy Bueti and Greg Hawrysh.

## PUBLICATIONS

### Publications Distribution

CLEA distributes many pamphlets, booklets and other plain language materials about the law. We distribute our own publications and also materials produced by other agencies and government departments such as The Department of Justice Canada, Manitoba Justice, Family Services and Consumer Affairs, the Library of Parliament, the Canadian Public Health Agency and the Consumer Protection Office. We have an inventory of over 120 titles, including 55 CLEA titles, 26 French and 14 bi-lingual titles. The most recent additions include four Immigration Fact Sheets prepared by Reis Pagtakhan of Aikins MacAuley & Thorvaldson LLP and *My Funeral Plan*, produced with Norm Larsen. In 2011–2012, CLEA distributed 7,192 items to hundreds of individuals and agencies across Manitoba. Distributions also occurred through conferences, exhibits, and member mailings.

### Displays

Each year, CLEA organizes displays of materials at a variety of events. This year, CLEA hosted exhibits at the following events: 2011 Law Day Open House (materials were displayed in Winnipeg, Brandon and Dauphin), CLEA Annual General Meeting, CLEA's Law Conference, Manitoba Social Sciences Teachers' Association Special Area Group Conference, APIN's Annual Adolescent Parent's Day, and at the Legislature as part of Women's History Month and International Women's Day celebrations.

### Publishing

#### The Manitoba Legal Services Directory

Work on the 2012 *Manitoba Legal Services Directory* was begun with 142 lawyers placing 408 ads in the directory. This year we continued the expansion of the law-related agencies section of the directory. The directory will be published in 2012/2013 with sales of the directory continuing in 2012–2013.



## CLEA's Annual Report

Copies of the 2010–2011 Annual Report were distributed to members, Manitoba Members of Parliament, Members of the Legislature, City of Winnipeg Council, funders, various community and law-related agencies and throughout the community on an as requested basis. The report continues to be a useful outreach and fundraising tool, as it presents CLEA's work in a readable format with a professional image.

## WEBSITE

CLEA received a grant from the Manitoba Law Foundation to update our website. The main changes included an increase in the number of Frequently Asked Questions from 62 to 300. We also expanded the number of topics from six to twelve. The website has both English and French sections. Visitors are able to download a publications form in order to request publications as well as download publications in PDF format. We have created a repertoire of 18 law quizzes. The update of the website is an on-going endeavour. In 2012–2013 we will be adding two new sections – one for teachers and one for unrepresented litigants. In 2011–2012 we had over 34,000 visitors to our website. The website address is: [www.communitylegal.mb.ca](http://www.communitylegal.mb.ca).

## LAW PHONE-IN & LAWYER REFERRAL PROGRAM

Serving Manitobans as well as callers from around the world since 1975, CLEA's Law Phone-In & Lawyer Referral Program is an essential service, providing free legal information over the telephone to anyone who needs help. Many clients rely on the service as their emergency first-response team during a legal crisis. As a unified information and referral service, our program staff assesses callers' needs, provides information and makes referrals to lawyers and law-related agencies where appropriate.

In 2011, the Program handled 7,839 calls. 59.6% of the callers were female, 75% originated from Winnipeg. Calls from outside Winnipeg came from 225 communities throughout Manitoba. 236 came from other provinces and territories, 27 from 15 states in the United States and 16 came from around the world, many of them via email: Belgium, China, India, Japan, Moldova, Nigeria, Puerto Rico, Qatar, Thailand, United Arab Emirates and the United Kingdom. The legal issues in such international calls were primarily in the area of

Immigration Law. Some of these callers were looking for a lawyer in Manitoba for a matter taking place here.

In addition to telephone calls, the Program received 840 e-mails, 20 faxes, and 90 walk-in clients (even though we do not have the facilities to handle walk-in requests). Of completed calls, 38% of the calls were concerning Family Law, including divorce, separation, custody, access, grandparent access, adoption, guardianship, child support, spousal support, and various property issues. Also in this area of law, we received questions about domestic violence and protection orders. 12.9% of the calls were regarding Civil Law issues (including Small Claims Court). 10% of the calls dealt with Criminal Law (including Youth Law), 9% with Wills and Estates, and 6.8% were about Employment Law. The chart shows the break-down of calls by topic.

