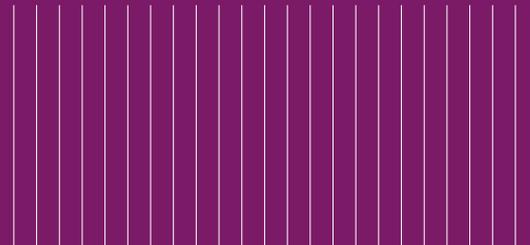




2018

Legal Aid Foundation

ANNUAL REPORT





法律扶助基金會
Legal Aid Foundation

PROFESSIONAL

EFFICIENT

FLEXIBLE

APPROACHABLE

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To Friends of Legal Aid

It is widely accepted today that the right to equal access to the legal system should be protected. The legal aid system is created to enforce that right. The legal aid system is a country's institutional guarantee of access to justice for disadvantaged people. The purpose of the Legal Aid Foundation (LAF) is to uphold the constitutional right to equal access to the legal system, and the spirit of "a criminal justice system for the people".

According to the Legal Aid Act, the LAF shall provide aid to economically disadvantaged persons who meet the financial eligibility criteria and to persons who are unable to receive adequate legal protection for other reasons. The LAF annually adjusts the financial eligibility criteria for legal aid recipients in parallel to the lower-middle income household criteria, as per the Public Assistance Act, in order to ensure that eligibility for legal aid reflects changes in social and economic conditions.

Legal consultation helps reduce anxiety and fear in disadvantaged persons when they face legal problems. Furthermore, it provides accurate information and prevents vexatious litigation. The LAF works with the courts, prosecutors, and other social groups to post representatives at selected locations to provide legal consultation. The LAF also provides video conferencing legal consultation for people living in remote or inaccessible areas. In addition, the LAF launched telephone legal consultation (at 412-8518 "Help is one phone call away") on May 1, 2015. The service provides legal consultation for employment and debt cases as well as indigenous peoples cases. Telephone legal consultation for domestic incidents was launched on November 1, 2017; Helper telephone legal consultation was launched on May 1, 2018; and telephone legal consultation for persons with disabilities was launched on October 15, 2018. The LAF tries to help people resolve legal disputes with speed and ease. The LAF also tries to reduce litigation through use of pre-consultation channels. The aim is to give citizens constantly evolving, accessible, and friendly legal aid services.

Given the characteristics and differences of indigenous peoples' cultures, lifestyles, and languages, where there are cases involving conflicts between traditions and the law, or infringement upon cultural customs caused by government policies, it is indeed necessary to provide professional legal assistance. To provide better legal aid services for indigenous peoples, the LAF opened the Legal Center of Indigenous Peoples in Hualien on March 12, 2018. The Center is part of a support



system that provides professional, culturally-sensitive legal services.

There are 4,066 LAF legal aid attorneys. The quality of their work has a huge impact on the rights of aid recipients. Therefore, ensuring that legal aid attorneys provide quality legal services has always been one of LAF's top priorities. Hence, for the purpose of improving the quality of case-handling by legal aid attorneys and monitoring their progress as appropriate, while at the same time creating more communication channels between the LAF and the courts and prosecutors, the LAF implemented the "Legal Aid Case Report Form (for Courts and Prosecutors)" in April 2018 to evaluate legal aid attorneys' litigation performance. The form is for use by the courts and prosecutors offices, and is intended to protect the rights of aid recipients when needed. Furthermore, in 2018, the LAF continued to provide education and training on issues facing disadvantaged persons and carry out the program for assigning specialized attorneys to cases. The LAF also conducted legal aid attorney evaluations via case closure review, in order to ensure that aid recipients receive quality legal aid services.

In 2018, the number of applications for legal aid (or legal consultations) exceeded 200,000, and the number of approved applications exceeded 180,000. The number of cases has been growing each year, which reflects the fact that the need for legal aid not only exists in society, but continues to grow. The combination of a rapidly increasing case volume, a limited budget given by the government, and an extremely heavy workload for LAF employees is a challenge that we have to overcome in order to satisfy the needs of society and improve the quality of legal aid work.

After 14 years, the LAF has firmly established itself thanks to the leadership of the presidents, directors and the secretary generals and the hard work of our employees as well as the support and contribution of Legal Aid Attorneys and members of the Review Committee and of the Examining Committee. Let us continue to uphold the spirit of legal aid, pursue excellence, and provide friendly, professional legal aid services. Let us also continue to work with government agencies and social welfare organizations in combining and sharing resources to maximize the benefits of legal aid, so that every person in need of social assistance is able to receive timely and effective assistance.

Annual Statistics



Total number of legal aid cases
(regular cases)

55,362

313 more than in 2017



Total number of outreach service
and information sessions

1,743

down by 140 from 2017



Number of Facebook friends

48,394

9562 more than in 2017



Total expenses

NT\$1,490,503,249

NT\$66,959,478 more than in 2017



Total number of annual legal
consultation applications

116,692

down by 8,989 from 2017



Number of Legal Aid Attorneys

4,066

256 more than in 2017



Total number of page views on
official website

3,200,175 visits

332,234 pages more than in 2017

Philosophy

- ◎Equality - to fulfill the constitutional right of equal access to the legal system, and to facilitate improvement of economic status.
- ◎Human Rights - to protect the human rights of the disadvantaged.
- ◎The Rule of Law - to complement the system of the rule of law.

Principles of Service

- ◎To be approachable.
- ◎To be flexible.
- ◎To adopt efficient procedure.
- ◎To provide professional services.

Mission Statement

- ◎To engage in self-reflection, seek reforms and enhance the soundness of the legal aid system.
- ◎To make legal aid available throughout Taiwan.
- ◎To actively publicize legal aid information.
- ◎To allow convenient access to legal aid.
- ◎To advance the quality of legal aid services.
- ◎To encourage the participation of lawyers in legal aid and social reform.
- ◎To strengthen the promotion of legal education for disadvantaged people.

Major Achievements

Integrated legal consultation resources and added ways to access legal consultation services

The LAF handled more than 110,000 legal consultation cases in 2018. This number reflects the large public demand for legal resources. However, given the limitations and allocation of resources, finding ways to produce more real benefits and results with regard to the existing legal consultation caseload is something that requires taking stock and examination. The LAF tried to make changes to aid eligibility in 2018. We launched a legal consultation hotline in May 2018, which is designed to create open communication with front-line helpers, thus making the LAF more readily accessible to the disadvantaged. The LAF received a total of 1,033 telephone consultation calls (an average of 129 calls per month) by the end of December. Close to 60% of the cases described by helpers involved domestic incidents, 13% involved family support incidents, and almost 10% involved guardian or

assistantship declarations. This approach brings the LAF closer to local helper organizations and helpers, and creates a more extensive network of cooperation. Furthermore, in 2018, the LAF made several attempts to make slight adjustments to face-to-face legal consultation/advice stations, and started to integrate telephone/video conferencing legal consultation services. The aim was to explore user needs and discover differences in how different groups access various legal consultation services. The LAF hopes to introduce a more comprehensive range of services and create a new integrated consultation service network in 2019.



Enhanced legal aid quality

The LAF is constantly trying to improve the quality of legal aid services. The LAF trains its representatives (including employees, Assessment Committee members, and legal aid attorneys) to be more friendly and better trained via mystery client visits, branch satisfaction survey, and education and training. The LAF also incorporates rapid dispatching, simplified processes, case update management, closure management, and other directives into the process. Given the cultural diversity in Taiwan, in 2018, the LAF started offering a translation service for speakers of different languages at the Application and Review stage. In addition to live interpretation at this stage, relevant documents have been translated into different languages to protect speakers of different languages and their right to equal access to the



legal system. Furthermore, to ensure that the Convention on the Rights of Persons with Disabilities (CRPD) is observed, the translation service was extended to include simultaneous interpretation in speech-to-text and sign language for clients with hearing or language impairments in June 2018.

Established a Legal Center of Indigenous Peoples

The national legal system has, in times past, failed to show an understanding of the customs and traditions of indigenous peoples, and therefore created difficulties for indigenous people trying to follow practices in their cultures. There have been many cases, from the Smangus fallen beechwood tree case, the Miramar Resort dispute, and the Chung-Cheng Tsai hunting rifle case, up to the Tama Talum hunting case that is still in the process of extraordinary appeal and constitutional interpretation. Such cases highlight conflict arising from a legal system based on cultural homogeneity. With the support of the Judicial Yuan, the Council of Indigenous Peoples, legislators, National Dong Hwa University and many others in various fields, the Legal Center of Indigenous Peoples opened at National Dong Hwa University's Meilun Campus on March 12, 2018. Its mission is to act as a bridge for communication and coordination between the cultures and customs of indigenous peoples

and the national legal system, while upholding the Constitution, the Additional Articles of the Constitution, the two human rights conventions, the Indigenous Peoples Basic Law and other related laws and regulations, in order to protect the legal rights, cultural rights and other basic rights of indigenous peoples. Going forward, the Legal Center of Indigenous Peoples will try to reach deeper into the tribes to connect the people and provide legal support for tribesmen so that the law may be truly adopted by the tribes and LAF may act as the translator in legal matters between the indigenous society and the mainstream society.



Accepted commission from the Ministry of Health and Welfare to manage the Legal Aid Program for Persons with Disabilities

To further protect the legal rights of persons with disabilities, help them legally advocate for their rights and interests, and provide a wider range of legal aid services, the LAF signed an entrustment contract with the Ministry of Health and Welfare on September 1, 2018 and began operating the Legal Aid Program for Persons with Disabilities on October 15, 2018.

Only legal consultation was provided during the trial run in 2018. Legal aid services such as representation, defense, and brief preparation in lawsuits are currently not available. Legal consultation is provided primarily via telephone legal consultation. In special cases, the LAF assesses eligibility for at-home legal consultation and activates the mechanism for attorneys to visit clients at home accordingly. The procurement project for the software used in the program

is expected to be completed by the end of 2019. A full range of legal aid services will be made available at that time. It is hoped that legal aid services, high in both quality and quantity, will become available under this program, through which existing government resources, local disability care centers and social welfare agencies, and the LAF legal aid system work in collaboration. As part of the effort to further protect the rights of persons with disabilities, the Legal Aid Support Network is implemented across the country to provide accessible legal aid services when and where they are needed, thus helping persons with disabilities who are facing legal problems to guarantee their legal rights and interests.



Held the 4th International Forum on Legal Aid (IFLA)

The LAF held the 4th International Forum on Legal Aid at Howard Civil Service International House from November 1 to November 3, 2018. The theme was "Expanding the Horizons of Legal Aid". Representatives of legal aid organizations from 17 countries and experts in the field were invited to the event. In addition to keynote speeches, the 3-day agenda included three country reports and seven topic discussions. The topics were "Identifying and Targeting People in Need", "How to Provide Client-centered Lawyering", "Working Together with Non-Legal Services", and "How to Provide Legal Aid to Specific Communities". Now in its fourth year, the International Forum on Legal Aid facilitates



networking between the LAF and legal aid organizations and experts in other countries, and showcases Taiwan's legal aid system to the rest of the world. It gives the LAF an opportunity to learn from more advanced countries and provide examples for other countries that have only started developing legal aid systems.

Partial victories in CPDC and RCA cases

The production process at the Tainan Anshun Plant of China Petrochemical Development Corporation (CPDC) caused serious environmental pollution. Local residents unknowingly consumed fish contaminated with dioxin and had an apparently higher concentration of dioxin in their blood, causing severe damage to their health. Beginning in 2007, the LAF, working through the Tainan Branch, started having staff attorneys represent local residents in claiming damages. The Tainan Bar Association also called on civic-minded attorneys to work together on the case. The Taiwan Tainan District Court ruled, on December 7, 2015, that the defendant, CPDC or the Ministry of Economic Affairs, should pay the plaintiffs over NT\$168 million. In the second instance appeal, the Taiwan High Court Tainan Branch Court ruled, on August 11, 2017, that the defendant CPDC should pay the plaintiffs over NT\$191 million. In the third instance appeal, the Supreme Court started oral arguments on September 28, 2018. On November 28, 2018, the Court ruled that the defendant CPDC should pay the plaintiffs more than NT\$185 million. It reversed and remanded the case of the remaining balance of over NT\$6 million to the Taiwan High Court Tainan Branch Court. The LAF appointed the same attorney group to continue handling the compulsory enforcement

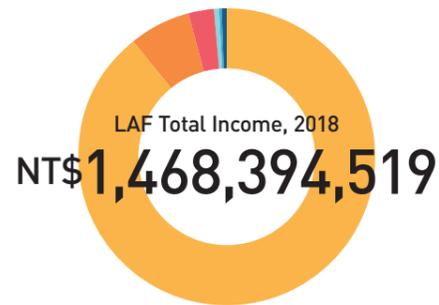
process, to help aid recipients collect their compensation as soon as possible.

RCA Taiwan Limited (RCA), during the period in which it operated plants and produced electronics and electrical products in Taiwan, used 31 organic solvents, including trichloroethylene and tetrachloroethylene, and solder. During this period, RCA failed to fulfill its obligations in environmental protection and control, and allowed organic solvents to be wantonly dumped on the ground and underground, which caused soil and groundwater contamination in the area. The plaintiffs and their family members were exposed to high concentrations of hazardous organic solvents and gases absorbed through the skin and the respiratory system. Through years of LAF staff attorneys and pro bono attorneys providing aid in the case, the Supreme Court eventually confirmed the Self-Help Association's three arguments, "the limitation period", "causation", and "piercing the corporate veil", on August 16, 2018. The court ruled for a total of NT\$577.05 million in compensation to be paid to 262 people.



