

# A2J & LEGAL EDUCATION

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**Action Committee on Access to Justice  
in Civil and Family Matters**

The Action Committee is grateful to the law students, lawyers, paralegals, notaries, and legal educators who took the time to share their views on access to justice and legal education with us. This report was drafted by Ashley Major (CALIBRATE) with guidance from Trevor Farrow, Catherine McKinnon, and Jérémy Boulanger-Bonnely. Graphic design was completed by [Jessica Bromley Bartram Illustration and Design](#).

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2023

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# Executive Summary: A2J and Legal Education

## Background

In the 10 years since the release of the Action Committee on Access to Justice in Civil and Family Matters' (Action Committee) Roadmap for Change, there has been increased awareness of the access to justice (A2J) crisis in Canada. This increased awareness has contributed to a growing dialogue around the value of A2J content in legal education programs. Recognising this growing dialogue, the Action Committee sought to learn more about the A2J views and experiences of individuals involved with legal education (current students, Law School Deans, clinical legal educators, and young legal professionals) through this research project.

## Objective

The objective of this research was to better understand the impact of A2J education on the career choices of young legal professionals, including decisions to incorporate A2J work into their legal careers. Understanding these choices can potentially help inform where the broader A2J sector's priorities — including those of the Action Committee at this critical juncture — should lie.

## Methodology and Data Analysis

For six weeks over June and July 2023, the Action Committee collected data relating to A2J in legal education and early legal careers through three different online surveys and four targeted focus groups.

### The three surveys were sent to:

- Law School Deans and clinical legal educators, disseminated through the Canadian Council of Law Deans listserv and the Association for Canadian Clinical Legal Education listserv;
- Current law school students, disseminated through individual law school listservs, provincial A2J collaborative listservs, and the Canadian Bar Association (CBA) student listserv; and
- Lawyers, paralegals and notaries under 10 years of practice, disseminated through the CBA Young Lawyers listserv, provincial A2J collaborative listservs, and the Canadian Association of Paralegals listserv.



### In total, 155 surveys were completed by:

- 6** Law School Deans
- 15** clinical legal educators and academics
- 93** current law students
- 26** lawyers
- 13** paralegals and notaries
- 3** legal professionals who described their career as "other"
- 1** who did not indicate a role

The Action Committee is not a research body and therefore did not undergo an ethics approval process for this project.

All survey questions were optional. Responses to the three surveys were collected through the Hosted in Canada online survey tool. The Survey Questions can be found at Annex A.

The Action Committee also held four small focus groups with twelve individuals: two Supreme Court Clerks, six Ontario Public Interest Articling Fellowship (PIAF) students, and four lawyers working in legal technology and innovation. The legal technology and innovation focus group differed in that it included experienced lawyers over 10 years of call. The Supreme Court Clerks and legal innovator focus group participants were identified through personal connections and contacted directly. PIAF students were identified via the Law Foundation of Ontario website and contacted directly.

Focus groups were 30-45 minutes long and were conducted virtually by Zoom. Participants engaged in semi-structured discussions relating to their

experiences with A2J during law school, articling/ clerking, and their legal careers. The list of Focus Group Questions can be found at Annex B.

Focus group notes and survey responses were saved to a password-protected drive owned by the Action Committee Research Team. The Research Team identified key themes and findings through extensive review and coding of both quantitative and qualitative data. Participant responses were edited for spelling and anonymity purposes. The Final Report was completed in September 2023. The Report was translated into French and published as an open-source document on the Action Committee website in December 2023.

An advisory committee drawn from the Action Committee's Steering Committee provided feedback during the development of the survey questions, methodology, analysis, and final review of this Report. Advisory members included an SJD student/ practicing lawyer, a law school professor, and a government employee.

## Limitations

There are limitations to this data. The Action Committee uses the term “research” in the colloquial sense in this project, recognising that the full rigour of academic and other structured research methodology is not present for this report.

The sample size is small, particularly for survey responses from legal educators, paralegals, and notaries. There were also large variations in the views and experiences of respondents that limited the ability to draw representative findings and lessons learned. Relatedly, the targeted focus groups and the largely anecdotal and subjective nature of the responses limits the reliability of the data. Further rigorous study is required on this topic.

However, the responses revealed rich and interesting data that met the objective of this report, which was to hear directly from young legal professionals and those involved in legal education about the impact of exposure to A2J issues. While the purpose of this research was largely to inform future Action Committee action and engagement, the findings of this report may be informative to other organizations researching or working in A2J.

## Key Findings

The following key findings emerged from the surveys and focus groups:

- The introduction of A2J in law schools and legal education programs is not uniform across institutions. However, the majority of student and young legal professional respondents indicated that A2J initiatives are an active and important part of school curricula and activities.
- For both current law students and young legal professionals, mandatory courses, guest lectures, volunteer opportunities, clinical legal education, and optional courses were the 5 most common ways that respondents engaged with A2J during their legal education.
- Some students and young professionals described the introduction of A2J across their legal courses as “piecemeal” and largely dependent on course subject matter and/or on the interests of professors.
- The popularity and/or limited space in A2J clinics and extra-curricular activities can potentially limit students’ ability to engage with A2J initiatives in law school.
- Several student and young professional respondents suggested creating an entire course on A2J, rather than relying on different professors to introduce the concept in several courses. Others felt that an introduction in all courses was the best way to incorporate A2J in legal education.
- Paralegals/notaries were less likely to describe A2J as being a part of their legal education experiences than law students and lawyers.
- The diversity of law students and legal educators is an important element for enhancing A2J more broadly.
- A2J considerations can often be a by-product, rather than a focus of, legal innovation and technology efforts.
- The expense of law school and low-paying A2J careers can be a barrier to working in A2J, particularly for young legal professionals.
- Many students and young professionals reported that they did not know how to engage in A2J as a career beyond law school/legal education programs; some attributed this to a lack of information about and exposure to this type of legal career during law school.
- Working in the field of A2J is largely viewed as offering pro bono services off the side of one’s desk, rather than a viable area of work for a legal career.

# Introduction

A2J is a multifaceted issue. It can broadly be understood as timely, effective and equitable access to the necessary institutions, knowledge, resources and services to avoid, manage and resolve legal problems.<sup>1</sup>

In recent years, there has been a growing dialogue about the A2J crisis in Canada<sup>2</sup> and the role of A2J in legal education.<sup>3</sup> For many legal professionals, their first introduction to the concept of A2J is in law school/legal education programs. Recognising that exposure to A2J issues in legal education programs may impact the career decisions of young legal professionals, the Action Committee sought to hear about A2J from those recently involved with a legal education program.

This Report outlines the findings from 155 surveys and four focus groups from the Action Committee's 2023 Summer Research Project on A2J and legal education. The report largely focuses on the views and experiences of law students and young legal professionals, but also includes insights from legal educators (Law School Deans and clinical legal educators).

The report opens with an overview of the respondent demographics from the three online surveys and four focus groups. The next section provides an overview

of what the respondents felt were the most pressing A2J issues requiring attention from the legal community. This is followed by an exploration of responses from the Legal Educators Survey outlining how law schools have incorporated A2J initiatives.

The next section of the report examines the A2J views and experiences of law students and young legal professionals before, during, and after law school/legal education programs. It explores the respondents' views on the strengths and challenges of the A2J education they received and outlines their suggestions for enhancing the impact of A2J education. It concludes with an exploration of whether respondents felt that their A2J education impacted the trajectory of their legal careers, and examines some of the broader barriers to engaging in A2J as a legal career.

The report concludes with a discussion on the the go-forward implications of this information.

1 Drawn from the Action Committee's Roadmap for Change (2013) at 2, online: <https://static1.squarespace.com/static/60804beaba3bc03016513a59/t/6148d41ec33dd65ced337f8d/1632162847278/RoadmapForChange.pdf>.

2 See for example: Trevor Farrow & Lesley A. Jacobs, *The Justice Crisis: The Cost and Value of Accessing Law* (Vancouver: UBC Press, 2020).

3 See for example: Jennifer Leitch and Dayna Cornwall (National Self-Represented Litigants Project), "Teaching Access to Justice: Some Early Initiatives" (April 2023), *Slaw*, online: <https://www.slaw.ca/2023/04/21/teaching-access-to-justice-some-early-initiatives/>; Sarah E. Meldelson, "Paradigm shift: Creating more just societies with the SDGs, human rights, and innovations in higher education (April 2023), *Brookings*, online: <https://www.brookings.edu/research/paradigm-shift-creating-more-just-societies-with-the-sdgs-human-rights-and-innovations-in-higher-education/>.



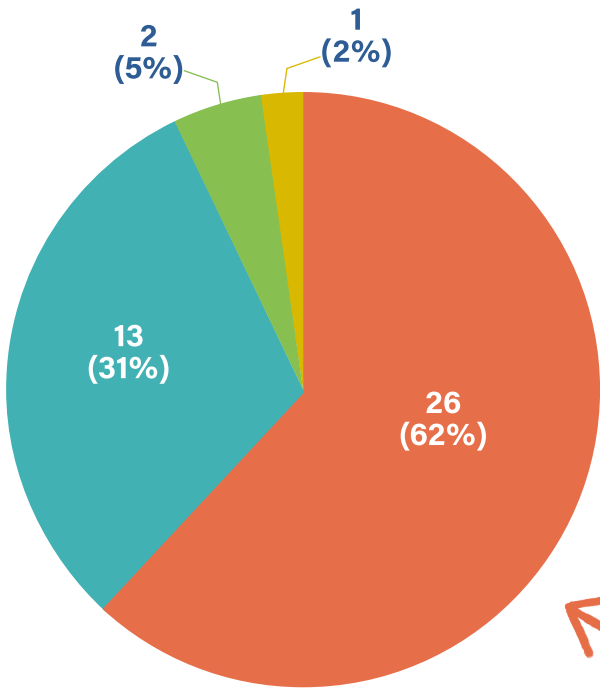
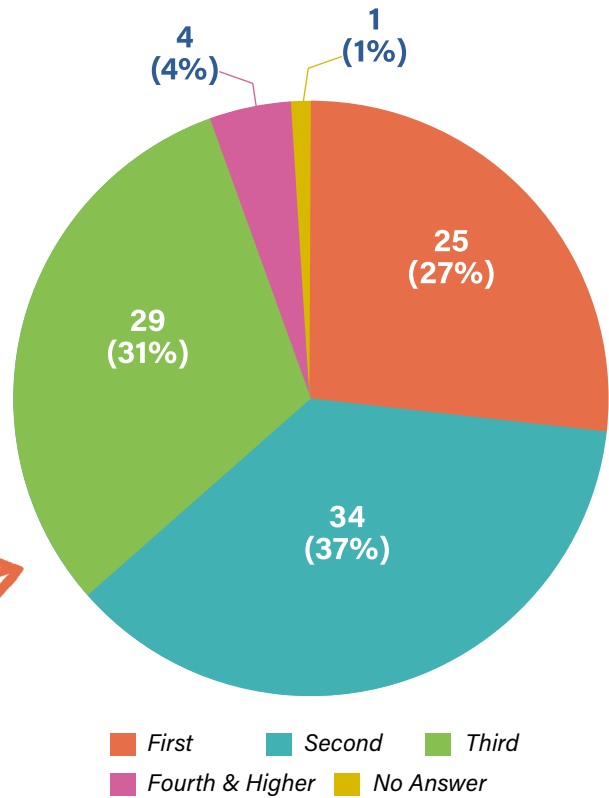
# Respondent Demographics

This section briefly explores the demographics of the respondents.

## Law Students

93 law students from all years of law school answered the survey. Those in their second year made up the largest proportion of respondents.

