



2020  
Legal Aid Foundation

# ANNUAL REPORT



法律扶助基金會  
Legal Aid Foundation

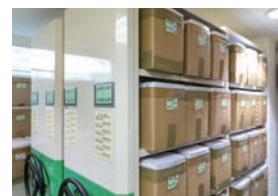
PROFESSIONAL

EFFICIENT

FLEXIBLE

APPROACHABLE

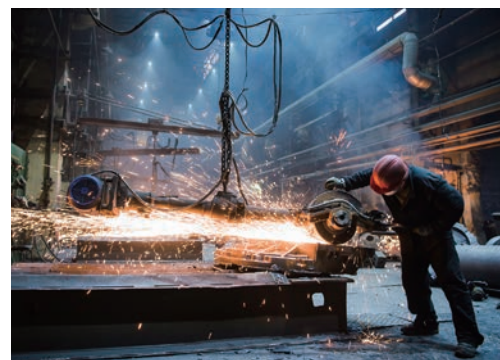




## 04 To friends of the Legal Aid Foundation

### Major Achievements

- 06 Annual Statistics
- 07 Annual Financial Statements
- 08 Annual Business Data
- 10 Analysis of Legal Aid Cases by Type



### General Legal Aid Cases

- 12 Multiple Access to Legal Aid Services  
**Merging video conferencing help desks to improve consulting services provided by helpers**
- 14 Attorney Attendance at Interrogation  
**Interrogated for the first time?  
No fear, a lawyer will be with you!**
- 15 Legal Aid for Consumer Debt Clearance  
**Specialist lawyers have provided professional assistance in nearly 10,000 cases of consumer debt clearance!**

### Commissioned Programs

- 16 Cases Commissioned by the Ministry of Labor  
**The number of labor cases is rising year by year**
- 17 Cases Commissioned by the Council of Indigenous Peoples  
**The number of indigenous cases continues to rise**
- 18 Cases Commissioned by the Ministry of Health and Welfare to Support Persons with Disabilities  
**LAF provides diverse services for the disabled**

### Cases of High Social Profile: The Status in 2020

- 20 Legal Aid Program for Victims of Formosa Fun Coast Explosion Workers Group Class Action Against RCA Taiwan for Pollution CPDC Dioxin Pollution Case
- 21 The Case on Weiguan Building Collapse  
Legal Aid to Civil Disobedience Activists  
Program Dedicated to the Case of Air Pollution Caused by No. 6 Naphtha Cracking Complex of Formosa Plastics Corp.
- 22 Cases before the Grand Chamber
- 23 The Murder Case of Mr. Hong

### Major Achievements of Legal Center of Indigenous Peoples

- 24 A Case of Land Disputes: "No to Asia Cement! Give Truku Back Their Land!"  
Taiwan Cement's Jin-Chang Stone Mining Case  
Katratipulr Photoelectric Plant Case
- 25 Tamazuan Tribe's Fight against Mining  
Taiwan Cement's Garbage Burning Case



### Networking and Campaigns

- 30 Promotional Events and Seminars
- 32 Films, Internet and Publications
- 34 International Affairs



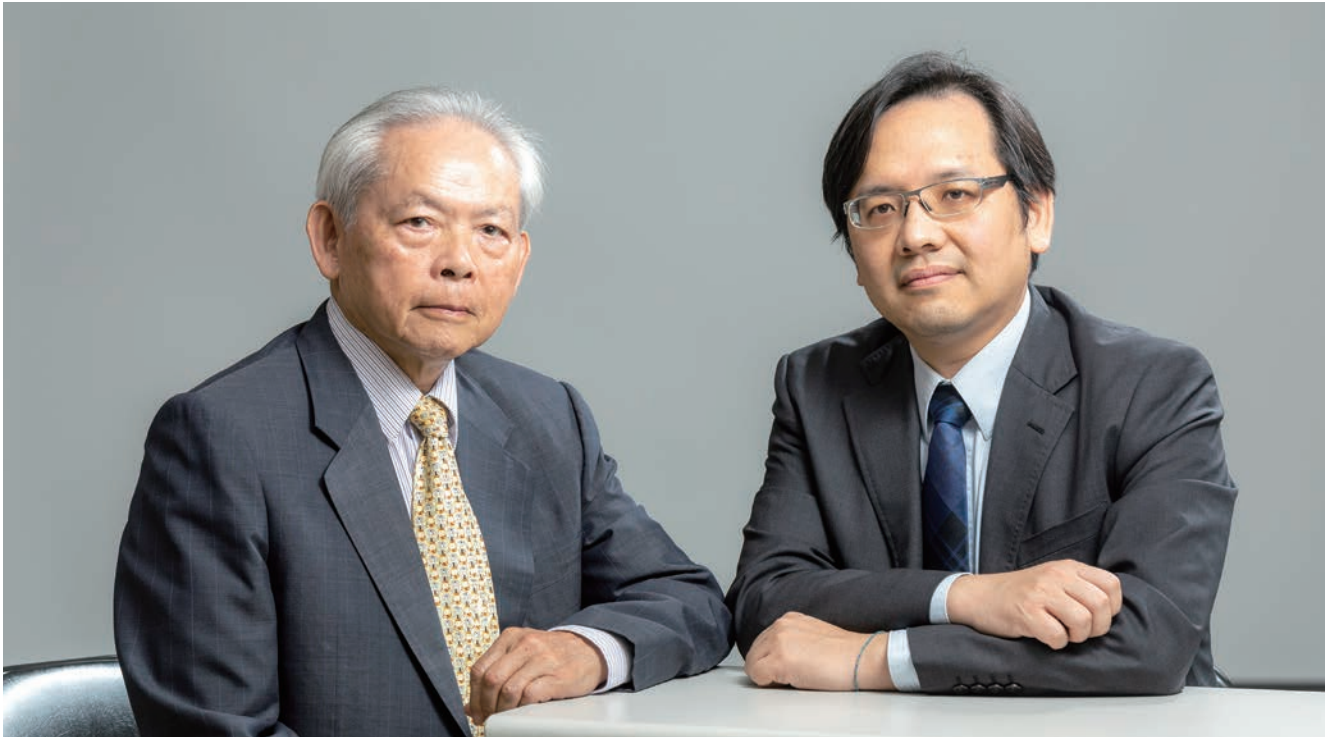
### Multiple Approaches to Quality Improvement

- 26 Improving The Customer Service  
Improving The Case Management Process
- 27 Mechanism to Control Service Quality of Legal Aid Lawyers
- 29 Staff Attorneys  
Training on Legal Expertise



### People in Legal Aid

- 36 Analysis of Recipients
- 39 Grounds for Granting Legal Aid
- 40 Analysis of Providers
- 41 Organization Structure
- 42 LAF Team
- 43 LAF Staff
- 44 Branches across Taiwan to serve you
- 45 Regulatory Amendments
- 46 Copyright



Chairman | 范光群  
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Han-Wei Chou

## To friends of the Legal Aid Foundation

It has been a universal value that the right to fair trial shall be protected. Legal aid system is the mechanism designed to implement this right. It is an institutional approach that a state can take to secure equal access of the disadvantaged to justice. Legal Aid Foundation (LAF) was established to safeguard the right to litigation and equal access to justice under the Constitution of the Republic of China (Taiwan), and to ensure the spirit of "justice for all". In 2020, over 204,000 applications for assistance were made to LAF, among which over 180,000 applications (including both legal consultation and commissioned cases) were granted for assistance. Clearly, legal aid is in great demand. Given the COVID-19 pandemic, some partners providing in-person legal consulting service were concerned about the risk of coronavirus transmission among close contacts. In order to

meet public needs, LAF took a resilience approach to face the Covid-19 crisis – making consulting service available through video conferencing. Taking account that in 2021 in-person service may continue to be affected by the pandemic, LAF continues to be attuned to public needs and further expands video conferencing consulting service. It is hoped that legal aid is easily and timely accessible to all citizens around the country. In order to implement the resolutions of National Conference on Judicial Reform and to strengthen protection of crime victims, LAF amended Article 3(2) of the Measures on the Implementation Scope of Legal Aid (hereinafter, the Measures) in 2020. Article 3(2) of the Measures stipulated that in principle legal representation shall not be assisted. With the amendment, all victims listed in Article 455-38 of

Code of Criminal Procedure shall be granted assistance in legal representation, provided that LAF financial eligibility criteria and assistance requirements are met. The aim is to assist victims to exercise their rights in legal proceedings. In addition, point 17(1) of the rules and precautions for LAF legal aid lawyers in handling cases stipulates that should a victim meet the statutory requirements to be granted legal aid, the legal aid lawyer who is in charge of the case shall make sure that the victim is willing to be assisted and the assistance in litigation shall be in line with the victim's willingness. Furthermore, LAF collaborates with the Association for Victims Support (AVS) to set up a one-stop service desk, so as to promote close cooperation between LAF and AVS branches and to provide a referral mechanism for applicants. In doing so, one-stop service can better meet the needs of applicants. Given the cultural, life and language peculiarities, Taiwan's indigenous peoples may have traditions and customs which are at odds with the national legal system; and their traditions and customs might be violated due to national policies. Indeed, it is necessary to provide professional legal aid to them. In order to enhance LAF services for the indigenous peoples, the Legal Center of Indigenous Peoples in Hualien City was established on 12 March 2018. Thereafter, Hsinchu Legal Center of Indigenous Peoples – the office on west Taiwan – was inaugurated in Zhubei City on 19 August 2020 and began to provide services on 1 January 2021. LAF embraces the vision to build a nation-wide network which can provide professional and culturally-mindful legal aid. The service quality of legal aid lawyers directly affects the rights and interests of recipients. Therefore, quality

assurance in the service has been one of LAF's key tasks. As of 31 December 2020, there has been 4,382 legal aid lawyers working for LAF. In order to assure the service quality, LAF adopts numerous mechanisms, including reasonable remuneration and regular training for lawyers, assignment system of specialist lawyers, case review mechanism, monitoring measure made through the "Legal Aid Case Notification Form (for Courts and Prosecutors only)", complaint system and lawyer performance appraisal system. With the multipronged approach, LAF processed 126 complaints about legal aid lawyers and review committee members in 2019. In 2020, this number reached 183, an increase of 57. In line with the reform of lawyer performance appraisal system, LAF processed 9 appraisals in 2019 and 31 in 2020. Furthermore, for maintaining the service quality, LAF continues to adopt practical approach to deeply engage legal aid lawyers – namely, reasonable remuneration. For example, in 2020, the legal consultation fee was increased from NT\$500 per hour to NT\$600 per hour; in line with the institutional reforms of the Supreme Court and the Supreme Administrative Court, legal aid projects shall be in compliance with newly-amended procedures of the Grand Chamber and the remuneration is clearly specified; as to lawyer presence at the first interrogation, the lawyer is entitled to apply to LAF for transportation expenses for night service. Legal aid has always been in great demand. Despite of challenges imposed by the pandemic in 2020, LAF, with its limited budget and increasing workload, will continue to uphold the ethos to serve the disadvantaged and improve legal aid services.

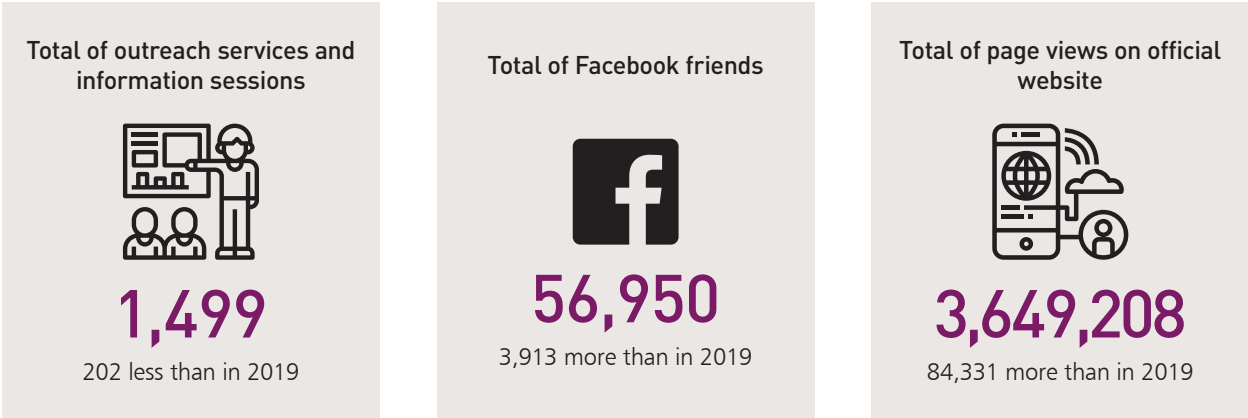
Philosophy	◎Equality – to protect the right to litigation and equal access to justice pursuant to the constitution, and to facilitate the improvement of economic status of citizens ◎Human Rights – to protect the human rights of the disadvantaged ◎The Rule of Law – to complement the system of the rule of law	
Service Principles	◎Be approachable ◎Be flexible	◎Be efficient ◎Be professional
Mission Statement	◎To engage in self-reflection, innovation and advancement of legal aid system ◎To make legal aid available throughout Taiwan ◎To promote the awareness of legal aid ◎To enhance accessibility to legal aid for the public ◎To advance the quality of legal aid services ◎To encourage the participation of lawyers in legal aid and social reform ◎To further promote legal education for the disadvantaged	



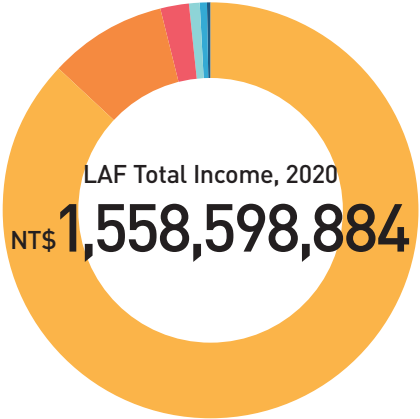
Annual Statistics



\* The data include consulting services provided by helpers through LAF Hotline and video conferencing.



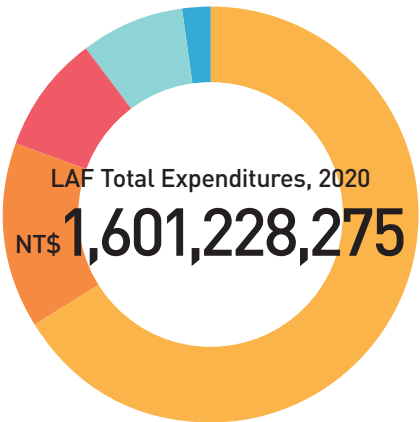
Annual Financial Statements



The accounting system of LAF observes the calendar year. The 2020 financial report was audited by an independent local CPA firm, which issued a report without any reservation attached.

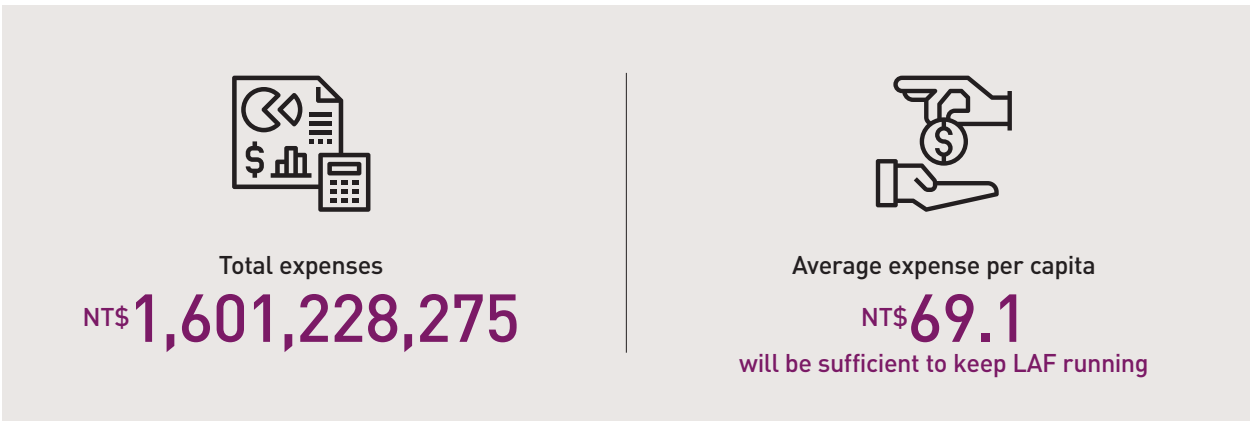
Government Endowment Income	1,356,906,393
Government Special Program Income	141,729,281
Nonbusiness Income (interest and others)	36,453,146
Repayment and Recovery Income	13,860,684
Other Business Income	6,796,089
Income from Private Donations and Project Plans	2,853,291

LAF's total expenditure for 2020 was NT\$1,601,228,275 (including capital expenditure), and the total income was NT\$1,558,598,884. The main reason why the expenditure (including capital expenditure) exceeded the income is that in the past three years the number of cases dealt with by LAF has gone over budget.