### Completed Program Calls by Topic:

Family	2582	38.0%	Small Claims	216	3.2%	Immigration	71	1.0%
Other	709	10.4%	Commercial	211	3.0%	Legal Aid	36	0.5%
Criminal	685	10.0%	Tenancy	187	2.7%	Welfare	14	0.2%
Civil	667	9.7%	Debt	147	2.0%	Highway	5	0.1%
Wills	605	9.0%	Real Estate	132	2.0%	E.I.	1	0.0%
Employment	465	6.8%	Autopac	107	1.6%			

In terms of trends, calls were up about 1,000 over 2010 with a proportionate increase in calls in the various categories, with some exceptions. Employment Law was up by 150. People were being downsized or fired without just cause. Private prosecution inquiries doubled from 20 to 40. Medical malpractice was up a little; the calls dealt with neglect versus negligence. International calls were down. Possibly people were accessing our immigration fact sheets on our website and therefore there were fewer calls. Referrals were down slightly, meaning that referrals were more quality referrals. Generally, calls were being received in the areas of law where either no other services exist, or where services are inadequate to meet the needs.

1,074 calls resulted in referrals to one of the 129 lawyers listed with the Lawyer Referral Service. Lawyers enrolled in the service have agreed to provide a free initial half-hour consultation to clients referred to them.

In 2011, our records indicate that we received referrals from 121 different sources: various individual contacts, lawyers and law firms, MLA's and MP's, community agencies, government departments, organizations, businesses, and as a result of being listed in various publications.



# Services

Our staff consists of two lawyers. The program operates Monday to Friday, 9 am to 4 pm. This year we were assisted by law students through the Pro Bono Students Canada program: Alyssa Mymko, Audrey Yang, Brennan Clyde, Kyle Harder, Megan Smith and Will Steinberg. We would also like to thank their supervisor, Inderjit Singh.

The Law Phone-In & Lawyer Referral Program can be reached at (204) 943-2305 or toll free in Manitoba, outside of Winnipeg, at 1-800-262-8800.

## EDUCATION AND TRAINING

To keep abreast of changes in the law, the Law Phone-In lawyers and the Executive Director attended the following Law Society and Manitoba Bar Association continuing legal education seminars: Standards of Review on Criminal Appeals, Top S.C.C. Criminal Cases for 2010–11, Gaps in Legislation Re Health Care Decisions for the Elderly, End of Life Decisions, Electronic Documents, Communications, Internet, and Computer Use; Family Law - Improving your Practice – Tips from Both Sides of the Bench Parts I and II, Retroactive Child and Spousal Support, Where are the Boundaries? Evidence, Privacy, Technology, Your Client's PHIA Compliance and the Ombudsman, Challenges to Wills and Gifts, How Convictions can Affect Border Crossings, Administrative Law Boot Camp – Parts I and II, The Year's Most Important Family Law Cases, Ethical Practice in the Electronic Age, "What's Time Got to do With It?", When the Family Business Fails, Accommodation in the Workplace, Code of Professional Conduct, How to Work with New Immigrants.

## LAW CONFERENCE

Community Legal Education Association's Annual Law Conference took place on Friday, February 10, 2012. Assiniboine Credit Union was the conference sponsor. There were 44 people in attendance, including teachers, students, lawyers, service providers, and law students. Most of the participants were from Winnipeg, but there were also participants from Selkirk, Carman, St. Laurent and Stonewall. The conference was held at The Union Centre, 206–275 Broadway, in Winnipeg. CLEA's President, George Derwin, was the Master of Ceremonies.

The theme of this year's conference was Your Rights: Privacy, Access to Information, Copyright, Technology, Internet Safety, Identity Theft and More... Nancy Love from The

Manitoba Ombudsman's Office spoke about *The Protection of Privacy Act (FIPPA)* and *The Personal Health Information Act (PHIA)*. Devan Towers, a partner with the firm of Taylor McCaffrey LLP, spoke about copyright law and the new copyright legislation and its implications for teachers and schools. Jennifer Seligy from the Office of the Privacy Commissioner of Canada spoke about *PIPEDA* and the *Privacy Act*. Constable Mitch Rochon spoke about Internet Safety.

The conference evaluations, as well as the individual presenter evaluations were very positive. The venue and food were well received. Most participants who responded would attend another CLEA event. One of the reasons given by 15 of the participants for their attendance was the reputation of CLEA events.