*What year of your program are you currently in (as of April 2023)?*



## Young Legal Professionals

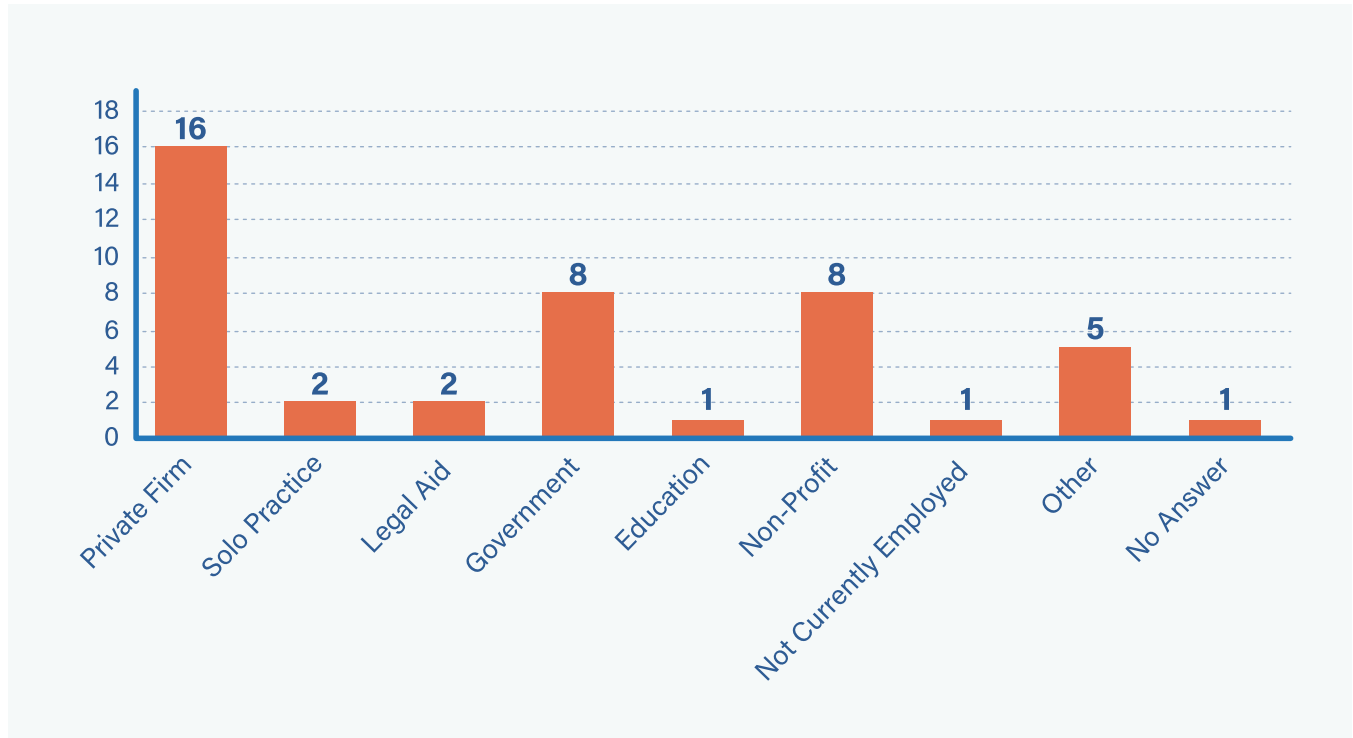
42 individuals completed the young legal professionals survey.<sup>4</sup> Lawyers represented the largest group with 26 respondents.

*Please indicate your legal role*

<sup>4</sup> The Young Professionals Survey grouped both paralegals and notaries under the category of "paralegal". The Research Team acknowledges that the role of notaries in Québec differs from the role of paralegals in other provinces, and that a separation of these two categories in the future would yield more accurate data about the views of these different legal professionals.

**Respondents were employed in the following sectors:**

Three of the five individuals who selected “Other” further explained their roles, indicating that they worked in the judiciary, as an ombudsperson, and for a public organization.



**Legal Educators**

**21** individuals completed the Legal Educator survey.

**6** respondents were Law School Deans.

**15** worked in clinical legal education.

**Focus Groups**

12 participants participated in four focus groups: two Supreme Court Clerks, six Ontario Public Interest Articling Fellows (PIAF), and four lawyers working in legal technology and innovation. Unlike the other focus groups, the legal technology and innovation focus group included lawyers over 10 years of call.

# The Most Urgent A2J Issues

The Action Committee asked survey respondents and focus group participants about what they felt were the most urgent legal issues requiring attention from the legal community. Respondents identified many issues; the most cited issues are listed below, along with selected comments from respondents:



## **The high cost of legal services/low legal aid threshold**

*"High costs associated with accessing justice (e.g. obtaining legal advice, trial costs, etc.)."* (2L Law Student)

*"Exorbitant cost of legal services, which is related in part to an inefficient court system."* (Lawyer)

*"Access to legal services for the middle class. I know that's not what one often hears, but they are the 'hollow middle'; they can't easily afford lawyers, yet they don't qualify for legal aid."* (Law School Dean)

*"The disparity between the very rich who can afford good lawyers and the lower middle class who can't access legal aid or afford a lawyer."* (Paralegal)

*"I think the affordability of legal services is incredibly important access issue as many folks can't even afford a lawyer in the first place. I'm pretty in awe of self-reps because of the courage to take on the system, but I also think that is a huge symptom of how expensive legal services are."* (Lawyer)



## **Lack of funding and limits of legal aid tickets**

*"Lack of sufficient funding for those lawyers willing to take on legal aid funded cases such that they are overworked for little pay and cannot take on as many cases as they would like."* (Clinical Legal Educator)

*"The limit on services provided (whether that is hours or complexity) by low-income services; the quality of low-income services (lawyers often do not have the time to spend on a file or services are provided by students/student-at-laws)."* (3L Law Student)



## **Lack of A2J in rural, remote, and Northern locations**

*"Not enough family law lawyers taking legal certificates in rural areas or smaller cities."* (Lawyer)

*"Rural access."* (3L Law Student)



### **Lack of accessible legal information**

*"Lack of awareness and availability of affordable legal services offered in languages other than English or that are otherwise accessible (ex. braille, dyslexia-friendly and ADHD-friendly fonts)." (1L Law Student)*

*"Anywhere that has a large power disparity combined with a lack of knowledge and/or lack of access to legal solutions. Tenant law, employment law, prison law, etc. all need legal experts to step up to fill the gap in knowledge and power." (2L Law Student)*

*"I think providing low-income and marginalized communities with legal information and legal guidance is very pressing." (2L Law Student)*



### **Delay in access to and resolution of legal issues**

*"Timely access to legal service for those who qualify for legal aid and need for expanded legal aid for those who currently do not qualify (either menu of services or financially), particularly in family law and administrative matters." (Clinical Legal Educator)*

*"The long waitlist for free services. This can result in individuals making legal actions without the legal information or advice, which they've tried to seek." (1L Law Student)*

*"Delays and access to advice. Just as in the healthcare sector, where various non-medical professionals (nurses, paramedics, pharmacists...) can help reduce system overload, the justice sector would do well to consider the contribution of paralegals and law students." (Paralegal)*



### **Racism, discrimination, and lack of access for racialized communities**

*"A2J for Indigenous communities is the most important in my opinion. Indigenous people are overrepresented in prisons and remain at risk within the system in terms of healthcare, housing, over-policing, and environmental A2J." (3L Law Student)*

*"Issues surrounding A2J for marginalized groups need to be addressed, as do the TRC and MMIWG2S+ calls to action. Intimate partner violence and children's access to justice are two critical areas that I see as requiring attention, as these disproportionately affect BIPOC and LGBT2S+ communities." (3L Law Student)*

*"Many of our laws and processes are causing harm. A2J is no longer about access to a lawyer, it is recognizing how harmful laws can be—especially to equity-deserving folks. The legal community urgently needs to consider trauma-informed approaches that increase safety and reduce harm. In an Indigenous context, this means removing colonial elements and including Indigenous elements." (Clinical Legal Educator)*



### **Judicial vacancies**

*"Judicial appointments (vacant positions are often left vacant too long, resulting in workload and scheduling issues for the court)." (Law School Dean)*

*"Hiring more judges and deciders to make court proceedings more timely." (4L+ Law Student)*



### **Growing/ intersectional legal, social, financial, and health needs**

*“Housing issues should be at the forefront for every lawyer, especially with the crisis happening in Canada. Housing has the potential to affect every other human rights that Canadians are entitled to.”*  
(2L Law Student)

*“Decriminalization of morality (drug use/ possession, sex work) and of poverty generally speaking (loiter, panhandling, and sheltering laws), access to affordable housing and the lack thereof, especially for racialized and Indigenous people that results in larger and deeper social impacts that are then criminalized leading to more people getting arrested and serving time.”*  
(1L Law Student)

*“Extremely marginalized persons (e.g. those with addictions or mental health issues) often need significant social support to level the playing field before they can even begin to access justice.”* (1L Law Student)

*“People with disabilities, survivors of violence, and people experiencing poverty are all in need of urgent legal support.”* (2L Law Student)

*“Rising cost of living, especially rental prices, is making it hard for even those making a decent wage have any money left over to pay for emergencies, such as legal representation.”*  
(2L Law Student)



### **The rise in self-represented litigants**

*“The number of defendants representing themselves before the courts in civil and particularly criminal matters is abhorrent and unacceptable. A court proceeding—whether it results in a conviction or finding of liability—is a matter that no lay person should have to navigate alone, and certainly not when they are compelled to and have no choice in the matter.”*  
(1L Law Student)

*“The amount of self-represented litigants is at a worrying level right now and most urgently needs to be addressed in the following areas: immigration, family law (e.g., domestic violence, child protection orders), and minor criminal offenses.”* (Lawyer)



### **Growing gaps in access to and knowledge of technology**

*“There is a technology gap for many people who don't have access to smart phones or computers and therefore cannot access “digital first” platforms like the LTB or zoom court (criminal).”*  
(Clinical Legal Educator)

*“If only the big players can access/afford [legal innovations]. If we don't make technology accessible, then people who really need them won't be able to access.”* (Legal Innovator)

## A2J Initiatives in Legal Education

The Legal Educators Survey asked Law School Deans and clinical legal educators to describe how their school incorporates A2J into legal education. Law School Deans described several ways A2J is introduced, including through courses, clinics, volunteer opportunities, and other programming at their Law Schools:

- *"We have two intensive clinical programs, a very active PBSC program, and offer several courses that focus on or touch on issues relating to access to justice."*
- *"Our curriculum builds in A2J throughout. We offer three clinical programs, providing community, refugee and creatives IP services. Additionally, we provide outreach ID clinics in collaboration with community organizations, specialized seminars e.g. on Family Violence, have regular speakers on A2J matters, a capstone course in civil litigation that weaves in A2J matters, semester-long practice placements with clinics and civil society organizations, and a lively chapter of PBSC."*
- *"Classes in multiple courses address access to justice issues, including courses and externships that involve a clinical component working in the area of poverty law, mental health, etc. Opportunities to share information and discuss A2J issues are also regularly provided via visiting speakers, faculty seminars and events led by student groups, particularly student groups promoting equity-deserving and historically underrepresented populations."*
- *"We have a mandatory first year class titled 'Access to Justice'. A2J also infuses a great deal of how we operate including our holistic JD admissions process which equally weights marks, LSAT scores, and the personal statement of the applicant. Our hiring process for new faculty also includes requirements that applicants emphasize their work to advance justice including decolonization and anti-racism scholarship/teaching. Our course offerings include a number of clinic and experiential learning opportunities which emphasize anti-oppression ideals and we also offer a full menu of courses that emphasize access to justice."*
- *"We have incorporated access to justice issues into the mandatory civil procedure course. Other professors talk about it incidentally in other compulsory courses (criminal law; law of obligations, rights and freedoms, administrative law, etc.). We have a social law legal clinic that aims to meet the access to justice needs of vulnerable people and includes comprehensive training on these issues (12 hours) and a clinical teaching program with many community organizations. As part of our co-op program, we offer a community placement funded by a legal foundation in order to remunerate students and contribute to access to justice. We also offer a mandatory course on mediation and dispute resolution that places access to justice at the heart of learning. Finally, we have several optional courses that address this theme (law and poverty)."*

