

ANNUAL REPORT

年 度 報 告 書

2023





法律扶助基金會
Legal Aid Foundation



年度報告書

ANNUAL REPORT 2023

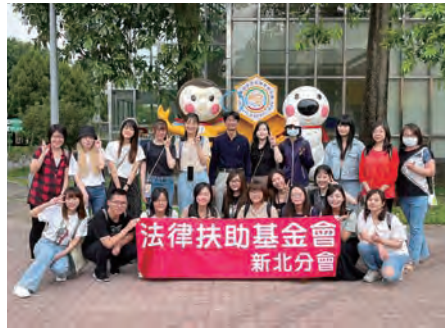
PROFESSIONAL

EFFICIENT

FLEXIBLE

APPROACHABLE

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Chairperson/
Su Chen Beyue

CEO/
Han-Wei Chou

Philosophy

- ✓ Equality – to protect the right to litigation and equal access to justice pursuant to the constitution, and to facilitate the improvement of economic status of citizens
- ✓ Human Rights – to protect the human rights of the disadvantaged
- ✓ The Rule of Law – to complement the system of the rule of law

Service Principles

- ✓ Be approachable
- ✓ Be efficient
- ✓ Be flexible
- ✓ Be professional

Mission Statement

- ✓ To engage in self-reflection, innovation, and advancement of legal aid system
- ✓ To make legal aid available throughout Taiwan
- ✓ To promote the awareness of legal aid
- ✓ To enhance accessibility to legal aid for the public
- ✓ To advance the quality of legal aid services
- ✓ To encourage the participation of lawyers in legal aid and social reform
- ✓ To further promote legal education for the disadvantaged

to jointly organized various training sessions for victims’ lawyers, e.g. one session on legal representation for victims in cases under the Citizen Judges Act, one training session on restorative justice, one session on communication in good faith, two sessions on introduction to the amendments to the Crime Victim Rights Protection Act, and one session on experience sharing of practices in victims’ participation in litigation proceedings. Furthermore, the LAF launched the legal consultation helpline for crime victims in February 2023, with a view to providing legal consultation services for victims in a timely manner. In addition, in response to the “Me Too” movement, the video conferencing legal consultation services on gender equality were launched in August of the same year. These consultations, which are regularly provided by lawyers specializing in gender equality, are available by telephone appointment. The Mental Health Act was amended and passed on 14 December 2022. The provisions related to expert participation in the judicial process are expected to take effect on 1 July 2025. Starting from 2023, the LAF has not only formulated the relevant legal aid procedures but also

To Friends of the Legal Aid Foundation

The Legal Aid Foundation (LAF) was established to safeguard the right to litigation and equal access to justice under the Constitution of the Republic of China (Taiwan). This is an institutional approach adopted to secure equal access of the disadvantaged to justice and to ensure the spirit of “justice for all”. According to the Legal Aid Act, the LAF shall provide necessary legal aid to those who are unable to receive proper legal protection due to their financial ineligibility or other reasons. Thereupon, the LAF’s criteria of financial ineligibility is brought into line with the income standard of middle-to-low-income households provided in the Public Assistance Act on an annual basis. This is done to ensure that the scope of legal aid is aligned with the social and economic development. In 2023, the

LAF received over 210,000 legal aid applications, and over 178,000 applications were approved (both legal consultation and commissioned cases included). Clearly, legal aid is in great demand. The procedures for citizen participation in trials were officially implemented on 1 January 2023. The LAF has selected legal aid attorneys or appointed staff attorneys to handle such cases. In 2023, the LAF assisted 99 individuals in participating in the citizen judge process. To enhance the service quality of legal aid, we have continued to conduct workshops for staff attorneys and online case studies for lawyers. Moreover, we collaborated with the Taipei Bar Association and other organizations to complete a handbook for defense in death penalty cases involving citizen judges, *A Pin A Day*

Is A Groat A Year—Advocating for the Abolition of the Death Penalty. This book is scheduled for publication in January 2024. For 2024, we plan to conduct one online and four in-person training sessions based on the content of this handbook and the latest practices, aiming to further engage legal aid attorneys and to refine their defense skills. For protecting the rights of crime victims, the LAF continued to collaborate with the Association for Victims Support (AVS) in 2023, establishing a single point of contact and a service referral mechanism (that is, crime victims who do not meet LAF requirements for legal aid shall be referred to the AVS for assistance; those who meet the requirements but have needs beyond legal aid may also be referred to the AVS for social support, e.g., psychological counseling). With the aim to improve quality of legal aid services and to ensure the protection of victims’ rights, the LAF also collaborate with organizations such as the AVS and bar associations

closely communicated and collaborated with the courts, the Ministry of Health and Welfare, and other agencies in this matter. We aim to gradually complete the related supporting measures by 2024. As of the end of 2023, there were 4,750 legal aid attorneys who served for the LAF’s legal aid business. The LAF has adopted several mechanisms to assure its service quality, such as reasonable adjustment of lawyer remuneration, regular training for lawyers (e.g., the training courses on implementation of amendments to the Constitutional Court Procedure Act in 2023, and also that of other regulations), attorney specialization, review on case closure, complaint management system, and attorney evaluation system. Legal aid has always been in great demand. Despite limited budget and increasing workload, the LAF will continue to uphold the ethos to serve the disadvantaged and improve legal aid services.

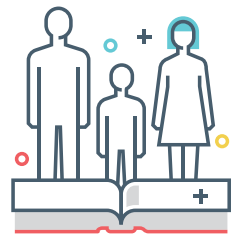


Annual Statistics

Total of legal aid cases
(incl. commissioned cases)

63,859

1,834 less than in 2022



Total of legal consultation
applications

114,551

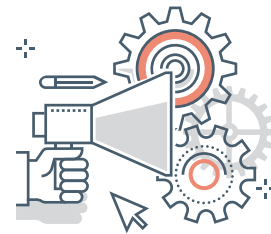
21,551 more than in 2022



Total of outreach services and
dissemination events

1,826

43 more than in 2022



Total of Legal Aid attorneys

4,750

72 more than in 2022



Total of Facebook friends
("Likes" number)

75,104

7,416 more than in 2022



Total of pageviews on
official website

14,624,499

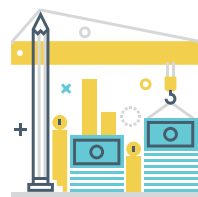
7,941,863 more than in 2022



※The data for the year 2023 was collected using the Google Analytics GA4 version. Compared to the previous version, the calculation basis has changed, resulting in some discrepancies in the data.

Total expenses
TWD 1,534,693,760

TWD 53,154,831 more than in 2022



Average expense
per capita
TWD 66.7
to sustain the LAF's
operations



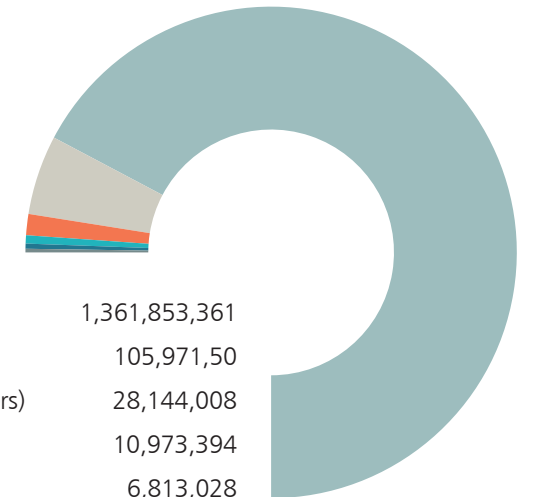
Annual Financial Statistics

The accounting system of the LAF observes the calendar year. The 2023 financial report was audited by an independent local CPA firm, which issued a report without any reservation attached.

In 2023, the LAF's total income was TWD 1,518,542,129; the total expenditure excluding capital expenses was TWD 1,518,038,606, and the capital expenses were TWD 16,655,154.

2023 LAF Total Income
TWD 1,518,542,129

Government Endowment Income	1,361,853,361
Government Special Program Income	105,971,50
Nonbusiness Income (interest and others)	28,144,008
Repayment and Recovery Income	10,973,394
Other Business Income	6,813,028
Income from Private Donations and Project Plans	4,786,834



Legal aid expenses: including attorney remuneration, litigation expenses, and fees for Assessment and Review Committee members.

