

VOLUNTEERISM REPORT

Like most Albertans, we contribute to our communities through our volunteerism. Much of this we do because we are parents, members of certain organizations, have particular interests or are civic-minded, and not because we are lawyers.

Some of our volunteerism, however, we do because we are lawyers. This volunteerism by the legal profession helps support our justice system, access to it, and our communities. But the nature and extent of this contribution in Alberta was unknown.

Therefore, CBA Alberta created the Task Force on Community Responsibility to examine volunteerism related to being a lawyer in Alberta. What follows is a report of the findings of the Task Force.

On behalf of CBA Alberta, I wish to thank our Task Force Chair, Sandra L. Schulz, Q.C. That she was able to obtain responses from over 20% of practicing lawyers to a province wide survey is testament to the hard work and organizational skills which went into this project. She is to be congratulated for making this important contribution to our legal profession.

TOM ACHTYMICHUK, PAST PRESIDENT



Report of the Task Force on

COMMUNITY RESPONSIBILITY

INTRODUCTION

Access to independent legal representation is a cornerstone of our justice system and democracy in Canada. The Canadian Bar Association recognizes, however, that not all Canadians and community organizations can afford legal assistance. Traditionally, lawyers have acknowledged it is part of their duty as a member of the legal profession to donate a portion of their time to assist the public and their communities. However, there has not been extensive research in Canada on the extent to which lawyers currently donate their time, skills and expertise to individuals and community organizations.

Therefore, the Canadian Bar Association Alberta established the Task Force on Community Responsibility. The mandate of this Committee was to obtain information on the level of volunteerism related to being a lawyer provided by the legal profession to individuals and organizations in Alberta.

EXECUTIVE SUMMARY

The Committee received information from 1462 Alberta lawyers, representing 21.5% of the provincial total.

The information received showed the average lawyer spent over fifteen regular working days a year - the equivalent of three weeks vacation - volunteering their time, skills and expertise as lawyers, to individuals and community organizations across Alberta.

METHODOLOGY

The primary mandate of the Committee was to obtain information on volunteerism related to being a member of the legal profession. The Committee distributed a survey form to all active practicing lawyers, judges, articling students and law school students in Alberta.

The survey asked respondents to provide the total number of hours spent in the previous year providing the following:

- (a) *Pro Bono Volunteer Legal Work*: Defined as legal work done without the expectation of payment. This category does not include work for a reduced hourly rate or fee, or Legal Aid work.
- (b) *Volunteer Work for Charitable and Not-for-Profit Organizations*: Defined as unpaid volunteer activities which may or may not involve legal work but for which the volunteer believes involvement is related to being a lawyer.

The intention of these two questions was to capture volunteerism related to being a lawyer. It was necessary to ensure respondents did not include in their answers to these two questions, volunteerism not related to being a lawyer. In order to ensure respondents made this distinction, the survey also asked for responses to the following three categories of volunteerism:

- (c) *Volunteer Work for Legal Profession or Professional Organizations*: Defined as volunteer activities which relate to the legal profession only, and not to the public or community organizations.
- (d) *Volunteer Work for Community Activities*: Defined as volunteer activities unrelated to being a lawyer.
- (e) *Volunteer Work for Political Groups*: Defined as non-financial contributions to political parties.

The Committee recognized a portion of the volunteerism related to being a lawyer involved activities on an organized basis rather than individually. Therefore, the Committee also sought information on any organizations or programs which facilitated the provision of volunteer legal services on an organized basis.