Annual Financial Statements

The accounting system of LAF observes the fiscal calendar year system. The 2018 financial report was audited by an independent local CPA firm with unreserved opinion reported. The LAF's total income for 2018 was NT\$1,468,394,519. Total expenditures were NT\$1,490,503,249 (including capital expenses).



Government Endowment Income	1,313,200,244
Government Special Program Income	96,929,828
Interest Income	38,150,785
Repayment and Recovery Income	9,552,031
Other Income	5,786,621
Income from Private Donations and Project Plans	4,775,010



Legal Aid Costs	1,025,153,563
Operating Costs	208,102,556
Business, Management and Non-operating Expenses	146,036,191
Special Purpose Expenses	83,197,133
Capital Expenses	28,013,806

The LAF's total expenditures for 2018 were NT\$1,490,503,249. Neither the current account nor capital account was exceeded. The final current account for 2018 (excluding capital expenditure) is NT\$1,462,489,443, and the final income account is NT\$1,468,394,519 for the year. The balance is a surplus of NT\$5,905,076 for the year.

Legal aid costs : Including attorney remuneration, litigation expenses, and fees for Assessment and Review Committees.

Operating costs : Including costs of providing public services, hiring staff attorneys, and costs of hiring LAF staff.

Business and management expenses and non-operating expenses : Including management, administrative hiring expenses, administration, and campaign expenses.

Special purpose expenses : Costs of special programs entrusted by the Ministry of Labor, the Council of Indigenous Peoples, and the Ministry of Health and Welfare.

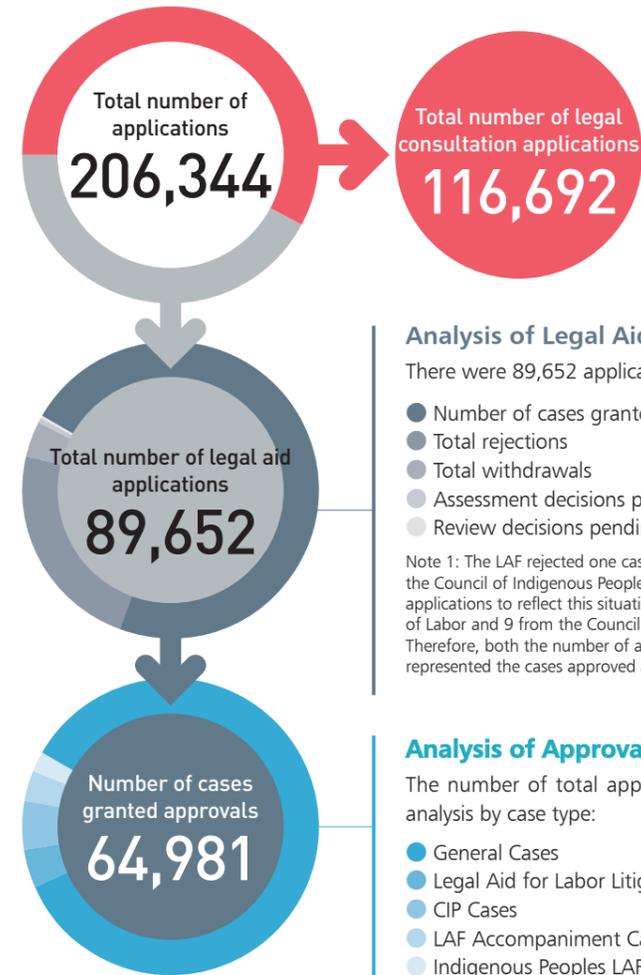


Total expenses
NT\$1,490,503,249



Average expense per capita
NT\$65 will be sufficient to keep LAF running

Annual Business Data



The total number of applications was 206,344 ^{Note 1} in 2018, 116,692 of which were applications for legal consultation services and 89,652 were applications for legal aid.

Analysis of Legal Aid applications (including commissions)

There were 89,652 applications for legal aid (including commissions) in 2018.

Number of cases granted approvals	64,981
Total rejections	20,685
Total withdrawals	3,239
Assessment decisions pending	669
Review decisions pending	78

Note 1: The LAF rejected one case this year. It was a case involving both the Ministry of Labor and the Council of Indigenous Peoples at the same time. 1 was deducted from the total number of applications to reflect this situation. The commissioned cases included 4 rejections from the Ministry of Labor and 9 from the Council of Indigenous Peoples that were granted LAF aid after review. Therefore, both the number of applications and the number of approvals were increased by 13, which represented the cases approved after review.

Analysis of Approvals by Type

The number of total approvals was 64,981 cases. Please see figures below for analysis by case type:

General Cases	55,362
Legal Aid for Labor Litigation Program	2,688
CIP Cases	3,406
LAF Accompaniment Cases	2,203
Indigenous Peoples LAF Accompaniment Cases	1,322



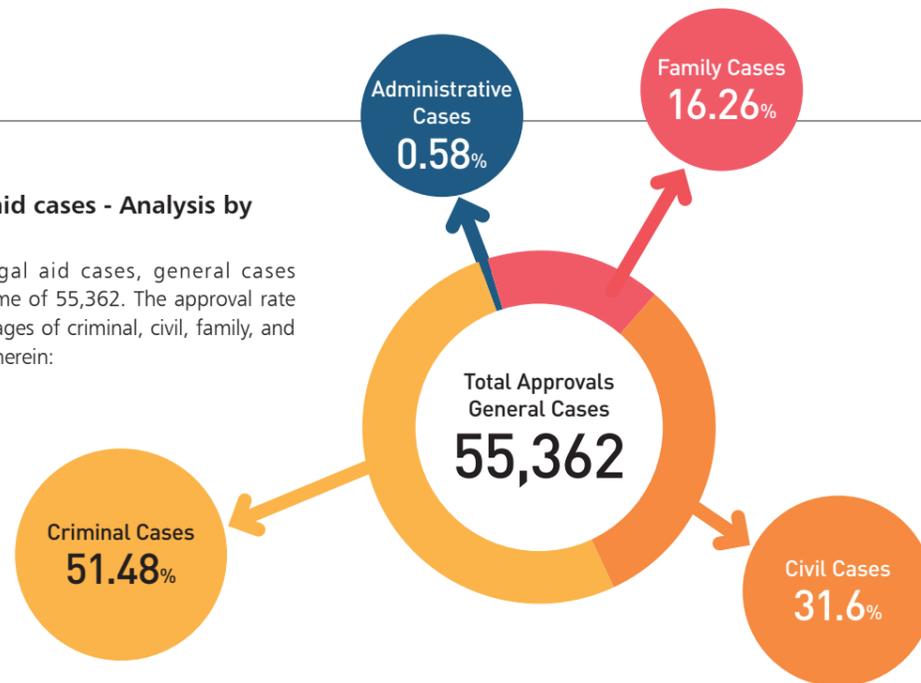
Comparison of key business indicators for last three years



Analysis of Legal Aid Cases by Type

Approved legal aid cases - Analysis by category

Of all approved legal aid cases, general cases accounted for a volume of 55,362. The approval rate was 74.28%. Percentages of criminal, civil, family, and administrative cases therein:



Criminal Case Example

Bodily harm/1-year-old baby paralyzed by day care center caregiver due to malpractice

Da-Chun and Fang-Hua sent their 9-month-old daughter (Chun-Chun) to a day care center. Chun-Chun became paralyzed when a caregiver dropped her heavily. Da-Chun came to LAF to apply for legal aid on Chun-Chun's behalf. Legal aid attorneys asked for details of the case, and helped Chun-Chun and her parents file a criminal suit against the caregiver. The prosecutor investigated the case, and deemed that the caregiver did cause injury to Chun-Chun and proceeded to prosecute the caregiver.

Civil Case Example

Occupational accident during contracted construction/Criminal prosecution not brought; civil case settled

A-Fa was a truck driver for Tiantian Logistics Co., Ltd. (Tiantian Logistics). His average monthly salary was NT\$42,000. One day, A-Fa followed Bida Shipping's instructions and drove steel coils to the factory of a certain electric machinery company. During the lifting and unloading process, A-Fa climbed up to the pallet truck to hook up the cargo. Insufficient light in the factory and the absence of supervision during lifting caused A-Fa to fall from the pallet truck and hit his head. He was rushed to the hospital, and the doctor diagnosed that he would not physically recover and would be disabled for life. A-Fa turned to LAF to ask for legal aid for the civil and criminal cases.

Regarding the filing of criminal charges on behalf of the client, A-fa filed his lawsuit against three companies including Tiantian Logistics, but the Prosecutors Office decided not to prosecute any of the three companies. Regarding the civil claim for compensation, A-Fa, with the assistance of legal aid attorneys, reached a settlement with the counterparties and received NT\$1.35 million in compensation.

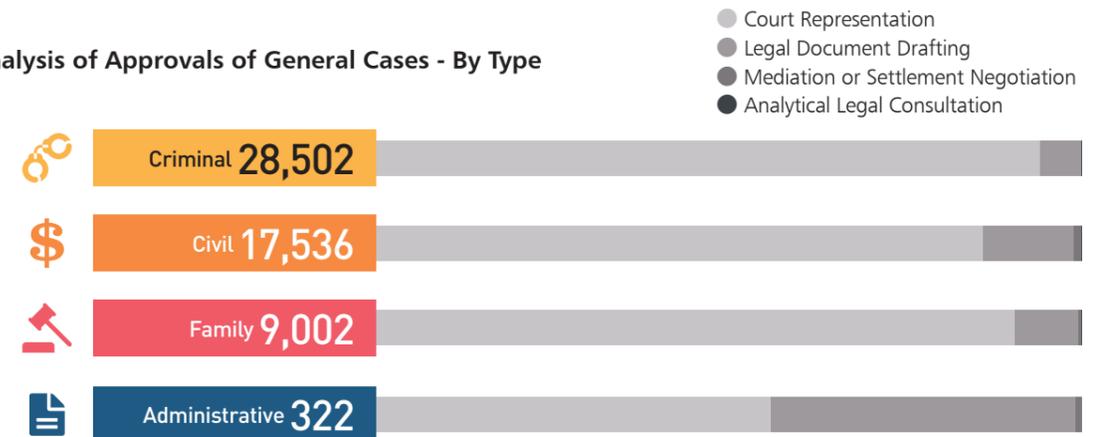
Domestic Incident Example

Granny Chao-Ti's old age/maintenance expenses

Granny Chao-Ti suffered from severe liver cirrhosis and cancer as well as dementia. She was unable to care for herself and lived in a care center. However, Granny Chao-Ti was completely neglected by her 5 children and supported solely by her adopted daughter. The adopted daughter was a low income individual as approved by the Social Affairs Bureau, and the monthly payments charged by the care center far exceeded her means. Left with no other option, the adopted daughter approached the LAF on Granny Chao-Ti's behalf to apply for legal aid for maintenance.

With the assistance of legal aid attorneys, the two parties reached a settlement on maintenance. Granny Chao-Ti's 5 children are required to pay NT\$9,600 in maintenance every month. The money allows Granny Chao-ti to continue to live in the care center and receive the care she needs.

Analysis of Approvals of General Cases - By Type



Approved normal legal aid cases - Top 5 analysis

	Criminal	Civil	Family	Administrative			
Drug Offenses	6,148	Consumer Debt Clearance Act	7,381	Maintenance	3,462	Public Assistance Ac	45
Offenses of Causing Bodily Harm	4,241	Tort	4,589	Divorce	1,698	Labor Insurance Act	38
Offenses of Fraudulence, Breach of Trust, Taking, and Usury	3,693	Consumption Loans	1,068	Child Custody	931	Road Traffic Management and Penalty Act	34
Offenses against Sexual Autonomy	2,013	Ownership	558	Parental Rights	652	People with Disabilities Rights Protection Act	15
Offenses of Larceny	1,908	Salary Dispute	489	Protection Order	490	Employment Service Act	15

Issuance of guarantee certificates

The LAF tries to fulfill the concept that legal aid also needs to avoid conveyance by the counterparty at recipient expense when the recipient wins the case, so as to not lose access to compensation. According to Article 67 of the Legal Aid Act, when a legal aid case is deemed likely to prevail, the LAF may agree to submit a guarantee certificate to serve as guarantee money on the recipient's behalf. As of December 31, 2018, the LAF has provided recipients with more than NT\$2.3 billion in guarantees through 3,678 guarantee certificates. Other than the 962 certificates in ongoing cases that cannot be retrieved at present, 2,716 are available for retrieval, and 2,553 were retrieved by the end of 2018. The retrieval rate has reached 94%.



Issued to aid recipients

3,678 guarantee certificates

Guarantees of more than

NT\$2.3 billion

As of December 31, 2018

Diverse Legal Consultation

Got a question about the law? Just ask!

The importance of legal consultation services is to provide people with early access to professional information so that they can evaluate litigation risks beforehand, thereby minimizing disputes and obtaining legal aid in a timely manner.

In order to efficiently utilize legal consultation resources, the priority in 2018 was to provide a wide range of access legal consultation services.

The LAF received more than 110,000 applications for legal consultation services in 2018, and thus proved that there did indeed exist a need for legal consultation services. Among these, 46.78% of the applications were civil cases, 18.16% criminal cases, and 26.88% domestic incidents.

