

# **How to Achieve the Appropriate Allocation of Legal Aid Resources in Accordance with Human Rights Protection Requirements in International Conventions and UN Principles and Guidelines**

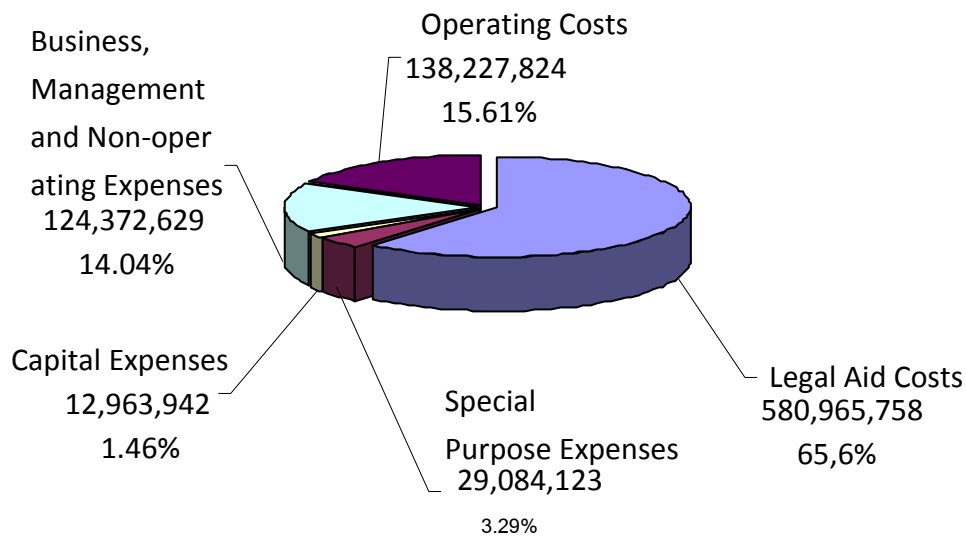
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The Legal Aid Foundation (LAF) was established with an endowment from Taiwan's Judicial Yuan in accordance with the Legal Aids Act passed in January 2004. It is a government-established, privately-run non-profit corporation. As required by Article 6 of the Legal Aids Act, the LAF is funded out of the annual budget of its competent authority, the Judicial Yuan. In accordance with relevant budget laws, the chairperson and secretary-general of the LAF must attend annual interpellations in parliament (i.e. the Legislative Yuan). The average annual budget for the LAF ranges from US\$20 million to US\$25 million, meaning that the annual legal aid budget per capita is only around US\$1. This is quite low compared to many other countries where the annual budget per capital exceeds US\$10.

The budget is allotted based on the estimated number of aid cases for the year. The LAF proposes the budget, with reference to the number of cases in past years among other factors, and the budget is made as part of the yearly work plan. However, the budget must first be negotiated with the Judicial Yuan through the communication platform, approved by the Foundation board, and then pass Legislative Yuan review. Funding and personnel allocations must also be discussed with the branch offices. Currently, most of LAF's expenditures are legal aid costs, including attorney remuneration and litigation expenses; this accounts for 60 to 70 percent of total expenditures. The remaining expenditures include personnel costs, operating costs, administrative expenses, etc.

To reduce personnel costs, though the Foundation has staff attorneys, most cases are undertaken by attorneys from outside firms. They are paid by the Foundation on a per-case basis. In addition, members of the Foundation's Legal Affairs Committee, Examining Committee, Reconsideration Committee, etc., all occupy part-time positions and are not full-time staff. Over 70% of the full-time positions are on the legal service staff, so most of the personnel and funding are used directly on legal aid.