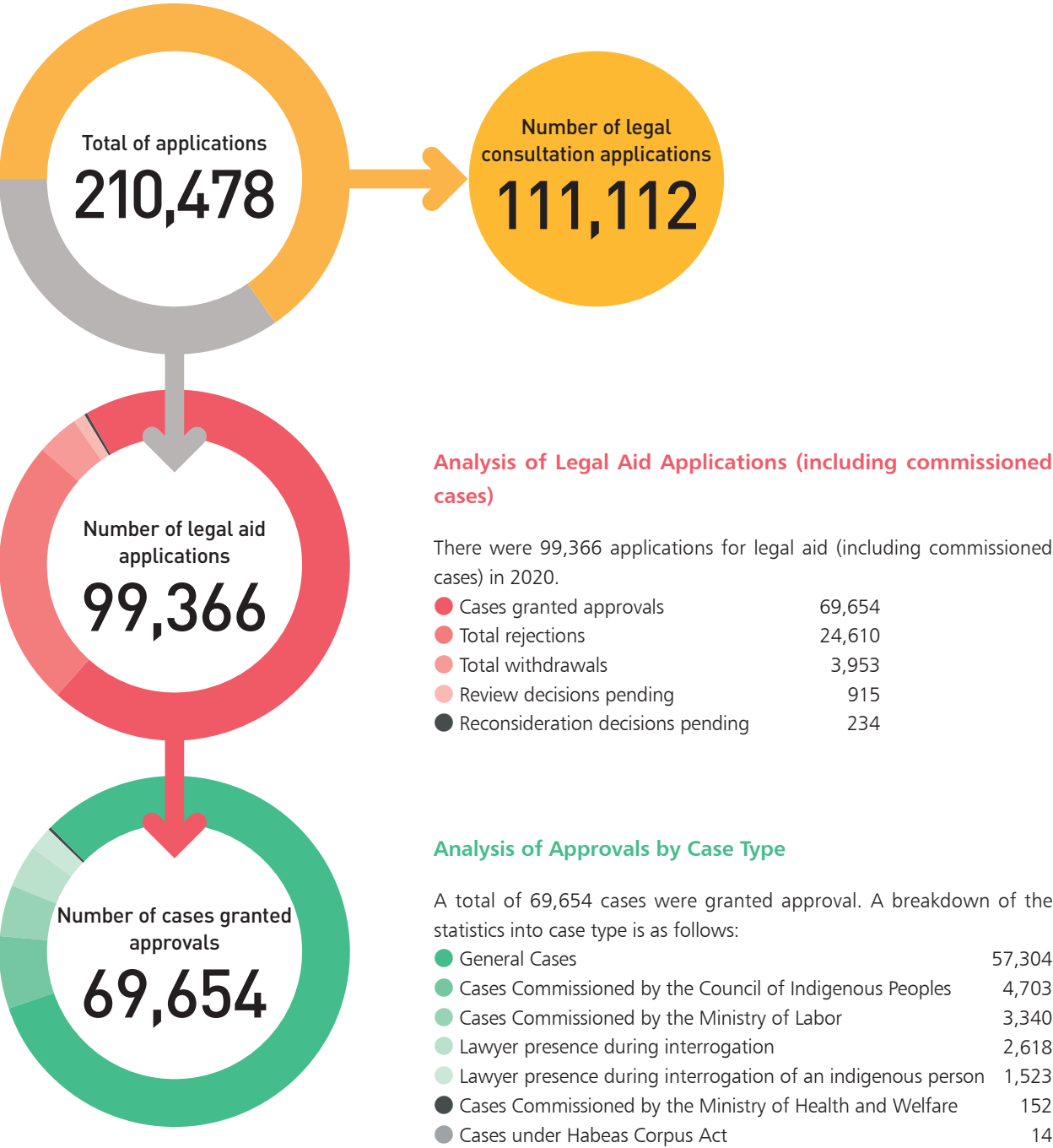


Legal Aid Expenses	1,062,206,259
Operating Expenses	229,284,952
Management and Non-operating Expenses	146,981,038
Special Purpose Expenses	131,560,667
Capital Expenses	31,195,359

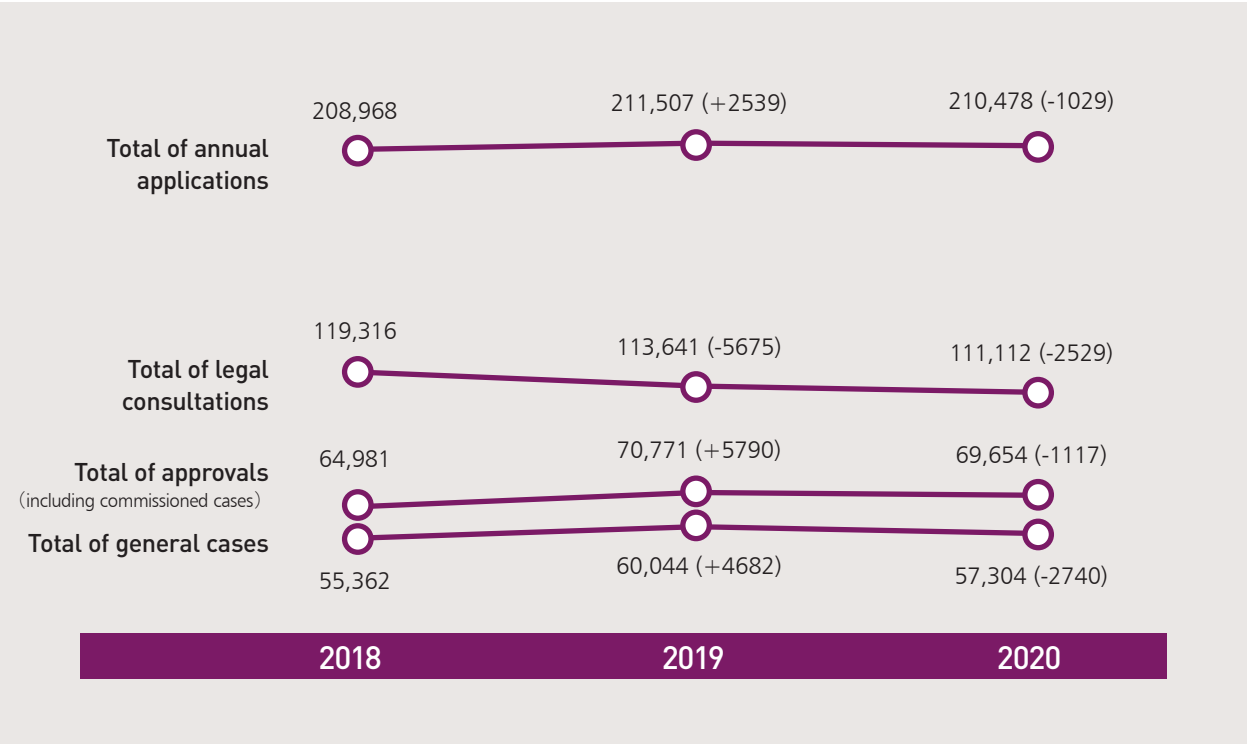
Legal aid expenses: including attorney remuneration, litigation expenses, and fees for Assessment and Review Committees.  
Operating expenses: including costs for providing services, hiring staff attorneys, and costs of hiring LAF staff.  
Management expenses and non-operating expenses: including costs for personnel management, administrative expenses, and campaign expenses.  
Special purpose expenses: costs of programs commissioned by the Ministry of Labor, the Council of Indigenous Peoples, and the Ministry of Health and Welfare.



Annual Business Data



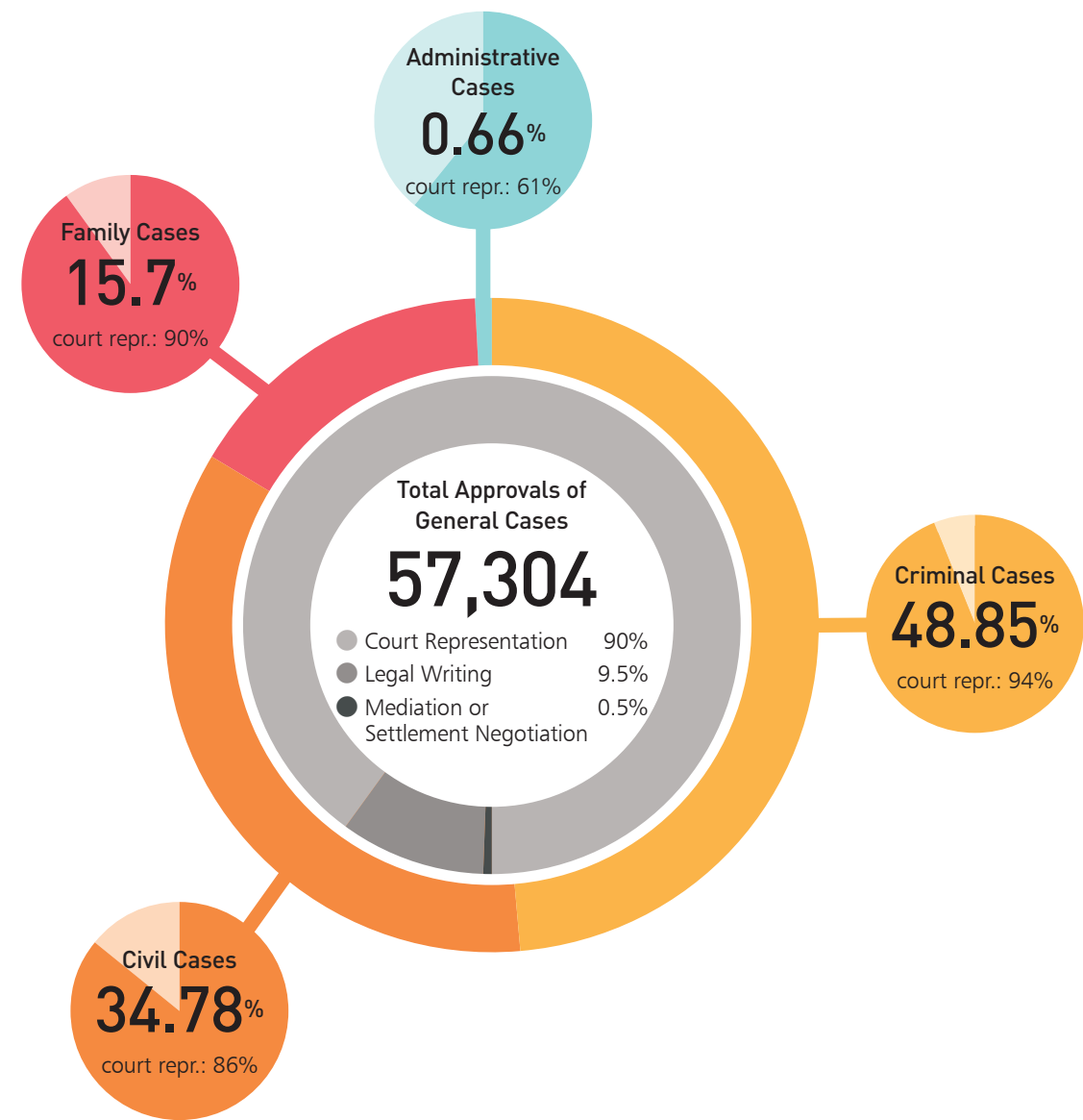
Comparison of key business indicators over the past three years



\* The data include consulting services provided by helpers through LAF Hotline and video conferencing.

## Analysis of Legal Aid Cases by Type

General Cases Granted Approval – Breakdown by Category



General Cases Granted Approval – Top Five Grounds

Criminal Cases	Civil Cases	Family Cases	Administrative Cases
Drug Offenses 5,305	Consumer Debt Clearance Act 9,508	Maintenance Payment 3,959	Road Traffic Management and Penalty Act 41↑
Offenses of Fraudulence, Breach of Trust, Taking, and Usury 4,379↑	Tort 4,953	Divorce 1,478	Labor Insurance Act 38↓
Assault Causing Bodily Harm 4,344↓	Loans for Consumption 1,055	Child Custody 739	Public Assistance Act 30↑
Offenses of Larceny 2,018	Ownership 598	Parental Rights 728	Regulations on Development and Management of the Lands Reserved for Indigenous People 28
Offenses against Sexual Autonomy 1,947	Salary Dispute 515	Protection Order 445	Immigration Act 24↑

### Issuance of letter of guarantee

In order to safeguard the effectiveness of legal aid and to avoid situations where a legal aid recipient is unable to secure the enforcement of a favorable court judgment because the counterparty maliciously disposes the properties, LAF may, in accordance with Article 67 of the Legal Aid Act, submit a letter of guarantee to substitute the deposit necessary for the legal aid recipient to apply for a court injunctive relief, where LAF is of the view that the case concerned is clearly favorable to the said legal aid recipient. As of 31 December 2020, LAF has provided the legal aid recipients concerned with more than NT\$2.5 billion in guarantee bonds and issued a total of 3,910 letters of guarantee. Other than the 718 letters in ongoing cases that cannot be retrieved at present, bonds paid in 3,192 letters are available for retrieval, in which bonds in 2,916 letters have been retrieved by the end of 2020. The retrieval rate has reached 91.35%.



Issued to aid recipients  
**3910** letters of guarantee  
Guarantee bonds for Over  
**NT\$ 2.5** billion

As of 31 December 2020

Multiple Access to Legal Aid Services

Merging video conferencing help desks to improve consulting services provided by helpers



❶ Activities of Tainan Branch: on 23 January 2019, LAF staff attorney Tze-Feng Chen offered legal advice at Shulin Branch of Chi Mei Medical Center.  
❷ Activities of Tainan Branch: on 5 December 2020, LAF offered legal advice at "2020 Tainan Modern Grand Parade".  
❸ Activities of Matsu Branch: on 18 August 2020, LAF visited a village to offer on-site consulting services.  
❹ On 6 January 2020, the press conference on launch of "Lienchiang County Video Conferencing Service Center"

The importance of legal advice is to provide the public with early access to professional information, so that they can evaluate litigation risks beforehand; in turn, disputes could be minimized and assistance in legal proceedings could be provided to them in time.  
In 2020, LAF received 111,112 applications for legal advice.

		2018	2019	2020
In-Person Legal Consultation		92,534 visits	87,970 visits	82,480 visits
Telephone Legal Consultation	the public	24,158 calls	22,648 calls	22,717 calls
	helpers	1,033 calls	1,663 calls	4,433 calls
Video Conferencing Legal Consultation		357 help desks 1,591 calls	327 help desks 1,360 calls	288 help desks 1,482 calls

In 2020, 18.36% of the public consulting LAF through the hotline made assistance applications to LAF branches, and 75.26% of these applications were granted approval for legal aid.  
Among the consulting services provided by LAF helpers, approximately 60% involved family matters, 13% maintenance issues and 10% the commencement of guardianship/assistance.

