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# MESSAGE FROM THE CHAIRS OF THE BOARD





As the Chairs of the Board, it is our pleasure to present the 2022-2023 Legal Services Board Annual Report.

In 2022, LSB, like most organizations, was finally coming out of the COVID constraints and began to resume services, including travel for court circuits. The LSB Board wishes to thank Stephanie Boydell for stepping in as Acting CEO after the former CEO, Benson Cowan, resigned. Ms. Boydell worked diligently during her tenure and left LSB



when she accepted a Senior Counsel/Team Leader position with the Public Prosecution Service of Canada.

After almost a year-long CEO recruitment process with Odgers Berndtson, a senior management recruitment firm, LSB hired Sarah Mihailovich as LSB's new CEO to work out of the Rankin Inlet office in March 2022. Ms. Mihailovich came to LSB with over 11 years of experience as a lawyer in general practice and civil litigation. She worked in various capacities with Legal Aid Ontario and Legal Aid British Columbia. Due to immense challenges, including efforts to undermine leadership in respect of both governance and management levels at each regional and territorial level, Ms. Mihailovich resigned in December 2022.

In early 2023, Ms. Teena Hartman, who had previously held the CEO role from 2010 to 2017, returned to LSB in the same capacity. Her primary focus was to bring about a return to much-needed organizational stability by tackling the disruptions that were causing unnecessary distraction and negatively impacting the organization, and most importantly, were affecting the delivery of legal aid to clients. To this end, Ms. Hartman began the much-needed work to bring a return of professionalism to the organization, together with the reapplication of the processes and policies of the LSB that had been suspended during COVID.

Ms. Hartman worked tirelessly and closely with others to realize a situation in which all the legal aid boards have majority Inuit representation from the regional and community level to ensure that the original vision and mandate of legal aid to serve Nunavummiut were not compromised.

Yours truly,

Madeleine Redfern, Co-Chair,

Tim Zehr, Co-Chair



# EXECUTIVE SUMMARY



## GENERAL OVERVIEW

This reporting year was one of the most difficult in the history of the Legal Services Board of Nunavut, inasmuch as the board lacked members to have a quorum for board meetings, at the same time, the organization was subjected during this time to actions that attempted and partially succeeded in undermining governance and management at the territorial and regional levels. Specifically, a group of individuals sought to advance their self-interests, which were significantly at odds with the interests of the organization, its clients, and the communities it serves. Such actions were disruptive and, in many ways, adversely affected the LSB's efforts and service delivery.

## FINANCES

For 2022-2023, the LSB's total budget was \$ 18,255,481, including special projects. The actual amount spent was \$15,277,025, which included \$1,407,148 in special projects funded by the Government of Canada and not completed due to staff shortages. Much of this funding, \$6,878,559, was spent on criminal cases, \$1,008,946 on family cases, and \$434,853 on civil cases.

In addition, LSB provided funding to the three regional clinics, which provide office space and administrative support, including Court Workers in the communities, totalling \$3,069,557.

Maliiganik Tukisiniiakvik in Iqaluit received \$1,400,000.

Kivalliq Legal Services in Rankin Inlet received \$689,217.

Kitikmeot Legal Centre in Cambridge Bay received \$515,250.

The LSB takes pride in carefully stewarding the public's money. The organization ensures its resources are spent effectively and efficiently on Nunavummiut, who need legal services. At the end of the year, the LSB had a surplus of \$1,762,377.

## LAW PRACTICE

### Criminal Law

LSB employs 13 criminal defence lawyers: eight in Iqaluit, three in Rankin Inlet, and two in Cambridge Bay. In addition, LSB has 31 private criminal law lawyers on its criminal law panel. For 2022-2023, LSB opened 4452 criminal files. Using the duty counsel model, the LSB criminal legal team would have handled these files at least once. The LSB supported approximately 68 circuits in communities outside Iqaluit and 33 special sittings.

The Criminal Lead requested that LSB continue the presumption of eligibility due to the lack of resources, especially after the Government of Nunavut's Gjoa Haven offices burned down in March 2022. LSB lost all equipment, files, and documentation related to legal aid applications and client administrative and financial files. LSB attempted to have GN seconded staff work from home, but in most cases, home conditions without a dedicated office were unsuitable for sensitive and confidential information. Most GN staff seconded to the LSB quit due to working conditions beyond the LSB's control. LSB attempted to hire various finance staff to work out of the Kivalliq offices, with varying degrees of success.



## Family Law

In 2022-2023, LSB employed four family law staff lawyers: four in Iqaluit and one vacancy each in Rankin Inlet and Cambridge Bay. LSB also has six private family law lawyers on its Family Law Panel.

In 2022-2023, the LSB received 155 applications for coverage for Family Law Act matters and 21 Child and Family Services Act Matters.

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 and provide timely assistance to clients applying for aid. 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 Family Services, court-ordered appointments, or individual applications.

The LSB continued to struggle without sufficient family lawyers on staff and/or on the panel, which most other legal aid plans also struggled with. This practice area will remain a priority until the LSB can reduce the backlog entirely, but the disruption in governance and operations has affected recruitment and retention.

## Civil Law

LSB employed three Civil Law staff lawyers: two in Iqaluit and one in Cambridge Bay. The Board directive and goal is to have one lawyer per region. The other two lawyers support this region until LSB can relocate or hire a civil law staff lawyer in Rankin Inlet.