## INTERMEDIARY PROGRAMS and TRAINING

### Community Legal Intermediary (CLI) Training Program

The CLI is a series of 11 weekly, two and one-half hour workshops that train service providers about legal issues and resources in the community. Sessions 30 and 31 were completed this year, with a total of twelve participants completing the program and graduating. Each week involves learning about different areas of law with the volunteer help of lawyers and presenters from Small Claims Court, the Consumer Protection Office, and Mediation Services. Sessions included: An Overview of the Legal System, Aboriginal Law, Mediation, Family Law, Criminal Law, Employment Law, Domestic Violence, Welfare Law, Youth Criminal Justice, Consumer Law, and Small Claims Court. Thank you to presenters: Len Fishman, Michael Lazar, Wayne Rose, Wayne Forbes, Michael Bodner, Paul Kruse, Wendy Martin White, Lynn Ranville, and Shirley Van Schie.

## SCHOOL PROGRAMS

### Criminal Code Exchange

Often teachers ask us whether we have any old Criminal Codes they can use in their classrooms. So, we decided to start a Criminal Code exchange. The legal profession was asked to donate "old" (2005 or newer) Criminal Codes so that we could distribute them to teachers who requested them. Thank you to Mr. Justice Michel Monnin of the Manitoba Court of Appeal, Manitoba Justice, Victim



Services, the Legislative Counsel's Office, the Winnipeg Justice Library, Legal Aid Manitoba, the Law Society of Manitoba, Bev Froese of Public Interest Law Centre and David Gray from Justice Manitoba – Public Prosecutions who donated Criminal Codes. In 2011–2012, 22 Criminal Codes were distributed to teachers in Rosenort, Barrows, Portage la Prairie, Beausejour, Elkhorn, St. Laurent, Austin, Russell, East St. Paul, Stonewall, Ohanly, Notre Dame de Lourdes, Marius, Selkirk, and Teulon, as well as Winnipeg. This initiative will be continuing in 2012–2013.

## PROJECTS IN 2011–2012

### Family Law Workshops

We again partnered with Association des juristes d'expression française du Manitoba. The Association had applied for funding from Justice Canada to create a power point and deliver a series of Family Law workshops, both English and French, primarily outside Winnipeg. We hired Jessica Hall to write the power point, which was then translated into French. The first workshops took place at the end of March 2012. The English workshop took place at the Millenium Library on March 30th and the French workshop took place the next day, March 31st at St. Boniface College. More English workshops will be held in Pine Falls, Selkirk, Portage la Prairie, Steinbach and Gimli in the fall of 2012.

### Women in Abusive Relationships – Reprint

We received funding from Family Services and Consumer Affairs, Family Violence Prevention Program to reprint *Women in Abusive Relationships*. This project involves revising both the English and French versions of the booklet. We would like to thank Kristine Barr of A Woman's Place and Tony Cellitti, of Philips Aiello for reviewing the booklet. We would also like to thank Sabine Bures and Pat Desrochers of Family Violence Prevention, for their input. 8,000 English copies and 1,000 French copies will be printed. This is the fifth time this particular booklet is being reprinted.

### Probate Court Guide

We received funding from The Manitoba Law Foundation and a matching grant from The Winnipeg Foundation to produce a *Probate Court Guide for Small Estates* (under \$100,000). The Probate Court Guide will contain a glossary of relevant legal terms, a list of judicial centres in Manitoba, information about probating small estates under \$10,000, information on applying for probate, administration and

administration with will annexed, check lists, sample precedent forms, information on court filing fees and references to other resources. The Guide is being written by Helen Cholakis.

## ACCESS TO JUSTICE ACTIVITIES

CLEA is committed to promoting and supporting an equitable and accessible justice system that is responsive to the needs of Manitobans. We use a variety of ways to reach this objective:

### 1. Research and Development

CLEA participates on the Just A Click Away Advisory Committee. After a very successful conference in February of 2011, the B.C. Court Library Society was successful in obtaining an additional grant from the Ontario Law Foundation in order to create an on-line community of practice that will feature webinars, seminars and other tools to help public legal education providers better utilize technology in delivering their programs.