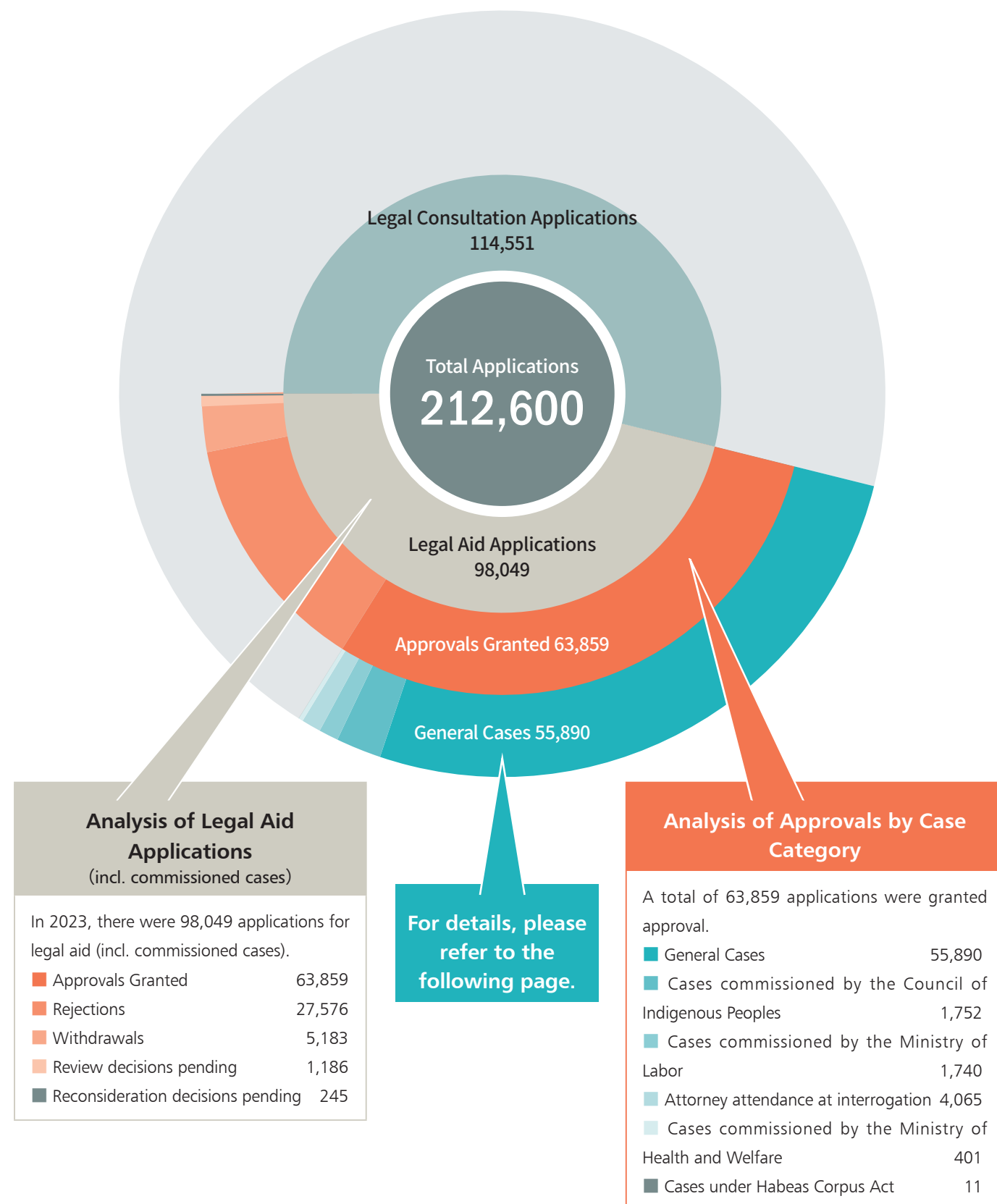
Operating expenses: including costs for providing services, and personnel costs for hiring staff attorneys and LAF staff.

Management expenses and non-operating expenses: including costs for personnel management, administrative expenses, and dissemination expenses.

Special purpose expenses: costs of programs commissioned by the Ministry of Labor, the Council of Indigenous Peoples, and the Ministry of Health and Welfare.



Annual Business Data



Comparison of key business indicators over the past three years

	2021	2022	2023
Total of Annual Applications	172,476	189,809 (+17,333)	212,600 (+22,791)
Total of Legal Consultations	86,954	93,000 (+6,046)	114,551 (+21,551)
Total of Approvals (incl. projects and commissions)	59,547	65,693 (+6,146)	63,859 (-1,834)
Total of General Cases	51,424	56,718 (+5,294)	55,890 (-828)

Total of Annual Applications
(incl. legal consultation applications)

212,600



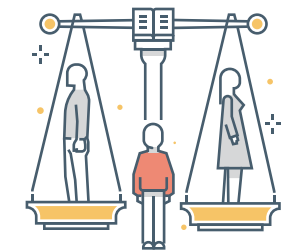
Total of Legal Consultation Applications

114,551



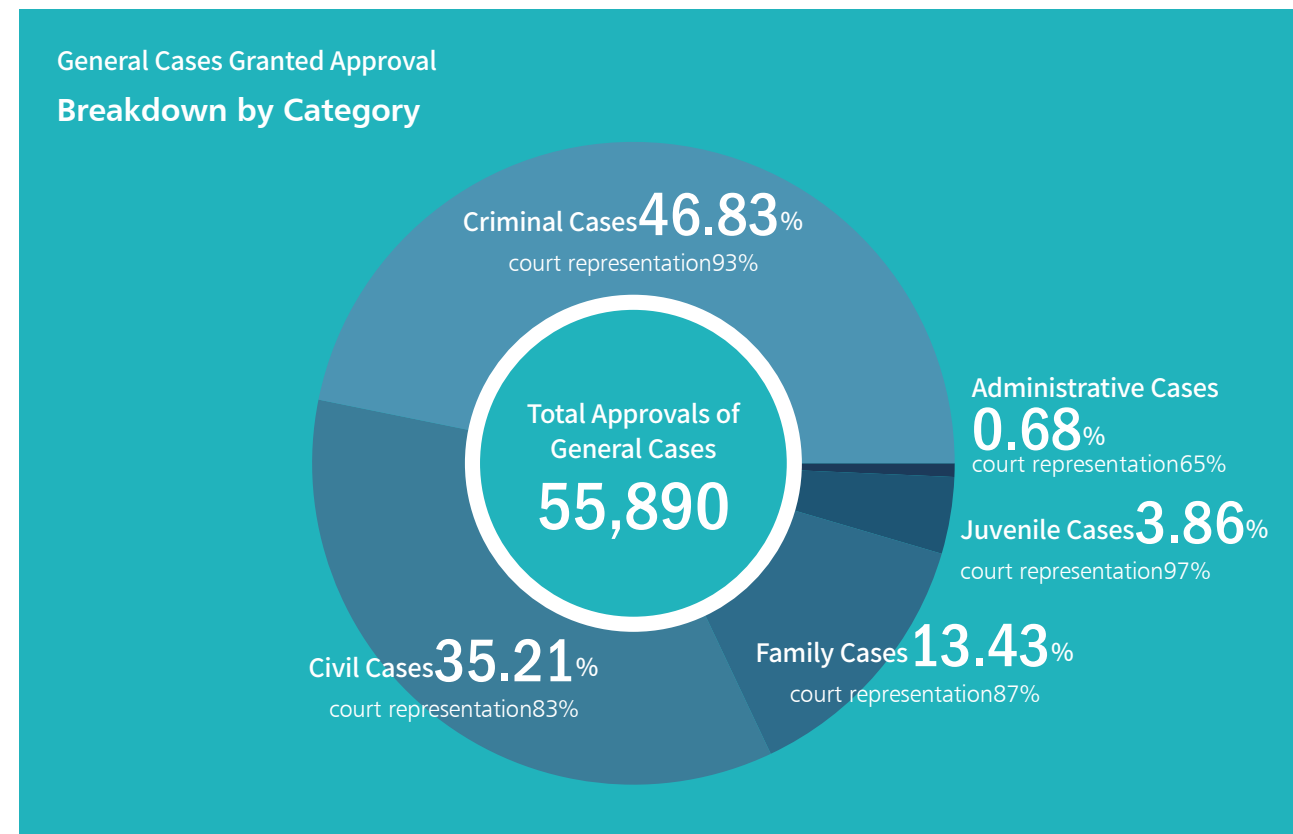
Total of Approvals (incl. projects and commissions)