	Civil Cases	Family Cases	Criminal Cases
Case Percentage	51.11%	27.26%	17.69%
Most frequently consulted issues	Compensation for damages caused by torts	Inheritance	Assault Causing Bodily Harm
Second most frequently consulted issues	Consumer Debt Clearance Act	Divorce	Offenses of Fraudulence, Breach of Trust, Taking, and Usury
Third most frequently consulted issues	Loans	Maintenance	Offenses Against Reputation and Credit



As to the administrative cases, the most frequently asked questions concerns Road Traffic Management and Penalty Act and Labor Standards Act (mostly about labor laws and regulations).  
In 2020, LAF expanded its video conferencing consulting services to Taiwan's outlying islands. A few remote or underperforming help desks, which offered video conferencing and in-person legal consultation, were merged. Later on, LAF branches across the country will collaborate with local courts to set up help desks which provide video conferencing consulting services. In the first half of 2020, there were only 27 help desks which were set up by LAF head office in collaboration with various partners, providing a total of 53 video conferencing consultations. As of 31 December 2020, the number of help desks had reached 122, providing 186 consultations.  
In 2020, the service hotline of LAF head office received 186 calls and the branches received 1,296 video calls, making a total of 1,482 calls – a modest increase compared to 2019.





Attorney Attendance at Interrogation

Interrogated for the first time?  
No fear, a lawyer will be with you!



Whom We Serve

For the suspect of offense punishable for not less than three years of imprisonment, LAF legal aid attorney can be present during the suspect's first interrogation free of charge. For this service, please make the application through the police or call the hotline 02-2559-2119 (accessible all year round). Whereas the aforementioned service shall not be limited to felonies, should the defendant or suspect is:

- not able to make a full statement due to neurological or mental disorders;
- of indigenous people.

When the defendant or suspect does not have the assistance of counsel for his defense during interrogation, the police/prosecutor should inform LAF of the need to assign a defense attorney for the party in accordance with legal procedures.

Waiver of the Right to Counsel

Among the interrogation cases referred to LAF for assistance, there are considerable amount of cases that the parties expressly decline the appointment of defense attorneys. In 2020, there were 5,422 waiver cases made by the general public, and 18,232 waiver cases by indigenous peoples. In counting the application total here, those waiver cases are excluded.

For ensuring that the suspect's waiver of his/her right to counsel is genuine, LAF's standard operating procedures (SOP) of customer service specially require that the customer service staff should request police/prosecutor assistance for speaking with the party in person. The purpose is to reconfirm the suspect's consent. Furthermore, LAF staff would also help the suspect to understand his/her rights during the interrogation – for example, not to make a statement against his/her own will, and attorney assigned by LAF being free of charge. Among the waiver cases made by the general public, most

of them involve misdemeanors punishable for less than three years of imprisonment – a total of 4,418 cases, accounting for 81.48%. The top three charges were offenses of larceny (2,148 cases), drunk driving which violates public safety (654 cases), and fraudulence (398 cases).

Among the waiver cases made by indigenous peoples, most of them also involve misdemeanors punishable for less than three years of imprisonment – a total of 15,352 cases, accounting for 84.2%. The top three charges were offenses of drunk driving which violates public safety (6,420 cases), assault causing bodily harm (2,170 cases), and larceny (1,557 cases).

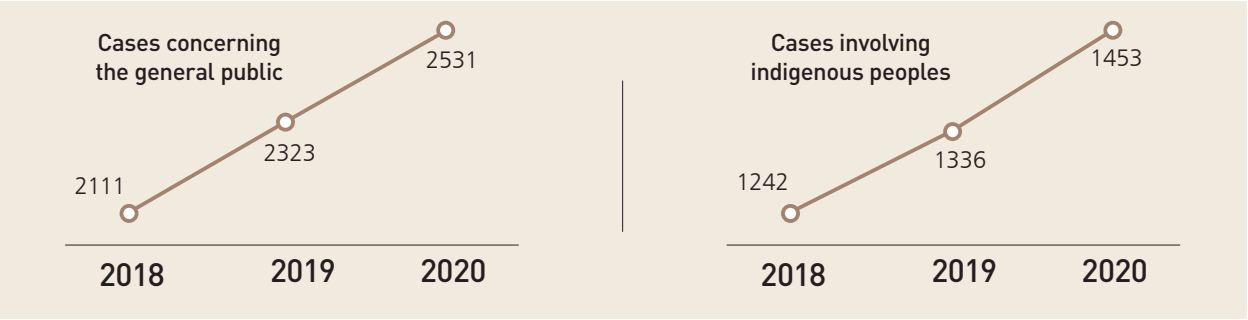
Statistical Breakdown of Attorney Attendance at Interrogation – Cases Concerning the General Public

Among the applications made by the general public, the applicants of 2,830 cases expressed their desire to be assisted by attorneys, whereas 179 cases did not meet the application requirements and 33 cases were withdrawn – making a total of 2,618 eligible applications. 96.68% of the eligible applications – that is, 2,531 cases – were assisted by LAF legal aid attorneys.

Statistical Breakdown of Attorney Attendance at Interrogation – Cases Involving Indigenous Peoples

Among the applications made by the general public, the applicants of 1,545 cases expressed their desire to be assisted by attorneys, whereas two cases did not meet the application requirements and twenty cases were withdrawn – making a total of 1,523 eligible applications. 95.40% of the eligible applications – that is, 1,453 cases – were assisted by LAF legal aid attorneys.

Case numbers of LAF attorney attendance at interrogation over the past three years

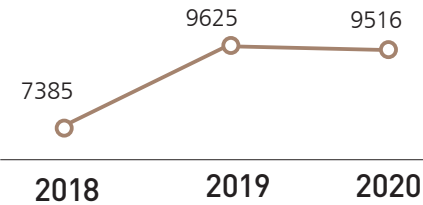


Legal Aid for Consumer Debt Clearance

Specialist lawyers have provided professional assistance in nearly 10,000 cases of consumer debt clearance!



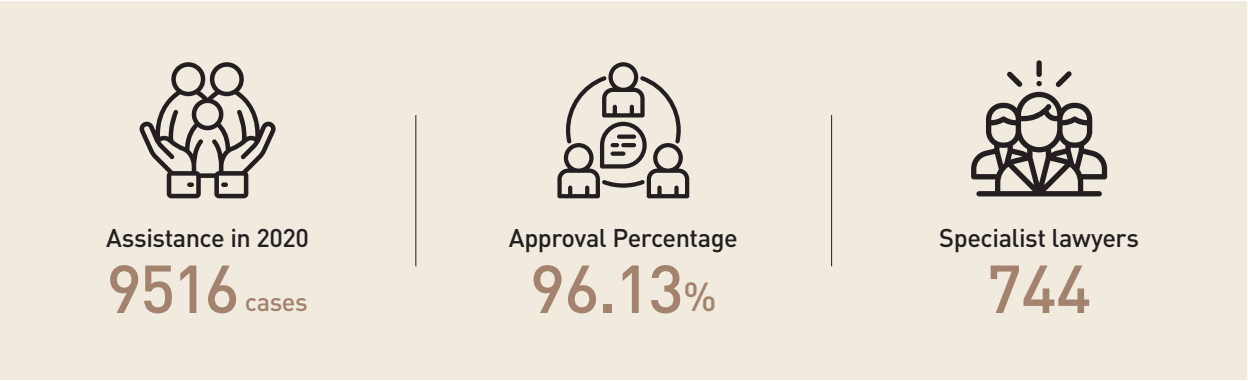
Case numbers of legal aid for consumer debt clearance over the past three years



1	2	3	4
5	6		



- ① 25 July 2020, information session for debtors at Bread of Life Christian Church in Taipei
- ② 14 July 2020, social worker training in how to provide assistance in consumer debt clearance
- ③ 17 September 2020, information session for Consumer Debt Clearance Act hosted by Chiayi Branch
- ④ 19 September 2020, information session, "Debt Can Really Be Settled", at Bread of Life Christian Church in Tainan
- ⑤ 23 October 2020, information session for debt clearance at Naval Maritime Surveillance & Reconnaissance Commando
- ⑥ LAF legal aid for consumer debt clearance propagated in commuter train



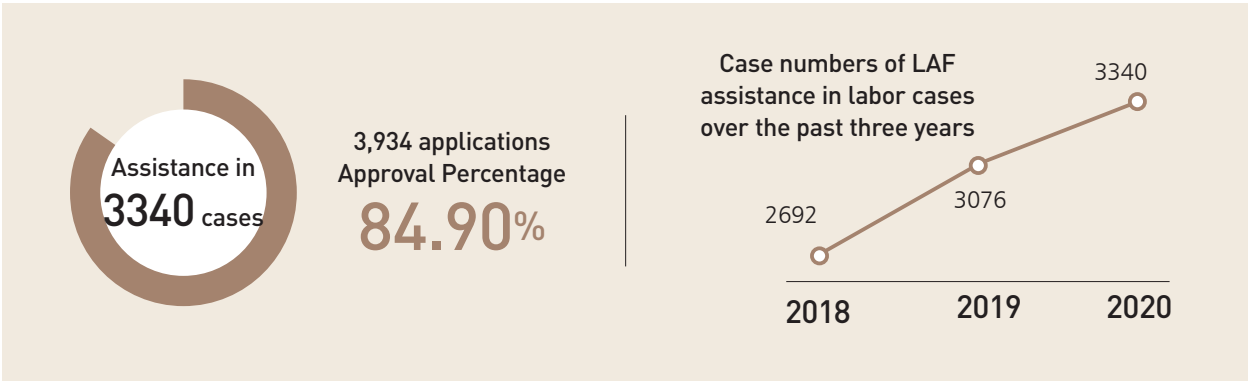


Cases Commissioned by the Ministry of Labor

The number of labor cases is rising year by year



Legal aid applications received through the Ministry of Labor mostly concerned civil matters, which accounted for 98.26% of the application total. Most of these applications were granted aid in court representation and defense. The disputes mostly involved severance pay, issues covered by the Occupational Safety and Health Act, and wage payment.



Cases Commissioned by the Council of Indigenous Peoples

The number of indigenous cases continues to rise



- 1

2

3

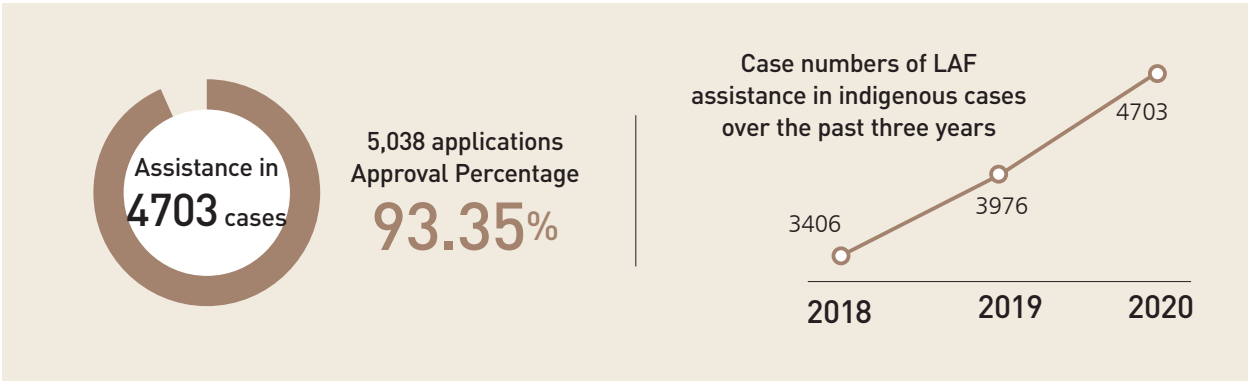
4
- 10 November 2020, information session of legal aid for indigenous peoples in Nanao, Yilan County

27 September 2020, information session for indigenous consumer protection hosted by Tainan Branch

14 August 2020, information session for indigenous peoples hosted by Pingtung Branch at Municipal Majiaguomin Junior High School

15 May 2020, legal education and information session for indigenous peoples hosted by Taipei Branch in Wulai

Legal aid applications received through the Council of Indigenous Peoples mostly concerned civil matters, which accounted for 53.69% of the application total; and secondly family cases, accounted for 23.60%. Most of these applications were granted aid in court representation and defense. The top three categories in terms of cases granted legal aid were approved cases for aid were torts, ownership disputes, and assault causing bodily harm.





Cases Commissioned by the Ministry of Health and Welfare to Support Persons with Disabilities

LAF provides diverse services for the disabled

From 2018 onwards, LAF has been commissioned by the Ministry of Health and Welfare to provide legal aid to persons with disabilities.

Legal Consulting Service

- **Telephone Service:** 4,086 consultations made through the hotline  
Ministry of Health and Welfare Hotline: 412-8518 (after connected, press "2" for "telephone consultation"; and then press "2" again for "legal consultation for the disabled")
- **In-Person Service:** 468 consultations in total  
By 2020, LAF has set up 48 service centers with accessibility facilities in 22 counties/cities (except Matsu and Penghu) across the country. Accessible communications, such as sign language translation and communication access real-time translation (advance booking required), are also available at these service centers. Therefore, people with disabilities can easily access legal aid in person.  
The geographic distribution of consultations shows that Taoyuan City accounted for the most – reaching 139 cases, followed by New Taipei City's 86 cases, and then Kaohsiung City's 69 cases. Because of its location on an outlying island, Kinmen Branch piloted consulting services through video conferencing in 2020. This pilot project was successful, and therefore will be carried on in 2021.
- **Home Visit Service:** Home visit service is provided to those who cannot access LAF consulting services through telephone or video conferencing, and they cannot or are obviously unable to visit LAF service centers in person due to their disabilities.  
This service is not limited to the residence of the client. For example, in the case that the client cannot or is obviously unable to access aforementioned consulting services while in a psychiatric ward, LAF legal aid lawyers would then make home visit to provide consulting service.  
In 2020, there were 121 applications of home visit service, among which 86 applications were eligible for the service. Among the eligible applications, 70 consultation cases were made at medical institutions and 16 at the applicant's residence.



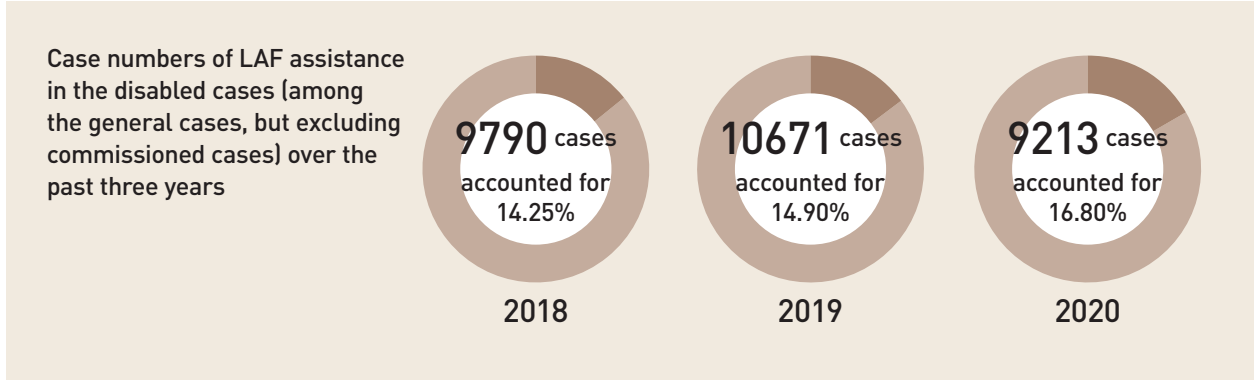
Legal Aid for the Disabled:  
The Geographic Distribution of  
In-Person Service Cases in 2020



- 18 August 2020, lecture on hospice care (with *Coco* film show) organized by Chiayi Branch
- 21 November 2020, a help desk set up by Tainan Branch on the International Day of Disabled Persons
- 6 October 2020, information session for CRPD co-hosted by Tainan Branch and Taiwan Foundation for the Blind
- 8 September 2020, information session for cases commissioned by the Ministry of Health and Welfare, co-hosted by Pingtung Branch and Pingtung Christian Victory Home

Other Services: Legal Representation, Defense and Writing

In 2020, there were 475 applications of those services, among which 152 acceptances and 323 refusals. The breakdown of refusals by account is: 185 cases obviously ineligible for assistance, 86 cases failing to meet LAF financial eligibility criteria and assistance requirements, 8 cases for both of the preceding reasons, and 44 cases for insufficient documents by the deadline. The approval percentage is 32%.  
The Convention on the Rights of Persons with Disabilities (CRPD) manifests the global trend to protect the rights and dignity of persons with disabilities. LAF will continue to support its review committee members and legal aid lawyers in better understanding the CRPD, and in turn further comprehensive legal aid which meets demands can be provided.  
Within this service type, criminal cases accounted for 37.50% (which is the most), followed by civil cases for 36.18%. Most of them were granted aid in court representation and defense.



