



# Legal Education

Each year, the Law Foundation funds organizations to provide professional and public legal education to the people of British Columbia. Learn more about:

**PUBLICATIONS • ONLINE RESOURCES • ADVOCACY TRAINING  
STUDENT SUPPORT • STUDENT LEGAL CLINICS • BC LAW SCHOOLS**

# Report from the Chair

*It is an honour to report to you at the end of my term as chair of the board of governors of the Law Foundation of BC.*

*The last year has been important for access to justice in British Columbia. Access to Justice BC, chaired by Chief Justice Bauman, and supported by the Law*



**Warren Milman, Chair**

*Foundation, continued to evolve. Programs funded by the Law Foundation continue their excellent work, serving people throughout the province. The public legal education sector is working together to develop common metrics and publishing standards. New initiatives such as family law advocacy programs in Quesnel and Kelowna and a Children's Lawyer office are underway. Finally, the reductions three years ago to the grants budget have succeeded in establishing stable funding for the future.*

## Finances

The foundation is grateful to those financial institutions that provide competitive rates of return on lawyers' pooled trust accounts. We acknowledge the favourable interest rate agreements provided by HSBC Bank Canada, Canadian Imperial Bank of Commerce, Bank of Montreal, Royal Bank of Canada, Vancouver City Savings Credit Union, Coast Capital Savings Credit Union and First West Credit Union. We thank members of the profession who choose financial institutions accordingly, as this ensures that the foundation receives the highest possible rates of return.

We are pleased to announce that the Bank of Montreal has recently improved the rate that it pays on lawyers' pooled trust accounts, which will have an ongoing positive effect on Law Foundation income.

A concern in 2017 is the likely negative effect on trust balances of the new provincial property purchase tax and the new mortgage rules. While we have revised our trust balance projections to account for these changes, their long-term impact will not be clear for some time. The record high level of trust

balances before these changes is unlikely to continue. As a result, the grant stabilization fund will likely be drawn down further in 2017.

Since 2009, when the prime rate dropped to a record low, the Law Foundation has secured competitive agreements with 23 financial institutions and credit unions. These agreements will benefit the Law Foundation and its grantees to a greater extent as the prime rate increases. This increase is not expected until 2018, perhaps later.

## Grants

In 2016, the foundation assessed 178 applications for funding, and approved \$17.8 million in funding for 73 continuing programs and 64 other grants (12 on-track, 17 project and 35 other grants). Recognizing the need for ongoing work in the community in our five statutorily mandated areas, the foundation allocated over \$16 million of this amount to continuing and on-track programs. This report includes details of these grants.

*The grant stabilization fund was not drawn down in 2016, with high trust balances contributing to better than expected results.*

## Highlights of 2016

Highlights of Law Foundation work in 2016 included:

- The Executive Directors' Roundtable, held in October, which brought together the executive directors of continuing programs funded by the Law Foundation,
- The Board decided to fund a Children's Lawyer Initiative, allocating a grant for a two-year pilot project to the Society for Children and Youth of British Columbia,
- Completion of the Funding Strategies Review of the public interest law mandate, which concluded that public interest law programs funded by the Law Foundation were effective and worthy of continuing support, and
- The establishment of a Public Interest Law Participation Fund to increase public participation in public interest law matters.

Hundreds of thousands of British Columbians were served by Law Foundation-funded programs (see statistics on pages 12 and 13).

## Priorities in 2017

In 2017, some of the foundation's priorities include:

- Playing a leading role in access to justice in BC,
- Pursuing other sources of revenue,
- Developing visions for each of the Law Foundation's mandate areas,
- Funding strategy reviews in the areas of family law advocacy, legal research and law libraries,
- Implementing the foundation's response to the Truth and Reconciliation Commission's report and Calls to Action, which began with cultural competency training at the last board of governors' meeting,
- Continuing to implement the foundation's strategy for public legal education, and
- Supporting the Children's Lawyer Initiative.

These priorities will, we hope, enhance the impact of the Law Foundation's work on improving access to justice for the people of BC.



Eugene Raponi, QC, Patrick Kelly and Danielle Daroux, governors; Warren Milman, chair, Law Foundation Board of Governors



Justice Thomas Cromwell (with Warren Milman, chair, Law Foundation) spoke to the November meeting of the board of governors

*In 2017, some of the foundation's priorities include ... implementing the foundation's response to the Truth and Reconciliation Commission's Report and Calls to Action ... and supporting the Children's Lawyer Initiative.*

## Governors

In 2016, we said farewell to several valuable members of the foundation board: Judge Marion Buller, Danielle Daroux, Patrick Kelly, Mary MacGregor, QC, and Eugene Raponi, QC.

Judge Marion Buller joined the board in 2015, serving until she was appointed in 2016 as Chief Commissioner of the National Inquiry on Missing and Murdered Indigenous Women and Girls. On the board, she worked on the Public Legal Education and Information, New Grants and Special Needs Fund committees, and provided thoughtful insight for the board's decisions.

Danielle Daroux joined the board in 2013, serving on the Policy and Planning, Public Legal Education and Information, Special Needs Fund and New Grants committees. She chaired the Special Needs Fund Committee in 2015 and the New Grants Committee in 2016. Governor Daroux was a strong voice for rural British Columbia.

Patrick Kelly served on the board for six years during which he served on the New Grants and Policy and Planning committees, and chaired the Fellowships and Research and Aboriginal Legal Issues committees. A key strategic thinker, he provided invaluable leadership on Aboriginal issues.

Mary MacGregor, QC, served on the board for two years during which she served on the Finance and Administration, and the Policy and Planning committees, bringing a welcome analytical perspective to the foundation's work.

Eugene Raponi, QC, joined the board in 2011, serving on the New Grants, Policy and Planning (chair 2013 – 2016), Class Actions, Family Law and Aboriginal Legal Issues committees. He provided valuable guidance and leadership on family law matters and on the foundation's policies and planning.

In June 2016, Kurt Sandstrom, QC, Assistant Deputy Minister, Justice Services, Ministry of Justice, British Columbia, was appointed to the board as the Attorney General's designate. His other positions have included Assistant Deputy Attorney General, Legal Services Branch, Ministry of Attorney General, British Columbia (February 2014) and Assistant Deputy





*Lindsay LeBlanc, Deanna Ludowicz, QC, Judge Len Marchand and Judge Patricia Bond join the Law Foundation board in 2017*

Minister, Legal Services, Alberta Justice and Solicitor General (2013 – 2014). Mr. Sandstrom is a graduate of the University of Saskatchewan Law School and a member of the Law Society of BC, and was appointed Queen's Counsel in January 2010.

This year, we also welcome four new governors.

Judge Patricia Bond is the Law Society appointment for Westminister County. She was appointed to the Provincial Court in 2012 and sits in Surrey. Before that, she was a partner with North Shore Law LLP in North Vancouver, where she practised family law. One of the founding members of the BC Parenting Coordinators Society, Judge Bond has been a benchner of the Law Society and a governor of the Trial Lawyers Association of BC.

Deanna Ludowicz, QC, was appointed by the Law Society for Kootenay County. She has practised law since 1992, running a general practice in the Grand Forks area. Ms. Ludowicz was a member of the Legal Services Society board from 2009–2014, and has been active in the CBA on the Provincial Council and as chair of the Professional Development Committee. Ms. Ludowicz was named Queen's Counsel in 2013.

Lindsay LeBlanc was appointed to the board for the County of Victoria. She has practised at Cox, Taylor in Victoria since 2005. Ms. Leblanc represents clients on property, municipal, administrative, corporate, and wills and estates matters. She is a member of the British Columbia Supreme Court Civil Rules Committee and the University of Victoria Board of Governors. She has served as a director of the CBA Aboriginal Law Student Scholarship Trust Committee.

Judge Len Marchand is a member of the Okanagan Indian Band. He was appointed to the board by the Law Society for the County of Yale. A graduate of the University of Victoria law school, he practised at Fulton & Company in Kamloops as a civil litigator. In his practice, he represented many residential school survivors, and was a signatory to the Indian Residential Schools Settlement Agreement. He was appointed to the Provincial Court in 2013 and sits in Kamloops, where he presides at the First Nations Court.

We are pleased to welcome all of our new board members!

2016 saw staff changes at the Law Foundation. Program Director Mike Seaborn left the foundation to become a staff lawyer at the BC Public Interest Advocacy Centre, and, as his replacement, we welcomed Bill McIntosh, who was previously employed at the Law Society as Manager of Executive Support. Executive Assistant Leona Stewart, a mainstay of support for the Law Foundation board for years, left for new adventures in Salmon Arm. We welcome [REDACTED]\* into this position.