63,859





Analysis of Legal Aid Cases by Category



General Cases Granted Approval

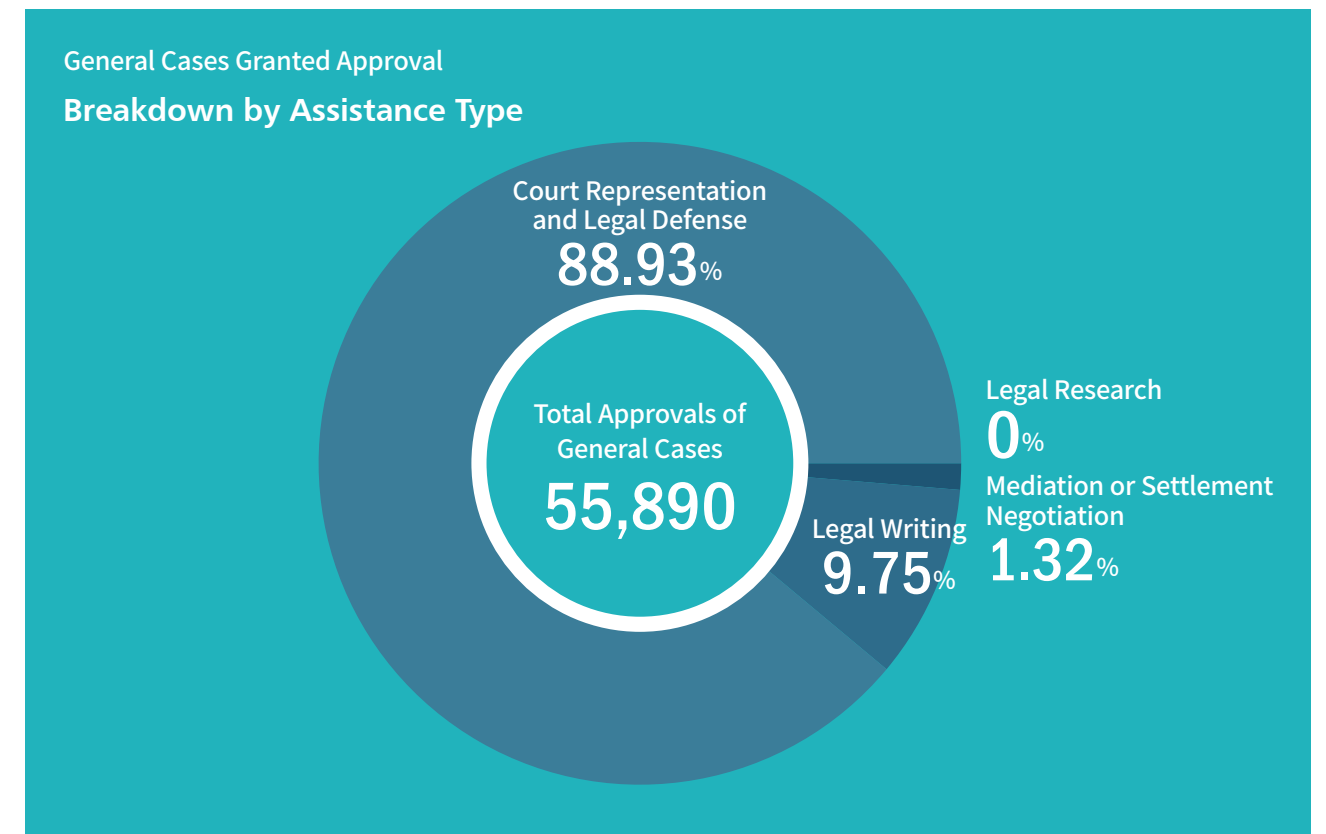
Top Five Causes of Action

(Arrow symbols ↑↓ indicate the change in the ranking of causes of action in contrast with 2022.

Due to the addition of juvenile case type, the ranking order in the criminal case section has slightly fluctuated.)

Criminal Cases	Civil Cases	Family Cases	Juvenile Cases	Administrative Cases
Offenses of Fraudulence, Breach of Trust, Taking, and Usury 5,684	The Consumer Debt Clearance Statute 10,142	Maintenance Payment 3,327	Offenses Against Sexual Autonomy 674	Road Traffic Management and Penalty Act 30
Assault Causing Bodily Harm 3,943	Tort 5,210	Divorce 1,171	Assault Causing Bodily Harm 331	Prison Act ↑ 27
Narcotics Hazard Prevention Act 3,569	Loans for Consumption 897	Parental Rights 637	Offenses of Fraudulence, Breach of Trust, Taking, and Usury 241	Public Assistance Act ↓ 24
Offenses of Larceny ↑ 1,902	Ownership 503	Child Custody 485	Child and Youth Sexual Exploitation Prevention Act 229	Immigration Act ↑ 20
Money Laundering Control Act ↑ 1,547	Salary Dispute 418	Succession ↑ 435	Narcotics Hazard Prevention Act 174	The Indigenous Peoples Basic Law ↑ 18

General Cases Granted Approval Breakdown by Assistance Type



4,087 letters of guarantee
issued to aid recipients
guarantee bonds over
TWD2.6 billion

as of 31 December 2023

Issuance of letter of guarantee

Should the LAF, in accordance with Article 67 of the Legal Aid Act, deem that the legal aid recipient has a clear chance of winning the lawsuit, the LAF may submit a letter of guarantee which can substitute the deposit necessary for the aforesaid recipient to apply for a court injunctive relief. In order to prevent that a legal aid recipient, after winning the lawsuit, has no way to claim the compensation due to the counterparty's disposal of property with malicious intent, the LAF, as of 31 December 2023, has issued a total of 4,087 letters of guarantee, with a total of over TWD 2.6 billion. Among them, 3,612 letters of guarantee were retrievable and 3,385 of which have been retrieved, with a retrieval rate at 93.72%.

Multiple Access to Legal Consultation

Merging Video Conferencing Help Desks Improving Consulting Services Provided by Supporters

A key of legal advice is to provide the public with early access to professional information, so they can evaluate litigation risks beforehand. In turn, disputes could be minimized and assistance in legal proceedings could be provided to them in time.

In 2023, the LAF received 114,551 applications for legal consultation.

	2021	2022	2023
In-Person Legal Consultation	50,622 visits	63,633 visits	67,950 visits
Legal Consultation Helpline			
● Helpline for General Consultation			
● Helpline for Supporters			
● Helpline for Crime Victims	30,170 calls	26,998 calls	41,828 calls
● Helpline for People with Disabilities (Program Commissioned by the Ministry of Health and Welfare)			
Video Conferencing Legal Consultation	185 help desks 1,543 calls	260 help desks 2,369 calls	295 help desks 4,773 calls

In 2023, regarding the public consulting the LAF through the helpline, the proportions of inquirers who subsequently made applications to the LAF branches and of application approval were 12.83% and 70.02% respectively.



In 2023, the top five telephone inquiries into civil, family, and criminal cases are shown in the following table (arrow symbols $\uparrow\downarrow$ indicate the change in the ranking of case types in each category of law in contrast with 2022):

	Civil Cases	Family Cases	Criminal Cases	Administrative Cases	Juvenile Cases
Case Percentage	52.54%	25.46%	19.64%	1.99%	0.36%
Most Frequently Inquired	The Consumer Debt Clearance Statute \uparrow	Inheritance	Offenses of Fraudulence, Breach of Trust, Taking, and Usury	Road Traffic Management and Penalty Act	Child and Youth Sexual Exploitation Prevention Act
2nd Most Frequently Inquired	Tort \downarrow	Divorce	Assault Causing Bodily Harm	Labor Standards Act \uparrow	Offenses of Fraudulence, Breach of Trust, Taking, and Usury
3rd Most Frequently Inquired	Loans \downarrow	Maintenance	Offenses Against Reputation and Credit	Land Act	Assault Causing Bodily Harm
4th Most Frequently Inquired	Leasing \uparrow	Guardianship/ Assistance Order	Larceny \uparrow	Land Expropriation Act \uparrow	The Protection of Children and Youths Welfare and Rights Act
5th Most Frequently Inquired	Ownership \downarrow	Parental Rights	Offenses of Embezzlement	Household Registration Act \uparrow	Offenses Against Sexual Autonomy

Attorney Attendance at Interrogation

Interrogated For the First Time? No Fear, A Lawyer Will Be With You!