In 2022-2023, the Legal Services Board continued to review and assess the significant changes implemented in civil practice in late 2019. Over the reporting period, the process has been implemented, reviewed and revised. This is a considerable achievement for this practice area and LSB. We have a full complement of civil lawyers, with a senior civil lead managing our intake process.

In 2022-2023, the LSB received 231 civil applications. These applications included employment files, housing matters, police misconduct cases, and human rights matters.

In this reporting period, guardianship files also became part of the practice. Many Nunavummiut are unaware of their rights in this area of law, and more public legal education needs to be done.

An increased amount of time was spent on summary advice for Nunavummiut who call with questions on various matters that are not all areas of coverage offered by LSB.

## INUIT EMPLOYMENT & INUIT EMPLOYMENT PLAN

The LSB has continued to comply with our responsibilities pursuant to 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 mid-level management and director positions.

In 2022-2023, the LSB employed 24 Inuit court workers across the territory who provided clients a broad range of services, including intake, translation, community outreach, and litigation support. Each clinic had a full-time Inuit office manager, with the territorial director position filled by an Inuk supporting the regional office managers. This Inuit director was also subjected to undue stress relating to internal and external conflicts that undermined her role and responsibilities.



LSB provided significant support to the Nunavut Law Program by providing articling positions, full-time and part-time, to at least six students in the various clinics and practice areas within legal aid. Additionally, LSB provided additional administrative support to other students in multiple ways to assist with CPLED, PREP and other articling issues based on an ongoing commitment to see as many of the Nunavut Law Program graduates succeed in their career aspirations.

## NUNAVUT LAW PROGRAM

In 2021, the four-year Nunavut Law Program wrapped up its educational component with the University of Saskatchewan. Most students began their articling placements and undertook the CPLED1 (Canadian Centre for Professional Legal Education). CPLED was developed to build a better articling program that combines online and in-person education and training. The Nunavut Law Program students also took PREP (Practice Readiness Education Program),<sup>2</sup> the official bar admission program for Saskatchewan, Alberta, Manitoba and Nova Scotia law societies. As such, the Nunavut Law Program students were to complete their articles plus CPLED and PREP, effectively twice the educational components of most articling requirements. Despite this, the Law Society of Nunavut developed an additional bar admission exam in which it expected students of law who wished to be called to the Nunavut bar to take a two-hour closed-book exam on 66 Nunavut statutes with over 7000 sections, not counting the additional sub-sections. The Law Society of Nunavut withdrew the requirement after an extensive campaign that the bar exam went against Indigenous Reconciliation and was excessive, especially given the combination of articling, CPLED and PREP. Saskatchewan and other articling students throughout the country would not be subjected to the same onerous bar admission requirements, and such barriers appeared to be designed to thwart or limit the Nunavut Law Program graduates from being called to the bar to be able to practice as lawyers in the territory. LSB was very appreciative that the Law Society of Nunavut provided the Nunavut Law Program graduates an exemption and created a reconciliation and bar admission committee to re-review the bar admission exam for other and future bar admission applicants.

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<sup>1</sup> <https://cpled.ca/>

<sup>2</sup> <https://cpled.ca/students/cpled-prep/>



# GOVERNANCE

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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.

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

The members of the Legal Services Board for the 2022-2023 fiscal year were as follows:

Madeleine Redfern - Chair and Qikiqtani Representative

Tara Tootoo-Fotheringham - Kivalliq Nominee (vacant)

Simon Qingnaqtut - Kitikmeot Representative

Julie Bedford - Nunavut Law Society Representative (appointed 2023)

Lili Weemen - Member at Large (revoked 2022)

Danny Zita - Member at Large (revoked 2022)

Tim Zehr - Member at Large (appointed 2022)

Mark Witzaney - Government of Nunavut (revoked 2022)

Jonathan Ellsworth - Government of Nunavut (appointed 2023)

For much of this year, the Board did not have a quorum due to board appointments not being made in a timely manner. Furthermore, it was discovered this year that the two then members-at-large were not eligible to be on the LSB Board of Directors due to legislative prohibitions. As such, the Department of Justice recommended that these individuals not participate as Board Members until their appointments could be revoked and eligible replacements be appointed to the Board.

Exacerbating the situation was the Kivalliq region's representative, as recommended by the Kivalliq Legal Services Board, who was still not appointed by the Minister, despite the position on the LSB being vacant for several years. The KLS publicly advertised the position multiple times. The sole applicant, a Nunavut beneficiary from the Kivalliq, a KLS Board of Directors member with over 10 years' experience on the LSB Board, was put forward to the Department of Justice to recommend to the Minister for appointment. The LSB Board invited the KLS designated representative to attend LSB meetings so that the Kivalliq would not be without any representation, even if their appointee could not vote. Another challenge was that the Kitikmeot representative was largely unresponsive and did not attend meetings, contributing to the problematic attempt to achieve quorum.

In 2023, LSB's COO accepted a position as the Assistant Deputy Minister of the Department of Justice, Government of Nunavut and became the GN Justice representative on the LSB Board.

Further disruption to the level of services afforded by the LSB was caused by the toxic workplace that arose in one of the regional clinics, the reality and extent of which was confirmed by multiple workplace investigations. Such investigations found there to have been unprofessional and vexatious conduct and a series of misrepresentations of facts for which no apology was proffered.