At present, the LAF provides legal consultation services through three forms of media: face-to-face, telephone, and video conferencing legal consultations.

01 Face-to-face Legal Consultation

There are 105 offices across the country. Anyone who wishes to schedule a face-to-face session may make an appointment on the LAF website or by calling 412-8518 to reach the nearest LAF branch.



Face-to-face Legal Consultation
105 customer service centers
92,534 visits

02 Telephone legal consultation

On May 1, 2015, the LAF launched the telephone legal consultation phone service for labor cases, debt cases, indigenous peoples' cases, and domestic incidents (added November 1, 2017). (The hotline is 412-8518).

In addition, the LAF launched the Helper Telephone Consultation Hotline in May 2018. The LAF received a total of 1,033 telephone consultation calls (an average of 129 calls per month) by the end of December. Close to 60% of the cases described by helpers involved domestic incidents, 13% involved family support incidents, and almost 10% involved guardian or assistantship declarations.



Telephone legal consultation
24,158 calls from members of the public and
1,033 calls from helpers

03 Video Conferencing Legal Consultation

There are 357 legal consultation stations across the country. Anyone may make an appointment and then proceed to have a consultation session with an attorney via video conferencing on computer at the specified time. The business hours of the stations and information on how to make an appointment are available on the LAF website under the list of video conferencing stations.



Video Conferencing Legal Consultation
357 customer service centers
1,591 visits



Scheduling appointments and applying for legal aid on the LAF website

<http://legal-advice.laf.org.tw>

Initial Interrogation Attorney Accompaniment Program

First interrogation? Do not be afraid. A lawyer will accompany you.

Background

To balance the disparity in legal knowledge between the public and crime investigation authorities and to protect people's rights to defend themselves, the LAF launched the First Criminal Interrogation Accompanied by Legal Aid Attorney Program (First Interrogation Program) on September 17, 2007.

Target Audience

Suspects of felony punishable by a minimum sentence of not less than three years' imprisonment who are going to be interrogated for the first time may apply for the service.

Where a defendant or accused is unable to make full statements due to damage or impairment of the structures of the nervous system or of psychological or mental functions or is of indigenous identity and has not been appointed a defense attorney for interrogation, regardless of the defendant or accused having been involved in a felony or not, the police unit and the prosecutor shall follow the legal procedures and notify the LAF to appoint an accompanying attorney for the interrogation.

Service Hours

Available 24 hours a day, 7 days a week

Legal Aid Case

Ta-Pao suffers from Behcet's disease, bipolar disorder, and severe obsessive compulsive disorder. He was suspected to have used keys to steal someone's motorcycle in the underground parking lot at the MRT Danshui Station. The police used CCTV images to track him down and asked him to report to the station for a statement. Ta-Pao's family said they would be willing to help Ta-Pao settle with the victim and consider sending Ta-Pao to a psychiatric hospital for treatment. LAF legal aid attorneys provided assistance. The

parties reached a settlement at the end, and Ta-Pao was not prosecuted.

Service Outcomes

Of the applications for 2018, 2,203 from the general public were eligible for accompaniment during interrogation. 1,322 cases from the Criminal Interrogation for Indigenous Peoples Accompanied by Legal Aid Attorney Program were eligible for accompaniment during interrogation.

The Foundation's Outlook for the Future

1. Explore feasibility of attorney accompaniment for foreign workers and immigrants
2. Continue to strengthen promotional literature and cooperate with relevant groups to promote the program
3. Continue to recruit accompanying attorneys



Eligible and applied for an accompanying attorney



Remarks: The form will record that "attorney presence during interrogation has been declined" and the LAF will be notified when presence of own or appointed attorney during interrogation has been expressly declined in prosecutor and police interrogation in attorney presence cases (including Criminal Interrogation for Indigenous Peoples Accompanied by Legal Aid Attorney Program interrogations). This report counts these cases under involved parties that declined accompaniment during interrogation (4,409 police interrogation cases and 19,000 cases involving interrogation of indigenous peoples). They are not counted as having made application.



Visit the LAF website for more Attorney accompaniment during prosecutor/police interrogation

Consumer Debt Clearance Program

Debt problem? The law can help!

Service Introduction

Regarding legal aid for consumer debt clearance, the Legislative Yuan announced the Consumer Debt Clearance Act (CDCA) on July 11, 2007. The CDCA came into effect on April 11, 2008, and the LAF started accepting CDCP applications for legal aid and providing legal consultation services.

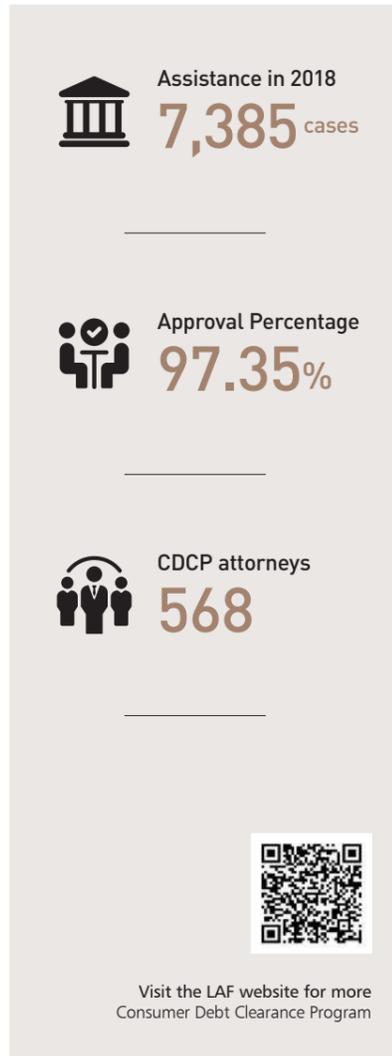
Legal Aid Case

Ta-Wei turned to selling secondhand goods at a flea market when his business failed. The lack of a stable income forced Ta-Wei to spend his nights in fast food restaurants or Internet cafes. He ended up in Wanhua Longshan Riverside Park. Fearing disapproval of others, Ta-Wei was never willing to apply for assistance from the Social Affairs Bureau, and eventually became homeless.

Ta-Wei's finances did not improve, and he also carried a large debt. In order to survive, he finally worked up the courage to apply for assistance from the Social Affairs Bureau and became one of the homeless people registered with the city. Through the Social Affairs Bureau's help with employment assistance and sleeping arrangements, his life started to get back on track, and Ta-Wei started thinking about paying off his debt. In the end, with the assistance of LAF legal aid attorneys, Ta-Wei entered into mediation with his creditors under the Consumer Debt Clearance Act. He was finally able to leave his fears behind and stop running from his debt.

Program Promotion

1. The LAF worked with the municipal governments and the lifeline associations in organizing CDCA education and training courses. These courses have been attended by 520 social workers and volunteer lifeline operators.
2. The LAF worked with the Credit Union League of the Republic of China to provide 4 training sessions tailored to the target audience of the People's Bank Experimental Training Program in Taichung, Pingtung, Taoyuan, and Changhua.
3. The LAF co-hosted CDCA Information Sessions for Creditors with the Bread of Life Christian Church in Taipei, the Western Taipei Rotary Club and other social groups. The sessions received around 340 participants.
4. The LAF held 2 press conferences to explain the key points in the amendments to the CDCA and the Compulsory Enforcement Act, which had passed third readings in the Legislative Yuan.



CDCA Information Sessions for the Bread of Life Christian Church in Taipei



Rotary Club Information Sessions for Creditors



10 Years of CDCA press conference

Labor Litigation Program

The LAF supports the rights of workers!

Service Introduction

The LAF started working with the Ministry of Labor to offer the Labor Litigation Program on March 2, 2009. This program combines the two parties' resources to provide strong legal aid to disadvantaged laborers, so that laborers gain a sense of security while fighting for their rights.

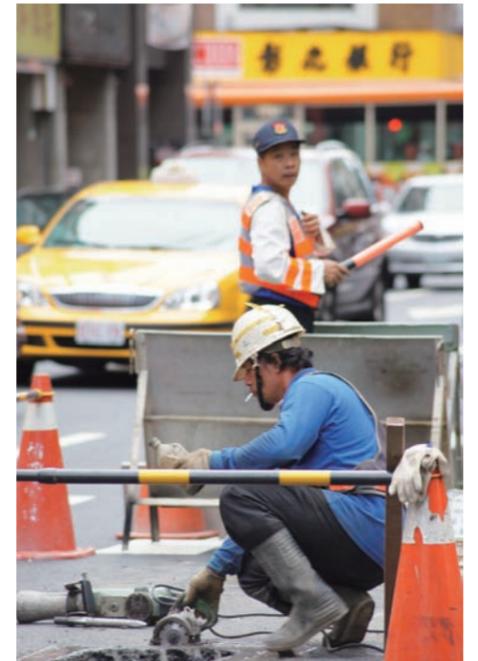
Service Outcomes

In 2018, LAF accepted a total of 3,417 applications in this category. The branch Examining Committees granted aid for 2,662 cases and rejected 755 cases. 143 of the rejected applicants appealed for review; and decisions were reversed on 30 cases following review. 78.76% of all applications were approved for aid. Applications received through the Ministry of Labor mostly entailed civil matters, which comprised 98.77% of the whole. Most were granted aid in court representation and defense. The largest categories were employment disputes involving severance pay, the Labor Safety and Health Act, and illegal layoffs.

Legal Aid Case

Nguyen Keung is a Vietnamese worker who does not speak Chinese very well. One day while working in a factory, Nguyen had an accident and three of his fingers were severely injured. Nguyen held that the company provided neither safety equipment nor sufficient training. The Labor Affairs Bureau conducted a labor inspection and discovered that the company had a number of shortcomings. Therefore, Nguyen held the company and its responsible persons accountable for malpractice.

Nguyen started by filing a criminal suit. After the Prosecutors Office prosecuted the case, Nguyen filed a civil claim to sue for damages. The case was referred to the LAF by the Vietnamese workers and spouses office at a Catholic Church. With the assistance of LAF legal aid attorneys, the parties reached a settlement of NT\$500,000.



Indigenous Peoples Program

The LAF supports the rights of indigenous people!



Service Introduction

The LAF and the Council of Indigenous Peoples (CIP) signed an entrustment contract on March 21, 2013 and launched the Legal Aid for Indigenous People Program on April 1 of the same year.

Service Outcomes

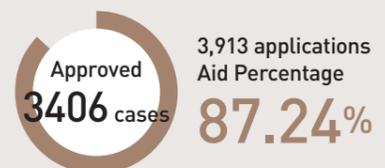
Applications received through the Indigenous People Program mostly entailed civil matters, which comprise 55.70%, followed by domestic incidents comprising 21.23%, and were mostly granted aid for court representation and defense. The top three categories in terms of approved cases for aid were torts, ownership disputes, and loans.

Case

In early December 2015, the Pingtung County Sandimen Township Office proceeded with the Renewal Project for Sandimen Second Public Cemetery, and failed to give at least a three-month relocation notice as required. Instead, the office started digging up the Second Public Cemetery and cremating the bones they found on December 22, 2015. They left the bones scattered about where they dug them up. As a result, family members who rushed to the site upon hearing the news had to witness the remains of their ancestors scattered around and unprotected. Hence, Paiwan tribal members in Sandimen formed a support group, and the LAF assembled a team of Legal Aid Attorneys to help the tribal members sue the Sandimen Township Office for state compensation. The Taiwan Pingtung District Court heard the case, and, on December 21, 2018, ruled that the Sandimen Township Office should pay the 28 tribal members, including the plaintiff, NT\$110,000 each. The Sandimen Township Office decided to accept the ruling and was willing to admit to the mistake. No appeal was filed on the case.

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- 1 2018 Pingtung Branch Indigenous Peoples Campaign - Laiyi Town Sports Day in Pingtung
- 2 Hualien Branch raises awareness in Xiulin Town
- 3 Indigenous sports towels
- 4 Tama Talum Demands His Day in Supreme Court press conference



Visit the LAF website for more Legal Aid for Indigenous People Program



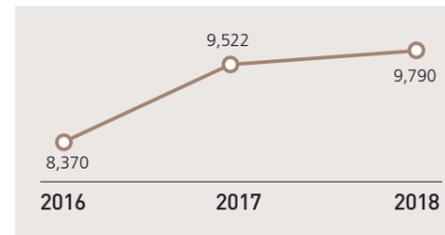
Legal Aid Program for Persons with Disabilities

Protecting access to justice for the disabled

Service Introduction

Since its establishment, the LAF has been working hard to promote legal aid for people with mental or physical disabilities in order to ensure that the rights of the disabled are protected.

Number of cases involving disabled recipients in last three years



The LAF and the Ministry of Health and Welfare (MOHW) signed an entrustment contract on September 1, 2018 and launched the Legal Aid Program for Persons with Disabilities on October 15, 2018.

Service Outcomes

Between its launch on October 15, 2018 and December 31, 2018, a little more than two months, the program received 703 applications. Telephone legal consultation was provided in 701 of these cases and legal consultation at home in 2. Most callers sought legal advice on obligations under the Civil Code. There were 138 such cases. These were followed by 77 debt clearance cases, and then by 41 labor dispute cases. The three largest categories added up to 256 cases, or 36.42% of the applications.