## Clinical Legal Educators also described how their Law School incorporates A2J:

- *"We have two clinics associated with [Law School] providing law and social work students with the opportunity to gain practice skills in poverty law and address systemic issues. The students volunteer and complete academic placements and are employed during the summer. The clinics offer experience in landlord/tenant law, criminal law, family law, elder abuse, legal advice and representation for survivors of intimate partner violence and sexual assault, anti-human trafficking support, immigration and refugee law and public benefits law."*
- *"I am Executive Director of [Law School's] Legal Aid Clinic. Students come to us full-time for a term and learn about, and represent people living at, intersections with poverty in areas of family, child protection, youth criminal, and administrative law (housing and income issues primarily). Our students learn about the gaps which exist, and, in addition to representing individual clients, provide education sessions in community, and work with community organizations connect with social justice issues."*
- *"One of the criteria that must be considered when we become involved in cases is that there is an access to justice implication."*
- *"Through partnerships with community organizations, our program partners volunteer law students and pro bono lawyers to provide free legal services to individuals facing barriers to justice. We also offer paid and volunteer roles within an Ontario-based program that virtually provides free limited scope services to low-income family law litigants. We operate across 22 law schools throughout Canada."*



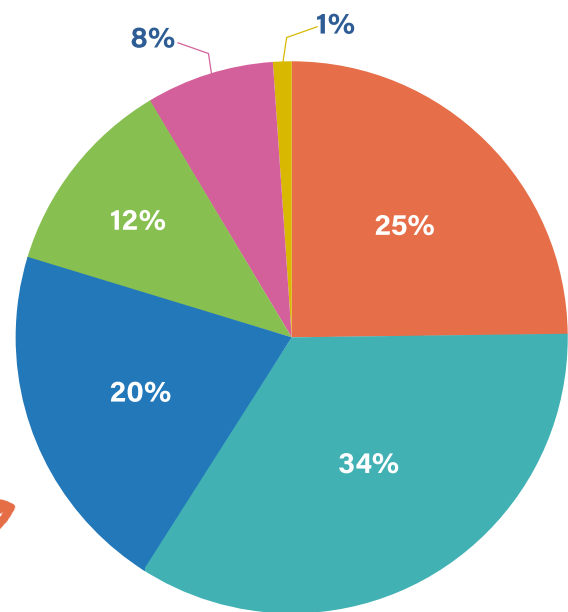
# Engagement with A2J in Legal Education Programs

The following section explores the A2J awareness and engagement of law students and young legal professionals before, during, and after their legal education program.

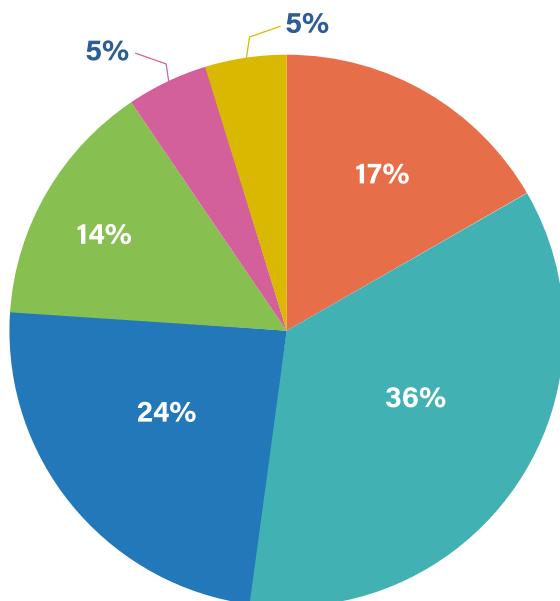
## A2J Views and Experiences Before Legal Education

The surveys asked whether current students and young legal professionals were interested in A2J before they started law school/legal education program.<sup>5</sup>

*The majority of law students indicated that they were interested in A2J prior to law school*



■ It's why I enrolled    ■ Definitely A Factor  
■ Somewhat    ■ Minimally  
■ Not at all    ■ No Answer



*Young legal professionals responded similarly*

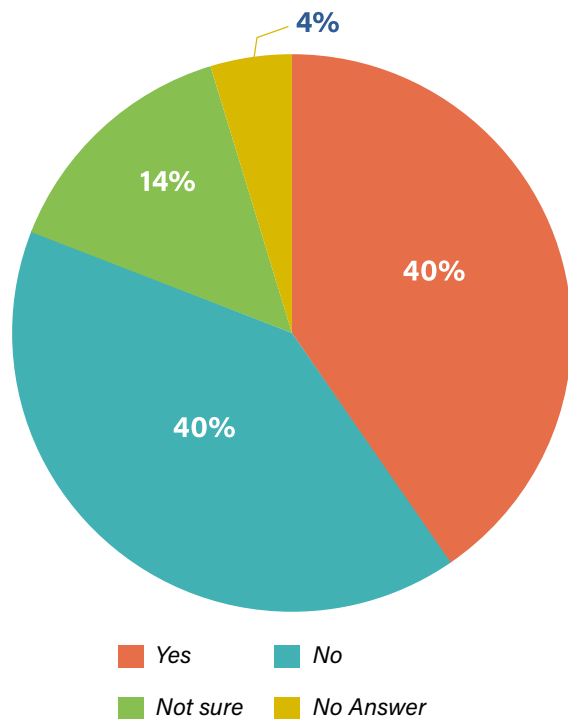
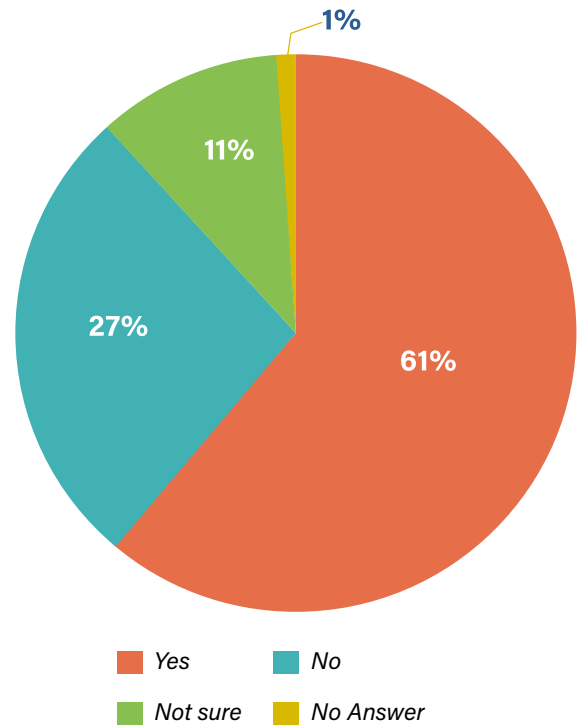
■ It's why I enrolled    ■ Definitely A Factor  
■ Somewhat    ■ Minimally  
■ Not at all    ■ No Answer

<sup>5</sup> The Action Committee Research Team acknowledges that the individuals who chose to complete these surveys about A2J may have done so due to their interest in this topic. There therefore may be a selection bias at play in these responses.



**Did your interest or knowledge about A2J issues influence your decision to go to law school?**

Surveys asked respondents whether their interest or knowledge about A2J issues influenced their decision to attend law school. The majority (61%) of current law students selected yes.



**Did your interest or knowledge about A2J issues influence your decision to go to law school/legal education program?**

For young legal professionals, the divide was more obvious, with roughly 40% of respondents indicating yes and 40% indicating no.

Of those who indicated yes, 71% were lawyers and 29% were paralegals and notaries.

In both surveys, those who responded “yes” to this question were also asked to explain why their interest in A2J influenced them to obtain a legal education. Several explained that a broad desire to help others influenced them to apply:

- *“I had previous exposure to human rights and knew that I wanted to gain legal knowledge in order to help people make informed decisions and know their rights.” (Lawyer)*
  - *“I was interested in social justice issues and wanted to make a difference, but I don’t think I was aware of the term A2J prior to law school.” (Lawyer)*
  - *“It was one of many things that motivated me to go to law school; the idea that I could help people with my legal career instead of just making money was encouraging.” (3L Law Student)*
  - *“Although I was unfamiliar with the formal concept of A2J, I was inspired to go to law school, in part, by my desire to provide legal aid to those who may lack the means to do so themselves.” (3L Law Student)*
- 

Several respondents explained that they had previously worked in roles where they could specifically envision how a legal education could help them better advocate for particular individuals/groups:

- *“I worked at a Pro Bono clinic and saw how much people struggled to find help for their problems. I wanted to help people solve their legal problems and make information more accessible to them, but felt frustrated when I couldn’t help or give them answers to their questions.” (2L Law Student)*
- *“I witnessed issues with A2J as a front-line social worker and was privileged to have family members in legal careers and to be able to attend law school. As a social worker I witnessed the need for more human-centred and trauma-informed practices in law to improve A2J, which is why I chose to attend law school and was privileged enough to access a legal education.” (2L Law Student)*
- *“I was working in a refugee camp and everyone was asking for legal advice. I came to believe that legal information and representation should be a basic human right, so I pursued a career in law.” (2L Law Student)*
- *“Prior to attending law school, I worked as a Judicial Clerk and Judicial Assistant at the Superior Court of my province where I saw the challenges that self-reps faced in the court system. How even after several attempts to make the court more self-rep-friendly and to use more lay person language, there was still a significant gap in the access to justice for those self-reps.” (2L Law Student)*
- *“I worked in remote northern SK communities as a social worker and wanted to increase access to legal advice and lawyers for families living rurally.” (2L Law Student)*

- *"I worked in community social service and international development prior to law school, and after those experiences saw law as a way to take a career step in an elevated but similar philosophical direction." (1L Law Student)*
- *"I decided to go to law school because I wanted to help women that have experienced domestic violence with family law issues, after*

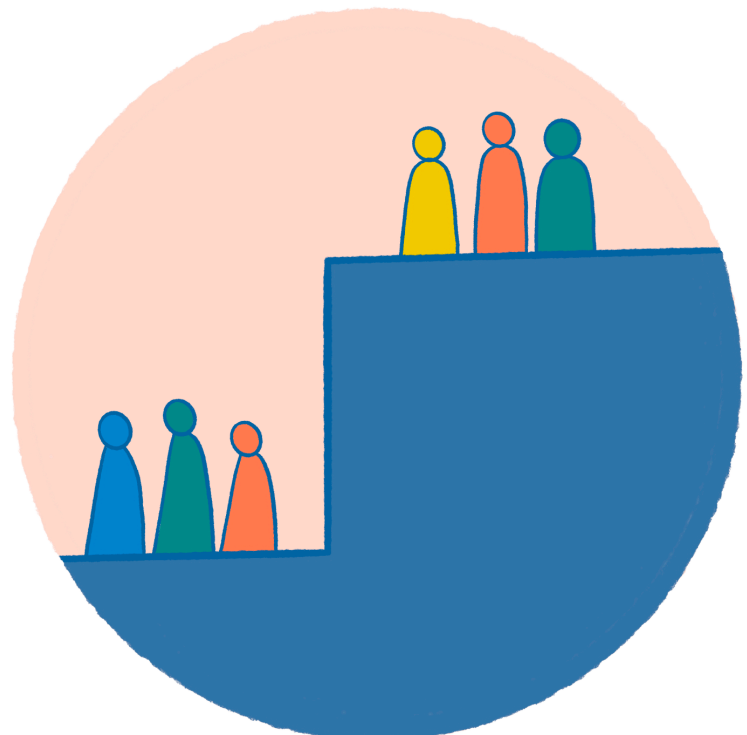
*doing advocacy in that field for several years. My frustration with the difficulty my clients had accessing legal services and finding trauma-informed lawyers, and facing legal judgments citing myths about domestic violence as truth, are what caused me to go to law school."* (1L Law Student)