## Cases of High Social Profile: The Status in 2020

### Legal Aid Program for Victims of Formosa Fun Coast Explosion

#### Status in 2020

Regarding restorative justice processed at Taiwan Shilin District Prosecutors Office, no further progress was made. As for the civil proceedings, the case has been transferred to Consumers' Foundation, Chinese Taipei (CFCT), and therefore CFCT shall pursue the follow-up civil procedure; besides, some victims, individually or collectively, appointed lawyers to respectively file civil claims. The petition for and enforcement of provisional attachment continue to be dealt with by LAF. LAF submitted documents required by the court enforcing the provisional attachment, so as to secure the property for compensation in the event that the victims win the civil cases.

### Workers Group Class Action Against RCA Taiwan for Pollution

#### Status in 2020

##### First Wave of the Lawsuit:

In response to the Supreme Court's ruling that the four foreign companies should compensate 262 claimants with over NT\$500 million, on 16 October 2018 these companies made a motion for a new trial on the grounds that the Supreme Court clearly made legal errors. LAF assisted the claimants in legal defense, and the motion for a new trial was rejected by the Supreme Court on 6 August 2020. With LAF's assistance, the compensation payment has been distributed to most claimants in late December 2019. For a small number of claimants who have not collected the payment, LAF continues to assist them in this regard.

With regard to the claims made by 246 claimants that the Supreme Court reversed the original judgment and remanded the case to Taiwan High Court, Taiwan High Court ruled on 1 March 2020 that 24 claimants shall be compensated with NT\$54.7 million and the claim made by the remaining 222 claimants were rejected. LAF has assisted RCA Care Association to appeal, to collect reference materials, and to ask for expert opinions. LAF strives to fight for the RCA Care Association and its members.

##### Second Wave of the Lawsuit:

On December 27, 2019, Taiwan Taipei District Court ruled that RCA Care Association shall receive a total of NT\$2.33 billion in compensation. In the judicial history of Taiwan, this is one of the few cases in which the court awards a total sum of money to the claimants as a whole body. In this case, the four foreign companies shall pay compensation to RCA Care Association. Taiwan Taipei District Court also agreed with the attorneys' claim that even if the workers are not ill, they still suffer from genetic mutations (damaged DNA sequence), which is a violation of their rights to bodily integrity and rights to health. Both parties are currently appealing against the unfavorable rulings respectively. Taiwan High Court has conducted the preliminary proceeding to ascertain the grounds of appeals stated by both parties, and to verify the disease registries of claimants in dispute. For this prosecution, LAF attorneys once again teamed up to take the RCA case. In order to secure the compensation payment for the claimants in the event that RCA Care Association wins the case, LAF filed a petition to Taiwan Taipei District Court for provisional attachment of the defendant's property. An order of provisional attachment was granted by the court, but the four foreign companies took a remedial action to challenge the court order. LAF then assisted RCA Care Association in legal defense. On 9 April 2020, the Supreme Court affirmed the order of provisional attachment. Subsequently, LAF filed a petition to the court to enforce the order of provisional attachment, which could seize creditor rights of the four foreign companies in Taiwan and protect the rights of RCA Care Association as well as its members.

### CPDC Dioxin Pollution Case

#### Status in 2020

As for the first wave of the lawsuit that the residents appealed to the Supreme Court against the judgement on the claim of over NT\$6 million, the Supreme Court dismissed the appeal and the conviction was affirmed on 26 February 2020. Regarding the second wave of the lawsuit, Taiwan Tainan District Court concluded the oral argument on 4 September 2020 and pronounced the verdict on 6 November 2020. The court ruled that the defendant, China Petrochemical Development Corporation (CPDC), shall compensate 16 of the plaintiffs assisted by LAF with \$NT6.8 million. LAF legal aid attorneys have assisted some of the plaintiffs to file appeals, and proceeded the follow-up for the second instance.

### The Case on Weiguan Building Collapse

#### Status in 2020

Pursuant to the ruling pronounced by the criminal court of Taiwan Tainan District Court, the ancillary civil action along with the criminal procedure of this case had been transferred to the civil court. Oral argument of the first instance was concluded on 19 March 2020, and the verdict was pronounced on 20 August 2020. The court ruled that the six defendants – Lin, Chang, Cheng, Hong, Cheng and Dahe Drilling Technology Consulting – are jointly liable to make the compensation of NT\$,730,4562. The legal aid attorneys gave a briefing about the court ruling and talked with the claimants one by one. The 120 claimants all indicated that they did not intend to appeal. The six defendants did not appeal either. Thereby, the judgement was made on 28 September 2020.



13 September 2020, a briefing concerning the Weiguan case held by Tainan Branch

### Legal Aid to Civil Disobedience Activists

#### Status in 2020

Regarding the cases of "324" attempted occupation of the Executive Yuan in March 2014 and support for the 2019–2020 Hong Kong protests, LAF assisted the activists in legal defense in the criminal procedure of third instance.

### Program Dedicated to the Case of Air Pollution Caused by No. 6 Naphtha Cracking Complex of Formosa Plastics Corp.

#### Status in 2020

LAF took over this case, which has been pending in Taiwan Yunlin District Court, to claim compensation for civil damages from Formosa Plastics. There are a total of 70 injured residents. Among them, 68 injured residents had heretofore instructed Primordial Law Firm to settle the case, which is still undergoing the oral argument under 2015 Gong-Appeal No. 1 of Taiwan Yunlin District Court. Two injured residents filed the lawsuit by themselves. On 30 October 2020, the ruling was pronounced in 2018 Gong-Appeal No. 1 of Taiwan Yunlin District Court – the plaintiffs' petition was dismissed. LAF legal aid attorneys have assisted these two injured residents to appeal. The case is currently pending in Taiwan High Court Tainan Branch Court; and the preliminary proceeding will be conducted in the near future.

Where in 2018 Gong-Appeal No. 1 of Taiwan Yunlin District Court that the addition of claim filed by 43 injured residents was dismissed and remained to be settled, LAF legal aid attorneys have petitioned Taiwan Yunlin District Court to adjudicate this additional claim, so as to facilitate the follow-up proceedings.



Cases before the Grand Chamber

I. The Criminal Grand Chamber: The Organized Crime Prevention Act

Yang, the recipient of LAF legal aid, was convicted by Taiwan High Court Taichung Branch Court that he took part in a criminal gang, which was organized and directed by others and engaged in organized fraudulence in a continuous and for-profit manner; and that he acted as the dubbed "driver" of the criminal gang, who was to withdraw cash in bank account fraud. The court held that his act constitutes offenses of participating in a criminal organization under the second subparagraph of Article 3(1) of the Organized Crime Prevention Act and aggravated fraud under Article 339-4(1) (2) of the Criminal Code. In accordance with the principle of concurrence – where an act constitutes several offenses, only the most severe punishment shall be imposed – the defendant was charged with aggravated fraud.

The prosecutor filed an appeal against the said judgment to the Court of Third Instance, claiming that the defendant's act, being an act participating in a criminal organization, shall be sentenced pursuant to the first subparagraph of Article 3(3) of the Organized Crime Prevention Act, stipulating that after the execution or remission of the punishment the offender shall be committed to a labor establishment to perform compulsory labor for a period of three years.

The Supreme Court, after initial review, was of the view that the proposed legal opinions to be adopted might be of positive differences with those adopted in multiple judgments given previously, and thereupon moved the differences to be settled by the Criminal Grand Chamber. In addition, the Supreme Court wrote to LAF to ask LAF to assign attorneys to serve as defending lawyers.

Receiving the letter from the Supreme Court, LAF was of the view that this case should be treated with utmost effort, given that this is the first case referred to the Criminal Grand Chamber for settling differences in legal opinions expressed in court judgments. Accordingly, LAF built a legal team of its staff attorneys and associated attorneys to provide advice. This team not only raised arguments on relevant legal issues but also contributed a list of legal experts and scholars who qualify as expert witnesses, both for submissions to the Court in the oral argument proceedings.

On 16 January 2020, the oral argument was held, in which Professors Yu-Hsiung Lin, Heng-da Hsu, Yun-Hua Yang and Chih-Jen Hsueh were invited to be the expert witnesses. Thereafter, the Criminal Grand Chamber of the Supreme Court pronounced the ruling on 13 February 2020. The ruling begins with judicial interpretation of the first paragraph of Article 55 of the Criminal Code in terms of literary meaning and judiciary. It goes on with the interpretation of purpose

limitation provided in Interpretation No. 471 of the Judicial Yuan – where a measure is to be imposed, the court shall take into account whether it is necessary for preventing or treating the actor's propensity which may endanger the society and shall pursue the principle of proportionality. Accordingly, in the case of the "driver", the court shall pursue interpretation not in contradiction to the aims addressed in Interpretation No. 471. In this case, the "driver's" participation in criminal gang and organized fraudulence constitutes offenses of participating in a criminal organization under the second subparagraph of Article 3(1) of the Organized Crime Prevention Act and aggravated fraud under Article 339-4(1)(2) of the Criminal Code. Thereupon, where the principle of concurrence is pursued, the court may declare the performance of compulsory labor in tandem with the main sentence in accordance with the Organized Crime Prevention Act, provided that the seriousness of his act, his criminal propensity, the anticipation of his future act, and the extent required for measures imposed as well as preventive/corrective purposes are all taken into account; and also provided that the imposed measures are needed for preventing or treating his propensity which may endanger the society, and these measures are in line with the principle of proportionality.

II. The Criminal Grand Chamber: The Narcotics Hazard Prevention Act

This is a case pending in the Eighth Criminal Court of the Supreme Court. Before the revising of Narcotics Hazard Prevention Act, an adult defendant who had no record of illegal drug use was accused of the said crime; and the prosecutor deemed it appropriate to issue a disposition of deferred prosecution upon completing addiction treatment in accordance with the Code of Criminal Procedure. Since the defendant failed to complete the imposed order for addiction treatment, the prosecutor revoked the judgement of deferred prosecution ex officio and initiated a public prosecution for the defendant's offense of illegal drug use.

In less than three years since the said judgement of deferred prosecution, the defendant was once again arrested by the police for illegal drug use. This time, the defendant was straightforwardly prosecuted by the prosecutor (and a motion for summary judgement was also filed). The case is currently pending in the court. According to Article 35-1(2) of the revised Narcotics Hazard Prevention Act, cases already in trial shall be handled by the court pursuant to the amended provisions. The issue here concerns whether the order placing the offender under observation or rehabilitation, which is provided in the first Paragraph of Article 20 of the revised Narcotics Hazard Prevention Act, shall apply in this case. After initial review, the proposed legal opinion differs from the previous judgment of the Supreme Court; and after

consulting the opinions of other courts, difference in legal opinions remained. Thereupon, this case was submitted to the Criminal Grand Chamber according to law.

Legal dispute in this case:

According to the third Paragraph of Article 20 of Narcotics Hazard Prevention Act coming into force on 15 July 2020, where an offender completes the order placing him/her under observation, rehabilitation or compulsory rehabilitation pursuant to the first two Paragraphs of this Article and once again commits the offenses specified in Article 10 after three years of release, the first two Paragraphs of this Article remains applicable to this offender. Does the "three years" here refer to the period between the current reoffending and the latest release from observation, rehabilitation or compulsory rehabilitation, regardless of the offender being prosecuted, sentenced or punished due to another violation of Article 10 during this period?

LAF opinions:

Firstly, the illegal drug users, as specified in the Narcotics Hazard Prevention Act, are deemed ill offenders, and therefore it is not appropriate to straightforwardly impose criminal punishment. Secondly, for drug reoffenders, the punishment of imposing medical measures (e.g. addiction treatment) may still be applied. Furthermore, from scientific knowledge concerning drug addiction and viewpoints regarding harm reduction, it might be unavoidable that a drug-addicted person uses drug again, and thus it is advisable to impose medical measures. Thereupon, LAF staff attorneys argued that the measurement of duration should focus on the rehabilitation observation – that is, the "three years" should refer to the time since the offender's latest release from observation, rehabilitation or compulsory rehabilitation, regardless of the offender being prosecuted, sentenced or punished due to another violation of Article 10 during the period between current reoffending and the said release.

Ruling of the Grand Chamber: main content of 2020 Tai-Shang-Da-Zi Decision No. 3826 of the Criminal Grand Chamber of the Supreme Court

The revision of Narcotics Hazard Prevention Act was announced on 15 January 2020 and the Act entered into force on 15 July of the same year. The third Paragraph of Article 20 of the Act stipulates that where an offender completes the order placing him/her under observation, rehabilitation or compulsory rehabilitation pursuant to the first two Paragraphs of this Article and once again commits the offenses specified in Article 10 after three years of release, the first two Paragraphs of this Article remains applicable to this offender. The "three years" here refer to the period

between the current reoffending (regardless of before/ after the Narcotics Hazard Prevention Act being revised or coming into force) and the latest release from observation, rehabilitation or compulsory rehabilitation, regardless of the offender being prosecuted, sentenced or punished due to another violation of Article 10 during this period.

Main content of 2020 Tai-Shang-Zi Decision No. 3826 of the Supreme Court

Both the original judgment and the judgment of first instance are revoked. This filing is rejected.

The Murder Case of Mr. Hong

The Event

In July 2017, a car accident occurred around Taiwan Tainan District Court, resulting in the death of a lawyer and his client. After carrying out investigation, Tainan District Prosecutors Office charged the defendant for domestic violence and homicide and requested the death penalty.

LAF assistance

This case requires mandated representation, and thus LAF staff attorneys and legal aid lawyers teamed up to assist the defendant in legal defense. The court of first instance of Taiwan Tainan District Court sentenced the defendant to death on the grounds that the crimes committed within the court district caused panic and anxiety among lawyers and other professional staff, and were severely destructive and dangerous to social order. After appealing to the court of second instance, a public defender was appointed to represent the defendant. After the trial, Taiwan High Court Tainan Branch Court upheld the death sentence. After that, the Supreme Court annulled the second-instance judgment on the ground that an investigation report of the defendant's voluntary surrender is not provided, and remanded the case for a retrial.

Status in 2020

After the annulling and remanding of the Supreme Court, LAF assigned staff attorneys and legal aid lawyers to defend the defendant. After over a year of trial – during which time evidence investigation into the defendant's voluntary surrender, assessment of the best interests of the child and presentence investigation report were all conducted – the case was commuted to life in prison by Taiwan High Court Tainan Branch Court on 7 August 2020. At present, both the prosecutor and the defendant appeal to the Supreme Court; and LAF continues to assign staff attorneys and legal aid lawyers to assist the defendant in legal defense.

# Major Achievements of Legal Center of Indigenous Peoples

## A Case of Land Disputes: "No to Asia Cement! Give Truku Back Their Land!"

Asia Cement appealed against the 2019 original judgment of Taipei High Administrative Court which revoked the administrative disposition extending Asia Cement's mining permit for 20 years. This case is currently pending in the Supreme Administrative Court. In June 2020, Asia Cement announced that it will perform its obligations to consult and obtain consent from indigenous groups. LAF visited the Truku tribes and held information sessions on rights to consultation and consent as provided in Article 21 of The Indigenous Peoples Basic Law. Concrete instances were demonstrated to help the Truku people to understand the connotation of rights to consultation and consent, their roles in the participation process and what they are entitled to claim. In doing so, Truku people's legal knowledge could be enriched, and in turn fairness in negotiation could be achieved in the participation process. It is also hoped that the Truku people will become more aware of their rights.

