




STRENGTHS AND OPPORTUNITIES FOR SUSTAINABILITY

The Mobile Rural Law Van and Winter
Venues in North Halton and Wellington County

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March 2023



Canadian Forum on Civil Justice 
Forum canadien sur la justice civile

The Canadian Forum on Civil Justice (CFCJ) is a national not-for-profit organization dedicated to civil justice reform and access to justice research and advocacy. Established by the Canadian Bar Association and affiliated with Osgoode Hall Law School, the CFCJ envisions an accessible, sustainable and effective justice system for all Canadians.



The Rural Mobile Law Van project is funded by The Law Foundation of Ontario.
Financial support for this paper was provided by The Law Foundation of Ontario.

Recommended citation: Ab Currie, *Strengths and Opportunities for Sustainability: The Mobile Rural Law Van and Winter Venues in North Halton and Wellington County* (Toronto: Canadian Forum on Civil Justice, March 2023)

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Introduction

At the mid-point of this three-year pilot project, the evidence suggests that the Mobile Rural Law Van is accomplishing its primary objective of better meeting the needs of people in rural Wellington County and North Halton. Is the success after two summers and one winter of operation sustainable? Sustainability is about more than just money, more than cost and about cost per person served. Sustainability depends on how the project operates and how it is connected with the community being served. This paper identifies the non-monetary factors that make the Law Van project sustainable, suggesting adjustments that might be made to improve the sustainability of a service that in the initial period has been successful in meeting the legal and related non-legal needs of the public.

A Perspective on Sustainability

The Law Van has an organic quality in its relation to the people being assisted that has developed because it is well-connected with the community that it serves. From this perspective, there can be multiple factors that contribute to the sustainability. These aspects can be nurtured and developed, thus increasing sustainability. It is useful to look at sustainability as a set of strengths and opportunities that allow an initiative to meet new and changing challenges over time. New factors that support sustainability can be added as the environment changes. The Law Van includes aspects that appear to support sustainability and can be developed to make the project even more sustainable. One way to approach the question of sustainability might be to track the ongoing record of demand and service provided over time. The longer the data series showing that objectives are being met accumulates, the greater the evidence that the project is sustainable. However, this is looking in the rear-view mirror. Sustainability may be defined as the capacity to maintain or improve the state and availability of some desirable condition over the long term.¹ From this point of view whether a service is sustainable requires looking into the future, a realm where data do not exist except as projections. This analysis will look into the future by examining the key characteristics of the project, assessing whether they are likely to support sustainability. This paper asks not only is the project sustainable, but what will make it sustainable?

A Brief Description of the Law Van Project

The Mobile Rural Law Van was first piloted for a six-month period in the summer of 2019 by the Legal Clinic of Guelph and Wellington County, located about 100 km West of Toronto, Canada. During that summer the Law Van visited 12 communities in rural Wellington County, approximately 12 times each during that period. After a one-year hiatus, a three-year Law Van project began in 2021 which is now under way and will extend until 2024. The three-year project involves two community legal clinics, the Guelph clinic and Halton Community Legal Services. The summer Law Van now visits nine small towns, seven in Wellington County² and two in rural North Halton adjacent to Wellington County. The three-year project includes winter venues that begin at the end of October when inclement weather makes the operation of the outdoor summer Law Van impracticable. The seven Wellington County Communities are the ones that provided assistance to the greatest number of people during the 2019 project. The Law Van makes more frequent visits to the small towns included in the 2021-2024 project than was the case for the 12 towns in 2019. It should be noted that some people from the communities³ that were not visited after the 2019 project continued to be served by the summer Law Van in 2021 and 2022 and to a lesser extent, the winter venues in 2021-2022.

In the summer the Law Van parks in high visibility locations in the communities, often in the parking lots adjacent to other community services. A small marquee tent is erected beside the van and prominent signage is erected at the side of the street announcing the availability of free legal help. From the outset, parking in high visibility locations has been intended to attract as many people as possible to the Law Van by simply passing by as they go about their daily

¹ Lisa Harrington, Sustainability: Theory and Conceptual Considerations. A Review of Key Ideas for Sustainability and the Rural Context, *Papers in Applied Geography* 2 (4) 2016, pp. 365-382

² Ab Currie, *Someone Out There Helping: Final Report of the Welcomes Mobile Van Project*, Canadian Forum on Civil Justice, 2020

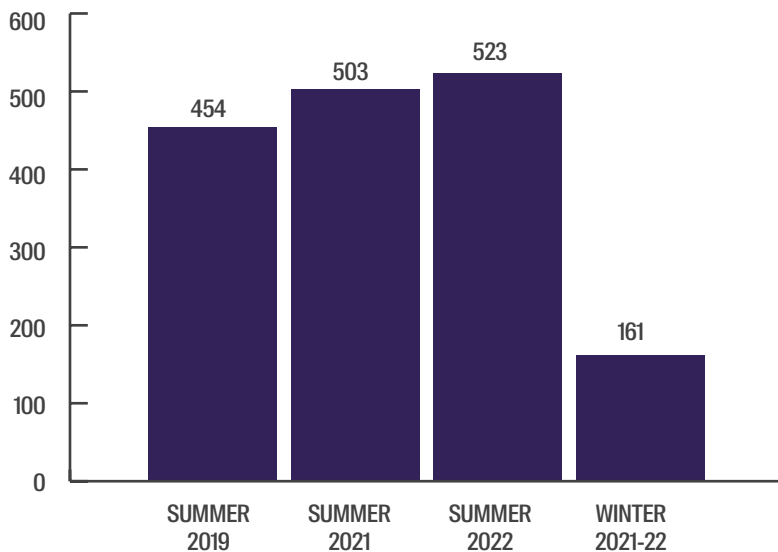
³ People visiting the summer Law Van and the winter venues were asked where they live. People reported that they live in Clifford, Drayton and Rockwood, towns not included in the schedule after 2019.

activities. The schedule for the Law Van is posted on community Facebook pages, in community newspapers and by means of posters placed in gas bars, coffee shops, grocery stores and in other places where people ordinarily go in the course of their day-to-day activities. The winter venues are located in libraries, in church halls and on the premises of community organizations. The schedules for the winter “law vans” are disseminated in similar ways to the summer Law Van. Service is provided at the North Halton summer Law Van and at the winter venues by lawyers and a rural community worker in Wellington County.

