



**ACCESS TO JUSTICE IN BOTH OFFICIAL LANGUAGES
SUPPORT FUND
EVALUATION
Final Report**

May 2007

Evaluation Division



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EXECUTIVE SUMMARY

1. Introduction

The Action Plan for Official Languages (the Action Plan) was unveiled by the Government of Canada in 2003. In it, the federal government reiterated its commitment to linguistic duality, to enhancing the vitality of official language minority communities (OLMCs) and to promoting the use of both official languages in Canadian society. The Action Plan allocated \$45.5 million over five years to the Department of Justice (the Department) to support implementation of the *Legislative Instruments Re-enactment Act*, implementation of the *Contraventions Act*, and improved access to justice in both official languages. To achieve the third objective, the Department established the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Department undertook a comprehensive evaluation of the Support Fund, and this document is the final report on that evaluation.

2. Description of the Support Fund

The aim of the Support Fund is to strengthen the capacity of stakeholders in the justice system to offer services in both official languages and to participate in making OLMCs aware of their rights in this regard. More specifically, the Support Fund aims to increase the capacity of those people and institutions to develop innovative solutions to emerging issues relating to access to justice in both official languages, and to raise awareness among the legal and official languages minority communities concerning the rights of OLMCs and the issues relating to access to justice in both official languages.

The Support Fund is expected to fund three types of activities:

- it provides financial and administrative support for the following advisory committees:
 - the Advisory Committee–Justice in Official Languages (the Advisory Committee), whose mandate is to act as liaison between the Department of Justice and legal and official language minority stakeholders;

- the Subcommittee on Access to Justice in Both Official Languages (the Subcommittee), with representatives of the Department of Justice, organizations that speak for the official languages communities, jurilinguistic centres, law faculties and Francophone affairs officials in the provinces and territories; and
 - the Federal-Provincial-Territorial (F-P-T) Working Group on Access to Justice in Both Official Languages, which is composed of representatives of the Department of Justice (from the Office of Francophonie, Justice in Official Languages and Legal Dualism, Official Languages Working Group and Contraventions) and of the provincial and territorial governments.
- it provides core funding to associations of French-speaking jurists (AJEFs). In this regard, the Department's role is to sign contribution agreements with the Fédération nationale des associations de juristes d'expression française (FAJEF) and with each of the seven FAJEF member associations at the provincial level.
 - it provides funding to eligible organizations for implementing projects relating to access to justice in both official languages. Eligible projects generally fall into one of three categories:
 - projects that support the practice of law in the minority language,
 - projects to raise awareness in the official language minority communities, and
 - projects to increase the ability of non-governmental organizations to meet the needs of Canadians, including members of official language minority communities, in relation to issues involving access to justice in both official languages.

3. Methodology

Four main research methods were used in evaluating the Support Fund:

- a literature review,
- an analysis of project files (106 closed files were analysed),
- interviews with Support Fund officials, advisory committee members, and Office of the Commissioner of Official Languages and Official Languages Secretariat representatives (30 interviews were conducted), and
- surveys of members of the legal profession and recipients of funding under the Support Fund.

4. Relevance

The Action Plan is one of the vehicles by which the Department of Justice addresses federal priorities in relation to official languages. Under the Action Plan, the federal government is committed to improving access to justice in English and French. The Support Fund, which is a direct outgrowth of the Action Plan, enables the Department of Justice to support, and thereby improve, the delivery of justice services in both official languages. The Support Fund is a mechanism that is organized in such a way as to meet the objectives of the Action Plan as they relate to access to justice in both official languages.

The objectives of the Support Fund correspond to the more general objectives of the Official Languages Program. Through Support Fund activities—support to advisory committees, core funding for associations of French-speaking jurists, and project funding—the Support Fund contributes to enhancing the vitality of official language minority communities.

5. Structure and Implementation

The roles of the Advisory Committee, the Subcommittee and the F-P-T Working Group are clear and relevant. Working together with members of the various committees, the Department of Justice has established the mandates and responsibilities of each of those bodies. The mandates and responsibilities are documented and are presented to committee members at their annual meetings.

These three advisory committees bring together the leading stakeholders involved in access to justice in both official languages, thereby facilitating the coordination of stakeholder's efforts and the exchange of information. That coordination makes it possible for stakeholders to identify and discuss needs in relation to access to justice in both official languages and to explore relevant avenues for addressing them.

The process associated with applying for funding and selecting projects is clear and transparent. The support provided by the Department of Justice to organizations that submit funding applications is one of the main strengths of the Support Fund. The Department offers information about the application process on its Web site, and Support Fund officials are available to provide guidance to the applicants throughout the process. Support Fund officials communicate decisions regarding project selection effectively, and provide explanations where necessary.

Overall, the activities funded under grant and contribution agreements have been carried out as planned. Although minor changes occasionally have to be made to activities or timetables, Support Fund officials are always informed of these changes, which generally do not result in any change in the anticipated outcomes.

Performance measurement for activities carried out through the Support Fund is uneven, and focuses on measuring outputs rather than outcomes. The data collected are essentially used by the Department to report on its activities and to plan for potential renewal of the Support Fund.

6. Effectiveness

The members of each of the three advisory committees meet once a year. Overall, members participate actively in the meetings and are very involved in the work of their committees. The level of participation and collaboration on the part of the provinces and territories is high, making this one of the noteworthy achievements of the Support Fund.

Stakeholders in Quebec's Anglophone community, however, have not been as active in the committees as stakeholders in Francophone communities elsewhere in Canada. Not only are fewer Anglophone stakeholders represented, their participation is less consistent.

The committees bring together stakeholders who are concerned with access to justice in both official languages, giving them an opportunity to talk about their activities, needs and problems, and to forge ties and form solid partnerships. As well, the meetings make members aware of the needs and issues that exist in official language minority communities and of the capacity of the Department of Justice to act on those issues. Important networks have been formed, and stakeholders from all areas (community, legal, government) have taken part in identifying and implementing attainable approaches to problems.

It should be noted that, given the lower rate of participation from Anglophone representatives, the committees' work has not had the same impact on English-speaking stakeholders in Quebec.

Core funding offered by the Support Fund has allowed associations of French-speaking jurists to be more effective in representing and lobbying on behalf of the communities and to offer relevant services to their members and the community. This funding ensures that AJEFs have administrative stability, enabling them to focus their efforts on managing projects, offering services and participating in the various committees and umbrella groups. The associations of

French-speaking jurists have become visible and credible lobby groups, and important resources within their communities.

With respect to project funding, the categories of projects funded by the Support Fund to date are:

- projects that support the practice of law in the minority language,
- projects that raise awareness in the official language minority communities about language rights in the justice system and the services available, and
- structuring projects.

Projects funded by the Support Fund respond directly to needs identified in an environmental scan conducted in 2002. The types of projects funded respond to needs for awareness-raising, training, jurilinguistic resources and tools, and networking.

Nonetheless, the Support Fund's lack of visibility in the Anglophone community in Quebec means that it is not reaching that target population sufficiently and is responding inadequately to the community's needs. This finding is partly derived from the limited participation of this community to the work of the advisory committees, which reflects the Support Fund's organizational limits.

Overall, activities funded by the Support Fund have contributed to improving access to justice services in both official languages by increasing the capacity of actors in the justice system to offer those services. The Support Fund has enabled associations of French-speaking jurists to carry out their mandate more effectively, has contributed to the development of jurilinguistic tools and to professional development for legal professionals, and has brought together a variety of stakeholders so that they could coordinate their efforts. As well, the leading stakeholders have been made aware of the needs that exist in relation to access to justice and have become involved in identifying and implementing activities in that regard.

However, because the Support Fund is limited to criminal law and matters under federal jurisdiction, many needs associated with access to justice in both official languages have still not been addressed. As well, the needs that are identified and that are dealt with by the Support Fund are ongoing and should be pursued. Furthermore, given the low visibility of the Support Fund in the Anglophone community in Quebec, the Support Fund's capacity to improve access to justice services in English for that community is limited.

The activities undertaken through the Support Fund have led to significant successes. First, although it was expected that partnerships would be established among the stakeholders involved, the strength of the networks and of the collaborative effort that emerged was unexpected. Second, the associations of French-speaking jurists are all playing a greater role in their community networks, and are credible pressure groups. And third, the jurilinguistic centres have been able to develop expertise in their field that is recognized at the international level.

Evaluation of the future impacts of the Support Fund require, first, that the Department of Justice specify what aspects of the Support Fund it wishes to measure in the long term. It appears that measurement of the short- and medium-term outcomes of the Support Fund is what will best meet the management needs of the Support Fund. This report suggests that measuring the long-term outcomes that the Support Fund is designed to contribute to, and of the relative contribution of the Support Fund to those outcomes —a colossal undertaking— would in fact be of little use for management of the Support Fund.

Once the Department has specified the aspects of the Fund that are to be measured in the long term, it will be able to modify its present performance measurement strategy so that the relevant data can be collected on an ongoing basis.

7. Cost-effectiveness

The present level of resources has made it possible for the Support Fund to contribute to the Department achieving its objectives and, to a certain extent, to meet the needs identified. Because the needs are considerable, ongoing and long-term, it can be expected that the need for resources will continue and that there will be continued pressure to increase those resources in order to meet currently identified as well as emerging needs more adequately and more completely.

Groups within the Department of Justice, and some of its outside partners, have contributed to the activities carried out by the Support Fund. For example, some programs within the Department of Justice have offered their expertise and have contributed financially to a few of the Support Fund's projects. Some federal departments, the provincial/territorial governments, and community partners have also contributed to Support Fund projects. The type of contribution made varies from financial contributions to contributions of human resources, material resources and office equipment.

Although there are improvements that could be made to the Support Fund, it does not seem that there are any alternatives that would be more effective and would cost less. The Support Fund is an effective and appropriate mechanism for meeting the needs identified.

1. INTRODUCTION

The Action Plan for Official Languages (the Action Plan) was unveiled by the Government of Canada in 2003. In it, the federal government reiterated its commitment to linguistic duality, to enhancing the vitality of official language minority communities (OLMCs) and to promoting the use of both official languages in Canadian society. Recognizing that the justice system plays a role in the three priority areas to be addressed (education, community development and an exemplary public service), the Action Plan allocated \$45.5 million over five years to the Department of Justice (the Department) to support the implementation of the *Legislative Instruments Re-enactment Act*, the implementation of the *Contraventions Act*, and improved access to justice in both official languages.¹ To achieve the third objective, the Department established the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Department of Justice undertook a comprehensive evaluation of the Support Fund, and this document is the final report on that evaluation.

1.1. Background

This evaluation was initiated in September 2006. It covers activities undertaken in the first three years of the Support Fund (2003-2004 to 2005-2006) and part of the current, fourth year of the program.

The comprehensive evaluation of the Support Fund is part of a broader evaluation of the Official Languages Program (OLP) that is currently under way². In 2005, the Government of Canada developed a horizontal results-based management and accountability framework (HRMAF) for the OLP. This evaluation of the Support Fund is part of the performance measurement, evaluation and reporting strategy set out in the HRMAF.

¹ Canada. Privy Council Office. *The Next Act: New Momentum for Canada's Linguistic Duality: Action Plan for Official Languages* (2003).

² The Official Languages Program consists of the whole set of activities whereby the federal government fulfils its obligations and commitments under the *Official Languages Act* and the Action Plan.

1.2. Objectives

The main objective of the comprehensive evaluation is to examine the Support Fund and determine the extent to which it is achieving its objectives. The evaluation deals with issues relating to relevance, structure and implementation, effectiveness, and cost-effectiveness. The comprehensive evaluation is also intended to identify the prerequisites for an effective evaluation of future impacts of the Support Fund.

Appendix A sets out the evaluation questions that guided this process.

1.3. Structure of the Report

This report is divided into five main sections, including this introduction. Section 2.0 sets out a detailed description of the Access to Justice in Both Official Languages Support Fund; Section 3.0 describes the methodology used for this comprehensive evaluation; Section 4.0 presents the evaluation findings; and Section 5.0 presents conclusions in relation to each evaluation question.

2. DESCRIPTION OF THE SUPPORT FUND

This section describes the Access to Justice in Both Official Languages Support Fund. It includes a description of the background to the creation of the Support Fund, the ways in which the activities it funds are connected, the anticipated outcomes of those activities, its management structure, and the financial resources that the Department has invested in it.

2.1. Background

The Support Fund is a direct outgrowth of the implementation of the Action Plan for Official Languages, introduced by the federal government in March 2003. The Action Plan was to enable the Department of Justice to tackle a number of issues relating directly to official languages. This subsection describes the background of the Support Fund in greater detail.

Justice-related Objectives of the Action Plan

The federal government followed the introduction of the Action Plan with an investment of \$45.5 million over five years to address three subjects that relate directly to the exercise of language rights in the justice system:

- First, the Department adopted a strategy to ensure that the *Legislative Instruments Re-enactment Act* was implemented effectively. The purpose of that Act is to remedy a procedural defect in the enactment of legislative instruments that were initially enacted in only one official language.
- Second, the Department continued its efforts to ensure that all applicable language rights are respected in implementing the *Contraventions Act*.
- Third, the Department was authorized to invest "\$18.5 million in targeted measures aimed at improving access to the justice system in both official languages".³

³ Canada. Privy Council Office. *The Next Act: New Momentum for Canada's Linguistic Duality: Action Plan for Official Languages* (2003), p. 45.

The Department created the Access to Justice in Both Official Languages Support Fund, the subject of this evaluation, to give effect to the third objective.

Access to Justice in Both Official Languages: A Documented Problem

Over the years, several studies have identified problems associated with access to justice in both official languages:

- In 1995 and 1999, the Office of the Commissioner of Official Languages published two studies relating to the use of English and French in the federal courts.⁴ The authors stressed the importance of existing legislation that allowed for the use of both official languages in the federal courts, but added that there are still many issues to be dealt with if these services are to be available in reality: "In addition to recognizing formal rights and statutory duties, we have emphasized that practical measures should be undertaken which diminish possible barriers to the use of one or the other official language."⁵
- In 2002, the Department published an environmental scan relating to access to justice in both official languages.⁶ That study points out that the shortage of bilingual personnel and the costs and additional time associated with trials and proceedings in the minority official language still prevent some members of official language minority communities from having equal access to the justice system.

In the background, a series of decisions were being made by the courts, and in particular the Supreme Court of Canada, that clarified the scope of rights relating to access to justice in both official languages. In its 1999 decision in *R. v. Beaulac*, the Supreme Court of Canada reiterated that governments have an obligation to address the administrative difficulties involved in the administration of the courts so that English and French could be genuinely equal where there are provisions in that regard that assign them equal status:

I wish to emphasize that mere administrative inconvenience is not a relevant factor. The availability of court stenographers and court reporters, the workload of bilingual prosecutors or judges, the additional financial costs of rescheduling are not to be considered because the existence of language rights requires that

⁴ Canada. Office of the Commissioner of Official Languages. *The Equitable Use of English and French Before the Courts in Canada* (1995) and *The Equitable Use of English and French Before Federal Courts and Administrative Tribunals Exercising Quasi-Judicial Powers* (1999).

⁵ Ibid (1999)

⁶ PGF/GTA Research. *Environmental Scan: Access to Justice in Both Official Languages*. Ottawa (2002).

