

## MEMORANDUM

To: CELA Staff  
From: CELA Legal Staff  
Date: May 8, 1987  
Re: Salary Allocations

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Legal Aid has adopted a policy of trying to bring salaries paid to legal aid lawyers (both within and outside clinics) more in line with other sectors. Presently salaries are far behind those paid lawyers in the private sector and government (we will attempt to provide you with the most recent Canadian Bar Association Survey of lawyers salaries).

The purpose of this is to attract and keep skilled and experienced lawyers in the system in order to better serve the legal aid clients.

Legal Aids policy in this regard is articulated this year in the covering letter that accompanies the proposed salary allocations. It has also been made clear in the formula Legal Aid has adopted to allocate salary funds, which is to give clinics with experienced lawyers much more money than clinics without them.

We believe that it would be unfair to bring legal salaries more in line with those paid elsewhere if this were to occur at the expense of other clinic staff. However, as the following calculations demonstrate, we are proposing a significant increase to support staff salaries as well. Ironically resources are available for those increases because of the seniority of CELA's legal staff.

It also may be of interest to note that CELA staff will have a much higher allocation this year than most other clinics (several of which are getting increases in the 4 to 10% range) because of the large increases given in our lawyers salaries pool.

If you look at how increases have been allocated this year for our clinic the lawyers salaries have increased by 29.7%, Support staff increases are in the order of 5% (see Table 1).

Table 1

Increase - 1987/88      6 x 600 (base)      \$ 3,600.00

|    |          |
|----|----------|
| FG | 1,225.00 |
| SM | 600.00   |
| MJ | 100.00   |
| BG | 700.00   |
| LG | 600.00   |
| AS | <u>-</u> |

Lawyers

|    |                 |
|----|-----------------|
| MS | 15,125.00       |
| TV | 8,075.00        |
| SS | <u>7,150.00</u> |
|    | 30,350.00       |

|                       |                 |
|-----------------------|-----------------|
| Stipend Increase 1500 | <u>1,500.00</u> |
|                       | 31,850.00       |

|              |                 |
|--------------|-----------------|
| 3 x 600 Base | <u>1,800.00</u> |
|              | 33,650.00       |

|                                    |              |
|------------------------------------|--------------|
| Support Staff salary pool<br>86/87 | 37,039.00    |
| 6865 represents an<br>increase of  | <u>4.98%</u> |

|                                        |            |
|----------------------------------------|------------|
| Legal salary 86/87                     | 113,274.00 |
| 33,650.00 represents an<br>increase of | 29.7%      |

To further illustrate, had CELA hired a lawyer fresh from the Bar Admission course, the increase in our collective salary pool would have been reduced by \$23,900. This would have left us with an overall increase of \$20,440 or 7.6% rather than the 16.4% that we have been given.

Because CELA has three lawyers with considerable seniority we are in a position to provide all staff with substantial increase. Most other clinics cannot do so.

The Principle

As we indicated in our earlier memo to you, we believe that the appropriate principle to be applied in our clinic is to allocate additional funds so that CELA staff can be paid roughly the same salaries as a person of similar skills and experience would be paid elsewhere. Because secretaries are traditionally poorly paid we have proposed an additional increase in their salary category.

Our informal survey of salaries paid elsewhere indicates that the objective of bringing our clinic salaries in line with other sectors is much more of a reality for support staff than for legal staff given the allocations that we propose.

### Our Present Proposal

Table 2 represents our proposal with respect to the allocation of funds and remains the same as that of our earlier memo.