## Taiwan Cement's Jin-Chang Stone Mining Case

Taiwan Cement's Jin-Chang Stone Mining locates on the Warrior's Hill at Heping district of Xiulin Town in Hualien County. This is where the Truku people live for generations. In view of the lapse of over three years between the mining permit approved by the Ministry of Economic Affairs and work actually going ahead, the Environmental Protection Administration, pursuant to Article 16-1 of the Environmental Impact Assessment Act, required the mining company to submit a comparative study of current environmental impacts and solutions to the competent authority for review before mining permitted to go ahead. Jin-Chang filed an appeal against the administrative disposition imposed by the Environmental Protection Administration, and yet the Executive Yuan revoked this administrative disposition. The indigenous tribes and environmental groups were resentful of Executive Yuan's revocation, and filed an administrative litigation against this revocation. On 17 May 2019, Taipei High Administrative Court dismissed Jin-Chang's appeal and ruled that Jin-Chang must submit the required study for review to start the mining operation. Subsequently, Jin-Chang filed an appeal to the Supreme Administrative Court. LAF's staff attorneys, legal aid lawyers



17 August 2020, opening of the Western Office of Legal Center of Indigenous Peoples



24 June 2020, press conference on Katratripulr Photoelectric Plant Case at the gate of Taipei High Administrative Court

and voluntary lawyers continue to assist the indigenous tribes in legal representation. Jin-Chang's appeal is dismissed by the Supreme Administrative Court, and the Court's 2020 Judgment No. 362 specifies that Jin-Chang must pass the environmental review for mining operation. This is currently one of the few winning cases pursuant to Article 16-1 of the Environmental Impact Assessment Act.

## Katratripulr Photoelectric Plant Case

For building a 161 hectare "Solar Power Facility and Education Zone" in Jiankang area of Chihpen (which is along the north bank of Chihpen River), Taitung City Office held a consultation meeting on behalf of the Katratripulr tribe of Beinan ethnic group. In light of the numerous irregularities in the consultation process, the Katratripulr tribe attempted to file a lawsuit to settle the disputes. LAF approved Katratripulr tribe's application for legal aid on 10 July 2019. LAF staff attorneys and associated lawyers teamed up to assist the Katratripulr tribe in filing a civil

lawsuit to invalidate the resolutions of the aforementioned meeting, an appeal and an administrative litigation to revoke the permit for building the electricity enterprise, and an administrative litigation to suspend the execution of the permit. Pronounced on 1 December 2020, 2020 Suspension No. 57 of Taipei High Administrative Court provided that execution of the permit for building the electricity enterprise shall be suspended until the disputes are settled. The remaining litigations are ongoing.

## Tamazuan Tribe's Fight against Mining

The Tamazuan tribe of Bunun ethnic group has long lived in Dili Village, Nantou County, whereas Qingju Mining has dug for crystals in this area since the 1990s. Upon the expiry of its mining permit in 2015, Qingju applied to the Ministry of Economic Affairs for permit extension, without performing the obligations specified in The Indigenous Peoples Basic Law, regulations for indigenous peoples' rights to consultation and consent and the Mining Act. Given the illegalities and irregularities, the Ministry of Economic Affairs nonetheless approved the extension for ten years until 13 April 2025. LAF staff attorneys and associated lawyers teamed up to assist the Tamazuan tribe in filing a petition to the Executive Yuan to revoke the approval. This petition was rejected. Nevertheless, the tribe and the lawyers would not give up easily. They then filed a lawsuit to Taipei High Administrative Court to revoke the approval, hoping that the executive authorities and developers could implement the provisions of The Indigenous Peoples Basic Law. The preliminary proceeding was conducted on 9 December 2020.



① 9 December 2020, court hearing of the Dili case  
② Site survey and the briefing on the Dili case

## Taiwan Cement's Garbage Burning Case

In its 2002 plant development plan, the Heping Plant of Taiwan Cement in Hualien added auxiliary fuels as partial replacements for coal to generate energy for cement production. Heping Plant's proposal was approved by the first committee review on environmental impact assessment. Since then, according to the neighboring residents, the factory's two chimneys have been emitting unpleasant black gas which smells like burning plastic from time to time. The quality of life of local residents (particularly those living in Aohua village, which is surrounded by mountains on three sides) has been seriously threatened. With the campaign launched by the tribes' youths, in 2018, the residents of Aohua, Hechung, Heping and Heren villages established a self-help alliance to fight against Taiwan Cement burning waste tires for fuel, hoping to save the local ecological environment and quality of life. Besides, in 2019, Taiwan Cement and Hualien County Government signed a BOO project to collaborate in processing wastes at the Heping Plant. At the end of 2019, Taiwan Cement proposed planning changes to the Environmental Protection Bureau of Hualien County. In this proposal, the site originally planned for Cement Kiln No. 3 is changed to DAKA Open Eco-Factory (to showcase renewable

energy utilization); auxiliary fuels, including general waste and industrial waste, were added as partial replacements for coal to generate energy for cement production. The aim of these planning changes is to reduce the amount of waste stored in Hualien. Nevertheless, the change plan does not specify that the waste to be processed in the Heping Plant will be limited to the waste from within Hualien. For the planning changes, Taiwan Cement only conducted a comparative study of environmental impacts but not a comprehensive assessment of environmental impacts. Neither did Taiwan Cement consult the local residents to obtain their consent. These have infringed upon the legal rights of the residents. Thanks to the efforts of LAF, Aohua residents, Nanao Youth League and several environmental groups, local residents' awareness on the issue was raised. On 13 December 2020, the Dekalun tribe (of Aohua Village) passed meeting resolutions that they will, in the name of the tribe, file a written notification (pursuant to the Environmental Impact Assessment Act) to request for an environmental impact assessment and a petition for revoking the conclusion of the aforementioned comparative study. LAF will continue to assist the local residents in defending their rights and interests, so as to ensure the legal protection for them.



# Multiple Approaches to Quality Improvement

## 1/Improving The Customer Service

### Mystery Audits

Since 2018, LAF has conducted mystery audits on a yearly basis, which include on-site service audit and telephone service audit. The audits in 2020 revealed that the quality of on-site service had improved significantly, scoring 88 out of 100 points. As to telephone service, the performance in 2020 was more or less the same as in the past years – between 75 and 78 points. The performance of telephone service requires further improvement.

### Satisfaction Survey on Branch Service Quality

Currently, LAF branches respectively conduct satisfaction survey on service quality on a monthly basis. For telephone survey, the interview questions include: whether the clients are clearly told of needed documents when making appointments; how the clients are received upon arrival at LAF offices; service attitude of the staff; notification of review decisions; and processing efficiency. Moreover, the satisfaction survey has been available online from 2019 onwards. After the clients visit LAF branch offices to complete the application procedure, they could finish the survey online before leaving the branch offices. This allows questionnaires to be collected in real time, and in turn increases survey reliability. In 2020, all LAF branches were scored over 95% satisfaction in all survey items. The differences among various time periods were minor, showing general customer satisfaction.

### Foreign Language Services and Multilingual Documents

LAF launched Foreign Language Services in 2018. The public can apply to LAF for arranging interpreters to assist them upon

their application for legal assistance, review and evaluation at LAF. The services are sponsored by LAF. Communication access real-time translation is also available to applicants with hearing or speech disabilities. As of the end of 2020, LAF's list of interpreters covers 108 interpreters working in Southeast Asian languages, 17 in the languages of indigenous peoples, 46 in sign language and 30 in communication access real-time translation. Among the legal aid cases involving foreign nationals, a large number of them are Vietnamese, Indonesian, Filipinos and Burmese. With the intention to give further support to foreign nationals, LAF also provides many documents in these languages, such as the application form for legal aid and notification forms for review decisions.

### Evaluating Branch Performance and Promoting Knowledge Sharing

LAF promotes knowledge sharing within and among the branches. Currently, this is achieved through the evaluation of branch performance, quarterly meeting of the executive secretaries and year-end meeting for knowledge sharing among the executive secretaries. In addition, LAF held two roundtable discussions among members of the review committee in 2020. The meeting agendas encompassed: qualification requirements for lawyers with less than two years of practice to serve as LAF legal aid lawyers; financial eligibility criteria; and grounds for discretionary increase of remuneration. The decisions reached in the meetings were circulated to all branches, review committee members and evaluation committee members, so as to unify the review standards and in turn to improve the review quality.

training sessions and workshops for learning how to use the software have been held. Once our colleagues can master this data analysis system, they will be able to apply various visual approaches to analyse available data. The analysis will serve as an important tool for future operation and management of LAF.

### Building an Information Security Environment That Complies with National Cyber Security Policy

LAF approved the "Guidelines for Cyber Security Management" in September 2019, setting out its internal rules for information security. In December 2019, LAF achieved ISO 27001

certification (an international standard on how to manage information security) for its online appointment system. In 2020, in addition to the continued implementation of safety management and regular audits as well as verifications for the appointment system, the work on information security was expanded to cover LAF business management. This work was completed in October 2020 and achieved third-party certification in December. Now, the two core systems of LAF – the online appointment system and the business management system – have both achieved ISO verification and obtained ISO certifications.

## 3/Mechanism to Control Service Quality of Legal Aid Lawyers

### Policies and Planning to Maintain Service Quality of Legal Aid Lawyers

#### Eligibility

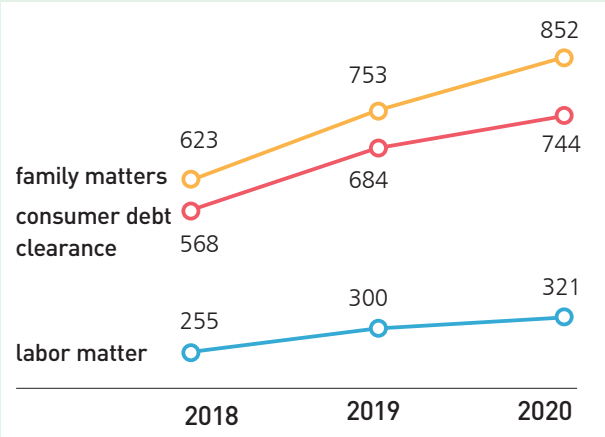
LAF legal aid lawyer is a tenure-track position. In the case that a lawyer has less than two years of practice and would like to apply for LAF legal aid lawyer, he/she would be required to submit his/her legal writing to LAF Evaluation Committee for qualification review. In 2020, a total of 45 lawyers satisfied such qualification requirements and were approved by the Evaluation Committee. As to the cases of consumer debt clearance and attorney attendance at interrogation, there is a shortage of lawyers who can serve for these matters. Therefore, the aforementioned requirement of two-year practice was relaxed, provided that the lawyers meet LAF training and managing requirements.

#### Promoting Fair Dispatch Policy

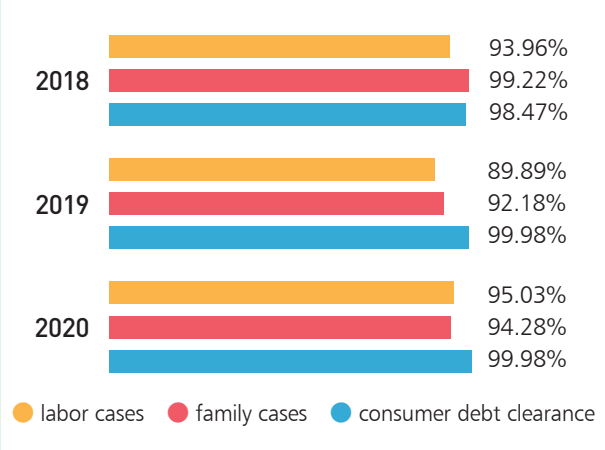
In recent years, LAF's fair dispatch policy emphasized that in principle a lawyer should not take more than 24 cases in a year. In 2018, LAF approved the guidelines for choosing legal aid lawyers and case dispatching. The guidelines identify the conditions for exceptions when the limit is allowed to exceed 24 cases, and specifies the conditions when the upper limit can reach 48 cases. From 2019 to 2020, in line with regulation revision, dispatch function of the business management system was amended. The dispatch principles were amended to reflect the needs, so as to ensure good service quality and also the fairness of dispatching. In order to better understand the practice of case dispatching in each branch, LAF collaborated with professors from the Department of Statistics of Taipei University in 2019 to analyse LAF's dispatch data during 2015 and 2017. In 2020, the quantitative study was reported in "The Practice of LAF-designated Legal Aid Lawyer: Analysis One"; interviews on the practice have also been conducted in the branches. The second analysis, a qualitative study, is expected in the first quarter of 2021. These studies will serve as references for optimizing the case dispatch system.

#### Case Assignment System

In 2015, LAF implemented a trial program for assigning cases to attorneys specializing in family matters, labor matters and consumer debt clearance. As of the end of 2020, the numbers of attorneys specializing in different fields have all increased significantly.



With increase in the number of specialist attorneys, cases assigned to them also increased in 2020 (in comparison with 2019).



## 2/Improving The Case Management Process

### Business Communication and Integration Between the Head Office and Branch Offices

In order to minimize errors or divergences in business processing among branches and to speed up problem solving process, information service and business supervision of branches are served by administrators based at the head office. An internal information platform has been built to facilitate branches' online data reading and checking. Furthermore, the head office regularly releases all kinds of business listings, business data and performance statistics, so as to assist the branches in case management.

### Improving the Case Tracking & Management Mechanism

LAF launched the "Legal Aid Lawyers Online Operating System" in September 2019. This system allows the lawyers to fill in and upload reports online, and LAF to check case progress and track management results.

### Utilizing Data to Efficiently Allocate Resources

Since 2020, LAF has been using data analysis software to build a foundation for long-term research and data analysis. Several

Complaint System

In 2020, LAF processed 209 complaints, among which 22 complaints are still under investigation; investigation of 187 complaints have been completed and closed. Among the closed cases, 20 complaints were not accepted (for being withdrawn, merged with another case, or not meeting the criteria). As to the remaining 167 complaints, the decisions taken following the investigation are as follows:

Disciplinary Action	Case Number
Yes	83
No	84
Total	167

Among the 83 cases where disciplinary action shall be taken, review committee members are the subjects of complaints in four cases, and LAF staff (including staff attorneys) also in four cases. For these eight cases, the disciplinary measures imposed are to give guidance notices, to mediate, or to request improvement. In the remaining 75 cases, legal aid lawyers (including those who provide consulting services) are the subjects of complaints; and the measures imposed are as follows:

Disciplinary Measures	Case Number
suspending the assignment and referring to the disciplinary committee	10
suspending the assignment	38
giving guidance notices, mediating or requesting improvement	27

Legal Aid Case Notification Form (for Courts and Prosecutors only)

LAF designed the Legal Aid Case Notification Form (for Courts and Prosecutors only) for reviewing performance of legal aid lawyers in legal process. Where a court or prosecutor is of the view that a legal aid lawyer, in handling a legal aid case, is suspected of contravening the Attorney Regulation Act or that his/her litigation services cause concern, the court or prosecutor can download the Notification Form from LAF website (under "Legal Aid – Document Download" in Chinese webpage), fill in the details, and send it to LAF. In 2020, two positive comments were made to LAF using the Notification Form, primarily stating how earnest the legal aid lawyers were throughout the legal process. Among the three negative comments reported to LAF, two have been investigated and closed, and one is still under investigation. In one of the two closed cases, no error or negligence on part of LAF lawyer were found. For the remaining one case where error or negligence was found, a disciplinary measure (to give guidance notices, mediate or request improvement) was imposed on the lawyer concerned.

Attorney Performance Appraisal

The Appraisal Results

LAF has been conducting attorney performance appraisal in accordance with the Guidelines for Evaluating Performance of Legal Aid Attorneys since 2007. As of the end of 2020, 24 legal aid lawyers have been praised for their excellence. In the past three years, the number of lawyers upon whom disciplinary measures were imposed by the Attorney Evaluation Committee and the Attorney Evaluation Review Committee is as follows:

Year	Written notice requesting improvement	Reducing case assignment	Suspending case assignment	Dismissal from legal aid service
2018	0	0	3	1
2019	1	0	7	1 also being referred to the Attorney Disciplinary Board
2020	6	0	10 two of them are referred to the Attorney Disciplinary Board	9 four of them are referred to the Attorney Disciplinary Board

As far as attorney performance appraisal is concerned, the acts punishable include: lesser service quality, such as failure to submit needed legal documents, submitting oversimplified legal documents, absent from court hearing and bad attitude leading to ineffective communication; contravening attorneys' code of ethics, such as failure to observe the period for appeal, not providing the grounds for appeal and failure to observe the designated time period; violating the rules and precautions for LAF legal aid lawyers in handling cases, such as sub-delegating his/her power to a person who is not an attorney, failure to interview his/her clients and failure to inform the provisional remedies proceeding; and failure to provide dossiers for attorney performance appraisal.