Whom We Serve

The suspect of offense punishable for not less than three years of imprisonment can apply to the LAF for the assignment of an attorney to attend the first interrogation free of charge. For this service, please make the application through the police or call the helpline 02-2559-2119 (accessible all year round).

Whereas the aforementioned service shall not be limited to felonies, should the defendant or suspect:

◎is not able to make a full statement due to neurological or mental disorders;

* In line with the amendment to Article 31 of the Code of Criminal Procedure on 15 December 2023, the LAF 7th Board of Directors approved the amendment providing the condition to be “not able to make a full statement due to physical or mental disabilities” in its 25th Meeting on 29 March 2024. This LAF amendment shall come into force as soon as it is announced.

◎holds the indigenous status.

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

Statistical Breakdown of Attorney Attendance at The Interrogation

Among the 4,396 applications for this service in 2023, 288 cases did not meet the application requirements; 43 cases were withdrawn after the application being made. Among the 4,065 eligible applications, 4,007 cases were assisted by the LAF legal aid attorneys – that is, 98.57% of the eligible applications.

Attorney Attendance at The Interrogation Over the Past Three Years

	Caseload	Case Assignment
2021	3,562件	98.40%
2022	3,720件	99.07%
2023	4,007件	98.57%

In 2023, there were 23,990 cases in which the parties expressed their wish to waive their rights to counsel at interrogation in their contacts with the LAF. Among these cases, a total of



20,535 cases involved misdemeanors punishable for less than three years of imprisonment – the top three charges being public safety violations (e.g., drunk driving, unsafe driving, and hit-and-run offences), offenses of larceny, and fraudulence – accounting for 85.6% of the waiver cases.

Review of Services Scope in Response to Regulatory Amendments

In response to the amendments of Article 31 of the Code of Criminal Procedure, as well as revisions to the Mental Health Act, the Juvenile Justice Act, and the Immigration Act, the LAF will review the scope of attorney attendance at the interrogation sessions and make appropriate adjustments in 2024.

To Increase Publicity and To Collaborate with Related Agencies in Dissemination Activities

The LAF continuously disseminates that it is essential to have attorneys present during police interrogations to law enforcement units. For example, we have produced advocacy videos featuring testimonials from individuals to convey the significance of having legal representation during interrogations. The LAF will continue to optimize its service processes by improving the speaking skills of helpline personnel, emphasizing that qualified individuals can apply to the LAF for attorneys to accompany them in the interrogations free of charge. We also revise form wording to include explanations in plain language and will continue to urge the Ministry of Justice and the National Police Agency to actively promote the duty to inform individuals of their rights within their respective units to safeguard the rights of the public.

Continuous Recruitment of Accompanying Attorneys and Refinement of The Assignment Approach

In addition to continuously recruiting accompanying attorneys in counties and cities with scarce legal resources, the LAF has revised the standard operating procedures for customer service personnel. We request the assistance of law enforcement units to enable suspects to personally communicate with our service staff via phone calls, in order to reaffirm the suspects' willingness and to help the suspects properly understanding the interrogation, such as not to make a statement against their own will.

Legal Aid Project: Consumer Debt Clearance

Specialist Lawyers Provide Professional Assistance in Consumer Debt Clearance Cases!



Assistance in 2023
10,142 cases



Approval Rate
90.96%



Specialist Lawyers in Consumer Debt Clearance
852 lawyers

In 2023, the LAF resolved a total of 5,093 consumer debt clearance cases, with a favorable outcome rate of 76.1%.

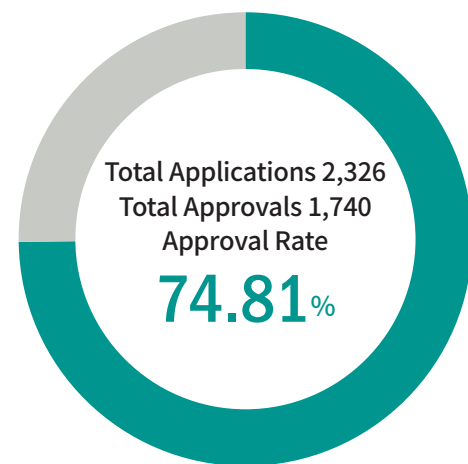
Case Resolution Type	Number of Cases	Resolution Rate
negotiation or mediation	1,487	29.20%
court-approved rehabilitation plan	1,659	32.57%
court-decreed exoneration of liquidation, and rights been restored	730	14.33%
favorable outcome	3,876	76.1 %



Caseload of Legal Aid in Consumer Debt Clearance Over the Past Three Years

	Caseload
2021	8,033
2022	8,809
2023	10,142件

Cases Commissioned by the Ministry of Labor Legal Aid Project: Labor Litigation



The LAF has been collaborating with the Ministry of Labor in the “Legal Aid Project: Labor Litigation” since 2 March 2009. With resource integration of these two organizations, it is hoped that the economically disadvantaged workers can be provided with strong legal support and reassured on their rights.

The cases commissioned by the Ministry of Labor predominantly concerned civil affairs, accounting for 96.84% of the application total. Most of these applications were granted aid in legal representation and defense, with the main issues involving severance pay, wage payment, occupational accidents, unlawful dismissal, and labor-management insurance disputes.

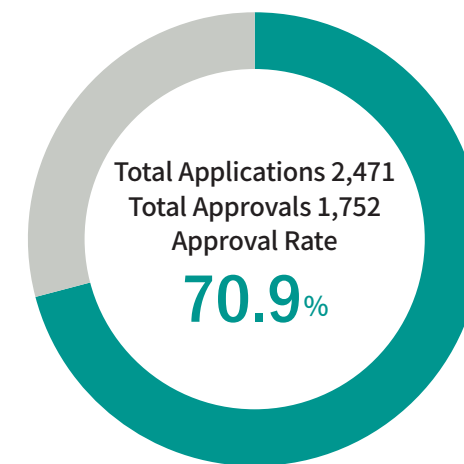
Starting from 1 January 2023, the financial eligibility criteria for this project were adjusted, setting the applicant’s monthly disposable income at TWD 65,000 or less (previously TWD 70,000).

Caseload of The Labor Project
Over the Past Three Years

	Caseload
2021	1,923
2022	3,382
2023	1,740



Cases Commissioned by the Council of Indigenous Peoples Legal Aid Project: Services for Indigenous Peoples



Caseload of The Indigenous
Project Over the Past Three Years

	Caseload
2021	2,402件
2022	1,654件
2023	1,752件

On 21 March 2013, the LAF signed an entrustment agreement with the Council of Indigenous Peoples (CIP). The LAF has been managing the “Legal Aid Project: Services for Indigenous Peoples” since 1 April 2013. The aim is to improve the protection of the rights of indigenous peoples and provide them with better and more comprehensive legal aid services.

The cases commissioned by the CIP predominantly concerned civil cases, accounting for 58.05% of the application total; and secondly family cases, accounting for 24.14%.

The top three types of cases granted legal aid were torts, ownership disputes, and maintenance payment.

In 2023, the LAF reached an agreement with the CIP to classify 85 types of cases, which often conflict with indigenous cultural practices, as presumed cultural conflict cases. If a review committee member believes a case does not involve such conflicts, he or she must provide a justification. This definition and review mechanism are expected to be updated and incorporated into the LAF’s service software system as early as April 2024.