### Breakdown of LAF Total Expenditures, 2013



The budget allocation is based on the **estimated number of aid cases** for the year. A review of budget execution over the last three years shows that the need for legal aid keeps growing. However, under current budget restrictions, attorney remuneration is often reduced. Currently, the remuneration for legal aid attorneys in general cases are approximately one-third that of regular attorneys, while legal aid attorneys in credit card debt cases is one-tenth that of regular attorneys (see Table 1 below). The low pay makes it difficult to develop a stable system of aid lawyers for disadvantaged groups, such as those with heavy credit card debt. This has also indirectly impeded the LAF from providing comprehensive aid. The Foundation is currently discussing ways to increase attorney remuneration with the private Alliance to Defend Legal Aid. In addition to reducing expenditures, perhaps we must also think about how to triage cases through more convenient, efficient, and low-cost legal consultation (such as telephone, video chat, or internet consultation) at the front end, so that the aid goes to cases that genuinely need representation by attorneys.

**Table 1: LAF Total Stated Attorney Remuneration Amount, 2011-2013**

Unit: NT\$1,000

Case Category	Attorney Remuneration, 2013			Attorney Remuneration, 2012			Attorney Remuneration, 2011		
	Amount	Proportion of Total	% Total Funding	Amount	Proportion of Total	% Total Funding	Amount	Proportion of Total	% Total Funding
General Cases	501,090	92.4%	62.1%	451,155	92.5%	57.1%	413,226	93.1%	52.3%

Expanded Consultation	13,517	2.5%	1.7%	13,834	2.8%	1.8%	15,311	3.4%	1.9%
Debt Cleanup Cases	16,050	3.0%	2.0%	16,511	3.4%	2.1%	10,041	2.3%	1.3%
Debt Cleanup Consultation	1,914	0.4%	0.2%	2,715	0.6%	0.3%	3,018	0.7%	0.4%
1st Interrogation Cases	9,878	1.8%	1.2%	3,341	0.7%	0.4%	2,280	0.5%	0.3%
Total	542,449	100.0%		487,556	100.0%		443,876	100.0%	

From the organizational operations perspective, a reasonable allocation of personnel and operational funding is part of a reasonable allocation of legal aid resources. A look at LAF's current allocation of funding among its business operations (see Table 2) reveals that research and development funding, which is crucial for assessing performance, studying emerging needs, and innovating new services, accounts for less than 0.1% of total funding expenditures. With so little funding, how is effective assessment of reasonable caseloads and service performance possible? In addition, the recipient of legal aid are disadvantaged groups; special cases in particular require more direct and customized information transmission. This requires large amounts of public education and media promotion. However, less than 0.5% of funding is devoted to this kind of work, making it difficult for the disadvantaged to participate in legal aid.

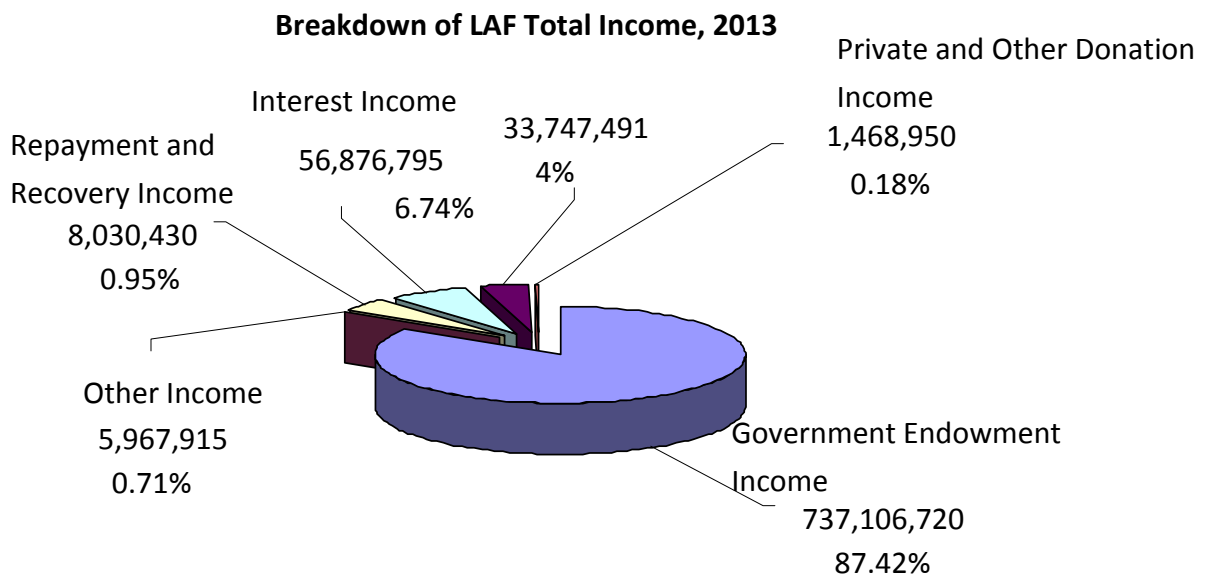
**Table 2: LAF Total Stated R&D and Education and Promotion Expenditure Amounts, 2011-2013**