### 2. Community Outreach

In an effort to ensure that we refer clients appropriately and that in turn clients are appropriately referred to us, in November 2011, CLEA held a fourth information sharing session. Representatives from the Women's Legal Education and Action Fund (LEAF), The Children's Advocate, the Public Interest Law Centre and John Howard Society attended an informal information sharing session where we explained our programs, primarily the Law Phone-In & Lawyer Referral Program, and heard about the services offered by the participants. Board and staff members attended the Law Society's 50 Year Luncheon and LEAF Manitoba's 21st Annual Persons Day Breakfast.

### 3. Co-ordination

Co-ordination activities with other organizations are essential for planning efficient and effective programs. Each year, CLEA is asked to provide representatives to many community committees. This year, staff members participated on the following committees:

- Manitoba Bar Association Law Day Organizing Committee
- Legal Aid Advisory Committee
- Just a Click Away Advisory Committee
- Public Legal Education Association of Canada (PLEAC) – Board of Directors



# Services

## 4. Advice and Consultation on Public Legal Education and Information Issues

CLEA is frequently approached by community groups for advice about public legal education issues. We also provide information and presentations (on request) about legal issues for volunteers and boards of directors of not-for-profit organizations as well as information on law as a career for high school students.

This year we were asked to participate on the Law Society's Access to Justice committee. The mandate of this committee was to: share ideas, information and best practises on access; learn what was already being done and identify gaps; coordinate efforts to avoid duplication and explore opportunities for partnerships.

We also attended the Manitoba Bar Association's Town Hall meeting and made a written submission in which we recommended the following in dealing with one of the critical emerging issues as far as access to justice is concerned, that of the growing numbers of unrepresented litigants:

- a better understanding of the self-representation phenomenon and why it exists,
- the recognition of a continuum between no representation and full representation and that there needs to be a variety of services along that continuum to meet the diverse needs of individuals,
- looking to the experience in other jurisdictions to adapt services and products to Manitoba,
- better funding for tried and true existing services,
- simplification of court rules and procedures

## FUNDRAISING

Fundraising activities included sales and advertising of the *Manitoba Legal Services Directory* and the sales of publications produced in-house: *Directors' Liabilities, Beginning and Incorporating, the Small Claims Guide* and *Uncontested Divorce Guide* and sales of the *Youth Criminal Justice Act Teaching Kit* as well as our two mock trials: *Jack in the Beanstalk* and *Young v. Elder*.

CLEA is a registered charity as well as being registered with the All Charities Campaign. All donations are very much appreciated.

## Community Legal Education Association (Manitoba) Inc. Statement of Revenues and Expenditures Year ended March 31, 2012

REVENUE	2012	2011
The Manitoba Law Foundation	\$ 110,000	\$ 110,000
Justice Canada	70,000	73,500
The Law Society of Manitoba	60,000	60,000
The Winnipeg Foundation	12,500	–
Fundraising	150	14,275
Directory Advertising	6,775	11,080
Association des juristes d'expression franchise du Manitoba	6,900	6,763
Sales	7,270	5,961
Memberships & Registration	5,919	5,714
Donations	2,527	2,974
Interest income	–	24
	<b>282,041</b>	<b>290,291</b>
EXPENSES		
Auditor	4,690	4,940
Bank charges	234	127
Board and committees	2,127	3,895
Bookkeeper	2,300	2,076
Dues and memberships	160	–
Equipment purchases, repair & rentals	2,601	2,535
Fundraising expense	50	–
Insurance	1,220	1,237
Miscellaneous and G.S.T.	665	727
Occupancy	12,557	12,899
Postage and delivery	3,453	2,395
Professional fees	2,400	2,497
Programming (non-salary)	9,447	4,460
Project Expenses ( <i>Schedule 1</i> )	140,947	135,787
Promotion	1,099	275
Salary and benefits	97,798	111,048
Staff training	1,470	2,381
Sub-contracts	294	–
Supplies	3,623	3,605
Travel (reimbursement)	(502)	2,084
	<b>286,633</b>	<b>292,968</b>
<b>Deficiency of Revenue Over Expenses</b>	<b>\$ (4,592)</b>	<b>\$ (2,677)</b>

Complete Financial Statements available upon request.