Case

A-Ming suffers from mental disorders. He started seeking

treatment in 1986, and had been checking in and out of psychiatric hospitals since 2004. He checked into an acute ward in Kaohsiung Municipal Kai-Syuan Psychiatric Hospital in August 2014 and has remained there ever since. The LAF Telephone Legal Consultation Center received a call for help from A-Ming in Kaohsiung Municipal Kai-Syuan Psychiatric Hospital. Given A-Ming's freedom of movement was restricted, he was unable to visit a nearby LAF branch for face-to-face legal consultation or to apply for legal aid.

The LAF assessed the case and decided to send a staff attorney from the Tainan Branch to visit A-Ming in Kaohsiung Municipal Kai-Syuan Psychiatric Hospital. This visit provided services under the Ministry of Health and Welfare "legal consultation at home" program, in order to learn more about A-Ming's circumstances and help him fight for his rights.

Visit the LAF website for more Legal Aid Program for Persons with Disabilities



- 1 Jing-Kai Chen's Appeal press conference
- 2 Three northern branches host Legal Aid Week activities
- 3 Group photo after "Stories of the Hearing Impaired and Little Things in Life" Seminar



Economic development should not be at the expense of people's health

01 CPDC Pollution Class Action

Status

2018

On September 28, the Supreme Court started oral arguments. On November 28, the Court ruled that the defendant CPDC should compensate the plaintiffs more than NT\$185 million. It reversed and remanded the case of the remaining balance of over NT\$6 million to the Taiwan High Court Tainan Branch Court.

The LAF appointed the same attorney group to continue handling the compulsory enforcement process, to help aid recipients collect their compensation as soon as possible.

Some of the residents who were not included in the earlier case were included in a separate lawsuit initiated with the assistance of the LAF staff attorneys. The case is being heard by the Taiwan Tainan District Court. The goal is to ensure the victims are compensated.



- 1 Group photo of the supreme court attorney group for the CPDC Dioxin Pollution Case
- 2 November 4, 2016 - Visit to the victims
- 3 December 28, 2007 - CPDC indictment seminar
- 4 September 28, 2018 - Oral arguments in the CPDC case in the third instance court

History

The Taiwan Alkali Anshun Plant embarked on a project to increase pentachlorophenol production, and started building a pentachlorophenol factory with a 4-ton-per-day capacity.

The Taiwan Alkali Anshun Plant followed an order to stop production completely and proceeded to vacate the premises, sell the raw materials, and dispose of machines and equipment. 5,000 kilograms of sodium pentachlorophenol were left on the site.

Researchers conducting field research discovered by accident an excessive amount of mercury and dioxin in fish near CPDC. Local residents generally had excessive dioxin in their bodies, ranging from more than 300 picograms to over 900 picograms.

The LAF Tainan Branch took the case and started accepting applications from the victims for legal aid at first instance regarding the civil claim for damages. Victims who did not meet the LAF financial eligibility threshold were represented by civic-minded attorneys gathered by the Tainan Bar Association in the legal proceedings.

The Taiwan Tainan District Court ruled that CPDC and the Ministry of Economic Affairs should pay NT\$168,170,000 in damages.

The Taiwan High Court Tainan Branch Court ruled that CPDC should pay NT\$191,580,000 in damages and the Ministry of Economic Affairs should pay none.

The Supreme Court ruled that CPDC should pay over NT\$180 million in damages to over 400 residents. The part of the case regarding medical expenses and the limitation period was remanded. The court also made the final decision that the Ministry of Economic Affairs would not have to pay damages. This is the first case in Taiwan where the final decision ruled damages to be paid as a result of dioxin pollution. Sixty-two out of the original 213 plaintiffs have died over the last 11 years.

- 1946 The Taiwan Alkali Anshun Plant used to be a factory built by the Japanese company Kanegafuchi Soda during the Japanese colonial period. After the ROC government took over, Taiwan Alkali Industrial Corp was created and later renamed Taiwan Alkali Company.
- 1969 The State-owned Enterprise Commission of the MOEA sent a letter to inform Taiwan Alkali that the Taiwan Water Pollution Control Agency had detected mercury exceeding the maximum edible content allowed in tilapia at the Anshun Plant's water reservoir. The letter required Taiwan Alkali to make improvements and to stop anyone from catching or eating the fish.
- 1982 01/06 The State-owned Enterprise Commission of the MOEA sent a letter to inform Taiwan Alkali that the Taiwan Water Pollution Control Agency had detected mercury exceeding the maximum edible content allowed in tilapia at the Anshun Plant's water reservoir. The letter required Taiwan Alkali to make improvements and to stop anyone from catching or eating the fish.
- 1982 06 The State-owned Enterprise Commission of the MOEA sent a letter to inform Taiwan Alkali that the Taiwan Water Pollution Control Agency had detected mercury exceeding the maximum edible content allowed in tilapia at the Anshun Plant's water reservoir. The letter required Taiwan Alkali to make improvements and to stop anyone from catching or eating the fish.
- 1983 04/01 China Petrochemical Development Corporation (CPDC) merged with Taiwan Alkali.
- 2003 Researchers conducting field research discovered by accident an excessive amount of mercury and dioxin in fish near CPDC. Local residents generally had excessive dioxin in their bodies, ranging from more than 300 picograms to over 900 picograms.
- 2004 The Environmental Protection Administration of the Executive Yuan announced the designation of the Taiwan Alkali Anshun Plant as a soil pollution remediation site, with dioxin and mercury contamination in the soil.
- 2007 The LAF Tainan Branch took the case and started accepting applications from the victims for legal aid at first instance regarding the civil claim for damages. Victims who did not meet the LAF financial eligibility threshold were represented by civic-minded attorneys gathered by the Tainan Bar Association in the legal proceedings.
- 2008 06/24 The case was prosecuted with 320 plaintiffs (including persons assuming the action). The total amount of claims in the first instance was more than NT\$350 million.
- 2015 12/07 The Taiwan Tainan District Court ruled that CPDC and the Ministry of Economic Affairs should pay NT\$168,170,000 in damages.
- 2016 05/20 From the first preliminary proceeding in the second instance on this date to the end of January 2017, 7 preliminary proceedings took place. The preliminary proceedings were expected to end on March 8, 2017, with arguments presented on April 12.
- 2017 08/11 The Taiwan High Court Tainan Branch Court ruled that CPDC should pay NT\$191,580,000 in damages and the Ministry of Economic Affairs should pay none.
- 2018 09/28 The Supreme Court started oral arguments.
- 2018 11/28 The Supreme Court ruled that CPDC should pay over NT\$180 million in damages to over 400 residents. The part of the case regarding medical expenses and the limitation period was remanded. The court also made the final decision that the Ministry of Economic Affairs would not have to pay damages. This is the first case in Taiwan where the final decision ruled damages to be paid as a result of dioxin pollution. Sixty-two out of the original 213 plaintiffs have died over the last 11 years.



Visit the LAF website for more Legal Aid in CPDC Dioxin Pollution Case



RCA三審宣判記者會

02 RCA Taiwan Pollution Class Action

Status

2018

On August 16, the Supreme Court announced the final ruling that 262 people were to receive over NT\$500 million in compensation. The part regarding the other 246 people was reversed by the Supreme Court and remanded to the Taiwan High Court.

Regarding the other former RCA employees not involved in the initial prosecution, given that the court of first instance ruled the limitation period for the plaintiffs' claim had not expired, the LAF has provided legal aid for other employees wishing to exercise their rights, approximately 1,200 in total, to submit a new case to the court of first instance for prosecution. The case is currently being heard by the Taiwan Taipei District Court.

- ❶ December 11, 2014 - Press conference of the final oral argument court session of the RCA group litigation
- ❷ June 21, 2018 - RCA press conference before the Supreme Court started oral arguments
- ❸ October 27, 2017 - RCA second instance court ruling press conference
- ❹ March 19, 2012 - RCA air condition simulation and pathogenesis press conference
- ❺ RCA third instance court ruling press conference



History

RCA Taiwan closed the Taoyuan factory.

Former employees of RCA Taiwan's Taoyuan factory announced preparations for a support group for victims of RCA pollution and their intention to sue RCA. The support group was created and registered as the Taoyuan County Former RCA Employee Care Association.

The attorney group applied to the Taiwan Taipei District Court for seizure of RCA Taiwan's assets, and discovered transferral of assets.

Upon returning to Taiwan, the Care Association filed a civil suit with the district court.

The RCA Care Association underwent restructuring.

The Taipei District Court called victims to the witness stand for the first time, signaling the official start of legal proceedings for the RCA case.

The Ministry of Labor sent letters to notify over 1,000 victims of RCA pollution who were not involved in the lawsuit to contact the Care Association. The Care Association had hoped to include the group in the ongoing proceedings, but this was denied by the High Court. Hence, the LAF provided assistance to form a second group and file a new lawsuit.

The Taiwan Supreme Court announced its rulings. The High Court reconfirmed the Care Association's three principles: "the limitation period", "causation", and "piercing the corporate veil". The court ruled that a total of NT\$577.05 million was to be paid in compensation to 262 people.

- 1969 RCA established a subsidiary, RCA Taiwan Limited, in Taiwan, and set up its main factory in Taoyuan.
- 1992
- 1994 Former RCA Taiwan employees reported pollution caused by RCA Taiwan to Shao-Kang Chao, a legislator at the time.
- 1998 07
- 2001 05 More than 80 attorneys formed a pro bono attorney group.
- 2002 07
- 2003 The Care Association, in trying to take the lawsuit to the United States, disbanded the pro bono attorney group. The Care Association did not reach satisfactory results in the United States.
- 2004 04/23
- 2005 03/24 Procedural issues caused the administrative litigation case to be remanded to the district court after it reached the Supreme Court.
- 2006
- 2007 A new pro bono attorney group was formed.
- 2009 11/11
- 2015 04/17 The Taipei District Court ruled in first instance in favor of the Former RCA Employee Care Association, and ordered RCA and Thomson to pay NT\$564,450,000 in damages.
- 2016
- 2017 10/27 The Taiwan High Court announced its rulings. In addition to the three companies, RCA, Technicolor, and Thomson (Bermuda), held liable for damages in first instance, the High Court ruled that GE de facto controlled RCA and should be held jointly liable. The total amount was set at NT\$718.4 million.
- 2018 08/16



Visit the LAF website for more RCA Pollution Case

Relentless and uncompromising pursuit of justice



01 Legal Aid Program for Victims of Formosa Fun Coast Explosion

Status

On December 12, 2018, the Supreme Court rejected XXX-Chi Lu's appeal. The defendant, XXX-Chi Lu, started serving the prison sentence on January 2, 2019. The attorney group has filed supplementary civil claims with the Taiwan Shilin District Court. The claims have been moved to the civil court by the criminal court. The attorney group also followed the will of the victims and helped 407 victims transfer the documents in the civil case to the Consumers' Foundation of Chinese Taipei to handle the subsequent civil class action lawsuit. Regarding the responsible person of Formosa Fun Coast, despite the Taiwan Shilin District Prosecutors Office having decided to not prosecute twice and the Taiwan High Prosecutors Office remanding the case twice for continued investigation, the case is still being investigated by the Taiwan Shilin District Prosecutors Office. Meanwhile, a survey of willingness to initiate the restorative justice process between the victims and the defendant is underway and data is being collected. However, the process is still ongoing due to the sheer number of people involved.



Visits from Formosa Fun Coast Explosion Victims Family Self-Help Association



Visit the LAF website for more Legal Aid in the Formosa Fun Coast explosion

02 Weiguan Building Collapse



Status

With respect to the criminal case, the Taiwan High Court Tainan Branch Court sentenced each of the five defendants to five years in prison in conjunction with a fine of NT\$90,000 on July 28, 2017. Four defendants, not including the construction company, filed an appeal to the court of third instance. The case is being heard by the Supreme Court. The supplementary civil claims have been moved to the civil court by the criminal court at the Taiwan Tainan District Court. So far the defendants are still presenting arguments questioning the survey report by the Tainan Civil Engineering Technicians Association. The case is still being heard by the court.



Visit the LAF website for more Legal Aid for Victims of the Weiguan Building Collapse

03 Civil Disobedience Activists Program



Mr. Marin Kiai, the former UN Special Rapporteur

Program background

The program mainly assists in protecting the people's rights to attract public attention and start movements for the purpose of changing government laws or policies. Attorney accompaniment during prosecutor/police interrogation was provided for the following events in 2018: Railroad Lie-in Protest against the Labor Standards Act; Press Conference and Protest Against Tuition Increases; and Dagan Incident Community Demonstration

Donations for Civil Disobedience Activists Program

1. Organized the UN Case Studies on Freedom of Association and Challenges Facing Civil Disobedience in Taiwan seminar

On August 11, 2018, Mr. Maina Kiai, the former UN Special Rapporteur on the rights to freedom of peaceful assembly, along with group representatives from Hong Kong and South Korea, were invited to share their experiences in Taiwan. The seminar was co-hosted by the LAF, the Taiwan Association for Human Rights, the Judicial Reform Foundation, and the Taiwan Forever Association.

2. Chinese translation of "Take Back the Streets": Repression and Criminalization of Protest around the World

The book, "Take Back the Streets": Repression and Criminalization of Protest around the World, written by the International Network of Civil Liberties Organizations (INCLIO) in collaboration with human rights organizations around the world, was translated into Chinese. The demonstrations and similar activities described in the book give demonstrators in Taiwan something to think about in terms of the law enforcement behaviors that they face in the country.