Statement Year	R&D Funding (1)	% Total Funding	Education and Promotion Funding (2)	% Total Funding
100	586,919	0.07%	2,787,229	0.35%
101	195,932	0.02%	2,927,688	0.37%
102	410,153	0.05%	2,227,441	0.26%

(1) There have been no research projects contracted to outside institutions in the past three years, so the R&D funding is comprised of overseas visits and domestic conferences.

(2) Education and promotion refers to publicity and legal education events targeted at the general public.

LAF's total income in 2013 was NT\$843,298,301 (approximately US\$29.52 million). A detailed breakdown of income sources is as below, revealing that the main sources of LAF funding are the Judicial Yuan's annual contributions and the interest from the Foundation's NT\$10 billion endowment. Compared to LAF's total 2013 expenditures of NT\$885,614,276, we can see that though most of the spending was funded, the funding still fell short by approximately NT\$40 million. LAF's budget has varied over the years, but so far it has not seen any major cuts.



## I. The Categories and Scope of LAF Aid Cases

- I. LAF is characterized by the wide and diverse range of legal aid that it provides. Aid is not provided as a rule for certain categories of cases (chiefly cases regarding business activities, or cases that involve amounts too low to justify the cost of aid), but exceptions may be made with the approval of the branch office director; aid is provided for all other cases, including civil, criminal, family, and administrative cases. The services that LAF provides for cases include legal consultation, representation in court proceedings, legal document drafting, and representation in mediation proceedings and settlement negotiations. Aid is provided for both ROC citizens and foreigners, making LAF inclusive and diverse. The total number of applications for legal

aid in 2013 reached 136,065 and in particular, the applications for legal counseling services were 80,670 cases. The types of application and cases are shown below in Table 1.

- II. The types of legal aid cases can be divided into “general cases” and “special projects.”
  - i. “General cases” refer to the cases which the applicants apply for private lawyers’ “representation and defense,” “mediation or settlement” or “legal document drafting,” including civil, criminal, family, and administrative cases. The number of general cases granted with legal aid is 28,584.
  - ii. “Special projects” are divided into “Law Enforcement Project,” “Consumer Debt Clearance Project,” “Expansion of Legal Counseling Project,” and “Law Enforcement Project Involving Indigenous,” etc. The number of project-based cases that received legal aid is 70,120. In particular, 1,852 cases were law enforcement cases, 4,495 cases were consumer debts clearance cases (including 2,727 cases for legal counseling in consumer debt clearance), 59,752 cases for expansion of legal counseling, and 4,021 cases for law enforcement project involving indigenous.
  - iii. According to Article 2 of “Staff-Lawyer Assignment Guidelines,” the quantity assigned by LAF to staff-lawyers should be within 20% of the total number of legal aid cases.
  
- III. Analysis of 2013 cases of legal aid by type: “Representation and defense” is the majority of general legal aid cases and accounts for 87.78% of the total cases of legal aids. The types of legal aid cases are shown in details in the following Table 2-4.