Meeting Objectives

The broad objective of the Rural Law Van project is to better serve the needs of people in rural Wellington County and North Halton. This broad objective can be framed more specifically in terms of three aspects of outreach. Is the Law Van serving more people, is it serving people who might not otherwise be served and is it addressing the range of problems for which people want help?

Figure 1: Number of People Assisted at the Summer Law Van and Winter Venues



The Number of People Served

The number of people served has increased each summer from 2019, to 2021 and 2022. The percentage increase was 10.8% from 2019 to 2021 and 4.4% from 2021 to 2022. The approximately 500 persons served annually is a significant step toward meeting the legal needs of people in this rural area, that might be estimated to be about 5000 people with self-defined serious legal problems⁴ or 7000 non-trivial problems with potential legal solutions annually.⁵

Figure 1 also shows that a total of 161 people were served at the winter venues in North Halton and Wellington County communities.⁶ This includes 47 individuals who received service by telephone or virtually through the internet. This is approximately 30% of the number of people assisted by the summer mobile Law Van during a similar time period. At this point the reasons why

the summer Law Van attracts more people than the winter venues are not complexly understood. This will be discussed in the section below on sustainability.

⁴ The most recent Canadian survey was carried out by Statistics Canada. Laura Savage and Susan McDonald, *Experiences of Serious Legal Problems or Disputes in the Canadian Provinces, 2021*, Statistics Canada, June 18, 2022. Based on an estimate of 34% of the population experiencing one or more legal problems over a three-year, this survey estimated that 18% of those individuals had experienced a serious legal problem using a question asking respondents if the problem was serious in their view. The population of Wellington County and North Halton is approximately 100,000. Thus $0.18 \times 100,000 = 18,000$. Adjusting to one year reduces the number to 6000. Adjusting for 79% of respondents who said the problem remained unresolved, $6000 \times .79 = 4740$.

⁵ This estimate is based on the Canadian Forum on Civil Justice survey of everyday legal problems carried out in 2013-2014. Trevor C. W. Farrow, Ab Currie, Nicole Aylwin, Les Jacobs, David Northrup and Lisa Moore, *Everyday Legal Problems and the Cost of Justice in Canada: Overview Report*, Canadian Forum on Civil Justice, 2016. Employing a methodology that attempted to screen out trivial problems by using threshold language that asked respondents to identify only problems that were serious and difficult to resolve, this survey estimated that 48.8% of the population in ten provinces had experienced an everyday problem with legal aspects. This is equivalent to the term justiciable problem that signals an everyday life problem with legal aspects having a potential legal solution. Using these results, $100,000 \times 0.484 = 48,400$. In this survey 45% of respondents indicated that the problem reported remained unresolved. Adjusting to include only unresolved problems, $48,400 \times 0.45 = 21,780$. Further adjusting the estimate to one year from the three-year reference period of the survey, $21,780 \div 3 = 7260$.

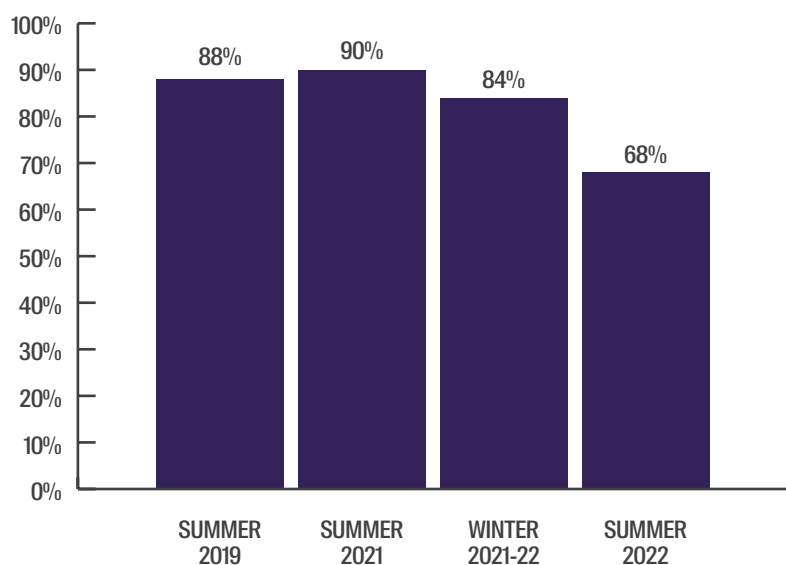
⁶ The summer Van operated for 110 days in 2021 and 52 days in the winter or 2021-2022. This should be kept in mind although it is not at all certain how much increasing the number of days would increase the numbers of people assisted.

People Who Might Otherwise Not Receive Assistance

Figure 2 shows the percentage of people assisted by the Law Van who had no previous contact with the legal clinics.⁷ It is not known whether these people had received assistance elsewhere. Legal problems surveys indicate that most people do take action to resolve problems they experience, but from a variety of non-legal sources. However, the data suggest that the Law Van and the winter venues are assisting people who may not otherwise receive legal assistance. About 85% to 90% of people requesting assistance at the mobile Law Van in the summer of 2019 and the summer of 2021 and at the winter locations in 2021-2022 had no previous contact with either of the community legal clinics. This percentage dropped considerably to 68% in the summer of 2022. This may mean that the presence of the Law Van is encouraging people to contact the clinic for assistance. The staff providing assistance at the Van have also noticed more people returning for assistance with problems often dealing with successive steps in resolving a problem.

