



Department of Justice Canada Client Feedback Survey

Departmental Results

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Table of Contents

INTRODUCTION.....	1
SURVEY METHODOLOGY	1
INTERPRETING RESULTS	3
CLIENT FEEDBACK – LEGAL ADVISORY SERVICES.....	5
CLIENT FEEDBACK – LITIGATION SERVICES (NON-CRIMINAL)	7
CLIENT FEEDBACK – LEGISLATIVE AND REGULATORY DRAFTING SERVICES.....	8
OTHER FINDINGS OF INTEREST.....	10
CONCLUSION	11
ANNEX A – RESPONSE RATES BY PORTFOLIO AND DEPARTMENT/AGENCY.....	12
ANNEX B – PROFILE OF RESPONDENTS WHO HAD USED LEGAL SERVICES IN PRECEDING 12 MONTHS	14

INTRODUCTION

The Department of Justice supports the Attorney General as the chief law officer of the Crown both in terms of the ongoing operations of government as well as the development of new policies, programs and services for Canadians to support the Government's priorities. Specifically, the Department provides legal advice to the Government and all federal government departments and agencies, represents the Crown in civil litigation and before administrative tribunals, drafts legislation, and responds to the other legal needs of federal departments and agencies.

The Department provides an integrated suite of common legal advisory, litigation, legislative and regulatory drafting services to government through:

- a network of 42 departmental legal services units (DLSUs) and 4 departmental regulations sections, which are co-located with client departments and agencies and organized along five portfolios – Aboriginal Affairs; Business and Regulatory Law; Central Agencies; Public Safety, Defence and Immigration; and Tax Law Services;
- specialized legal capacities within national headquarters, including the Litigation Branch, the Legislative Services Branch, and the Public Law Sector, which are organized into the Justice Portfolio; and
- a network of regional offices and sub-offices providing local level services to federal departments and agencies in the North, British Columbia, the Prairies, Ontario, Quebec, and the Atlantic provinces.

The Department is committed to providing high quality legal services to support government. As one of a series of ongoing initiatives to support this commitment to service quality, a standardized approach to obtaining client feedback on legal services was implemented in 2006.

SURVEY METHODOLOGY

Working in close partnership with the Statistical Consultation Group, Statistics Canada, DoJ developed a standardized questionnaire and methodology for collecting client feedback on the degree to which the delivery of legal services is meeting the needs and expectations of clients. Statistics Canada played an important role in reviewing and challenging the proposed approach throughout the design and implementation stages and was also involved in the analyses of survey data and the review of the presentation of findings contained in this report.

Because of the scope of the project, the survey was rolled out over a three year period on a portfolio-by-portfolio basis. The survey was administered to public servants employed across the country in 37 federal departments and agencies. The survey is aimed at potential clients at the EX minus one¹ (and equivalent levels) through to Deputy Heads of

¹ For certain departments and agencies, employees at the EX minus two (and equivalent) levels were also invited to take part in the survey.

the client departments and agencies. Based on consultations with service providers, it was determined that while individuals in these groups do not represent the entire population of potential clients, these individuals nevertheless represent the most likely users of legal services on an ongoing basis.

After consultations with Statistics Canada, the Department decided to adopt a census rather than a sampling approach to the survey. The census approach was chosen in part because the target population is of a manageable size and because it allowed us to avoid potential sources of error associated with sampling.

The survey is administered via a web-based questionnaire. Invitations to complete the questionnaire were sent to 19,462 potential respondents. Of these, 6,482 Government of Canada employees completed the questionnaire, resulting in an overall response rate of 33 per cent. Approximately one half (55%) of the respondents reported having used departmental legal services in the 12 months preceding the administration of the survey. All reported results are based on the feedback from these 3,562 respondents (a complete listing of survey population and response rates by department and agency is available in Annex A).