Table 1: Total Legal Aid Application Statistics							
Total (excluding commissioned cases) (a=b+c+d+e+f)	LAF Cases					Commissioned Cases	
	General Cases (b)	Project-Based Cases			Law Enforcement Cases for Indigenous (f)	Labor Litigation Legal Aid Project	Indigenous People Legal Aid Project
		Law Enforcement Cases (c)	Consumer Debt Clearance (including legal counseling)(d)	Expansion of Legal Counseling Cases (e)			

136,065	43,277	2,339	5,754	80,670	4,025	2,110	606
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<b>Table 2: Statistics of Total Legal Aid Cases</b>					
Total No. of Legal Aid Cases (a=b+c+d+e+f)	No. of General Cases (b)	Project-Based Cases			
		No. of Law Enforcement Cases (c)	No. of Consumer Debt Clearance Cases (including insolvency legal counseling) (d)	No. of Expansion of Legal Counseling Cases (e)	No. of Law Enforcement Cases for Indigenous (f)
98,704	28,584	1,852	4,495	59,752	4,021

Table 3: (General Cases) Statistics of Types of Legal Aid Granted				
Type	Representation and Defense	Legal Document Drafting	Mediation or Settlement	Research Legal Consulting
No. of Cases	25,092	3,325	167	0
Ratio	87.78%	11.63%	0.58%	0.00%

Note: Research Legal Consulting cases refer to the legal aid services involving private lawyers' counseling and drafting legal counseling opinions after being approved by review, which differs from the cases giving oral consultation on site.

Table 4: (General Cases) Statistics of Applications and Types of Cases Granted Legal Aid				
Types	Applications		Cases Granted Legal Aid	
	No. of Cases	Ratio	No. of Cases	Ratio
Criminal	24,110	55.71%	16,408	57.40%
Civil	10,587	24.46%	6,378	22.31%
Family	7,941	18.35%	5,572	19.49%
Administrative	537	1.24%	226	0.79%
Blank	102	0.24%	-	0.00%
Total	43,277	100.00%	28,584	100.00%

For the first three years after LAF was established in 2004, civil cases were the most common targets of aid, accounting for 60% of total aid cases. In 2011, the number of criminal cases surpassed that of civil and family cases combined, and have accounted for over 50% of total aid cases for the past three years. **80% of the criminal cases where aid was approved were compulsory defense cases**, in which financial criteria were waived. At the inception of the First Interrogation Program, which provided attorneys free of charge to accompany interrogation, the number of cases remained low because the program required the aid recipient to sign a statement of financial need. It was not until Article 31 of the Code of Criminal Procedure was amended in 2012 that the number of cases grew rapidly. The Indigene Interrogation Program, a subsidiary program, offered aid regardless of case category; after the program was implemented, it was discovered that it may demand too much resources. From the above, we can see that LAF has, despite limited resources, continued to develop new special programs in response to emerging social needs, human rights issues, and amendments to laws and regulations. For this it should be commended. However, without a systematic evaluation of these special programs to assess actual demand and reasonable aid amounts, the

quality and results of aid will be affected. Resources may be misallocated or under-provided without an assessment of resource allocation priorities.

## II. LAF's Special Projects

Although LAF provides legal aid for applicants in various cases, except for excluded categories of cases specified in principles, the Foundation aims at the issues that have involved disadvantaged minorities, and based on current affairs, has established specific projects to provide special legal aid for them.

### 1. Legal Aid for Consumer Debt Clearance

In 2005, since the overall economic situation of Taiwan experienced a huge change, coupled with the results of many years of massive issue and promotions of credit cards by the banks, many credit card holders was facing financial crisis, creating a huge group of cardholders suffering insolvency. Furthermore, because the banks used a variety of means to demand repayment of the debt, many cardholders found themselves stuck in the mire; some went so far as to commit suicide, bringing about the entire society's solicitude for the situations.