Problems for Which People Requested Assistance⁸

Figure 2: Percent of Users Having No Previous Contact With The Community Legal Clinic or the Law Van



Because the mobile Law Van and the winter venues make a highly accessible, proactive offer of service they are open to requests for assistance from people experiencing a wide range of problems. As shown in Table 1 below in this paragraph, in addition to the three types of problems that make up over half of all problems (housing, family law and civil law matters, which is in itself a very mixed grouping of issues), people came to the van with 26 different types of problems. This represents a third way in which the Law Van project meets people's needs and expands access to justice, by providing immediate help for a wide range of problems. In the summer of 2022, a small number of problem types made up the majority of problems for which people requested assistance. Individuals requesting help with housing problems made up the largest proportion of issues at 30.1%,

followed by family law making up 14.4% and a variety of non-family civil law problems at 11.1%. These three categories made up over 50% of all requests for assistance, 55.6%. The fourth largest number of requests involved wills and powers of attorney with 10.6% of people requesting assistance, followed by people requesting help with social assistance problems equaling 6.3% of people and then criminal law at 2.8%. Just over three quarters of all people requesting assistance made up the six largest problem categories. However, there were 23 other problem types each with numbers of requests ranging from employment law, 9 requests for assistance, provincial offences at 7 requests, consumer and bankruptcy with 2 requests each, human rights, fraud, debt, police actions and victims issues each with one person requesting assistance. The wide range of problems for which people received assistance in summer 2022 indicates that the Law Van provides assistance with a wide range of problems.

The summer 2022 results are consistent from the original pilot project in 2019, with the summer of 2021 and the winter of 2021-2022. Tables 1a and 1b show problem types indicating the point at which the number of people asking for assistance for particular problem types reaches 50% and 75% of all requests for help. All remaining problems are combined in an "other" category because the frequencies are typically very small, one or two occurrences per type of problem. The other category indicates the wide range of problems for which people are provided assistance.

⁷ The data are determined by matching data collected at the Law Van or the winter venues with clinic intake records.

⁸ About 40% of individuals assisted receive legal advice and 60% are referred to other organizations. Most people are also provided with public legal information usually in written form. Advice means service provided to an individual about a particular matter by a lawyer or other legal worker. Advice is normally provided for matters that fall within the areas of specialization of the community legal clinic. The individual might be referred to the community legal clinic depending in the complexity of the matter and the expertise of the individual providing service at the Law Van or winter venue.

Overall, housing and family law problems are consistently the top two problems for which people request assistance. In each summer or winter season, three problem types account for about half of all problems for which help is needed. Five or six types of problems account for three quarters of all requests for assistance. Wills and powers of attorney are ranked third among requests for assistance at the summer Law in 2021 and at winter venues in 2021-2022 and ranked fourth at the summer Law Van in 2021 and 2022.

Importantly, in all four seasons in which service was provided, about a quarter of all requests for assistance, 21.1% in 2019, 26.2% in the summer of 2021, 25.2% in the winter of 2021-2022 and 24.7% in the summer of 2022, fell outside of the main areas of law, defined here as those that fell within approximately the 75% level of all requests. This shows the degree to which the summer Law Van and the winter venues provided assistance on a broad, open-ended range of problems. Legal

Table 1a: Requests for Assistance by Problem Type, Summer 2022 and Winter 2021-2022

SUMMER 2022			WINTER 2021-22		
	%	Cum %		%	Cum %
Housing	30.1%		Housing	33.1%	
Family	14.4%	44.5%	Family	18.4%	51.5%
Civil Law	11.1%	55.6%	Wills/POA	12.3%	63.8%
Wills/POA	10.6%	66.2%	Employment	6.1%	69.9%
Social Assistance	6.3%	72.5%	Social Assistance	4.9%	74.8%
Criminal	2.8%	75.3%			
Other	24.7%	100.0%		25.2%	100.0%
N = 523			N = 163		

Table 1b: Requests for Assistance by Problem Type, Summer 2022 and Summer 2019

SUMMER 2021			SUMMER 2019		
	%	Cum %		%	Cum %
Housing	22.0%		Family	26.7%	
Family	22.0%	44.0%	Landlord Tenant	13.6%	40.3%
Wills/POA	12.4%	56.4%	Civil Law	11.2%	51.5%
Civil Law	10.2%	66.6%	Wills/POA	10.8%	62.3%
Employment	7.2%	73.8%	Criminal	8.8%	71.1%
Other	26.2%	100.0%	Employment	7.8%	78.9%
			Other	21.1%	100.0%
N = 501			N = 464		

advice was provided only in areas in which the clinics practice. In the summer of 2021 this included 132 individuals asking for advice in 23 problem categories other than the main problem areas.⁹ In the winter of 2021-2022 other categories of law covered 22 separate categories of legal problems and included small claims, property law, insurance, human rights, tax law, refugee law, personal injury, and police action. The 2021 summer Law Van provided assistance to people in 18 areas of law other than the major ones, including identity theft, elder abuse, credit repair, social assistance, consumer problems, bankruptcy and human rights.

⁹ The main problem areas are housing, family law, and (non-family) civil law matters, which includes a mixed grouping of issues. Other problem areas include: wills and powers of attorney, social assistance, criminal law, employment law, provincial offences, consumer problems, bankruptcy, human rights, fraud, debt, police actions, victims issues.

The overall objective of the Law Van project is to improve service to people in rural Wellington County and North Halton. The three measures used to operationalize improved service all indicate that the overall objective is being accomplished. More people are being served, the people being assisted are probably not likely to be assisted otherwise and they are receiving assistance with a wide range of problems. This represents considerable success in meeting its objectives at the mid-point of the three-year Mobile Rural Law Van Project.