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## Others explained that they had a personal connection to A2J issues or lived experiences that made them want to pursue legal studies:

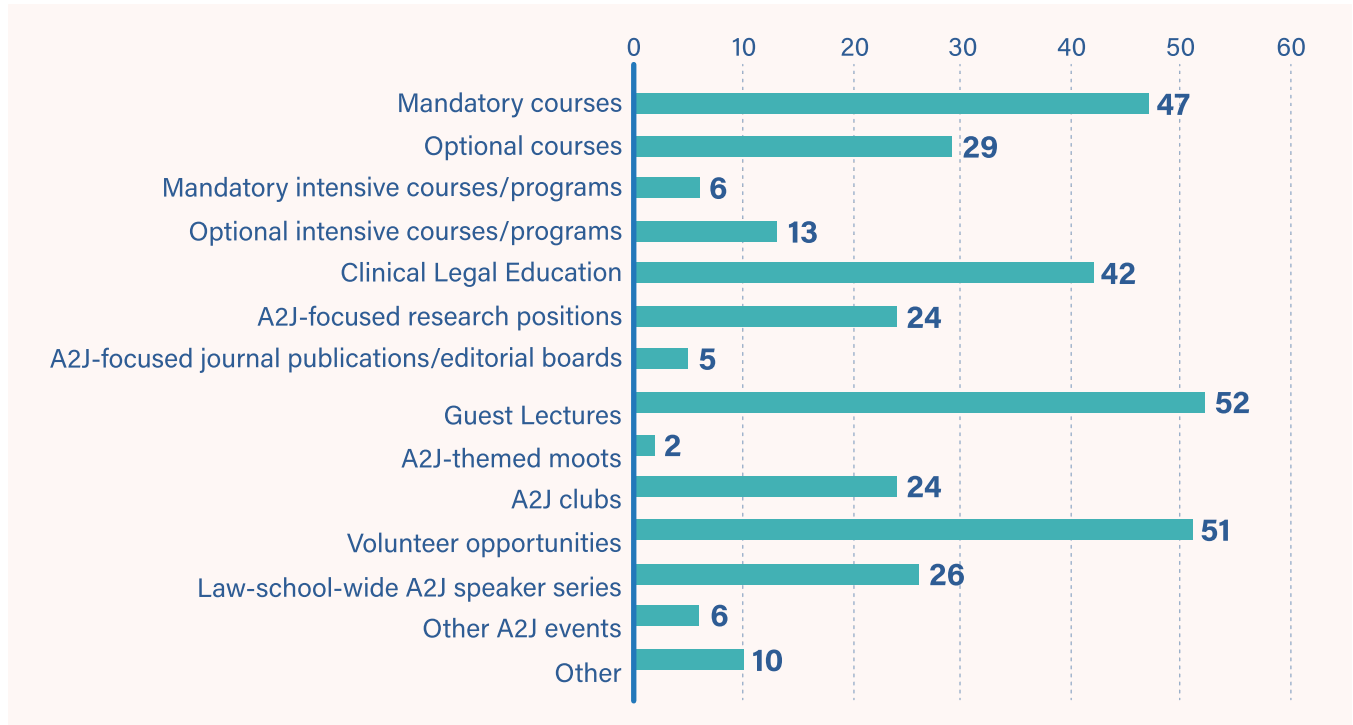
- *"Being a Metis woman myself, I was curious about the way that Indigenous people in Canada experience the justice system. While completing my undergraduate degree, I learned about systemic racism in our justice system. I wanted to go to law school to find out how I can better serve my Metis community and other Indigenous communities in our efforts to combat that systemic racism in Canada." (Lawyer)*
- *"I grew up in a household that fosters children and I saw firsthand how access to child advocate lawyers can change the lives of children in the system. I hope that one day I will be in a position where I can provide a voice to children in similar situations." (1L Law Student)*

- *"Accessing justice was the primary reason in pursuing a legal career and therefore going to law school. As a black woman, accessing justice is particularly hard in any westernized society. Seeing other individuals like me left marginalized in their strive to access justice left me uneasy and oftentimes frustrated. So here I am attending law school in hopes to minimize the gap." (3L Law Student)*



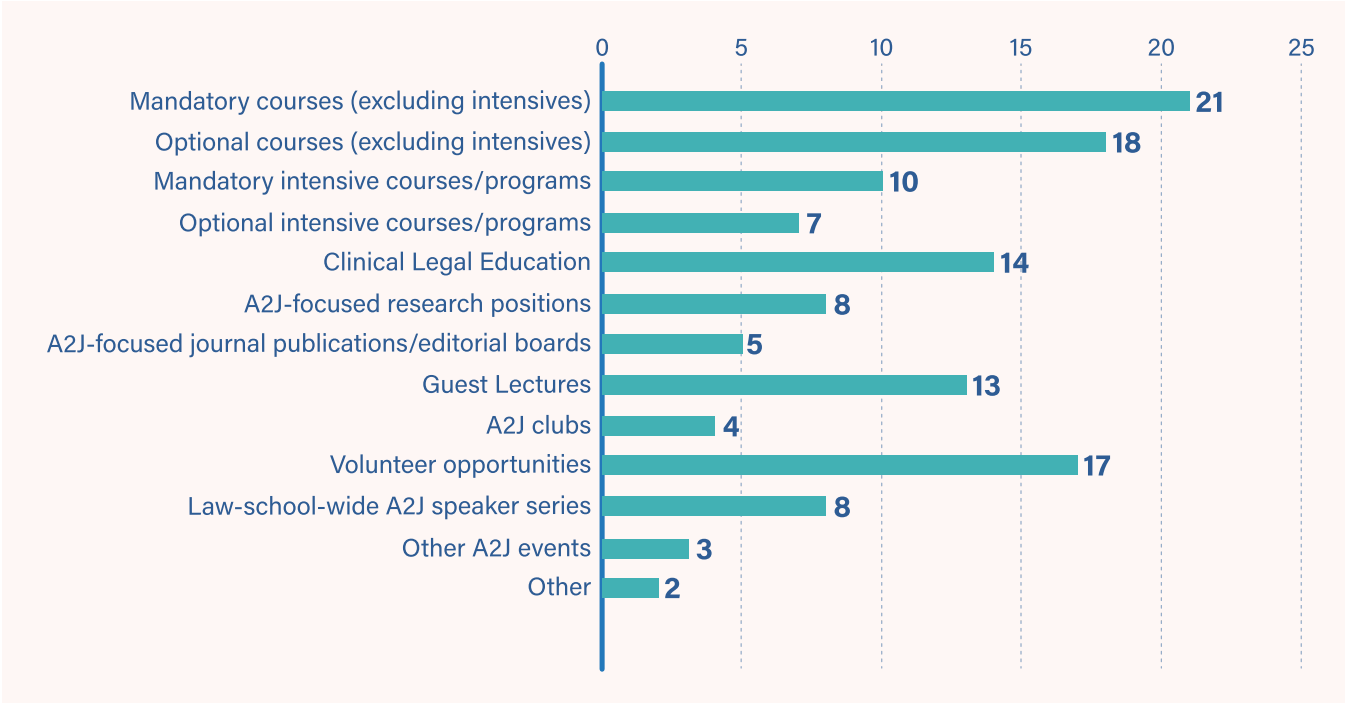
## A2J Views and Experiences During Legal Education

The surveys then asked law students and young legal professionals to reflect upon their time in law school/legal education program. Respondents were asked to indicate which A2J initiatives they had taken part in during law school/legal education program. Law students indicated the following:



*\* Chart reflects number of students, not percentages.  
Participants were permitted to select all options that applied.*

A pattern emerged from both surveys, with mandatory courses, guest lectures, volunteer opportunities, clinical legal education, and optional courses being the Top 5 most common ways that respondents engaged with A2J during their legal education.



*\*Chart reflects number of students, not percentages. Participants were permitted to select all options that applied.*

The surveys then asked respondents to explain whether they had experiences in law school/legal education program that increased and/or changed their understanding of A2J issues.

## Law Students

Most law student respondents felt that their A2J knowledge had increased in law school in a variety of ways:

- *"In our legal process course, our professor discussed how, for self-represented litigants, access to justice might mean access to some level of legal education. Also, our professor highlighted a tension between the adversarial nature of our justice system and the need to achieve fairness when for self-represented litigants who are facing off against sophisticated legal counsel. I hadn't considered how A2J related to self-represented litigants before taking that course."* (2L)
- *"Yes, my A2J understanding has become better. I got the wonderful opportunity to do the low-income internship/course we have, as well as work and volunteer at multiple clinics. I've also gotten the chance to meet lots of likeminded people."* (2L)
- *"Yes. Doing clinical work has greatly enhanced my understanding of A2J issues in Canada. Learning where accessibility needs actually are and identifying who/what needs to collaborate to solve them is both overwhelming but inspiring."* (2L)
- *"Yes of course. I worked with incarcerated individuals and learned a lot firsthand about the criminal justice system that simply isn't taught in a classroom."* (1L)
- *"I was fortunate enough to take an experiential course on low-income peoples and the law which was an incredible way to learn about A2J issues and potential forms of advocacy. Learning about unbundled services, advocacy work, and trauma-informed ways of lawyering through some of these challenges has fundamentally changed how I view my role as a legal professional when it comes to A2J issues and has given me some tools and knowledge to work towards remedying them."* (3L)
- *"Working for Aboriginal Legal Services through a law school externship definitely increased my understanding of A2J issues."* (2L)
- *"Given how little knowledge I had of A2J issues, the exposure helped me understand the problems and motivated me to get involved in community clinics."* (3L)
- *"One of the highlights of my law school experience was competing with our school's Canadian Client Consultation Moot Team. This moot centres on meeting with a client, canvassing their legal issue, and providing potential options for the client at the end of the interview. This moot exposed myself and my peers to the variety of ways that lawyers can help people without escalating to litigation, for A2J reasons, including letter writing, unbundled legal services, and creative, non-legal solutions to everyday problems. This experience helped me become more creative in my problem solving, especially if a client has financial constraints."* (3L)

## Others explained that they felt that they had a slight change in understanding about A2j:

- *"It has refined a little. I can better articulate what is going on, instead of just feeling that something is wrong. I have a better understanding of the structural reasons for A2J issues."* (2L)
  - *"I wouldn't say so just because I feel like it has been what I expected it to be. I feel like I am better versed in A2J issues, but nothing incredibly different from what I suspected."* (2L)
  - *"My understanding remains the same, but my law school has taught me to look at it from different perspectives."* (1L)
- 

## A few students felt that they did not have an increased or changed understanding of A2J from law school:

- *"No. My A2J understanding was obtained through individual volunteering prior to law school (for example, the Elizabeth Fry Society)."* (1L)
  - *research to meet folks who are interested in meaningful change and have worked with non-law organizations to promote that and assist however I can."* (3L)
  - *"The law school itself hasn't increased or changed my understanding. Rather, I've sought out opportunities through work and*
  - *"No. My understanding of A2J is from lived experience. Courses/guest speakers taught me absolutely nothing in comparison."* (3L)
- 