*the government comply with the provisions of the Act by maintaining a proper institutional infrastructure and providing services in both official languages on an equal basis. As mentioned earlier, in the context of institutional bilingualism, an application for service in the language of the official minority language group must not be treated as though there was one primary official language and a duty to accommodate with regard to the use of the other official language. The governing principle is that of the equality of both official languages.*⁷

The primary objective of the Support Fund is thus to contribute to improving access to the justice system in both official languages, while recognizing the division of powers in relation to the administration of justice and the diverse constitutional, statutory and administrative provisions relating to official languages in the courts.

2.2. Logic of the Support Fund⁸

The Support Fund provides funding for a range of activities designed to contribute to achieving objectives associated with access to the justice system in both official languages. This subsection describes the underlying logic of the Support Fund, which is illustrated in Figure 2 on page 11.

Like the objective it represents, the logic model is a management tool that will change over time, and so the logic model set out on page 10 represents an update of the 2003 model included in the Results-based Management and Accountability Framework. Although the activities described in both cases reflect the objectives and methods associated with the Support Fund, as set out in the authorizing documents, the current logic model clarifies how one set of outcomes leads to the next.

2.2.1. Goals and Objectives

The aim of the Support Fund is essentially to strengthen the capacity of people and institutions in the justice system to offer services in both official languages and to participate in making the official language communities aware of their rights in this regard. More specifically, the Support Fund aims to increase the capacity of those people and institutions to develop innovative solutions to emerging issues relating to access to justice in both official languages, and to raise

⁷ *R. v. Beaulac* [1999] 1 S.C.R. 768, para. 39.

⁸ Information presented in this subsection is based on the authorizing documents for the Support Fund.

awareness among the legal and official languages minority communities concerning the exercise of OLMCs' rights and the issues relating to access to justice in both official languages.

The nature and scope of those objectives reflect the fact that the administration of the courts is largely a matter under provincial jurisdiction, and that raising awareness in official language minority communities is a community process. The Department has therefore adopted a catalyst role, largely aiming to increase the capacity of the actors involved in access to justice in both official languages.

2.2.2. Activities and Outputs

The Support Fund is expected to fund three types of activities:

- *The Fund will provide financial and administrative support for the advisory committees of community and government partners.* The Department's role is, therefore, to coordinate the following structures:
 - the *Advisory Committee–Justice in Official Languages*, whose mandate is to act as liaison between the Department of Justice and legal and official language minority stakeholders. The Committee is composed of six members, from the Department of Justice Canada (Office of Francophonie, Justice in Official Languages and Legal Dualism, and the Program Branch) and organizations that speak for official language communities (Fédération des associations de juristes d'expression française du Canada, Fédération des communautés francophones et acadienne du Canada, and Quebec Community Group Network). As a rule, the Committee meets twice a year.
 - The Department has also established two subcommittees:
 - The first deals specifically with issues of access to justice in both official languages. There may be 30 to 40 participants, with representatives of the Department of Justice, organizations that speak for the official languages communities, jurilinguistic centres, law faculties and Francophone affairs officials in the provinces and territories. It is expected that members of the subcommittees will coordinate their activities, exchange information and identify needs for tools to be developed, and they may identify other stakeholders. This subcommittee holds one meeting a year.
 - The second subcommittee deals specifically with implementation of Section 41 of the *Official Languages Act*. It is divided into two components: one for the Anglophone

- community in Quebec and one for the Francophone and Acadian communities in the rest of Canada. The two working groups include representatives of the Department of Justice and the official language communities. Their work is aimed at raising awareness and facilitating the exchange of information, and liaison on issues relating to promoting the official language communities and enhancing their vitality, as set out in Section 41 of the *Official Languages Act*.⁹
- The Department also funds the activities of the *Federal-Provincial-Territorial (F-P-T) Working Group on Access to Justice in Both Official Languages*, which is composed of representatives of the Department of Justice (Office of Francophonie, Justice in Official Languages and Legal Dualism, Official Languages Working Group, and Contraventions) and of the provincial and territorial governments. The F-P-T Working Group was created to enable the federal, provincial and territorial governments to coordinate their efforts and share information relating to access to justice in both official languages.
 - *The Support Fund provides core funding to the associations of French-speaking jurists.* In this regard, the Department's role is to sign contribution agreements with the Fédération nationale des associations de juristes d'expression française (FAJEF) and with each of the seven FAJEF member associations at the provincial level. Core funding is allocated in recognition of the fact that the mandate and activities of those organizations are closely connected with the Department's legal or socio-legal mandate, objectives and priorities.
 - The Support Fund also provides funding to eligible organizations for projects relating to access to justice in both official languages. In this regard, the Department's role is to sign contribution and grant agreements with eligible organizations, a list that includes community groups (including associations of French-speaking jurists), provincial, territorial, regional and municipal government agencies, and educational institutions (including jurilinguistic centres). The types of projects that are funded essentially fall into three categories:
 - *Projects that support the practice of law in the minority language:* The purpose of these projects is to create tools that can be used by people involved in the practice of law in the minority language. For example, these projects may result in the creation of tools for the common law in French or the civil law in English, for standardizing French common law vocabulary, for holding workshops and training sessions for Francophone lawyers who practise common law, or for developing related training materials.

⁹ It should be noted that the work of the subcommittee on the implementation of Section 41 of the *Official Languages Act* is not addressed in this evaluation, because it will be the subject of a separate evaluation dealing specifically with the obligations of the Department of Justice under that provision.

- *Projects to raise awareness in the official language communities:* The purpose of these projects is to make the public more aware of issues relating to access to justice in both official languages, including through public legal education activities. For example, these projects may result in information sessions, public consultations or the creation of Web sites.
- *Structuring projects:* The purpose of these projects is to increase the ability of non-governmental organizations to meet the needs of Canadians, including members of official language minority communities, in relation to issues involving access to justice in both official languages. For example, these projects may result in the development of organizational plans, awareness-raising among stakeholders, and networking activities.

2.2.3. Anticipated Outcomes

It is expected that the activities identified in the preceding subsection will help to achieve three results in the short term:

- *More collaboration among partners in relation to access to justice in both official languages:* It is expected that through the advisory committees, and by providing greater financial stability for the associations of French-speaking jurists, for example, the stakeholders involved in issues relating to access to justice in both official languages will work in close partnership.
- *Increased capacity on the part of recipients to take action on issues relating to access to justice in both official languages:* It is expected that through core funding and project funding, non-governmental stakeholders will have greater financial and organizational stability. Those organizations will then be in a better position to take on the full extent of their role, for example in dealing with government organizations and official language communities.
- *Eligible projects are carried out:* It is expected that through the contribution agreements funded by the Support Fund, for example, concrete projects will be carried out so that problems associated with access to justice in both official languages can be addressed.

These short-term outcomes are intended to contribute to achieving a medium-term outcome:

- *Greater access by official language communities to services relating to access to justice.* Essentially, it is expected that the Support Fund will consolidate the network of stakeholders

concerned with access to justice in both official languages, that it will enable all community and government stakeholders to work in close cooperation, and that it will allow for projects that are regarded as relevant for addressing the problems identified to be initiated. In turn, it is expected that these achievements will lead to improved access to justice services in both official languages. While official language minority communities cannot be compelled to use these services, the Department can ensure that they are offered better access—which is the reason the Support Fund exists.

In the long term, the Support Fund should contribute to two main outcomes:

- *A public and a legal community that are better informed about the exercise of their rights and about issues relating to access to justice in both official languages.*
- *A justice system that is capable of offering services in both official languages.*

2.3. Management Structure

Two groups within the Department of Justice share management of the Support Fund (see Figure 1):

- The Office of Francophonie, Justice in Official Languages and Legal Dualism is responsible for managing and coordinating all Support Fund activities. Among its responsibilities are overseeing the work of the various advisory committees, participating in defining the orientations of the Support Fund, and reporting on all Support Fund activities.
- The Innovation, Analysis and Integration Directorate is responsible for managing all contribution agreements signed under the terms of the Support Fund. This directorate manages the submission, awarding and reporting process for the contribution agreements.

A selection committee composed of members of the two groups is responsible for reviewing funding applications to determine whether projects are eligible for, and recommend whether they be funded under, the Support Fund.

Figure 1. Support Fund Management Structure

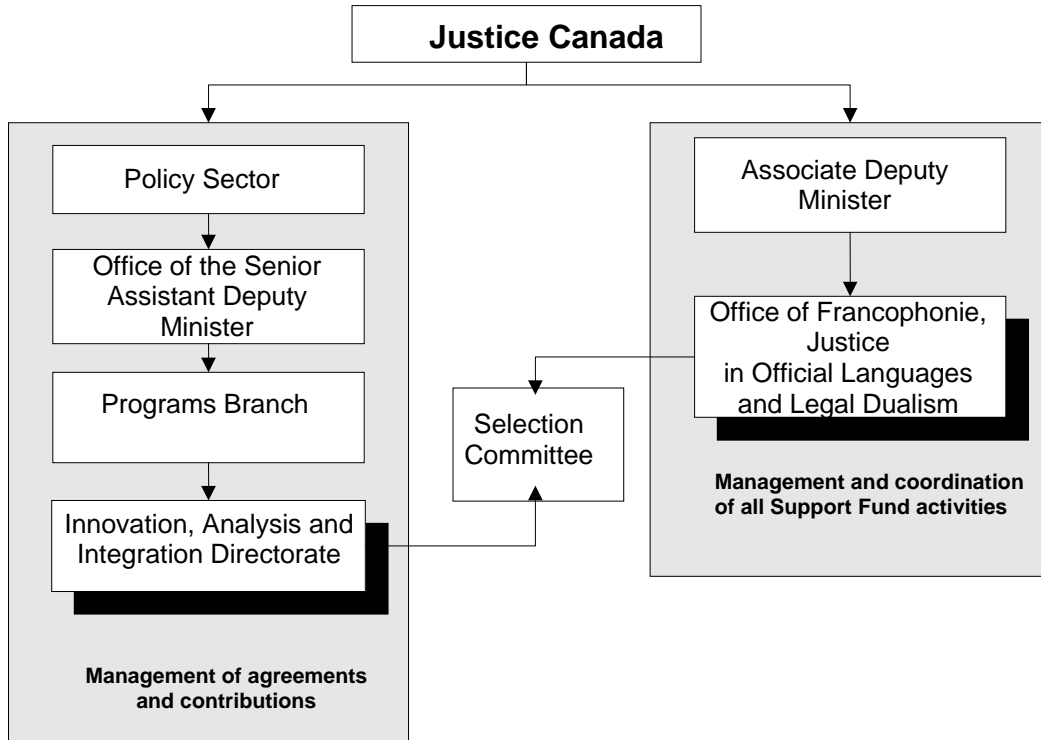
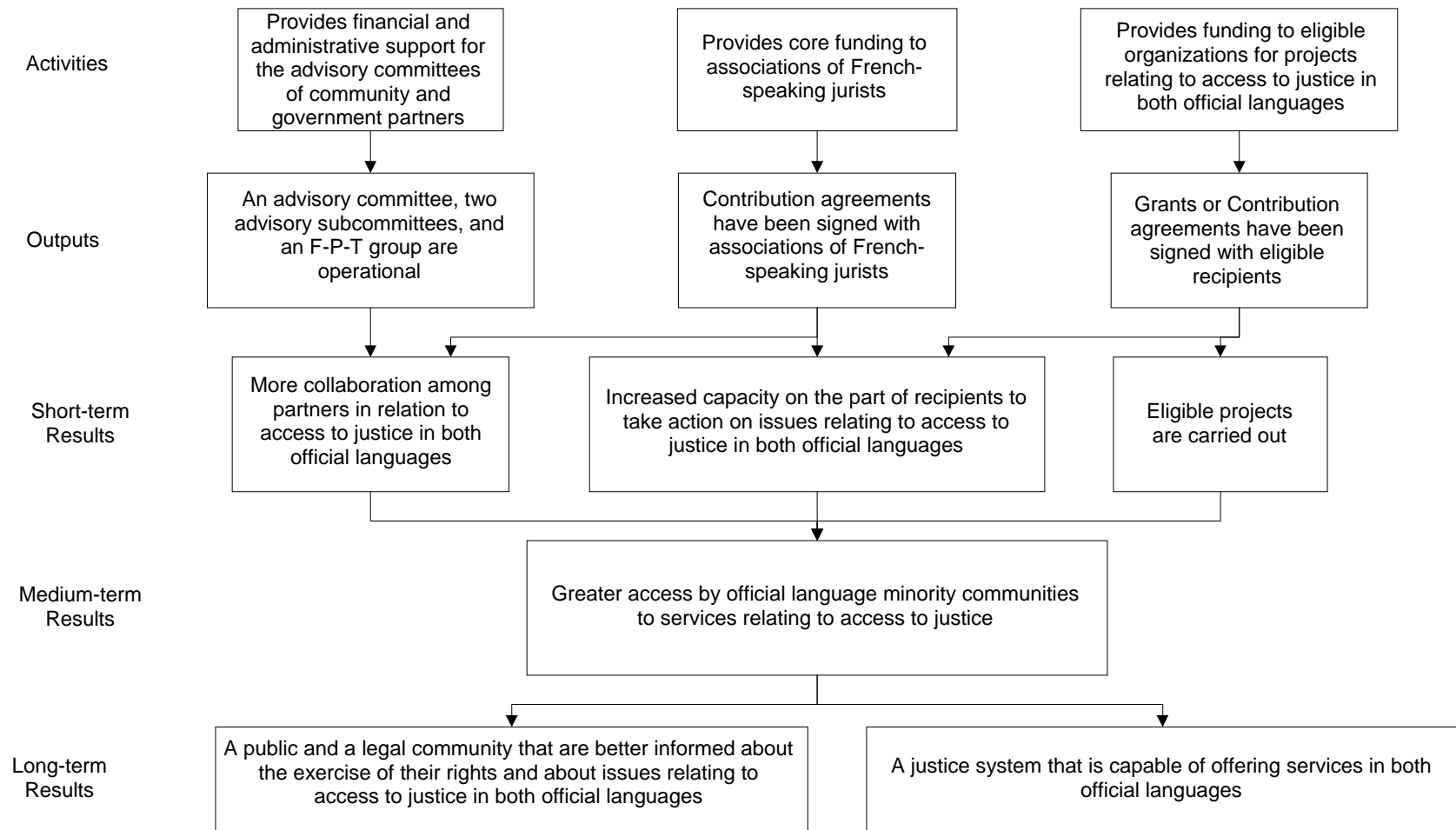


Figure 2. Logic Model of the Access to Justice in Both Official Languages Support Fund



2.4. Resources

The federal government has allocated \$24,587,394 to the Department of Justice over five years to support the implementation of Support Fund activities.¹⁰ Nearly two thirds of that amount was allocated to project funding (credit 5). In addition to funding full-time equivalents and other internal expenses, the operations budget was used to support the advisory committees' activities. Table 1 shows the breakdown of that figure for each fiscal year.

Components	2003-2004	2004-2005	2005-2006	2006-2007	2007-2008	Total
Wages and benefits ¹	819,148	1,071,454	1,071,454	1,071,454	1,042,268	5,075,778
Other O&M ²	863,188	732,927	758,525	769,125	753,098	3,876,863
Subtotal (credit 1)	1,682,336	1,804,381	1,829,979	1,840,579	1,795,366	8,952,641
Grants	200,000	200,000	50,000	50,000	50,000	550,000
Contributions	3,332,311	3,223,901	2,848,147	2,837,547	2,842,847	15,084,753
Subtotal (credit 5)	3,532,311	3,423,901	2,898,147	2,887,547	2,892,847	15,634,753
Total³	5,214,647	5,228,282	4,728,126	4,728,126	4,688,213	24,587,394

¹ Benefits: i.e. the employee's benefit package, calculated at 20%

² O&M: operating and maintenance expenses

³ The total includes sums allocated under the Department of Justice's financial framework and sums previously allocated to the Department of Canadian Heritage under the national Program for the Integration of Both Official Languages in the Administration of Justice (POLAJ) and transferred to the Department of Justice beginning in fiscal year 2003-2004.

