



Government
— of —
Saskatchewan



Ministry of Justice and Attorney General
Deputy Minister of Justice and
Deputy Attorney General
1000 - 1874 Scarth Street
Regina, Canada S4P 4B3

March 24, 2022

Standing Committee on Public Accounts
c/o Trent Wotherspoon, Chair
Room 7 - 2405 Legislative Drive
REGINA SK S4S 0B3

(Via Email)

Dear Chair Wotherspoon:

**RE: Ministry of Justice and Attorney General Public Accounts Committee Appearance of
March 2, 2022**

At the ministry's appearance at the March 2, 2022 Public Accounts Committee meeting, ministry officials received some questions for which they were unable to provide a response. At that time, the ministry undertook to provide a response to the Committee that addressed the questions. What follows below are the responses to those questions.

Saskatchewan Legal Aid Commission—Providing Legal Aid Services

Question:

1. Ms. Ritchie: How many people have applied and been denied legal aid in the past year since the audit?

Response:

Legal Aid Saskatchewan is providing the statistics for the entire organization as applications are taken in all Area Offices as well as the Application Center. During this timeframe, Legal Aid Saskatchewan has also further standardized the application processes, which included setting the expectation that a formal application is taken from anyone who wishes to apply even if it is clear to the employee that they will not qualify for legal aid. Legal Aid Saskatchewan also launched an online application process which makes it much easier for applicants to apply.

The figures below include all applications except for duty counsel advice and summary advice which are short services with no eligibility requirements.

Fiscal Year	Applications	Denials
2017/18	28,930	2,022
2018/19	28,096	1,914
2019/20	28,182	1,730
2020/21	22,620	2,108
2021/22 (to March 3, 2022)	27,862	2,949

Question:

2. Ms. C. Young: Based on the staff performance evaluations that you have partially implemented, are there any lawyers on probation currently?

Ms. Mallin: — All of our lawyers are subject to a probationary period of nine months. So Legal Aid always had a probationary evaluation process, so there was an evaluation at the halfway point and at the end of the probation. And then what was implemented was the performance evaluation piece. As a result of those performance evaluations, there are some performance improvement plans in place. They're no longer probationary because they're permanent lawyers now. But there are performance improvement plans in place as a result of those performance evaluations.

Ms. C. Young: And how many of those would be on a performance evaluation?

Response:

Several conversations about the need for performance improvements took place with staff and Legal Aid Saskatchewan's Practise Management Counsel as a result of performance evaluations and their regular probation review process. It was determined in consultation with the staff's respective Legal Director that formal performance improvement plans were not required, and staff would be monitored through regular file review procedures.

Supporting Provincial Court of Saskatchewan to Manage Court Workloads

Question:

1. Ms. Ritchie: On page 254 from the 2018-19 data indicates that the length of time to case resolution had been set at 259 days. Can you provide updated numbers for 2019-20 and 2020-21 please?

Response:

The 2019-20 and 2020-21 targets for length of time to case resolution for adult criminal matters were 246 days and 234 days, respectively. The actual results for these years shows the length of time was 252 days for 2019-20 and 287 days for 2020-21.

Question:

2. Ms. Turner: — So I would say that there is probably four categories of term employees that we look to initially in court services. We have our court administrative staff who work in the office. They work on the front-line counters that you see when you come into court offices. They process a lot of the payments. We also, of course, have the fine revenue branch that collects all of the fine revenue for the province. So we have a number categorized as court admin positions. We have our judicial officers who work directly in the court. They are the clerks in the court with the judges. We have our technical group. We have a court technology unit that is dedicated to the court. And in part they're there because of the separation with the judicial branch and the need to have their own system in place. And we also then have deputy sheriffs who are remaining in court services for another 28 days and then they will join the new provincial protective services branch. So within each of these areas we needed to augment staff. We needed to do more security in some of the locations that we were moving into. We had moved trials off site because we didn't have the capacity, the space in the courthouses to hold these. So we started having trials at the Centre of the Arts and at Evraz Place, and you know, a couple of other places in Saskatoon, etc. It takes more people when you're in that. We needed the distancing to be involved. We needed more technology. I'm very proud of the amount of video conferencing that the province had prior to the pandemic. We had close to 200 video endpoints in the province, and again we received the nod to expand that in the summer of 2020. We're still working on that project. There's a lot more we can do. So we needed more technologists in that regard. So we went looking for them. So with each of these groups — you've asked about their qualifications — each of them have very specific jobs that are well documented. We are, you know, always in the business of staffing in those type of categories, so we know who can perform those jobs. And we just doubled down, if you will, to attract people to come in to assist in the various areas that we needed them. **We could certainly provide position descriptions of qualifications, that type of thing if that was helpful.**

Ms. Ritchie: — Thank you. That would be appreciated.

Response:

Attached are the job descriptions for the four positions noted above:

- Court Administrative Assistant;
- Judicial Officer;
- Deputy Sheriffs (Court Security); and
- Senior Video Conference and Digital Recording Analyst

Question:

3. Mr. Nerlien: Could you go back to the 1.2 million court appearances. That's a shocking number, I might say. Could you define "appearance"? If somebody comes in with five charges against them, is that five appearances in one case, or is that one appearance? **And then second, can you tell us how many people that 1.2 million represents, roughly? Just ballpark.**

Ms. Turner: But when we look at the average number of charges for someone appearing in criminal court, a rough average is about two to three charges per individual. And again, that's a rough number; we'll get you the exact number. But on average, that would be the average.

Response:

In 2021, the 1.2 million court appearances included 38,666 individuals appearing on adult criminal charges, each with an average of about 2.5 charges.

Office of the Public Guardian and Trustee of Saskatchewan-Providing Property Guardianship Services to Adult Clients

Question:

1. Ms. Ritchie: I see on page 109 a table identifying total adult clients and total FTE [full-time equivalent] trust officers for 2018 and 2019. I'm wondering if we could have updated numbers for 2020 and '21.

Ms. Decker: — We can provide 2020 information to the committee. I don't have that today but I do have our numbers as of March 31st, 2021. At that point we had 1,263 clients under adult guardianship. We did receive additional funding in our recent budget since the audit was done, and we now have 12 full-time trust officers. And we've gone from one to two supervisors for the adults unit. Both the supervisors have a very small caseload, but the trust officers on average have 104 cases per trust officer at this point.

Response:

For the fiscal year ending March 31, 2020, there were 1203 clients for whom Public Guardian and Trustee acted as property guardian.

Sincerely,



J. Glen Gardner, Q.C.
Deputy Minister of Justice and
Deputy Attorney General

cc: The Honourable Gordon Wyant, Q.C. Minister of Justice and Attorney General
Kylie Head, Q.C. Assistant Deputy Attorney General, Administrative Justice and Strategic Relations
Division
Monique Koochin, Executive Assistant to the Deputy Minister
Jan Turner, Assistant Deputy Minister, Court Services Division
Rod Crook, Public Guardian and Trustee
Jayne Mallin, Chief Executive Officer, Legal Aid Saskatchewan
Kim Leibel, Director, Audit Services, Integrated Justice Services