- ❶ 12 October 2023, a dissemination event on the rule of law held in the indigenous area, at Nan’ao Culture & Health Station (Yilan Branch)
- ❷ 12 November 2023, a dissemination event on the rule of law held in the indigenous area, at Lunpi Culture & Health Station (Yilan Branch)
- ❸ 27 November 2023, a dissemination event on the rule of law for indigenous peoples held in the metropolitan area, at Masa’opo Culture & Health Station (Yilan Branch)
- ❹ 12 April 2023, a dissemination event at Taiwu Junior School (Pingtung Branch)
- ❺ 25 July 2023, a dissemination event for indigenous peoples at Guhua Community Center (Pingtung Branch)

Cases Commissioned by the Ministry of Health and Welfare

Legal Aid Project: Assistance for People with Disabilities

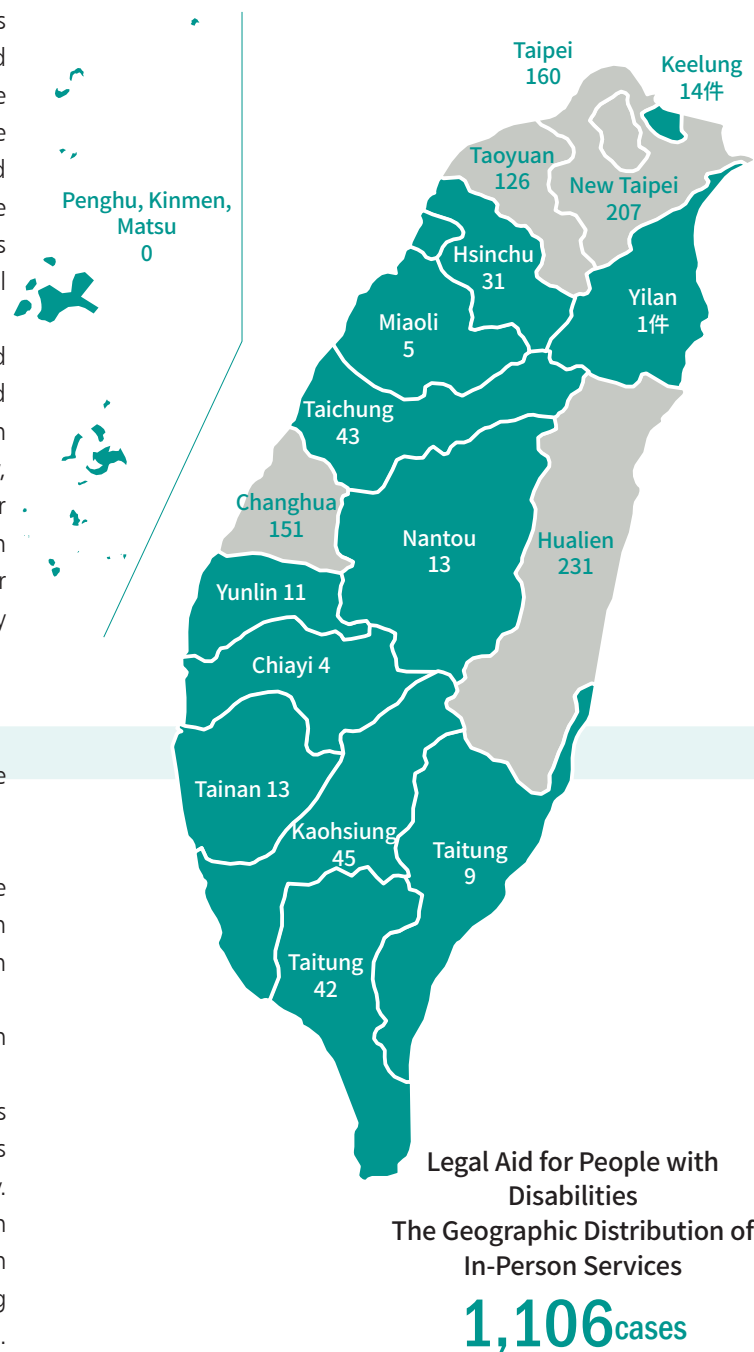
Commissioned by the Ministry of Health and Welfare, the LAF has taken charge of the “Legal Aid Project: Assistance for People with Disabilities” since 2018. This project was launched on 15 October 2018, and until the end of November 2019 only legal consulting service was provided, which was available through the helpline, video conferencing, in-person visit, and home visit. From 1 December 2019 onwards, the LAF has also been entrusted to provide services in court representation, legal defense, and legal writing.

The LAF actively improves both software and hardware facilities, including its website and promotional materials, and upgrade of branch accessibility facilities. For the deaf community, LINE@ service is provided. When applying for lawyer assistance or legal consultation, users can use LINE to book sign language interpreters or transcription services, enhancing the accessibility of legal aid for people with disabilities.

Legal Consulting Services

- ◎ **Service Helpline:** 6,570 consultations made through the helpline
Helpline: 412-8518
(After connected, press “2” for “telephone consultation”, and then press “2” again for “legal consultation for people with disabilities”.)

- ◎ **In-Person Service:** 共1,106 consultations in total
By 2023, the LAF has set up 47 help desks with accessibility facilities in 22 counties/cities (except Yilan and Matsu) across the country. Accessible communications, such as sign language interpretation and communication access real-time translation (advance booking required), are also available at these help desks.



October 24, 2023 is a publicity event for Friends of Hattori Rehabilitation (Taitung Branch)

Therefore, people with disabilities can easily access legal aid in person.

- ◎ **Home Visit Service:** Home visit service is provided to those who cannot access LAF consulting services through the helpline or video conferencing, and they cannot or are obviously unable to visit the LAF help desks in person due to their disabilities.

This service is not limited to the residence of the client. In the case that the client cannot, or is obviously unable to, access aforementioned consulting services while in a psychiatric ward, the LAF legal aid attorneys would then make a home visit to provide consulting service.

In 2023, there were 79 applications of home visit service, among which 45 applications were eligible for the service. Among the eligible applications, 36 consultation cases were made at medical institutions and 9 cases at the applicant's residence.

- ◎ **Video Conferencing Service:** The LAF has established 292 stations nationwide to provide video conferencing service, and service bookings can be made online. These services connect individuals with limited mobility and those in remote areas to the lawyers serving at the LAF's legal consultation center via video call, mitigating the lack of accessible

legal resources due to transportation challenges in these regions. In 2023, a total of 276 people with disabilities benefited from the video conferencing service. The highest number of consultations were in Taitung with 41 cases, followed by Yilan with 38 cases, and Penghu with 34 cases.

Other Services: Legal Representation, Defense and Writing

In 2023, there were 1,379 applications of those services, among which 401 approvals and 978 refusals. The approval rate is 29.08%.

Currently, the financial threshold set in this project is capped at 1.5 times of LAF standard. The LAF and the Ministry of Health and Welfare have drawn up a plan to adjust the threshold in 2023, allowing those who receive living allowances for their disabilities to meet the financial requirements for these services.

In addition, the LAF will continue to provide education programs for the review committee members and the legal aid attorneys to better understand the Convention on the Rights of Persons with Disabilities (CRPD), and in turn further comprehensive legal aid which meets demands can be provided.

In terms of the case categories involved in this project, civil cases accounted for 44.39% (which is the most), followed by criminal cases for 33.92%. The main crimes are torts, assault causing bodily harm, and offenses of fraudulence, breach of trust, taking and usury.

Caseload of Assistance for Persons with Disabilities Over the Past Three Years (excl. the commissioned cases)



Caseload of LAF Assistance in Legal Representation, Defense and Writing for Persons with Disabilities Over the Past Three Years

	Caseload
2021	154
2022	169
2023	401

Protection of the Rights of Crime Victims

In order to implement the resolution of the National Conference on Judicial Reform on “Constructing a Criminal Justice System that Upholds the Dignity of Crime Victims” and to provide warm and practical protection to crime victims, the LAF has endeavored to provide assistance to crime victims. The works in 2023 include the following:

- © For being in line with the amendment to the Code of Criminal Procedure – namely, ‘Part VII-III. Participation in Proceedings by the Victim’ – the LAF 6th Board of Directors approved the resolution amending Article 3 of LAF Regulations for the Implementation of Legal Aid in its 12th Meeting on 26 February 2020. According to this LAF amendment, crime victims as provided in Article 455-38(1) of the Code of Criminal Procedure may be granted assistance from attorney *ad litem* in court proceedings; the LAF shall persistently request the attorney *ad litem* to apply for the Participation in Proceedings by the Victim on behalf of the victims, should the victims so wish. Thereupon, the status of crime victims in court proceedings can be improved, and they can be better protected.
- © The LAF has worked in close collaboration with the AVS since 2021. They established a single point of contact and a service referral mechanism. Crime victims who do not meet LAF requirements for legal aid shall be referred to the AVS for assistance; those who meet the requirements but have needs beyond legal aid (e.g., financial or psychological support) will also be referred to the AVS. In 2023, the AVS referred 104 aid applications to us, while we referred 44 aid cases to the AVS.
- © Together with the AVS, we planned and conducted several training sessions, including:
 1. One session on restorative justice co-organized with the Bar Association, the District Prosecutors Office and the

AVS for attorneys to better understand this approach and learn how to practice it.

2. One session on communication in good faith, with the aim to improve the communication skills of legal aid attorneys and to guide the attorneys how to avoid secondary victimization.