The survey collected feedback from clients on a 10-point Likert scale² with two anchors: not at all satisfied (1) and completely satisfied (10). Feedback was sought along three key dimensions of service quality – accessibility/responsiveness, usefulness and timeliness. Specifically, the survey sought feedback on each of the following elements:

Accessibility/Responsiveness

- Provided services in the client's official language of choice
- Provided services in a courteous and respectful manner
- Fully understood the nature of the problem or issue for which the client sought and received assistance
- Provided clients with regular and informative progress reports or ongoing feedback

Usefulness

- Advised clients of issues or developments which may impact their department or agency
- Proposed appropriate solutions for legal and drafting issues raised
- Identified opportunities to use dispute resolution practices, where appropriate
- Identified opportunities for early settlement of cases, where appropriate
- Provided clear and practical guidance on resolving the issue(s) for which assistance was sought

² There is a great deal of debate in the academic and professional literature regarding the relative merits of using 3, 4, 5, 7 and 10 point scales to measure attitudes and perceptions. After reviewing the literature and undertaking consultations with a variety of groups, the Department adopted a 10-point scale. Pre-testing of the questionnaire determined that respondents were able to interpret and understand the scale. Additionally, the 10-point scale will permit the Department to track even small changes in client perceptions over time.

- Involved clients in the development of legal strategy and positions
- Assisted clients in developing policy
- Developed legal strategies appropriate to clients' policy and/or program objectives
- Effectively worked with clients to identify legal risks
- Effectively worked with clients to manage legal risks
- Effectively resolved the issue or problem for which assistance was sought and received
- Identified appropriate opportunities to implement policies or programs by administrative rather than legislative means ("instrument of choice")

Timeliness

- Responded in a timely manner to requests for legal services
- Negotiated mutually agreed-upon deadlines
- Met mutually agreed-upon deadlines

INTERPRETING RESULTS

The survey results represent estimates of client population perceptions of service delivery. Prior to the launch of the survey, the Department established a target of 8.0 on the 10-point scale for each of the items for which client feedback was sought. These targets were identified in the absence of any pre-existing benchmarks, but were developed with the goal of setting realistic and attainable targets that were not too easy to attain.

Throughout the remainder of this report a colour coding scheme for the presentation of results has been adopted (see tableau below). This provides a visual means for portraying the extent to which departmental targets have been met.

Colour-Coding of Results
Strong – surpassed targets (mean ratings of 8.4 to 10)
Positive – met targets (mean ratings of 7.9 to 8.3)
Moderate – slightly below targets (mean ratings of 7.3 to 7.8)
Opportunities for Improvement – targets not met (mean ratings of 6.5 to 7.2)
Attention Required – significantly below targets (mean ratings less than 6.5)

In reviewing the results presented throughout the remainder of this report, there is an important caveat to bear in mind, namely the calculated margins of error. The magnitude of the margin of error is generally affected by the extent of variability in respondent feedback and by the overall size of the respondent group.

There are two key elements to calculating the margins of error from survey findings. First, there is the **confidence level** which, in the most simplistic terms, refers to the extent

to which we believe the same results would be obtained if the survey were administered repeatedly. For the purposes of the Department of Justice Client Feedback Survey, a 95% confidence level was adopted for calculating results.

Second and more importantly there is the **confidence interval**, which refers to the range in which the results will fall if the measurements are repeatedly taken. For the purposes of this project, we recommend caution in interpreting any results that have a calculated margin of error greater than ± 0.4 . Note that large margins of error may also represent wide variation in the opinions of respondents, indicating a large disparity between the satisfied and the unsatisfied groups.³

³ While confidence intervals traditionally reflect the use of sampling methodology, the DoJ Feedback Survey used a census approach in which invitations to participate in the survey were sent to all potential users of services. In this case, confidence intervals account for variability related to non-response. Had all service users responded to the survey, there would be no variability, as all opinions would be accounted for. In the calculation of the confidence interval, we are assuming that non-response is independent of respondent characteristics but is affected by use of legal services (i.e. actual service users are more likely to answer the questionnaire). It is a reasonable assumption that a relatively large proportion of non-respondents are non-users. The Finite Population Correction Factor (FPCF) has been applied in the calculation of the margin of error in order to take the size of the total number of potential users into account; otherwise the margins of error would be overstated.

