

Our File/N/Réf. 03-99-0045
Your File/V/Réf.

DATE 23 June 1999

TO/DEST. Chair and Members of Council

FROM/EXP. C.M. Beckstead
 Chief Administrative Officer

SUBJECT/OBJET **LEGAL SERVICES REVIEW**

As you know, the firm of HDP Group Inc. has conducted a review of legal services across the Corporation. The purpose was to examine the Corporation's requirements for legal services and the best way to deliver these services. The review considered a broad range of issues from industry best practices to alternative service delivery options, mandate and role of the Legal Department, organizational structure, accountability, resources, and management practices.

Concurrent with this review, the Regional Solicitor, Mr. Cameron, was seconded to my office to ease my workload and concentrate on intergovernmental relations.

Overview

The report commences with a recognition of the value of the services of the Regional Legal Department.

"It should be noted that many admirable and valuable foundations form the current basis for a highly valued Legal Department; these accomplishments must be acknowledged."

And, in that context, recognizes also the ever-changing functions and needs of the Regional Corporation, as it makes a number of recommendations for the better guidance of the Department and the better utilization and provision of legal services to the Regional Corporation.

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TO BE LISTED ON THE CORPORATE
SERVICES AND ECONOMIC DEVELOPMENT
COMMITTEE AGENDA - 06 Jul 99

Report Recommendations

The Report makes a number of recommendations that relate to corporate policy and that will have a corporate impact. These recommendations will be reviewed with the Regional Solicitor and with other departments as appropriate, for review and possible implementation. Included in this group of recommendations are the following:

- Operating departments and the Corporation, including its elected officials, would benefit from a better and more regular system of information reports relating to litigation, legal matters, liability issues, etc.
- Solicitors can fulfil an increased proactive role within the operating departments on management and policy development matters together with anticipated legal services.
- There is a need for more formal policy meetings at the corporate level and greater communication between the Regional Solicitor, the Chief Administrative Officer and the Regional Chair.
- There is a concern that too much professional legal time is being spent by solicitors on “non-legal” work in policy development and project areas.
- The Human Resources Commissioner is asked to review the staff compensation rules as they relate to solicitors as “stand alone professionals” with appropriate changes in the hierarchy of the Department being made possible as a result. Such a review could have implications in other departments as well.
- A review is appropriate with client departments concerning new or better performance measures for use in budget documents and staffing reports.
- There is a need for more preventive law programs in concert with the operating departments.
- The Finance Commissioner is to be asked to develop fully-loaded departmental staff costs for ease of comparing internal and external legal service costs.

- It is recommended that legal work be evaluated to identify that which must be performed internally, that which could be performed internally or externally, and that which requires specialized external expertise. The intent is then to commit a significant portion of optional work to external sources and then to partner in the specialist external files to enable internal staff to benefit from the experience.

The most important and immediate recommendation is the commencement of the process to appoint a Regional Solicitor to head the Legal Department. It is planned to use a recruiting agency with a target date of 1 October 1999 for approval by Corporate Services and Economic Development Committee and Council.

Beyond this, the balance of the report contains a number of recommendations that are either already in place or that suggest changes in the internal operation and administration of the Legal Department. I have forwarded these to the Acting Regional Solicitor with a view to reviewing with him the manner in which and the extent of which these recommendations can be utilized and implemented by the Department as its business plan is developed. As consulting advice is required it will be provided by the Internal Audit Branch of the Clerks Department.

I am confident that these improvements will strengthen our Legal Department's abilities to realize cost-effective measures, improve service and still meet the many new challenges ahead.

Thank you for your feedback and ideas during the course of this review. Should you have any questions, please do not hesitate to contact either myself or the Acting Regional Solicitor. The HDP Group Inc. Report is on file with the Regional Clerk and is available upon request.

Approved by
C.M. Beckstead

CMB/JDC/wcm

cc. Members, Management Committee
E.A. Johnston, Acting Regional Solicitor