3. In preparation for the implementation of the citizen judge scheme, the LAF co-hosted a training session with the AVS for attorney *ad litem* on legal representation in cases with citizen participation. This training aimed to equip legal aid attorneys with the skills necessary to assist plaintiffs in trial participation and effectively express their opinions. Prosecutors and lawyers were invited as lecturers to share practical insights and case handling techniques, enabling legal aid attorneys to quickly grasp key procedures and effectively safeguard the litigation rights of victims in citizen judge cases.

4. In response to amendments to the Crime Victim Rights Protection Act, and in order to enhance legal aid attorneys’ understanding of the updated victims’ rights, we held two sessions on the amendments and one session on practices of victim participation in litigation.

- © The LAF launched a new service on 1 February 2023 - the Legal Consultation Helpline for Crime Victims. Victims of crime and their families, regardless of their status, can call for legal advice on any criminal incident. The aim is to alleviate their legal challenges through consultation. Furthermore, on 16 May 2023, the LAF, together with the AVS, held a press conference to promote this service. We also produced promotional materials introducing our single point of contact, which were distributed at various LAF branches for public access, aiming to promote awareness and utilization of this helpline. By the end of 2023, the helpline had handled 2,691 cases.

Cases of High Social Profile: The Status in 2023



The RCA case: the second team on the day of second-instance verdict announcement

RCA) should jointly compensate the RCA Care Association with over TWD 1.667 billion. Both parties again appealed the unfavorable portions of the second-instance judgment. The Supreme Court has referred the case to mediation, which is currently ongoing.

The RCA Care Association, adhering to the philosophy of “taking from society, giving back to society” (a Chinese proverb that conveys the concept of acquiring resources from society and utilizing them for the betterment of society), resolved in its general meeting that the appointing party will allocate 25% of the compensation amount as a return to the RCA Care Association. On 23 October 2023, the Ministry of Labor approved the establishment of the RCA Trust Fund for Occupational Injury and Environmental Public Welfare, which is managed by Taipei Fubon Bank under the terms of the public welfare trust fund contract.

Workers Group Class Action Against RCA Taiwan for Pollution

Case Progress in 2023

In handling this case, the LAF recruited 120 volunteers and 90 pro bono lawyers in 2011 to conduct interviews and investigations with affected employees. A total of 305 valuable first-hand interview questionnaires were completed. For those who had not completed the questionnaires previously, our contingent of lawyers conducted additional interviews in 2023, completing 53 more questionnaires.

On 11 March 2022, The Supreme Court reversed the part of judgment unfavoring the appeal of the RCA Care Association, which was rendered in the first remand, and remanded the case to the Taiwan High Court. In accordance with the Supreme Court’s directive, the Taiwan High Court summoned one expert witness from each party to testify in court. The preliminary proceeding was concluded on 8 November 2023. Since both parties are currently engaged in mediation for this case and another related case, they agreed to suspend the litigation, pending the outcome of the mediation to decide whether to continue with the lawsuit.

For other former RCA workers who were unable to file lawsuits before 2004, the LAF assisted approximately 1,200 people in filing suits. On 27 December 2019, the Taiwan Taipei District Court ruled in favor of the RCA Care Association, awarding a total of TWD 2.33 billion. Both parties appealed the unfavorable portions of the ruling. On 21 April 2022, the Taiwan High Court ruled that the four companies (including

CPDC Dioxin Pollution Case

Case Progress in 2023

Some aid recipients and the defendant, China Petrochemical Development Corporation (CPDC) filed appeals to the court of second instance. This case is currently pending before the Taiwan High Court Tainan Branch Court (case number 110-Zhong-Shang-Guo-Zi-3). The presiding judge encouraged a settlement. With the assistance of our staff attorneys, the majority of aid recipients reached a litigation settlement with CPDC on 15 March 2023, and received settlement payments. As of now, only five aid recipients have refused the settlement and are continuing the second-instance litigation. The Taiwan High Court Tainan Branch Court has scheduled an oral hearing for 1 February 2024.

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

Case Progress in 2023

The LAF represents 68 aid recipients to claim compensation for civil damages from Formosa Plastics. The case is currently pending before the Taiwan Yunlin District Court, under case number 104-Gong-Zi-1. Additionally, there are two plaintiffs filed the lawsuits on their own. On 30 October 2020, the Taiwan Yunlin District Court dismissed these two plaintiffs’ petition under No. 107-Gong-Zi-1 judgement. The LAF legal team have assisted these two plaintiffs to appeal. This case is

pending before the Taiwan High Court Tainan Branch Court (case number 109-Gong-Shang-Zi-2). The court has commissioned the Institute of Environmental and Occupational Health Sciences at National Yang Ming Chiao Tung University for an assessment. Furthermore, under No. 107-Gong-Zi-1 judgement made by the Taiwan Yunlin District Court, the appeal to add 43 aid recipients as plaintiffs was dismissed. Our legal team has lawfully filed for the addition of these plaintiffs. The case is pending before the Taiwan High Court Tainan Branch Court (case number 111-Gong-Shang-Zi-2). The court has also commissioned the Institute of Environmental and Occupational Health Sciences at National Yang Ming Chiao Tung University for an assessment in this case.

Railway Accident: The Derailment of Taiwan Railway's Taroko Express



stationed services provided by the Hualien Branch regarding the accident of Taiwan Railway's Taroko Express No. 408 occurred on 2 April 2021

Case Progress in 2023

The second-instance criminal trial for this case underwent the first preliminary proceeding on 13 October 2023. Our staff attorneys will continue to assist the victims throughout the litigation proceedings to ensure the protection of their rights. Regarding the defendants who were initially not indicted and the petition for reconsideration, the Hualien Branch of Taiwan High Prosecutors Office has remanded the case to the Taiwan Hualien District Prosecutors Office for further investigation. The LAF will continue to assist the victims in filing legal complaints to facilitate the prosecutors in bringing charges against these defendants. For the civil compensation claims, all parties assisted by the LAF have reached settlements with Taiwan Railway and have received compensation.

Citizen Judge Case: Single Mother Charged with Filicide

Case Summary

After her divorce, the aid recipient Ms. Xu and her ex-husband agreed to jointly exercise the rights and bear the responsibilities to raise their 6-year-old son. However, Ms. Xu faced numerous difficulties including the death of an important family member,

divorce, unemployment, chronic insomnia, major depressive disorder, and insurmountable debts owed to friends, family, and financial institutions. She was also unable to pay rent. Unable to bear the thought of her son facing the harsh reality of society, she suffocated him with a pillow in their rental home and then attempted suicide by leaving a suicide note. The prosecutor charged her with the murder of a child by an adult, seeking a sentence of imprisonment of 16 to 18 years.

Assistance Provided

The staff attorney requested the court to send Ms. Xu to National Taiwan University Hospital for a psychiatric evaluation. The attorney also argued that the case met the criteria for reduced sentencing due to voluntary surrender and requested a reduction of the sentence under Article 59 of the Criminal Code, which allows for mitigation under circumstances deserving of sympathy. The Taiwan New Taipei District Court sentenced Ms. Xu to 16 years and 5 months in prison. Dissatisfied with the verdict, Ms. Xu appointed the original legal aid lawyer as her defense attorney and appealed to the Taiwan High Court. The appeal is currently pending a hearing.

Citizen Judge Case: Mentally Impaired Man Charged with Parricide

Case Summary

Mr. Zhong, who had long suffered from schizophrenia, killed his father, who also had schizophrenia, with a dumbbell at their home in January 2023. The Taiwan Taipei District Prosecutors Office initiated a public prosecution for the offenses of killing his lineal blood ascendant under Article 272 of the Criminal Code and violence under the Domestic Violence Prevention Act, as well as Article 5(1)(2) of the Citizen Judges Act.