CLIENT FEEDBACK – LEGAL ADVISORY SERVICES

The Department provides legal advisory services and prepares legal documents for all federal government departments and agencies on a broad range of issues. Providing accessible, useful and timely legal advisory services is important in ensuring that decision-makers are able to factor the legal implications into their chosen courses of action in delivering policies, programs and services to Canadians.

Exhibit 1 (below) presents an overview of the client feedback provided by 3,365 respondents who identified that they had received legal advisory services during the 12 months preceding the survey.

Exhibit 1: Client Feedback on Legal Advisory Services	
Overall quality of legal advisory services	8.2 (±0.1)
Accessibility / Responsiveness of Services	
Provided services in the clients' official language of choice	9.5 (±0.1)
Provided services in a courteous and respectful manner	9.2 (±0.1)
Fully understood the nature of the problem or issue for which the client sought and received assistance	8.5 (±0.1)
Provided clients with regular and informative progress reports or ongoing feedback	7.5 (±0.1)
Usefulness of Services	
Advised clients of issues or developments which may impact their department or agency	8.4 (±0.1)
Identified opportunities to use dispute resolution practices, where appropriate	8.0 (±0.1)
Identified opportunities for early settlement of cases, where appropriate	8.1 (±0.1)
Provided clear and practical guidance on resolving the issue(s) for which assistance was sought	8.1 (±0.1)
Involved clients in the development of legal strategy and positions	7.8 (±0.1)
Developed legal strategies appropriate to clients' policy and/or program objectives	8.1 (±0.1)
Effectively worked with clients to identify legal risks	8.3 (±0.1)
Effectively worked with clients to manage legal risks	8.1 (±0.1)
Effectively resolved the issue or problem for which assistance was sought and received	8.1 (±0.1)
Timeliness of Services	
Responded in a timely manner to requests for legal services	7.8 (±0.1)
Negotiated mutually agreed-upon deadlines	7.9 (±0.1)
Met mutually agreed-upon deadlines	8.0 (±0.1)

The client feedback illustrates that clients are satisfied with the overall quality of legal advisory services and that the Department is generally meeting or surpassing the 8.0 targets set at the outset of this project for the elements of service quality for which feedback was sought.

There are three specific elements where the client feedback is moderate – falling slightly below the established targets. Specifically, these include:

- providing clients with regular and informative progress reports or ongoing feedback on the status of their files;
- involving clients in the development of legal strategy and positions; and,
- responding in a timely manner to requests for legal services.

CLIENT FEEDBACK – LITIGATION SERVICES (NON-CRIMINAL)

The Department represents the Crown in civil litigation and before administrative tribunals. These activities directly and indirectly support the federal government by defending the Crown’s ability to continue to provide programs, services and benefits to Canadians in the face of court challenges. Exhibit 2 (below) presents an overview of the client feedback provided by 695 respondents who identified that they had received litigation services during the 12 months preceding the survey.

Exhibit 2: Client Feedback on Litigation (non-criminal) Services	
Overall quality of litigation services	8.4 (±0.1)
Accessibility / Responsiveness of Services	
Provided services in the clients’ official language of choice	9.4 (±0.1)
Provided services in a courteous and respectful manner	9.2 (±0.1)
Fully understood the nature of the problem or issue for which the client sought and received assistance	8.5 (±0.1)
Provided clients with regular and informative progress reports or ongoing feedback	7.7 (±0.2)
Usefulness of Services	
Advised clients of issues or developments which may impact their department or agency	8.4 (±0.1)
Identified opportunities to use dispute resolution practices, where appropriate	8.3 (±0.2)
Identified opportunities for early settlement of cases, where appropriate	8.4 (±0.2)
Provided clear and practical guidance on resolving the issue(s) for which assistance was sought	8.3 (±0.1)
Involved clients in the development of legal strategy and positions	8.0 (±0.2)
Developed legal strategies appropriate to clients’ policy and/or program objectives	8.2 (±0.1)
Effectively worked with clients to identify legal risks	8.2 (±0.1)
Effectively worked with clients to manage legal risks	8.1 (±0.2)
Effectively resolved the issue or problem for which assistance was sought and received	8.3 (±0.1)
Timeliness of Services	
Responded in a timely manner to requests for legal services	8.4 (±0.1)
Negotiated mutually agreed-upon deadlines	8.3 (±0.1)
Met mutually agreed-upon deadlines	8.3 (±0.2)