Visit the LAF website for more Legal Aid in Civil Disobedience Cases

Stop putting migrant workers at disadvantage



01 Legal Aid for Filipino Migrants Workers Exploited by Excessive Interest Rates

Status

The LAF helps migrant workers bring action that creditor's rights as stated on promissory notes do not exist or regarding the debtor's objections. The LAF approved aid for a total of 55 cases in 2018 (279 approvals in 2017). The majority ended in settlement.

Out of cases where the rulings were final, some civil courts adopted opinions in favor of migrant workers and deemed that the agencies, by charging fees that were usurious and illegal, violated the public policy and morals of the Republic of China, and that annual interest rates shall not exceed 20% (Taiwan Taoyuan District Court Judgments 2017 Li-Jian No. 326 and 2017 Tao-Xiao No. 253).



02 Legal Aid for Indonesian Caretakers Exploited by the Chiji Group



Status

A total of 347 legal aid applications have been returned by December 31, 2018. Civil lawsuits were filed with the Taiwan Ciaotou District Court in June 2017 for the first batch of legal aid applications. Other applications received later by LAF would be added to ongoing lawsuits or filed under separate lawsuits. There are still 15 plaintiffs in the case, which is being heard by the court.

LAF staff attorneys helped 205 exploited migrants reach settlement/mediation with Defendant XXX-Lai Lin. Meanwhile, Defendant XXX-Lai Lin also promised to provide over NT\$28.85 million in guarantee money (and the defendant has wired the first installment, NT\$1.73 million) to fund compensation for the other exploited migrants who have not received compensation.

To help exploited migrants collect compensation and ensure their rights are protected, the LAF has applied to the bank to open the "Chiji Group compensation account". The LAF will help maintain this account until December 2023.



Visit the LAF website for more
Legal Aid for Victims of Chiji Group Scam

Let's protect the rights of indigenous peoples!

01 Ruifang, New Taipei City

Unlawful occupation of state land by Happy Mountain tribes

The Happy Mountain community in Ruifang, New Taipei City started as a settlement for Amis tribesmen who came from Hualien and Taitung to work in Taipei and New Taipei more than twenty years ago. The community was reported to the government, and 43 tribesmen were prosecuted by the Taiwan Keelung District Prosecutors Office for violation of the Soil and Water Conservation Act. Staff attorneys from the LAF Legal Center of Indigenous Peoples and the North Legal Aid Staff Attorneys Center and legal aid attorneys formed an attorney group to provide assistance for the tribesmen in criminal defense and in the procedures to apply to the Northern Region Branch of the National Property Administration to lease state land.

Status

For the tribesman surnamed Lin who was first to be prosecuted, the Supreme Court upheld the ruling for probation and confiscation of objects above ground. In 5 other cases heard by the Supreme Court, the tribesmen received probation without a declaration of confiscation. There are still 2 cases being heard by the Taiwan High Court and 1 by the Supreme Court.

The land reclassification procedure that has to be completed before the tribesmen may apply to lease state land is complex and time consuming. With the help of indigenous legislators, the LAF facilitated an agreement between the tribesmen and the Northern Region Branch of the National Property Administration. In addition, the Northern Region Branch of the National Property Administration promised not to apply for eviction from land until December 31, 2019. If the tribesmen have not completed the administrative procedures for land reclassification by the deadline, the tribesmen will be allowed to apply for an extension.



02 Xiulin, Hualien

Suspected unlawful occupation of state land by Tongmen tribes

Status

Truku tribesmen in Tongmen, Xiulin Township, Hualien County built a bamboo hut on land that the tribe had been farming for generations (land in front of Tongmen Checkpoint). The tribesmen were reported to the government for occupation of land belonging to the river management office. Masaw Tadaw (tribal chief at the time), who built the bamboo hut, was prosecuted for unlawful occupation of state land. Staff attorneys from the LAF Legal Center of Indigenous Peoples and legal aid attorneys worked together to provide legal aid. After two years in the court, Masaw Tadaw was found not guilty by the Taiwan Hualien District Court. The prosecutor filed an appeal, which was heard by the Taiwan High Court Hualien Branch Court. The appeal was dismissed on December 24, 2018. The outcome of the case is final.



03 Daren Taitung

Moonshine making by chieftain of Senyung tribe Status

Status

The Taitung County Government seized wines made by Dawan Katjadrepan, chief of the Kacalpan clan, on the eve of the Harvest Festival in the Senyung tribe of Daren, Taitung. This was a case of conflict between the indigenous winemaking culture and the Tobacco and Alcohol Administration Act. Upon receiving the application from the tribesmen, the Legal Center of Indigenous Peoples promptly appointed staff attorneys to accompany Chief Dawan Katjadrepan of the Kacalpan clan to state her opinions at the police station. The staff attorneys also provided legal aid in the subsequent procedures.

04 Taian, Miaoli

Unlawful occupation of indigenous reserves

Status

A number of development projects took place on indigenous reserves in Taian, Miaoli in the last few years. Investigation uncovered cases where actual owners of certain land on indigenous reserves were not indigenous people; sales contracts between Han people and indigenous people made Han people actual administrators of the land; or Han people occupied indigenous reserves without authorization and cleared land for spa resorts and other development projects. While land was being cleared, it was discovered that the developer's family was involved in unlawful occupation of land owned by local tribesmen, which led to other criminal lawsuits where the parties were suing each other.

The LAF appointed staff attorneys from the Legal Center of Indigenous Peoples to assist a tribesman surnamed Tseng in filing a criminal lawsuit against unlawful occupation. In addition, staff attorneys from the LAF Legal Center of Indigenous Peoples provided legal aid for the tribesman in another criminal lawsuit arising from this case. The tribesman was found not guilty instead by the criminal court of second instance. However, the counterparty sued Tseng and others for crimes against personal liberty, sexual harassment, and eviction from land. The cases are still undergoing investigation or being heard in the civil court.

05 Xiulin, Hualien

"Say No to Asia Cement, Give Truku back their land" Project

Status

The Asia Cement Corporation (Asia Cement) started setting up a mine and cement plant on the Truku people's land in Fushi, Xiulin Township, Hualien County in 1973. In addition to reclaim the indigenous reserves occupied and used by Asia Cement without the tribesmen's consent, the project also focuses on demanding that Asia Cement terminate the mining operation immediately. However, despite Asia Cement's failure to inform and obtain consent of the local Bsgan clan of Truku, the Ministry of Economic Affairs extended Asia Cement's mining rights for 20 years at the Hualien Xincheng site in March 2017.

The LAF started providing assistance in 2017 for the Truku peoples in initiating administrative litigation to revoke extension of the mining rights. The case is currently being heard by the Taipei High Administrative Court.



Approaches to quality improvement

01 Measures to manage the quality of legal aid attorneys

In order to maintain the quality provided by legal aid attorneys, the LAF adopted the following control measures:

Legal aid attorney eligibility

- In order to maintain the quality of legal aid, starting in 2012, applicants with less than two years of practice are required by the LAF to submit legal documents to the Review Committee to determine if the documents meet the quality criteria. In 2018, a total of 41 attorneys were approved by the Review Committee.
- In addition, to solve the problem of shortage of CDCP attorneys and accompanying attorneys in interrogation across the country, the Board of Directors passed a resolution to relax the rules and allow attorneys with less than two years of practice to apply to become legal aid attorneys in CDCP and interrogation cases.

Before a case is opened: Case assignment management

Fair Assignment Policy

The LAF has been following a fair assignment policy for some years. The policy focuses on placing a 24-case per year limit on each attorney so that the total caseload for any legal aid attorney does not hinder quality. However, given a smaller number of attorneys available in Taitung and Hualien, the Board of Directors passed a resolution to exempt local attorneys from the 24-case-per-year limit.

Amendment of selection and assignment regulations

The LAF Operation Guidelines of Assignment of Legal Aid Attorneys were amended in October 2018. The guidelines were renamed to the "Legal Aid Foundation Guidelines for Selection of Legal Aid Attorneys and Case Assignment". The guidelines also state clearly the entry threshold and exit mechanism for legal aid attorneys. The reason for the 24-case-per-year limit was amended, and the 48-case-per-year limit was added for extraordinary cases. Calculation for change induced pay reduction in legal aid cases was amended to maintain the balance between the quality of legal aid and the fairness of assignment.

Program for assigning specialized attorneys to cases

The LAF launched the trial program for assigning specialized attorneys to cases in August 2015, and started assigning specialized attorneys to labor cases, family cases, and CDCP cases. A review of the indicators two years later in 2017 showed that the program did indeed help improve the quality of legal aid. Therefore, it was decided the program would continue for another year. The trial program is in its third year in 2018.

To continue to develop the specialist system and encourage attorneys to join the specialist program, the LAF is taking the following actions:

- simplify the administrative procedures to join the LAF for specialist attorneys;
- lift the 24-case limit for attorneys specializing in labor and family cases and raise the maximum to 48 cases;



- continue to evaluate the feasibility of making reasonable adjustments to pay for specialist cases, and make plans for awards.

While a case is ongoing

Complaint system

Based on the LAF Guidelines Governing Complaint Handling Procedures, any applicant, stakeholder, or LAF employee may file a complaint against illegal or inappropriate action of a legal aid attorney, LAF employee, or Examining Committee member. The LAF will immediately investigate and take disciplinary actions accordingly. In addition, the LAF will follow up and reply to any petition filed by the general public on the assessment standards or legal aid system.

In 2018, the LAF processed 112 complaints, 11 of which are still under investigation and 101 closed after investigation. In particular, 12 complaints were not accepted (withdrawn, merged with another case, or not meeting the criteria). The results in the other 89 complaints are as follows:

No punishment	49 cases		
Disciplinary action	40 cases	Guidance or improvement notice	16 cases
		Barred from assignment	18 cases
		Barred from assignment and referred to the Lawyers Discipline Committee	6 cases

Legal Aid Case Report Form (for Courts and Prosecutors)

For the purpose of improving quality of the work by legal aid attorneys and monitoring their progress as needed while creating more ways to facilitate communications between the LAF and the courts and prosecutors, the LAF implemented the "Legal Aid Case Report Form (for Courts and Prosecutors)" in April 2018 to evaluate performance of the legal aid attorneys in court. The form is to be completed by the courts and prosecutors offices.

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- Yilan Branch provides attorney training on conflict and cooperation in family cases.
- Chiayi Branch organizes CRPD: Obstacles and Independence - Mandatory treatment case study for legal aid attorneys
- Yilan Branch provides attorney training on conflict in indigenous hunting rights and drug cases.
- Kaohsiung Branch provides legal aid attorney training in 2018.



Upon receiving a legal aid case report from the court or prosecutor, the LAF performs a preliminary assessment to check the reasons and details and verify the need for further investigation. If the case is a misunderstanding of the administrative procedures conducted by the LAF, the report will not go through the complaint handling procedure or counted toward the number of complaints. It is hoped that the mechanism serves to explain to the courts and prosecutors the existing administrative regulations followed by the LAF and give both sides a better understanding of the legal aid system. A total of 11 cases were reported between April 10, 2018 and December 31, 2018. Apart from the one that gave positive feedback, 9 out of the 10 reports that gave negative feedback were closed after investigation. The last one is still under investigation.

Regarding the cases closed after investigation, errors were found in 3 cases and not in the other 6 cases. Where errors were found, the LAF had barred the legal aid attorneys from assignment (2 cases) or gave guidance, coordination, and improvement notice (1 case). Most of legal aid case reports from the courts and prosecutors cited problems with a legal aid attorney's "performance in court" and "performance as a legal expert".

After a case closes: Attorney Performance Evaluation System

Results of Attorney Performance Evaluation

The LAF started conducting attorney performance evaluation in 2007. As of December 31, 2018, 24 legal aid attorneys had been selected and commended for excellence, while sanctions were approved by the Attorney Evaluation Committee and the Attorney Evaluation Review Committee and imposed on 122 legal aid attorneys who provided services of unsatisfactory quality or made errors in cases. The results are as follows:

- dismissal from legal aid service for 51 attorneys
- barred assignments for 30 attorneys
- reduced assignments for 8 attorneys
- written notices of improvement to 32 attorneys
- warning to 1 attorney

Among the aforementioned sanctioned attorneys, 25 attorneys in violation of attorney ethics were referred to the Attorney Discipline Committee.

Reform in Attorney Evaluation Guidelines

The LAF amended the "Guidelines for Legal Aid Attorney Evaluation" in 2018. The new attorney performance evaluation process makes use of the review process after a case is closed. When reviewing a case after it is closed, the Examining Committee will proceed to investigate the case through the appropriate branch according to the Guidelines Governing Complaint Handling Procedures, if it finds the attorney has violated his/her duties or LAF regulations and has had his/her pay reduced for reasons attributed to the attorney him/herself.

Where a legal aid attorney has not committed a serious violation but an above-average number of minor violations compared to the other attorneys as a whole, the LAF may conduct evaluation pursuant to the Guidelines for Legal Aid Attorney Evaluation, and monitor constantly how the legal aid attorney handles cases so to alert the appropriate branch as needed. The aim is to protect the rights of aid recipients while giving guidance to legal aid attorneys. The procedures and rules involved in the new attorney evaluation system will be discussed in detail and confirmed by the Attorney Evaluation Committee. The system is expected to be implemented in 2019.