Assistance Provided

The LAF appointed three staff attorneys to defend the aid recipient in the first instance of the criminal trial. With the consent of the aid recipient and his assistant, the defense attorneys helped the aid recipient petition the court against public participation in the trial according to Article 6 of the Citizen Judges Act. They also petitioned the court to engage in restorative justice according to Article 271-4 of the Code of Criminal Procedure. Given that the aid recipient had confessed to the crime and both the prosecution and defense agreed that Article 19(2) of the Criminal Code was applicable, the custodial protection may be imposed before the execution of punishment according to Article 87(2) of the Criminal Code. Therefore, the main issue of the case was the sentencing. To present a complete life trajectory of the aid recipient and explain the reasons behind the incident, thus providing recommendation for sentencing and duration of custodial protection to the tribunal with citizen judges, the LAF staff attorneys interviewed several witnesses and experts regarding the sentencing, petitioned the court to obtain relevant sentencing materials, and filed a petition for a pre-sentencing social investigation

report. The attorneys began by understanding schizophrenia, and supplemented evidence for sentencing, to compile the aid recipient's personal history. They further supplemented this with measures for custodial protection in criminal cases, execution of sentence of imprisonment, and practices of parole systems to provide a comprehensive defense for the aid recipient. In the tribunal, the citizen judges ruled that the aid recipient killed his father due to delusional thoughts and should have his sentence mitigated under Article 19(2) of the Criminal Code. Considering what the aid recipient needs the most is medical treatment to prevent further deterioration of his mental illness, the tribunal sentenced him to twelve years in prison with a pre-sentencing custodial protection of three years.

The Case of Vessel UNIPROFIT: The Shipowner Delinquent in Paying the Seafarers' Salaries

Case Summary

The aid recipients (a total of five Indonesian seafarers and five Chinese seafarers) were employed by the counterparty, UNIPROFIT MARINE LIMITED, and were assigned to work on vessel UNIPROFIT (registration number: 9105669) owned by the counterparty. In March 2022, the vessel ran aground off the coast of Fugang, Taitung for unknown reasons. The East Taiwan Maritime Affairs Center commissioned a third-party salvage company to tow the freighter to Kaohsiung Port, where it has since been moored. The aid recipients remained on board the vessel. During their stay on the vessel, the counterparty did not pay their wages. The LAF approved the aid recipients' application for legal aid and assigned two staff attorneys to handle the case.

Assistance Provided

Before applying for legal aid, the Chinese aid recipients had already transferred their wage claims to a third party. Therefore, the legal aid to them was terminated, and the appointment was revoked. For the Indonesian aid recipients, the case involves litigation for wage payments and the confirmation of maritime liens. This case is currently pending before the Taiwan Kaohsiung District Court (case number 112-Lao-Su-Zi-127), and an oral argument is scheduled for 7 February 2024. Furthermore, due to the vessel being fined by the Ocean Affairs Council for violations of the Marine Pollution Control Act and the fines not being paid, the case has been transferred to the Kaohsiung Branch of the Administrative Enforcement Agency under the Ministry of Justice for execution. The aid recipients have declared participation in the distribution as maritime lienholders, and the auction of the subject matter is scheduled for the third auction on 2 April 2024.

Human Trafficking: The Case of Ugandan Students

Case Summary

In 2019, a staff member of Chung Chou University of Science and Technology (CCUT), surnamed Chai, and a Taiwanese

businessman in Uganda, surnamed Lin, conspired to recruit students through fraudulent means. They deceived 16 Ugandan students into believing that CCUT would provide substantial scholarships, all-English curriculums, and internships in high-tech industries that would cover their living expenses, thereby enticing them to come to Taiwan for their studies.

On the eve of their departure to Taiwan, Lin required each student to sign a promissory note for a loan of USD 3,460 (approximately TWD 100,700), ostensibly to cover visa and airfare expenses. After the students arrived in Taiwan on 5 November 2019, Chai did not provide the promised courses or scholarships. Instead, the students were left to undertake ineffective learning activities at CCUT, often in a language they did not understand, and were given exam answers to copy.

In early 2020, to pressure the students to pay tuition and repay their debts, Chai began finding jobs for them by various means and collaborated with a labor broker surnamed Chen. The students were placed in jobs unrelated to their fields of study. Chen charged nearly a quarter of the students' total salaries as exorbitant brokerage fees and continued to deduct various charges. The students often worked excessive hours at night without overtime pay under harsh conditions, with some even sustaining physical injuries from the work.

In early 2022, under the pressure of unpaid tuition and debt, the students sought help through the media. Following an investigation by the Ministry of Education, it was determined that CCUT had committed significant recruiting violations. The Taiwan Changhua District Prosecutors Office initiated an investigation and subsequently a prosecution.

Assistance Provided

After the indictment, the Taiwan Changhua District Court referred the case to the LAF. We appointed three staff attorneys to assist with the criminal prosecution and victim participation procedures. We also approved to provide legal representation for civil damage claims and assistance for provisional attachment procedures. Except for one student who has left Taiwan, all others have completed their court testimony procedures. The court scheduled to hold oral arguments in April 2024.

Our staff attorneys have maintained close contact with the special task force and assisted the students still in CCUT in petitioning the Ministry of Education. The Ministry has negotiated with CCUT and requested CCUT to fulfill its commitment to provide tuition subsidies, allowing each student to ultimately obtain their degrees without worry. Furthermore, our staff attorneys have referred the affected students to NGOs for continued support from social workers regarding their physical and mental health and residency issues.

Major Achievements of Legal Center of Indigenous Peoples

On 12 March 2018, the LAF established the Legal Center of Indigenous Peoples in Hualien. The center, staffed with staff attorneys, provides culturally sensitive and professional legal assistance on cases related to indigenous culture, traditional customs, and traditional territories. Starting from 1 January 2021, the west office of the Center, located in Hsinchu, also began providing services to the public. In 2023, the major achievements of the Center are as follows:

The Case of Katratripulr Photovoltaic

The Taitung County Government planned to establish a “Solar Power Facility and Education Zone” in Jiankang area of Chihpen, Taitung City (known as the north bank of the Chihpen River), with a total area of 161 hectares. Since 10 July 2019, the LAF has been dealing with this legal aid case, which was applied by Pinuyumayan (also known as Beinan) people from Katratripulr tribe. The LAF staff attorneys, together with lawyers from other practices, have formed a legal team to assist the tribe members. There have been major achievements in both the appeal and administrative litigation for the “Revocation of the Permit to Establish the Electricity Enterprise”, and also the administrative litigation for “Suspending the Execution of the Permit to Establish the Electricity Enterprise”.

Regarding the validity of the tribal meeting resolutions, the Supreme Court, on 28 June 2023, in case number 111-Tai-Kang-461, remanded the case to the original court for further review. However, since this development project has ended, after discussions between the legal team and the parties involved, it was determined that there was no longer a need to invalidate the resolutions. Thus, the appeal against the jurisdictional ruling was withdrawn. After the case was transferred to the Kaohsiung High Administrative Court, the lawsuit to invalidate the tribal meeting resolutions was also withdrawn. Currently, the lawsuit filed by Shengli Company against the tribe and its members to validate the tribal meeting resolutions is being reviewed by the Kaohsiung High Administrative Court.

The Case of Tamazuan Tribe’s Fight against Mining

Case Summary

The Tamazuan tribe of Bunun people is located in Dili Village of Nantou County. Qingju Mining Company has been engaging in long-term crystal mining activities within the traditional territory of the Tamazuan tribe. After the expiration of its mining rights in 2015, Qingju Mining applied to the Ministry of Economic Affairs for an extension. The Ministry of Economic Affairs granted Qingju Mining a 10-year extension of the mining license, extending the mining period until 13 April 2025. Over the past two decades of mining activities conducted by Qingju Mining, the Tamazuan tribe has suffered from numerous natural disasters, including typhoons and earthquakes, leading to severe soil erosion and landslides, further degrading the environment. The mining activities have also significantly impacted the tribe’s hunting and farming rights and caused water shortages. The Tamazuan tribe and its members filed a lawsuit against the Ministry of Economic Affairs to revoke the mining rights extension and to protect their rights as well as interests.

Assistance Provided

Since July 2019, the LAF has been dealing with this legal aid case, which was applied by this tribe and its members. The LAF staff attorneys, together with lawyers from other practices, have formed a legal team to assist the tribe members in filing an appeal and a litigation for the “Revocation of the Mining Rights Extension”.

After the appeal being dismissed by the Executive Yuan, a lawsuit was filed with the Taipei High Administrative Court to revoke the mining rights extension. After five preliminary proceedings and oral arguments, the Taipei High Administrative Court, following the Supreme Administrative Court’s interpretation in the Asia Cement case, ruled that the original mining rights extension did not fulfill the consultation and consent procedures, and thus revoked the extension. Dissatisfied with the aforementioned judgment, Qingju Mining has filed an appeal. The case is currently under review by the Supreme Administrative Court.