*Eileen Vanderburgh, incoming chair, 2017;  
Warren Milman, chair, Law Foundation*

## The Future

In closing, I would like to thank the Law Society and its members for its on-going support of the Law Foundation. My sincere appreciation also goes to the governors and staff of the Law Foundation for their hard work. In particular, I would like to acknowledge the volunteers and staff of Law Foundation-funded programs for their invaluable contribution to ensuring that British Columbians have access to the best possible legal information and services.

Thank you.

**Warren Milman**  
Chair 2016

# About the Law Foundation

## What Does the Law Foundation Do?

British Columbia led the way in 1969 when it established the first law foundation in North America. Since then, every other jurisdiction in North America has followed BC's lead by establishing a law foundation.

The Law Foundation of BC is a non-profit foundation created by legislation to receive and distribute the interest on clients' funds held in lawyers' pooled trust accounts maintained in financial institutions. Pooled trust accounts are used to hold client funds for short periods, until it becomes feasible to distribute those monies to the client or others. Typically, some funds held in this way are purchase monies in real estate transactions, while others are retainers, settlement proceeds, estate funds, etc.

Because of the difficulty and cost of ascertaining how much interest in pooled trust accounts was attributable to each client's funds, and because the amount of interest related to each client was usually small, for many years financial institutions paid no interest on these accounts, although the total funds in the pooled account might be substantial. As a result, the financial institutions profited from the use of the funds in the pooled trust accounts without charge.

British Columbia lawyers pioneered a change to this practice in 1969 when they persuaded the provincial government to enact legislation requiring financial institutions to pay interest on these pooled trust accounts to the Law Foundation, which would then use the interest to benefit the public of British Columbia.

The legislation directed the Law Foundation to distribute these funds in five areas:

- legal education
- legal research
- legal aid
- law reform
- law libraries

The foundation recognizes that, while its objects are legal in nature, the income is to be allocated to programs that will benefit the general public of British Columbia.

From its inception through 2016, the Law Foundation has approved grants totalling just over \$547 million to support important law-related programs in British Columbia.

## How Does the Law Foundation Work?

The Law Foundation is administered by a board of governors (the board), which is responsible for making all decisions concerning grants. It has 18 volunteer members:

- the Attorney General (or his/her appointee);
- 3 persons, not lawyers, appointed by the Attorney General;
- 12 members of the Law Society or the judiciary appointed by the benchers to represent geographical areas of the province; and
- 2 members of the Law Society appointed by the BC Branch of the Canadian Bar Association (CBABC).

The Law Foundation is independent of the government, the Law Society and the CBABC, although its governors are appointed by these bodies. The board has 7 standing committees:

- Class Actions
- Fellowships and Research
- Finance and Administration
- New Grants
- Policy and Planning
- Public Legal Education and Information
- Special Needs Fund

The board and the committees meet regularly during the year. A staff of 10 assists the board.

## Law Foundation Strategic Plan

The mandate, mission statement, vision and values have been adopted by the board of governors as policy guidelines. In 2015, the board set strategic priorities for the next five years. These are the principles upon which funding decisions are based.

### Mandate

Our legislative mandate is to fund legal education, legal research, legal aid, law reform and law libraries for the benefit of British Columbians.

### Mission Statement

To advance and promote a just society governed by the rule of law, through leadership, innovation and collaboration.

### Vision

A society where access to justice is protected and advanced.

### Values

- Integrity
- Diversity
- Respect
- Sustainability

## Strategic Priorities 2016 – 2020

- Increase Law Foundation income and allocate resources prudently.
- Support effective and efficient programs that address both current and emerging needs.
- Encourage, identify and support innovation in our grant-making, our grantees and our justice system.
- Continue the ongoing evaluation of Law Foundation programs and projects.

## What Are the Law Foundation's Program Objectives?

The Law Foundation seeks to ensure access to justice through its program objectives, which are:

### 1. Legal Education

To promote legal education programs and services in British Columbia to make the law more accessible through:

- a. increasing public awareness of the law and the justice system;
- b. providing education to groups with particular legal needs; and
- c. assisting in the academic and professional development of those providing legal services to ensure those services are of the highest quality.

### 2. Legal Research

To advance the knowledge of:

- a. law,
- b. social policy and
- c. the administration of justice

through the identification of areas and issues needing study and analysis and the encouragement and support of projects to address those needs.

### 3. Legal Aid

To assist in the provision of legal services, including:

- a. advice to and representation of economically disadvantaged persons; and
- b. support of community service and non-profit organizations that address issues that benefit groups of disadvantaged persons or the public.

To facilitate public access to the justice system.

Legal aid includes the Legal Services Society, community-based advocacy, public interest law and other legal aid.

### 4. Law Reform

To encourage and support projects promoting changes to the law and the administration of justice in accord with current knowledge, values and technology.

## 5. Law Libraries

To assist law libraries and resource centres to keep their materials current.

To encourage and support projects designed to improve the utility and accessibility to both the legal profession and the public of legal and law-related materials.

## How Are Grants Made?

The Law Foundation's funds are used for legal education, legal research, legal aid, law reform and law libraries. A grant application must fall within one or more of these categories to be considered for funding support, and it must establish that it will result in a clear benefit to the people of British Columbia. Grants are normally restricted to non-profit organizations.

The foundation sets its grants budget and funding guidelines on an annual basis. Those seeking grant support are urged to discuss their proposals with foundation staff before committing time and resources to put together funding requests. If a project appears to fit within the mission statement, program objectives and funding guidelines for that year, a formal proposal with more detailed information will be requested.

Application deadline dates can be obtained by contacting the Law Foundation.

The Law Foundation  
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## Law Foundation Staff

*as of December 31, 2016*

karima budhwani, program director  
JoAnne Kaulius, finance director  
Sandra Morgenstern, program assistant  
Wayne Robertson, QC, executive director  
Veenu Saini, program director  
Lois Shelton, legal advocate training manager  
Amy Tam, program assistant  
Heather Wojcik, program director

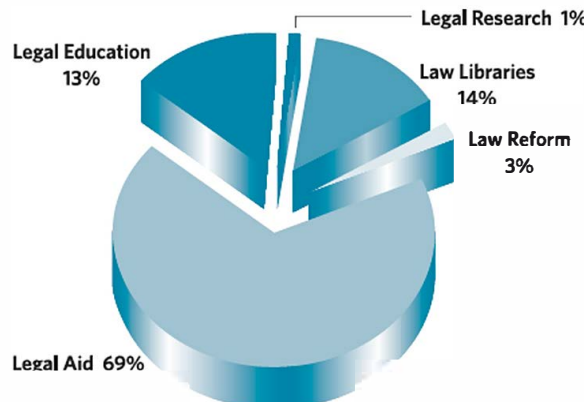


# Programs and Projects Funded in 2016

The Law Foundation provides support for the law related programs and projects described in this Annual Report.

Grants are divided into Continuing Programs and Projects. For reporting purposes, they are listed in the Annual Report under one of the Law Foundation's five statutorily mandated objectives (see chart). However, many of the organizations' activities fall under more than one of the mandated areas.

Within each subsection, grants are listed from highest to lowest dollar amounts, rather than alphabetically by name.



■ **Continuing Program grants**  
Total: \$14,899,000

■ **Project grants** Total: \$2,898,980

■ **Legal Services Society/ Law Foundation Research Fund Grants** \$109,000

■ **Access to Justice Fund** \$550,000

## Grants Approved in 2016

Legal Education	\$ 2,239,630
Legal Research	164,000
Legal Aid	12,287,350
Law Reform	590,000
Law Libraries	2,517,000
<b>Total</b>	<b>\$17,797,980</b>

## Continuing Programs

### LEGAL EDUCATION

### Professional Legal Education

#### Law Society of BC

The Professional Legal Training Course in Kamloops, and travel costs for students relocating to attend the course \$215,000

#### Law Foundation

An education and training fund for the professional development of Law Foundation-funded advocates, including an annual advocates' conference, a new advocates' training program, an executive directors' roundtable, a supervising lawyers' conference and other events \$180,000

#### University of Victoria, Faculty of Law

Public interest work placements \$65,000

#### Community Legal Assistance Society

David Mossop, QC, Public Interest

Articling Fellowship \$60,000

#### Law Foundation Graduate Fellowships

Graduate fellowships for graduate legal studies by BC lawyers and graduates of BC law schools \$60,000



Annie Rochette, deputy director, Professional Legal Training Course, Law Society of BC

*Moira Aikenhead:* How law reform could address the issue of internet-facilitated gender-based violence against women