The Law Van Project Is Successful, But Is It Sustainable?

One way to approach the question of sustainability would be to track the ongoing record of expressed demand for service provided over time. The longer the data series showing a large or increasing number of people being assisted, the greater the evidence that the project is sustainable. However, sustainability is the capacity to maintain or improve the state and availability of some desirable condition over the long term.¹⁰ A few years of data on achieving outcomes indicates that the Law Van has been sustainable. From that point determining whether a service is or will be sustainable requires looking into the future, a realm where data do not exist except as projections. This part of the analysis will look into the future by examining the key features of the project, looking at what has been learned through experience and assessing whether these non-monetary factors are likely to support sustainability.

1. A High Degree of Physical Accessibility

The summer Law Van provides a very high degree of accessibility to local people. As described above, the summer Law Van parks in high visibility locations, intended to attract people who are driving or walking by in the course of their normal activities. A small marquee tent is erected beside the van. A banner-type sign is placed at the side of the street announcing the availability of “free legal help”. The likely importance of physical accessibility is reflected in the differences in numbers of people served in the summer versus winter venues. Figure 1 indicates that the winter venues attract about one third of the number of people seeking assistance compared with the summer venues. There is not much information about the personal characteristics of people coming to the winter venues compared with those requesting assistance at the summer vans. The problem profiles are not markedly different. It seems as if the high level of accessibility of the summer vans may be part of the explanation for the difference. A big difference is that the summer Law Van comes out to the people, to where they live or spend much of their time. The winter venues involve a reverse process in which people are asked to come to particular locations for help. The winter venues are in the areas in which people live but may not be places where they would normally go.

How people learn about the summer Law Van and the winter venues has some bearing on accessibility. During winter 2021-2022 only one person out of 162 valid responses said they had learned about a winter venue from passing by. Nine people, about 5.6% said they learned about the winter venue through signs that could have been posted at the venue or elsewhere. In comparison, at the beginning of the Law Van project in the summer of 2019, 60% of the people receiving assistance said they learned about the summer Law Van by either walking or driving past. This declined to 37.2% for the 2021 summer Law Van and to 25.8% in the summer of 2022. The summer Law Vans remain highly visible and accessible in the small rural towns. As time goes along, the summer van is becoming increasingly well known. People already know about the Law Van and do not learn about it anew. Second, as will be discussed below, social media is becoming an increasingly important way people learn about the summer Law Van. The high level of accessibility of the summer Law Van, including with the van’s prominent location, is one factor that is very likely associated with sustainability.

2. The Power of Social Media

The Law Van meets an important access to justice objective by reaching out to people experiencing problems and informing them that help is available, where and when. Social media is a well-established mechanism by which the Law Van is accomplishing this goal. Both the power of social media in general, and the extent to which people learn about the Law Van through normal patterns of communication using social media suggest that it is an aspect of the Law Van’s operations that can be used to build sustainability.

¹⁰ Lisa Harrington, Sustainability: Theory and Conceptual Considerations. A Review of Key Ideas for Sustainability and the Rural Context, Papers in Applied Geography 2 (4) 2016, pp. 365-382

Generally, social media has the potential to reach large numbers of people with information about the Law Van. In 2022 the highest reach for a daily post was 8161 people (people with a post about the Van on their screen). This number can vary enormously from one day to the next. Looking at other numbers, the highest number of likes was 722 and the highest daily engagement was 122. In 2019 the initial Facebook post for the Law Van was viewed by over 10,000 people. The other 9 highest numbers of Facebook post views ranged from 2000 to 6500.¹¹

Data about how people requesting assistance learned about the Law Van is instructive in a more specific way. In the summer of 2019, 14.2% of people coming to the Law Van for assistance said they had learned about the van on social media. This percentage increased substantially from the first to the last month the Law Van operated in 2019, from 2.3% in May to 32.9% in October. During the summer of 2021, 25.4% of people said they had learned about the Law Van by means of social media. This figure was 29.7% for the winter venues during November 2021 to April 2022. In the summer of 2022, 15.4% of people assisted at the van said they had learned about it through social media. This decline may be due to the fact that more people already know about the Law Van as time goes along.

The quantitative data are supported by anecdotal unsolicited comments made by people when they interact with the legal workers at the van. “I saw you on social media” is a frequent response when people are asked how they learned about the van. There is a social element to how people learn about the Law van through normal patterns of communication. “My mother saw you on Facebook and suggested I come in to see you.”

The data suggest that social media is an important means by which the Law Van is reaching out to members of the public who might have unmet legal needs and informing them of where help is available. A significant percentage of people learn about the Law Van by means of social media. An important part of any strategy to assure that the Law Van is sustainable will include social media.

The use of the summer locations and winter venues are highly localized. Most of the people coming for assistance say that they live in that area. Social media might also be relevant to greater accessibility as well as sustainability by reaching out to more people beyond the towns where the summer van and winter venues are located. Seven communities in Wellington County that were visited by the Law Van in 2019 were dropped in the 2021-24 three-year project. The communities in which visits were discontinued in 2021 had the lowest numbers of people assisted in the 2019 project. Making stops in fewer communities may have left geographical gaps in coverage and accessibility.

In addition, analysis of the 2021 data suggest that the Law Van is highly localized. In 2021 the majority of people seeking assistance at the Law Van were residents of the community where the van was located on that day. Social media might be used to attract people who do not live in the local areas in which the Law Van stops. People in rural areas drive to different places in the region to access other services. Although the Law Van service is very localized, the evidence also indicates that people do drive from other towns to where the Law Van stops on particular days. For example, 20% of the people requesting service when the Van stops in Fergus live elsewhere.