Source: Support Fund official documents

¹⁰ This figure includes \$18.5 million allocated to the Support Fund in the Action Plan and the resources transferred from the Department of Canadian Heritage to the Department of Justice for the Program for the Integration of Both Official Languages in the Administration of Justice (POLAJ.)

3. METHODOLOGY

Four main research methods were used in evaluating the Support Fund: a literature review, an analysis of project files, interviews with key stakeholders, and surveys of members of the legal profession (English speaking - and French-speaking) and recipients of funding under the Support Fund. Each of these activities is described in greater detail in the subsections that follow.

3.1. Literature Review

The literature review met two main objectives. First, the review made it possible to prepare a clear definition of the Support Fund, revise the logic model included in the Results-based Management and Accountability Framework (RMAF), and develop the evaluation framework and research tools. Second, it provided the answers to some evaluation questions. Table 2, below, provides a complete list of the documents reviewed.

Table 2: Documents Reviewed
• Official documents including the terms and conditions of the Support Fund
• Results-based Management and Accountability Framework (RMAF) for the Support Fund
• Reports on projects funded for fiscal years 2003-2004 and 2004-2005
• <i>Environmental Scan: Access to Justice in Both Official Languages</i> , Department of Justice Canada, 2002
• <i>Methodological Approach to the Comprehensive Evaluation of the Department of Justice Access to Justice in Both Official Languages Support Fund</i> , Department of Justice Canada, 2006 (unpublished)
• Final report on six case studies, prepared under the Summative Evaluation of the Department of Justice Access to Justice in Both Official Languages Support Fund, Department of Justice Canada, 2006 (unpublished)
• <i>Recherche documentaire sur le contenu de l'accès à la justice dans les pays ayant une politique linguistique bilingue ou trilingue</i> [Document review on the access to justice content in countries with a bilingual or trilingual policy], Department of Justice Canada, March 2005 (unpublished)
• Mandates and minutes of meetings of the Advisory Committee–Justice in Official Languages and the Subcommittee on Access to Justice in both Official Languages
• The Action Plan for Official Languages, March 2003
• <i>Update on the Implementation of the Action Plan for Official Languages, Mid-term Report</i> , Privy Council Office, 2005

3.2. Analysis of Project Files

Files on projects funded by the Support Fund were reviewed to obtain information about the funding application process, how project files are kept, recipient organizations, the type and size of projects funded, the compatibility of the projects with the selection criteria and the extent to which the projects help to meet the needs identified in relation to access to justice in both official languages, and the existing data collection methods.

All files closed as of February 2007(n=106) were reviewed and analyzed.

3.3. Interviews with Key Stakeholders

The objective of interviewing key stakeholders was to obtain information and informed perceptions concerning the relevance, design and implementation, effectiveness of and alternatives to the Support Fund.

Between December 2006 and February 2007, 30 interviews were conducted by telephone and in person with 32 stakeholders. The stakeholders interviewed fell into four categories:

- Support Fund officials,
- members of the Advisory Committee–Justice in Official Languages, the Subcommittee on Access to Justice in Both Official Languages, and the F-P-T Working Group on Access to Justice in Both Official Languages,
- representatives of the Fédération des associations des juristes d’expression française (FAJEF) and the English Legal Community of Quebec (ELCQ), and/or
- representatives of the Office of the Commissioner of Official Languages (OCOL) and the Official Languages Secretariat of Canadian Heritage (PCH).

The interview guides are attached as Appendix B.

3.4. Surveys of Jurists and Recipients

Three surveys were done in the course of this evaluation: a survey of French-speaking jurists outside Quebec, a survey of English-speaking jurists in Quebec, and a survey of recipients of funding under the Support Fund.

Table 3 sets out the objective, sample and distribution methods, and response rate for each of the three surveys.

Table 3: Surveys of Jurists and Funding Recipients			
	French-speaking Jurists	English-speaking Jurists	Funding Recipients
Objective	To obtain information about the benefits of membership in an AJEF, ongoing needs for professional development, resources and tools, problems relating to the practice of law in the minority language and progress associated with activities funded by the Support Fund.	To obtain information about ongoing needs for professional development, resources and tools, problems relating to the practice of law in the minority language and progress associated with activities funded by the Support Fund.	To obtain information about the funding application process, needs relating to the delivery of legal and/or judicial services in the minority language, the ability of the Support Fund to respond to those needs and the performance measurement systems in place.
Sample	The questionnaire was sent to 612 French-speaking jurists outside Quebec whose contact information is given on the AJEF Web site.	The questionnaire was sent to 250 English-speaking jurists in Quebec, chosen randomly from a list of members of the Barreau du Québec who had requested correspondence from the Barreau in English.	The questionnaire was sent to all organizations that had submitted a funding application to the Support Fund, a total of 25 recipients.
Distribution	The questionnaire was sent by electronic mail or, if an electronic address was not available, by facsimile. After the initial questionnaire was sent, two reminders were sent to jurists who had not yet responded to the survey.	The questionnaire was sent by electronic mail. After the initial questionnaire was sent, two reminders were sent to jurists who had not yet responded to the survey.	The questionnaire was sent by electronic mail. After the initial questionnaire was sent, two reminders were sent to recipients who had not yet responded to the survey.
Response Rate	In total, 160 French-speaking jurists completed the survey questionnaire, a response rate of 26%.	In total, 27 English-speaking jurists completed the survey questionnaire, a response rate of 11%.	In total, 14 recipients completed the questionnaire, a response rate of 56%.

The survey questionnaires are attached in Appendix B.

4. EVALUATION FINDINGS

This section of the report sets out the evaluation findings relating to each component of the Support Fund. The information is based on the set of research methods described in section 3.0.

4.1. Advisory Committees

The Department established a number of advisory committees to expand stakeholders' participation and capacity to take action in relation to justice in both official languages. As described in subsection 2.2.2 (page 6), they are the Advisory Committee–Justice in Official Languages, the Subcommittee on Access to Justice in Both Official Languages and the F-P-T Working Group on Justice in Both Official Languages. This subsection sets out the evaluation findings in relation to the activities of those committees, participation levels among their members and the relevance of their roles.

Activities of the Advisory Committees

The evaluation findings indicate that although the three committees met less often than initially intended, they provided a forum in which stakeholders could come together to discuss their needs and activities, to forge links and to develop opportunities for working together. These findings are discussed at greater length below.

To date, the Advisory Committee has, as intended, provided the leadership for the Support Fund's activities, and allowed its members to coordinate their efforts. The Advisory Committee has had two meetings since the Support Fund was established in 2003. At those meetings, the members had an opportunity to discuss needs, concerns and avenues to be explored in relation to access to justice in both official languages. The stakeholders who were consulted further noted that this cooperation between the Department of Justice Canada and the organizations that sit on the Advisory Committee provided them with a better understanding of the needs of official language minority communities and of the capacity of the Department of Justice to take action in respect of issues relating to the administration of justice in both official languages.

The access to justice subcommittee is seen as an excellent discussion forum where the various stakeholders working in the legal system and in community associations can get to know one another and network. The Subcommittee has met three times since the Support Fund was created. The meetings held to date have provided an opportunity to exchange information about access to justice in both official languages, the needs of the communities concerned, activities undertaken and avenues to explore in the future. As well, the Department uses the Subcommittee to inform members about activities undertaken by the Support Fund and to involve them in the management and future planning of the Support Fund. The evaluation findings indicate, however, that the large number of members and the full agenda at meetings sometimes makes it difficult to discuss each of the questions of interest in depth.

The F-P-T Working Group has met three times since the Support Fund was created in 2003.¹¹ Each meeting was preceded by a preparatory meeting of officials from the Support Fund and a few of the provincial/territorial representatives. This working group has given the provinces and territories an opportunity to get involved in access to justice in both official languages. The Working Group is in fact the main forum through which the provinces and territories can identify their (often similar) needs in relation to access to justice in both official languages, discuss best practices and develop common solutions. Opportunities to work on these together, such as the work done under the project carried out by the Institut de développement professionnel en langue française (Ontario), have often emerged through discussions within the Working Group.

Member Participation

The evaluation findings indicate that the leadership provided by the Department of Justice to date has resulted in good levels of participation from members of the three advisory committees.

In addition to discussions held during meetings of the three committees, there have also been informal discussions between meetings, particularly between Support Fund officials and certain committee members, and this has been welcomed by both sides. The discussions deal with specific questions that members have regarding the Support Fund or funding applications made by them.

While some networks have been formed as a result of the advisory committees' activities, it is observed that communication among the members themselves outside the formal channels has been more limited. This explains why, for some members, the committee meetings are still to a

¹¹ All provinces and territories are represented in the working group, with the exception of Prince Edward Island. Although P.E.I. does not participate in the meetings, it has asked to be kept informed about what happens there.

large extent the only opportunity they have to communicate with other stakeholders involved in access to justice in both official languages. This finding is explained in part by the fact that there is no coordination for this kind of discussion, but also because participants have little time and resources to devote to more extensive collaboration.

Another finding is that despite having an opportunity to participate in the Subcommittee's work, few representatives of the Anglophone community in Quebec have attended. This lower participation rate means that the Subcommittee's work seems to focus more on the needs of Francophone communities outside Quebec than on the needs of the Anglophone community in Quebec.

Clarity and Relevance of Roles

The Department of Justice has clearly established and documented the mandates and responsibilities of the Advisory Committee, the Subcommittee and the F-P-T Working Group. Given the context in which legal services are delivered and ongoing needs in relation to access to justice in both official languages, the roles of all three bodies continue to be relevant.

The mandate of each of the committees was submitted to its members and finalized with them. As well, descriptions of the mandates and responsibilities are set out in various documents and are presented again at the beginning of each annual meeting. Overall, therefore, the stakeholders in question have a clear understanding of the committees' roles. Nonetheless, because the committees' activities are generally limited to one meeting a year and there is constant turnover in the membership, members of the various bodies would benefit from additional communications from the Department of Justice. This would help to keep members up-to-date on activities relating to access to justice in both official languages and in contact with the subject matter, to some extent.

The evaluation findings also indicate that the three existing committees have made better coordination of stakeholders' actions possible. It was noted that access to justice in both official languages issues inevitably calls for participation from the legal profession, the community and government (provincial/territorial and federal levels). The three committees' activities have enabled the stakeholders concerned to better coordinate their efforts to meet the needs identified, particularly in relation to raising awareness among lawyers, in the communities and on the part of governments, and in relation to training for lawyers, developing legal tools and increasing the numbers of bilingual human resources within the justice system.

Through the participation of organizations representing lawyers, and of lawyers themselves, one result is that they can be informed about developments in language rights as they relate to access to justice and be made aware of the needs of OLMC members and the importance of providing justice services in their official language. Organizations that speak for the communities are also important participants, because they raise awareness in the communities about their language rights in relation to access to justice. Together, those organizations and organizations representing the legal profession do necessary work by pressuring government authorities on issues relating to access to justice in both official languages.

4.2. Core Funding for Lawyers' Associations

The Support Fund provides core funding for associations of French-speaking jurists and the Fédération des associations de juristes d'expression française de common law inc. to increase their capacity to get involved in issues relating to access to justice in both official languages. The evaluation findings indicate that there has been widespread success in achieving this objective.

Funding Provided for AJEFs and the FAJEF

AJEFs and the FAJEF may apply to the Support Fund each year for core funding. The amounts granted to each association vary from year to year and the Department decides how funding is distributed based on recommendations from the FAJEF. In the Support Fund's first two years, 2003-2004 and 2004-2005, six associations of French-speaking jurists and the FAJEF received core funding. The seventh AJEF, Alberta, had been inactive for several years and did not resume activities until the following fiscal year, when it received core funding from the Support Fund for the first time. This means that the seven AJEFs and the FAJEF received core funding for 2005-2006 and 2006-2007. The amount each organization is given each year varies from \$28,000 to \$206,000, the average being \$88,000.

Contribution of the Support Fund to AJEF and FAJEF Activities

The mandate of AJEFs and the FAJEF is to promote and defend the language rights of Canada's Francophone and Acadian communities by facilitating access to justice throughout the country. The core funding enables these organizations to consolidate their capacity to implement and manage projects relating to the delivery of legal and judicial services in French, to participate in meetings of various advisory committees, and to bring pressure to bear on various government authorities regarding the rights of Francophones in minority communities.

Core funding accounts for a major share of the funding received by AJEFs and the FAJEF. To date, on average, the resources provided by the Support Fund have accounted for 75 percent of the organizations' core funding. The situation varies, however, from one recipient organization to another. Some depend entirely on the Support Fund to operate, while for others the Support Fund resources represent only 24 percent of their core funding.

One of the most visible outcomes of the core funding is the creation of full-time executive director positions in all of the recipient organizations. This administrative stability means that AJEFs are able to focus on carrying out concrete activities associated with their mandates, such as providing training sessions, developing jurilinguistic tools, and holding awareness-raising activities—about language rights in the justice system and the services that are available—for the legal community, OLMC members and the general public.

In addition, core funding received by AJEFs from the Support Fund gives them an opportunity to build a variety of networks and partnerships. One outcome is that AJEFs participate in the activities of umbrella groups and/or regional, provincial and federal committees. This puts them in contact with stakeholders in the community, the legal system and government. Another outcome is that AJEFs are better equipped to approach provincial and territorial governments on the question of access to justice in both official languages.

The vast majority of French-speaking lawyers consulted in the survey believed that their AJEF promotes the use of French in the administration of justice, encourages the formation of networks of lawyers and raises community awareness of the use of French in the judicial system (see Table 4).

Table 4: To what extent do you agree or disagree with the following statements? (n=160)		
	Strongly Agree	Agree
The association of French-speaking jurists to which I belong actively promotes the use of French in the administration of justice.	62%	30%
The association of French-speaking jurists to which I belong has established a network of Francophone jurists in my region.	49%	36%
The association of French-speaking jurists to which I belong increases awareness of the use of French in the justice system within the Francophone community.	44%	40%
Source: Survey of French-speaking jurists		
Note: Because respondents could choose more than one response, the total may exceed 100%.		

Consultations carried out for this evaluation further show that the core funding given to French-speaking lawyers' associations and their federation gave them greater visibility in the

communities, among their members and with governments, and thus enabled them to forge links with various stakeholders. The federal, provincial and territorial governments acknowledge that AJEFs have become important resources for their communities and credible pressure groups. As well, based on the survey of French-speaking lawyers, a majority of them have visited the Web site of the AJEF to which they belong (64%) and more than 9 out of 10 rate it as useful or very useful (see Table 5).

Table 5: Have you ever visited the Web site of the association of French-speaking jurists to which you belong? (n=160)	
Yes	64%
No	31%
Don't know/no response	4%
If yes, how would you rate that site? (n=103)	
Very useful	31%
Useful	64%
Not useful or no response	5%
Source: Survey of French-speaking jurists.	
Note: As a result of rounding, the totals may be less than 100%	

More than half (55 percent) of the French-speaking lawyers consulted said that they had consulted or contacted their AJEF in the past. The main reasons cited for contacting the AJEF were:

- to access resources or legal tools (12%),
- to participate in/discuss activities for members of the profession (9%),
- for membership questions or to subscribe to the newsletter (6%), and
- to discuss questions relating to language rights and access to services in French (6%).