*Rebeca Baccarini Macias Gimenez:*

Environmental assessment of large hydro-electric power projects and whether they cultivate more environmentally and socially sound projects

*Anna Fitzgerald:* Providing equality in education to children with learning disabilities in light of *Moore v. British Columbia*

*Grace Nosek:* Whether the laws regulating corporations in the tobacco, food processing and oil industries adequately protect public health

*Lara Tessaro:* A critique of key doctrines of administrative law and how they are used in judicial reviews of ministerial decisions on environmental issues

*Alison Yule:* Research on how dangerous and long-term offender regimes have been applied, and whether long-term supervision aids reintegration

#### Peter A. Allard School of Law

Public interest work placements \$45,000

#### Provincial Court of British Columbia

A program that allows law students in Provincial Court judicial internships to attend circuit courts around BC \$20,000

#### University of Saskatchewan, Native Law Centre

A program for Aboriginal students planning to enter law school, and the Centre's research and publishing on Aboriginal legal issues \$20,000

### Public Legal Education

#### People's Law School Society

Province-wide public legal education and information programs \$330,000

### BC Branch of the Canadian Bar Association (CBABC)

The Lawyer Referral Service providing low-cost legal information and assistance; Law Week 2016; and Dial-A-Law, a province-wide telephone service providing free legal information \$230,000

### Justice Education Society of BC

Programs to provide legal education and information about the justice system for the public \$190,000

### PovNet Society

An online poverty networking and training tool for anti-poverty advocates, community workers and the general public, which includes PovNetU online courses \$90,000



Heather Wojcik, program director, Law Foundation; Beth Davies, board chair, PovNet Society; Kerry Cook, governor, Law Foundation; and Nicky Dunlop, executive co ordinator, PovNet Society

### Debate and Speech Association of BC

Participation of high school students in the province-wide Law Foundation Cup Debates on legal topics \$20,000

## LEGAL RESEARCH

### Law Foundation Legal Research Fund

A fund to advance the knowledge of law, social policy and the administration of justice by supporting legal research by BC law professors, members of the legal profession, and other faculty and non-profit organizations with expertise in

carrying out legal research, distributed as follows in 2016:

*Simon Fraser University, School of Criminology:* Building Supports: Housing Access for Immigrant and Refugee Women Leaving Violence \$20,000

*West Coast Domestic Workers' Association:* An assessment of the legal needs of migrant workers \$18,000

*International Centre for Criminal Law Reform and Criminal Justice Policy:* Work to enhance access to justice for women living in rural and remote areas of BC \$16,000

*Thompson Rivers University:* Research on human rights remedies after *Moore v. British Columbia (Education)* \$16,000

*University of British Columbia:* Research about sexual violence and adolescent girls \$15,000

*University of Victoria:* Investigation of ethics and professionalism in the legal representation of Indigenous peoples in BC \$10,000

*Thompson Rivers University:* Development of a workers' legal learning exchange \$4,000

**The Foundation for Legal Research**  
Research on various legal issues, with an emphasis on research with practical applications \$20,000

## LEGAL AID

**Legal Services Society**  
Support for Aboriginal services, Family LawLINE, community engagement and public legal education for low-income people \$2,955,000

## Community-Based Advocacy

### Poverty Law Advocacy Services

The following advocacy programs provide legal assistance and information to low-income people in the cities and regions listed.

### First United Church Community Ministry Society

Vancouver's Downtown Eastside \$175,000

**Abbotsford Community Services Society**  
Abbotsford, Mission, Chilliwack and Hope areas \$150,000

**Together Against Poverty Society**  
Greater Victoria area \$150,000

**Community Connections Society of Southeast BC**  
Travelling advocate in the East Kootenay region \$85,000

**Nelson Cares Society**  
West Kootenay region \$80,000

**Haida Gwaii Legal Project Society**  
Haida Gwaii region \$78,000



Meghan Wallace and Skye Cantin, board members, with Bev Collinson, advocate, Haida Gwaii Legal Project Society; Warren Milman, board chair, Law Foundation; Susie Gray, supervising lawyer, Haida Gwaii Legal Project Society

**Active Support Against Poverty Society**  
Prince George area \$75,000

**Contact Women's Group Society**  
Williams Lake area \$75,000

**Dze L K'ant Friendship Centre Society**  
Smithers area \$75,000

**Fort St. John Women's Resource Society**  
Fort St. John area \$75,000

**Kamloops and District Elizabeth Fry Society**  
Kamloops area \$75,000

**Ki-Low-Na Friendship Society**  
Central Okanagan region \$75,000

**Maple Ridge Pitt Meadows Community Services**  
Maple Ridge, Pitt Meadows areas \$75,000



**Nanaimo Citizen Advocacy Association**  
Nanaimo area \$75,000

**Nicola Valley Community Justice Services Society**  
Nicola Valley region \$75,000

**North Shore Community Resources Society**  
North Vancouver area \$75,000



*Jim Sullivan, governor, Law Foundation; Murray Mollard, executive director, Michelle Beda, advocate, and Kent Wiebe, president, North Shore Community Resources Society*

**Penticton and Area Women's Centre**  
Penticton area \$75,000

**Port Alberni Friendship Center**  
Port Alberni area \$75,000

**Powell River Community Services Association**  
Powell River area \$75,000

**Quesnel Tillicum Society**  
Quesnel area \$75,000



*Fred Fatt, governor, Law Foundation; Terri Campbell, advocate, Tony Goulet, executive director, Christine Dunlop, advocate and Gary Lillenweiss, supervising lawyer, Quesnel Tillicum Society*

**SHARE Family and Community Services**  
Coquitlam, Port Coquitlam, Port Moody, Anmore, Belcarra and adjacent areas \$75,000

**Sources Community Resources Society**  
Surrey/Delta/White Rock area \$75,000

**Terrace and District Community Services Society**  
Terrace area \$75,000

**South Peace Community Resource Society**  
Dawson Creek area \$65,000

**Wachiay Friendship Centre**  
Courtenay area \$65,000

**Upper Skeena Counselling & Legal Assistance Society**  
Hazelton area \$60,000

**Prince Rupert Unemployed Centre Society**  
Prince Rupert area \$45,000

**Social Health and Economic Development Society**  
Bella Coola area \$42,000

### **Specialized Advocacy Services**

The following advocacy programs provide services in specific areas of law or to particular populations.

**University of Victoria, Faculty of Law, Law Centre Clinical Program**  
A clinical program for law students providing legal services to low-income people in the Greater Victoria area \$340,000

**Greater Vancouver Law Students' Legal Advice Society**  
A law students' legal advice program at the Peter A. Allard School of Law that operates free clinics in the Greater Vancouver area \$295,000

**Disability Alliance BC Society**  
A specialized advocacy, legal education and referral program for people with disabilities \$250,000

**TRAC Tenant Resource & Advisory Centre Society**  
A legal information and advocacy service for tenants and landlords on residential tenancy issues, with an information line available throughout BC \$225,000

**Peter A. Allard School of Law, Indigenous Community Legal Clinic**  
A clinical program for law students providing legal services to the Indigenous community \$190,000

**Kettle Friendship Society**  
A mental health advocacy program providing legal information and assistance on residential tenancy and child protection matters in the Lower Mainland \$150,000

**West Coast Domestic Workers' Association**  
A specialized advocacy service and legal education program for live-in caregivers and other low-wage temporary foreign workers \$125,000

**MPA — Motivation, Power and Achievement Society**  
Courtworkers to assist people with mental illnesses in the criminal justice system \$110,000

**Abbotsford Community Services Society/Progressive Intercultural Community Services Society**  
Advocacy services and legal education for seasonal farm workers in the Fraser Valley and Lower Mainland \$100,000

**Atira Women's Resource Society**  
Advocacy services for women in Vancouver's Downtown Eastside on poverty, family and criminal law problems \$75,000

**Battered Women's Support Services**  
Family law advocacy for women in the Lower Mainland who have experienced abuse \$75,000

**BC Centre for Elder Advocacy and Support**  
A legal information and advocacy program for older adults in BC \$75,000



*Mark Gervin, legal director, Indigenous Community Legal Clinic*

## CHIMO

Poverty law advocacy services provided by volunteers \$75,000

## Family Services of Greater Victoria Society (Formerly BC Families in Transition)

An advocacy program providing legal information and assistance on family law issues to south Vancouver Island \$75,000

## MOSAIC

A legal information and assistance advocacy program for low-income immigrants and refugees in the Lower Mainland \$75,000

## Sources Community Resources Society

Family law advocacy services for women in the Surrey and South Fraser area \$75,000

