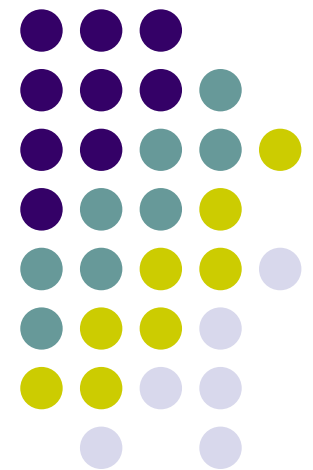


Legal Services for the Elderly and the Use of Technology

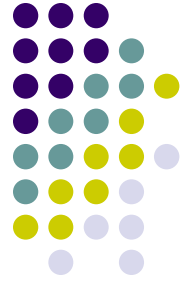
Judith Wahl
Advocacy Centre for the Elderly

www.ancelaw.ca

wahlj@lao.on.ca



Advocacy Centre for the Elderly



- Community legal clinic
- Opened in 1984 – Funded by Legal Aid Ontario
- Cross Provincial Mandate
- Range of Legal Services including
 - Legal advice and representation
 - Public legal education programmes and materials
 - Community Development and
 - Law Reform work
 - NEWSLETTER available through Email

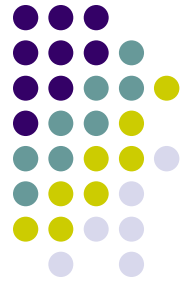
(contact gillardt@lao.on.ca and ask to be included on E newsletter List)

Context in which we are operating



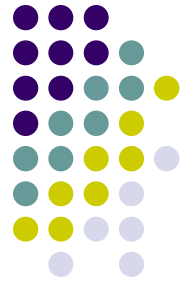
- We are lawyers/ legal support staff
- Limited although growing knowledge of computers and technology
- Limited budgets
- No specific budget for technology development
- No dedicated expert staff or contracted service for technology development
- Existing computer supports all centrally controlled (not by ACE) and not able to provide individualized services including advice/ consultation/ assistance expect for limited software/ hardware assists for repairs to keep existing system operational

ACE Research on the Use of Technology for the delivery of Elder law Services



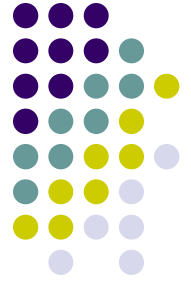
- Pressure from client community and from primary funder to serve more clients with direct legal services and increase service and statistics
- As a specialty clinic serving seniors across Ontario, challenge to reach out and connect with seniors beyond a Greater Toronto radius with limited staffing (8 staff), limited budget

What do we do already to cast a cross provincial net?



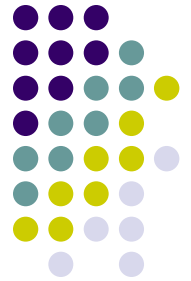
- ACE “Hotline” service
 - Provide summary advice via telephone to seniors and other callers
 - LAO data system defines these as “advice” (.4hr or less)
Or “brief services” (.4 hr to 3 hours) – some brief services exceed 3 hours before resolution and may or may not be converted to “files”
 - Includes full advice through to legal information through to referrals to private bar and other services
 - May include mailing or emailing of materials for self help (MANY Alternative level of care cases have been done through combination of telephone advice and emailing or mailing of a memo of law describing the legal arguments/ position to help people self advocate before returning back to ACE for any additional direct assistance

What do we do already to cast a cross provincial net?



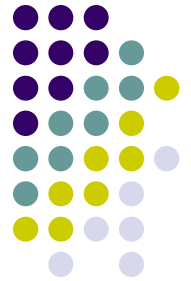
- Interconnect with other legal clinics to assist seniors in the jurisdiction of those clinics
 - Direct client assistance
 - ACE retained by Clinic who is retained by client
 - ACE and Clinic jointly retained and work together as a team
 - ACE advises clinic lawyer/ CLW who is helping the client

What do we do already to cast a cross provincial net?



- Direct client assistance
 - ACE give legal information/ advice to private bar lawyer/ paralegal who is helping the client
 - ACE gives legal information to service providers to seniors and referrals to private bar/ own service lawyers for full advice

Technology use now in Direct Client Service



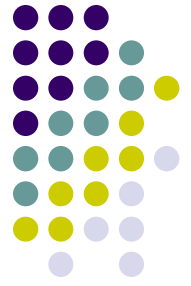
- Involves use of telephones
- May involve use of email to confirm discussions and or transmission of legal information by attachments or references to websites
 - Is this an area (direct client advice service) to expand use of technology?