The greatest challenge faced by AJEFs is that the core funding is not permanent so AJEFs depends on the Support Fund being renewed. This situation is unavoidable, however, because no funding of this nature can avoid being subject to a renewal process.

Relevance of Core Funding

The evaluation findings indicate that AJEF and FAJEF activities meet some of the needs identified in relation to access to justice in both official languages, including:

- raising awareness among lawyers and the official language communities about language rights in the justice system, the importance of offering justice services in both official languages and the services available;
- increasing lawyers' capacity to offer justice services in both official languages by supporting the delivery of relevant training and the development of relevant legal tools;
- promoting networking and the creation of partnerships among stakeholders working in the justice system; and
- increasing bilingual resources and the capacity of the system to offer justice services in both official languages.

Logically, there is a connection between the core funding for AJEFs and the FAJEF and their capacity to undertake activities relating to those needs that continue to be current and relevant. According to the French-speaking lawyers surveyed, opportunities for networking, access to jurilinguistic tools and training, promotion of access to services in French and access to information about language rights are some of the main benefits of membership in an AJEF (see Table 6).

Table 6: In your opinion, what are the three main advantages of membership in an association of French-speaking jurists? (n=160)	
Networking/support/conferences/information sharing	58%
Resources/tools/training	36%
Promotion of access to services in French	28%
Information about language/constitutional rights	21%
Source: Survey of French-speaking jurists	
Note: Because respondents could choose more than one response, the total exceeds 100%.	

In addition, about 45% of French-speaking lawyers surveyed have participated in a professional development activity offered by their AJEF. The three main topics covered in the activity were:

- new developments in the law or information about a specific area of the law,
- language/constitutional rights, and
- jurilinguistic terminology.

Three quarters of the French-speaking lawyers were satisfied or very satisfied with the training provided.

The stakeholders consulted noted that consolidating the AJEFs and the FAJEF through the core funding does not reduce the importance of the role the federal government must play in making structural changes and significantly increasing access to justice in both official languages. In this regard, the associations expressed a desire for the federal government, and in particular the Department of Justice, to intensify its efforts to encourage the provinces and territories to take concrete action. The stakeholders noted, however, that the capacity of the Department of Justice to take action is limited as a result of the division of powers and the limitations of its financial framework, among other things.

Performance Measurement

In general, it is difficult to measure the performance of core funding, since the purpose of this type of funding is not to carry out a particular activity. AJEFs and the FAJEF use the core funding to sustain their operations, so that they are able to undertake activities relating to their mandates. Nonetheless, some associations measure performance based on the use of their services by members, informal discussions with their partners and the level of recruitment they have been able to achieve.

4.3. Project Funding

The third component of the Support Fund is project funding, the aim of which is to raise awareness in the official language communities or increase an organization's capacity to meet community needs in relation to access to justice in both official languages. Using an effective selection process that the recipient organizations clearly understand, the Department is able to fund a number of projects relating to Support Fund objectives. These findings are described in greater detail below.

Profile of Projects Funded and Activities Carried Out

Since the Support Fund was created in 2003, the Department of Justice has received 147 applications for project funding. To date, 41 of those files are still active and 106 have been concluded (whether or not they received funding).

Table 7 provides an overview of the applications for funding of projects that have been funded by the Support Fund.

Table 7: Overview of Projects Funded by the Support Fund (n=106)	
Applications for Funding	
Applications accepted	81%
Applications rejected	14%
Applications withdrawn or transferred	5%
Type of Organization that Received Funding	
Community organization	72%
Educational institution	28%
Category of Activities Funded	
Projects that support the practice of law in the minority language	37%
Projects to raise awareness in communities	27%
Structuring projects	18%
Other	18%
Type of Activities Undertaken	
Conferences/information sessions/consultations	35%
Development of jurilinguistic tools	21%
Publications or information materials for lawyers/litigants/students	45%
Information sessions	9%
Preparation of an organizational plan/promotion and awareness-raising	8%
Distribution of Projects Funded, by Region	
West (British Columbia, Alberta, Saskatchewan, Manitoba)	49%
Ontario	15%
Quebec	12%
East (New Brunswick, Nova Scotia, Newfoundland and Labrador)	24%
Resources Allocated, by Category of Activity	
Projects that support the practice of law in the minority language	\$4,049,081
Projects to raise awareness in official language communities	\$1,360,060
Structuring projects	\$485,156

Projects funded to date include workshops for lawyers on language rights, development of precedents for pleadings, legal terminology workshops, awareness-raising programs for young people about the legal profession, and online databases of lawyers who practice in the minority language.

The Department of Justice encourages recipients to seek financial or other support for their projects from additional sources; 48% of the projects received financial support from another

source, and 42% received non-financial support. The type of non-financial support that recipients obtained most often involved human resources for carrying out their activities (23%) or equipment loans/room rentals (7%). Table 8 identifies the most common additional sources of non-financial and financial support.

Table 8: Sources of Non-financial and Financial Support	
Percentage of Projects	... that received <u>non</u>-financial support from a:
55%	Community organization
32%	Educational institution
25%	Provincial government
2%	Other federal department or fund
Percentage of Projects	... that received financial support from:
37%	Registrations/dues/sales
31%	Other federal department or fund
24%	Provincial government
22%	Community organization
14%	Educational institution
2%	Private enterprise

In general, the activities that were planned for projects funded were carried out as planned. Only 6% of agreements had to be extended and 1% cancelled. Although slight changes were sometimes made to the activities and/or timetables, those changes were generally minor and did not affect the final outcomes. In addition, recipients generally kept Support Fund officials well informed about any change made. The Department of Justice provides careful oversight for the projects, but a bond of trust has developed between recipients and Support Fund officials. Funding recipients generally feel comfortable speaking openly with the Department about their concerns or the problems they are dealing with.

Funding Application and Project Selection Process

The Department of Justice has established funding application and project selection processes for the Support Fund. Eligible organizations submit an application using the general form provided by the Department for all funding applications. That application is then reviewed by a selection committee. Overall, the stakeholders involved feel that they are provided with good information and support throughout the application and project selection processes.

The Department uses several methods to inform eligible organizations about the Support Fund. Information about selection criteria, eligibility and objectives and the process to follow for making an application is provided at meetings of the Subcommittee and the F-P-T Working Group. As well, Support Fund officials have held information sessions to present this information to various groups. The Department's Web site also contains useful information about the application process, and organizations are invited to contact Support Fund officials if they have any question about their funding application.

The Department has made a variety of sources of information about the Support Fund funding process available to potential recipients. As shown in Table 9, the recipients consulted were informed about the possibility of submitting a funding application to the Support Fund either by the Department directly or through another organization, or by a combination of sources.

Table 9: How did you learn that you could apply for funding? (n=13)	
From a colleague/another organization	38%
We received a letter/e-mail from the Department of Justice	31%
Through the Department of Justice Web site	31%
At meetings with/presentations given by the Department	31%
At meetings of the Subcommittee or F-P-T Working Group	15%
Through our own research	8%
Other	15%
Source: Survey of recipients	
Note: Because respondents could choose more than one response, the total exceeds 100%.	

While the Support Fund's selection criteria are connected with the needs identified in the environmental scan, they are still relatively broad. On one hand, this characteristic means that the Support Fund is able to fund a range of activities dealing with the needs identified. On the other hand, it can lead to a degree of ambiguity regarding what may and may not be funded by the Support Fund. Some applicants who were consulted found it difficult to determine the extent to which their project application met the selection criteria, so they had to contact the Department for clarification. In this regard, the evaluation findings indicate that Support Fund officials were available promptly to answer questions of that nature.

In addition to the direct support provided by Support Fund officials throughout the funding application process, the Department offers a guide to preparing a funding application and a standard funding application form on its Web site. Recipients generally do not experience major

difficulties in submitting their applications, and believe that the process is effective and is designed and managed in a way that meets their needs.

The funding application review process is especially expeditious. When an organization submits its funding application, the selection committee, which is composed of four members (two members of the Programs Branch and two members of the Office of Francophonie, Justice in Official Languages and Legal Dualism), reviews the application to determine whether the organization and its project are eligible for funding under the Support Fund. The selection committee meets on an as-needed basis, i.e. as applications are received. The average time an applicant can expect to wait between the date an application is submitted and the date it is reviewed by the selection committee is 15 days. Once the application has been reviewed, the selection committee informs the applicant of the decision or any clarification needed. The average time between the date when an application is reviewed by the selection committee and the date when a formal decision is given is 24 days, although in more than 40% of closed files the formal decision was given within 10 days. Often, Support Fund officials inform an applicant of the decision by telephone, even before sending a letter.

Although in some cases the selection committee has gone back to applicants to clarify some aspects of the application, that process has not resulted in any significant delay. Among closed files, clarifications were requested in 48% of cases. Of those, nearly 90% of applications were subsequently accepted. When an application is rejected, Support Fund officials always inform the applicant of the reason for the rejection. Reasons for rejection of an application include:

- the application was outside the purview of the Support Fund (85%),
- the project was a duplication of services (20%),
- the project was not under federal jurisdiction (10%), and
- there were not enough partnerships with Francophone organizations (10%).

The survey of recipients confirmed that the support offered by the Department met their needs to a large extent. As shown in Table 10, nearly all respondents had a favourable opinion of the information and support provided by the Department.

Table 10: Please indicate how satisfied you were with the following aspects of the application process (n=13)		
	Very satisfied	Satisfied
Clarity of information about the application process	54%	38%
Support provided by the Department of Justice during the application process	77%	23%
Criteria used to determine eligibility for assistance	62%	38%
The Department's explanation of the decision	46%	46%
Source: Survey of recipients Note: Some projects meet multiple needs and may appear in more than one category.		

Objectives and Relevance of Project Funding

Because the project funding selection criteria relate directly to the needs identified in the environmental scan, the projects funded are generally considered to be relevant responses to needs in relation to access to justice in both official languages. For example, the objectives of the projects funded are closely tied to the objectives of the Support Fund (see Table 11).

Table 11: Objectives of Projects Funded	
Increase capacity of Department's partners	41%
Raise awareness in official language minority communities	21%
Develop partnerships	18%
Improve access to justice in French	17%
Raise awareness among the general public	10%
Raise awareness in the legal profession	9%
Source: Analysis of project files Note: Some projects meet multiple needs and may appear in more than one category.	

As well, the projects funded are selected based on the extent to which they correspond to the needs identified. Table 12 identifies the needs addressed by projects funded to date.

Table 12: Needs Addressed by Projects Funded	
Legal tools and resources	31%
Promotion/awareness-raising in communities	26%
Promotion/awareness-raising in the legal profession	19%
Professional development for lawyers	15%
Networking among stakeholders	10%
Promotion/awareness-raising among the general public	4%
Source: Analysis of project files	
Note: Some projects meet multiple needs and may appear in more than one category.	

Through the awareness-raising activities carried out, the projects funded make the issue of access to the law in both official languages more visible. The evaluation findings indicate that, to date, these activities have raised awareness among lawyers, the OLMCs and the general public, not only of language rights in relation to access to justice, but also of the importance of requesting and offering justice services in both official languages.

Activities focussing on providing training for lawyers and developing legal tools in both official languages also contribute to increasing the capacity of lawyers to offer services in the minority official language and thus increase access to justice services in both official languages.

Various organizations have participated in developing jurilinguistic tools and providing legal training, including AJEFs. The organizations most active in developing legal tools for lawyers practising in the minority language are the four jurilinguistic centres: the Centre for Legal Translation and Documentation at the University of Ottawa, the Centre de traduction et de terminologie juridiques at the Université de Moncton, the Institut Joseph-Dubuc and the Research Centre of Private and Comparative Law at McGill University.

Surveys of lawyers indicate that the jurilinguistic resources offered by the four jurilinguistic centres are not always well known or widely used in the legal community. When they are used, however, they are generally regarded as useful. If the visibility and promotion of these resources were increased, it would doubtless make it possible to address the needs of a larger number of minority official language practitioners.

As illustrated in Table 13, a significant proportion of respondents were not familiar with or did not use the jurilinguistic resources available at the three Francophone centres. Because the purpose of this evaluation is not to evaluate each project separately, we can only speculate on these trends. What it is important to note, however, is the fact that more than 9 out of 10 respondents who use the resources produced find them useful or very useful.

Table 13: Knowledge, use and usefulness of jurilinguistic resources			
Please indicate how well you know the following legal resources:			
	Databases: University of Ottawa (n=160)	Databases: University of Moncton (n=160)	Jurilinguistic Tools: Institut Joseph-Dubuc (n=160)
Very well	12%	13%	8%
Fairly well	20%	27%	13%
Little	34%	29%	21%
Not at all	29%	26%	53%
Please indicate how often you use the following legal resources:			
	Databases: University of Ottawa (n=140)	Databases: University of Moncton (n=141)	Jurilinguistic Tools: Institut Joseph-Dubuc (n=136)
Very often	4%	5%	3%
Often	17%	12%	10%
Rarely	33%	41%	21%
Never	46%	42%	66%
Please evaluate the level of usefulness of the following resources:			
	Databases: University of Ottawa (n=62)	Databases: University of Moncton (n=66)	Jurilinguistic Tools: Institut Joseph-Dubuc (n=35)
Very useful	34%	33%	43%
Useful	56%	64%	57%
Not useful	6%	2%	0%
Not at all useful	3%	2%	0%
Source: Survey of French-speaking jurists			

As indicated in Table 14, the same trends emerge among English-speaking respondents in Quebec.

Table 14: Knowledge and use of jurilinguistic resources offered by McGill University and level of usefulness of the resources	
Please indicate how well you know the jurilinguistic resources (n=27)	
Fairly well	4%
Little	30%
Not at all	59%
Please indicate how often you use the jurilinguistic resources (n=21)	
Rarely	24%
Never	76%
Please evaluate the level of usefulness of the jurilinguistic resources (n=6)	
Very useful	50%
Useful	33%
Not useful	17%
Source: Survey of English-speaking jurists	

Training sessions funded by the Support Fund and offered by AJEFs and some of the jurilinguistic centres are generally well regarded. The training deals with a variety of subjects, including language rights, legal terminology in French, and issues relating to the practice of law (for example, dispute resolution). The lawyers surveyed reported that training dealing with legal terminology and precedents for legal instruments in the minority language is particularly relevant. Training relating to specific areas of law is also relevant, but to a lesser extent, mainly depending on the area in which the lawyers practice.

Tables 15 and 16 set out the survey data relating to the relevance of the professional development activities offered.

Table 15: Considering your current professional development needs, evaluate the relevance of the following topics (n=160)		
	Very Relevant	Relevant
Use of French in criminal proceedings	33%	16%
Use of French in family proceedings	25%	17%
Use of French in civil proceedings	40%	24%
Legal terminology in French	65%	26%
Access to model legal instruments in French	58%	24%
Source: Survey of French-speaking jurists		

Table 16: Considering your current professional development needs, evaluate the relevance of the following topics (n=27)		
	Very Relevant	Relevant
Use of English in criminal proceedings	7%	4%
Use of English in family proceedings	7%	7%
Use of English in civil proceedings	15%	30%
Legal terminology in English	30%	41%
Access to model legal instruments in English	41%	33%
Source: Survey of English-speaking jurists		

Overall, the evaluation findings indicate that activities funded by the Support Fund are relevant and appropriate in terms of achieving the objectives identified and, to some extent, meeting the needs identified in relation to access to justice. According to about half the French-speaking lawyers consulted in the survey, significant progress has been made in the last three years in:

- the professional development activities offered that relate to the delivery of legal services in French (46%); and
- access to legal tools in French (54%).