## Young Professionals

### Several young professionals explained they gained an increased awareness of A2J through their classes and legal clinics:

- *"Yes, I learned about A2J issues as part of my classes and extracurricular activities. Before law school, this was not really an issue that was on my radar."* (Lawyer)
- *"Yes, a class on criminalization of Indigenous people changed my views on the criminal law system."* (Lawyer)
- *"Yes, participating in a legal clinic gave me a better understanding of the gravity of the access to justice crisis."* (Articling Student)
- *"By working in a legal clinic and taking a mandatory course in professional responsibility that touched upon A2J, I was better able to understand the A2J crisis in Canada."* (Legal Professional, Judiciary)

- *“The class’ contents, while not going very deeply in the matter, were interesting and opened my eyes to realities that I was not necessarily actively aware of. Participating in a student legal clinic was also interesting in that it put students in contact with clients from*

*various backgrounds, including people that might have a more difficult time accessing justice for different reasons (minority language, financial reasons, difficult relationship with authority, etc.)” (Lawyer)*

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## Others felt that they gained A2J knowledge largely outside of the classroom:

- *“Not as a result of the curriculum but yes, as a result of the opportunities I sought out/ made for myself.” (Lawyer)*
- *“In extra-curricular activities, including with Pro Bono Ontario, it became apparent to me that many individuals were struggling to access legal resources. But I didn’t feel this was discussed in school.” (Lawyer)*

- *“No, it was not at school that I understood certain issues, but rather during conferences, training sessions, congresses and other events.” (Paralegal)*

## Several respondents felt that their A2J knowledge was still lacking after their legal education:

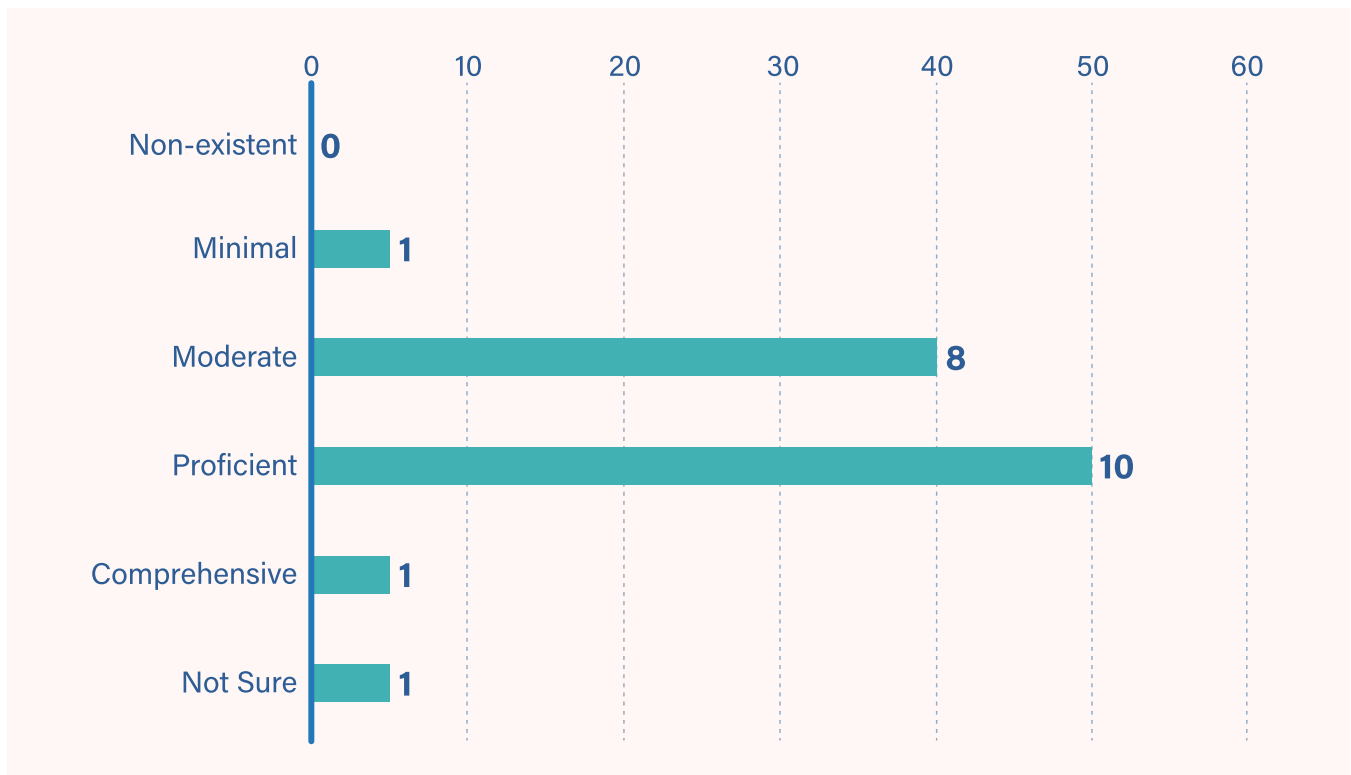
- *“Somewhat, yes. I still feel like there is a lot that I don’t understand. I wish it had been more of a focus rather than just tacked on to existing legal courses.” (Lawyer)*
- *“Much of my understanding came from my post-graduate opportunities ... [my law school] created awareness of public interest opportunities, but I felt disconnected from actual A2J issues.” (Lawyer)*

- *“No, I did not feel that access to justice was put forward.” (Paralegal)*
- *“No, this principle was not really addressed during my training.” (Paralegal)*



## The Views of Legal Educators

The Legal Educators Survey asked respondents to describe the level of A2J awareness of the student body, as compared to students 10 years ago. The majority of respondents rated current A2J students as having a proficient level of A2J awareness:



The Survey specifically asked clinical legal educators whether they felt that A2J content in law school has impacted the level of engagement of their clinical students. Several clinical legal educators agreed that it had:

- *"Yes. Students who participate in the Clinical Practice Course are required to complete the Community Lawyering course as a co-requisite. This 3-credit course gives students a solid background."*
- *"Yes, greater awareness on the part of students regarding social inequities. Willingness to do more."*
- *"We accept 16 third year law students each of three terms. Those students generally chose the clinic as they want to work directly in an environment focused on A2J, providing service to those traditionally under-served. Their prior law school classes deal with A2J in some respects, but the clinic is a place they can come to gain that knowledge that is missing from their education experience. Many come to us with little knowledge of A2J issues."*

One clinical legal educator felt that engagement levels were difficult to measure:

- *"I'm not sure. It's difficult to say whether our A2J content impacts the level of engagement of our clinic students. I'm not sure how this would be measured. Some of our clinic programs are competitive to get into while others continue to have places for students that remain unfilled in any given academic term. There always seems to be an over emphasis on OCI-related opportunities and this often comes at the expense of the clinic academic opportunities."*

Another clinical legal educator felt that recent structural changes to their clinic model had actually reduced the level of A2J knowledge of current students:

- *"Our law students are now less engaged in access to justice as a result of the changes to our clinic courses. We simply can't teach or expose the students to as much as we were able to in the past. The changes made to the clinical courses has resulted in fewer clinical students, less classroom teaching time, and fewer clients served in the community."*

## Strengths of A2J Education Initiatives

The surveys asked current law students and young legal professionals to identify the strengths surrounding A2J education and initiatives at their law schools and legal education programs. Many respondents pointed out multiple strengths in the A2J offerings at their legal education program:

- *"[Law School] has a robust clinic program and course offerings that include A2J. The extracurricular and clinic programs are highly engrained in the student experience. I have found that involvement is almost expected of students, which is a great exposure for law students to learn about A2J and potentially include these issues into their professional career after graduation. There are also many paid A2J summer opportunities for students."* (2L Law Student)
- *"[Law School] has a robust clinic program and course offerings that include A2J. The extracurricular and clinic programs are highly engrained in the student experience. I have found that involvement is almost expected of students, which is a great exposure for law students to learn about A2J and potentially include these issues into their professional career after graduation. There are also many paid A2J summer opportunities for students."* (2L Law Student)
- *"Experiential learning courses and guest speakers focused on groups who have traditionally not had adequate or appropriate avenues of accessing the legal system (mental health, prison law, indigenous law, low-income population, transgender issues, etc)."* (1L Law Student)
- *"Exceptional experiential courses on A2J with mental health court and another course on poverty law. Many opportunities to look to A2J through student clubs and volunteer work that provide opportunities to work both with clients through things such as Student Legal Services but also through advocacy work, including for marginalized and racialized groups such as ILSA and BILSA."* (3L Law Student)
- *"We have a very engaged faculty who frequently speak to A2J issues in class and highlight the efforts which have been made thus far, and how they are insufficient."*

*We have a thoughtful student body who cares and expresses that through initiatives and connecting like-minded community members to the school.” (1L Law Student)*

- *“I feel grateful to attend a law school that has a very dedicated A2J emphasis, seemingly long before the term was coined in its official capacity. A2J, intentionally or not, is often a talking point across various class disciplines and is evident in the school's extracurricular activities, clinics, and moots.” (3L Law Student)*
- *“For first-year law students, [Law School] implemented site visits to community centres which help folks in need access justice. This was an eye-opening experience and greatly benefited our education; it highlighted issues which can be solved by communication and*

*collaboration. For example, the folks at the centre we visited were not aware that the general public can visit the courthouse. A simple visit to the courthouse prior to a court date could help some people unfamiliar with the justice system be more at ease with the processes. These community visits, to see how justice plays out in “real life”, are very valuable.” (1L Law Student)*

- *“The guest lectures held at the law school were interesting and offered broad perspectives. I appreciated the law school's support of our Indigenous Law Students' Association's annual conference. When I was involved with planning the conference, we brought in speakers to talk about criminal law and our justice system.” (Lawyer)*

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## Several respondents felt that their professors did a good job of weaving A2J into different courses:

- *“The teachers for the most part seem to tie in A2J into what we learn. We have a lot of great guest lectures and volunteer opportunities to help low-income people and self-reps access justice.” (1L Law Student)*
- *“Access to justice was mentioned in different classes at some point or another, as a problem that we need to tackle. The fact that it was brought up by many professors in many contexts lets students know that it is in fact a problem that is prevalent and that is current.” (Lawyer)*
- *“I took a course called Poverty Law, which informed the way I thought about law school throughout. We talked about how poor people bump into the law more often than their rich counterparts. That really made me think about A2J — those who have A2J and those who don't have it.” (PIAF Student)*
- *“I learned about A2J in Family Law. I also took a course specifically about child protection, where we learned about how Indigenous and Black children get apprehended more frequently and get into extended care than those who are non-racialized.” (PIAF Student)*

- *"I'm only in first year, but I found that it was integrated into our mandatory criminal law course quite well. We also had a panel discussion at lunchtime with someone who had been wrongfully convicted, and that was very memorable." (1L Law Student)*
- *"My law school is focused on A2J education and provides a mandatory course for all 1L students on A2J." (1L Law Student)*
- *"The externship opportunity was particularly impactful for me as I was able to work with a non-profit that engages in A2J work and advocacy in constitutional law and beyond."*

*Our 1L Criminal Law and Procedures professor brought A2J into every class. The social justice panel featuring women of color in the field of A2J was powerful. The Indigenous Legal Orders department offers courses that emphasize A2J for First Nations, Metis and Inuit people." (3L Law Student)*

- *"Many of the faculty at my law school are actively engaged in A2J as legal scholars and work on interesting research projects that center around A2J in different contexts. A2J is weaved into our black letter course material." (1L Law Student)*

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## Several respondents highlighted the unique importance of their experience with clinical legal education:

- *"The clinical experience has not only developed my legal skills, but let me see first-hand the struggles that low-income populations have when they are dealing with legal issues. It has also highlighted gaps in A2J in our society and made me think about how those gaps can be filled." (3L Law Student)*
- *"My law school paid for me to work for a non-profit one summer. This was so important because finances are a concern for me." (PIAF Student).*

- *"My law school had a Student Legal Services clinic where I was able to act as an agent for people charged with low complexity crimes. I understand that not every law school has a clinic such as this. We also had a group of students that regularly met with at risk youth in the community to give them information about their rights." (Lawyer)*

## Challenges of A2J Education Initiatives

The surveys asked current law students and young legal professionals to identify the challenges of A2J education and initiatives at their law schools and legal education programs.