¹¹ Someone Out There Helping, p. 14

Table 2: Percent of Users of the Outdoor Mobile Van from the Local Area, Wellington County and North Halton, Summer 2021 and Winter Venues 2021-2022*

	SUMMER 2021		WINTER 2021-2022	
	Number	Percent	Number	Percent
Fergus	85	80%	6	50%
Mt Forest	71	91%	5	60%
Arthur	49	79%	7	56%
Palmerston	37	88%	1	50%
Clifford	12	67%	--	--
Georgetown	21	78%	16	100%
Acton	21	89%	3	76%
Guelph	--	--	12	100%
Rockwood	--	--	2	100%
	296		52	

*The numbers include valid responses only, omitting missing data and responses labeled unknown

3. The Law Van Fits with Rural Culture. It Is From Around Here¹²

The Mobile Rural Law Van fits into an identifiable way of life, a rural culture.¹³ Through consistently and repeatedly showing up in rural communities the Law Van has earned its place in the communities it serves. Being accepted as part of the community being served by the people who live there is important for sustainability. The Law Van also contributes to alleviating the frequent and important rural problems such as transportation and lack of digital technology or adequate internet bandwidth. The Law Van's contribution to the resolution of these issues may contribute to sustainability through the increased accessibility noted earlier. However, the degree of fit between the Law Van and rural culture is the more fundamental element supporting sustainability.

In the 2019 project 586 people visited the Law Van. Of that number, 464 people requested assistance with a problem. 122 people, 20.8%, came out of curiosity. They did not pause for a second look as they passed by, although more people may have done so. Although this interpretation would require more detailed data, people were responding to the presence of something unfamiliar in their place. People were not only noticing something new and continuing on their way. They were coming over and asking, who are you? This is an expression of rural culture. It is distinct from big city urban life although it is more similar to ethnic groups in distinct neighbourhoods within cities.

This matters because in order to maximize its success, a service has to be accepted by the people, by the community being served. People in rural areas may not embrace new services easily. Also, perhaps paradoxically, they are aware that services are not as available to them as is the case in big cities and are sensitive to that reality. This is a matter of trust. In rural culture, in rural areas, trust matters a great deal. People value face-to-face contact. They will respond to services provided by telephone or virtual means, but it helps if they know you first. In rural culture trust is bound to a sense of place. In many situations, in the course of service provision people will often eventually get around to the question: are you from around here? The physical presence of the Law Van, appearing on a regular basis in places that people consider their own eventually comes to mean that the Law Van belongs. It is from around here.

¹² I want to thank Maddy Smith, the Rural Community Worker at the Legal Clinic of Guelph and at Halton Community Legal Services for her insights about rural life which form the basis of this section.

¹³ Rural culture as described here has similarities with that of ethnic groups within cities or stable neighbourhoods in which people have lived and known each other for a number of years. The cultural differences between rural and large metropolitan areas in terms of what people value and how they relate to one another are most important at the macro level of the whole city or the rural area.

Anecdotally, when the Law Van reappeared in some of the communities in 2021 after a one year absence, some people coming to the Law Van remarked we're glad your back. In the shorter term, from week to week, people ask on Facebook: when will you be back?, is there a day they will be coming back?, when will they be back in [town]? and are you not coming at all to [town] in November? There is an expectation that the Law Van will be there, a regular and expected part of what goes on in the community.

The presence of the Law Van becomes part of the normal social interaction and communication in communities. One person coming to the Law Van in the summer of 2022 said, my mechanic suggested I should come in to see you. When asked how s/he learned about the Law van, another person said, the whole town is talking about you. The response by another person seeking assistance cited above with reference to the use of social media is also relevant; My mother saw you on Facebook and suggested I come in to see you.

The Law Van has earned a place in the communities it serves by being available to people where they are at, on their terms and in their place. The Law Van is sustainable because it has become part of rural culture, a part of the communities being served. It has earned its place by showing up reliably week after week – when it is hot or cold, when the weather is fine or raining. While these are empirical observations, they are not systematic and not as definitive as one might prefer. They are empirically grounded propositions that could be examined more thoroughly by collecting interview data from people coming to the Law Van.

It is not certain how the rural culture hypothesis applies to the winter venues. Although the winter venues are in small rural towns, the process of accessing the winter venues is in a sense the reverse of the summer Law Van. This requires more examination. The propositions and assumptions discussed in this section could be examined empirically by collecting interview data from people coming to the Law Van.