As well, about 50% of respondents noted that in the last three years, more of their clients had requested legal services in French.

The vast majority (85%) of English-speaking lawyers in Quebec could not answer the question about progress that had been made in the last three years in professional development activities and in access to legal tools. The reasons that might explain why progress has not been as significant, or at least has not been as visible, in the Quebec Anglophone community include:

- There seem to be few organizations working in the area of justice in English in Quebec which would suggest that offering relevant professional development activities and developing legal tools in English in Quebec is of less importance than comparable French-language activities are in Francophone communities outside Quebec.

The vast majority of English-speaking lawyers surveyed (78%) could not identify the type of support offered by the Barreau du Québec for lawyers who practice in English in Quebec, and nearly all of the English-speaking lawyers consulted (96%) said that there were no other organizations, or they knew of no other organizations, that offered legal support for lawyers who practice in English in Quebec.

- The Support Fund does not seem to have the same level of visibility in Quebec as elsewhere in the country. This might mean that fewer professional development activities and activities relating to the development of legal tools are carried out by anglophone organizations in Quebec, because they are not using funding provided by the Support Fund. The Support Fund's lack of visibility in Quebec can be explained partially by the fact that Anglophone organizations in Quebec have not participated in large numbers in the activities of the advisory committees.
- The needs of the Anglophone legal community in Quebec might not be the same as the needs of the Francophone legal community outside Quebec. Because the political and legal realities are different from the situation for Francophone communities outside Quebec, issues relating to the practice of law in English in Quebec might also be different.

Despite the contribution of activities funded by the Support Fund to achieving the objectives and meeting the needs associated with the delivery of legal services in the minority language, the following findings highlight some of the limitations of the Support Fund:

- Needs in relation to access to justice in both official languages go beyond just criminal law and matters under federal jurisdiction. Stakeholders expected that these additional needs could be addressed under the Support Fund if the goal is to improve access to justice in both official languages in the broader sense.
- For better access to justice in both official languages to be achieved, the institutional capacity to offer those services must be improved. Since the administration of justice is a matter under provincial jurisdiction, it is expected that the provinces and territories will be more involved in this issue and will be given adequate support.
- Because new needs have emerged over the years and some of the needs identified earlier, while still relevant, may have changed, it is expected that the Support Fund will be sufficiently flexible to respond to the new demand.

Performance Measurement

Procedures have been put in place for measuring the performance of projects funded by the Support Fund, but they are still incomplete. To receiving funding from the Support Fund, an organization must show that it has an evaluation plan that includes a method of measuring the extent to which anticipated outcomes have been achieved. A majority of recipients surveyed (69%) indicated that they had a process in place for measuring the impact of the activities funded

by the Support Fund. From the review of project files, it appears that performance is measured in 55% of cases, generally using the following methods:

- informal discussion/feedback from stakeholders (24%),
- survey of satisfaction among participants/users of the service (17%),
- quality of deliverable (14%),
- number of participants in an activity carried out (7%), and/or
- level of use of a product or service (6%).

Although recipients of funding under the Support Fund seem to be clear about the importance of measuring performance, the types of performance measurement used suggest that there is still some confusion regarding measurement of *outcomes* as compared to measurement of *outputs* of the activities carried out.

In addition to evaluation reports, funding recipients must submit financial reports and activity reports to the Department of Justice. More than three quarters (77%) of recipients surveyed reported that the Department's expectations regarding data collection are clear.

The data collected are generally used for evaluation and audit purposes, and for the Support Fund's future planning, that is:

- data are entered in the Grants and Contributions Information Management System (GCIMS),
- the Department makes information available about the activities carried out under the projects funded, and the outcomes achieved, on its Web site, and
- The data provide Support Fund officials with information about trends, gaps and new needs in relation to access to justice in both official languages. Support Fund officials also use the data to involve Advisory Committee and Subcommittee members in Support Fund planning discussions.

4.4. Evaluating Future Impacts of the Support Fund

This evaluation provides a partial picture of the outcomes of the Support Fund. As was noted in the introduction, the evaluation covers three of the five years of Support Fund funding and part of the fourth year. This approach was necessary so that the evaluation could meet the reporting

requirements attached to the initial approval of the Support Fund. Obviously, there will be further activities initiated between now and the end of fiscal 2007-2008, the impact of which should be considered in order to obtain a complete picture of the Support Fund's achievements.

The value of measuring future impacts of the Support Fund arises from both results-based management and the more comprehensive process under way in relation to the Official Languages Program. Since introducing its management framework, Results for Canadians, in 2000, the federal government has adopted a results-based management process that necessarily involves performance measurement and evaluation processes for new initiatives such as the Support Fund. It is necessary, therefore, to determine how it will be possible to evaluate the long-term outcomes of Support Fund activities. That evaluation is also of considerable value to the Support Fund in that it coincides with an anticipated outcome of the Official Languages Program of the Government of Canada: that Canadians have "improved access to justice in both official languages."¹² The extent to which the Department of Justice will be in a position to measure the impact of its official languages initiatives will largely dictate the extent to which the federal government will be able, by extension, to measure the achievement of that anticipated outcome of its Official Languages Program.

This evaluation largely covers the short-term outcomes of the Support Fund and examines, in part, the anticipated outcome in the medium term. While the picture is incomplete (for the reasons stated earlier), the methodology used to conduct the evaluation can be used to measure the progress achieved to date in terms of the three short-term outcomes of the Support Fund. It is important to note, however, that this process is not intended to evaluate each project funded by the Support Fund on an individual basis. This distinction is important, and it arises in every evaluation that deals with a grants and contributions program. The Department will, of course, have to report on the projects it funds, particularly in relation to the extent to which they conform with the goals and objectives of the Support Fund. However, the Department is not expected to measure the net outcome of each activity funded for each project, out of the hundred or so projects that it has funded to date. Overall, the outcomes of the Support Fund that have been measured to date can be used to determine the extent to which the activities of the Support Fund contribute to achieving its anticipated outcome—to offer improved access to services in both official languages in the justice system—has been achieved. Those outcomes, however, cannot be used to obtain a precise measurement of the relative contribution of the Support Fund to that outcome.

¹² Government of Canada. *Canada's Linguistic Duality: A Framework to Manage the Official Languages Program*. (2005) Ottawa, p. 12.

Measuring the long-term outcomes of the Support Fund would require that all other initiatives (federal, provincial, municipal and community) that might contribute to them be measured, and this would be as laborious a process as it would be improbable. The two long-term outcomes identified in the Support Fund logic model specify the long-term objectives toward which the Support Fund's efforts are directed. Identifying those long-term outcomes does not automatically imply a corresponding obligation to measure the extent to which they are achieved, and then determine the relative contribution of the Support Fund to the achievement (or non-achievement) of those outcomes in the long term. In other words, if the Department does not measure the extent to which the long-term outcomes that the Support Fund wishes to contribute to are achieved, this does not, in itself, mean that they cannot be included in its logic model, since the logic model is used for purposes beyond just the evaluation process. That tool is one of the methods used to express the actual logic of a program; it is a very useful process for management purposes, and no less valid simply because not all of its components are systematically evaluated.

In practical terms, the Department must determine how the evaluation process can best support its management structure. With an initiative like the Support Fund, in which a range of stakeholders are involved, the Department of Justice has to play a relatively specific role. It must ensure that the decisions it makes regarding management of the Support Fund are consistent with the terms and conditions of the program, and thus that they support the objectives on which the Support Fund is based. In these circumstances, the distinction between what might *be worthwhile* to measure and what *must* be measured takes on particular importance. The Department of Justice is accountable for the outputs and short-term outcomes of the Support Fund, and must be able to explain how the Support Fund contributes to achieving the medium-term outcome. It is doubtful, however, that it is necessary to measure the achievement of long-term outcomes to ensure that the Support Fund is being properly managed.

Measurement of the impacts of the Support Fund is intrinsically tied to, and largely dependent on, continuous performance measurement. Even if the Department does not measure the achievement of the Support Fund's long-term outcomes, and does not evaluate each project funded, it may still consider it important to get a better understanding of how the short-term and medium-term outcomes identified in the Support Fund logic model relate to one another. The success of that analysis depends largely on the quality of the data collected through the continuous performance measurement. This evaluation indicates that Support Fund managers and funding recipients understand the importance of results-based management and the efforts that must be made to document the impact of Support Fund activities.

To date, evaluation of the Support Fund has depended largely on collecting new data as part of formal evaluation processes (e.g. document review, interviews and surveys), with the limitations inherent in that process. While it is sometimes thought that it is "too soon" to evaluate the impact of activities such as those undertaken by the Support Fund, it is important to remember that the mere passage of time does not solve any of the problems associated with measuring results. In fact, the passage of time very often only accentuates the problems. It would therefore be prudent for the Department of Justice to specify the anticipated outcomes of the Support Fund that it wishes to document and measure, and adjust its reporting requirements accordingly.

5. CONCLUSIONS

This section of the report presents the conclusions that emerged from the evaluation findings set out in the preceding section.

5.1. Relevance

The Action Plan is one of the vehicles by which the Government of Canada addresses federal priorities in relation to official languages. Under the Action Plan, the federal government is committed to improving access to justice in English and French. The Support Fund, which is a direct outgrowth of the Action Plan, enables the Department of Justice to support, and thereby improve, the delivery of justice services in both official languages. The Support Fund is a mechanism that is organized in such a way as to meet the objectives of the Action Plan as they relate to access to justice in both official languages.

The objectives of the Support Fund correspond to the more general objectives of the Official Languages Program. Through Support Fund activities—support to advisory committees, core funding for associations of French-speaking jurists, and project funding—the Support Fund contributes to enhancing the vitality of official language minority communities.

5.2. Structure and Implementation

The roles of the Advisory Committee, the Subcommittee and the F-P-T Working Group are clear and relevant. Working together with members of the various committees, the Department of Justice has established the mandates and responsibilities of each of those bodies. The mandates and responsibilities are documented and are presented to committee members at their annual meetings.

These three advisory committees bring together the leading stakeholders involved in access to justice in both official languages, thereby facilitating the coordination of efforts and the exchange of information. That coordination makes it possible for stakeholders to identify and

discuss needs in relation to access to justice in both official languages and to explore relevant avenues for addressing them.

The process associated with applying for funding and selecting projects is clear and transparent. The support provided by the Department of Justice to organizations that submit funding applications is one of the main strengths of the Support Fund. The Department offers information about the application process on its Web site, and Support Fund officials are available to provide guidance to the applicants throughout the process. Support Fund officials communicate decisions regarding project selection effectively, and provide explanations where necessary.

Overall, the activities funded under grant and contribution agreements have been carried out as planned. Although minor changes occasionally have to be made to activities or timetables, Support Fund officials are always informed of these changes, which generally do not result in any change in the anticipated outcomes.

Performance measurement for activities carried out through the Support Fund is uneven, and focuses on measuring outputs rather than outcomes. The data collected are essentially used by the Department to report on its activities and to plan for potential renewal of the Support Fund.

5.3. Effectiveness

The members of each of the three advisory committees meet once a year. Overall, members participate actively in the meetings and are very involved in the work of their committees. The level of participation and collaboration on the part of the provinces and territories is high, making this one of the noteworthy achievements of the Support Fund.

Stakeholders in Quebec's Anglophone community, however, have not been as active in the committees as stakeholders in Francophone communities elsewhere in Canada. Not only are fewer Anglophone stakeholders represented, their participation is less consistent.

The committees bring together stakeholders who are concerned with access to justice in both official languages, giving them an opportunity to talk about their activities, needs and problems, and to forge ties and form solid partnerships. As well, the meetings make members aware of the needs and issues that exist in official language minority communities and of the capacity of the Department of Justice to act on those issues. Important networks have been formed, and stakeholders from all areas (community, legal, government) have taken part in identifying and implementing attainable approaches to problems.

It should be noted that, given the lower rate of participation from Anglophone representatives, the committees' work has not had the same impact on English-speaking stakeholders in Quebec.

Core funding offered by the Support Fund has allowed associations of French-speaking jurists to be more effective in representing and lobbying on behalf of the communities and to offer relevant services to their members and the community. This funding ensures that AJEFs have administrative stability, enabling them to focus their efforts on managing projects, offering services and participating in the various committees and umbrella groups. The associations of French-speaking jurists have become visible and credible lobby groups, and important resources within their communities.

With respect to project funding, the categories of projects funded by the Support Fund to date are:

- projects that support the practice of law in the minority language,
- projects that raise awareness in the official language minority communities about language rights in the justice system and the services available, and
- structuring projects.

Projects funded by the Support Fund respond directly to needs identified in an environmental scan conducted in 2002. The types of projects funded respond to needs for awareness-raising, training, jurilinguistic resources and tools, and networking.

Nonetheless, the Support Fund's lack of visibility in the Anglophone community in Quebec means that it is not reaching that target population sufficiently and is responding inadequately to the community's needs. This finding is partly derived from the limited participation of this community to the work of the advisory committees, which reflects the Support Fund's organizational limits.

Overall, activities funded by the Support Fund have contributed to improving access to justice services in both official languages by increasing the capacity of actors in the justice system to offer those services. The Support Fund has enabled associations of French-speaking jurists to carry out their mandate more effectively, has contributed to the development of jurilinguistic tools and to professional development for legal professionals, and has brought together a variety of stakeholders so that they could coordinate their efforts. As well, the leading stakeholders have

been made aware of the needs that exist in relation to access to justice and are involved in identifying and implementing activities in that regard.

However, because the Support Fund is limited to criminal law and matters under federal jurisdiction, many needs associated with access to justice in both official languages have still not been addressed. As well, the needs that are identified and that are dealt with by the Support Fund are ongoing and should be pursued. Furthermore, given the low visibility of the Support Fund in the Anglophone community in Quebec, the Support Fund's capacity to improve access to justice services in English for that community is limited.

The activities undertaken through the Support Fund have led to significant successes. First, although it was expected that partnerships would be established among the stakeholders involved, the strength of the networks and of the collaborative effort that emerged was unexpected. Second, the associations of French-speaking jurists are all playing a greater role in their community networks, and are credible lobby pressure groups. And third, the jurilinguistic centres have been able to develop expertise in their field that is recognized at the international level.

Evaluation of the future impacts of the Support Fund require, first, that the Department of Justice specify what aspects of the Support Fund it wishes to measure in the long term. It appears that measurement of the short- and medium-term outcomes of the Support Fund is what will best meet the management needs of the Support Fund. This report suggests that measuring the long-term outcomes that the Support Fund is designed to contribute to, and of the relative contribution of the Support Fund to those outcomes—a colossal undertaking—would in fact be of little use for management of the Support Fund.

Once the Department has specified the aspects of the Fund that are to be measured in the long term, it will be able to modify its present performance measurement strategy so that the relevant data can be collected on an ongoing basis.

5.4. Cost-effectiveness

The present level of resources has made it possible for the Support Fund to contribute to the Department achieving its objectives and, to a certain extent, to meet the needs identified. Because the needs are considerable, ongoing and long-term, it can be expected that the need for resources will continue. The Department will experience pressure to increase those resources in

order to meet currently identified as well as emerging needs more adequately and more completely.