Many felt that introduction to A2J in courses was piecemeal:

- *"We had specific ethics courses at law school, and had choices of other specific niche courses, but we do not have one specifically on A2J. I understand what A2J means, but discussions about it were so piecemeal at school. It would have been wonderful to have spaces for bigger discussions; perhaps seminar-based courses —not lecture style where we talk about these issues mostly — but smaller discussions."* (PIAF Student)
  - *"I think for students to get to the core and understand what A2J means, it really needs to be broken down. I still don't quite know what it means for family law or civil law. I could tell you about it on the criminal side — access to legal aid, fair appeals, etc. But it's such a broad concept, it's almost too much to take in."* (PIAF Student)
  - *"Improving access to justice has never been the center of a class. This frustrates me. Access to justice has always been the center of my community's disconnect from law. This is never acknowledged nor resolved."* (3L Law Student)
  - *"The vast majority of REQUIRED courses (save certain courses, like Civil Procedure) lack a specific focus on A2J issues, with the topic being relegated to brief classroom discussions or, in some cases, guest lectures (I have had one guest lecture on the topic)." (3L Law Student)*
- 

Others explained that introduction to A2J was largely dependent upon the individual decisions of professors to incorporate it:

- *"There are a lot of clinics and some professors emphasize it. There is one class that focuses on it, but it was not offered this year because the professor was away."* (2L Law Student)
- *"My law school had a professor who was very focused on advocacy for prisoners' rights. She would take her students into prisons to provide legal education, which I thought was amazing."* (Lawyer)
- *"A lack of uniformity in that the mandatory courses are taught by different professors and each professor focuses on different issues. It gives off the impression to some that it is easier/harder depending on the professor, which takes away from the focus."* (2L Law Student)

Several respondents felt that while there were A2J opportunities at their Law School/Legal education program, they were not always accessible to all those interested:

- *“There were not enough volunteer opportunities through the law school or in the community for law students. I volunteered for legal aid when they held their annual free advice event, but was not able to find many other opportunities.” (Lawyer)*
  - *“Very limited course offerings in areas of law where A2J is a factor, limited funding for A2J focused clinical/volunteer programs.” (Lawyer)*
  - *“There were more applicants to PBSC in our faculty than PBSC could accept and place on projects. It seems there is a very strong desire amongst students to volunteer but the number of volunteer opportunities haven't caught up yet.” (1L Law Student)*
  - *“We only have one A2J course, and only 20 students can take it each year—last year and this year I tried to get a seat in the course, but was not able to.” (3L Law Student)*
  - *“Course-wise, enrollment in experiential courses with a focus on A2J is quite competitive, which reduces the number of students enrolled and, accordingly, reduces the number of students who are able to gain exposure to A2J issues.” (3L Law Student)*
  - *“Allowing more students to participate — the low-income seminar course only allows 12-15 people in it per year, which is a tiny fraction of the student body.” (3L Law Student)*
  - *“The practical legal clinics—where students have a real opportunity to work with clients—are somewhat limited and in high demand.” (1L Law Student)*
  - *“It is difficult to get a spot in the A2J clinics, especially in the summer.” (1L Law Student)*
- 

Several respondents felt that there was not much exposure to A2J at their law school/legal education program:

- *“There is currently little discussion regarding access to justice in mandatory courses at [Law School]. Volunteer opportunities don't necessarily inform and educate regarding access to justice or explain the societal consequences. The most exposure I have had to learning about access to Justice within law school is a paper I wrote in my Professionalism course, which I voluntarily chose as a topic.” (3L Law Student)*
- *“Very little practical focus in mandatory courses about the real world impact and access to the justice system.” (Lawyer)*
- *“Not enough of a requirement across courses that this issue be included in curriculum.” (Lawyer)*
- *“Access to justice is not widespread in the school. You can ignore the subject relatively easily if you want to.” (3L Law Student)*
- *“This is not an area being taught in courses. And there are very few guest lectures/events/workshops that focus on this issue.” (2L Law Student)*
- *“None, access to justice was very rarely discussed.” (Paralegal)*

## Respondent views: What would enhance A2J education?

Respondents offered several suggestions about what they felt would enhance the quality and accessibility of A2J education. Several respondents highlighted the need to think about A2J holistically, considering not only the A2J content of courses and programming, but also who is accessing and teaching legal education more broadly:

- *"There need to be more opportunities for those who do not fit the typical "lawyer" mold to get to law school. The more it remains an exclusive, elite profession, the harder it will be to encourage an environment that cares, holistically, about equal access."* (3L Law Student)
  - *"Bringing in people with diverse backgrounds to lead these clinics and courses is just as important for access to justice as introducing the concepts."* (PIAF Student)
  - *"Bringing in lawyers who practice from an A2J perspective to teach the courses."* (1L Law Student)
- 

Several respondents hoped for incorporation of A2J into all/most courses:

- *"Integrate discussions of A2J in EVERY legal class taught so that students are constantly thinking about who can/will access the information they are learning."* (3L Law Student)
- *"I think discussions of access to justice could be incorporated more directly into our curriculum so that it isn't at the discretion of the professor to address it or not."* (2L Law Student)
- *"I think A2J issues and discussion should be woven into every course, not just discussed in separate classes. I think even in basic law classes (torts, property, etc) students should be taught about the A2J issues unique to the field, and taught about legal resources for individuals pursuing those claims that can't afford a lawyer (local law clinics, etc)."* (1L Law Student)
- *"More incorporation into mandatory courses other than access to justice (ie. administrative law, property law with an A2J/critical lens)."* (4L+ Law Student)
- *"Personally, I believe an increased focus on A2J in all courses would benefit students by not only exposing them to this pressing issue, but by also highlighting this issue as a core aspect of real-life practice. Occasionally, law school courses fail to provide a "real life" understanding of the course (i.e., what practice is like, how certain actions are*

brought, the process a claim may follow, the most effective and efficient strategies when encountering different legal issues (i.e., is it best to go to court?) and I believe that introducing A2J issues in all courses may allow professors, instructors, and students alike to spend more time on developing an understanding of the realities of practicing law, something I feel is lacking, in addition to developing an understanding of A2J issues." (3L Law Student).

- "A2J needs to be more front and centre in mandatory courses. Much of the learning regarding A2J is taught incidentally as opposed to being addressed head-on. To achieve

"justice," our justice system must be accessible to all. However, courses are often taught in a way that assumes the legal system is accessible to all equally and fails to grasp the nuances involved with why and how some may not achieve justice through the justice system." (2L Law Student)

- "I'd love to see access to justice considerations better integrated into our basic teaching of how to think about the law. I feel it's often an afterthought or a policy consideration that gets added once we've learned "these are the rules:" (3L Law Student)

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Others felt that A2J would be best introduced in a mandatory course focused specifically on A2J, clearly defining and explain the term:

- "Create a mandatory access to justice class in 1st year. Similar to Indigenous legal traditions being offered right when you start your law school journey, an access to justice course situates class biases right at the forefront of students' study of law. Access to justice cannot be an afterthought taught in upper year courses." (3L Law Student)

- "The mandatory 1L [course] seemed to lump together A2J and legal ethics, if I remember correctly. For me, these are two very different issues and it becomes convoluted lumping them together. A2J should be it's own thing. Further, it should be broken down more early on for students, eg differences between A2J in criminal and civil laws. A person facing incarceration and someone seeking divorce or help with a civil matter are two very different things and lumping them together disserves both, in my opinion." (Lawyer)



## Several respondents discussed the value of learning about the practical, everyday realities of A2J issues:

- *“Increase student exposure to “real-world” access-to-justice issues. Have students take public transit and try to attend a homeless shelter, court, and a jail all in one day—(for an added challenge: without the use of a mobile device)—to experience all the little things that make accessing justice so overwhelming. Then have a time to debrief the experience!” (1L Law Student)*
  - *“In my opinion, practical courses that see students do client-facing work—whether in a litigation or non-litigation environment—should be mandatory, and should be mandatory as early as possible in the curriculum. Alternatively, current first-year courses at law schools should include practical legal work as a significant part of their evaluation, reducing the weight afforded to exams and papers.” (1L Law Student)*
  - *“I took an Access to Justice course/workterm, where we studied concepts like addressing the entire person rather than the discrete legal issue. I then got to apply those ideas and see them in practice through working with a client facing disability-based discrimination from her property manager. I now work in a private law firm for the summer, and so far what I've seen is that A2J principles don't translate well into the business world. I was told by my supervising lawyers at this firm not to provide resources to a client who clearly needed more than just legal supports, because that's not our job and we should stay in our own lane. I wish more lawyers had A2J training in order to feel empowered to help where possible, including giving referrals to appropriate non-legal resources.” (2L Law Student)*
- 

## Several respondents suggested offering incentivization to students to pursue A2J studies and careers:

- *“Incentivize students to care about A2J/ dedicate their careers to improving A2J (i.e., scholarships, A2J conferences, ensure work placements in A2J oriented environments pay students a living wage, etc.)” (3L Law Student)*
- *“Subsidize the debt of students who choose to pursue public interest careers, the same way we do with those in the medical field working in rural communities.” (2L Law Student)*
- *“Maybe specific pathways for A2J-focused law degree e.g. courses, clinical experience etc.” (1L Law Student)*

## Several respondents highlighted the value of collaborating with/learning from other sectors to improve A2J initiatives:

- *“Exploration of how inter-professional relationships and collaboration can be used to advance access to justice. ex, working with social workers, caseworkers, nurses, etc.” (1L Law Student)*
- *“Have law classes in a building of a different faculty. The interaction outside of the law-student bubble that comes from having classes in another building may spur innovative ideas of access to justice in students.” (1L Law Student)*
- *“As someone who comes from a faculty of engineering, I have noticed how siloed the law faculty of [Law School] is. We only ever need to interact with law students when running between classes. Getting out of our “law school bubble” and talking to other people in other programs, other areas of life, is the best way to hear about new legal issues that need to be solved—it’s much better than brainstorming what legal problems we think people over in other faculties run into. Not only should we collaborate with other schools and other lawyers, we should also be interacting with our peers in different disciplines—to find out how they interact with the law, and approach what we might term as ‘legal problems.’” (1L Law Student)*
- *“I think it is worth noting that requiring law schools to ensure law students understand A2J and what may make the legal system inaccessible for their clients (i.e., cost, language, the rural-urban divide, uncertainty, etc.) this would not be that dissimilar from requiring medical students to know how to provide medical advice in different settings/ understand what barriers will arise based on the location of their client, which is something that it appears like medical schools do require.” (3L Law Student)*

