

We're Here to Help! Access to Justice Innovation in Saskatchewan

By Alan Kilpatrick

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Introduction

Good afternoon. We all know access to justice is inadequate and legal services are becoming increasingly inaccessible. The justice system, overwhelmed by the increase of self-represented litigants (SRLs), is not meeting the needs of all Canadians.

At the 2015 CALL conference, Melanie Hodges Neufeld and Natalie Wing presented, "Law Libraries Accept the SRL Challenge." During that session, they considered the services that law libraries can provide to help SRLs and the role that law libraries can play in improving access to justice through collaboration. Encouraged by feedback, we became convinced that law libraries have a role to play in promoting access to justice and increasing access to legal information.

In the two years since, the Law Society of Saskatchewan has made improving access to legal services a priority in its strategic plan and mission statement. The Law Society Library has participated in a multitude of access to justice partnerships with justice, community, and library stakeholders. I am here to talk about these initiatives and update you on what we have learned about promoting access to justice in a law library setting.

Serving the Public

Our basis for assisting SRLs is the fact that our library is open to the public and that we encourage the public to take advantage of the library's resources. Our staff is ready to provide basic assistance in person, over the phone, or via email. We will teach the public about conducting legal research and, when necessary, make referrals to the appropriate organizations that provide legal advice. However, we are always cautious of the distinction between legal advice and legal information and cognisant of the challenges inherent in serving SRLs.

CanLII

Our first access to justice initiative involved working alongside CanLII to expand online access to Saskatchewan case law. CanLII provides a tremendous benefit to the public by making the law freely accessible to Canadians. Unfortunately, coverage of historical cases on CanLII varies by province. We determined that coverage of historical Saskatchewan case law was lacking. With support from the Law Foundation of Saskatchewan, an organization with a mandate to support justice initiatives we began a digitization project to increase this coverage. In all, our staff digitized about 16000 cases. CanLII now features a virtually complete record of Saskatchewan cases back to 1907.

Pro Bono Librarians

One of the most interesting ideas that came from Melanie and Natalie's session at CALL 2015 was the idea of "Pro Bono Librarians." Law librarians who provide free research assistance. We followed through on this idea and partnered with Pro Bono Law Saskatchewan and Community Legal Assistance Services for Saskatoon Inner City to assist with their legal research needs. Legal research can be time consuming for the volunteer lawyers who work with these organizations. We offer these lawyers free legal research services and training whenever they need it.

Family Law Clinics

Our most successful initiative is our family law clinic. For the past two years, we have collaborated with the Ministry of Justice, Pro Bono Law, and the Public Legal Education Association of Saskatchewan to host weekly family law sessions in the Regina Law Society Library. We call these sessions, "Walk-in Wednesdays." We have set up an information centre, a waiting area, and offices for consultations in the basement of the library. Walk-in Wednesdays are first come, first serve. Individuals can meet with a lawyer individually for about twenty minutes. The lawyer can provide information on family law, court procedures, and options for settling disputes.

As word has spread, the clinic has become increasingly popular. Typically, there are about ten people each week. With its success, the lawyers involved have begun to replicate the Walk-in Wednesday concept in other parts of the province.

SALI

Our latest collaboration has the potential to be the most influential. We are a partner in the Saskatchewan Access to Legal Information Project. SALI is a new partnership among libraries, justice industry stakeholders, and community organizations, working to advance access to justice for Saskatchewan's residents. It arose in 2016 out of the recognition that gaps exist in the public's access to legal information. It is generally accepted that legal information is more accessible than it's ever been before. However, many are unaware of the wealth of resources available online and are not sure how to determine if online legal information is reliable or up-to-date.

Realizing that libraries are suited to act as intermediaries to help the public identify reliable legal information, a working group was formed with representatives from the Public Legal Education Association of Saskatchewan, the Saskatoon Public Library, the Law Society Library, and the University of Saskatchewan College of Law.

We have held a one day meeting with representatives from every library region in the province, the Ministry of Justice, and a variety of community organizations to discuss the potential for collaboration. We have another meeting planned for the fall and are beginning a pilot project to collect statistics on public library patron's legal questions.

Conclusion

Law libraries have a role to play in improving access to justice and increasing access to legal information. My hope is that I have encouraged you to consider adopting similar initiatives in your own library. Obviously, challenges exist when serving SRLs. I urge you to not let this prevent you from making access to justice a priority. Try taking on small projects or grass roots initiatives when beginning to help SRLs. You will be amazed at what you can achieve.

Thank you. Please feel free to contact me with questions.