Throughout the year, the LSB remained concerned about the reduction and loss of Inuit and other community members on the regional legal aid boards caused by legal aid staff lawyers and legal aid contractors being appointed. This concern caused the LSB to seek assistance from the Government of Nunavut Department of Justice to support redressing the conflict of interest, believing that staff and contractors should not be on a board that is effectively their employer or client. This situation also caused challenges between the territorial and regional legal aid staff and the two boards, especially managers attempting to manage staff who were also their bosses because they were on the board. The situation was untenable, especially in situations where Inuit management and board members were disrespected and maligned, effectively creating an intolerable situation.

## APPLICATION OF INUIT QAUJIMAJATUQANGIT

Inuit Qaujimajatuqangit (IQ), which means “that which Inuit have long known,” 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 clinics’ 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, prioritizing 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, 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 that 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 skill 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 often recognizes that 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, building relationships, and working together to achieve good outcomes.



# ORGANIZATIONAL STRUCTURE



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

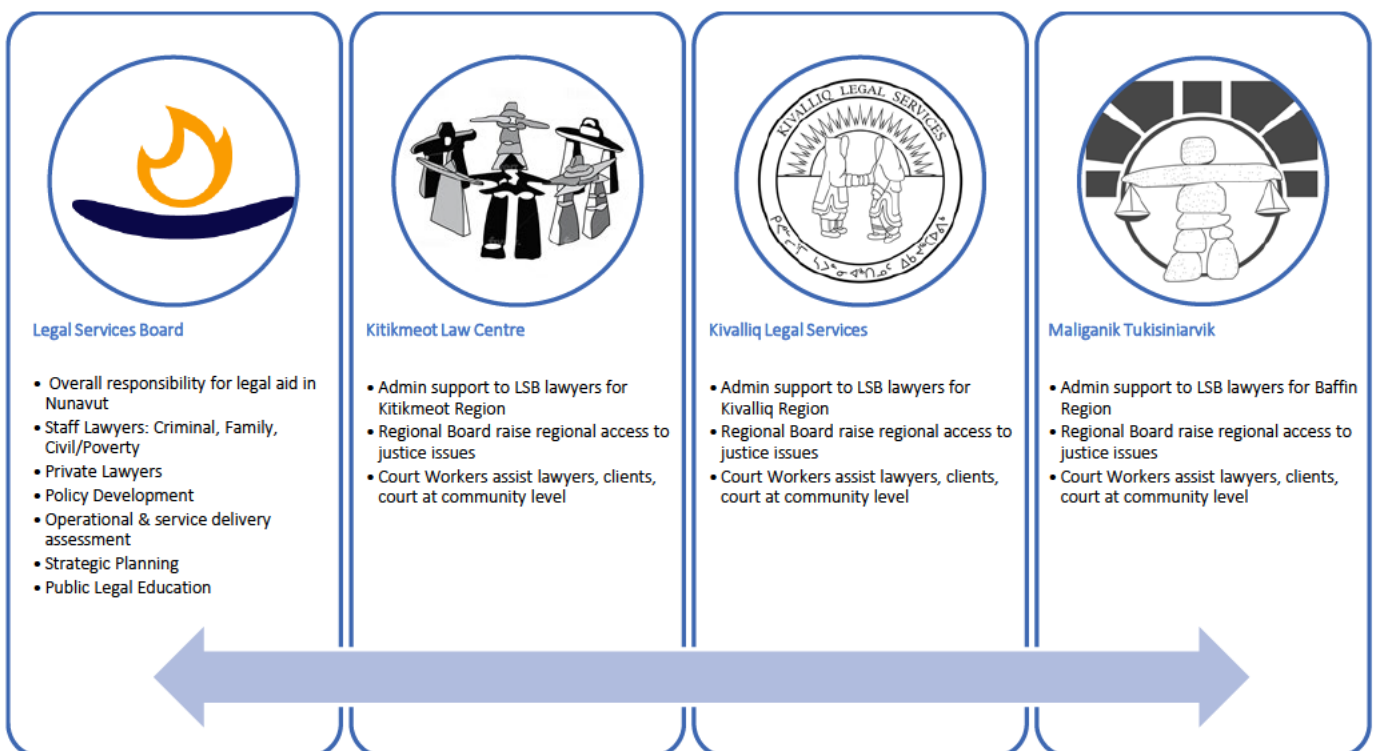
The Legal Services Board employs senior and middle managers, staff counsel, and some administrative staff and is responsible for delivering legal aid in Nunavut.

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.

The headquarters is 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 an effective and efficient response to community needs.



## ORGANIZATIONAL CHART - LEGAL SERVICES BOARD OF NUNAVUT

Legal Services Board of Nunavut Organization Chart (Simplified)



## THE TEAM

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

## LAWYERS

Staff lawyers are based in three regional clinics: Maliganik 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, three civil/poverty lawyers and the CEO, who is required by statute to be a lawyer. These numbers include vacancies.

Panel lawyers are legal counsel who are contracted to assist LSB in the provision of legal services. In 2022-2023, there were 31 lawyers on the criminal panel, six lawyers on the family panel and five lawyers on the civil law panel.