Issues to think about in expanded use of technology for direct client service



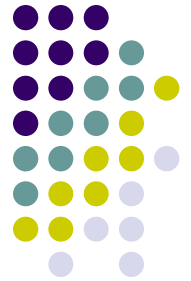
- Issues :
 - quality of computers- old hardware and software
 - Computers under central LAO control
 - Not able to download new programmes
 - Security systems limit/ prohibit use of Skype and some other software
 - central computer supports not able to provide fast service/ comprehensive services needed
 - Limited budget for parallel system (and inefficiencies if two systems)
 - Legal service issues (confidentiality, comprehensiveness of advice, disclaimers, potential not to have the full story, whether you are creating a solicitor client relationship by giving answers by email or through the internet)
 - Client access to computers- can low income seniors afford computers and internet access etc or get access through other places and if so how much access?
 - Client literacy and computer skills/ comfort with technology

What do we do already to cast a cross provincial net?



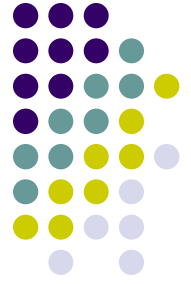
- Continuing Legal Education to clinics/ private bar lawyers on elder law issues
 - At clinic regional conferences
 - At interclinic work groups
 - Through CLEO webinars
 - Through LSUC/ OBA continuing legal education live programmes/ webinars as speakers or through an ACE organized programme offered through CLE providers (including private CLE providers and Osgoode Hall CLE)

What do we do already to cast a cross provincial net?



- Public Legal education to seniors and service providers to seniors through
 - Website materials and materials that can be downloaded
 - Paper materials (pamphlets, booklets, legal manual (600 page book) on Long Term Care Law)
 - Webinars through CLEO, AKE Knowledge Exchange, private companies
 - Live seminars, conferences, workshops across province primarily through programmes organized by another party

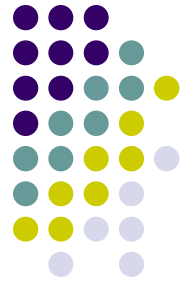
Issues to think about in expanded use of technology for Public legal education



Many of Same issues as for direct client services

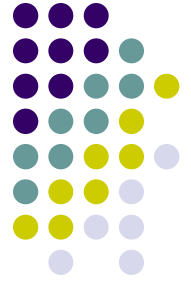
- Computers under central LAO control
- Not able to download new programmes
- Security systems limit/ prohibit use of Skype and some other software
- Central computer supports not able to provide fast service/ comprehensive services needed or any services if using programmes not centrally provided by LAO
- Limited budget for parallel system (less inefficiencies if using only for PLE)

Issues to think about in expanded use of technology for PLE



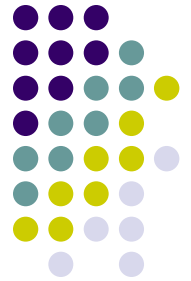
- Client access to computers- can low income seniors afford computers and internet access etc or get access through other places and if so how much access?
 - What software? Tech assist to the users? Costs to the users?
 - Any alternative funds (HRSDC? Other resources?)
 - Do we need to research / find/ facilitate funding /other resource for seniors and seniors groups? (setting up the infrastructure for long term gain)
- Client literacy and computer skills/ comfort with technology quality of computers- old hardware and software

Issues to think about in expanded use of technology for PLE



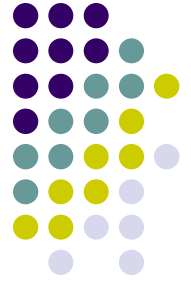
- Use of webinars for PLE
 - How do seniors and service providers LEARN
 - Format of ppt and talking OR pt/ talking and interaction (live questions etc)
 - Format of ppt /talking/ live interaction/and visual
 - What is the best software and how do we support it (tech assistance that we can afford and that is available on a timely basis)
 - Archiving of webinars for future access (how do we do this, can we do it on our website, what do we need to add to our website for this purpose?)
 - Costs for all of this (can we afford to do it properly within budget or where can we find money/ tech assist from (sponsors, fundraising

What do we do already to cast a cross provincial net?