The client feedback illustrates that clients are satisfied with the overall quality of litigation services and that the Department is generally meeting or surpassing the 8.0 targets set at the outset of this project for each of the elements of service quality for which feedback was sought. For one specific element, the client feedback was slightly below the established targets – providing clients with regular and informative progress reports or ongoing feedback on the status of their files.

CLIENT FEEDBACK – LEGISLATIVE AND REGULATORY DRAFTING SERVICES

Legislative and regulatory drafting services are essential to a core function of the Government, the making and promulgation of laws. All Government legislation tabled in Parliament is drafted by the Department of Justice. This includes both the drafting of the Bills tabled in Parliament as well as drafting of motions to amend Government legislation as a result of Parliamentary deliberations. The Department also drafts all Regulations for the Government.

Bills and regulations are drafted to respect the Constitution, be understandable, operate coherently and effectively with other related laws, to meet the linguistic and legal requirements for laws that speak to both official languages communities, and operate effectively in both common law and civil law jurisdictions.

Exhibit 3: Client Feedback on Legislative and Regulatory Drafting Services	
Overall quality of drafting services	8.2 (±0.1)
Accessibility / Responsiveness of Services	
Provided services in the clients' official language of choice	9.4 (±0.1)
Provided services in a courteous and respectful manner	9.1 (±0.1)
Fully understood the nature of the problem or issue for which the client sought and received assistance	8.2 (±0.1)
Provided clients with regular and informative progress reports or ongoing feedback	7.6 (±0.2)
Usefulness of Services	
Advised clients of issues or developments which may impact their department or agency	8.2 (±0.1)
Proposed appropriate solutions for legal and drafting issues raised	8.1 (±0.1)
Provided clear and practical guidance on resolving the issue(s) for which assistance was sought	7.9 (±0.1)
Assisted clients in developing policy	7.7 (±0.2)
Developed drafting options appropriate to clients' policy and/or program objectives	8.1 (±0.1)
Effectively worked with clients to identify legal risks	8.2 (±0.1)
Effectively worked with clients to manage legal risks	8.1 (±0.1)
Identified appropriate opportunities to implement policies or programs by administrative rather than legislative means ("instrument of choice")	7.7 (±0.2)
Timeliness of Services	
Responded in a timely manner to requests for legal services	7.8 (±0.2)
Negotiated mutually agreed-upon deadlines	7.7 (±0.2)
Met mutually agreed-upon deadlines	7.8 (±0.2)

Exhibit 3 (above) presents an overview of the client feedback provided by 752 respondents who identified that they had received legislative and / or regulatory drafting services during the 12 months preceding the survey.

The client feedback illustrates that clients are satisfied with the overall quality of legislative and regulatory drafting services and that the Departmental services are generally in line with the 8.0 targets set at the outset of this project of the elements of service quality for which feedback was sought.

There are six specific elements where the client feedback is moderate – falling slightly below the established targets. Specifically, these include:

- providing clients with regular and informative progress reports or ongoing feedback on the status of their files;
- assisting clients in developing policy;
- identifying appropriate opportunities to implement policies or programs by administrative rather than legislative means ("instrument of choice");
- responding in a timely manner to requests for legal services;
- negotiating mutually agreed upon deadlines; and
- meeting mutually agreed upon deadlines.