## MANAGEMENT AND ADMINISTRATIVE SUPPORT STAFF

In addition to the staff lawyers, LSB employs an executive management team comprising a Chief Executive Officer, a Chief Operations Officer, changed in early 2023 to Chief Administration 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

A fundamental component of LSB's successful service delivery is the Inuit Court Worker Program. In 2022-2023, court workers worked in most of Nunavut's communities. In communities that do not have a resident court worker, a neighbouring community court worker supports the community. 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 applications, interpretation, facilitate client and witness meetings, help prepare for court appearances, assist with community clinics, and provide access to justice and public legal education.

## ACKNOWLEDGEMENT OF APPRECIATION

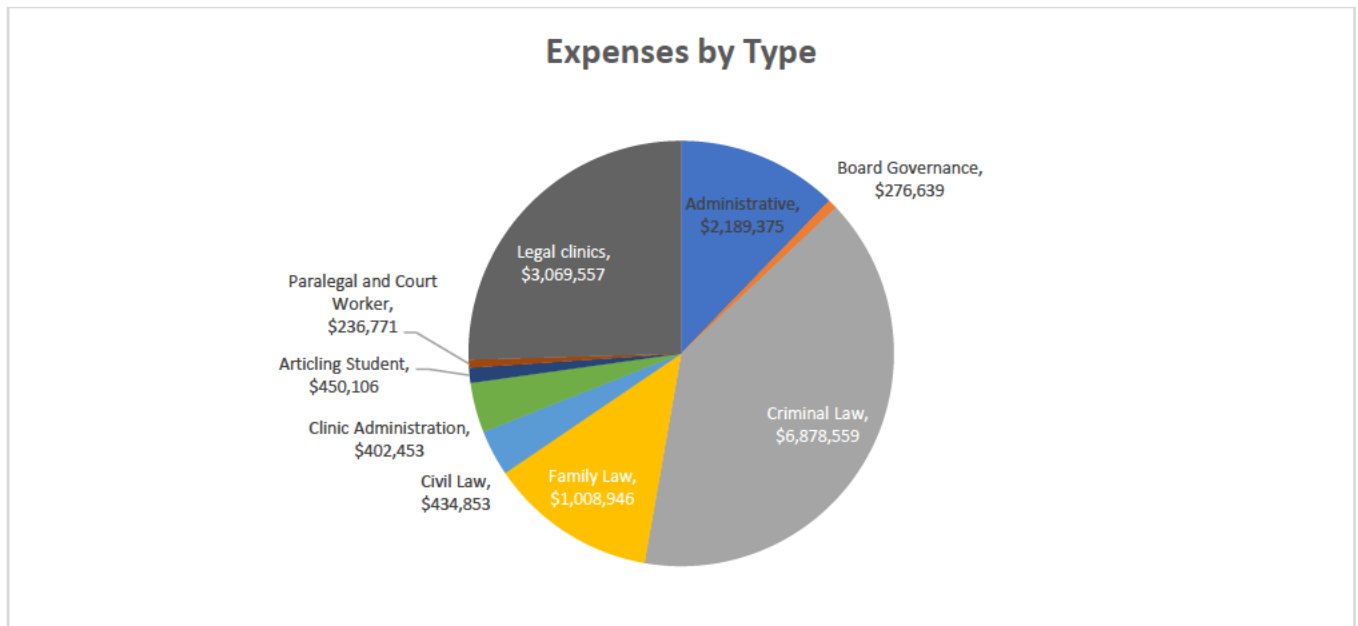
LSB extends its sincere gratitude to all staff for their efforts to deliver high-quality legal aid services and access to justice in Nunavut. This team has proven to be dedicated, hardworking, and committed to ongoing efforts to improve and enhance access to justice for Nunavummiut.



# FINANCIAL STATUS OF THE BOARD



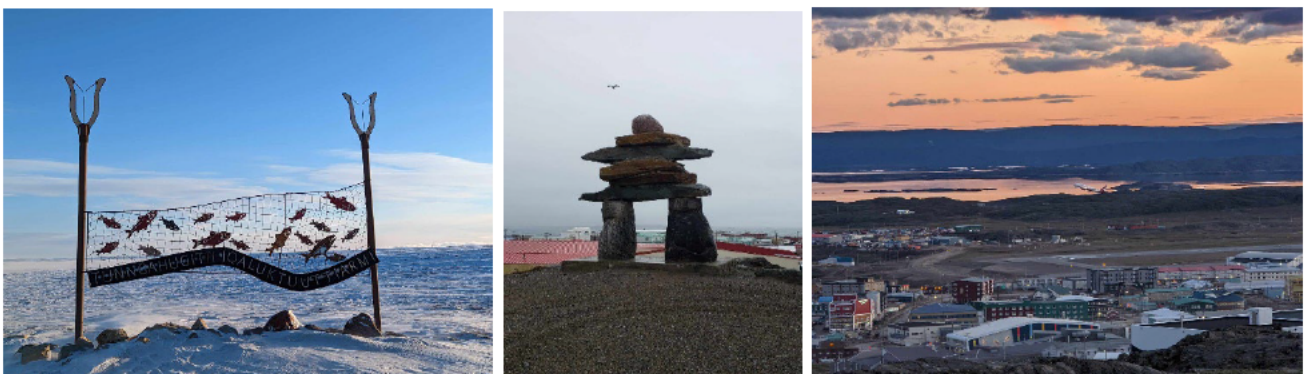
The Legal Services Board of Nunavut is a publicly funded agency. The GN Department of Justice allocates funding through a contribution agreement that incorporates the federal-territorial Access to Justice Agreement between Justice Canada and the GN Department of Justice, and directs the funds to the Legal Services Board.



