

LEGAL AID

Pays private lawyers on a case-by-case basis:
judicare

Long established: based on 1945 report

Strengths:

Private profession heavily committed

Many offices: widespread geographic access

As demand grew, so did service

Helped middle income groups: 50%-80% of households qualified for at least some help

Weaknesses:

Limited range of services

Limited range of subject matter

Heavy costs: \$38 per capita (compared with \$2 in US; \$9 in Ontario; and \$12 in the Netherlands).

Rising costs: “supplier-induced demand”.

Legal Aid Reforms 2000

Renaming:

Legal Aid Board = Legal Services Commission

Civil Legal Aid = Community Legal Service

Contracting:

Limiting number of lawyers taking part

Planning:

Trying to plan where firms should be

Prioritising:

- Excluding personal injury and business disputes
- Complex 'funding code'

Result?

- Reduction in number of firms
- Fall in morale (“buried under paper”)
- Fall in number of cases
- Increase costs per case
- Overspend on budget

ADVICE CENTRES

545 Citizens Advice Bureaux (CABx); plus over 800 other centres

CABx:

- Started in World War II
- Volunteers gave advice, using “citizens advice notes”
- Collectivist ethos
- Cost effective: one tenth the cost of legal aid
- Social policy work: bring problems to the notice of those in power
- Extremely well known
- Widespread public goodwill

BUT

- “you just can’t get through”
- for those “with nothing else and no-where to go”

QUALITY: LAWYERS AND LAY ADVISERS COMPARED

- Lay advisors take longer – at least twice as long
- Lay advisers get higher client satisfaction scores
- Expert review of files
 - % of sub-standard advice the same
 - Lay advisers more likely to rated excellent
- Advice agencies over-stretched: can't get through

BUT

- Difficult to give choices
- Difficult to give practical advice
- Advisor need training and backup