However, at the time, there was no reasonable mechanism for liquidation of personal claims in Taiwan. To address this problem, LAF joined with several private organizations to promote the Consumer Debt Clearance Act (referred to below as CDCA). The Act has legislated on June 8, 2007 and went into effect on April 11, 2008. To facilitate the implementation of the Act, each LAF's Chapter conducted 24 legal advocacy seminars by the end of 2007. LAF revised the regulations about legal aid scope of implementation, revoked the stipulation that LAF should not offer legal aid for bankruptcy cases, and started to provide legal aid for personal debt clearance cases.

When the CDCA was first put into force, LAF was flooded with 24,000 applications by the end of 2008. However, the court's attitude was overly conservative, and therefore, very few cases were successful in courts, which affected debtors' willingness to apply. As a result, there were only 9,750 applications in 2009. In 2013, the number of applications lowered to 5,754, and from January to August 2014, it reduced to 3,799 cases, decreasing annually.

Since the court's attitude was conservative, private organizations proposed revising the Act. As a result, the success rate of rehabilitation approval has improved gradually to 60%, the rate of discharge of debts has increased to 40%, and the percentage of settlement of obligation lowered from 50% to 10% or 20%. Still, the number of debtors who are willing to apply for redemption of debt in court has not yet significantly



increased, indicating that the issue still faces many challenges.

## 2. Lawyer's Company for First Criminal Interrogation

In regard to the criminal defendants' or suspects' right to counsel, the history of the development of Taiwan's criminal lawsuit system went from having a lawyer to be present only in the stage of trial, extended to have a defender in the public procurator's investigation, and then to include a defender in the police detective work. On September 17, 2007, LAF launched the Lawyer's Company for First Criminal Interrogation project to guarantee right of action and right of equality. The objectives of the project are to improve the efficiency and accuracy of investigation and trial, at the same time, to offset the gap of professional legal knowledge between ordinary citizens and criminal investigation organ, help people exercise their right of defense, and protect the involved party's rights. The project provides lawyer's accompanying services in the process of criminal interrogation, 24 hours a day, all the year round.

Although this project does not carry out applicant's means test, it is limited to the arrested or detained persons who are involved in committing a crime carrying a minimum 3-year limited imprisonment and are asked to be investigated for the first time for the case, except for indigenous and the mentally disabled. By the end of 2013, LAF has provided legal aid for 3,753 cases.

Since the project is limited to provide legal aid for the defendants of felony cases, the law does not require a lawyer to be present during police interrogation or procurator investigation, and the police are unaccustomed to the presence of lawyers, while they are handling a case, the project has only limited success and is in need of improvement.

## 3. Legal Aid for Indigenous Peoples

By the end of September 2014, the number of indigenous population in Taiwan was 538,439, having 16 tribes<sup>1</sup>. They accounted for 2.30% of the total population (23,410,280) in Taiwan.

Taiwan is a society of multi-culture. Under the value of multi-culture, one should respect the world view that has been constructed in the process of each civilization's self-surviving, and should allow each ethnic group, following its common

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The Republic of China in Taiwan currently recognizes 16 indigenous ethnic groups: Amis, Atayal, Paiwan, Bunun, Puyuma, Rukai, Tsou, Saisiyat, Yami, Ita Thaw, Kavalan, Taroko, Sakizaya, Seediq, Hla'Alua, and Kanakanavu.

determination approach, to parallel institute each ethnic group's life and pursue sustainable development, and to achieve the goal of multiculturalism through the model of cultural diversity and social organization management presented by the multi-culture.

However, indigenous customs and culture had not been respected through the ages, creating numerous conflicts. For example, indigenous tradition, due to its uniqueness, has clashed with the state's laws and systems. Or, the state's policies have encroached on the indigenous. Therefore, they need professional legal aid. Unfortunately, regular lawyers are unfamiliar with such types of cases, and hence LAF actively intervene in providing legal aid.

Since April 2013, LAF has, in cooperation with the Council of Indigenous Peoples organized the project of "Legal Aid for Indigenous Peoples." Any indigenous, in addition to the cases apparently considered to have no way to relieve and regardless of financial ability, can apply to LAF for legal aid for legal problems, legal consultation, legal document drafting, or legal representation in litigations and defense. By the end of 2013, there were 606 applications, of which 280 applications accorded with the project requirements and granted legal aid. By August 2014, there were 1,144 applications, of which 981 applications met the requirements of the project.