Groups within the Department of Justice, and some of its outside partners, have contributed to the activities carried out by the Support Fund. For example, some programs within the Department of Justice have offered their expertise and have contributed financially to a few of the Support Fund's projects. Some federal departments, the provincial/territorial governments, and community partners have also contributed to Support Fund projects. The type of contribution made varies from financial contributions to contributions of human resources, material resources and office equipment.

Although there are improvements that could be made to the Support Fund, it does not seem that there are any alternatives that would be more effective and would cost less. The Support Fund is an effective and appropriate mechanism for meeting the needs identified.¹³

¹³ It should be noted that a recent literature review done for the Department of Justice did not identify alternatives in the other countries covered by the study.

6. RECOMMENDATIONS AND MANAGEMENT RESPONSE

6.1. Program scope

The evaluation found that, because the Support Fund is limited to criminal law and matters under federal jurisdiction, many needs associated with access to justice in both official languages have still not been addressed.

Recommendation 1 : That the Office of Francophonie, Justice in Official Languages and Legal Dualism (the “Office”) broaden its scope to other areas of shared jurisdiction.

Management Response :

Agree. Broadening the Fund’s scope to other areas of shared jurisdiction was part of the Fund’s initial aim. Given the limited resources allocated to the Fund, the Department opted to focus on certain provisions in the *Criminal Code*.

Official language minority communities (the communities) have identified priority areas for action, some of which have a justice component. For example, at the *Sommet des communautés francophones et acadienne* in June 2007, participants emphasized the importance of increasing the communities’ capacity to create or strengthen infrastructures, services and activities in various fields, including justice.

Thus, together with its provincial and territorial partners, the Department will explore the possibility of broadening the Fund’s scope to other areas of shared jurisdiction (e.g., family law).

All recipients were of the view that the Support Fund should intensify its efforts with the provinces and territories for making structural changes and significantly increasing access to justice in both official languages.

Recommendation 2: That the Office continues taking concrete action with the provinces and territories to support the delivery of justice services in both official languages.

Management Response :

Agreed. The Department will continue to discuss justice services in both official languages with its provincial and territorial partners and encourage them to submit projects for increasing the provinces' and territories' capacity to deliver justice services in both official languages. Also, potential solutions have already been identified in a report on planning scenarios for the Fund's next cycle. The approaches expressed in that report will guide the Department's actions. The Department will review the possibility of establishing a new coordination mechanism for calling on and engaging government players. The mandate of this new mechanism would be to set the parameters for actions to undertake, report on progress and make recommendations on access to justice in both official languages.

6.2. Anglophone Community

The evaluation found that the Support Fund's lack of visibility in the Anglophone community in Quebec means that it is not reaching that target population sufficiently and is responding inadequately to the community's needs. This finding is partly derived from the limited participation of this community in the work of the advisory committees, which reflects the Support Fund's organizational limits.

Recommendation 3: That the Office develops a strategy to support the Anglophone community.

Management Response :

Agree. The Department has supported various projects intended for the Anglophone community through the Fund. The organizational limits of the Anglophone community in Quebec limit the Department's capacity for action in reaching this community, which has specific needs.

Nevertheless, the Department recognizes the importance of developing a strategy for addressing this community's needs.

6.3. Legal Tools and Training

The legal tools developed through funded projects were considered useful or very useful by those jurists who used them. However, most of the jurists questioned pointed out that they either rarely

or never used these tools because they are not very or not at all familiar with them. As to training, those jurists consulted indicated that the training on legal terminology and model legal instruments in the minority language was very relevant.

Recommendation 4 : That the Office develops a strategy pertaining to legal tools and training geared to the current needs of jurists.

Management Response :

Agree. The Department is of the view that the tools are not as well known as desired because they are scattered, not always current or relevant and are occasionally difficult to access.

The Department considers it essential that tools be produced and distributed that address specific needs identified by those involved in the justice system.

During fiscal year 2007-2008, the Department started focusing its efforts on projects based on needs expressed by those involved in the justice system. The Department intends to continue this approach. Also, potential solutions were previously identified in a report on possible support scenarios for the jurilinguistic aspect.

6.4. Funding Application and Project Selection Process

While the Support Fund's selection criteria are connected with the needs identified in the *Environmental Scan*, they are still relatively broad. On one hand, this means that the Support Fund is able to fund a range of activities dealing with the needs identified. On the other hand, it can lead to a degree of ambiguity regarding what may and may not be funded by the Support Fund. Some applicants who were consulted found it difficult to determine the extent to which their project application met the selection criteria, so they had to contact the Department for clarification.

Recommendation 5 : That the Office and Support Fund managers set out and communicate the priorities established for the next funding cycle (i.e. 2008/09-2012/13).

Management Response :

Agree. The Department relied primarily on the *Environmental Scan* for guidance in its funding decisions during the Support Fund's initial years. The pilot projects

funded helped identify more specific directions that will guide the renewal of the Support Fund.

The strategies that the Department will develop as part of the Fund's renewal will guide the defining of funding priorities. The priorities will be posted on the Department's web site as of the first year of the Fund's second cycle.

6.5. Performance Measurement System

Using the data collected, this evaluation was able to compile the list of activities and outputs of the Support Fund's various components and determine the extent to which those activities contributed to immediate outcomes.

However, the current performance measurement system does not measure the impact of core funding on the intermediate outcome or the two final outcomes. This information will be vital for measuring the Fund's impact and its contribution to changing the situation since 2002.

Recommendation 6 : That the Office ensure it has a performance measurement system that measures intermediate and final outcomes.

Management Response :

Agree. Program managers will develop new performance measurement tools for achieving consistent reports. A standardized report will be developed for all funded activities and it will be completed using standardized measurement tools for regular activities such as language training sessions in order to obtain consistent performance information. The Department is also considering conducting case studies for improved measuring of the impact of funded activities. The Department will also consider other approaches with the potential to improve recipients' reporting capacity.

The Department also encourages its employees to take performance measurement training. The Department also provides recipients with support in collecting relevant performance measurement information.

Recommendation 7 : That the Office and the Evaluation Division explore the possibility of updating the overall picture of access to justice in both official languages prior to or as part of the next evaluation.

Management Response :

Agree. The Department recognizes the importance of the *Environmental Scan: Access to Justice in Both Official Languages* published in 2002. This report enabled the Department to prepare a profile of the situation in Canada and guided the Department in developing a strategy for implementing a set of mechanisms addressing some of the communities' needs.

Needs are still being identified. The Department will be guided by the studies conducted by its partners and will look at the feasibility of conducting a new analysis of the situation for preparing a better profile of the current situation

APPENDIX A:
List of Evaluation Questions

List of Evaluation Questions

Table 17: Evaluation Questions	
Questions	
Relevance	
1.	To what extent are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages?
2.	To what extent is the Support Fund in line with other initiatives and objectives of the Official Languages Program?
Structure and Implementation	
3.	To what extent are the roles of the Advisory Committee, the Subcommittee on Access to Justice in Both Official Languages, and the F-P-T Working Group clear and relevant?
4.	To what extent are the funding application process and project selection process clear and transparent?
5.	Were the activities funded through grants and contributions agreements carried out as planned?
6.	To what extent are reliable performance measurement data collected, analyzed and incorporated into the day-to-day management of the Support Fund and decision-making?
Effectiveness	
7.	How often did the Advisory Committee, the Subcommittee on Access to Justice in Both Official Languages and the F-P-T Working Group meet? Were all of the members of those bodies active?
8.	To what extent did the work of the Advisory Committee, the Subcommittee on Access to Justice in Both Official Languages and the F-P-T Working Group contribute to information exchange and better cooperation among partners?
9.	To what extent has the core funding provided to associations of French-speaking jurists helped increase the ability of those organizations to properly carry out their mandate?
10.	What types of projects relating to access to justice in both official languages has the Support Fund funded to date?
11.	To what extent do the projects funded to date by the Support Fund meet the needs identified in relation to access to justice in both official languages?
12.	To what extent do the activities funded to date by the Support Fund help increase access to justice services by official language communities in their official language? What needs have not yet been met?
13.	Does the Support Fund have unintended effects (positive or negative)?
14.	What are the main lessons you have learned from your experience to date with the Support Fund?
15.	What prerequisites must be met in order to meet the needs for evaluation of future impacts of the Support Fund?
Cost-effectiveness	
16.	To what extent is the level of resources allocated to the Support Fund appropriate?
17.	To what extent does the Support Fund receive funds or non-financial support from the Department or its partners?

Table 17: Evaluation Questions
Questions
18. To what extent does the Support Fund continue to meet the needs of the communities in relation to access to justice in both official languages? Are the activities funded by the Support Fund still needed? Should the list of activities funded by the Support Fund be modified?
19. Are there alternatives to the Support Fund to fill any gaps remaining in relation to access to justice in both official languages more effectively? Are they more effective and do they cost less?

APPENDIX B:
Data Collection Instruments

Evaluation of the Access to Justice in Both Official Languages Support Fund

Guide for representatives of the FAJEF and the Quebec English-speaking legal community

The Evaluation Division of the Department of Justice is conducting an Evaluation of the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Support Fund was created following the launch of the Action Plan for Official Languages in 2003. The table below lists the main objectives of the Support Fund and the Support Fund activities covered by this evaluation.

Access to Justice in Both Official Languages Support Fund	
Objectives	• Increase the ability of the Department of Justice’s partners to develop innovative solutions to current issues related to access to justice in both official languages
	• Make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages
Activities	• Provide financial and administrative support for an advisory committee, an advisory sub-committee, and a federal-provincial-territorial working group
	• Provide core funding for associations of French-speaking jurists and their federation
	• Provide financial support for one-time projects related to access to justice in both official languages

The evaluation looks at the relevance, implementation, effectiveness and cost-effectiveness of the Support Fund. The Evaluation Division has hired an independent research firm, PRA Inc., to conduct the evaluation.

As part of the evaluation, we will carry out a literature review, an analysis of project files, a survey of jurists, a survey of Support Fund recipients and interviews with key informants representing a broad range of stakeholders. We will report all the information we gather in a consolidated form. The interview notes will not be distributed outside PRA Inc. and the Evaluation Division of the Department of Justice.

Introduction

1. In what capacity are you involved with the Access to Justice in Both Official Languages Support Fund?

Relevance

2. In your opinion, are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages? Please explain your response.

Implementation

3. How are the objectives of the Support Fund and the selection criteria communicated to eligible organizations? What tools, if any, are available to guide eligible organizations through the application process?
4. Are the project selection criteria clearly established? Please explain. How are decisions on the selection and funding of projects and activities communicated to applicants?

Effectiveness/Impact

5. In your opinion, to what extent and in what way has the work of the Advisory Committee – Justice in Official Languages and the Sub-Committee on Access to Justice in Both Official Languages contributed to information exchange and better cooperation among partners? What challenges, if any, exist in this regard?
6. (*For FAJEF representatives only*) To what extent and in what way has the core funding provided to associations of French-speaking jurists helped increase the ability of those organizations to properly carry out their mandate? In your opinion, are there any challenges in this regard? If so, what are they?
7. To what extent and in what way do the activities financed by the Support Fund address the primary needs related to access to justice in both official languages? What needs have not yet been met, and what activities have to be carried out in order to meet them?
8. To your knowledge, has the Support Fund had any unintended impacts (positive or negative)? If so, what are they?
9. In your opinion, what are the key indicators to measure the contribution of the Support Fund to the attainment of medium- and long-term objectives?
 - Increased access to justice services for official-language communities

- The public and the legal community are better informed of their rights and how to exercise them and of issues related to access to justice in both official languages
- A justice system that is capable of providing services in both official languages

10. What are the main lessons you have learned from your experience to date with the Support Fund?

Cost-effectiveness

11. In your opinion, is the level of resources allocated to the Support Fund sufficient to allow the objectives of the Fund to be met? Please explain.

12. In your opinion, are the objectives of the Support Fund still in line with the needs of communities regarding access to justice in both official languages? Do the activities financed by the Support Fund make it possible to meet those needs? Should the activities financed by the Support Fund be modified? Please explain.

13. In your opinion, are there other, more effective ways of responding to the needs in access to justice in both official languages? Please explain.

Conclusion

14. Do you have any other comments?

Thank you for your participation.

Evaluation of the Access to Justice in Both Official Languages Support Fund

Guide for representatives of the Support Fund, members of the Advisory Committee – Justice in Official Languages, and members of the Sub-Committee on Access to Justice in Both Official Languages

The Evaluation Division of the Department of Justice is conducting an Evaluation of the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Support Fund was created following the launch of the Action Plan for Official Languages in 2003. The table below lists the main objectives of the Support Fund and the Support Fund activities covered by this evaluation.

Access to Justice in Both Official Languages Support Fund	
Objectives	<ul style="list-style-type: none"> • Increase the ability of the Department of Justice’s partners to develop innovative solutions to current issues related to access to justice in both official languages • Make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages
Activities	<ul style="list-style-type: none"> • Provide financial and administrative support for an advisory committee, an advisory sub-committee, and a federal-provincial-territorial working group • Provide core funding for associations of French-speaking jurists and their federation • Provide financial support for one-time projects related to access to justice in both official languages

The evaluation looks at the relevance, implementation, effectiveness and cost-effectiveness of the Support Fund. The Evaluation Division has hired an independent research firm, PRA Inc., to conduct the evaluation.

As part of the evaluation, we will carry out a literature review, an analysis of project files, a survey of jurists, a survey of Support Fund recipients and interviews with key informants representing a broad range of stakeholders. We will report all the information we gather in a consolidated form. The interview notes will not be distributed outside PRA Inc. and the Evaluation Division of the Department of Justice.

Introduction

1. In what capacity are you involved with the Access to Justice in Both Official Languages Support Fund?

Relevance

2. In your opinion, are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages? Please explain your response.
3. To what extent is the Support Fund in line with the other initiatives and objectives of the Official Languages Program? Please explain your response.

Structure and Implementation

4. In your opinion, have the roles and responsibilities of the Advisory Committee – Justice in Official Languages, the Sub-Committee on Access to Justice in Both Official Languages and the Federal-Provincial-Territorial Working Group been clearly established and communicated to the members? If so, how? If not, how could it have been done better?
5. Briefly describe the funding application process. How are the objectives of the Support Fund and the selection criteria communicated to eligible organizations? What tools, if any, are available to guide eligible organizations through the application process?
6. Briefly describe the project selection process. Are the selection criteria clearly established? Please explain. How are decisions on the selection and funding of projects and activities communicated to the applicants?
7. To your knowledge, were the activities financed by the Support Fund (through grants and contributions agreements) carried out as planned? Please explain.
8. Are performance measurement data on the activities financed by the Support Fund gathered? If so, what procedure is in place for gathering and analysing that type of data?
9. How does the Department of Justice use the data? How useful are the data in ensuring the day-to-day management of the Support Fund and in making Fund-related decisions? Please explain.

Effectiveness/Impact

10. How often do the members of the Advisory Committee – Justice in Official Languages, the Sub-Committee on Access to Justice in Both Official Languages and the Federal-Provincial-Territorial Working Group meet? Have all the members of these bodies been active on a regular basis?