02 Accessible and friendly legal aid services

To provide accessible, friendly, and efficient services, the LAF takes the following actions:

- Established the Code of Conduct for Branch Services in 2016.
- Arrange for branch staff to undergo service and conduct training.
- Organize visits by mystery clients
- The branch satisfaction survey was modified in 2016. The LAF started conducting the survey in-house by telephone on a monthly basis. The telephone survey in 2018 produced an average satisfaction score of 4.85 (out of 5), a which was a slight improvement from 4.57 in 2017.
- The LAF tried to pilot smaller electronic exit polls at some branches in 2018. The response rate during the pilot polls was 33%. Adjustments were made according to the results of the pilot polls. Electronic exit polls will be implemented at all LAF branches in 2019.

To help applicants who do not speak Chinese or have a hearing or speech impairment, the LAF has taken the following actions in 2018:

- The LAF launched the translation service for the review process on January 1, 2018. Translators are available to provide translation or interpretation during the application, examination, and review procedures.
- The scope of the translation service was expanded in May 2018 to extend the service to those with a hearing

Attorney Training Courses

Over the years, the LAF has been providing education and training for Legal Aid Attorneys in order to help them become better trained at handling cases involving disadvantaged groups. In 2018, the LAF organized a number of attorney training courses and information sessions. The topics included:

- Legal aid for indigenous peoples (8 sessions around the country)
- Issues on rights of persons with disabilities (7 sessions around the country)
- Labor issues (14 sessions)
- Domestic issues (7 sessions)
- Sexual assault interview for children or those with intellectual disabilities (6 sessions)
- Practical training on the Juvenile Delinquency Act (5 sessions)
- CDCP cases (4 sessions)
- Circumstances of migrants (3 sessions)
- Major criminal cases (2 sessions)

Furthermore, to give legal aid attorneys a better understanding of the indigenous cultures, the LAF hosted tribal camps in October 2018, and led legal aid attorneys on visits to the Chulai village and Luming village in Taitung to learn more about the habits and traditions of the indigenous peoples. The events were intended to enable LAF legal aid attorneys to see things from the respective aid recipient's view and find it easier to better understand the recipient's needs.



or speech impairment and to include simultaneous interpretation in speech-to-text.

- As of December 31, 2018, there are 87 translators for Southeast Asian languages, 15 for indigenous languages, 40 for sign languages, and 22 for simultaneous interpretation in speech-to-text on the LAF's translator roster.

The LAF has started translating legal aid application forms, review results notice letters and other important documents into different languages. At present, in addition to English, other target languages include Southeast Asian languages, which are used by a relatively large number of aid recipients, such as Vietnamese, Indonesian, Filipino, and Thai.

03 Improved case management process

Improvement was made to the case management process in 2018. The LAF has taken the following actions to simplify the process:

- Case transfer between branches is moved to be completed online via the Mailto feature in the administration system.
- Modifications are made to the review and pay review features in the administration system.
- A new feature is added to allow legal aid attorneys to report back via the Internet so that legal aid attorneys may use the Internet to report legal aid cases directly back to the LAF. The online reporting feature for legal aid attorneys is also used to display "initiation not reported 2 months after assignment", "alert to check for closure not reported after a certain period elapsed after assignment"

and other warning messages in the administration system. The messages are to be completed by legal aid attorneys in order to facilitate more effective communication between the LAF and legal aid attorneys while reducing the administrative costs for legal aid attorneys handling LAF cases.

Case closure management:

- Authorization was granted to the branches to ask the attorneys to submit missing/correct documents, to report back, or to directly submit the documents to the Examining Committee for approval of attorney fees. Regarding followup on cases where case closure is not reported after an extended period, the LAF continues to make changes to the case closure procedures for the branches.

04 Staff Attorneys



The LAF employs staff attorneys to handle cases that involve special expertise, public interest, and major significance, to which the average attorney might not have been so frequently exposed. For environmental litigation, death penalty defense, and class action cases, the LAF may employ staff attorneys and create a staff attorney center.

The LAF currently employs 20 staff attorneys, who are stationed at:

Taipei Branch	3
New Taipei Branch	3 (including 1 alternate staff attorney)
Tainan Branch	3
North Legal Aid Staff Attorneys Center	8
Legal Center of Indigenous Peoples	3

Legal Center of Indigenous Peoples

The LAF opened the Legal Center of Indigenous Peoples in National Dong Hwa University at Meilun Campus on March 12, 2018. In addition to 3 staff attorneys, 5 full-time staff members are stationed at the center to provide services. The mission of the center is to have staff attorneys from the center provide a legal aid service that is sensitive to the indigenous cultures, traditions and customs and the traditional fields and

offer the appropriate legal expertise at the same time.

In addition to experience with actual cases, the LAF learns from visits to the villages that a lack of understanding of the law and a fear of courts often leave indigenous people unaware of infringement of their rights and claims to which they are entitled to make. Therefore, the center also works hard to promote knowledge of the law and raise awareness of indigenous cultures among the general public. In 2018, as part of its efforts, the center organized the "Legal Aid Caravan in Your Village" campaign, the public entity seminars for indigenous peoples, attorney training, classroom in the tribes (for legal aid attorneys to visit tribes with LAF employees), media networking (partnership with Discover 193 on UFO Radio Taroko), and the Indigenous Hunting Culture and Constitutional Protection Forum.

Promotional Events and Seminars

Organizing and co-hosting promotional events

To raise awareness of legal aid services and make LAF services known and available to the disadvantaged, the LAF, given a limited amount of manpower, organized more than 1,700 events (including prison outreach events) by itself or in partnership with other organizations this year.

Legal Education and Promotional Campaigns in Prison

To ensure that prison inmates can receive sufficient legal resources and to call for protection of inmates' rights, the LAF began in 2016 to invest efforts in services through the branches across the country. The LAF also stepped up efforts to advertise that it had started accepting legal aid applications by mail from prison inmates and that all types of applications, for criminal cases or otherwise, would be considered.

The LAF conducted a total of 770 sessions in 2018, including 42 visits to correctional facilities across the country to collect applications from inmates 114 times, hold 338 legal education sessions and legal aid services awareness sessions, and 318 legal consultation sessions. However, 2 correctional facilities with constraints of correctional personnel available or existing partnerships with other organizations (e.g., Taiwan After-care Association or local bar associations) declined prison services provided by the LAF in 2018.



- ❶ Chiayi Branch visits Chiayi Detention Center to provide seminars on remedial justice and the laws against drunk driving.
- ❷ Penghu Branch visits Penghu Prison to speak on legal education
- ❸ Kaohsiung Branch visits Kaohsiung Women's Prison to provide legal consultation.

"Suspect at Large" Legal Aid Cross-industry Seminars

In November 2016, the LAF started holding the "Suspect at Large" Legal Aid Cross-industry Seminars regularly at To-uat Books x Cafe Philo to raise awareness of legal aid among the general public. Two or three cross-industry speakers (individuals without a legal background or classical legal training) were invited to join LAF representatives or LAF aid recipients in a dialog at the seminars. The dialog explores the work and value of legal aid from an outsider perspective as well as from an insider perspective.

The "Suspect at Large" Legal Aid Cross-industry Seminars prove to be popular. The LAF, at the request of various groups and individuals, has been holding more and more sessions in central and southern Taiwan every year. The seminars often refer to current affairs involving disadvantaged groups or human rights issues, and have experts from different fields join the conversation. LAF held a total of 14 sessions, Seminars No. 20 to No. 33, in 2018.



LAF 14th Anniversary Celebration

◎ 4th Taiwan Forum on Legal Aid - Legal Aid and Legal Reform

To celebrate the 14 anniversary, the LAF organized the 4th Taiwan Forum on Legal Aid - Legal Aid and Legal Reform in 2018. The forum was inspired by the first issue of the Legal Aid And Society Review, and introduced topics followed by the LAF over the years. LAF also invited NGO representatives, attorneys, researchers, and government officials to join the discussions. The four topics in the forum were "Effective Constitutional Protection for Indigenous Hunting Culture", "Evolution of the Consumer Debt Clearance Act and Suggestions for Amendment", "Practical Issues with the Public Assistance Act and Suggestions for Amendment", and "Equal and Effective Judicial Protection for Persons with Disabilities with CRPD at the Center".

◎ 2018 Legal Aid Day

The LAF named the second Saturday of every July the "Legal Aid Day" in 2006. The branches organize local events based on the same theme to bring legal aid into the community and finding issues and challenges facing those in need of legal advice.

The LAF set the theme to be "promoting human rights of people with disabilities under the law" this year, and organized the 2018 Legal Aid Day under the banner "LAF and Your Human Rights - Legal Aid for People with Disabilities". The event focused on supporting equal rights for people with disabilities and making legal aid more effective. The branches worked with social groups to host events aimed at raising awareness of legal resources among people with disabilities and encouraging them to learn more about legal aid. The events also serve to make LAF more readily available to people with disabilities and help protect their legal rights. By working with social groups, LAF employees and legal aid attorneys are able to find out more about the circumstances faced by people with disabilities and to learn to communicate with the disabled and provide services more effectively to the disadvantaged.



- ❶ Penghu Branch hosts 2018 Legal Aid Day - LAF and Your Human Rights activities.
- ❷ Chiayi Branch and Yunlin Branch organize Legal Aid Day event and show the movie, The Finishers.

Visit the LAF website for more 2018 Legal Aid Day

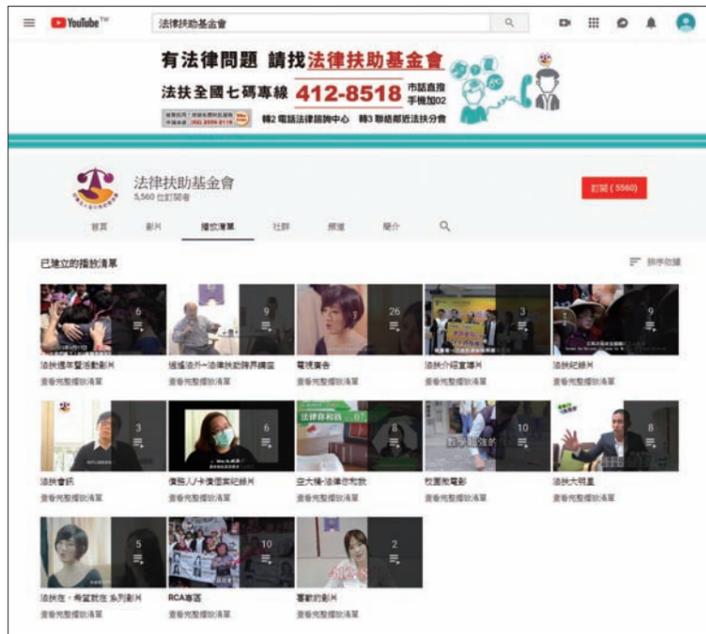


Organization of **573** sessions
Promotional Events and Legal Education Events



Participation in promotional events hosted by local groups
400 sessions in total

Internet, Multimedia and Advertisement



LAF Youtube channel



LAF Image Ad - Ants



LAF Case Study - Debt Assistance



LAF Image Ad - Nien-Jen Wu the Spokesperson



LAF Introduction - Statues

TV Short Films

The LAF has a number of existing or new short films shown for public service on broadcast TV. In addition, the LAF started uploading promotional videos to the online video platform Youtube in 2018.

Online Video Advertising

The LAF put the promotional videos, "LAF - Ant", "LAF - Contentment", and "LAF - Nien-Jen", on embedded advertising on the Yahoo portal site and in advertising on social networking sites (Facebook) and the online video platform Youtube.

LAF Introduction - Statues

In 2018, the LAF tried an animated format in the video, "LAF Introduction - Statues". The video follows a simple but clear approach. It is available in three languages, Mandarin, English, and Taiwanese, so to help more people learn about the services provided by the LAF.

Media and Public Relations

To gain maximum media exposure with a limited advertising budget, the LAF held a number of press conferences and announced press releases to secure



- 1 Agreed to be interviewed by Kaohsiung Broadcasting Station (KBS) to share debt assistance regulations and case experience
- 2 Agreed to be interviewed by KBS to speak on family case types and practical experience
- 3 Agreed to be interviewed by FM98.3 to speak on experience with consumer disputes over gym membership
- 4 Agreed to be interviewed by Best Radio to answer call-ins

media coverage. The LAF appeared in the media 275 times in the year.

Official Legal Aid Foundation Website www.laf.org.tw

According to Google Analytics, the official LAF website received 451,907 visits and 3,200,175 page views between January 1, 2018 and December 31, 2018. The number of page views rose by 332,234 compared to 2017.



www.laf.org.tw



Facebook Page

The LAF has been sharing the latest LAF news, current affairs, and legal knowledge on its Facebook Page for a long time in order to stay relevant in a fast changing society. In 2018, feature posts such as the law for dummies and the law classroom are introduced to bring the law into the everyday life and the LAF into the community.

The post reach of a post on the page could be up to 183,344 in 2018, which was 6,806 higher than it was in 2017. As of the end of 2018, the LAF has 48,394 friends and 48,928 followers on Facebook. The number of friends rose by close to 9,562 compared to 2017.



LAF FB Page



Publications and Plays

"Give you a hug" e-Newsletter

After the previous LAF publication, "Legal Aid Journal", went out of print in 2016, LAF started publishing the e-Newsletter, "Give you a hug", in October 2016. The e-Newsletter is theme based and consists of contributions by invitation. The e-Newsletter printed a total of 34 articles in 2018. In addition to being available for browsing on the LAF website, the e-Newsletter is also distributed electronically. It currently has 14,977 unique subscribers.