#### 4. Immediate Support Program for Labor Litigation

Starting from March 2, 2009, LAF was commissioned by the Ministry of Labor to operate the "Immediate Support Program for Labor Litigation." The program provided legal aid for workers involved in labor dispute cases. Its qualifications for application were less strict than those of regular LAF applications. The goal was to help offset the disadvantage of laborers in relevant actions due to their disadvantaged economic status. From the start of the program until September 2014, 12,901 laborers met the legal aid criteria, and according to the analysis of litigation results, around 76% of cases resulted in favor of the laborers.

#### 5. Support Program for Human Trafficking Victims

Along with increasing awareness of human trafficking issues in the international community, Taiwan, as a state of exporting, importing, transferring the victims of human trafficking, has established measures of preventing human trafficking crimes too. On October 2007, LAF established a Human Trafficking Victims Support Program and actively conducted a series of actions to protect the victims. LAF has helped in drafting and promoting the private version of the Human Trafficking Prevention Act, in

addition to offering legal aid to the victims of human trafficking in individual cases. The Act was finally proclaimed by the President on January 23, 2009, and put into operation by the Executive Yuan on June 1, 2009.

LAF's Human Trafficking Victims Support Program, according to Article 15 of the Act of original version, was initially limited to legal inhabitants of Taiwan. Since 2008, the legal aid program has expanded to include the victims of human trafficking identified by prosecutors or police organs. Additionally, according to Article 3 of the Regulations and Scope for Implementing Legal Aid, LAF, in principle, does not provide legal aid in representation of complaint in criminal trials. However, legal aids are desperately needed, in view of the disadvantaged situation of human trafficking victims due to suffering psychological trauma, coupling with the complexity of the large number of defendants, locality of crimes in multiple countries, difficulty in collecting evidences, etc. Therefore, in September 2013, a resolution was reached at the 7th meeting of the 4th LAF Board of Directors to revise the aforementioned Regulations to provide legal aid, in principle, for the victims of human trafficking undergoing trials.

Until July 2014, LAF provided legal aid to 1,936 victims of human trafficking. From January to July 2014, LAF received 221 applications, of which 212 were granted full legal aid, 4 rejected, and 5 received legal advice, reaching legal aid rate of 98.19%.

## Adjustment of Resource Allocation

### 1. Criminal Compulsory Defense Cases

The Article 31 of the Code of Criminal Procedure, prior to 1997, required only that if a defendant was not defended by a lawyer in a trial, the presiding judge should appoint a public defender for defendants with a minimum 3-year fundamental punishment or cases of the first instance under the Jurisdiction of High Courts. The same applies to other trials, whenever necessary.

In 1997, the Code was revised to count certain cases to be compulsory counsel cases, if the cases involve mentally disabled defendants who are unable to state opinions completely and do not have a defender in the trial. In 2003, it expanded to include low-income defendants who do not have a defender but request one. In 2006, it extended further to include mentally disabled defendants who are unable to state opinions completely and do not have a defender during investigation. In January 2013, it extended to include the cases in compulsory counsel category, if the cases, in prosecution or trial, involve defendants of both middle-income and low-income persons who apply for appointing a defender; and the cases involve defendants who

have indigenous identification. In addition, it specially specified that if indigenous defendants who in the process of investigation do not have a defender, the public procurator, judicial police official, or judicial police should inform legal aid organizations to appoint a lawyer to be present for their defense.

From the history of legal revisions, it shows that compulsory counsel cases have expanded from the trial to investigation; however, in the investigation stage, it is still limited to include only defendants of indigenous and the mentally disabled.

In order to meet the requirements of aforementioned compulsory defense, Article 14 of the Legal Aids Act stipulates that defendant's means test is not required for compulsory defense cases. Therefore, nearly 80% of the cases were granted legal aid, which is much more than regular cases' 69%. In 2013, 28,584 cases were approved for legal aid, of which 8,193 were compulsory defense cases, accounting for 28.66%.