11. To what extent and in what way has the work of these three entities contributed to information exchange and better cooperation among partners? What challenges, if any, exist in this regard?
12. To what extent and in what way has the core funding provided to associations of French-speaking jurists and their federation helped increase the ability of those organizations to properly carry out their mandate? In your opinion, are there any challenges in this area? If so, what are they?
13. In your opinion, what are the primary needs related to access to justice in both official languages? To what extent and in what way do the activities financed through grants and contributions agreements address those needs?
14. In your opinion, to what extent do the activities financed by the Support Fund help increase access to justice services in both official languages? What needs have not yet been met, and what activities have to be carried out in order to meet them?
15. To your knowledge, has the Support Fund had any unintended impacts (positive or negative)? If so, what are they?
16. In your opinion, what are the key indicators to measure the contribution of the Support Fund to the attainment of medium- and long-term objectives?
 - Increased access to justice services for official-language communities
 - The public and the legal community are better informed of their rights and how to exercise them and of issues related to access to justice in both official languages
 - A justice system that is capable of providing services in both official languages
17. What are the main lessons you have learned from your experience to date with the Support Fund?
18. Is there currently a procedure in place for gathering data that can be used to measure the impact of the Support Fund? If so, please describe it. What data do you currently have that would allow you to measure the impact of the Support Fund?

Cost-effectiveness

19. In your opinion, is the level of resources allocated to the Support Fund sufficient to allow the objectives of the Fund to be met? Please explain.
20. Does the Support Fund receive financial or non-financial support from the Department of Justice or any of its partners? If so, what type of support does it receive, who offers the support and what activities are supported?
21. In your opinion, are the objectives of the Support Fund still in line with the needs of communities regarding access to justice in both official languages? Do the activities financed by the Support Fund make it possible to meet those needs? Should the activities financed by the Support Fund be modified? Please explain.
22. In your opinion, are there other, more effective ways of responding to the needs in access to justice in both official languages? Please explain.

Conclusion

23. Do you have any other comments?

Thank you for your participation.

Evaluation of the Access to Justice in Both Official Languages Support Fund

Guide for provincial and territorial representatives

The Evaluation Division of the Department of Justice is conducting an Evaluation of the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Support Fund was created following the launch of the Action Plan for Official Languages in 2003. The table below lists the main objectives of the Support Fund and the Support Fund activities covered by this evaluation.

Access to Justice in Both Official Languages Support Fund	
Objectives	<ul style="list-style-type: none"> • Increase the ability of the Department of Justice’s partners to develop innovative solutions to current issues related to access to justice in both official languages
	<ul style="list-style-type: none"> • Make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages
Activities	<ul style="list-style-type: none"> • Provide financial and administrative support for an advisory committee, an advisory sub-committee, and a federal-provincial-territorial working group
	<ul style="list-style-type: none"> • Provide core funding for associations of French-speaking jurists and their federation
	<ul style="list-style-type: none"> • Provide financial support for one-time projects related to access to justice in both official languages

The evaluation looks at the relevance, implementation, effectiveness and cost-effectiveness of the Support Fund. The Evaluation Division has hired an independent research firm, PRA Inc., to conduct the evaluation.

As part of the evaluation, we will carry out a literature review, an analysis of project files, a survey of jurists, a survey of Support Fund recipients and interviews with key informants representing a broad range of stakeholders. We will report all the information we gather in a consolidated form. The interview notes will not be distributed outside PRA Inc. and the Evaluation Division of the Department of Justice.

Introduction

1. In what capacity are you involved with the Access to Justice in Both Official Languages Support Fund?

Relevance

2. In your opinion, are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages? Please explain your response.

Implementation

3. What role does the federal-provincial-territorial working group play? Have the role and responsibilities of the working group been clearly established and communicated to the members? If so, how? If not, how could it have been done better?
4. In your opinion, is the funding application process clear? How are the objectives of the Support Fund and the selection criteria communicated to eligible organizations? What tools, if any, are available to guide eligible organizations through the application process?
5. How are decisions on the selection and funding of projects and activities communicated to applicants?

Effectiveness/Impact

6. How often do the members of the federal-provincial-territorial working group meet? Have all the members been active on a regular basis?
7. To what extent and in what way has the work of the working group contributed to information exchange and better cooperation among partners? What challenges, if any, exist in this regard?
8. In your opinion, what are the primary needs related to access to justice in both official languages in your province/territory? To what extent and in what way do the activities financed through grants and contributions agreements address those needs?
9. In your opinion, to what extent do the activities financed by the Support Fund help increase access to justice services in both official languages? What needs have not yet been met, and what activities have to be carried out in order to meet them?
10. In your opinion, what are the key indicators to measure the contribution of the Support Fund to the attainment of medium- and long-term objectives?
 - Increased access to justice services for official-language communities

- The public and the legal community are better informed of their rights and how to exercise them and of issues related to access to justice in both official languages
- A justice system that is capable of providing services in both official languages

11. To your knowledge, has the Support Fund had any unintended impacts (positive or negative)? If so, what are they?

12. What are the main lessons you have learned from your experience to date with the Support Fund?

Cost-effectiveness

13. In your opinion, is the level of resources allocated to the Support Fund sufficient to allow the objectives of the Fund to be met? Please explain.

14. In your opinion, are the objectives of the Support Fund still in line with the needs of communities regarding access to justice in both official languages? Do the activities financed by the Support Fund make it possible to meet those needs? Should the activities financed by the Support Fund be modified? Please explain.

15. In your opinion, are there other, more effective ways of responding to the needs in access to justice in both official languages? Please explain.

Conclusion

16. Do you have any other comments?

Thank you for your participation.

Evaluation of the Access to Justice in Both Official Languages Support Fund

Guide for representatives of the Office of the Commissioner of Official Languages (OCOL) and the Canadian Heritage (PCH) Official Languages Secretariat

The Evaluation Division of the Department of Justice is conducting an Evaluation of the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Support Fund was created following the launch of the Action Plan for Official Languages in 2003. The table below lists the main objectives of the Support Fund and the Support Fund activities covered by this evaluation.

Access to Justice in Both Official Languages Support Fund	
Objectives	<ul style="list-style-type: none"> • Increase the ability of the Department of Justice’s partners to develop innovative solutions to current issues related to access to justice in both official languages
	<ul style="list-style-type: none"> • Make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages
Activities	<ul style="list-style-type: none"> • Provide financial and administrative support for an advisory committee, and advisory sub-committee and a federal-provincial-territorial working group
	<ul style="list-style-type: none"> • Provide core funding for associations of French-speaking jurists and their federation
	<ul style="list-style-type: none"> • Provide financial support for one-time projects related to access to justice in both official languages

The evaluation looks at the relevance, implementation, achievements and cost-effectiveness of the Support Fund. The Evaluation Division has hired an independent research firm, PRA Inc., to conduct the evaluation.

As part of the evaluation, we will carry out a literature review, an analysis of project files, a survey of jurists, a survey of Support Fund recipients and interviews with key informants representing a broad range of concerned parties. We will report all the information we gather in a consolidated form. The interview notes will not be distributed outside PRA Inc. and the Evaluation Division of the Department of Justice.

Introduction

1. In what capacity are you involved with the Access to Justice in Both Official Languages Support Fund?

Relevance

2. In your opinion, are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages? Please explain your response.
3. To what extent does the Support Fund mesh with the other initiatives and objectives of the Official Languages Program? Please explain your response.

Effectiveness /Impact

4. In your opinion, to what extent do the activities financed by the Support Fund help increase access to justice services in both official languages? What needs have not yet been met, and what activities have to be carried out in order to meet them?
5. To your knowledge, has the Support Fund had any unintentional positive or negative effects? If so, what are they?
6. In your opinion, what are the key indicators to measure the contribution of the Support Fund to the attainment of medium- and long-term objectives?
 - Increased access to justice services for official-language communities
 - The public and the legal community are better informed of their rights related to access to justice in both official languages and how to exercise them
 - A justice system that is capable of providing services in both official languages
7. What are the main lessons you have learned from your experience to date with the Support Fund?

Cost-effectiveness

8. In your opinion, is the level of resources allocated to the Support Fund sufficient to allow the objectives of the Fund to be met? Please explain.
9. In your opinion, are the objectives of the Support Fund always in line with the needs of communities regarding access to justice in both official languages? Do the activities financed by the Support Fund always make it possible to meet those needs? Should the activities financed by the Support Fund be changed? Please explain.

10. In your opinion, are there other, more efficient ways of filling the needs in access to justice in both official languages? Please explain.

Conclusion

11. Do you have any comments?

Thank you for your input.

Evaluation of the Access to Justice in Both Official Languages Support Fund

Guide for the Associate Deputy Minister

The Evaluation Division of the Department of Justice is conducting an Evaluation of the Access to Justice in Both Official Languages Support Fund (the Support Fund). The Support Fund was created following the launch of the Action Plan for Official Languages in 2003. The table below lists the main objectives of the Support Fund and the Support Fund activities covered by this evaluation.

Access to Justice in Both Official Languages Support Fund	
Objectives	<ul style="list-style-type: none"> • Increase the ability of the Department of Justice’s partners to develop innovative solutions to current issues related to access to justice in both official languages
	<ul style="list-style-type: none"> • Make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages
Activities	<ul style="list-style-type: none"> • Provide financial and administrative support for an advisory committee, and advisory sub-committee and a federal-provincial-territorial working group
	<ul style="list-style-type: none"> • Provide core funding for associations of French-speaking jurists and their federation
	<ul style="list-style-type: none"> • Provide financial support for one-time projects related to access to justice in both official languages

The evaluation looks at the relevance, implementation, achievements and cost-effectiveness of the Support Fund. The Evaluation Division has hired an independent research firm, PRA Inc., to conduct the evaluation.

As part of the evaluation, we will carry out a literature review, an analysis of project files, a survey of jurists, a survey of Support Fund recipients and interviews with key informants representing a broad range of concerned parties. We will report all the information we gather in a consolidated form. The interview notes will not be distributed outside PRA Inc. and the Evaluation Division of the Department of Justice.

Introduction

1. In what capacity are you involved with the Access to Justice in Both Official Languages Support Fund?

Relevance

2. In your opinion, are the objectives of the Support Fund in line with the federal government's priorities regarding access to justice in both official languages? Please explain your response.
3. To what extent does the Support Fund mesh with the other initiatives and objectives of the Official Languages Program? Please explain your response.

Effectiveness/Impact

4. To your knowledge, were the activities of the Support Fund carried out as planned? Please explain.
5. In your opinion, to what extent do the activities financed by the Support Fund make it possible to increase access to justice services in both official languages? What needs have not yet been met, and what activities have to be carried out in order to meet them?
6. What are the main lessons you have learned from your experience to date with the Support Fund?

Cost-effectiveness

7. In your opinion, is the level of resources allocated to the Support Fund sufficient to allow the objectives of the Fund to be met? Please explain.
8. Does the Support Fund receive funding or non-financial support from the Department of Justice or any of its partners? If so, what type of support does it receive and what activities are supported?
9. In your opinion, are the objectives of the Support Fund always in line with the needs of communities regarding access to justice in both official languages? Do the activities financed by the Support Fund always make it possible to meet those needs? Should the activities financed by the Support Fund be changed? Please explain.
10. In your opinion, are there other, more efficient ways of filling the needs in access to justice in both official languages? Please explain.

Conclusion

11. Do you have any comments?

Thank you for your input.

**Evaluation of the Access to Justice
in Both Official Languages Support Fund (Support Fund)**

Survey of French-Speaking Jurists

The Access to Justice in Both Official Languages Support Fund provides financial assistance to eligible organizations to carry out activities and projects that help increase access to justice in both official languages. The Department of Justice of Canada has hired an independent research firm, PRA Inc., to conduct an evaluation of the Support Fund. The evaluation looks at the relevance, implementation, achievements and cost-effectiveness of the Support Fund. We are asking you, as a jurist who practises in the minority language, to take part in the evaluation.

Your input is important to us. We realize that your time is valuable and appreciate you taking a few minutes to complete this questionnaire. We would like to reassure you that any information you provide will remain strictly confidential. Your name will not be associated in any way with any comments you make, and all responses will be reported in a consolidated form.

Please note that this questionnaire is to be completed on screen. For each question, click in the text box and either enter your response, check the appropriate box, or select the option that matches your response. Save the new document and return it to us by e-mail at muise@pra.ca within two or three weeks.

If you have any questions about the survey or the evaluation, or if you would like a hard copy of the questionnaire, contact Danielle Muise of PRA Inc. at 1-866-422-8468 (toll free). Thank you for your cooperation.

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veuillez communiquer avec Danielle Muise :**
muise@pra.ca Tél. : 1-866-422-8468

Section A: Respondent's Profile

1. What province do you live in?
2. For how many years have you been a member of your provincial bar?
₇₇ I am not a member of my provincial bar.
3. Please select the category that best describes your current practice.
 - ₀₁ I am a lawyer in private practice.
 - ₀₂ I am a paid Legal Aid lawyer.
 - ₀₃ I am employed as a lawyer by a department or agency.
 - ₀₄ I am a judge.
 - ₀₅ I am a law professor.
 - ₆₆ Other

a. If you selected "Other", please specify:
4. Please indicate the fields of law in which you are currently involved. **(Check all that apply.)**
 - ₀₁ Administrative law
 - ₀₂ Family law
 - ₀₃ Corporate law
 - ₀₄ Criminal law
 - ₆₆ Other

a. If you selected "Other", please specify:
5. How often do you appear in court (or before an administrative tribunal)?
6. How often do you use French at work?
7. How do you rate your ability to *communicate orally* in French in the context of your work?
8. How do you rate your ability to *communicate in writing* in French in the context of your work?

Section B: Membership in an Association

9. Of what association of French-speaking jurists are you a member?
10. For how many years have you been a member of that association?

11. Who covers the membership fees?
12. Do you currently sit or have you ever sat on the board of directors of an association of French-speaking jurists (including the Fédération des associations de juristes d'expression française)?
13. In your opinion, what are the three main advantages of being a member of an association of French-speaking jurists?

14. To what extent do you agree or disagree with the following statements?
- a. "The association of French-speaking jurists which I joined actively promotes the use of French in the administration of justice."
- b. "The association of French-speaking jurists which I joined has established a network of Francophone jurists in my region."
- c. "The association of French-speaking jurists which I joined makes the Francophone community aware of the use of French in the justice system."

Section C: Professional Development

15. Have you ever attended an annual meeting of your association of French-speaking jurists?
16. Have you ever participated in a professional development activity offered by your association of French-speaking jurists (during an annual meeting or in another setting)?
17. Please specify the topic covered and your overall satisfaction with the activity.

Activity	Topic	Level of Satisfaction
Activity 1:		<input type="text" value="<select a response>"/>
Activity 2:		<input type="text" value="<select a response>"/>
Activity 3:		<input type="text" value="<select a response>"/>

18. Have you ever visited the Web site of the Fédération des associations de juristes d'expression française (FAJEF) (<http://accessjustice.ca>)?
19. How would you rate that site?
20. Have you ever visited the Web site of the association of French-speaking jurists which you joined?

21. How would you rate that site?

22. Have you ever consulted or contacted FAJEF or your association of French-speaking jurists?

Association	Yes/No	Why?
The FAJEF	<input type="text" value="<select a response>"/>	
Your association of French-speaking jurists	<input type="text" value="<select a response>"/>	

23. Please indicate how familiar you are with and the extent to which you use the following legal resources and state how useful they are.