## Public Interest Law

### Community Legal Assistance Society

Five lawyers who provide a combination of direct and systemic advocacy services, as well as a lawyer working on the Community Advocate Support Line, a telephone service providing legal advice and support to advocates \$870,000



*Aleem Bharmal, executive director, Community Legal Assistance Society, receiving the President's Medal at the CBA Provincial Council*

## BC Public Interest Advocacy Centre

Representation of the public interest in regulatory matters and systemic advocacy for disadvantaged people \$450,000



*Clea Parfitt, legal committee chair, West Coast LEAF; Veenu Saini, program director, Law Foundation; Kasari Govender, executive director and Robyn Trask, board chair, West Coast LEAF, attended the YWCA Women of Distinction Awards where Kasari Govender was nominated in the non profit category*

## West Coast Environmental Law Association

Law reform, legal research, legal education and legal aid supporting the public interest in environmental legal matters \$425,000

## BC Civil Liberties Association

Test case litigation, legal education and law reform to protect the civil liberties and human rights of British Columbians \$175,000

## Ecojustice Canada Society

Test case litigation on public interest environmental law issues \$175,000

## West Coast LEAF Association

Law reform, test case litigation and legal education to advance equality for women \$175,000

## Other Legal Aid

### Access Pro Bono Society of BC

Advice and some representation services provided to low-income people by volunteer lawyers \$415,000

### Mediate BC Society

Programs that support mediation and other dispute resolution services \$160,000

### Multiple Sclerosis Society, BC & Yukon Division

The Volunteer Legal Advocacy Program to provide legal information, advocacy and representation to people with multiple sclerosis \$55,000

### Pro Bono Students Canada, Peter A. Allard School of Law

Placement of volunteer law students with public interest organizations in need of legal assistance \$35,000

### Pro Bono Students Canada,

University of Victoria, Faculty of Law  
Placement of volunteer law students with public interest organizations in need of legal assistance \$30,000

## LAW REFORM

### BC Law Institute

Law reform research leading to improvements in the law and the administration of justice \$360,000

### BC Freedom of Information and Privacy Association

A law reform and public legal education program about freedom of information and privacy legislation \$80,000

## LAW LIBRARIES

### BC Courthouse Library Society (Courthouse Libraries BC)

Services that give lawyers and the BC public access to legal information, as well as training and support in finding and using legal information \$2,245,000

### Law Society of BC

Contribution to the operation of the CanLII Virtual Law Library, which includes providing current versions of BC legislation online (www.canlii.org) for free \$70,000



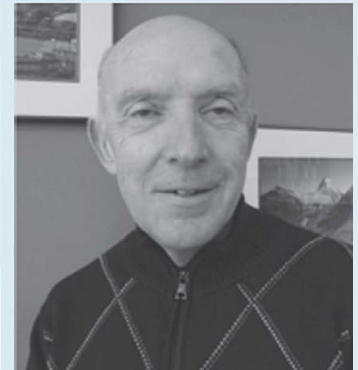
# In the Spotlight

## Working Together on PLEI

Over the past year, Public Legal Education and Information (PLEI) programs supported by the Law Foundation have been collaborating on a number of initiatives to improve the quality of PLEI in BC and better understand the impact of work done in this area. Highlights of this work include the development of best practices for creating PLEI materials, and the exploration of common metrics as a tool for understanding the impact of PLEI.

Representatives from the Justice Education Society, Courthouse Libraries BC, People's Law School and the Legal Services Society have all been working together on two committees focussed on these areas. The PLEI Publishing Standards Project aims to help British Columbians identify reliable PLEI that applies to their situation, and to support PLEI providers to develop and present content that users can be confident is reliable. The Common Metrics Committee has been working to develop a rationale for the use of common metrics and, where appropriate, develop a common approach to metrics for various categories of PLEI. This work has contributed greatly to the advancement of PLEI in BC.

Clockwise from top left: *Patricia Byrne, executive director, People's Law School; Brenda Rose, director of community engagement, Courthouse Libraries BC; John Simpson, manager, Community and Publishing Services, Legal Services Society; Dave Nolette, digital program director, Justice Education Society*



## Unbundled Family Legal Services

In November 2015, the Law Foundation made a grant of \$60,000 to the Mediate BC Society for an unbundled family legal services project to improve access to justice for BC families. The project is designed to create a structure for family lawyers to offer affordable unbundled legal services — including out-of-court processes such as mediation — to families needing help to resolve issues arising from separation and divorce. This project was developed in collaboration with several other groups: Access to Justice BC, the Law Society of BC (which also provided financial support through its Access to Justice grant to the Law Foundation), Continuing Legal Education BC, the Canadian Bar Association (BC Branch), the Legal Services Society, the Rise Women's Legal Clinic, the BC Family Justice Innovation Lab, Courthouse Libraries BC and all three levels of court.

Surveys and interviews with family lawyers and paralegals — conducted as part of the project — revealed that lawyers want a structured approach to integrating unbundled services into their practices. They need best-practice guidelines, how-to guides and, in particular, easy-to-use templates. As a result, the project developed a *Family Law Unbundling Toolkit* — for lawyers and paralegals — that includes templates and other resources.

The project also heard from family lawyers, mediators and the public who did not know how to find lawyers willing to provide unbundled legal services. Mediate BC and Access to Justice BC are now working with Courthouse Libraries BC to create a list of lawyers who provide unbundled services, which the public and the legal community will be able to access on Clicklaw. Lawyers may also include their contact information in a National Database of Professionals who provide unbundled legal services, which is published by the National Self-Represented Litigants Project. Families looking for unbundled legal services for BC matters will have access to the BC lawyers listed in this database.

This initiative is building on a growing momentum to provide unbundled services. It is hoped that the planned evaluation of this project will show that it is improving access to family law services in BC.



# Celebrating Legal Education for the Professional

## Professional Legal Education

**331** law students in university clinical programs

**115** advocates received funded training

**30** students received scholarships and awards

**2,813** lawyers in 55 Courthouse Libraries BC professional development sessions

**178** law students in pro bono and public interest programs



Funders' Panel at the Law Foundation's Executive Directors' Roundtable: Wayne Robertson, QC, executive director, Law Foundation of BC; Kevin McCort, president and CEO, Vancouver Foundation; Derek Gent, executive director, VanCity Community Foundation; and Akosh Sablok, chair, Notary Foundation of BC

### ***The Law Foundation supports professional legal education through several varied initiatives.***

*Each BC law school receives support for clinics where law students develop practical skills. Public Interest Work Placements, Pro Bono Students Canada and the Judicial Interns Circuit Court Program are other avenues for students to learn about practical applications of the law. Public interest awards and graduate fellowships provide further opportunities. The foundation also supports students after law school by funding one articling position per year and providing some students who need assistance with funding to attend the Professional Legal Training Course. Courthouse Libraries BC has developed several free professional development webinars for lawyers. Executive directors and advocates from Law Foundation-funded groups, and the supervising lawyers who work with them, have access to professional development opportunities at conferences organized by the Law Foundation. PovNet provides support for advocates and others through its website, listservs and webinars.*



Students receive training in the Law Centre's moot courtroom



Chris Heslinga, civil supervising lawyer, Greater Vancouver Law Students' Legal Advice Society

# profession and the Public

## Public Legal Education

**23,215** public information requests answered by 30 law libraries

**340** publications created or updated

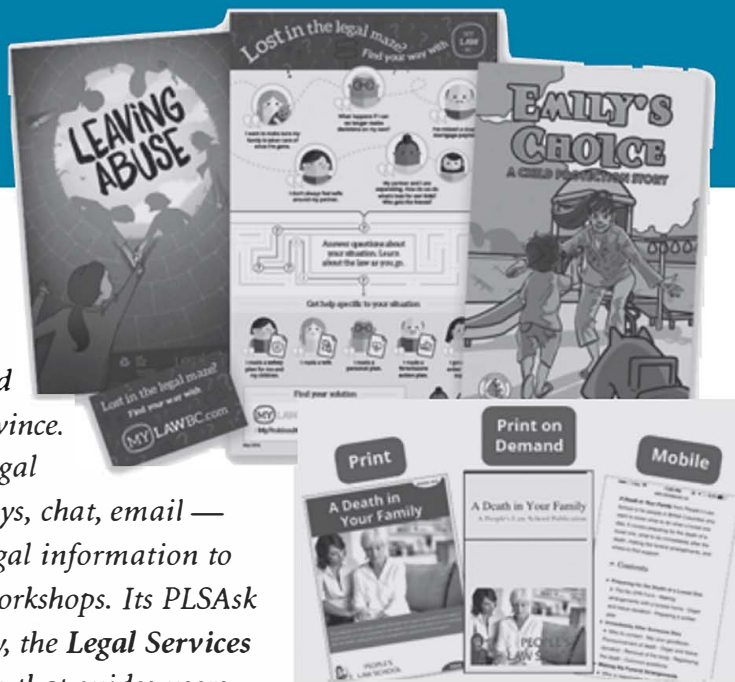
**587** workshops delivered

**325,786** publications distributed



Glenn Dodge, BC programs director, Justice Education Society

*The Law Foundation funds a broad range of public legal education and information (PLEI) programs. The Justice Education Society runs programs to build the legal capability of students throughout the province. It also has an innovative website that provides legal information to the public through guided pathways, chat, email — and soon, text. People's Law School provides legal information to the public through its website, publications and workshops. Its PLSAsk team provides legal information by email. Recently, the Legal Services Society launched MyLawBC, an online platform that guides users through question-and-answer pathways to find solutions to their legal problems, and provides an online negotiation platform for separating couples. It produces many PLEI resources and organizes advocate and intermediary training. The Canadian Bar Association's Dial-a-Law scripts provide telephone and online legal information in Chinese, Punjabi and French. Courthouse Libraries BC serves the general public through 30 libraries across the province that provide resources and respond to numerous information requests. It also hosts Clicklaw, a portal to BC-wide legal information resources.*