Since the police sometimes tried to obtain involuntary confessions during the interrogation process, LAF, in order to provide necessary defense rights at early stage of a criminal case, established Lawyer's Company for First Criminal Interrogation Program to provide lawyer's company service at the first questioning for the arrested or detained suspects involved in charges of felony with a minimum 3-year punishment. However, to protect human rights in criminal justice processes, it is essential to extend the scope of the Program to cover any cases potentially involved in fixed-term imprisonment, considering that the defendants or the suspects in the process of investigation, because the scope of investigation is still undefined, if it is a case of felony is still uncertain, and the questioning process has a great impact on the rights of the defendants or the suspects, regardless of the type of cases to be compulsory counsel cases, in addition to the disadvantaged status when they are facing a governmental machine.

## 2. Defense in Death Penalty Cases

LAF has also established a special program for death penalty cases<sup>2</sup>. LAF revised relevant regulations to allow a capital punishment case appointing up to three lawyers<sup>3</sup>,

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Guideline 4 of Regulations for Members of LAF Review Committee: "The following should be taken into account when dealing with compulsory counsel cases:...death penalty cases must not be rejected because of merits."

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Article 5 of the LAF Regulations for Calculation of Legal Aid Service Fees states: "In criminal defense cases, the Secretary-General may approve a maximum of 3 lawyers to

in addition to no turning down allowed when reviewing the cases. In many cases, LAF's full-time staff attorney and lawyers outside of LAF have organized as a team to handle capital cases.

As for the special remedy procedure of extraordinary appeal or retrial of capital cases, LAF also provides that in principle, the legal aid should be offered. LAF has specially held several training sessions for lawyers of death penalty cases, and worked together with NGOs to compile a manual for death penalty defense.

### 3. Major High-Profile Public Welfare Lawsuits

LAF actively provides legal aid for a variety of major high-profile public welfare cases, including major labor disputes (such as Laborers from Closed Factories), state compensation for major natural disaster (such as Typhoon Morakot), and major collective environmental pollutions (such as the RCA and Tainan Zhongshihua cases), etc., to provide timely legal aid for in public welfare litigations of major environmental and human rights protections.

When participating in these cases, LAF faced many problems. In the Laborers from Closed Factories case<sup>4</sup>, only part of the laborers were able to pass means test, which LAF could provide legal aid, but, for the others who were not qualified, they had to hire their own lawyers. To avoid having divided lawsuit strategies, LAF and private pro bono lawyers organized a team to formulate objectives and strategies together. In addition, to meet the lawyer team's need, LAF searched for a variety of experts to invite them participating in discussions, organized seminars to deepen relevant discourses, and submitted the results to the lawyer team. In other words, it was an attempt by LAF to work with pro bono lawyers, the communities, and scholars to handle a major social dispute.

## IV. LAF's Institutional Responses to International Covenants

1. In accordance with Article 6 and 14 of International Covenant on Civil and Political Rights and the principle of right to legal aid specified in the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, LAF, in 2013, revised its remedial approaches to provide legal aid for the offenders of capital punishment in retrials and extraordinary appeal procedures, changing from "in principle, do not offering legal aid" to "should provide them legal aid," in order to guarantee the right

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participate in cases that may be sentenced to death penalty and are material, complex, and unable to be sufficiently handled by one