The Appraisal in the Course of Case Review

LAF revised the Guidelines for Evaluating Performance of Legal Aid Attorneys in 2018. The provisions of conducting questionnaire survey for performance appraisal were deleted. New provisions were added: in the course of case review, if violations of lawyers' ethics or LAF regulations were found, where the review committee was of the view that it is attributable to the lawyer concerned, the disciplinary measure can take the form of discretionary reduction of remuneration; if the violations reach a certain ratio and number of times, LAF may refer the lawyer concerned to the Attorney Evaluation Committee in accordance with the aforementioned Guidelines. LAF collects cases of the second half of the previous year in every March, and cases of the first half of the year in every September. Among the cases closed in the first half of 2020, there are 59 cases of discretionary reduction of remuneration and three lawyers with a higher ratio of violations. LAF has sent notice letter to the three lawyers, requesting them to make improvements and informing them that should there be further violations LAF may refer them to the Attorney Evaluation Committee.

4/Staff Attorneys

For dealing with issues that general practice attorneys less often encounter in their daily practices – often the cases involving specialized expertise and/or public interest, or of major significance, such as environmental litigation, death penalty defense and class action cases – LAF employs staff attorneys and establishes a staff attorney center. LAF currently employs 21 staff attorneys, who are stationed at:

Taipei Branch	3
New Taipei Branch	3
Tainan Branch	3
North Center of Staff Attorneys	8
Legal Center of Indigenous Peoples	4



The staff attorneys stationed at Taipei Branch.

5/Training on Legal Expertise



- 1 | 2 | 3
- 25 July 2020, a training session for child protection lawyers held by New Taipei Branch and Social Welfare Department

29 August 2020, a training session for lawyers and review committee members held by Pingtung Branch

22 August 2020, a training session on same-sex marriage regulations for legal aid lawyers held by Taichung Branch

Staff Development

To support LAF staff in providing legal aid services, maintaining good service quality and further improving the quality, LAF actively offers professional and service training courses for our colleagues. The 2020 training courses encompassed three categories: professional competence, laws and regulations, and general study. In order to integrate education and training resources, LAF fine-tuned the courses to meet local needs and held the courses across various regions. Given the COVID-19 pandemic, a total of 39 course sessions were held by the head office and branches in 2020.

Attorney Training

In 2020, LAF organized 40 sessions of attorney training courses. The topics included:

legal aid for indigenous peoples	8 sessions
CEDAW and the practice of law	8 sessions
rights of persons with disabilities	4 sessions
labor issues	4 sessions
family matters	3 sessions
gender equality	2 sessions
juvenile	2 sessions
child protection	2 sessions
migrant workers	2 sessions
major criminal cases	2 sessions
crisis management and referral ethics (for telephone legal consultation)	2 sessions
restorative justice	1 sessions

In addition, to give legal aid lawyers a better understanding of the indigenous cultures and the needs of the indigenous peoples, LAF hosted one tribe camp, in which the lawyers visited Atolan tribe in Donghe Town in Taitung.



Promotional Events and Seminars

Organizing and Co-hosting Promotional Events

In 2020, a total of 1,499 events (including prison outreach events) were either organized by the branches or co-hosted by LAF and partner organizations. The reduction in the number of events is attributed to the pandemic.



16 December 2020, legal advice provided by Tainan Branch at a year-end fair hosted by Taiwan Fund for Children and Families

10 November 2020, an information session for the public held by Penghu Branch in Xiyu Town

24 October 2020, legal advice provided by Matsu Branch at a fair hosted by Taiwan Fund for Children and Families

18 November 2020, deferred prosecution courses offered by Chiayi Branch in collaboration with Taiwan Chiayi District Prosecutors Office

26 September 2020, a promotional event hosted by Kaohsiung Branch at Taiwan Sugar's Qiaotou Sugar Refinery

11 September 2020, an information session on occupational safety and worker protection hosted by Pingtung Branch in Changzhi Town

24 February 2020, a promotional event hosted by Keelung Branch at Wanli District, New Taipei City

Legal Education and Promotional Campaigns in Prison

During the COVID-19 outbreak, controls on visiting prisons are stricter than many other places, so as to reduce risks to health at mass gathering. Consequently, very limited visits to detention centers and prisons were allowed in 2020. In the first half of 2020 when the pandemic was severe, some prisons even declined LAF's visit. Activities gradually resumed since the second half of 2020. To avoid direct contact, some branches made promotional campaigns through broadcasting. With the efforts of all branches in the country, a total of 437 sessions on legal education, promotion of legal aid services and legal consultations were held in detention centers and prisons in 2020.



13 August 2020, a visit made by New Taipei Branch to Wen-Chin Tseng, Head of Taipei Detention Center

7 July 2020, an information session on legal aid held by Kaohsiung Branch at Kaohsiung Women's Prison

30 October 2020, legal education offered by Penghu Branch at Penghu Prison

20 August 2020, legal consulting services provided by Penghu Branch at Penghu Prison

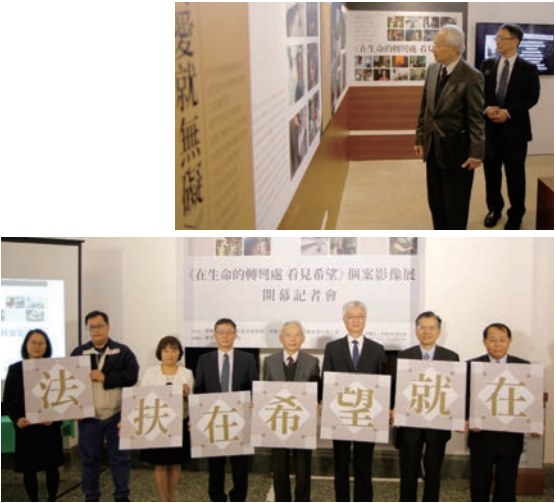


17 May 2020, Lecture 50 on "Behind the Police Brutality: The Use of Force by Law Enforcement Officers and Culture – Does Strong Force Necessarily Contradict Law Enforcement?"

26 February 2020, Lecture 47 on "Let Lawyers Teach You How to Crack Sinister Bosses' Tricks for a Smooth Transition into Retirement"

Interdisciplinary Seminar Series: "Suspect at Large"

Due to the pandemic, only lectures 47 to 57 of the "Suspect at Large" seminar series were held in 2020, making a total of eleven sessions. Among the eleven sessions, five lectures were changed to live streaming; the remaining six sessions were held live and also recorded for Podcast, entitled "FAFU – Suspect at Large", to reach a wider audience.



Hope Is Just Around the Corner: A Video Exhibition of Legal Aid Cases

At the invitation of Taiwan Tainan District Court, LAF holds a video exhibition of its legal aid cases, "Hope Is Just Around the Corner", at Tainan Judicial Museum from 16 January 2020 onwards. The Museum was temporarily closed from April to May in 2020 due to the pandemic. While the exhibition is open to the public, interactive activities attracted many participants – for example, nearly a thousand of visitors filled out the worksheets.

2020 Legal Aid Day

The theme of 2020 Legal Aid Day is "Overcome Obstacles to Achieve Full Equality: Legal Aid to People with Disabilities" The aim was to help people with disabilities to better understand their rights through CRPD seminars or events held by LAF branches. Given the pandemic, not all 22 branches, but 17, held the activities.



19 September 2020, "Home for Joyful Friends" held by Penghu Branch on Legal Aid Day

16 September 2020, a campaign activity for CRPD held by Tainan Branch on Legal Aid Day

24 October 2020, Taichung Branch staff visiting Jing-Ho Mental Hospital and introducing LAF services, such as legal aid to people with disabilities



Films, Internet and Publications

Campaign Film for School Students

In 2020, LAF collaborated with Keelung Municipal Jian De Junior High School in producing a campaign film *AS Girl Detective*. Legal issues concerning people with disabilities, juvenile delinquency and school bullying are all covered in this film. It is served as an introductory film for lawyers when they carry out campaign activities at schools and explain legal concepts to students.

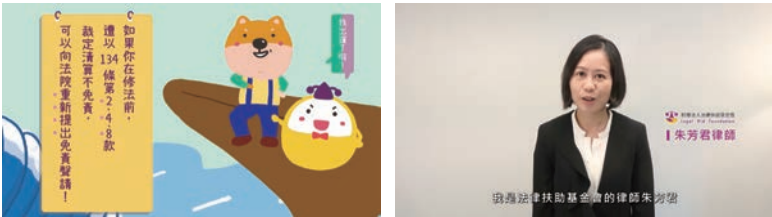


Documentary Films

The documentary films present the case stories of land disputes on "No to Asia Cement! Give Truku Back Their Land!", CRPD program and consumer debt clearance and show how the recipients change after receiving the legal aid. In this way, it is hoped that the public can better understand how legal aid can help them to solve what they themselves cannot work out. Published on web portals as native advertisements, social media and YouTube, the films are expected to reach a wider audience.

Promotion Film for Consumer Debt Clearance Act

Upon the amendments of Consumer Debt Clearance Act relaxing the time limits for disclaimer, LAF produced an animated short version of the amendments and launched the campaign on Facebook and YouTube. In the meanwhile, LAF also produced other promotional materials and launched the campaign on the radio.



e-Newsletter Give You a Hug

Any person can subscribe LAF e-Newsletter. The content includes special reports, LAF news and event news. Eighteen articles were published in 2020. There is a total of 3,627 subscriptions by now.

Official Website: [www.LAF.org.tw](http://www.LAF.org.tw)

According to Google Analytics, LAF official website received 672,177 visits and 3,649,208 pageviews in 2020.

Facebook Page

As of the end of 2020, LAF's Facebook page has received 56,950 "likes" and attracted 58,560 followers; the number of the highest post reach was 61,072.

2019 Annual Report

The works of LAF in 2019 are recorded in the annual report. The report is issued in Chinese and English, whereas the English version is only available in electronic form, which can be downloaded online.



Academic Journal  
*Legal Aid And Society Review*

LAF publishes half-yearly academic journal *Legal Aid And Society Review*. The aims are to raise academia awareness of the rights and interests of the disadvantaged, and to provide academic reference for optimization of LAF services and decision-making. This journal, attaching great importance to both theory and practice, embraces not only the study of law but also interdisciplinary research on law, social science and ethnology (especially related indigenous peoples). In 2020, the issues of No. 4 and No. 5 were published.

LAF Publication 008  
*Aging Fearlessly: Legal Guidance for Age 50+*

In this book, cases are given to demonstrate the plight of the elderly in Taiwan and how they are assisted by LAF. The themes cover debt in the older population, maintenance responsibility, accommodation issues, health care, social welfare, property disposal, and so on. Each theme is presented in three parts: case stories, lawyer's viewpoints and frequently asked questions. Published in November 2020, it is available in online bookshops – such as Books, Kingstone Book and Eslite Bookstore – and also physical bookstores.





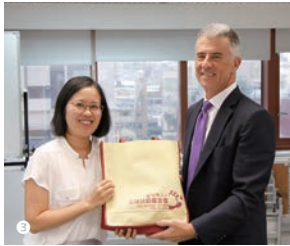
# International Affairs

## International Events

The pandemic in 2020 hit not only events organized by LAF but also international fairs. The meeting of United Nations Office on Drugs and Crime scheduled to be held in Kyoto in April 2020 was among the first to be postponed. The International Forum on Consumer Debts in East Asia and Meeting of the Victims, which are held annually in rotation among Japan, Taiwan and South Korea, was also postponed to 2021. Nevertheless, not all events were suspended. Some events were held online. Several legal aid organizations and scholars around the world noticed that access to justice may be restricted and human rights protection may be violated due the pandemic, and thus held online conferences and interviews to collect information about how legal aid organizations and judicial systems around the world operated. What follows is a brief record of international events in 2020:

- In early 2020, Professor Tetsuo Sato from Chuo University in Japan visited LAF, and had discussion with LAF attorneys Fang-Chung Chu and Hsing-Ling Hsieh on the progress of consumer debt clearance program in Taiwan,
- On 21 February 2020, British Office Taipei invited over twenty staff from Taipei offices of Austria, Belgium, Canada, Czech Republic, Italy, the Netherlands, Slovakia, South Africa and the United States to visit LAF. LAF CEO Han-Wei Chou warmly welcomed the visitors, and attorney Fang-Chung Chu made an introduction of Taiwan's legal system and LAF services.
- On 2 December 2020, Dr. Kristina Kirska, a researcher at Taiwan Foundation for Democracy, interviewed LAF CEO Han-Wei Chou, attorney Ai-Lun Li and attorney Wei-Yu Xue on the issue of death penalty.
- Invited by European Economic and Trade Office (EETO) and Bureau Français de Taipei, LAF Chairperson Kuang-Chun Fan attended the commemorative reception for Human Rights Day 2020 and 70th anniversary of European Convention on Human Rights on 9 December 2020. °

① 18 February 2020, the visit of Professor Tetsuo Sato (for consumer debt clearance program)  
② 21 February 2020, the visit of staff from Taipei offices of several countries  
③ 23 June 2020, the visit of American Institute in Taiwan  
④ 9 December 2020, the visit of British Office Taipei  
⑤ 9 December 2020, LAF Chairperson attending the commemorative reception for Human Rights Day 2020 and 70th anniversary of European Convention on Human Rights



## International Conferences

### 4th International Conference on Access to Legal Aid in Criminal Justice Systems (ILAC)

ILAC is a biennial conference organized by The International Legal Foundation. In 2020, it was hosted by The Public Defender's Office of the State of Rio de Janeiro for 5 days from 14 to 18 in September. Due to the pandemic, this conference was held online. Each day, one topic was discussed. Except the opening plenary and closing plenary, each topic was discussed in three panels held at different time to accommodate participants at different time zones. This year, great attention was paid to the human rights of prisoners in a time of pandemic, whether vulnerable and marginalized groups are subject to human rights violations as a result, and whether justice becomes even more inaccessible for them. LAF CEO Han-Wei Chou, attorney Fang-Chung Chu, attorney Shu-Ling Yang and researcher Yu-Shan Chang attended the conference.

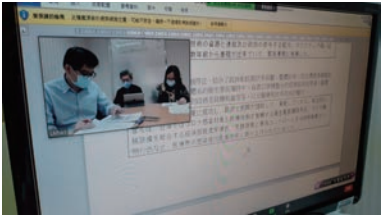


15 September 2020, meeting with Faith Hawthorne at 4th ILAC

### Pre-session Meeting of 2021 ILAG Biennial Conference

2021 Biennial Conference of International Legal Aid Group (ILAG) was scheduled to be held in Melbourne, Australia from 21 to 24 in June. Due to the pandemic, it will be

held online. ILAG held a pre-session meeting to discuss "COVID-19, Technology and Legal Aid" in the early hours on 3 December 2020 (Taiwan time). The purposes of this meeting is to ensure that 2021 Biennial Conference would go smoothly, and to allow legal aid organizations, scholars and experts from all over the world to discuss and share their experiences about how legal aid can be provided in a time of pandemic. LAF CEO Han-Wei Chou, attorney Fang-Chung Chu and researcher Yu-Shan Chang attended the pre-session meeting online and had discussion with participants from all over the world.