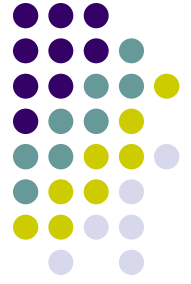
- Law Reform
 - Consult seniors and service providers through live meetings (facilitated through mail and email contact)
 - Prep briefs and circulate through Email and by posting on website and regular mail
 - Use of Google alert and other web services to get alerts on issues/ media releases/ other materials to keep abreast of changing law reform environment and positions of other players
 - Participation in government consultation committees (live meetings primarily but also written submission sent by email or mail)
 - Letters to politicians/ policy advisors/ media re: particular issues
 - Appearances before committees of the legislature
 - Letters to service providers (either to alert them to issue or to survey them to get data for our law reform advocacy etc)

Issues to think about in expanded use of technology for law reform

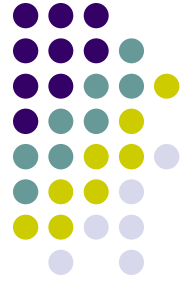


- Use of Facebook/ Twitter to create a buzz / increase circulation of key LR messages on an issue
 - how do we do that?
 - What technology do we need to do that (only 2 of 5 lawyers in the office have Blackberries and one other lawyer has office phone)
- Increase use of email to circulate materials/ position papers
 - Challenge of getting access to and maintaining up to date email addresses
 - Email overload – how do we know the e-alerts etc are even reaching the people that we need to reach?

We don't know what we don't know....

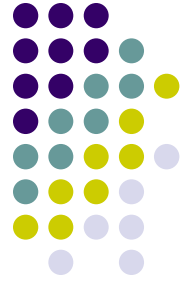


- Understanding of software and hardware we have
- Finding out what else we could get (free, low cost, that would save us time and do what we want to do..)
- Training – getting everyone/ some people up to speed to use the technology (time and money)
- Money – where do we get the money as not within budget to get the equipment/ training/ pay for ongoing costs/ pay for repairs and maintenance
- How to get our low income client community access/ assistance/training/ on going support and **ACCOMMODATIONS** for sight/ dexterity needs/



ACE plans

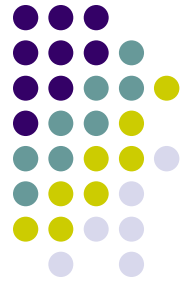
- Research on seniors use of technology in general
 - Direct surveys, live discussions
 - Research of literature
 - Talking to the “experts” if we can find them
 - Looking into how to help clients get access
 - Sources of hardware/ software
 - What are ongoing costs and how to manage that
 - Resources for funding
 - Group access sites and cost for use (can we “borrow”/ get donated existing systems such as at LSUC, private companies to do combo webinar/ live presentations?)



ACE plans

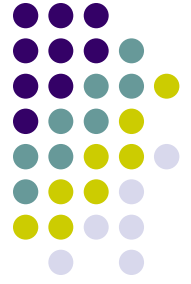
- Research on Seniors Learning through technology
 - How do adults learn through technology?
 - Formats of webinars, interactive sessions to make such sessions worthwhile
 - Accommodations that can be used in seniors' use of technology and how that helps use and learning

Challenges in direct elder law client service delivery through technology



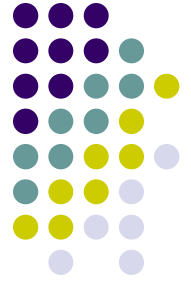
- Disclaimers and creating a solicitor-client relationship (legal information vs legal advice debate)
- Getting the full story to be able to then provide the answers
- Most elder law areas of law not suited to simple direct answers so limitations on “scripts”
- Confidentiality
- Vulnerability – Lesage’s comments in the Gosling Review of the impact of vulnerability and Ned for “face” time with vulnerable adults
- Determination of Capacity if giving advice
- How to avoid conflicts

In Office Guide



- Development of an advice protocol- Sorting what can be done through email/ on internet and what needs a direct call or face contact
- Development of an education protocol – sorting what's suitable to do through webinar/ interactive session formats and what's not

Moving along the technology highway



- Continuing the path we are on
 - adding in webinars
 - developing and using website
 - taking advantage of technology resources of others (AKE, SHRTNN, MOHLTC, LSUC etc)
 - Undertaking “combo” programmes – live events along with technological trail (podcasts/archived webinars/ materials' on websites/ teleconferences on video)