The LSB budget for 2022-23 was \$18,255,481, which included Federal contributions and special project funding; however, the actual amount spent was \$15,277,025. Due to ongoing staffing shortages throughout the year, special project funding (\$1,407,148) was not received, and the projects could not be completed.

Regional clinics are societies under the Societies Act. The LSB funds them (\$3 million annually) through contribution agreements.

The audits produced annually are a testament to LSB’s pursuit and commitment to transparency and accountability. They also clearly demonstrate the organization’s capacity to manage and report on services and finances responsibly. For additional information on LSB’s finances for 2022-2023, see the independently audited financial statements attached in Appendix “A.”



# 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 2022-2023, the move to incorporate all three clinic director positions into one director position held by an Inuk was completed.

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 create additional mid-level management positions for 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 balance 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, management, and lawyer levels are predominantly non-Inuit, while 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 Court Worker 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 2022-2023, the Kitikmeot Law Centre employed five court workers in five communities, Kivalliq Legal Services employed four court workers in seven communities, and Maliiganik Tukisiiniarvik employed 15 court workers in 13 communities. In communities that do not have a resident court worker, a neighbouring community court worker supports the community.

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 in their communities. The LSB has prioritized this area for review and will dedicate resources to ensure the program is adequately funded and supported.



# 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 with the tools 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/CAO 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. Given the operational challenges in 2022-2023, LSB declined to request additional funding due to the narrow nature of the GN's definition of forced growth.

LSB provides briefing notes to the GN Department of Justice on an ongoing basis during the Legislature's sittings.

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

The COVID-19 pandemic caused unprecedented disruption to the LSB's operations and ability to provide services. On April 11, 2022, the GN declared an end to the public health emergency.

### Recovery

In 2022-23, most of the year was spent recovering from the shutdowns, the loss of administrative and legal staff, and rebuilding the management team. Great efforts were made in late 2022 and early 2023 to stabilize all areas of legal aid.

### 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.

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

### Re-opening the Clinics and LSB Offices

When the GN opened and closed, the LSB clinics followed all COVID-19 protocols. Clinics were opened as soon as possible, and staff returned to the office; however, this was not always easy, and there was some resistance to an in-office working model.

## 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. Setting up staff to work remotely revealed weaknesses in the LSB's network infrastructure, difficulties locating where information was held, and various network discrepancies that prevented staff from working as efficiently as possible.

There were also phone and internet availability issues, making it more difficult for some staff than others.

The fire in March 2022 at the LSB headquarters further exacerbated the issues surrounding work-from-home for the staff in Gjoa Haven and the missing documentation due to the complete loss of the building and its contents.

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.

The family and civil practices quickly embraced CLIO; however, the criminal practice did not fully onboard its files to this software, citing issues with file handling.

The criminal practice is still predominantly a paper practice with plans to move to an electronic filing system with the addition of file managers in each clinic in 2023-2024.

### **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 much more than file storage because it is a centralized document repository, and users can chat, send messages, and share screens.

### **Amalgamation of Online Portfolio**

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

Some of our online subscriptions include:

- Legal research platforms: WestlawNext, Divorcemate
- 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 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

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, standardization of office procedures, and capacity building for administration staff and court workers.

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 their respective bylaws and are in good standing with Legal Registries.



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 still be 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 territory's fundamental founding principles 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.

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.



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 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

The criminal practice remained stable yet strained this year despite the ongoing challenges of recovering from the global pandemic. Given the onerous travel restrictions and quarantine requirements 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 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.

With the end of COVID, there were some struggles with staff leaving LSB and returning to the office rather than working from home. Still, with the travel restrictions lifted midway through the year, the private panel was able to assist in these areas to offset the burden on the remaining staff.

## BUDGET IMPLICATIONS

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

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

All Nunavummiut 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. If further legal assistance is required and clients are financially eligible, they will receive trial, sentencing, and potentially appellate services.

In addition to the circuits attended by staff and private lawyers, the LSB also provides service for arrested individuals 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 \$6,878,559.00.

## FAMILY PRACTICE

### Overview of Challenges and Response

LSB struggled to meet the demands of those applying for legal aid assistance for regular family law matters. It was 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 and treated as an emergency in most cases. 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 client services.

Some clients who have applied may go months without contact from LSB or with a lawyer until a lawyer is appointed to their file. 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.

Thankfully, the family law backlog has not affected Child and Family Services assignments. Despite many child welfare matters and court-ordered counsel appointments for children, family lawyers continue offering Nunavummiut the legislated range of services. 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 legal aid assistance. If desired, that help is available from the moment of apprehension to the first stage hearing and 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 January 2023, we have reduced the number of staff lawyers to two in the Iqaluit clinic. However, we anticipate filling the open positions in mid-2023.

The practice management model comprises lead counsel, staff counsel, the CLO and the COO/CAO 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 \$1,008,946.00.

## CIVIL PRACTICE

LSB has almost a full complement of three civil lawyers, with one designated as a senior civil lead (based in Iqaluit) to manage the civil application process. The other lawyer is in Cambridge Bay, and there is one vacancy; however, the intention is to have one position 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, the client is 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 community members, 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 \$434,853.00.