Table 2

|             |                  |                 |
|-------------|------------------|-----------------|
| Lawyers     | \$ 135,928.80    |                 |
| SM          | 31,500.00        |                 |
| KC          | 26,500.00        |                 |
| Secretaries | 24,600.00        |                 |
| BG          | 15,200.00        |                 |
| MV          | 10,150.00        |                 |
| RL          | <u>22,500.00</u> |                 |
|             | 290,978.80       |                 |
|             | 290,978.00       |                 |
|             | <u>18,622.00</u> | benefits @ 6.4% |
|             | 309,600.00       |                 |
|             | 2,000.00         | bookkeeper      |
|             | <u>1,275.00</u>  | LSUC            |
|             | 312,875.00       |                 |
|             | <u>1,000.00</u>  | RL position     |
|             | 313,875.00       |                 |

Contingencies to be covered by \$4,000 anticipated revenue TV - MISA money.

While this is not a response to the various arguments that you have made in your memo of April 29, 1987, there is however one misapprehension that should be corrected. On page 2 of your memo you indicate that even at a 15% increase, CELA lawyers would receive several thousand dollars over the highest amount paid in 1986 to lawyers in legal clinics with the same number of years experience. If you will refer to Legal Aid material on salaries you will see that this is most definitely not the case. Please consider the following:

Table 3

|                   | Present Salary | Clinics  |                    |
|-------------------|----------------|----------|--------------------|
|                   |                | High     | Median             |
| M. Swenarchuk '76 | \$37,500       | \$58,000 | 45,423<br>\$42,423 |
| T. Vigod '80      | 39,300         | 42,200   | 35,000             |
| S. Shrybman '81   | 36,500         | 41,102   | 32,875             |

You will note that CELA salaries are well below the highest paid lawyers working in clinics and in Michelle's case substantially below even the median of salaries paid to lawyers in clinics with the same experience.

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THE LAW SOCIETY OF UPPER CANADA  
THE ONTARIO LEGAL AID PLAN  
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April 8, 1987

Private & Confidential

To: The Chairperson of the Board of  
Directors/Dean of the Faculty of Law

Re: Personnel Funding 1987/88

I am pleased to enclose the Clinic Funding staff's offer re: for Personnel Funding for 1987/88. Attached is the detailed calculation of the offer, based on the our current staff information.

The funding for personnel this year includes a special "catch up" amount for clinic lawyers, which has been requested by the Clinic Funding Committee. This amount is being distributed through revised values in the "Career Progress Units", "Directors Stipend", and an allotment of \$425.00 per lawyer for the Law Societies Compensation Fund and Legal Aid levies.

The Clinic Funding Committee's goal is to provide sufficient funds to allow an increase of up to 20% on average lawyers' salaries. Whether your clinic can afford a full 20% increase for its lawyers will depend on the numbers of lawyers in your clinic, their experience levels and the salary you are already paying them, and other staff.

To assist your Clinic in assessing its current salary levels, and salary increases for 1987/88, I enclose summary information on salary levels paid by clinics in 1986/87, according to job classification and years of experience.

As in past years, the funds for personnel are provided to each clinic as a pool, out of which personnel expenses are to be met. The "CPU's" are a method of distributing funds to clinics and do not represent "increments" for salary administration purposes: the CPU's do not "belong" to individual staff members. The overall salary increases for individual staff members should be set by each clinic Board (or Dean) out of the overall pool available.

Clinic Funding Committee policy requires that the personnel fund's calculation be based on staff employed at April 1 of each fiscal year.

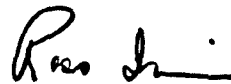
Attached is a second copy of the detailed calculation: would you please review it, amend as necessary based on staff employed as of April 1, sign the sheet, and return it to me at your earliest convenience. The final analysis of grant for 1987/88 for your clinic will be based on this information.

This is part of the Clinic Funding Staff's funding offer to your clinic for 1987/88. It remains subject to the designation of the Clinic Funding Committee's budget by the Attorney General. Should you not wish to accept this offer, please contact me in writing by, April 30, 1987.

Please do not hesitate to contact me if any further information is required regarding this offer.

Thank you for your anticipated cooperation in returning the signed copy of the attached staff listing.

Yours truly,



Ross Irwin,  
Clinic Funding Manager,  
The Ontario Legal Aid Plan.

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