RESULTS AND ANALYSIS

The Committee received 1,462 survey responses from practicing lawyers in Alberta, representing 21.5% of the provincial total. With respect to volunteerism related to being a lawyer, the survey results showed respondents volunteering 176,056 hours per year, or an average of 120.4 hours per year for each respondent, as follows:

DESCRIPTION	HOURS/YEAR	HOURS PER LAWYER/YEAR
(a) <i>Pro bono</i> volunteer legal work	76,780	52.5
(b) Volunteer work for charitable and non-profit organizations	99,276	67.9
TOTAL	176,056	120.4

The survey results indicate respondents did indeed separate out those activities which were not related to being a lawyer, given the level of volunteerism also reported in these other areas:

DESCRIPTION	HOURS/YEAR	HOURS PER LAWYER/YEAR
(c) Legal Profession Organizations	49,659	34.0
(d) Community Activities	94,397	64.6
(e) Political Activities	16,749	11.5
TOTAL	160,805	110.1

The survey results were found to be fairly representative of the distribution of lawyers in Alberta:

	% OF ALBERTA LAWYERS	% OF SURVEY RESPONSES
Calgary	53.5%	47.4%
Edmonton	35%	37.6%
Rest of Alberta	11.5%	15%
TOTAL	100%	100%

The Committee considered the question of whether the survey captured all of the volunteerism by Alberta lawyers. The Committee heard from lawyers who, although involved in volunteer activities, did not respond to the survey. The reason given was these activities were undertaken without any expectation of credit or recognition. Depending on how many lawyers did not complete the survey for this or other reasons, the results reported by 21.5% of Alberta lawyers may be indicative of volunteerism in the wider legal profession.

A good part of the volunteer activities related to being a lawyer are provided to individuals and community organizations by lawyers on an individual basis. However, the survey results also reflect the existence of many programs which provide volunteer legal services on an organized basis in Alberta. At the time of the survey, some of those programs included:

Calgary Legal Guidance: Provides free legal advice from a roster of 260 volunteer lawyers to people who fit within CLG's financial guidelines and who do not qualify for Legal Aid. CLG also offers volunteer-based public legal education programs.

Edmonton Centre for Equal Justice: Provides free legal advice for low-income Edmontonians, involving a roster of 40 lawyers volunteering for evening clinics.

Volunteer Lawyers Service: Matches requests by non-profit agencies for free legal services with a roster of volunteer lawyers. Approximately 50 charitable and non-profit organizations in Alberta have received such free legal services.

Calgary Dispute Resolution Project: Provides free legal help to people involved in family law disputes to assist with resolving the matter by agreement instead of a court hearing. A roster of lawyers volunteer one day per month to the program.

Student Legal Assistance/Services: Both the University of Alberta and the University of Calgary provide free legal assistance to university students and the public who fit within their financial guidelines and who do not qualify for Legal Aid.

Wills Week: Organized annually by the Edmonton Community Foundation, volunteer lawyers give information

on wills and estate planning at free evening meetings open to the public in various communities throughout Edmonton.

Public Legal Education Project: Volunteer lawyers and judges give presentations to high school social studies classes in the Edmonton and Calgary regions.

Law Day: Volunteer lawyers, judges and court staff provide free programs for the public at the courthouse. These are aimed at educating the public about the legal system, and engaging everyone, from children to seniors in informative (and fun!) activity. Law Day programs are provided across the Province.

Pro Bono Students Canada: Free legal assistance is provided by law students at the University of Alberta and the University of Calgary to charitable and not-for-profit organizations, with the involvement of practicing lawyers volunteering their services.

CBA Legislative Review Committee: After bills are introduced into the Alberta Legislature, the Legislative Review Committee reviews these bills from a drafting perspective and provides comment to Government.

SUMMARY

Based on this study, the Committee concludes Alberta lawyers continue to fulfill their duty as members of the legal profession to donate a portion of their time to provide access to legal assistance in our communities. The average for survey respondents was over fifteen regular working days a year - the equivalent of three weeks vacation - volunteering their time, skills and expertise as lawyers, to Alberta individuals and community organizations.

The legal profession is unique in that government, the public, and indeed the profession itself, expect lawyers to donate their training, qualifications, and expertise to individuals and community organizations. This stems from the importance of ensuring access to legal representation, regardless of financial means. This study demonstrates the legal profession is making a significant contribution in ensuring Albertans have access to legal assistance when it is needed.