# COMMUNITY AND PROFESSIONAL RELATIONS



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

## **ASSOCIATION OF LEGAL AID PLANS**

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**

The CEO and COO/CAO 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**

Most importantly, the LSB engages communities at the local level through various channels, including legal counsel and court workers. This includes legal representation to eligible clients in court and with justice committees. LSB may also share public legal information with hamlet councils, schools, mental health service providers, and end users. LSB has provided meaningful community-based public legal education.

## **PUBLIC LEGAL EDUCATION & INFORMATION**

Public legal education and information (PLEI) is a mandated responsibility of the 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.

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. This includes training and supporting court workers to deliver within their communities.

## **WEBSITE**

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.nulegalaid.com](http://www.nulegalaid.com). The



website provides information on LSB's services, policies, annual reports, and contact information for the three regional clinics and 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**

LSB offers information lines on toll-free family law and civil/poverty law. As of March 2023, 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**

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 soon.



# CONCLUSION

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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 in 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 improved access to justice for Nunavummiut.



# APPENDIX A – AUDITED FINANCIAL STATEMENTS



**LEGAL SERVICES BOARD OF NUNAVUT**  
**FINANCIAL STATEMENTS**  
MARCH 31, 2023

**LEGAL SERVICES BOARD OF NUNAVUT**  
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MARCH 31, 2023

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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.

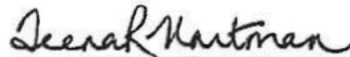
In carrying out its responsibilities, management is responsible for the operation of financial systems and related internal controls to provide reasonable assurance that financial information presented by the management of Legal Services Board of Nunavut is reliable, assets are safeguarded, transactions 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.



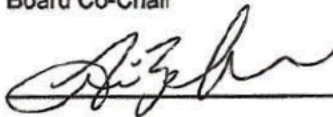
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Madeline Redfern  
Board Co-Chair



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Teena Hartman  
Chief Executive Officer



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Tim Zehr  
Board Co-Chair

April 11, 2025

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Date



## **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 not submitted within the legislated timeline.

Iqaluit, Nunavut  
April 11, 2025

A handwritten signature in cursive script that reads "Lester Landau".

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, 2023**

	Budget <u>2023</u> (Unaudited)	Actual <u>2023</u>	Actual <u>2022</u>
<b>Revenues</b>			
Government of Nunavut Contributions			
Contribution agreement	\$ 16,848,333	\$ 16,852,000	\$ 12,411,333
Supplemental funding	0	0	226,255
Transfer from Department of Justice	0	0	300,000
Repayment	<u>0</u>	<u>(1,765,377)</u>	<u>(15,860)</u>
	16,848,333	15,086,623	12,921,728
Federal contributions	688,497	0	0
Special project funding	718,651	0	0
Employee rent recoveries	<u>0</u>	<u>190,402</u>	<u>81,204</u>
	<u>18,255,481</u>	<u>15,277,025</u>	<u>13,002,932</u>
<b>Expenses (Schedule 10)</b>			
Administrative (Schedule 1)	3,941,036	2,189,375	1,924,973
Board governance (Schedule 2)	273,488	276,639	173,424
Criminal law (Schedule 3)	6,483,387	6,878,559	4,715,619
Family law (Schedule 4)	2,096,419	1,008,946	1,359,157
Civil law (Schedule 5)	864,728	434,853	641,624
Clinic administration (Schedule 6)	497,391	402,453	327,268
Articling students (Schedule 7)	180,362	450,106	706,086
Paralegal and courtworker (Schedule 8)	281,168	236,771	243,766
Access to Justice (Schedule 9)	202,535	49,744	89,522
Legal clinics (Note 6)	3,434,967	3,069,557	2,735,025
Staff rent	<u>0</u>	<u>280,022</u>	<u>86,468</u>
	<u>18,255,481</u>	<u>15,277,025</u>	<u>13,002,932</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>\$ 0</u>	<u>\$ 0</u>	<u>\$ 0</u>

**LEGAL SERVICES BOARD OF NUNAVUT**  
**STATEMENT OF CHANGES IN NET FINANCIAL ASSETS (DEBTS)**  
**FOR THE YEAR ENDED MARCH 31, 2023**

	<u>2023</u>	<u>2022</u>
<b>Net Surplus</b>	\$ -	\$ -
Change in prepaid expenses	<u>(94,655)</u>	<u>(7,937)</u>
<b>Decrease in Net Financial Assets</b>	(94,655)	(7,937)
<b>Net Financial Assets (debts), beginning of year</b>	<u>(139,447)</u>	<u>(131,510)</u>
<b>Net Financial Assets (debts), end of year</b>	<u><u>\$ (234,102)</u></u>	<u><u>\$ (139,447)</u></u>

**LEGAL SERVICES BOARD OF NUNAVUT**  
**STATEMENT OF FINANCIAL POSITION**  
AS AT MARCH 31, 2023

	<u>2023</u>	<u>2022</u>
<b>Financial Assets</b>		
Accounts receivable (Note 3)	\$ 380,200	\$ 51,619
Due from Government of Nunavut (Note 5)	<u>1,341,670</u>	<u>2,042,880</u>
<b>Total Financial Assets</b>	<u>1,721,870</u>	<u>2,094,499</u>
<b>Liabilities</b>		
Accounts payable and accrued liabilities (Note 4)	1,883,395	2,233,946
Deferred revenue - Nunavut law	<u>72,577</u>	<u>0</u>
	<u>1,955,972</u>	<u>2,233,946</u>
<b>Net Financial Assets (Debts)</b>	<u>(234,102)</u>	<u>(139,447)</u>
<b>Non-Financial Assets</b>		
Prepaid expenses	<u>234,102</u>	<u>139,447</u>
<b>Total Non-Financial Assets</b>	<u>234,102</u>	<u>139,447</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, 2023**

**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.

Estimate 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, 2023

**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**

Financial instruments are financial assets or liabilities of the board where, in general, the board has the right to receive cash or another financial asset from another party or the board has the obligation to pay another party cash or other financial assets.