18 December 2020, Japan-Taiwan Meeting On Legal Aid Concerning Consumer Debt in a Time of Pandemic

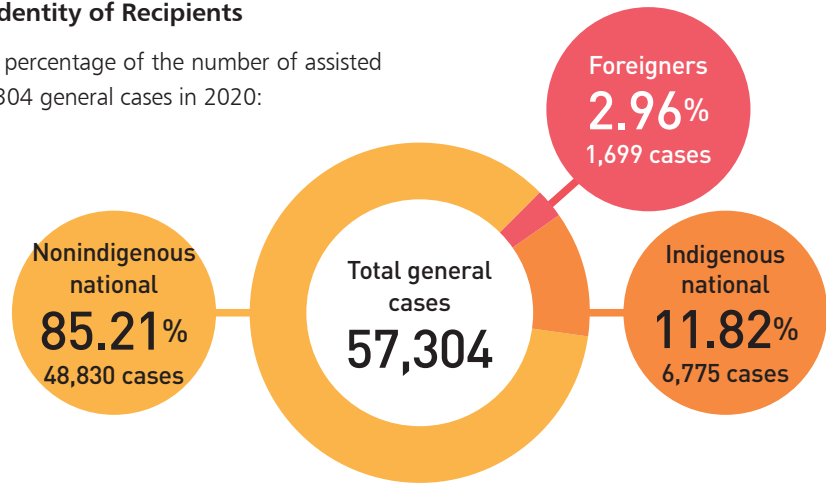
### Japan-Taiwan Meeting On Legal Aid Concerning Consumer Debt in a Time of Pandemic

Due to the pandemic, the International Forum on Consumer Debts in East Asia and Meeting of the Victims, which are held annually in rotation among Japan, Taiwan and South Korea, was postponed to 2021. Nevertheless, Japan invited Taiwan to hold a video conference to discuss about consumer debts in a time of pandemic. The two parties then held the discussion on 18 December 2020. Attorney Tadashi Inomata from Saitama Bar Association briefed on "Social Conditions, Social Security and Tax System, and Financial Resources in Post COVID-19". Professor Chung-Shen Wu from the Department of Sociology at Fu Jen Catholic University replied to the questions raised by Japanese participants. The representatives of Debtors Association and LAF attorney Hsing-Ling Hsieh attended the meeting.

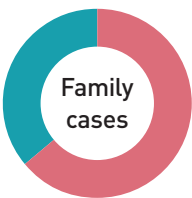
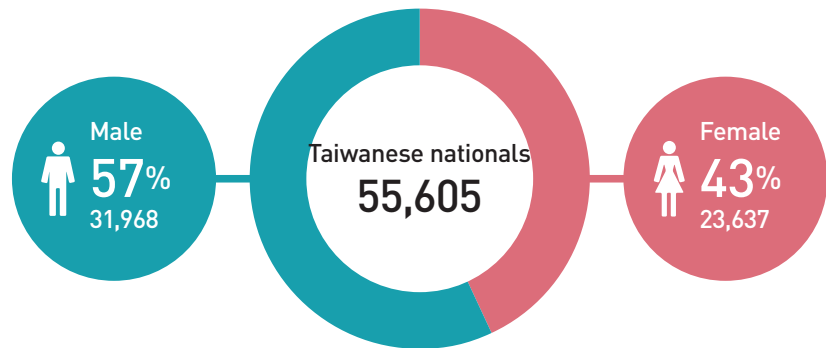
Analysis of Recipients

Analysis of Identity of Recipients

Presented as a percentage of the number of assisted persons in 57,304 general cases in 2020:



Analysis of Legal Aid to Taiwanese Nationals



Among the four types of general cases – criminal, civil, family and administrative: in **family cases**, female recipients account for 64%, whereas male recipients only 36% in **criminal cases**, male recipients account for 70%, whereas female recipients only 30%.

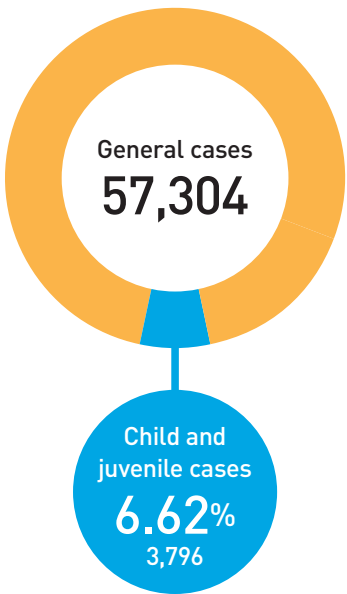


The Ranking of Top Five Case Grounds

Civil – Consumer Debt Clearance Act	1	Civil – Consumer Debt Clearance Act
Criminal – Narcotics Hazard Prevention Act	2	Civil – tort
Criminal – assault causing bodily harm	3	Family – maintenance payments
Criminal – fraudulence, breach of trust, taking and usury	4	Criminal – fraudulence, breach of trust, taking and usury
Civil – tort	5	Family – divorce

Analysis of Legal Aid to Children and Juveniles

In 2020, among the general cases (excluding legal consultation, attorney attendance at interrogation and commissioned cases), 3,796 cases involved child or juvenile recipients, accounting for 6.62%.



The Ranking of Top Five Case Grounds in Child and Juvenile Cases

1	Family – maintenance payments
2	Criminal – offenses against sexual autonomy
3	Civil – tort
4	Criminal – Narcotics Hazard Prevention Act
5	Criminal – assault causing bodily harm

Analysis of Legal Aid to Recipients with Disabilities

In 2020, among the general cases (excluding legal consultation, attorney attendance at interrogation and commissioned cases), 9,213 cases involved recipients with disabilities, accounting for 16.07%.



The Ranking of Top Five Case Grounds for Recipients with Disabilities

1	Criminal – theft
2	Criminal – assault causing bodily harm
3	Civil – tort
4	Criminal – fraudulence, breach of trust, taking and usury
5	Family – maintenance payments





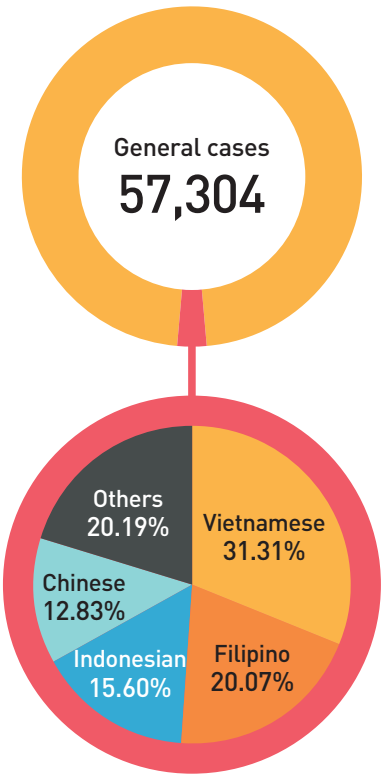
Analysis of Legal Aid to Foreign Nationals

Among the general cases in 2020, 1,699 applications made by foreign nationals were granted for legal representation.

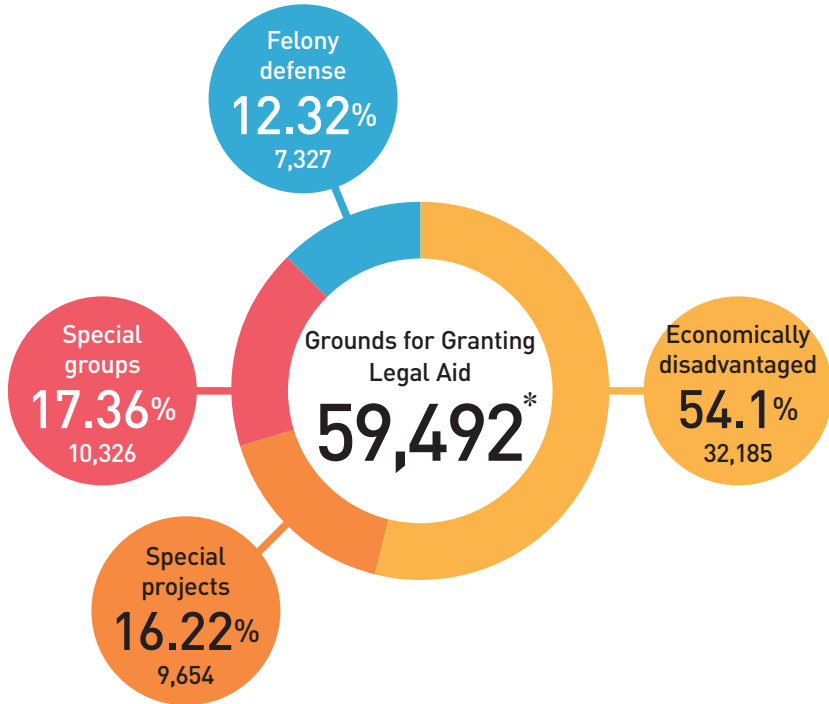
The Ranking of Top Five Case Grounds for Foreign Nationals	
1	Civil – severance payment
2	Civil – salary Dispute
3	Civil – tort
4	Criminal – assault causing bodily harm
5	Criminal – fraudulence, breach of trust, taking and usury

Statistics By Nationality

The majority were Vietnamese (31.31%), Filipino (20.07%), Indonesian (15.60%) and Chinese (12.83%), accounting for 79.81% of the foreign nationals assisted by LAF.



Grounds for Granting Legal Aid



Economically disadvantaged	cases not needed to meet LAF financial eligibility requirements	20,423
	lawfully obtained disadvantaged group certificate issued by the government – low income household	5,833
	lawfully obtained disadvantaged group certificate issued by the government – lower-middle income household	4,574
	lawfully obtained disadvantaged group certificate issued by the government – families with special circumstances	443
	lawfully obtained disadvantaged group certificate issued by the government – migrant workers	801
	lawfully obtained disadvantaged group certificate issued by the government – disadvantaged foreign spouses	111
Special projects	lawfully obtained disadvantaged group certificate issued by the government – consumer debt clearance	9,616
	under statutory conditions which cannot be properly protected by law – cases of high social profile	38
Special groups	under statutory conditions which cannot be properly protected by law – mandated representation for people with disabilities	3,518
	under statutory conditions which cannot be properly protected by law – mandated representation for indigenous peoples	4,675
	under statutory conditions which cannot be properly protected by law – mandated assistance for juveniles	1,046
	under statutory conditions which cannot be properly protected by law – referred by presiding judge	1,087
Felony defense	under statutory conditions which cannot be properly protected by law – mandated representation for felony	7,327

\* since more than one ground listed in the table can be selected, the sum in the table may exceed the actual total cases (which is 57,304).

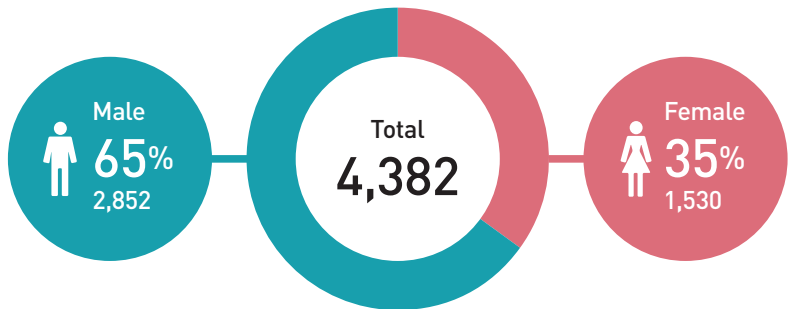
Analysis of Providers



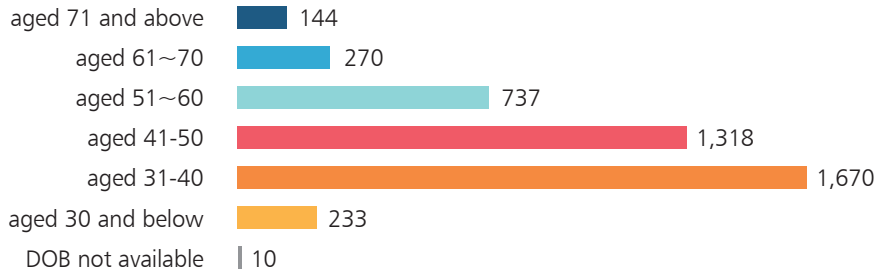
A total of 4,382 lawyers nationwide have served as LAF legal aid lawyers by 31 December 2020.



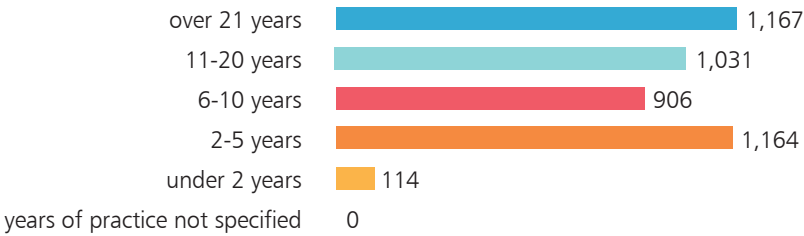
Analysis by Gender



Analysis by Age

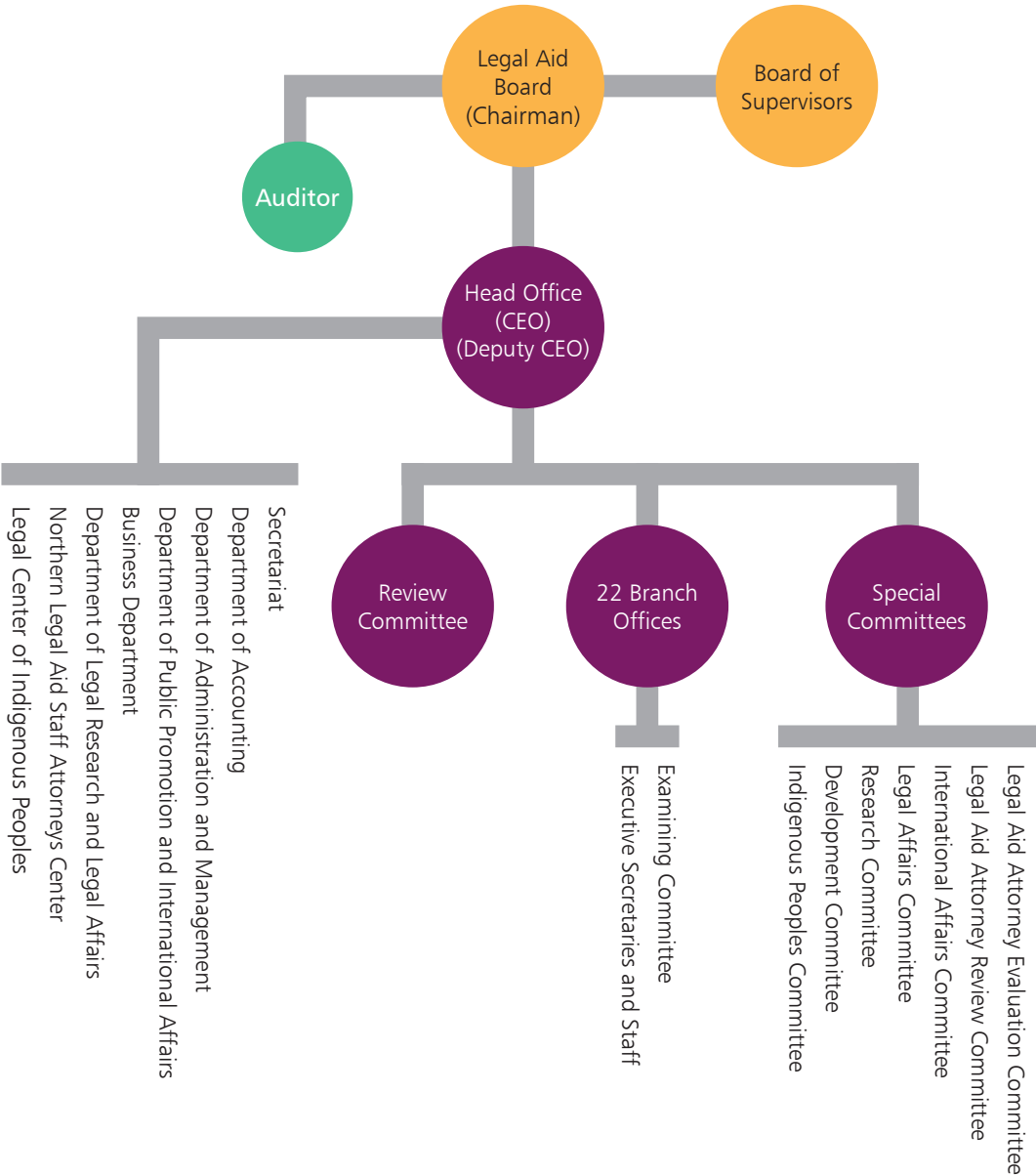


Analysis by Years of Practice



Organization Structure

As of 31 December 2020, LAF employs 290 staff members (including 21 staff attorneys), 31 project personnel, 7 hourly project personnel and 407 volunteers.



