

## 2.33 Newfoundland and Labrador Legal Aid Commission

The Newfoundland and Labrador Legal Aid Commission provides legal representation to financially eligible persons, where legal merit exists, in criminal (both adult and young offender), civil, family and immigration matters.

Our review of legal aid applications indicated that the decision to provide legal aid was not always supported. In particular:

- Individuals who indicated that they were in receipt of income support received legal aid even though there was no documentation to indicate that they were in receipt of income support.
- Individuals not in receipt of income support received legal aid even though they did not provide all information on income and expenses required to assess whether they were eligible. Furthermore, there was no documentation supporting whether the Commission obtained information on liquid assets (cash, etc.) as required by the *Regulations*.
- The Commission is not consistent in applying basic living and transportation allowance rates to applications for individuals in similar circumstances and who have not provided any documentation to support increases in these allowances.
- Legal merit assessments are not typically documented.

The accounts receivable balance from clients for the year ended 31 March 2004 totalled \$369,082 (2003 - \$394,575) with an allowance for doubtful accounts of \$202,373 (2003 - \$207,273). These receivables represent situations where a client is able to contribute to the cost of legal aid provided to them. Many of these accounts have been outstanding in excess of ten years and have had little collection activity.

The Commission does not have a system in place to monitor the costs of providing legal aid services to various legal aid clients.