The board initially measures its financial assets and liabilities originated or exchanged in arm's length transactions at fair value. Financial assets and liabilities originated or exchanged in related party transactions, except for those that involve parties whose sole relationship with the board is in the capacity of management, are initially measured at cost.

The cost of a financial instrument in a related party transaction depends on whether the instrument has repayment terms. If it does, the cost is determined using its undiscounted cash flows, excluding interest and dividend payments, less any impairment losses previously recognized by the transferor. Otherwise, the cost is determined using the consideration transferred or received by the board in the transaction.

The board subsequently measures all its financial assets and financial liabilities at amortized cost or at cost.

Financial assets measured at amortized cost include accounts receivable and amounts due from the Government of Nunavut.

Financial liabilities measured at amortized cost include accounts payable and accrued liabilities.

**LEGAL SERVICES BOARD OF NUNAVUT  
NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2023**

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

**(e) Financial Instruments continued**

**Impairment**

Financial assets measured at cost or amortized cost are tested for impairment when there are indicators of possible impairment. When a significant adverse change has occurred during the period in the expected timing or amount of future cash flows from the financial asset or group of assets, a write down is recognized in net income. The write down reflects the difference between the carrying amount and the higher of:

- The present value of the cash flows expected to be generated by the asset or group of assets;
- The amount that could be realized by selling the asset or asset group; or
- The net realizable value of any collateral held to secure repayment of the asset or group of assets.

When events occurring after the impairment confirm that a reversal is necessary, the reversal is recognized up to the amount of the previously recognized impairment..

**(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>2023</u>	<u>2022</u>
Kitikmeot Law Centre	\$ 245,543	\$ 0
Kivalliq Legal Services	71,365	16,481
Maliiganik Tukisiiniakvik	<u>57,195</u>	<u>27,345</u>
	374,103	43,826
Other	<u>6,097</u>	<u>7,793</u>
	<u>\$ 380,200</u>	<u>\$ 51,619</u>

**LEGAL SERVICES BOARD OF NUNAVUT  
NOTES TO THE FINANCIAL STATEMENTS  
FOR THE YEAR ENDED MARCH 31, 2023**

**4. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES**

	<u>2023</u>	<u>2022</u>
Legal Clinics - GN funding repayable	\$ 0	\$ 16,481
Other accrued liabilities	1,322,486	1,362,266
Accrued payroll	<u>560,909</u>	<u>855,199</u>
	<u>\$ 1,883,395</u>	<u>\$ 2,233,946</u>

**5. GOVERNMENT OF NUNAVUT FUND BALANCE**

	<u>2023</u>	<u>2022</u>
Opening balance	\$ (2,042,880)	\$ (1,791,497)
Revenues	(15,277,025)	(13,002,932)
Expenses incurred on behalf of LSB	15,277,025	13,002,932
Changes in:		
Accounts receivable and prepaids	423,236	(289,681)
Accounts payable and accrued liabilities and deferred revenue	<u>277,974</u>	<u>38,298</u>
Closing balance	<u>\$ (1,341,670)</u>	<u>\$ (2,042,880)</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, 2023

**6. LEGAL CLINICS CONTRIBUTIONS**

	<u>2023</u>	<u>2022</u>
<u>Kitikmeot Law Centre operating as Kitikmeot Legal Services</u>		
Contribution agreements	\$ 515,250	\$ 515,250
Supplemental contributions	269,495	53,936
Unused contributions/adjustments	<u>(245,543)</u>	<u>0</u>
Total used contributions	<u>539,202</u>	<u>569,186</u>
 <u>Kivalliq Legal Services</u>		
Contribution agreements	689,217	689,217
Supplemental contributions	161,500	52,000
Deficit coverage contribution	<u>(54,884)</u>	<u>0</u>
Total used contributions	<u>795,833</u>	<u>741,217</u>
 <u>Maliganik Tukisiniakvik</u>		
Contribution agreements	1,400,000	1,400,000
Supplemental contributions	339,750	0
Rent	51,967	51,967
Unused contributions/adjustments	<u>(57,195)</u>	<u>(27,345)</u>
Total used contributions	<u>1,734,522</u>	<u>1,424,622</u>
	<u>\$ 3,069,557</u>	<u>\$ 2,735,025</u>

## LEGAL SERVICES BOARD OF NUNAVUT

### SCHEDULE 1 - SCHEDULE OF ADMINISTRATIVE EXPENSES

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Executive office operations	\$ 1,594,029	\$ 931,147	\$ 1,201,805
Administrative operations	507,304	903,011	513,808
Programs and projects	1,839,703	355,217	170,796
Covid-19 related	-	-	21,614
Nunavut Law Program Support	-	-	16,950
	<b>\$ 3,941,036</b>	<b>\$ 2,189,375</b>	<b>\$ 1,924,973</b>