OTHER FINDINGS OF INTEREST

Awareness of Service Standards

The draft Treasury Board Secretariat (TBS) Policy Framework for Service notes that the identification and communication of service standards is an important element in an overall service quality strategy. As part of the Department of Justice Client Feedback Survey, respondents were asked whether to their knowledge the Department of Justice had mutually agreed upon service standards for the delivery of legal services to their department.

Approximately 39 per cent of respondents who had used legal services in the preceding 12 months identified that they were aware of service standards, while about one in ten respondents indicated there were no service standards in place. Just over one half of the respondents indicated that they did not know if there were service standards.⁴

When this survey was first launched in 2006, there were locally driven service standards with some departments and in some regional offices across the country. However, the Department did not have a set of consistent service standards for the delivery of legal services that were applicable to all government departments and agencies.

In 2008-09, the Department developed a set of common service standards that has been rolled out across the country and is being incorporated into Memoranda of Understanding between the Department of Justice and client departments for the provision of legal services.

Understanding of Key Legal Risks

Legal risk management is an important element of managing ongoing operations and the development of new policy, program and service delivery initiatives across government. Responsibility for legal risk management is shared between the Department of Justice and its client departments and agencies. The Department plays an important role in developing tools, demonstrating leadership and providing client departments with advice and assistance in identifying and mitigating key legal risks. Client departments are responsible for the day-to-day management of their legal risks as part of an integrated risk management framework.

To gain a better sense of the context within which legal risk management is occurring across government, the survey asked respondents to self-assess their levels of understanding of the key legal risks facing their departments.

Approximately two thirds of the respondents (65%) self-assessed their levels of understanding of the key legal risks as “good” or “very good”. A further 23 per cent of respondents self-assessed their levels of understanding as “fair”. The remaining 12 per

⁴ Of particular interest, survey respondents who indicated that they were aware of service standards were in general the most satisfied with the legal services provided by the Department of Justice.

cent of respondents indicated that they were unable to assess their levels of understanding or self-assessed their levels of understanding as “poor”.

The Department should continue to assist client departments in raising levels of awareness across government on some of the key legal risks that they are facing. A good client understanding of key legal risks will ensure that decision-makers are able to factor the legal implications into their chosen courses of action in delivering policies, programs and services to Canadians.

CONCLUSION

The findings from this first full cycle of the client feedback survey have permitted the Department to establish baseline measures of client satisfaction with the integrated suite of legal services provided across government. These baseline measures demonstrate that the Department is meeting client expectations and needs.

In general, the client feedback shows that the Department is meeting or surpassing the performance target established prior to the launch of the project. There were no areas where client feedback demonstrates the need for concerted management attention. Nevertheless, there are some areas where performance falls slightly below the targets.

The survey findings demonstrate the Department’s commitment to providing high quality legal services to support government. A second cycle of surveys will be implemented beginning in October 2009. This second cycle will provide the Department and our clients with a means for tracking any changes over time.

ANNEX A – RESPONSE RATES BY PORTFOLIO AND DEPARTMENT/AGENCY

Portfolio/Department/Agency	Population	Response Rate ⁵	Users of Services ⁶	Period ⁷	Target Population
1. Aboriginal Affairs Portfolio	1,458	349 (24%)	244 (70%)	Sept 2006	EX minus two and above levels
Indian and Northern Affairs Canada	1,458	349 (24%)	244 (70%)		
2. Business and Regulatory Law Portfolio	10,611	3,157 (30%)	1,930 (61%)	Feb. 2007	EX minus one and above levels
Agriculture and Agri-Food Canada	1,030	307 (30%)	125 (41%)		
Atlantic Canada Opportunities Agency	129	37 (29%)	23 (62%)		
Canadian Food Inspection Agency	355	88 (25%)	78 (89%)		
Canadian Heritage	360	171 (48%)	111 (65%)		
Canadian International Development Agency	316	98 (31%)	59 (60%)		
Canadian Nuclear Safety Commission	109	53 (49%)	41 (77%)		
Canadian Space Agency	166	73 (44%)	51 (70%)		
Quebec Region Economic Development Agency	93	25 (27%)	21 (84%)		
Environment Canada	961	237 (25%)	166 (70%)		
Department of Fisheries and Oceans	909	220 (24%)	143 (65%)		
Foreign Affairs and International Trade	820	109 (13%)	70 (64%)		
Health Canada	1,100	324 (29%)	194 (60%)		
Industry Canada	1,017	373 (37%)	255 (68%)		
Natural Resources Canada	1,034	286 (28%)	127 (44%)		
Parks Canada	183	73 (40%)	47 (64%)		
Public Works and Government Services Canada	751	165 (22%)	92 (56%)		
Human Resources Development Canada	525	253 (48%)	159 (63%)		