Publications created by the Legal Services Society and the People's Law School in the last year



Silvia and Cheryl, legal information outreach workers, Legal Services Society, with a display of some of their legal resources



# Projects

## LEGAL EDUCATION

### Professional Legal Education

**Canadian Bar Association (BC Branch)**  
Rural Education and Access to Lawyers Initiative \$75,000

**Peter A. Allard School of Law, Innocence Project**  
A clinical program to assist individuals convicted of a serious offence who assert their factual innocence \$50,000

**Law Foundation**  
Awards to fund second- and third-year students who demonstrate commitment to the public interest, combined with academic achievement  
*Peter A. Allard School of Law* \$40,000  
*University of Victoria, Faculty of Law* \$30,000  
*Thompson Rivers University, Faculty of Law* \$20,000  
**Thompson Rivers University, Faculty of Law**  
Public interest work placements \$33,000

### Public Legal Education

**Justice Education Society**  
Legal help telephone services \$70,000  
**People's Law School Society**  
Enhancement of the People's Law School website \$70,000

**Justice Education Society**  
Modification of the Justice Education Society schools curriculum resources \$50,000

**Plan Institute for Citizenship and Disability**  
An online course on wills, trusts and estate planning \$40,000

**Justice Education Society**  
Expanded schools programming \$38,000

**Fraser Thompson Indian Services Society**  
"Wrapping Our Ways Around Them" workshops to involve Indigenous communities in child welfare matters \$35,000

**Nicola Valley Community Justice Services Society**  
Development of training curriculum for participants in Aboriginal Justice Court \$35,000

**Pivot Legal Society**  
Support for advocates helping residents of single resident occupancy housing \$30,000

**Fort Nelson Community Literacy Society**  
Public legal education workshops \$13,000

**Parent Support Services of BC**  
Workshops for Aboriginal service providers in the Lower Mainland on kinship care and family law matters \$11,000

**Pacific Legal Education and Outreach Society**  
Education materials on transition under the new *Societies Act* \$10,000

**Nidus Personal Planning Resource Centre Association**  
Resources about representation agreements and possible changes to legislation on statutory property guardianship \$8,000



*Joanne Taylor, executive director and registrar, Nidus Personal Planning Resource Centre and Registry*

## LEGAL RESEARCH

**West Coast Prison Justice Society**  
Research about mental health issues in prisons \$45,000

## LEGAL AID

### Community-Based Advocacy

**Society for Children and Youth of BC**  
A Children's Lawyer's Office to provide services to children across the province from 2017 through 2019 \$600,000

**BC Centre for Elder Advocacy and Support**  
An Elder Law Clinic that provides legal representation and information services \$200,000

**Okanagan Advocacy and Resources Society**  
Legal advocacy for low-income people in the North Okanagan region \$80,000

**Opportunities Career Services Society**  
Legal advocacy for low-income people in the Campbell River area \$75,000



*Rene Quintin, executive director, and Heather Brownhill, advocacy assistant, Opportunities Career Services Society; Anita Dalakoti, governor, Law Foundation; Brenda Kobzey, legal advocate, Bonnie Reynolds, board chair, Opportunities Career Services Society*

**Vernon Women's Transition House Society**  
Legal advocacy for low-income people in the North Okanagan region \$75,000

**Watari Research Association**  
A systems negotiator at Vancouver's Downtown Community Court to support offenders with mental disorders \$75,000

**PovNet Society**  
Development of collaborative webinars for poverty law training \$20,000



## Public Interest Law

**Environmental Law Centre Society,  
University of Victoria, Faculty of Law**  
An associates program providing pro  
bono representation services on public  
interest environmental issues \$175,000



*Holly Pattison, paralegal administrator, Environmental Law Centre Society; Anthony Ho; Deborah Curran, acting executive director, Calvin Sandborn, legal director, Environmental Law Centre Society; and Dean Jeremy Webber, Faculty of Law, University of Victoria*

## Other Legal Aid

**Thompson Rivers University,  
Faculty of Law**  
A clinical program for law students  
providing legal services to low-income  
people \$225,000

**Access to Justice BC**  
Resource and facilitation costs  
for Access to Justice BC \$150,000

**Pro Bono Students Canada, Thompson  
Rivers University, Faculty of Law**  
Placement of volunteer law students with  
public interest organizations in need of  
legal assistance \$30,000

**Peter A. Allard School of Law and  
Greater Vancouver Law Students' Legal  
Advice Society**  
Pilot project to consider expanding the  
Greater Vancouver Law Students' Legal  
Advice Program into a credit program \$15,000

### LAW REFORM

**Access to Justice BC**  
Research into possible family law  
initiatives \$50,000



Members of the Access to Justice BC Leadership Group: (back rows from left to right) Cheryl Vickers, lawyer; Rick Craig, executive director, Justice Education Society; Sally Rudolf, legal counsel, BC Court of Appeal; Wayne Robertson, QC, executive director, Law Foundation; Jerry McHale, QC, Lam Chair in Law and Public Policy, University of Victoria; Chief Judge Thomas Crabtree, Provincial Court of British Columbia; Jane Morley, QC, strategy coordinator, Access to Justice BC; Justice Peter Voith, BC Supreme Court; Nils Jensen, mayor, District of Oak Bay; Allan Seckel, QC, chief executive officer, Doctors of BC; Chief Justice Robert Bauman, BC Court of Appeal; Richard Fyfe, QC, deputy attorney general, Ministry of Justice and Attorney General; Katrina Harry, lead counsel, Parents Legal Centre, Legal Services Society; Stacey Tyers, manager, counselling and support services, Terrace and District Community Services Society; Eyob Naizghi, executive director, MOSAIC; Mark Benton, QC, chief executive officer, Legal Services Society; Kari Boyle, coordinator, BC Family Justice Innovation Lab; Associate Chief Justice, Austin Cullen, BC Supreme Court; Jamie MacLaren, executive director, Access Pro Bono Society of BC (front row) Johanne Blenkin, executive director, BC Courthouse Libraries Society; Rose Singh, designated paralegal, JFK Law Corporation; Dan Vandersluis, executive director, Family Justice Services, BC Ministry of Justice; David Crossin, QC, president, Law Society of BC

**BC Law Institute**  
Research into issues regarding informed  
consent and the use of medication and  
restraints on adults with dementia \$40,000

**Community Legal Assistance Society**  
Confronting systemic rights violations in  
*Mental Health Act* detentions \$30,000

**Criminal Defence Advocacy Society**  
Research into the effect of innocence  
claims on parole eligibility \$30,000

### LEGAL SERVICES SOCIETY/LAW FOUNDATION RESEARCH FUND

**Aboriginal Colloquium on Child  
Protection 2016**  
Meeting costs for an Aboriginal  
Colloquium on Child Protection \$27,000  
**Yvon Dandurand**  
Common Service Outcomes Metrics for  
Legal Aid \$19,000

**Yvon Dandurand**  
Documenting the Experience of First  
Nations Courts in BC \$14,000

**Ardrith Walkem**  
Planning an Aboriginal Colloquium on  
Child Protection \$12,000

**Drew Jackson**  
Public Legal Education and Information  
Publishing Standards \$10,000

**Yvon Dandurand**  
Access to Justice Metrics \$9,000

**Tim Roberts and Associates Consulting**  
Public Legal Education and Information  
Common Metrics \$9,000

**Ardrith Walkem**  
Research to Support an Aboriginal  
Colloquium on Child Protection \$9,000

### ACCESS TO JUSTICE FUND

**Access Pro Bono Society of BC**  
Class action funds directed to the work of  
the Access Pro Bono Society \$550,000

## MISCELLANEOUS GRANTS

Support for organizations to address the following emergent needs recognized throughout the year:

**BC Courthouse Library Society**  
(Courthouse Libraries BC)

An extension of the Law Matters grant

**Law Foundation**

Consultants to support PLEI programming

**BC Civil Liberties Association**

Upgrading information technology

**Together Against Poverty Society**

Moving expenses

**South Peace Community Resources Society**

Northern Navigator Family Mediation project

**People's Law School**

Wills and estates printing costs

**Atira**

Downtown Eastside SRO Collaborative Project

**Philanthropic Foundations Canada**  
2016 Biennial Conference

**University of Victoria, Faculty of Law**  
Re-alignment of public-interest work-placement grant years

**Community Legal Assistance Society**  
2016 Social Justice Law Conference

**Kamloops and District Elizabeth Fry Society**

Support for articling student

**Fort St. John Women's Resource Society**  
Poverty law program assistance

**Canadian Association of Law Libraries**  
CALL conference

**Canadian Bar Association (BC Branch)**  
United Nations Convention on the Rights of the Child anniversary

**Sources Community Resources Society**  
Punjabi document translation

**West Coast Domestic Workers' Association**

Database upgrade and file transfer

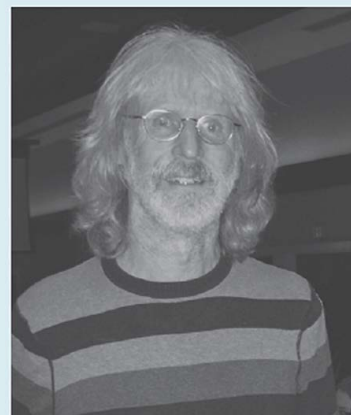
**Total Miscellaneous Grants**     **\$325,980**

## Farewells

### Robin Loxton

Robin Loxton recently retired after working as an advocate with Disability Alliance BC (DABC) for over 25 years. As program director of DABC's Advocacy Access Program, he managed and supervised both staff and practicum students. Highly skilled in helping people with disabilities to access disability assistance (applications, reconsiderations and tribunals) and related programs through the Ministry of Social Development and Social Innovation (MSDSI), Robin also advised clients on eligibility issues and helped them resolve other matters with MSDSI.

In addition to his direct advocacy work, Robin conducted many workshops and information sessions on disability-related topics, such as the Registered Disability Savings Plan and Disability Tax Credit. He was also a DABC representative on various committees and consultation groups, and provided valuable advocacy work over many years, as well as generous support to his peers. Robin will be sorely missed in the advocacy community.



*Robin Loxton, longtime advocate and Advocacy Access Program director, Disability Alliance BC*

### Tom Durning

For 25 years, Tom Durning worked at the TRAC Tenant Resource & Advisory Centre, promoting the legal protection of residential tenants across British Columbia. A tireless advocate for renters' rights, he focused on advocating for fair and balanced tenancy legislation. He was considered by many to be a leading expert on housing and inclusive land-use policy. In his later years at TRAC, Tom was called upon by the media to provide insightful analysis on tenants' rights and the state of affordable housing in BC. He sat on a number of committees, providing sage guidance and insight into housing rights. Tom was the longest-serving staff member at TRAC and mentored many TRAC advocates.



*Tom Durning, former senior advocate, TRAC Tenant Resource & Advisory Centre*

# Financial Statements 2016

## Independent Auditor's Report

December 31, 2016



### To the Governors of The Law Foundation of British Columbia

We have audited the accompanying financial statements of The Law Foundation of British Columbia, which comprise the statement of financial position as at December 31, 2016, and the statements of changes in net assets, operations, and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

### Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

### Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements, and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the foundation's preparation and fair presentation of the financial statements 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 foundation's internal control. An audit also includes evaluating the appropriateness of the accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

### Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of The Law Foundation of British Columbia as at December 31, 2016, and the results of its operations and its cash flows for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

*Tompkins, Wozny, Miller & Co.*

Chartered Professional Accountants

Vancouver, Canada March 11, 2017

**TOMPKINS, WOZNY, MILLER & CO.**  
Chartered Professional Accountants



## Statement of Financial Position

The Law Foundation of British Columbia


As at December 31


	2016 \$	2015 \$
<b>ASSETS</b>		
Cash	2,282,775	1,589,794
Investments [note 4]	47,402,904	46,489,348
Prepaid expenses and other	11,249	42,131
Property and equipment [note 5]	16,514	11,093
	49,713,442	48,132,366
<b>LIABILITIES AND NET ASSETS</b>		
<b>Liabilities</b>		
Accounts payable and accrued liabilities [note 6]	174,153	160,029
Child Welfare Fund [note 7]	—	182,547
Legal Services Society/ Law Foundation		
Research Fund [note 8]	2,277,695	2,282,457
Access to Justice Fund [note 9]	—	550,000
Grants payable [note 10]		
— within one year	13,080,874	12,617,275
— long term	2,445,000	1,525,750
<b>Total liabilities</b>	17,977,722	17,318,058
<b>Net assets</b>		
Equity in property and equipment	16,514	11,093
Grant stabilization fund [note 11]	31,719,206	30,803,215
<b>Total net assets</b>	31,735,720	30,814,308
	49,713,442	48,132,366

Commitment [note 15]

See accompanying notes to the financial statements

Approved by:

  
Governor

  
Governor

## Statement of Changes in Net Assets

Year ended December 31

	EQUITY IN PROPERTY AND EQUIPMENT \$	GRANT STABILIZATION FUND \$	NET ASSETS \$
<b>2016</b>			
Balance, beginning of year	11,093	30,803,215	30,814,308
Increase (decrease) in net assets for the year	(5,665)	927,077	921,412
Acquisition of property and equipment	11,086	(11,086)	—
	16,514	31,719,206	31,735,720
<b>2015</b>			
Balance, beginning of year	17,075	30,808,287	30,825,362
Decrease in net assets for the year	(7,208)	(3,846)	(11,054)
Acquisition of property and equipment	1,226	(1,226)	—
	11,093	30,803,215	30,814,308

See accompanying notes to the financial statements

## Statement of Operations

Year ended December 31

	2016 \$	2015 \$
<b>INCOME</b>		
Interest received on lawyers' trust accounts	17,355,497	15,685,007
Investment income (net) [note 12]	1,709,810	1,329,451
Unclaimed trust funds and other income [note 13]	750,072	753,128
	19,815,379	17,767,586
Child Welfare Fund [note 7]	—	(5,409)
Access to Justice Fund [note 9]	550,000	—
	20,365,379	17,762,177
<b>EXPENSES</b>		
Amortization of property and equipment	5,665	7,208
Audit and annual report	51,818	49,385
Consulting and legal	98,464	105,171
Meetings and travel	153,448	156,616
Office and other	103,719	98,126
Rent and occupancy costs	225,328	223,274
Salaries and employee benefits	987,243	989,469
	1,625,685	1,629,249
Child Welfare Fund [note 7]	—	(5,409)
Access to Justice Fund [note 9]	550,000	—
	2,175,685	1,623,840
Net income before grants approved	18,189,694	16,138,337
Program and project grants approved [note 14]	17,797,980	16,342,778
Less program and project grants refunded or unused	529,698	193,387
	17,268,282	16,149,391
Increase (decrease) in net assets for the year	921,412	(11,054)

See accompanying notes to the financial statements

## Statement of Cash Flows

Year ended December 31

	2016 \$	2015 \$
<b>OPERATING ACTIVITIES</b>		
Interest received on lawyers' trust accounts	17,355,497	15,685,007
Investment income realized (net)	1,244,729	1,383,045
Unclaimed trust funds and other income received	567,524	753,128
Expenses paid	(1,564,882)	(1,614,475)
Child Welfare Fund (net)	—	158,138
Access to Justice Fund (net)	—	550,000
Program and project grants paid (net)	(16,456,597)	(16,175,139)
Cash provided by operating activities	1,146,271	739,704
Legal Services Society/ Law Foundation Research Fund activities (net)	16,401	(13,054)
Funds administered for others (net)	(10,129)	20,588
	1,152,543	747,238
<b>INVESTING ACTIVITIES</b>		
Property and equipment purchased	(11,086)	(1,226)
Purchase of investments (net)	(448,476)	(1,566,908)
Cash used in investing activities	(459,562)	(1,568,134)
Increase (decrease) in cash for the year	692,981	(820,896)
Cash, beginning of year	1,589,794	2,410,690
Cash, end of year	2,282,775	1,589,794

See accompanying notes to the financial statements

## Notes to Financial Statements

The Law Foundation of British Columbia

December 31, 2016

### 1. NATURE OF ACTIVITIES

The Law Foundation of British Columbia (the foundation) was established in 1969 under the *Legal Profession Act* of British Columbia as a tax-exempt not-for-profit organization to receive and distribute interest on clients' trust funds held in lawyers' pooled trust accounts. The foundation is administered by a board of governors who are responsible for distributing these funds, and related investment and other income, to provide legal education, legal research, legal aid, law reform and law libraries for the benefit of the general public of British Columbia. The foundation also periodically administers other funds and programs.