4. The Community as a Sustaining Resource

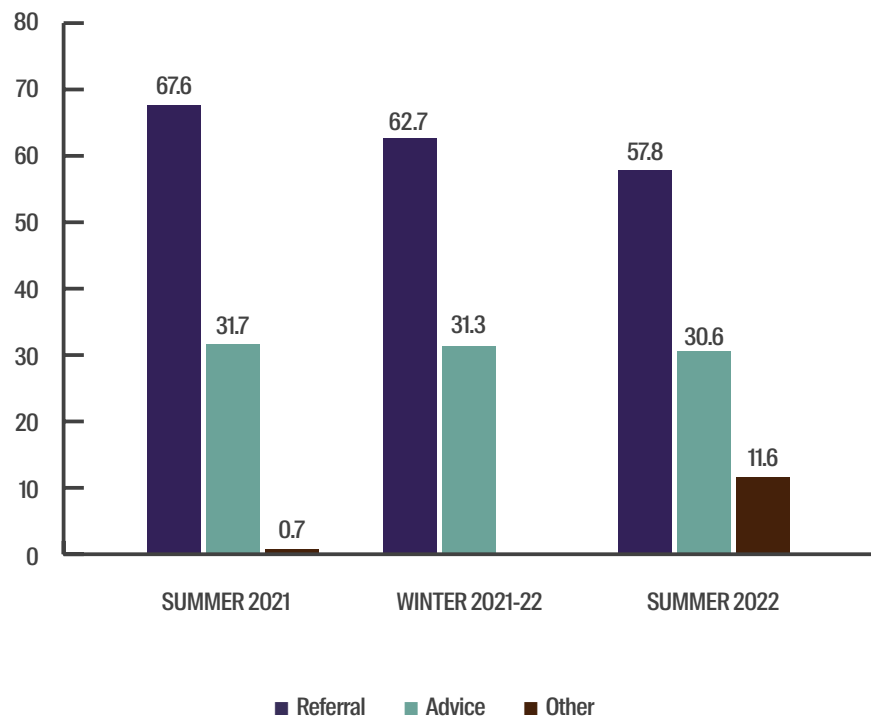
The community being served is the resource that is needed to fully meet the needs of the people who live there.¹⁴ The staff of the summer Law Van and the winter venues cannot solve every problem. Yet, it is the strength of the van that people come seeking help with many kinds of problems that are troubling them, presenting a wide range of legal and non-legal problems. The capacity of the winter and summer law van is strengthened by being connected with the social organization of helping that exists in the community creating a network of access to justice services. This capacity, which is part of the community, contributes significantly to the sustainability of the Law Van project. The law van is able to help more people because other organizations refer people. It is able to be part of a holistic and integrated service because of the combined resources of partner organizations to deal with aspects of multiple, often complex problems. The van is able to arrange help for people it could not otherwise assist because of the organizations to which people can be referred. This network of working relations creates a structure in which the whole becomes greater than the sum of its parts. A big part of why the Law Van project, winter and summer, is sustainable lies in the fact that it is constantly growing its capacity to assist people by partnering with other helping organizations in the community. It is extending the reach of the Law Van, strengthening the community and making access to justice a part of the social organization of helping in the communities of which it is a part.

Referrals Out

Referrals to other sources of help figure prominently in the assistance offered by the Law Van and winter venues. Figure 3 shows the type of assistance provided by percent for summer 2021 and 2022 and winter 2021-2022. Consistently, about 60% to two thirds of all assistance provided is a referral to another agency.¹⁵

¹⁴Ab Currie, *The Community Being Helped is the Resource that is Needed to Extend Access to Justice to the Community*, Canadian Forum on Civil Justice, Toronto, 2020; Ab Currie, *The Communities Being Served Are the Resources that Are Needed: Innovations in Community-Based Justice in Ontario*, An Anthology of Canadian Research, Canadian Forum on Civil Justice, March 2022, 424 pages.

¹⁵Advice means service provided to an individual about a particular matter by a lawyer or other legal worker. Advice is normally provided for matters that fall within the areas of specialization of the community legal clinic. The individual might be referred to the community legal clinic depending on the complexity of the matter and the expertise of the individual providing service at the Law Van or winter venue. Other types of assistance include brief services such as writing letters and emails, searching for information or making phone calls.

Figure 3: Type of Assistance

Based on data from the summer 2022 Law Van presented in Table 3, the majority of people are referred to major sources of legal assistance for legal advice or information. This makes sense because people come to the Law Van and the winter venues requesting help with legal problems. Referrals to sources of legal assistance make up a total of 51.1%, including referrals to the Law Society lawyer referral service and to Pro Bono Ontario, to one of the community legal clinics and to the private bar.

Table 3: Referrals for Assistance, Summer Law Van 2022*

Type of Referral or Organization	Number	Percent
Legal (e.g. lawyer referral or pro bono)	41	23.8%
Community Legal Clinic	30	17.4%
Family Law Information Centre	25	14.5%
Community Organization	22	12.8%
Government Department	17	9.9%
Private Bar	17	9.9%
Organization Providing Legal Information (e.g. Community Legal Information Ontario or Canadian Law Information Council)	9	5.2%
Member of Federal Parliament or Provincial Legislature	2	1.2%
Other	9	5.2%
Total	172	100.0%

*The numbers represent referrals rather than people referred. If an individual had two problems and was referred to two sources of help, both referrals are counted.

Referrals figure prominently in the service provided. It is not known if people are following up with the referrals, whether they were appropriate and if they were helpful. Legal needs research has identified referral fatigue¹⁶ as a problem in which people discontinue seeking help because of being exposed to one or more unhelpful referrals. This raises the question: should the effectiveness of referrals be an objective of the Law Van project? This would introduce an outcome objective in addition to the accessibility objectives discussed above.

Referrals are related to sustainability. It has been fairly remarked that rather than seeking legal remedies, people want to have their problems resolved.¹⁷ It is a safe assumption that good referrals are therefore important for people. Moreover, good referrals are important for the reputation of the Law Van project and its reputation in the community.

There are limitations to carrying out a more detailed examination of referrals. The organizations to which referrals are made would most likely not identify referrals as having come from the Law Van and winter venues. Nonetheless, discussions with these agencies about referrals at a general level might leverage some working relationships or connections that would lay the groundwork for a network of access to justice services with the Law Van at the centre with respect to serving people who come to the Van.

Referrals to the Law Van and Winter Venues

Referrals coming to the Law Van and the winter venues are, in theory, important aspects of increasing service to people in rural Wellington County and North Halton. We know from the legal secondary consultation service that there are many helping organizations in the community serving their own clients or members of their constituencies. The research on secondary consultation indicated that these service agencies and voluntary associations are eager to partner with community clinics to obtain advice on the legal aspects of problems with which they are helping people.¹⁸ Partnering with helping organizations in the community through referrals going both ways will increase the numbers of people served by the Law Van and contribute to its sustainability. At present both the Guelph and Halton clinics continuously review referrals and assess how to strengthen this aspect of service.

The data presented in this section are based on a question asking people present at the van or winter venue how they learned about the Law Van or the winter venues. There is a considerable amount of missing data on the question about how people learned about the van. The discussion about referrals to the Law Van should, therefore, be read cautiously.