⁵ Number of respondents having completed and returned a questionnaire. Response rates are presented in brackets.

⁶ “Users of Services” represents the number and percentage of respondents who indicated having used DoJ services at least once in the 12 months preceding the survey.

⁷ Period during which the survey was conducted.

Portfolio/Department/Agency	Population	Response Rate⁵	Users of Services⁶	Period⁷	Target Population
Transport Canada	611	213 (35%)	132 (62%)		
Veterans Affairs	142	52 (37%)	36 (69%)		
3. Public Safety, Defence and Immigration Portfolio	4,745	1,689 (36%)	697 (41%)	Feb 2007 to March 2009	EX minus one and above levels
Citizenship and Immigration	400	125 (31%)	89 (71%)	June 2007	
Canada Border Services Agency	402	105 (26%)	66 (63%)	June 2007	
Correctional Service of Canada	338	145 (43%)	84 (58%)	June 2007	
National Parole Board	59	31 (53%)	19 (61%)	June 2007	
Public Safety Canada	142	51 (36%)	27 (53%)	June 2007	
Department of National Defence	2,169	894 (41%)	210 (23%)	Sept 2008	
RCMP	1,100	272 (25%)	149 (55%)	Mar 2009	
Communications Security Establishment	135	66 (49%)	53 (80%)	Feb 2007	
4. Tax Law Services Portfolio	484	336 (69%)	201 (60%)	Feb 2008	EC-01 to EC-06
Canadian Revenue Agency	484	336 (69%)	201 (60%)		
5. Central Agencies Portfolio	2,164	951 (44%)	490 (52%)	Sept. 2008 to Jan. 2009	EX minus two and above levels
Finance – General Law Services	296	124 (42%)	68 (55%)	Sept 2008	
Finance – Tax Counsel Division	87	38 (44%)	27 (71%)	Sept 2008	
Financial Consumer Agency of Canada	21	9 (43%)	5 (56%)	Sept 2008	
Financial Transactions and Reports Analysis Centre of Canada	230	72 (31%)	31 (43%)	Sept 2008	
Office of the Superintendent of Financial Institutions of Canada	315	139 (44%)	56 (40%)	Sept 2008	
Treasury Board Portfolio (TBS, CSPA)	929	408 (44%)	225 (55%)	Sept 2008	
Public Service Commission	286	161 (56%)	78 (48%)	Jan 2009	
TOTAL	19,462	6,482 (33%)	3,562 (55%)		

**ANNEX B – PROFILE OF RESPONDENTS WHO HAD USED
LEGAL SERVICES IN PRECEDING 12 MONTHS**

	Number	Percentage
Classification		
• EX	1,587	45%
• Non-EX	1,975	55%
Level		
• ADM or DM	100	3%
• Director or DG	1,487	42%
• Other	1,975	55%
Location		
• National Capital Region	2,686	75%
• Regions	876	25%
Type of Services Received*		
• Legal Advisory	3,365	95%
• Litigation (non-criminal)	695	20%
• Legislative and/or Regulatory Drafting	752	21%

* Respondents could select more than one type of legal service