### 2. SIGNIFICANT ACCOUNTING POLICIES

These financial statements have been prepared in accordance with Canadian accounting standards for not-for-profit organizations and reflect the following significant accounting policies:

#### **Cash Basis — Interest on Lawyers' Pooled Trust Accounts**

The foundation uses the cash basis of reporting interest earned on lawyers' pooled trust accounts.

The foundation assumes that solicitors who hold funds in trust for or on account of clients comply strictly with Section 62 of the *Legal Profession Act* and Part 3, Division 7, of the Rules of the Law Society of British Columbia. These rules require that interest earned on funds held in lawyers' pooled trust accounts be remitted to the foundation.

#### **Investments**

Investments consist of money market, bond and equity funds [note 4] comprised of stocks and bonds that are traded on stock exchanges by the fund managers.

Investments are recorded at fair market value. Realized gains (losses) are reported based on their settlement date. Unrealized gains (losses) are reflected as a write-up (write-down) within net investment income. Interest and dividends earned, but not received, are recorded on an accrual basis by the fund managers.

#### **Program and Project Grants Approved**

The foundation expenses grants in the current year that provide annual operating funding to organizations covering 12-month periods beginning in the current and subsequent calendar years, plus grants for special projects that may be payable over several years. Grants are reflected as an expense that reduces the grant stabilization fund as they are approved by the foundation's board of governors. Grants that are not yet paid are reflected as grants payable.

All approved grants contain restrictions on the use of the funds that may result in a portion of the grants payable being withheld, or grants that have been disbursed may be refunded. Grants payable are reversed when the foundation becomes aware that the funds are no longer required or when grant conditions have not been met. Grants refunded to the foundation are reported on a cash basis.

Grants made that are conditional on the receipt of matching funds by the grantee are included in program and project grants approved and grants payable. Unmatched grants may be reversed, transferred to other programs or projects, or the matching condition may be waived, as subsequently approved by the foundation.

Expenditures on programs that are operated by the foundation are included in program and project grants approved as they are disbursed.

#### **Property and Equipment**

Expenditures on property and equipment are capitalized and amortized on a straight-line basis as follows:

- Furniture and equipment 5 years
- Computers and accessories 3 years

One-half the normal amortization is recorded in the year the asset is acquired.

#### **Restricted and Administered Funds**

##### **a) Child Welfare Fund**

The Child Welfare Fund is an externally restricted fund that is reported as both income and expense as qualifying expenses are incurred or grants are awarded, in accordance with the deferral method of accounting. Grants not yet paid are grouped with the foundation's grants payable.

##### **b) Legal Services Society/Law Foundation Research Fund (research fund)**

As the foundation administers, but does not exclusively control, the expenditures from the research fund, direct expenditures and grants approved are treated as a reduction of the fund. Grants not yet paid are grouped with the foundation's grants payable. Interest is added annually to the fund.

##### **c) Access to Justice Fund**

The purpose of the foundation's Access to Justice Fund (the fund) is to receive and distribute *cy-pres* settlement funds arising from class actions, or other funds received by the foundation for access to justice purposes. Direct expenditures and grants approved are reported as both income and expense as qualifying expenses are incurred or grants are awarded, in accordance with the deferral method of accounting. Grants not yet paid are grouped with the foundation's grants payable.



### Use of Estimates

The preparation of financial statements in conformity with Canadian accounting standards for not-for-profit organizations 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 income and expenses during the reported period. Significant areas requiring the use of management estimates relate to the determination of the useful lives of capital assets, the determination of certain accrued liabilities, and the dollar value of grants to be paid out within one year. Actual results could differ from the estimates.

### Cash

Cash is defined as cash on hand and cash on deposit net of cheques issued and outstanding at the year-end.

The statement of cash flows is prepared on a net cash basis, and cash flows from operating activities are presented using the direct method.

## 3. FINANCIAL INSTRUMENTS

The foundation's financial instruments consist of cash, investments, accounts payable and accrued liabilities and grants payable.

### Measurement of Financial Instruments

The foundation initially measures its financial assets and financial liabilities at fair value.

The foundation subsequently measures all of its financial assets and liabilities at amortized cost, except for the investments that are quoted in an active market, which are measured at fair value.

Financial instruments measured at amortized cost consist of cash, accounts payable and accrued liabilities and grants payable.

### Risk of Financial Instruments

The foundation is exposed to various risks through its financial instruments. The following analysis provides a measure of the foundation's risk exposure at the balance sheet date.

#### Credit risk

Credit risk is the risk that one party to the financial instrument will cause a financial loss for the other party by failing to discharge an obligation. The foundation's main credit risk relates to bond fund investments and bank deposits.

#### Liquidity risk

Liquidity risk is the risk that an entity will encounter difficulty in meeting obligations associated with financial liabilities. The foundation is exposed to this risk mainly in respect of its accounts payable and grants payable. As the majority of the foundation's investments consist of pooled funds, it is the opinion of management that the foundation is not exposed to liquidity or cash flow risk with respect to its investments, nor is it subject to significant concentrations of credit risk. The foundation also sets investment policies and monitors its investments to minimize liquidity risk.

### Market risk

Market risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices. Market risk comprises three types of risk: currency risk, interest rate risk and other price risk.

#### Currency risk

Currency risk is the risk that the fair value of future cash flows of a financial instrument will fluctuate because of changes in foreign exchange rates. The foundation's exposure to currency risk is indicated by its ownership of international bonds and debentures, as described in note 4. The foundation does not engage in hedge transactions.

#### Interest rate risk

Interest rate risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market interest rates. The foundation is exposed to interest rate risk on its investments in bond funds where bond interest rates versus market interest rates will affect the price of the bonds and, therefore, the bond fund investment price. The foundation's interest income received on lawyers' trust accounts is also subject to interest rate risk.

#### Other price risk

Other price risk is the risk that the fair value or future cash flows of a financial instrument will fluctuate because of changes in market prices (other than those arising from interest rate risk or currency risk), whether those changes are caused by factors specific to the individual financial instrument or its issuer, or factors affecting all similar financial instruments traded in the market. The foundation is exposed to other price risk through its investment in equity-based fund investments.

4. INVESTMENTS	COST \$	MARKET \$
<b>2016</b>		
CC&L Group Money Market Fund A [9,449 units]	94,491	94,491
CC&L High Yield Bond Fund I [498,170 units]	5,084,569	4,783,080
CC&L Equity Income & Growth I Fund [266,068 units]	3,203,605	3,504,512
CC&L Bond Fund A [3,160,013 units]	33,672,284	32,604,705
CC&L Q Group Global Equity Fund [605,431 units]	6,634,889	6,416,116
	48,689,838	47,402,904
<b>2015</b>		
CC&L Group Money Market Fund A [Nil units]	—	—
CC&L High Yield Bond Fund I [666,167 units]	6,821,967	6,232,262
CC&L Equity Income & Growth I Fund [345,734 units]	3,730,628	3,650,879
CC&L Bond Fund A [2,857,496 units]	30,396,261	30,173,156
CC&L Q Group Global Equity Fund [296,986 units]	6,826,167	6,433,051
	47,775,023	46,489,348

The CC&L Group Money Market Fund A consists of short-term Canadian bonds that make up approximately 100.0% [December 31, 2015 – Nil units]. The CC&L High Yield Bond Fund I consists of Canadian bonds and debentures that make up approximately 48.6% [December 31, 2015 – 46.4%] of its portfolio and international bonds, debentures and other foreign content that make up approximately 51.4% [December 31, 2015 – 53.6%] of its portfolio. The CC&L Equity Income & Growth I Fund consists of Canadian equities and mutual funds that make up approximately 92.2% [December 31, 2015 – 90.7%] of its portfolio and foreign equities that make up approximately 7.8% [December 31, 2015 – 9.3%] of its portfolio. The CC&L Bond Fund A consists of Canadian government and corporate bonds and debentures that make up approximately 100.0% [December 31, 2015 – 100.0%] of its portfolio. The CC&L Q Group Global Equity Fund consists of approximately 98.6% foreign equities [December 31, 2015 – 98.3%] and domestic equities and currency of approximately 1.4% [December 31, 2015 – 1.7%] of its portfolio.