of life for the offenders of capital punishment,

2. In accordance with Article 8 of International Covenant on Civil and Political Rights, “No one shall be held in slavery; slavery and slave-trade in all their forms shall be prohibited.” Therefore, in October 2007, LAF organized a project for handling issues related to human trafficking to provide special legal aid for victims of human trafficking.
3. In accordance with Article 9 of International Covenant on Civil and Political Rights, “Everyone has the right to liberty and security of person. No one shall be subjected to arbitrary arrest or detention.” On September 17, 2007, LAF launched a program “Lawyer’s Company for the First Criminal Interrogation” to help people in exercising their right to defense, in order to offset the gap of professional legal knowledge between investigative organ and ordinary people.
4. In accordance with Article 27 of International Covenant on Civil and Political Rights, concerning aboriginal policy, LAF also organized an Indigenous Program to provide the indigenous comprehensive legal aid, especially in the cases involving traditional customs and cultural preservation.
5. In accordance with Article 21 of International Covenant on Civil and Political Rights, concerning the right of peaceful assembly, LAF’s Board of Directors, on March 28, 2014, authorized the Secretary-General the power to adjust flexibly the scope of legal aid in criminal investigation and defense cases involving high-profile activities of public welfare. The Secretary-General reviews relevant cases, and then decides, case by case, if legal aid is needed, whenever necessary, he/she may follow the project of “Lawyer’s Company for First Criminal Interrogation” to provide legal aid.
6. In accordance with Article 9.4 of International Covenant on Civil and Political Rights, requiring prompt arraignment to determine the lawfulness of detention, LAF’s Board of Directors, on June 27, 2014, reached a resolution to organize a project “Lawyer Accompanied Arraignment.” Anyone arrested or detained by an organ other than a court, after the court issued a writ of certiorari, may call a hotline to request a lawyer for accompanying him/her to state opinions before the court, in order to ensure immediate remedy for people being stripped of their rights without a court order.

## **V. Future Outlook:**

As the economy has developed, the gap between rich and poor has also widened. The richest families in Taiwan now have incomes over 100 times that of the poorest. New needs for legal services are emerging among disadvantaged groups. Over the past decade since its founding, LAF has fulfilled the role of an aid organization that focuses on representing disadvantaged groups. In the past decade, it has allocated resources in accordance with the requirements of relevant laws and regulations (such as Consumer Debt Clearance Act, the Code of Criminal Procedure, and the Family Affairs

Act). However, without any standard for estimating reasonable aid case numbers, caseloads tend to be dictated by external funding sources. At the same time, the Foundation is working to fulfill the expectations of civil society and respond to major societal events. With limited resources, attention must be paid to the remuneration of aid workers, working conditions, and aid quality. The question is: Given LAF's resource allocation and current practice of evaluating and controlling service quality through service KPIs, how could it discover and respond to social needs, or even drive changes in the justice system? In addition, while the current LAF funding allocation complies with the laws, it is not conducive to discovering new service needs and driving innovation and change. It is legal but not reasonable. Regarding how to find a balance between the two in order to appropriately allocate resources to respond to the need of disadvantaged groups for legal aid, I have the following suggestions:

- I. Create research positions or a research department either under the Board or the foundation headquarters, whose job will be to conduct systematic analyses the social relevance and performance results of past aid cases. The research will form the basis for short, medium, and long-term annual vision projects, which will be regularly reviewed and publicly announced and communicated. In so doing, LAF can discover emerging social needs and drive the amendment of relevant laws and regulations to appropriately allocate legal aid resources.
- II. Understand the public's legal aid needs through public legal service need surveys, and use the results to help decide how to allocate legal aid resources.
- III. Take stock of and review the current allocation of legal aid funding. In particular, many special programs rely on education and promotion (such as debtor information sessions) to deliver resources to aid recipients in a timely fashion, yet the programs do not receive the appropriate resources. I recommend conducting rolling assessments and corrections for the performance of special programs in order to achieve a more appropriate allocation of funds.
- IV. LAF has a Development Committee comprised of representatives from various social welfare groups as well as experts and scholars. The committee can be a platform for referrals and collaboration on the needs of disadvantaged groups and the drafting of legal aid policies. In the future, the committee's responsibilities and operations should be strengthened. The North Legal Aid Staff Attorneys Center, established in 2012, strengthened assistance for special disadvantaged groups. However, a cost-effective model for the positioning and development of similar organizations should be found, so that such a model could be duplicated in areas that have greater needs. Perhaps a variety of local NGOs could be engaged in developing such organizations.