### SCHEDULE 2 - SCHEDULE OF BOARD GOVERNANCE

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Administrative support	\$ 6,000	\$ 720	\$ 1,750
Honoraria			
Regular and executive board meeting	41,375	24,405	10,256
CEO recruitment	12,000	2,008	15,708
Ongoing business	26,000	26,254	68,525
Committees	10,300	2,951	4,948
Regional board consultation	-	-	3,435
Professional fees	56,000	164,452	37,181
Recruitment	-	5,265	2,197
Translation and interpreting	32,000	3,313	11,288
Travel	89,813	47,271	18,136
	<b>\$ 273,488</b>	<b>\$ 276,639</b>	<b>\$ 173,424</b>

## LEGAL SERVICES BOARD OF NUNAVUT

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 3,527,687	\$ 2,730,199	\$ 2,548,048
Travel and accommodations - staff	492,000	374,910	397,300
Private counsel	1,183,000	1,727,039	884,947
Travel and accommodations- private counsel	727,000	1,179,092	415,354
Relocation fees	50,600	54,871	18,996
Professional development	114,000	111,453	17,341
Disbursements - court, trial and appeals	139,310	344,028	179,079
Law line	114,840	111,152	114,822
Client and witness travel	75,000	112,484	130,498
Recruitment	59,950	133,331	9,234
	<b>\$ 6,483,387</b>	<b>\$ 6,878,559</b>	<b>\$ 4,715,619</b>

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 1,557,639	\$ 842,347	\$ 958,047
Travel and accommodations - staff	122,000	24,173	54,313
Private counsel	267,000	103,069	259,323
Travel and accommodations - private counsel	45,000	18,717	33,464
Relocation fees (recovery)	26,800	( 18,340)	30,749
Professional development	48,000	29,724	14,041
Disbursements - civil court and child welfare	1,000	1,121	1,631
Recruitment	23,980	8,135	7,589
Travel and accommodation - client	5,000	-	-
	<b>\$ 2,096,419</b>	<b>\$ 1,008,946</b>	<b>\$ 1,359,157</b>

### SCHEDULE 5 - SCHEDULE OF EXPENSES - CIVIL LITIGATION

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 747,564	\$ 395,719	\$ 556,528
Travel and accommodations - civil law	20,000	4,454	51,407
Relocation fees	25,000	8,116	5,563
Professional development	24,000	16,736	5,764
Disbursements	-	673	449
Private counsel	25,000	7,454	16,041
Recruitment	23,164	1,701	5,872
	<b>\$ 864,728</b>	<b>\$ 434,853</b>	<b>\$ 641,624</b>

## LEGAL SERVICES BOARD OF NUNAVUT

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 449,391	\$ 372,662	\$ 288,105
Travel and accommodations - staff	24,000	20,780	3,850
Recruitment	-	-	6,525
Professional development	24,000	9,011	28,788
	<u>\$ 497,391</u>	<u>\$ 402,453</u>	<u>\$ 327,268</u>

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 176,062	\$ 395,364	\$ 643,915
Travel and accommodations - staff	-	37,108	17,874
Professional development	4,300	17,634	44,297
	<u>\$ 180,362</u>	<u>\$ 450,106</u>	<u>\$ 706,086</u>

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 269,168	\$ 227,137	\$ 243,041
Recruitment	-	1,925	-
Professional development	12,000	7,709	725
	<u>\$ 281,168</u>	<u>\$ 236,771</u>	<u>\$ 243,766</u>

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

For the year ended March 31	Budget 2023	Actual 2023	Actual 2022
<b>Expenses</b>			
Salaries and benefits	\$ 174,535	\$ 50,333	\$ 66,045
Travel and accommodations - staff	20,200	-	-
Relocation fees	1,800	( 8,220)	23,477
Professional development	6,000	7,631	-
	<u>\$ 202,535</u>	<u>\$ 49,744</u>	<u>\$ 89,522</u>

# LEGAL SERVICES BOARD OF NUNAVUT

## SCHEDULE 10 - SCHEDULE OF EXPENSES BY OBJECT

For the year ended March 31	2023 Budget	2023 Actual	2022 Actual
<b>Expenses</b>			
Audit	\$ 28,000	\$ 14,300	\$ 14,300
Clinic contributions	3,344,967	3,017,590	2,683,058
Consultants and projects	1,472,148	163,261	3,000
Disbursements	140,310	353,007	181,159
Equipment	98,000	151,492	68,678
General and administrative	265,718	81,922	108,734
Honoraria	89,675	55,618	102,872
Legal	23,000	144,147	22,881
Legal research	38,400	27,143	40,241
Membership fees	188,962	135,225	115,902
Office rent	90,000	52,436	51,967
Private counsel	2,247,000	3,053,011	1,606,946
Professional development	273,300	134,596	211,156
Public legal education	11,500	10,104	18,040
Recruitment	107,094	331,256	107,923
Relocation fees	118,000	36,864	81,857
Salaries and benefits	8,639,737	6,427,242	6,804,224
Staff rent	-	280,023	86,468
Translation and interpreting	32,000	3,314	11,288
Travel and accommodations - client	80,000	112,484	132,682
Travel and accommodations - staff	654,200	682,251	503,020
Travel - other	313,470	9,739	46,536
	<b>\$ 18,255,481</b>	<b>\$ 15,277,025</b>	<b>\$ 13,002,932</b>



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

# ANNUAL REPORT

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