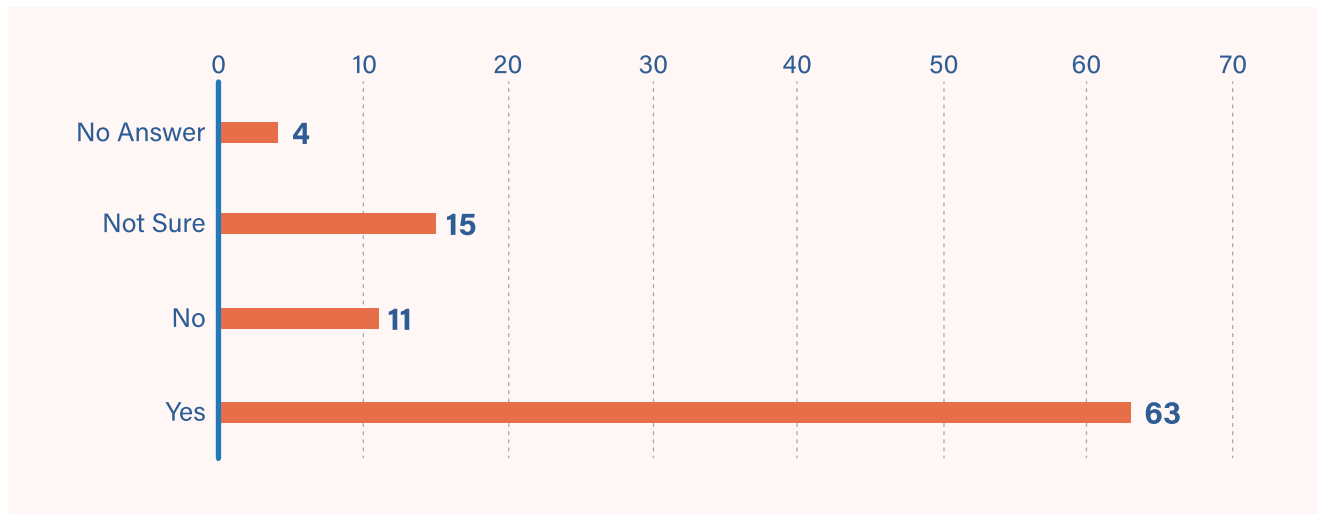


# A2J Views and Experiences After Legal Education

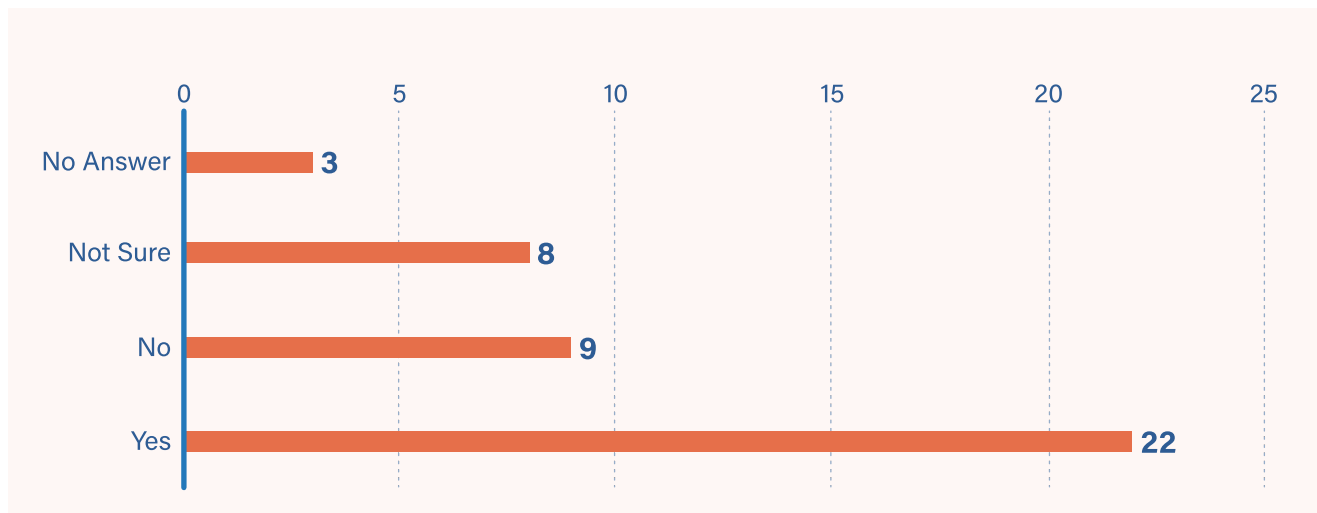
## Influence on Future Careers

The Surveys asked Law Students and Young Legal Professionals whether their exposure to A2J issues in law school/legal education program influenced how they thought about their future careers.

*The vast majority of law students said yes:*



*The majority of young professionals also said yes:*



## The respondents who selected “yes” were asked to explain:

### Law Students

- *“My experiences have shown me that I am interested in field work or client-facing roles related to improving A2J.” (2L Law Student)*
- *“I’m definitely more interested in pursuing a career in the access to justice realm. It has shown me that more than a few pro bono hours here and there are needed to make a difference, it would need to be concerted effort and dedication on my part.” (2L Law Student)*
- *“It contextualizes what kind of work makes me feel like I’d be using my privilege of a law school education properly.” (2L Law Student)*
- *“Although already one of the factors that inspired me to pursue a career in law, my exposure to A2J issues has increased my desire to, as a practicing lawyer, partake in pro-bono or volunteer opportunities with a focus on providing legal aid and information to those who lack access to justice.” (3L Law Student)*
- *“I am much more interested in pro bono work to support access to justice, or possibly a career doing it.” (1L Law Student)*
- *“I certainly want to include pro bono work, no matter what type of law I end up getting into.” (2L Law Student)*
- *“It has allowed me to do what I am passionate about while attending law school and provided me with community while in law school. It has caused me to rethink my future career in some ways because I view meaningful work differently after doing clinic work. Meaningful work for me involves working towards actionable change with like-minded people and I have struggled so far with finding that in law.” (2L Law Student)*
- *“I will most definitely be doing pro-bono work and/or working for a non-profit when I get into my legal career.” (3L Law Student)*
- *“Before law school I thought I would just become a lawyer and work at a firm. Now, I’m hoping to continue to volunteer even as a practitioner. I’m not sure how yet, but I very much want to be a positive force for A2J issues even after getting called to the bar. Recently, I’ve been tuning into discussion on how technology can improve A2J. I’m not sure yet how I can play my part, but I’ve been contemplating it.” (1L Law Student)*
- *“It has opened up more possibilities on how to incorporate A2J advocacy in a legal career. Before I thought A2J advocacy would only be available in a clinic or through a pro bono initiative.” (3L Law Student)*

- *"Because of my past employment experience, I was set on continuing in the field of A2J — but after finishing my first year, I may have to take a detour and do big law prior to going back to A2J jobs. It's made me realize that A2J does not pay very well — and it's not sustainable for someone with a family or a mature student to take the "volunteer" summer positions."* (1L Law Student)
- *"Prior to entering law school, I didn't think that I would be particularly interested in improving access to justice in the criminal legal system. What I observed and learned about made me*

*realize that access to justice is crucial in this area and all the areas it intersects with. While I do not think that I will practice criminal law on its own, I do want to work in an area of the law that frequently intersects with criminal law and engages similar interests."*  
(2L Law Student)

- *"I continue to want to increase A2J, my education has only reiterated the importance for me."* (2L Law Student)

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## Young Professionals

- *"I am now more critical of the legal system and therefore less interested in the types of careers I envisioned prior to law school."* (Lawyer)
- *"It led me to my career serving mainly Indigenous clients."* (Lawyer)
- *"Now that I understand that some of Canada's most important legal developments in civil liberties have been channeled through pro bono cases, I am prepared and eager to accept pro bono mandates early and often in my career in private practice to ensure these important issues are brought to the fore."* (Lawyer)

- *"I am now a duty counsel lawyer with legal aid, had I not had the education I did on A2J issues, I may not have pursued that role."* (Lawyer)
- *"It made me want to have a practice or a role where I can help people who cannot afford to hire a lawyer or who need help navigating the legal system. People face a lot of different barriers when trying to access justice. Lawyers can do many things, big and small, to improve access to justice."* (Lawyer)
- *"It gave my professional practice a 'raison d'être.' Feeling invested with a mission gives meaning to my work and makes it more relevant and rewarding."* (Paralegal)

## Barriers to A2J as a Legal Career

The Action Committee heard about barriers to working in A2J as a legal career. Many survey respondents and focus group participants explained that they did not learn enough about A2J work as a career opportunity in law school/legal education program. As outlined in the responses above and the quote below, many view A2J largely as pro bono activities done off the side of one's desk:

- *"In general, many law students perceive public interest and access to justice work purely in terms of "Pro Bono", and not necessarily as a career opportunity in itself." (Lawyer)*
- 

Several respondents explained how more information about and normalization of advocacy work as a career in legal education programs could help to increase A2J:

- *"A2J issues need to be mainstreamed into the law school discourse. Opportunities are seen more as "passion projects" or volunteer opportunities when you are in school, rather than issues that should be addressed throughout your career. There is a lack of understanding and communication about the types of jobs that address A2J issues. The career development office needs to work more at finding opportunities for soon to be graduates to pursue A2J issues outside of law school." (2L Law Student)*
- *"There should be less of a focus in law school about being hired at a corporate law firm. I would have loved to have learned more about career opportunities in public interest. I felt I had to find that information on my own." (PIAF Student)*
- *"I think sharing opportunities to pursue a career in access to justice would be really helpful for law students. I believe that many law students care about this issue, but we are made to feel as if pursuing a career in this isn't sustainable or won't lead to you being successful." (2L Law Student)*
- *"There should be more time and money spent on helping students find A2J positions after law school." (2L Law Student)*
- *"Less emphasis and support from the law school for large firm recruitments and a prioritizing of smaller orgs or firms that actively work towards A2J. There is a culture that you should go through OCI's and recruit to be successful, and this needs to be shifted." (3L Law Student)*
- *"Normalizing this kind of work, not having advocacy work be considered an alternative type of legal career." (PIAF Student)*
- *"Maybe a stronger focus on having A2J being a primary pursuit instead of some kind of secondary pursuit that exists alongside or as a small aspect but important of someone's main career aspirations." (2L Law Student)*

● *“There is not a lot of information on how to get social justice or A2J based jobs after law school. The career search is focussed on recruitment and law firm jobs which funnels everyone into those areas of work. I feel like I got swept up into that and while I would much rather work for an NGO, it was simply easier to get a job through recruitment; it felt more attainable. I think there is also a huge gap because of how difficult it is to become a lawyer. School is expensive, and then the bar is expensive. This automatically limits the ability for the field to progress by limiting access to marginalized communities. We need BIPoC, LGBT, and disabled lawyers if we want to actually make quality justice accessible. I don't fit into any of those communities and I even notice how white and conservative law school is.”*  
(2L Law Student)

● *“I think that the ways in which law school students can assist in closing the A2J gap is not self-evident and perhaps rightly so since lawyers possess the required skills and license to actually deliver legal services (whereas students are limited to supervised activities). Thus, a challenge for legal education is to teach students about the ways in which they will be able to improve A2J once they graduate law school. This approach is forward-looking and will ensure that a culture of pro bono and public interest work is cultivated in law school with the aim of ensuring that as future lawyers these law students will want to “give back.”*  
(Young Legal Professional, Judiciary)

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## Dozens of respondents pointed to debt load, the high cost of legal education, and the low-paying nature of advocacy careers as massive barriers to working A2J:

● *“The cost of legal education. You get through 3 years of law school, then you have to pay for the articling process, then pay to write the bar, pay for the materials, pay to do the Call to the Bar; it is so prohibitive cost wise! A public interest clinic staff lawyer position is way lower than what I would need to be paid to make a dent in my debt going forward. Debt and low wages are hugely prohibitive for A2J work.”* (PIAF Student)

● *“A lot of young lawyers are coming out of law school with a lot of debt, which encourages a lot of people to go into the big firms in order to pay down that debt. Were it cheaper to become a lawyer, I think a lot more people*