## THANK YOU

*Without the support of volunteers in the community, CLEA could not do its work. In the 2011–2012 fiscal year, our Board, staff, partners and volunteers have shown how they value public legal education and the work that CLEA does. We thank all of our volunteers, partners and supporters. You are the heart of our programs and success.*

## VOLUNTEERS

The volunteer and in-kind support provided to CLEA each year has significant program and financial value. Each year, volunteers spend hundreds of hours organizing and taking part in events or programs. In 2011–2012, the dollar value of the time spent by CLEA volunteers was \$38,095. This figure does not include the time spent by volunteers of CLEA's Board of Directors and the lawyer panel of our Lawyer Referral Service.

CLEA volunteers include lawyers and non-lawyers. They give us their help through presentations, serving on our Board of Directors or committees, office/clerical assistance, event planning and support, writing, editorial review, fundraising and volunteering at Law Phone-In. We also had lawyers review our publications: Kristine Barr and Tony Cellitti reviewed the *Women in Abusive Relationships* booklet, Tanya Keller from D'Arcy and Deacon LLP reviewed our *Uncontested Divorce Guide* and Kathy Buetti of Buetti Wasyliw reviewed *Criminal Law & Procedure*. Reis Pagtakhan of Aikins MacAulay & Thorvaldson LLP wrote four fact sheets on Immigration law for us. Without this generous support of Manitoba's legal profession and so many others involved in the legal system, we would not be able to provide the kinds of programs we do.

## STAFF

CLEA is fortunate to have a committed and hard-working staff with over 50 years of collective experience in public legal education and information. Our staff members in 2011–2012 were:

**Mary Troszko**, Executive Director

**Kerri Brass**, Program Coordinator

**Jennifer Dunik**, Law Phone-In Lawyer

**Shannon Lazell**, Law Phone-In Lawyer (started February 2011, resigned in October 2011)

**Sean Young**, Law Phone-In Lawyer (started November 2011)

## BOARD OF DIRECTORS

A community-based Board of Directors elected by our general membership governs CLEA. Directors are elected at the annual general meeting and hold office for a term of two years. The board is responsible for establishing appropriate policies for the overall management of CLEA. This year the board finalized CLEA's Strategic Plan that sets CLEA's direction until 2013–2014.

The board members in 2011–2012 were:

**George Derwin** (President) – Lawyer, Manitoba International Hydro

**Geof Langen** (Vice President) – Senior Policy Analyst, Federal Provincial Unit – Manitoba Health

**Ramona Tkachuk** (Treasurer) – resigned November 2011 – Chartered Accountant

**Kyle Giesbrecht** (Treasurer) – appointed November 2011 – Chartered Accountant, Chief Financial Officer with the RM of Springfield

**Gary McPherson** (Secretary) – Former Superintendent, Royal Canadian Mounted Police (Retired)

**Kwok Wa Ngan** – Manager, Asian Banking, Royal Bank

**Nalini Reddy** – Lawyer, Justice Canada

**David Rondeau** – Teacher, College Pierre-Elliott-Trudeau

**Grace Yu** – CGA, MNP LLP

**Robert M'vondo** – Acting Director, Winnipeg Local Office Courts Administration Service

**Randean Kopytko** – Neighbourhood Immigrant Settlement Worker with Seven Oaks Neighbourhood Resource Network

**Brendan Friesen** – Lawyer, Justice Canada

We bid farewell to directors: **Heather Dixon**, **Rhonda San Filippo**, **Norman Boudreau** and **Eric Wach**.

We would like to thank our core-funders: **Justice Canada**, **The Manitoba Law Foundation** and the **Law Society of Manitoba**, our project funders: **Family Services and Consumer Affairs**, **The Winnipeg Foundation** and **The Manitoba Law Foundation** and our project partner: **Association des juristes d'expression française du Manitoba**.

We are also grateful for the volunteer efforts of members of the legal profession of Manitoba, and for member fees, subscriptions and donations.



## MISSION STATEMENT

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.

### 1. Program Strategy

To meet the diverse information needs of our community, we have adopted the following objectives to help us plan our programs:

- **Individual Focus**

To provide information about the law, legal system and sources of legal assistance in response to requests.

- **Intermediaries Focus**

To provide service providers and representative groups with information about: the law, legal system, sources of legal assistance, and law reform.

### 2. Program Strategy

To identify barriers and promote possible solutions to support a more equitable and accessible justice system that is responsive to the needs of Manitoba's diverse communities.

# Empowering People to Understand the Law.



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Community Legal Education Association (Manitoba) Inc.

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