There are apparently few referrals to the Law Van from community organizations. The data shows 41 mentions of community organizations as sources of learning about the Law Van.

- 2 specifically mentioned a referral
- 3 mentioned learning about the Law Van while visiting the organization, but not specifically a referral
- 3 mentioned secondary consultations as the way they learned about the van. This could mean being directed to the van or the winter venue by the community group with which the secondary consultation was carried out.
- 3 people said they learned about the van from the Food Bank in Fergus
- 5 people learned about the van from the provincial MPP or federal MP
- 3 people learned about the van from Second Chance Employment
- 23 people learned about the winter venues from the Health Van during winter 2021-2022

Based on other anecdotal information, two people were referred to the indoor “law van” by the organizations hosting the event on those days. The Rural Community Worker also reports that the law van staff at the winter indoor venues often overhear a receptionist or other staff member at the host organization informing clients that the indoor law van is present on that day. The organizations hosting the indoor venues are obviously connected, each one in a different way, with disadvantaged people with unmet needs. More effort at encouraging referrals from these internal organizations has already been identified by the Rural Community Worker as a good way to expand the number of people served. Finding

¹⁶ Making Referrals For Legal Services, Community Legal Education Ontario, September 2019

¹⁷ Rebecca L. Sandefur, Access to What? Daedalus, American Academy of Arts and Sciences, Winter 2019

¹⁸ Ab Currie, Legal Secondary Consultation: How Legal Aid Can Support Communities and Expand Access to Justice, Canadian Forum on Civil Justice, 2018

ways to expand the number of people served at the winter locations is a concern. Encouraging referrals in this way might partly address this issue.

Further, efforts could be made to connect with other community organizations throughout rural Wellington County and North Halton. The Halton and Guelph community clinics continue to receive requests for secondary consultations and on-line legal health check-ups with requests to receive a call from the clinic. There may be an overlap between these established pathways to legal help and referrals to the summer and winter law van. Increasing referrals from community organizations would increase the number of people assisted. It would also build sustaining partnerships with a network of community services.

Collaborative Partnerships with Helping Organizations in the Community

The Law Van project has developed several collaborative partnerships with other service providers in the area. In North Halton at the winter venues the “winter van” is joined at the libraries by two organizations, Halton Housing Help and Halton Women’s Place. If it is discovered during the initial holistic intake discussion with the law van staff that the individual is experiencing housing needs or a family issue and could benefit from those services, the person is taken directly to a representative of the other service located in another room at the library. Usually, the Law Van staff person walks with clients to the room at the library where Halton Housing Help Halton or Women’s Place has set up, explains the situation and the help the individual might require to the staff of the other helping organization.

During the winter of 2021-22 the Wellington County winter venues have been located on the premises of other service providers rather than in church halls where the law van tended to be more isolated. On one day the “winter van” co-locates with a Rapid Access Addiction Medicine Clinic. The Rapid Access clinic offers drop-in and appointment services for individuals looking for assistance with substance use. This once-weekly co-location has been a very successful collaboration. The Law Van takes referrals/appointments from the Rapid Access clinicians when an individual has a possible legal issue. The Rapid Access addiction clinic alerts their patients to our services so people can arrange appointments that coincide with the presence of the winter law van.

On another day the winter van locates at Wellington County Learning Centre. The learning centre staff often arranges secondary consultations with the Law Van staff, directly consulting the rural case worker about an issue while continuing to provide service to their client. Alternatively, the staff will also bring clients to the Law Van to receive assistance.

On a third day, another successful co-location in Wellington County is with an employment agency. The staff takes calls for the winter van on their main line when people aren’t sure how to reach the law van service. The employment agency informs their clients about the presence of the winter van. Clients are directly and immediately referred between organizations when the service providers of either the employment agency or the winter van think an individual might benefit from the other service.

On other days in Wellington County the winter van co-locates in a Canadian Legion and in a Family Health Team office. The Rural Community Worker is exploring the possibility for engagement with the Family Health Team.

In the summer the Wellington County Law Van synchronizes its schedule with the Community Health Van of Guelph and Wellington County on several days a week. This involves having both vans parked close to each other at the same location. In this way a temporary mobile service hub is created. People move between the two vans to access services. The health van provides food, hygiene products and drug harm reduction kits to clients. The Health Van is the dominant draw for people seeking help. Experience at the Law Van suggests that it may take a few visits for Health Van clients to come to the Law Van. During the winter the Health Van has made an effort to ensure their clients connect with the winter van when they detect a need. The Health Van, which visits the City of Guelph twice monthly, identified an increased need for housing law supports. As a result, the staff at the Health Van reached out to obtain the Law Van services for their clients. The winter van is exploring ways to adjust its schedule to coordinate with the Health Van.

Apart from the Community Health Van, the organizations mentioned above do not coordinate with the Law Van in the summer. One of the main activities of the Rural Community Worker is to explore other connections during the summer months. One interesting possibility for collaboration is another type of health van, presently referred to as a “liver van”, that provides harm reduction and Hepatitis C testing in the area. The Law Van might provide service in some cases for people that need emergency help and where in-person contact might be helpful.

There are many possibilities for making connections between the summer and winter vans and other service organizations and voluntary groups. From the perspective of the Law Van, these working partnerships draw on the strength of the community to build a holistic, integrated and people-centered service. These connections contribute to the sustainability of the Law Van by embedding it in a mutually supporting social organization of helping that is an important aspect of the community being served.