*would be willing to go into public interest careers. I also think that the high salaries of the big firms will always pull a certain portion of law students away from public interest work and towards high fee work.”*  
(3L Law Student)

● *“Limited resources means working in A2J is not financially realistic for most people post graduation.”* (Lawyer)

● *“Law students are saddled with a ton of debt and it's not helping people want to pursue justice-based careers as opposed to ones that pay more.”* (2L Law Student)

- *"Generally, I think a big problem is that a lot of students are interested in becoming Justice-seeking lawyers, but once the debts from law school accumulate, this can impact a student's approach to the kinds of pathways they seek out for their legal career." (2L Law Student)*
- *"Law students entering the profession cannot afford to work for A2J groups/organizations/legal clinics when the wage is only a dollar or two above minimum wage." (3L Law Student)*
- *"Who is in a position to attend law school, the types of courses that are mandatory, the amount of debt incurred by attending law school, and the types of jobs that offer living wages all affect A2J." (2L Law Student)*
- *"High tuition costs actively barred (and continue to bar) graduates from pursuing A2J-focused careers." (Lawyer)*
- *"It would be nice to have more courses on certain areas, like family law, housing law, employment law, and others. Generally, A2J feels like it disappears because students are dealing with debt and are afraid to pursue careers that won't pay." (2L Law Student)*
- *"I have so much student debt that it's hard to imagine starting a career in justice. I am starting in private law and will have to transition into justice later because I need to support myself financially." (3L Law Student)*
- *"I do know a lot of people who were hellbent on working in access to justice, and now can't because of high debt and cost of living. There are hours where they can give back, but there needs to be a lot more of a concerted effort at that. I've seen situations where they want to, and they can't." (Supreme Court Clerk)*
- *"Money, money, money. I am \$150,000 thousand dollars in debt and I make what a teacher makes. The only way i was able to make it all work was moving to [a rural place] where I can afford rent. I would love to do this for the rest of the life, but I've already topped out my salary in my career at my organization. As much as I would love to do this, it does not seem sustainable to pay off my student loans." (PIAF Student)*





## In their Focus Groups, PIAF articling students highlighted additional precarities of working at public interest organizations:

- *"I don't have as many different specialists to mentor me or resources for professional development and training. I see colleagues at larger law firms that have access to lunch and learns, seminars, conferences. There were some things we could select for professional development opportunities, but these were few." (PIAF Student)*
  - *"After I finished articling, I continued with this workplace for a little bit — but it was just for a 4-month contract extension. I was lucky to have a supervisor that applied for grants to keep me on afterwards, but there was no guarantee of employment after those four months." (PIAF Student)*
  - *"I wish some of these organizations were funded better, because it can be difficult to keep a position after your articles." (PIAF Student)*
  - *"My organization had an exemption for mandatory minimum compensation. As much as I enjoyed my articling experience, I don't think anyone should be asked to work for such low pay." (PIAF Student)*
  - *"Compensation is huge. Even with this grant, I had unpaid vacation. If I wanted benefits, it had to come out of my salary — having just dealt with a really large expense going to law school." (PIAF Student)*
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## In the Legal Innovator Focus Group, some respondents explained that A2J is often a by-product of legal innovation, rather than its core focus. The ability to gain sufficient funding, and make profit, are large aspects of legal innovation that can potentially limit a focus on broader access to legal innovation:

- *"Anybody who has a legal innovation start-up has some element of an access to justice bone in their body. There is something there — a desire to do better, to do something more efficiently, create better quality, or something cheaper, etc. The desire to do better implies serving more people. The challenge is if these things require funding beyond what the individual can bootstrap. It is harder to stick to it because outside investors are more likely to see A2J as a marketing line and not core.*  
*Not always the case for mission driven orgs, but it's usually about finding a way to marry A2J with a profit motive." (Legal Innovator)*
- *"We kind of see A2J as a by-product. We started our organization because we thought [the current products in our area] were bad out there and we wanted to make it better." (Legal Innovator)*

# Conclusion

The honest comments and innovative suggestions from survey and focus group respondents have painted a picture of the A2J views and experiences of law students, young professionals, and legal educators. Respondents provided insightful comments on the strengths and challenges of current approaches to A2J education and made suggestions for its enhancement. Respondents also highlighted barriers to working in A2J and made suggestions on how to increase awareness of and access to a career in A2J.

There are potential opportunities arising from the valuable insights in this report. There is clearly food for thought for legal educators here. However, perhaps the more pressing issue does not lay solely within the purview of the legal education system. It was evident from the commentary of both students and young professionals that there are very few jobs in A2J available to young professionals and most of them are perceived as too low paying to meet the financial burdens of legal education. Respondents largely identified that A2J can only be considered as a pro bono activity, rather than as a career choice. This is a

challenge for the broader A2J community and justice system, including legal educators and employers, because a response to the A2J crisis cannot be left to volunteer work. A2J must be integrated into paid legal work in a meaningful fashion. There is an opportunity for the Action Committee to support these broad discussions.

There are additional challenges for the sector in this work, including increasing experiential opportunities for students, and finding additional opportunities for professors to engage with A2J course material and practitioners.



# Annexes

## Annex A: Survey Questions

### Survey 1: Legal Educators

1) Please indicate your current role:

- a) *Law School Dean*
- b) *Clinical legal educator*
- c) *Paralegal program educator*
- d) *Other (please describe)*

2) How is your law school/legal education program incorporating A2J issues into legal education? (e.g. courses, clinics, externships, volunteer opportunities, speaker series, etc). Please describe these efforts.

3) In your experience, are the students you are engaging with today more or less aware of A2J issues than students from ten years ago? Please rate the level of A2J awareness of the student body now, compared to 10 years ago:

- Non-existent*
- Minimal*
- Moderate*
- Proficient*
- Comprehensive*
- Not sure*

\* For Clinical Legal Educators only: Has A2J content in law school impacted the level of engagement of your clinical students? If so, how?

4) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?

5) Please share any ideas for A2J innovation in legal education.

6) What actions do you think a national A2J body should undertake to enhance A2J in Canada?

7) If you have any further thoughts you'd like to share, please do so below.

Comments (optional): \_\_\_\_\_

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## Survey 2: Law Students

- 1) Which year of your program are you currently in (as of April 2023)?
  - First
  - Second
  - Third
  - Fourth +
- 2) Were you interested in A2J before you started law school?
  - It's why I enrolled
  - Definitely a factor
  - Somewhat
  - Minimally
  - Not at all
- 3) Did your interest or knowledge about A2J issues influence your decision to go to law school?
  - Yes
  - No
  - Not sure
- 4) If yes, how?
- 5) Which of the following A2J initiatives have you taken part in during law school?
  - a) Mandatory courses (excluding intensives)
  - b) Optional courses (excluding intensives)
  - c) Mandatory intensive courses/programs
  - d) Optional intensive courses/programs
  - e) Clinical legal education
  - f) A2J-focused research positions
  - g) A2J-focused Journal publications and editorial boards
  - h) Guest lectures
- i) A2J-themed moots
- j) A2J clubs
- k) Volunteer opportunities
- l) Law school-wide A2J speaker series
- m) Other A2J events
- n) Other (please specify)
- 6) What are the strengths surrounding A2J education at your law school? (Both courses and volunteer/extracurricular opportunities)
- 7) What are the challenges or areas in need of improvement? (Both courses and volunteer/extracurricular opportunities)
- 8) Have you had experiences in law school that have increased and/or changed your understanding of A2J issues? Please explain.
- 9) Has your law school exposure to A2J issues influenced how you think about your future career?
  - Yes
  - No
  - Not sure
- 10) If yes, in what way?
- 11) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?
- 12) Please share any ideas for A2J innovation in legal education.
- 13) What actions do you think a national A2J body should undertake to enhance A2J in Canada?
- 14) If you have any further thoughts you'd like to share, please do so below.

## Survey 3: Young Lawyers, Paralegals and Notaries

- 1) What year were you called to the bar/ successfully completed your paralegal/legal education program?
  - f) *A2J-focused research positions*
  - g) *A2J-focused Journal publications and editorial boards*
  - h) *Guest lectures*
  - i) *A2J-themed moots*
  - j) *A2J clubs*
  - k) *Volunteer opportunities*
  - l) *Law school-wide A2J speaker series*
  - m) *Other A2J events*
  - n) *Other (please specify)*
- 2) Where are you currently employed?
  - Private firm*
  - Solo practice*
  - Legal aid*
  - Government*
  - Education*
  - Non-profit*
  - Not currently employed*
  - Other*
- 3) Were you interested in A2J before you started law school/legal education program?
  - It's why I enrolled*
  - Definitely a factor*
  - Somewhat*
  - Minimally*
  - Not at all*
- 4) Did your interest or knowledge about A2J issues influence your decision to go to law school/legal education program?
  - Yes*
  - No*
  - Not sure*
- 5) If yes, how?
- 6) Which of the following A2J initiatives did you take part in during law school/legal education program?
  - a) *Mandatory courses (excluding intensives)*
  - b) *Optional courses (excluding intensives)*
  - c) *Mandatory intensive courses/programs*
  - d) *Optional intensive courses/programs*
  - e) *Clinical legal education*
- 7) What were the strengths surrounding A2J education at your law school/legal education program? (Both courses and volunteer/ extracurricular opportunities)
- 8) What were the challenges or areas in need of improvement? (Both courses and volunteer/ extracurricular opportunities)
- 9) Did you have experiences in law school/legal education program that increased and/or changed your understanding of A2J issues? Please explain.
- 10) Did your exposure to A2J issues in law school/ legal education program influence how you think about your future career
- 11) If yes, in what way?
- 12) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?
- 13) Please share any ideas for A2J innovation in legal education.
- 14) What actions do you think a national A2J body should undertake to enhance A2J in Canada?
- 15) If you have any further thoughts you'd like to share, please do so below.

## Annex B: Focus Group Questions

### *Legal Innovation Zone Focus Group*

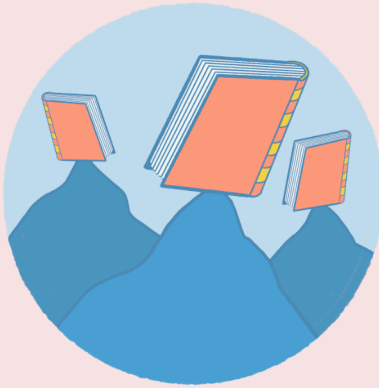
- 1) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?
  - 2) Do you have an opportunity to consider A2J issues as a part of innovation? Why or why not? What are the barriers?
  - 3) Do you believe that an early introduction to legal innovation in law schools could advance A2J? If yes, how should this concept be introduced and taught?
  - 4) Are there any aspects of legal innovation and technology that you believe will negatively impact A2J? How should the legal community address these issues?
  - 5) Is there anything else you'd like to add?
- 

### *SCC Clerks*

- 1) Do you believe that the A2J education you received in law school has impacted your legal career plans? Why or why not? In what way?
  - 2) How do you think A2J education in law school can be improved?
  - 3) Has your clerkship at Canada's highest court impacted your view of A2J issues? How so?
  - 4) In your experience or more broadly, what do you think the barriers are to engaging in A2J at the start of a young legal professional's career?
  - 5) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?
  - 6) Is there anything else you would like to add?
- 

### *Public Interest Articling Fellows*

- 1) You chose to article in a public interest role – why did you choose to article at this organization?
- 2) Do you see a correlation between what you learned about A2J in law school and your motivation to article at your organization /your future career choice?
- 3) How do you think A2J education in law school can be improved?
- 4) In your experience or more broadly, what do you think the barriers are to engaging in A2J at the start of a young legal professional's career?
- 5) In your opinion, what are the most urgent A2J issues requiring attention from the legal community?
- 6) Is there anything else you would like to add?



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