At December 31, 2016, the average yield on all the investments was 4.20% [December 31, 2015 – 3.40%].

The foundation's investment policy allows for Canadian equities, global equities and high-yield bonds of up to 40% of the market value of its portfolio and short-term bonds of up to 20% of the market value of its portfolio, with universe bonds and short-term investments making up the remainder.

## 5. PROPERTY AND EQUIPMENT

	COST \$	ACCUMULATED AMORTIZATION \$	NET BOOK VALUE \$
<b>2016</b>			
Furniture and equipment	23,593	10,093	13,500
Computers and accessories	7,340	4,326	3,014
	30,933	14,419	16,514
<b>2015</b>			
Furniture and equipment	15,193	6,427	8,766
Computers and accessories	13,475	11,148	2,327
	28,668	17,575	11,093

## 6. ACCOUNTS PAYABLE AND ACCRUED LIABILITIES

	2016 \$	2015 \$
Operating	107,394	89,561
Funds administered for others	48,375	58,504
Government remittances — payroll taxes	16,654	10,286
— WorkSafeBC	1,730	1,678
	174,153	160,029

## 7. CHILD WELFARE FUND

In 2009, a \$50,000 grant was received from the BC Representative for Children and Youth for the purpose of child welfare evaluation and research, of which \$20,000 was unspent at the end of 2012. In 2014, an additional grant of \$20,000 was received and \$21,000 was spent, leaving a balance of \$19,000.

In 2015, the foundation received \$158,138, in trust, from a class-action award for use as part of the foundation's Child Welfare Fund. Including an unused grant amount of \$5,409 returned to the fund, the balance at December 31, 2015, totals \$182,547.

In 2016, a grant of \$30,000 was received from the Notary Foundation of BC for the purposes of funding the BC Children's Lawyer's Office. The cumulative total amount in the fund of \$212,547 was transferred to other income and a grant of \$600,000 was made to the Society for Children & Youth of BC for the BC Children's Lawyer's Office.

## 8. LEGAL SERVICES SOCIETY/LAW FOUNDATION RESEARCH FUND (RESEARCH FUND)

The Legal Services Society of BC and the foundation established the research fund with a grant of \$1,000,000 each pursuant to a deed of trust dated March 31, 2008. The purpose of the research fund is to support research on and evaluation of legal aid and other access to justice programs to enhance the quality of and access to justice for British Columbians. The foundation administers the research fund, and an advisory committee consisting of one nominee from the Legal Services Society, the foundation, and the Notary Foundation approves distribution of the funds. Investment income earned on unexpended funds is added to the research fund.

	2016 \$	2015 \$
Research fund, beginning of year	2,282,457	2,345,540
Direct expenses	(8,066)	—
Grants — approved	(109,000)	(164,000)
— returned to fund	27,251	30,782
Investment income allocated [note 12]	85,053	70,135
	2,277,695	2,282,457

## 9. ACCESS TO JUSTICE FUND

In 2015, the foundation received \$550,000 from a class-action award, which funds are to be paid out to Access Pro Bono Society of BC. In 2016, the \$550,000 was granted to Access Pro Bono Society of BC.



## 10. GRANTS PAYABLE

The foundation has approved grants with multi-year payment schedules that are estimated to be payable in the following years:

	2016 \$	2015 \$
Opening grants payable	14,143,025	14,124,153
Grants approved		
— Law Foundation of BC [note 14]	17,797,980	16,342,778
— Access to Justice Fund	550,000	—
— LSS/LF Research Fund	109,000	164,000
Payments		
— Law Foundation of BC	(16,456,597)	(16,175,139)
— LSS/LF Research Fund	(60,585)	(83,189)
Grants refunded or unused		
— Law Foundation of BC	(529,698)	(193,387)
— Child Welfare Fund	—	(5,409)
— LSS/LF Research Fund	(27,251)	(30,782)
Ending grants payable	15,525,874	14,143,025
Less portion payable within one year	(13,080,874)	(12,617,275)
Long term grants payable	2,445,000	1,525,750

## 11. GRANT STABILIZATION FUND

The foundation has a goal of insulating continuing programs from fluctuations in the foundation's income that result from changes in the prime rate and the balances in lawyers' pooled trust accounts that generate income to the foundation. To accomplish this goal, the foundation has built up a stabilization fund that declines in years in which the foundation's net income before grants approved is less than the grants approved, and increases when net income before grants approved is greater than the grants approved.

## 12. INVESTMENT INCOME (NET)

Investment income (net) comprises:	2016 \$	2015 \$
Interest and dividends earned	1,458,834	1,579,971
Write-down of investments to market value	(1,258)	(2,137,358)
Gain on sale of investments	466,339	2,083,764
Investment advisory fees	(129,052)	(126,791)
	1,794,863	1,399,586
Less investment income allocated to the research fund [note 8]	(85,053)	(70,135)
	1,709,810	1,329,451

## 13. UNCLAIMED TRUST FUNDS AND OTHER INCOME

### Unclaimed Trust Funds

Under the Law Society of British Columbia's (the society) unclaimed trust fund procedures, lawyers submit unclaimed trust funds to the society. The society holds the funds for five years before remitting the money to the foundation. The total received for 2016 was \$245,764 [2015 – \$462,394].

## Other Income

In 2007, the Law Society of British Columbia Pro Bono Funding Task Force (the task force) recommended that the society allocate a portion of annual lawyers' practice fees to fund pro bono services. The task force noted that the foundation was uniquely well suited to determining recipients of pro bono grant funds, and the benchers decided to transfer one percent of the general fund portion of annual lawyers' practice fees to the foundation to be used for funding pro bono programs. This amount was increased to \$340,000 in 2014, of which \$48,380 is to be paid towards the rent and applicable taxes for Access Pro Bono Society of BC, \$60,000 to access to justice initiatives, which was allocated to the BC Children's Lawyer's Office, and the balance to pro bono initiatives. The total other income received for 2016 was \$291,761 [2015 – \$290,734].

Also in 2016, \$212,547 was transferred to other revenue from the Child Welfare Fund for the funding of the BC Children's Lawyer's Office.

## 14. PROGRAM AND PROJECT GRANTS APPROVED

	2016 \$	2015 \$
Major continuing program and project grants in excess of \$1,000,000 were made to:		
Legal Services Society of BC	2,955,000	2,955,000
BC Courthouse Library Society	2,445,000	2,245,000
Other continuing program grants	9,540,000	9,600,000
Other project grants	2,857,980	1,542,778
	17,797,980	16,342,778

## 15. COMMITMENT

### Premises Lease

In addition to shared building operating costs and property taxes, the foundation is committed to the following annual rent payments, which are exclusive of GST, until April 30, 2023, for its office premises. The required payments are as follows:

	ANNUAL RENT PAYMENTS \$	TOTAL RENT COMMITMENT \$
2017 (1 Year)	114,160	114,160
2018 (1 Year)	129,381	129,381
2019 – 2022 (4 Years)	136,992	547,968
2023 (4 Months)	—	45,664
		837,173



## Board of Governors

As of March 2016

From left to right (front row):

### Ajeet Kang, QC

Fellowships and Research Committee  
Policy and Planning Committee

### Eileen Vanderburgh

Finance and Administration Committee (Chair)  
Policy and Planning Committee

### Warren Milman

Chair of the Board of Governors  
Ex-officio member of all committees

### Eugene Raponi, QC

Class Actions Committee  
Policy and Planning Committee (Chair)

From left to right (back two rows):

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Class Actions Committee (Chair)  
Finance and Administration Committee

### Jim Sullivan

Class Actions Committee  
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### Anita Dalakoti

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Information Committee (Chair)

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Public Legal Education and  
Information Committee

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### Frederick F. Fatt

Fellowships and Research Committee  
New Grants Committee

### Sean Rowell

Finance and Administration Committee  
Special Needs Fund Committee

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On the front cover (clockwise from the left):

Students working on files at the Law Students' Legal Advice Program at the Peter A. Allard School of Law

Advocates from around the province who attended the two week Legal Advocacy Training Course developed by the Law Foundation for new advocates

Staff from the Justice Education Society and People's Law School (clockwise from the top): Nora Bergh, legal content specialist, Dave Nolette, digital program director, Justice Education Society; Patricia Byrne, executive director, Drew Jackson, legal content developer, People's Law School



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