Interdependence Between the Clinics and the Law Van

There is an interdependence between the clinics and the Law Van. Intakes at the clinics are often sent to the van for service. The service received at the van may be faster and closer to the individual's home than what is possible at the clinic. Housing is a high-volume problem at the clinics. Referrals to the Law Van in this area of law takes pressure off the clinics. As well, referrals to the clinics are made for people first coming to the van when more extensive or effective service can be provided there. Differences between the summer Law Van and the clinics may be due to the van being a drop-in service, whereas the Clinic is by appointment. It is possible that many people look into what legal areas the Clinic can assist with before calling. On the other hand, many people just drop by the Van while engaged in other day-to-day activities and may not have the time to research what areas of law are practiced.

Apart from the reciprocity between the clinics and the van expressed through mutual referrals, there is also a complementarity between the clinics and the Law Van. An analysis of intake data for one month at the summer Law Van and at the Guelph clinic in June 2022 indicated that 24.7% of people coming to the van for service experienced a problem that could have been dealt with by means of direct service at the clinic and, conversely, 75.3% of the problems would not normally have been handled at the clinic but would have been referred to another organization. Turning to the clinic, 16.5% of clinic intakes involved matters that might have been better dealt with directly at the van; 83.5% could have been dealt with at the clinic. This suggests that the van and the clinics make up complementary aspects of the overall delivery model. This is supported by the data presented above showing that a large percentage of problems experienced by users of the Law Van fall outside of the four to six problem types that make up the majority of problems. The reciprocity and complementarity between the people coming to the Law Van and clinic intakes suggests an interdependence that contributes to the sustainability of the Law Van.

Sustainability Is Not Just About the Cost

Sustainability refers to the capacity to maintain or improve over time the availability of desirable conditions or outcomes.¹⁹ Sustainability is about resources, but not only, or necessarily, the direct infusion of money. The Law Van project is supported by a grant from The Law Foundation of Ontario plus in-kind resources from the two community legal clinics. The provision of in-kind resources is motivated by the commitment of the clinics to meet the legal needs of the public more fully through holistic and people-centered approaches.

The cost of operating the van is a combination of cash and in-kind resources. The annual budget for the project from the Law Foundation grant is \$83,333. That amount covered part of the purchase of the vehicle in 2021. The Legal Clinic of Guelph and Wellington County contributed a portion of the cost of the van from clinic resources. The caseworker costs are covered by the clinics. The project budget covers most of the rural community worker and operating costs. The rural community worker is present at all of the summer locations of the van and at the winter venues, providing direct service in response to some requests for assistance. In addition, the community worker also carries out the on-going community liaison with community organizations. The two clinics make available a case worker for each summer and winter venue. This in-kind contribution of lawyer time amounted to 193 days during the winter of 2021 - 2022 and the summer of 2022. The seniority of the attending lawyers varied, depending on availability that week. The cost of administration for the

¹⁹ Cf, Harrington, p.3.

project is covered by the Guelph clinic.

The total project cost or the average cost per person assisted could not be calculated.²⁰ However, the importance of cost is cost-benefit, the value of the service in relation to cost. A recent study of community-based justice in South Africa considered an initiative to be sustainable if the cost-benefit ratio was more than \$1 of value or benefit for every dollar of program expenditure.²¹ The South African study convincingly marshalled evidence of the qualitative aspects of the benefit side of cost-benefit analysis. Greater emphasis on cost and cost-benefit of the Law Van might be considered at the end of the three-year project. However, for this mid-point assessment of the sustainability of the project, the focus is on programmatic or project development aspects that contribute to sustainability.²²

The sustainability of the Law Van is not just about monetary costs that could be expressed as cost per case. The increasing numbers of people served and the numbers at the summer Law Van and winter venues provide accumulating evidence that the Law Van service is successful. What elements of the project make it sustainable? What will enhance its sustainability? Five aspects of the law van project appear to be important for sustainability.

- the high degree of accessibility of the summer van
- the effective use of social media
- the good fit with rural culture
- strong connections with the other helping organizations in the community through networks of referrals and collaborative partnerships
- interdependence between the clinics and the Law Van

Sustainability can be usefully understood as an on-going process of development. Expanding referrals to the summer Law Van and the winter venues from other service organizations will contribute to greater sustainability. Developing a dialogue with the organizations to which people are referred to assure that the people being referred are receiving the maximum benefit from them might enhance sustainability by building the perception within the community that assistance received at the law van works to resolve problems. The continuing development of collaborative relationships with other organizations will also be important to provide holistic and integrated service to people with multiple legal and non-legal problems and with complex problems. These collaborative partnerships will increase the effectiveness of the network of access to justice services of the clinics and their partner organizations to reach increased numbers of people with unmet needs. The project is quite localized, in most communities primarily serving people from the immediate area. The telephone and on-line services that were adopted in Wellington County during periods of inclement weather or to staff shortages and by Halton to respond to COVID restrictions might be further developed to expand services beyond in-person visits. The continued use of social media can reach more people and might be used to reach people in parts of the rural area where stops by the summer Law Van and winter locations are not feasible.

Sustainability is about more than money. Of course, the Law Van project requires money, but sustainability depends on much more than that. It depends on the organization and characteristics that connect it with the people living there and in need of assistance. Second, sustainability depends on the connections forged with the organizations that make up the social organization of helping in the community.

²⁰ At present, sufficiently detailed data are not being collected to accurately determine costs such as the monetary value of lawyer time

²¹ Winnie Martins, Carol Friedman and Sophia Mukorera, Comparative Findings and Analysis Across Community Advice Offices, Brief 10, Centre for Community Justice and Development, Republic of South Africa, 2022. Downloaded from International Development Research Centre idrc.ca/en/project/scaling-access-to-justice-research-collaboration

²² For a discussion of cost-effectiveness analysis and cost-benefit analysis see Erol Digiustro, Effectiveness of Public Legal Assistance Services: A Discussion Paper, Justice Issues, Paper No. 16, Law and Justice Foundation of New South Wales, 2021. P. 10