LAF Publication 005 "Border Drifters" - Book Tour

The LAF teamed up with Taiwan Association for Human Rights to publish "Border Drifters" in late 2017. The photography exhibit toured New Taipei City, Taoyuan, Taichung, and Tainan in 2018. It used case studies and photos to help the public understand LAF's work with refugees and people without a country.



- 1 Drifters at the Borders Exhibit press conference at Taichung City Government
- 2 Drifters at the Borders seminar in Taichung
- 3 Drifters at the Borders Exhibit opening press conference in Tainan



"Legal Aid And Society Review"

The LAF published the launch issue of "Legal Aid And Society Review" in March 2018. The launch issue contained three theses, including "Evolution of Legal Aid and Choices - Comparison with UK and Australia" by LAF researcher Yu-Shan Chang, and one meeting minutes. The first issue, published in September 2018, contained 5 theses, including "A Practical Study of Possession of Firearms Among Indigenous Peoples" by Professor Heng-Da Hsu of the College of Law of National Chengchi University. The content of the journal is not limited to the law, but open to academic or expert contributions of research in the law, society, ethnology (indigenous peoples) and other legal aid related fields. Such research should place equal emphasis on theory and practice.



The play "Being human, anywhere"

While interviewing case studies for the book, "Border Drifters", the LAF invited playwrights to conduct field study, recording, and observation and produce subsequently a play on the same theme, "Being human, anywhere". The play was put on stage 8 times at Nadou Theatre in Taipei in September 2018. The LAF took a completely different approach in an attempt to break out of its comfort zone for advertising. It adopted plain language and a more accessible format to help the public understand that the seemingly distant issues and challenges facing refugees and people without a country were actually much closer to home.



Data analysis and promotion

Data analysis has been all the craze around the world in the last few years. In Taiwan, the government is joining the industry and starting to pay attention to data analysis and its value in policy formulation. Meanwhile, the LAF has accumulated more than a million records in more than 14 years since its establishment. If these data can be put to good use, the LAF will be able to base policy formulation, business management, resource allocation, and campaign strategies on data and evidence instead of relying solely on past experience.

Data for Social Good

The LAF participated in the "Data for Social Good" project in January 2018. The theme was "ways to allocate campaign resources effectively". The LAF worked with D4SG Fellowship and spent three months on analyzing LAF cases between 2015 and 2017. The analysis showed the size of external population in contrast, and generated LAF coverage and hotspot maps for "low-income households", "lower middle-income households", "indigenous people", and "persons with disabilities". The analysis also showed results for each branch to compare overlaps in campaigns and hotspot maps in order to clarify gaps between the demand for legal aid and the allocation of campaign resources. The LAF tries to make effective allocation and use of campaign resources given limited manpower and budgets.



LAF and Soochow University AI Center Making Legal Aid More Efficient with AI press conference

1st Presidential Hackathon

Building on the results of the "Data for Social Good" project, the LAF went on to participate in the "1st Presidential Hackathon". Using seniors on lower middle-income as an example, the LAF examined legal aid coverage in New Taipei City, and supplemented the result with current allocation of campaign and consultation resources to calculate the optimal distance between seniors on lower middle-income in remote areas and legal service offices. The LAF reviewed gaps in the existing services based on the result, and re-allocated legal service resources. LAF also worked with the New Taipei City Government afterward and had LAF legal aid attorneys join the New Taipei City Government's "Elderly Entertainment Bus" in touring Shuangxi and

Sanzhi. LAF attorneys worked to raise awareness of legal aid, provide legal consultation, and collect case applications.

Since the 1st Presidential Hackathon was launched in March 2018, more than 100 teams registered for the competition. The LAF teamed up with D4SG Fellowship. The proposal, having passed the qualification round, the second round, and the final round, ended up one of the five outstanding teams. The teams met and received awards from President Tsai on June 2, 2018.



International Affairs



4th International Forum on Legal Aid (IFLA)

IFLA took place at Conference Hall, Howard Civil Service International House between November 1 and November 3, 2018. The theme was "Expanding the Horizons of Legal Aid" this year. The event invited legal aid organization representatives as well as experts and researchers in the field from 17 countries, including Australia, Brazil, Myanmar, Canada, United Kingdom, India, Indonesia, Japan, South Korea, Malaysia, Mongolia, the Netherlands, New Zealand, Philippines, Thailand, United States, and Vietnam. The LAF was also fortunate enough to have Professor Alan Paterson of University of Strathclyde and Chair of the International Legal Aid Group speak on "Legal Aid as a Social Service: What implications has this for international programs?" Now past its fourth year, the International Forum on Legal Aid facilitates networking between the LAF and legal aid organizations and experts in other countries, and showcases Taiwan's legal aid system to the rest of the world. It gives the LAF an opportunity to learn from more experienced countries and provide examples for other countries that have only started developing a legal aid system.

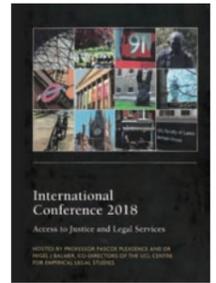
In addition to keynote speeches, the 3-day agenda included three country reports and seven topic discussions (with two sub-topics each running in parallel to Topic #4 and Topic #5). The topics were "How to Identify Target Audience", "How to Provide Client-centered Lawyering", "How to Working Together with Non-Legal Services", and "How to Provide Legal Aid to Specific Groups - such as social welfare, women and children, migrant workers, and indigenous peoples". The "Public Legal Education+" exhibit was also organized to take place outside the venue at the same time.



UCL Access to Justice and Legal Services Conference

The UCL Access to Justice and Legal Services Conference was launched by Professor Pascoe Pleasence and Dr. Nigel Balmer of the University College London. The first conference took place in 2014. Initially intended as a biennial event, the conference was suspended for 2016 while renovation took place at the UCL Faculty of Laws. As a result, the conference in 2018 is actually the second conference.

The LAF learned of the 2018 UCL Access to Justice and Legal Services Conference through group communication share by International Legal Aid Group (ILAG), of which the LAF had been a long time participant, in late 2017. To keep abreast of trends and developments in legal aid and services around the world while making itself more visible on the world stage to facilitate exchange with legal aid practitioners and researchers in other countries, the LAF sent LAF researcher Yu-Shan Chang of the Legal Research and Legal Affairs Department at the Head Office and Executive-Secretary Shu-Ling Yang of New Taipei Branch to attend the conference. Yu-Shan Chang also made a presentation at the event.



Involvement in International Conference on Poverty and Debt in Taiwan, Japan, and South Korea

Organized in turn by Taiwan, Japan, and South Korea, the Taiwan-Japan-Korea Consumer Debt Clearance Seminar 2018 was hosted by South Korea in Seoul. The seminar focused on three topics, "Topic 1: Bankruptcy Systems in Taiwan, Japan, and South Korea", "Topic 2: Issues of Nonperforming Loans", and "Topic 3: Overview of Young Debtors". The LAF had Director You-Lin Syu of the Business Department at the Head Office and Attorney Ai-Lun Li of North Legal Aid Staff Attorneys Center present reports on "LAF case studies on debt clearance mechanisms and interdisciplinary services" and "update on the LAF debt clearance program".



Internship for students of Columbia Law School, USA

With the help of Professor Jerome Cohen of New York University School of Law, the LAF started offering internships in Taiwan for law school students from the United States in 2009. Having discussed the case with Columbia Law School in 2018, LAF accepted Brian James Tratner, a Columbia graduate student, to complete an internship with the LAF from May 18, 2018 to July 26, 2018. The locations included the LAF Head Office, Taipei Branch, Taipei Women's Rescue Foundation, Garden of Hope Foundation, ECPAT Taiwan, Taiwan Taipei District Court, Taiwan High Court, Taiwan Alliance to End the Death Penalty, Judaical Reform Foundation, and Taiwan Innocence Project. During his internship, Brian James Tratner was introduced to LAF operations and the legal aid application process. He was also given a glimpse into Taiwan's judicial system through different social groups, human rights organizations, and judicial institutions. Meanwhile, Brian helped the LAF gather information on legal aid systems in other countries, and translated and reviewed related documents. It is worth mentioning that by participating in the street sale co-organized by the LAF and New Wheel Foundation, the intern also had an opportunity to learn about disadvantaged groups in Taiwan.

People in LAF

Analysis of Recipients and Providers

Analysis of Identity of Recipients



Analysis of Gender of Nationals and Case Type

53,455 of the recipients in 2018 were nationals

	Male 31,310 58.57%	Female 22,145 41.43%
Largest case type	Criminal - Narcotics Hazard Prevention Act cases	Civil Matters - Consumer Debt Clearance Act
Second largest	Consumer Debt Clearance Act (civil cases)	Civil Tort Cases
Third largest	Criminal - Injury Cases	Family - Maintenance Cases
Fourth largest	Civil Matters - Tort Cases	Criminal - Injury Cases
Fifth largest	Criminal Fraud Cases	Criminal Offenses of Fraudulent, Breach of Trust, Taking, and Usury

Analysis of Legal Aid for Disabled Recipients

14.25% (7,889 cases) of the recipients in the general cases in 2018 had mental or physical disabilities.



Analysis of Legal Aid for Non-Nationals

1,907 foreign applicants in the general cases in 2018 had their cases examined and approved for representation and defense.

The top five categories in terms of approved cases for aid are

- 1 Criminal Injury Cases
- 2 Civil Dispute over Salaries
- 3 Criminal Offenses of Fraudulent, Breach of Trust, Taking, and Usury
- 4 Family Divorce Cases
- 5 Criminal Offenses against Sexual Autonomy

By nationality: The majority were Vietnamese, Filipino, and Indonesian, accounting for 64.03% of non-national recipients of legal aid by the LAF.

Analysis of Approvals by Financial Eligibility

An analysis of the approved general cases in 2018 showed that applicants in 62% of the cases were either economically or socially disadvantaged as defined by government agencies or should be provided with legal aid as required by law. The LAF, therefore, did not review financial eligibility in these cases. 1. qualified low or lower-middle income households, families with special circumstances, immigrants from disadvantaged countries, and blue collar foreign workers in labor intensive jobs in Taiwan together accounted for 20% of the cases; 2. cases related to major social concern or the Consumer Debt Clearance Act, which were considered special projects and therefore did not have financial eligibility requirements, accounted for 13% of the cases; 3. recipients who are indigenous people, teenagers, mentally or physically disabled, or individuals who by the judge's order require assistance in defending themselves for extraordinary circumstances, such as being unable to express him/herself, accounted for 16% of the cases; 4. compulsory defense for felony offenders accounted for only 15% of the cases. Furthermore, regarding the remaining 38% of the cases, the LAF completed the review of financial eligibility requirements to determine whether the applicants were economically disadvantaged and the cases were clearly baseless.

Note: Given more than one reason for exemption from financial eligibility requirements in the table below can be selected, the sum total may exceed the actual total number of cases (55,362).

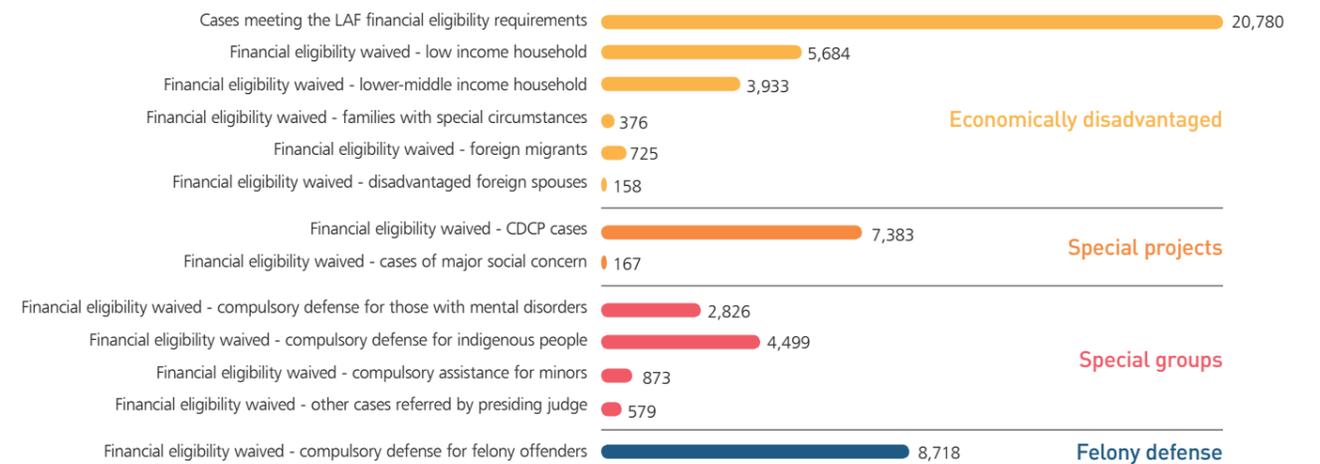
Cases exempted from financial eligibility requirements

34,582 cases



Cases meeting the LAF financial eligibility requirements

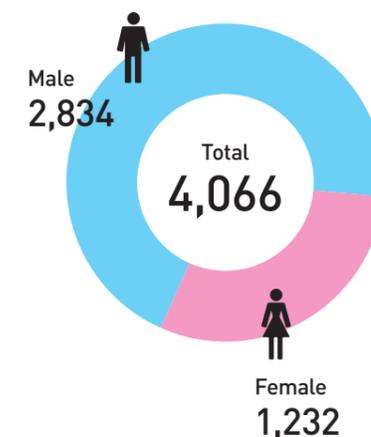
20,780 cases



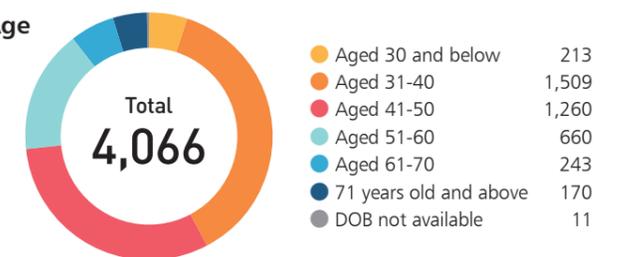
Analysis of Providers

A total of 4,066 attorneys nationwide have applied to become LAF legal aid attorneys by December 31, 2018.