9 December 2020, one-day volunteer program for LAF lawyers and staff co-organized by New Taipei Branch and Labor Affairs Bureau



25 July 2020, volunteer training program organized by Penghu Branch



13 July 2020, handover ceremony of the 5th and 6th Directors of Miaoli Branch



LAF Team

© The list contains those who were in office on 31 December 31 2020.

Board of Directors

Kuang-Chun Fan (Chairman)  
Wun-Hua Syu  
Siou-Mei Lyu  
Chin-Ching Yang  
Jia-Han Lin  
Da-Wei Guan  
Yi-Sin Sun  
Mei-Nu You  
Yi-Cheng Chen  
Yu-Yuan Huang  
Sung-Li Huang  
Jing-Yi Liou  
Kuo-Hsun Chang

Board of Supervisors

Shin-Yi Fu (Managing Supervisors)  
Chung-Yueh Chang  
Hui-Chuan Chen  
You-Bin Su  
Shih-Chin Lu

Special Committees

Development Committee

Ciou-Lan Wang  
Mei-Lan Jhu  
Yu-Hua Li  
Wun-Syong Ruan  
Da-Yao Jhou  
Zih-Lin Lin  
Jyun-Jie Lin  
Yi-Huei Lin  
Wei-Ting Lin  
Yi-Siang Shih  
Yi-Ting Hu  
You-Lian Sun  
Ze-Fang Sun  
Yu-Chia Chang  
Yapasuyongu Akuyana  
Jing-Ning Chen  
Yi-Ling Huang  
Si-Hua Teng  
Siou-Ling Siao  
Shih-Siang Luo

International Affairs Committee

Chih-Kuang Wu  
Xiao-Qing Gao  
Bo Tedards  
Chu-Cheng Huang  
Anthony Carlisle  
Awi Mona  
Fu-Te Liao  
Wei-Hsiang Chen  
I-Ku Chen  
Chuang-Yueh Chen  
Li-Chuan Liu-Huang  
Ching-Yi Liu  
Wen-Lung Chen  
Ze-Fang Sun

Legal Aid Attorneys Review Committee

Song-He Jiang  
Han-Wei Chou  
Ruei-Hua Fan  
Ming-Da Jhuang  
Ya-Fen Syu  
Yi-Cing Guo  
Ti-Sheng Jheng  
Ren-Shou Jheng  
Yu-Ru Dai

Legal Aid Attorney Evaluation Committee

Min-Huei Wang  
Jin-Bi Song  
Yong-Yi Lin  
Yu-Shun Lin  
Chun-Rong Lin  
Bing-Huei Shih  
Jian-Hong Syu  
Jie-Ru Chen  
Chu-Cheng Huang  
Mei-Jyun Jhao  
De-Cian Cai

Indigenous Peoples Committee

Apu'u Kaaviana  
Ciwang Teyra  
Langus · Lavalian  
Malihan Lhkahihihan  
Sifo Lakaw  
Si Manhevek  
Yapit Tali  
Hong-Yu Rih  
Chang-Jhen Lin  
Jhen-Guang Ke  
Ting-Huei Hong-Jian  
Jin-De Hu  
San-Yuan Lin  
Ze-Fang Sun  
Awi Mona  
Jheng-Cih Syu

Cai-Yi Chen

Jhih-Hang Yang

Sa-Yun Du Gu

Chao-Cheng Pan

Branch Office Directors

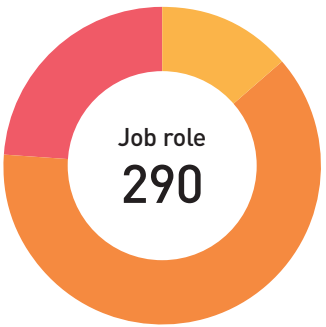
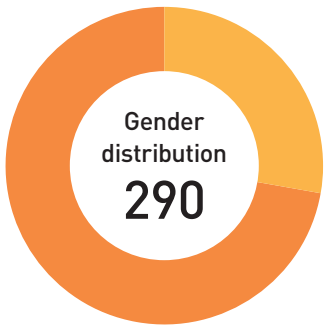
Bang-Chao He (Miaoli Branch)  
Ling-Ling Li (Kaohsiung Branch & Penghu Branch)  
Yuan-Pei Chou (Qiaotou Branch)  
Chun-Hung Lin (Taipei Branch, Kinmen Branch & Matsu Branch)  
Chung-Jen Lin (Yunlin Branch)  
Chung-Hung Lin (Keelung Branch)  
I-Hui Lin (Nantou Branch)  
Guo-Tai Lin (Hualien Branch)  
Te-Sheng Lin (Chiayi Branch)  
Fen-Ling Chiu (Pingtung Branch)  
Rong-Bin Hong (Taoyuan Branch)  
Wei-Chun Hsu (New Taipei Branch)  
Wen-Chia Chang (Tainan Branch)  
Ren-Hao Xu (Taitung Branch)  
En-Min Chen (Hsinchu Branch)  
Otto Shiu-Tian Huang (Shilin Branch)  
Te-Hai Yang (Yilan Branch)  
Jian-Xing Chao (Taichung Branch)  
Ying-Chi Hsieh (Changhua Branch)  
Xiu-Lan Huang (Nantou Branch)

Director of Legal Center of Indigenous Peoples

Awi Mona

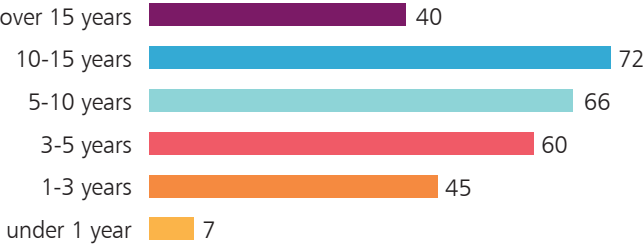
LAF Staff

As of 31 December 2020, LAF employs 290 staff members (including staff attorneys).

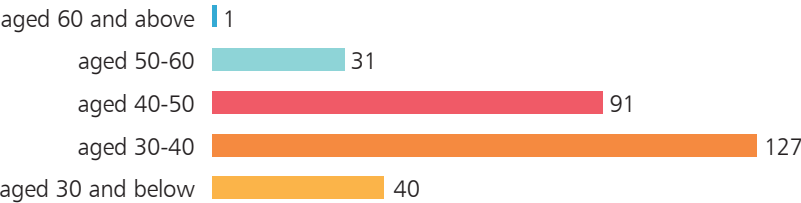


(21 staff attorneys, 7 administrative attorneys and 16 executive secretaries)

Length of service 290



Age distribution 290



LAF Branches	Address	Tel. / Fax / E-mail
Keelung Branch	11F, No. 14, Zhong 1st Road, Ren'ai District, Keelung City 200001, Taiwan, R.O.C.	Tel.: (02) 2423-1631 / Fax: (02) 2423-1632 E-mail: keelung@laf.org.tw
Taipei Branch	6F, No. 200, Sec. 2, Jinshan S. Road, Da'an District, Taipei City 106406, Taiwan, R.O.C.	Tel.: (02) 2322-5151 / Fax: (02) 2322-2051 E-mail: taipei@laf.org.tw
Shilin Branch	7-2 F, No. 338, Wenlin Road, Shilin District, Taipei City 111011, Taiwan, R.O.C.	Tel.: (02) 2882-5266 / Fax: (02) 2882-1200 E-mail: shilin@laf.org.tw
New Taipei Branch	5F., No.12, Sec. 4, Chongxin Road, Sanchong District, New Taipei City 241524, Taiwan, R.O.C.	Tel.: (02) 2973-7778 / Fax: (02) 2973-7771 E-mail: ntp@laf.org.tw
Taoyuan Branch	12F., No. 110, Fuxing Road, Taoyuan District, Taoyuan City 330046, Taiwan, R.O.C.	Tel.: (03) 334-6500 / Fax: (03) 334-4451 E-mail: taoyuan@laf.org.tw
Hsinchu Branch	1F., No. 105, Xianzheng 2nd Road, Zhubei City, Hsinchu County 302099, Taiwan, R.O.C.	Tel.: (03) 525-9882 / Fax: (03) 525-9897 E-mail: hsinchu@laf.org.tw
Miaoli Branch	1F, No. 1097-1, Zhongzheng Road, Miaoli City, Miaoli County 360012, Taiwan, R.O.C.	Tel.: (037) 368-001 / Fax: (037) 368-007 E-mail: miaoli@laf.org.tw
Taichung Branch	7-A F, No. 497, Zhongming S. Road, West District, Taichung City 403608, Taiwan, R.O.C.	Tel.: (04) 2372-0091 / Fax: (04) 2372-0582 E-mail: taichung@laf.org.tw
Changhua Branch	2F., No. 36, Zhongzheng Road, Yuanlin City, Changhua County 510005, Taiwan, R.O.C. (Yuanlin Summary Court Building)	Tel.: (04) 837-5882 / Fax: (04) 837-5883 E-mail: changhua@laf.org.tw
Nantou Branch	No. 76, Fuxing Road, Nantou City, Nantou County 540024, Taiwan, R.O.C.	Tel.: (049) 224-8110 / Fax: (049) 224-6226 E-mail: nantou@laf.org.tw
Yunlin Branch	6F, No. 116, Xinxing Road, Huwei Township, Yunlin County 632004, Taiwan, R.O.C.	Tel.: (05) 636-4400 / Fax: (05) 636-3850 E-mail: yunlin@laf.org.tw
Chiayi Branch	2F, No. 107, Zhongshan Road, Chiayi City 600008, Taiwan, R.O.C.	Tel.: (05) 276-3488 / Fax: (05) 276-3400 E-mail: chiayi@laf.org.tw
Tainan Branch	8F, No. 14, Sec. 2, Zhongyi Road, West Central District, Tainan City 700005, Taiwan, R.O.C.	Tel.: (06) 228-5550 / Fax: (06) 228-2540 E-mail: tainan@laf.org.tw
Kaohsiung Branch	6F., No.25, Zhongzheng 3rd Road, Xinxing District, Kaohsiung City 800301, Taiwan, R.O.C.	Tel.: (07) 222-2360 / Fax: (07) 222-5230 E-mail: kaohsiung@laf.org.tw
Qiaotou Branch	2F., No.911, Jingwu Road, Qiaotou Dist., Kaohsiung City 825203, Taiwan, R.O.C. (Taiwan Ciaotou District Court)	Tel.: (07) 612-1137 / Fax: (07) 612-1157 E-mail: ciaotou@laf.org.tw
Pingtung Branch	2F, No. 57-1, Bangqiu Road, Pingtung City, Pingtung County 900044, Taiwan, R.O.C.	Tel.: (08) 751-6798 / Fax: (08) 751-6587 E-mail: pingtung@laf.org.tw
Yilan Branch	No. 351, Erjie Road, Zhenan Village, Wujie Township, Yilan County 268021, Taiwan, R.O.C.	Tel.: (03) 965-3531 / Fax: (03) 965-3541 E-mail: yilan@laf.org.tw
Hualien Branch	No. 12-1, Shunxing Road, Hualien City 970020, Taiwan, R.O.C.	Tel.: (03) 822-2128 / Fax: (03) 823-3068 E-mail: hualien@laf.org.tw
Taitung Branch	7F., No. 3, Zhengzhou Street, Taitung City, Taitung County 950234, Taiwan, R.O.C. (Ginza Building, press 8F button for elevator)	Tel.: (089) 361-363 / Fax: (089) 361-153 E-mail: taitung@laf.org.tw
Penghu Branch	No. 100, Zhonghua Road, Magong City, Penghu County 880008, Taiwan, R.O.C.	Tel.: (06) 927-9952 / Fax: (06) 927-8495 E-mail: penghu@laf.org.tw
Kinmen Branch	No. 174, Minquan Road, Jincheng Township, Kinmen County 893013, Taiwan, R.O.C.	Tel.: (082) 375-220 / Fax: (082) 375-210 E-mail: kinmen@laf.org.tw
Matsu Branch	No. 14-2, Jieshou Village, Nangan Township, Lienchiang County 209001, Taiwan, R.O.C.	Tel.: (0836) 26881 / Fax: (0836) 26601 E-mail: matsu@laf.org.tw

Legal Centers of Indigenous Peoples	Address	Tel. / Fax / E-mail
Legal Center of Indigenous Peoples	No. 123, Huaxi Road, Hualien City, Hualien County 970304, Taiwan, R.O.C. (4F, Library of National Dong Hwa University)	Tel.: (03) 850-9917 / Fax: (03) 822-0509 E-mail: indigenous@laf.org.tw
Legal Center of Indigenous Peoples West Office	1F., No. 105, Xianzheng 2nd Road, Zhubei City, Hsinchu County 302099, Taiwan, R.O.C.	Tel.: (03) 525-9882 / Fax: (03) 525-9897 E-mail: hsinchu@laf.org.tw

Regulatory Amendments

The amendments to LAF regulations are as follows:

1. Amendment to Measures on the Implementation Scope of Legal Aid

Pursuant to part one resolutions of National Conference on Judicial Reform and the revised provisions Code of Criminal Procedure (protecting crime victims and their right to fair trial) approved by Legislative Yuan on 10 December 2019, LAF amended Article 3(2) of the Measures on the Implementation Scope of Legal Aid (hereinafter, the Measures). Article 3(2) of the Measures stipulated that in principle legal representation shall not be assisted. With the amendment, victims (plaintiffs) shall be granted assistance in legal representation, provided that they meet the conditions specified in the revised Code of Criminal Procedure; that no LAF financial eligibility criteria is applicable; and that the cases are not of no ground. With the appointing of legal aid lawyers specializing in the area concerned the victims, the mechanism which protects the victims' rights to fair trial in criminal cases would be enhanced.

2. Amendment to the Rules and Precautions for LAF Legal Aid Lawyers in Handling Cases

In line with the aforementioned amendment, point 17(1) of the rules and precautions for LAF legal aid lawyers in handling cases were amended: should a victim meet the statutory requirements to be granted legal aid, the legal aid lawyer who is in charge of the case shall make sure that the victim is willing to be

assisted and the assistance in litigation shall be in line with the victim's willingness.

3. Amendments to Guidelines for Legal Aid Remuneration

For certain complicated cases, the upper limit of discretionary remuneration is raised to 20 radixes. In line with 2021 budget and business, attachments one and two of this Guidelines were also amended – raising the remuneration for providing legal consultation from 1.5 radixes every three hours to 0.6 radixes per hour. To accord with the Grand Chamber system, items concerning remuneration standards and reasonable working hours for legal aid involving Grand Chamber procedures were added; and other relevant text revision was made.

4. Amendment to Guidelines for Cashier Procedures

Pursuant to the cashier management manual issued by the Executive Yuan, LAF made the amendment that the accounting division shall be responsible for safekeeping of LAF receipts and the related administrative matters.

5. Amendment to Notes of Employee Rewards and Punishments

The amendment of LAF measures for human resource management was approved by the Judicial Yuan in Yuan-Tai-Ting-Si 4th Letter No. 10700078, being one corresponding relevant regulations.







## 2020年度報告書

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Publisher	Kuang-Chun Fan
Editor-in-chief	Han-Wei Cho
Lead Editor	Ze-Fang Sun
Editor	Jin-Ding Hua, Chiung-Yu Yeh, and Yu-Xuan Liu
Content	Fang-Chung Chu, You-Lin Syu, Rong-Ying Ciou, De-Yan Zhou, Jun-Ming Xu, Bao-Lin Li, Qin-Yun Yang, Ya-Fang Huang, Chiung-Yu Yeh, Jia-En Sie
Photos (inner pages)	Bi-Zheng Wang, Hong-Ru Liang and LAF branch staff
Layout	Hsin-Han Lai
Printing	Creative River Print Development Co. Ltd.
Publication	Legal Aid Foundation
Address	5F, No.189, Sec. 2, Jinshan S. Rd., Da'an District, Taipei City 106406 Taiwan, R.O.C.
Telephone	(02) 2322-5255
Fax	(02) 2322-4088
Website	<a href="http://www.laf.org.tw">www.laf.org.tw</a>
Publication Date	April 2021

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2020  
Legal Aid Foundation  
**ANNUAL REPORT**



法律扶助基金會  
Legal Aid Foundation

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