Resource	I know these resources...	I use these resources ...	Usefulness
Databases (glossaries, case law, etc.) of the University of Ottawa's Centre for Legal Translation and Documentation.	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>
Databases (Juriterm, etc.) of the University of Moncton's Centre de traduction et de terminologie juridiques	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>
French legal tools from the Institut Joseph-Dubuc.	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>	<input type="text" value="<select a response>"/>

24. Considering your current professional development needs, evaluate the relevance of the following topics:

- a. Use of French in criminal proceedings:
- b. Use of French in family proceedings:
- c. Use of French in civil proceedings:
- d. Legal terminology in French:
- e. Access to model legal instruments in French:

- f. If you have other professional development needs related to the delivery of services in French, please identify them below.

Need 1	
Need 2	
Need 3	

Section D: Conclusion

25. In conclusion, please indicate the extent to which you agree or disagree with the following statements:
- a. “There has been considerable progress over the past three years in the availability of professional development related to the delivery of legal services in French.”
<select a response>
 - b. “There has been considerable progress over the past three years in access to legal tools in French.” <select a response>
 - c. “Over the past three years, more of my clients have requested legal services in French.”
<select a response>
26. Do you have any comments about access to justice in both official languages?

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Thank you for taking the time to complete this questionnaire.
Please return this e-mail to: muise@pra.ca

**Evaluation of the Access to Justice
in Both Official Languages Support Fund (Support Fund)**

Survey of English-speaking Jurists

The Access to Justice in Both Official Languages Support Fund provides financial assistance to eligible organizations to carry out activities and projects that help increase access to justice in both official languages. The Department of Justice of Canada has hired an independent research firm, PRA Inc., to conduct an evaluation of the Support Fund. The evaluation will examine the relevance, implementation, progress achieved, and cost effectiveness of the Support Fund. As a jurist practicing in the minority official language, we are inviting you to take part in the evaluation.

Your input is important to us. We realize that your time is valuable and appreciate you taking a few minutes to complete this questionnaire. We would like to reassure you that any information you provide will remain strictly confidential. Your name will not be associated in any way with any comments you make, and all responses will be reported in aggregate form.

Please note that this questionnaire is to be completed on screen. For each question, please click in the space provided and, as appropriate, type in your response, check the appropriate box, or select the option that matches your response. Save the new document and return it to us by e-mail at muise@pra.ca within two or three weeks.

If you have any questions about the survey or the evaluation, or if you would like a hard copy of the questionnaire, contact Danielle Muise of PRA Inc. at 1-866-422-8468 (toll free). Thank you for your cooperation.

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muise@pra.ca Tél. 1-866-422-8468

Section A: Respondent's profile

1. In which area(s) of Quebec do you practice?
- | | | | |
|--|---------------------------|--|------------------------|
| <input type="checkbox"/> ₀₁ | Abitibi-Témiscamingue | <input type="checkbox"/> ₀₇ | Montreal |
| <input type="checkbox"/> ₀₂ | Bas St-Laurent – Gaspésie | <input type="checkbox"/> ₀₈ | Outaouais |
| <input type="checkbox"/> ₀₃ | Côte-Nord | <input type="checkbox"/> ₀₉ | Quebec City and Area |
| <input type="checkbox"/> ₀₄ | Estrie | <input type="checkbox"/> ₁₀ | Rive-Sud |
| <input type="checkbox"/> ₀₅ | Laurentides – Lanaudière | <input type="checkbox"/> ₁₁ | Saguenay – Lac St-Jean |
| <input type="checkbox"/> ₀₆ | Mauricie-Bois-Francs | | |
2. How many years have you been a member of the Barreau du Québec?
- ₇ I am not a member of the Barreau du Québec.
3. Please select the category that best describes your current practice.
- | | |
|--|--|
| <input type="checkbox"/> ₀₁ | I am a lawyer in private practice. |
| <input type="checkbox"/> ₀₂ | I am a staff Legal Aid lawyer. |
| <input type="checkbox"/> ₀₃ | I am employed as a lawyer by a department or agency. |
| <input type="checkbox"/> ₀₄ | I am a judge. |
| <input type="checkbox"/> ₀₅ | I am a law professor. |
| <input type="checkbox"/> ₆₆ | Other |
- a. If you selected "Other", please specify:
4. Please indicate the fields of law in which you are currently involved. **(Check all that apply)**
- | | | | |
|--|--------------------|--|--------------|
| <input type="checkbox"/> ₀₁ | Administrative law | <input type="checkbox"/> ₀₄ | Criminal law |
| <input type="checkbox"/> ₀₂ | Family law | <input type="checkbox"/> ₆₆ | Other |
| <input type="checkbox"/> ₀₃ | Corporate law | | |
- a. If you selected "Other", please specify:
5. How often do you appear in court (or before an administrative tribunal)?
6. How often do you use English at work?
7. How do you rate your ability to *communicate orally* in English in the context of your work?

8. How do you rate your ability to communicate in writing in English in the context of your work?
<select a response>

Section B: Legal support

9. To your knowledge, which type of support does the Barreau du Québec offer to jurists who practice in English in Quebec?

- ₀₁ Legal training Please specify:
- ₀₂ Jurilinguistics tools Please specify:
- ₀₃ Networking opportunities Please specify:
- ₆₆ Other Please specify:
- ₇₇ The Barreau du Québec does not offer support to English-speaking jurists in Quebec **(go to question 12)**
- ₈₈ Don't know **(go to question 12)**

10. Have you ever taken advantage of the resources/support offered by the Barreau du Québec?

- ₁ Yes, go to question 11 ₀ No, go to question 12

11. If you answered yes to question 10, please identify the type of support provided and your level of satisfaction.

Type of support	Level of satisfaction
<input type="text"/>	<select a response>
<input type="text"/>	<select a response>
<input type="text"/>	<select a response>

12. Is there another organization that offers legal support to jurists who practice in English in Quebec?

- ₁ Yes, go to question 13 ₀ No, go to question 14
₈ Don't know; go to question 14

13. If you answered yes to question 12, please identify the organization and type of support provided.

Organization	Type of support
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>
<input type="text"/>	<input type="text"/>

14. To what extent do you know and use the legal resources (dictionaries, lexicographical notes, etc.) offered by the McGill University Quebec Research Centre of Private and Comparative Law?

I know these resources ...	I use these resources ...	Level of usefulness...
<select a response>	<select a response>	<select a response>

Section C: Professional development

15. Considering your current professional development needs, evaluate the relevance of the following topics:

- a. Use of English in criminal proceedings: <select a response>
- b. Use of English in family proceedings: <select a response>
- c. Use of English in civil proceedings: <select a response>
- d. Legal terminology in English: <select a response>
- e. Access to model legal instruments in English: <select a response>
- f. If you have other professional development needs related to the delivery of services in English, please identify them below.

Need 1	
Need 2	
Need 3	

Section D: Conclusion

16. In conclusion, please indicate the extent to which you agree or disagree with the following statements:
- a. "There has been considerable progress over the past three years in the availability of professional development related to the delivery of legal services in English, in Quebec." <select a response>
 - b. "There has been considerable progress over the past three years in access to legal tools in English in Quebec." <select a response>

17. Do you have any comments about access to justice in both official languages?

Thank you for taking the time to complete this questionnaire.
Please return it by e-mail to muise@pra.ca

**Evaluation of the Access to Justice
in Both Official Languages Support Fund (Support Fund)**

Survey of Support Fund Recipients

The Access to Justice in Both Official Languages Support Fund provides financial assistance to eligible organizations to carry out activities and projects that help increase access to justice in both official languages. The Department of Justice of Canada has hired an independent research firm, PRA Inc., to conduct an evaluation of the Support Fund. The evaluation will examine the relevance, implementation, progress achieved, and cost effectiveness of the Support Fund. As a representative of an organization that has received assistance from the Support Fund, we are inviting you to take part in the evaluation.

Your input is important to us. We realize that your time is valuable and appreciate you taking a few minutes to complete this questionnaire. We would like to reassure you that any information you provide will remain strictly confidential. Your name will not be associated in any way with any comments you make, and all responses will be reported in aggregate form.

Please note that this questionnaire is to be completed on screen. For each question, please click in the space provided and, as appropriate, type in your response, check the appropriate box, or select the option that matches your response. Save the new document and return it to us by e-mail at muise@pra.ca within two or three weeks.

If you have any questions about the survey or the evaluation, or if you would like a hard copy of the questionnaire, contact Danielle Muise of PRA Inc. at 1-866-422-8468 (toll free). Thank you for your cooperation.

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muise@pra.ca Tél. : 1-866-422-8468

Section A: General Information

Various categories of recipients are eligible for assistance from the Support Fund to carry out different types of activities. The following questions will help us establish a profile of respondents.

1. In what capacity did you submit an application to the Support Fund?
 - ₁ A not-for-profit community organization (including an association of French-speaking jurists)
 - ₂ A provincial/territorial, regional or municipal government (including a related Crown corporation)
 - ₃ An academic institution or school board (including a jurilinguistics centre)

2. The following table gives a brief description of the categories of activities and projects assisted by the Support Fund.

Categories of Activities and Projects Assisted by the Support Fund
A. Core funding for associations of French-speaking jurists – This type of support assists the Fédération des associations de juristes d’expression française (FAJEF) and its member associations in lobbying governments and carrying out their educational role.
B. Projects that support the practice of law in the minority language – These projects lead to the creation of training sessions and other tools that can be used by those involved in practising law in the language of the minority.
C. Projects to raise awareness in official-language communities – The aim of these projects is to make the public aware of issues related to access to justice in both official languages through legal education and information and other initiatives.
D. Building projects – The aim of these projects is to increase the ability of non-governmental organizations to meet the needs of members of minority official-language communities concerning issues related to access to justice in both official languages. For example, these projects can lead to the development of organizational plans, partner awareness and networking activities.

For each application you submitted to the Support Fund, please indicate the category of support under which it falls and whether or not the application was accepted. *(If you need more space, use the space provided in Question 32.)*

Applications submitted to the Support Fund						
Project Name	Accepted	Rejected	Category of Support (check all that apply)			
			A	B	C	D
1.	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₃	<input type="checkbox"/> ₄
2.	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₃	<input type="checkbox"/> ₄
3.	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₃	<input type="checkbox"/> ₄
4.	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₃	<input type="checkbox"/> ₄
5.	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₁	<input type="checkbox"/> ₂	<input type="checkbox"/> ₃	<input type="checkbox"/> ₄

6.	<input type="checkbox"/> _1	<input type="checkbox"/> _2	<input type="checkbox"/> _1	<input type="checkbox"/> _2	<input type="checkbox"/> _3	<input type="checkbox"/> _4
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Section B: Goals and Objectives of the Support Fund

- 3. One of the goals of the Support Fund is to increase the ability of the Department of Justice's partners to develop innovative solutions to current issues related to access to justice in both official languages.
How important do you consider this objective?
Please explain your response:
- 4. The Support Fund also aims to make the legal community and minority official-language communities aware of their rights and how to exercise them and of issues related to access to justice in both official languages.
How important do you consider this objective?
Please explain your response:
- 5. To meet its objectives, the Support Fund provides assistance for many activities: core funding for associations of French-speaking jurists; projects that support the practice of law in the language of the minority; projects to raise awareness in minority official-language communities; and building projects (see details in Question 2).
In your opinion, how appropriate are these activities?
Please explain your response:
- 6. Is the type of activities funded by the Support Fund consistent with its objectives?
 Please explain your response:
- 7. Do you think the type of activities funded by the Support Fund should be modified?
 Please explain your response:

Section C: Structure and Implementation of the Support Fund

- 8. How did you learn that you could apply for funding?
 - _01 We received a letter/e-mail from the Department of Justice
 - _02 Through the Department of Justice Web site
 - _03 Through our own research
 - _04 From a colleague/another organization
 - _66 Other. Please specify:

9. Please indicate whether you received the following information:

Did you receive ...	Yes/No	Please specify.
a. Information about the application process (types of projects accepted, eligible recipients, timetable, etc.)?	<select a response>	
b. Information about the selection criteria?	<select a response>	
c. Support from the Department of Justice during the application process (tools to guide you, advice, etc.)?	<select a response>	
d. An explanation of the decision?	<select a response>	

10. Please indicate how satisfied you were with the following aspects of the application process.

- a. Clarity of information about the application process <select a response>
- b. Support provided by the Department during the application process <select a response>
- c. Criteria used to determine eligibility for assistance <select a response>
- d. The Department's explanation of the decision <select a response>
- e. Scope of activity reports recipients have to submit to the Department <select a response>

11. Did you encounter any challenges during the application process? <select a response>

12. What challenges did you encounter?

13. How did overcome those challenges?

14. In your opinion, what could be done to improve the application process?

15. Were all of the activities you carried out under the projects funded by the Support Fund implemented as planned? <select a response>

16. How did implementation of the activities differ from what was planned?

17. For what reason(s) did implementation of the activities differ from what was planned?

18. What type of data on activities/projects funded by the Support Fund do you submit to the Department of Justice? (**Check all that apply.**)

- ₀₁ Financial data Please specify:
- ₀₂ Activity reports Please specify:
- ₀₃ Project evaluations Please specify:
- ₆₆ Other Please specify:

19. How clear are the Department's expectations regarding data collection?

Please explain your response:

20. Do you have difficulties getting the data you need for the reports you have to submit to the Department?

Report	Difficulties...	Please specify.
Financial reports	<input type="text" value="<select a response>"/>	
Activity reports	<input type="text" value="<select a response>"/>	
Project evaluation reports	<input type="text" value="<select a response>"/>	
Other reports	<input type="text" value="<select a response>"/>	

Section D: Achievements and Cost Effectiveness of the Support Fund

21. What needs were met by implementing the activities/projects funded by the Support Fund?

22. What needs related to access to justice in both official languages, if any, were not met by the Support Fund?

23. To what extent do you agree or disagree with the following statement? "The activities funded by the Support Fund help increase the ability of recipient organizations to implement initiatives related to access to justice in both official languages."

Please explain your response:

24. To what extent do you agree or disagree with the following statement? "The activities funded by the Support Fund help increase access to justice in both official languages."

Please explain your response:

25. In your opinion, has the Support Fund produced any unexpected impacts (positive or negative)?

If so, what are they?

26. Do you have a process in place to measure the impact of the activities funded by the Support Fund?

If so, describe the process and the type of data gathered:

27. Did you complement the funding provided by the Support Fund to implement activities/projects with funds from another source?

28. For which activities/projects did you received additional funds, and what was the source? *(If you need more space, use the space provided in Question 32.)*

Activity/Project	Source(s) of Additional Funds
1.	
2.	
3.	
4.	
5.	
6.	

29. In your opinion, is the funding provided by the Support Fund to implement activities and projects related to access to justice sufficient to permit the attainment of tangible results?

Please explain your response:

30. In your opinion, are there other, more effective ways of attaining the medium- and long-term results?

Results	Yes or No	Please specify.
a. Increased access to justice services for official-language communities	<input type="text" value="<select a response>"/>	
b. A public and a legal community better informed of their rights and how to exercise them, and of issues related to access to justice in both official languages	<input type="text" value="<select a response>"/>	
c. A justice system that is capable of providing services in both official languages	<input type="text" value="<select a response>"/>	

Section E: Conclusion

31. What lessons have you learned from your experience to date with the Support Fund?

32. Do you have any other comments about the Access to Justice in Both Official Languages Support Fund?

Thank you for taking the time to complete this questionnaire.

Please return it by e-mail to: muise@pra.ca