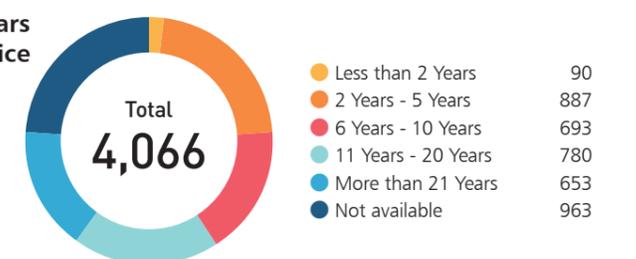
Analysis by Gender



Analysis by Age



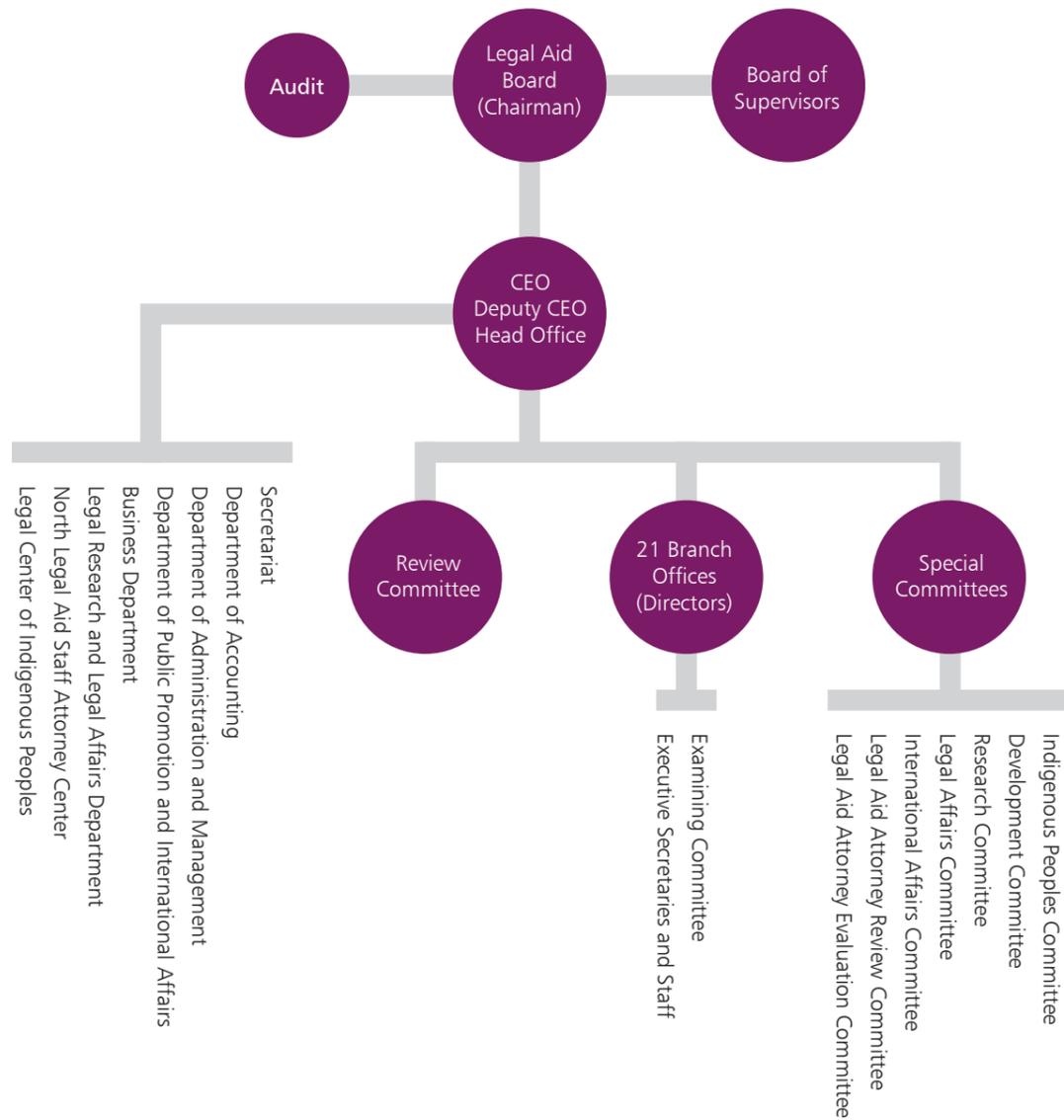
Analysis by Years of Practice



Legal Aid Organization Overview

As of December 31, 2018, the LAF employs 286 staff members, including 20 staff attorneys, 20 project personnel, and 394 volunteers.

The LAF organization overview is shown in the chart below.



LAF Team

<p>Board of Directors Kuang-Chun Fan (Chairman) Mei-Ying Wang Chih-Kuang Wu Mei-Chen Lee Chia-Ho Lin Tuhi Martukaw I-Hsin Sun Chu-Fang Chang Yi-Cheng Chen Huei-Chuan Chien Ta-Hua Yeh Ching-Yi Liu Jung-Chien Lo</p> <p>Supervisors Rong-Ruey Duh (Managing Supervisors) Shu-Duan Wang Meng-Che Li Zheng-Long Lin Shin-Yi Fu</p> <p>Special Committees Development Committee Ciou-Lan Wang Oto Micyang Mei-Lan Chu</p>	<p>Representative of the Federation for the Welfare of the Elderly Ying-Ciou Du Peter Nguyen Ta-Yao Chou Lin Tzu-Lin Yi-Hui Lin Lin Cong-Sian E-Ling Chiu Yi-Ting Hu You-Lian Sun Hui-Min Chen Yi-Ling Huang Ta-Hua Yeh Hsi-Hua Teng Shih-Hsuan Hsieh Dong-Ru Sie Shih-Hsiang Lo</p> <p>International Affairs Committee Hao-Ren Wu Chih-Kuang Wu Xiao-Qing Gao Bo Tedards Chu-Cheng Huang Leon Huang</p>	<p>Chu-Fang Chang Ta-Hua Yeh Anthony Carlisle Chih-Wei Tsai Fu-Te Liao John C. Chen Li-Chuan Liu Huang Ching-Yi Liu Wen-Lung Cheng</p> <p>Legal Aid Attorneys Review Committee Ping-Chin Huang Ti-Sheng Cheng Song-He Jiang Ya-Fen Hsu Chun-Ting Wu Yu-Shun Lin Yi-Ching Kuo Chin-Feng Huseh</p> <p>Legal Aid Attorneys Review Committee Shi-Zong Chen Jui-Tsung Tsai Ruei-Cheng Lin Marianne Chao Te-Chien Tsai</p>	<p>Hao-Ren Wu Bing-Hui Shi Chu-Cheng Huang Mei-Jen Shen Chieh-Ju Chen Sen-Lin Jan</p> <p>East Coast Indigenous Peoples Justice Committee Ciwang Teyra Sifo Lakaw Chen-Kuang Ko Asing Bakah Chung-Cheng Pu Bauki Angaw Chih-Wei Tsai Savi Takisvilainan Sinan Mavivo Chang-Jen Lin Malcolm Hsu Bawan Yuming Wei-Shyang Chen Lin Cong-Sian</p> <p>Branch Office Directors Chung-Hung Lin (Keelung Branch)</p>	<p>Chun-Hung Lin (Taipei Branch/Kinmen Branch/Matsu Branch) Otto Shiu-Tian Huang (Shilin Branch) Wei-Chun Hsu (New Taipei Branch) Ling-Ze Kong (Taoyuan Branch) En-Min Chen (Hsinchu Branch) Zao-Bing Wei (Miaoli Branch) Jian-Xing Chao (Taichung Branch) Xiu-Lan Huang (Nantou Branch) Ying-Chi Hsieh (Changhua Branch) Jian-Zhong Li (Yunlin Branch) Te-Sheng Lin (Chiayi Branch) Wen-Chia Chang (Tainan Branch) Li Ling-Ling (Kaohsiung Branch/Penghu Branch) Fen-Ling Chiu (Pingtung Branch) Guo-Zhang Lin (Yilan Branch) Guo-Tai Lin (Hualien Branch) Ren-Hao Xu (Taitung Branch) Shih-Chin Lu (Qiaotou Branch) Awi Mona (Director of Legal Center of Indigenous Peoples)</p>
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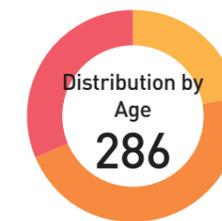
©The list contains those who were in office on December 31, 2018.

LAF Staff

As of December 31, 2018, the LAF had 286 employees on its staff.



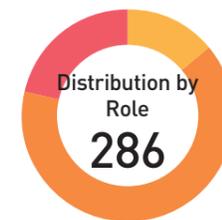
● Male 84
● Female 202



● Aged 30 and below 64
● 30-40 133
● 40 years old and above 89



● Less than 1 Year 24
● 1-3 Years 72
● 3-5 Years 35
● More than 5 Years 155



● Legal Service Staff (Management) 40
● Legal Service Staff (Direct Handling) 185
● Non-Legal Service Staff 61



● Law School 197
● 44 qualified attorneys (20 staff attorneys, 16 executive-secretaries, and 8 administrative attorneys)
● Others 28

1. Employees: refer to full time staff and full time attorneys employed for the LAF.
2. Legal Service Staff: refer to person/persons directly involved in processing legal aid, including administrators and direct users.
3. The calculation date was December 31, 2018.

22 branches across Taiwan to serve you



LAF	Address	Telephone/ Fax/ Email
Keelung Branch	11F, No. 14, Zhong 1st Rd., Ren'ai District, Keelung City 20041, Taiwan	Tel: (02) 2423-1631 · Fax: (02) 2423-1632 E-mail: keelung@laf.org.tw
Taipei Branch	6F, No. 200, Sec. 2, Jinshan S. Rd., Da'an District, Taipei City 10643, Taiwan	Tel: (02) 2322-5151 · Fax: (02) 2322-2051 E-mail: taipei@laf.org.tw
Shilin Branch	7-2 F, No. 338, Wenlin Rd., Shilin District, Taipei City 11163, Taiwan	Tel: (02) 2882-5266 · Fax: (02) 2882-1200 E-mail: shilin@laf.org.tw
New Taipei Branch	5F, No.12, Sec. 4, Chongxin Rd., Sanhong Dist., New Taipei City 24144, Taiwan	Tel: (02) 2973-7778 · Fax: (02) 2973-7771 E-mail: ntp@laf.org.tw
Taoyuan Branch	12F, No.332, Xianfu Rd., Taoyuan Dist., Taoyuan City 33053, Taiwan	Tel: (03) 334-6500 · Fax: (03) 334-4451 E-mail: taoyuan@laf.org.tw
Hsinchu Branch	3F, No.180, Beida Rd., Hsinchu City 30044, Taiwan	Tel: (03) 525-9882 · Fax: (03) 525-9897 E-mail: hsinchu@laf.org.tw
Miaoli Branch	1F, No. 1097-1, Zhongzheng Rd., Miaoli City, Miaoli County 36052, Taiwan	Tel: (037) 368-001 · Fax: (037) 368-007 E-mail: miaoli@laf.org.tw
Taichung Branch	7F, No. 497, Zhongming S. Rd., West District, Taichung City 40347, Taiwan	Tel: (04) 2372-0091 · Fax: (04) 2372-0582 E-mail: taichung@laf.org.tw
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2018 Annual Report

Publisher	Kuang-Chun Fan
Editor-in-chief	Chou Han-Wei
Lead Editor	Lin Cong-Sian
Editor	Jin-Ding Hua, Chiung-Yu Yeh, and Yu-Xuan Liu
Content	Yi-Shi Su, De-Yan Zhou, You-Lin Syu, Xing-Ling Xie, Wan-Chin Lan, Jun-Ming Xu, Bao-Lin Li, Qin-Yun Yang, Ya-Fang Huang, Chiung-Yu Yeh, and Jia-En Sie
Cover photo	Hong-Ru Liang
Photos inside	Hong-Ru Liang and LAF branch staf
Layout	Hsin-Han Lai
Publication	Legal Aid Foundation
Address	5F, No.189, Sec. 2, Jinshan S. Rd., Da'an Dist., Taipei City 106, Taiwan
Telephone	(02) 2322-5255
Fax	(02) 2322-4088
Website	www.laf.org.tw
Publications	April 2019

2018
Legal Aid Foundation
ANNUAL REPORT



法律扶助基金會
Legal Aid Foundation

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