The Hydropower Development Project Located in the Fengping River and Its Tributaries

Case Summary

Shih Fong Power is undertaking the Hydropower Development Project Located in the Fengping River and Its Tributaries in Zhuo-Xi Township, Hualien County. The plan includes the construction of the first and second river weirs in the mid and upper reaches of Fengping River in Zhuo-Xi, respectively, to divert the river water to the first and second power plants. Through the stages of environmental assessments, environmental impact analysis and mitigation report, and development construction, Shih Fong Power repeatedly applied to the Ministry of Economic Affairs for extension of construction permits, which were granted. With the assistance of the LAF staff attorneys, the tribes initiated an administrative remedy. On 3 March 2022, the Executive Yuan made a decision on the appeal, revoking the 2021 permit on the grounds that Shih Fong Power had not carried out the consultation and consent procedures. Subsequently, Shih Fong Power conducted the consultation and consent procedures, obtaining the consent of a majority of the stakeholder tribes by the end of 2022. Five stakeholder tribes, Shanli, Zhongxing, Zhongping, Gucun, and Sanlishan, agreed, while Taiping tribe disagreed. As a result, the Ministry of Economic Affairs agreed to extend the permit again on 22 February 2023. However, Shih Fong Power failed to carry out the following consultation and consent procedures: (1) to provide explanations regarding how the stakeholder tribes were identified; (2) to obtain consent from all stakeholder tribes; (3) to realize the principle of Free, Prior, and Informed Consent; and (4) to compile a list of indigenous household representatives based on the application date of Shih Fong Power. These failures had led to significant illegal flaws, resulting in the rights and interests of Shanli and Taiping tribe members, including the participation rights, being damaged. Therefore, they applied to the LAF for assistance in initiating the administrative remedy.

Assistance Provided

Regarding the 2023 construction permit: our team of staff attorneys assisted in initiating an administrative remedy, appealing the Taipei High Administrative Court to suspend the permit; the Taipei High Administrative Court granted the suspension under No. 112-Ting-Zi-56 ruling, but it was later reversed by the Supreme Administrative Court under No. 112-Kang-Zi-326 ruling, dismissing the motion to suspend execution.

Regarding the appeal for revocation: the legal team argued that the

consultation and consent procedures carried out by Shih Fong Power were significantly flawed and should be invalid, and believed that the 2023 permit issued by the Ministry of Economic Affairs was illegal and should be revoked; therefore, they filed an appeal with the Executive Yuan, and the appeal procedure is still ongoing.

Regarding the environmental assessment litigation: Shih Fong Power submitted the environmental impact analysis report in 2009, but has not carried out the development since then, exceeding the three-year requirement stipulated in Article 16-1 of the Environmental Impact Assessment Act; therefore, a lawsuit was filed with the Taipei High Administrative Court demanding the Environmental Protection Administration instruct Shih Fong Power to submit an updated environmental impact analysis report; this case is still under review.

Regarding the participation rights litigation: after the Executive Yuan’s decision to revoke the 2021 permit on 3 March 2022, Shih Fong Power conducted the consultation and consent procedures; however, the company simultaneously claimed that it was not obligated to perform these procedures and filed an administrative litigation with the Taipei High Administrative Court against the aforementioned appeal decision; since the outcome of this litigation will affect whether the consultation and consent procedures are required, the legal team is assisting the aid recipients in participating in the litigation, which is still under review.

The Case of Wanli Hydropower Project

Taiwan Power Company plans to implement the Wanli Hydropower Project in Wanrung Township, Hualien County, utilizing Wanli River in Wanrung for hydropower development. The project site is within the traditional territory of the Taroko people. In the process of obtaining the consent of the indigenous peoples through consultation, numerous flaws were found in the identification of stakeholder tribes and the tribal meeting resolutions passed on 22 February 2020. Therefore, the chairman and members of the Morisaka tribe applied to the LAF for legal aid. The LAF staff attorneys have successively assisted the tribe members in filing appeals and litigations for the “Revocation of the Identification of Stakeholder Tribes (against the Council of Indigenous Peoples)” and the “Revocation of the Identification of Stakeholder Tribes (against the Wanrung Township Office)”, as well as a litigation for the “Confirmation of the Invalidity of the Tribal Meeting Resolutions”. The status of each case is as follows:

Regarding the “Revocation of the Identification of Stakeholder Tribes (against the Council of Indigenous Peoples)” and the “Revocation of the Identification of Stakeholder Tribes (against the Wanrung Township Office)”, on 28 December 2023, the Taipei High Administrative Court confirmed under No. 111-Yuan-Su-Zi-8 ruling that the letter from the Council of Indigenous Peoples was not an administrative disposition and dismissed the plaintiffs’ appeal. Furthermore, under No. 110-Yuan-Su-Zi-12 judgement, the court ruled that the Morisaka tribe and its members lacked the standing to bring suit and dismissed their appeal. The LAF staff attorneys are discussing appeal matters with the plaintiffs to safeguard their rights.

Regarding the “Confirmation of the Invalidity of the Tribal Meeting Resolutions”, the Taiwan High Court Hualien Branch Court ruled that ordinary courts have no jurisdiction over this matter and, on 14 April 2022, under No. 110-Yuan-Shang-Zi-5 judgment, reversed the original judgment and transferred the case to the Taipei High Administrative Court for further review. The case is currently under review by the Taipei High Administrative Court.

This development project involves four tribes in two villages in Hualien

County, marking the first case in Taiwan where multiple tribes are involved in disputes arising from the implementation of consultation and consent procedures. It also raises the question of whether Article 4 of the Regulations for Indigenous Peoples’ Rights to Consultation in Consent Process and Participation, which allows consent to be passed by a majority of tribes, is illegal and unconstitutional. Similar issues have also arisen in the Shih Fong Hydropower Plant case. Clearly, such issues significantly impact the rights and interests of indigenous peoples. Moreover, the members of the tribes have questioned the severe environmental impacts caused by this development project, which is currently in the second phase of the environmental impact assessment. The LAF staff attorneys will continue to assist the tribes in clarifying the issues in dispute, with the aim to uphold the spirit of “Free, Prior, and Informed Consent” as indicated in Article 21 of The Indigenous Peoples Basic Law through the current consultation and consent practices.

The Case of Asia Cement’s Mineral Rights Extension and Consultation in the Consent Process

The Ministry of Economic Affairs approved the extension of mining rights for Asia Cement Corporation at the Mt. Xincheng quarry. The Supreme Administrative Court, in its No. 108-Shang-Zi-894 judgement, ruled that the extension was illegal and shall be revoked as it did not fulfill the consultation and consent procedures before the extension, marking this the first nationwide case to revoke an administrative decision based on the consultation and consent rights under Article 21 of The Indigenous Peoples Basic Law.

In March 2022, the LAF approved tribe members’ application for legal aid. The LAF staff attorneys, together with lawyers from other practices, have formed a legal team to assist the tribe members in filing the “Perpetuation of Evidence of the Tribal Meeting Resolutions” and the “Administrative Litigation to Confirm the Invalidity or Non-establishment of the Resolution”.

Regarding the “Administrative Litigation to Confirm the Invalidity or Non-establishment of the Resolution”, in August 2022, the lawsuit was filed with the Taipei High Administrative Court to confirm that the tribal meeting resolutions, passed on 12 February 2022, consenting to extend Asia Cement’s mining rights was non-existent under public law. On 31 August 2023, The Taipei High Administrative Court, in No. 111-Yuan-Su-Zi-11 ruling, determined that this case fell under private law and therefore had no jurisdiction over it, and transferred the case to the Taiwan Hualien District Court. The tribe members disagreed with this ruling. The legal team has already assisted the tribe members in filing an appeal, which is currently under review by the Supreme Administrative Court.

Tama Talum’s Hunting Case

Tama Talum, the aid recipient, is a member of the indigenous Bunun tribe. One day in July 2013, in order to provide food for his mother, he hunted one Formosan serow and one Reeves’s muntjac (both protected wild animals) in the national forest, using a self-made rifle and a machete without a permit. He was sentenced to three years and six months in prison and fined TWD 70,000. After the verdict was upheld, the Supreme Prosecutors Office filed an extraordinary appeal, requesting a constitutional interpretation from the Supreme Court. This resulted in Judicial Yuan Interpretation No. 803, which stated that the use of self-made hunting rifles does not necessarily constitute a constitutional issue; however, except for special circumstances, indigenous people are

not allowed to hunt protected animals. Therefore, Tama Talum could not seek remedy based on the Interpretation No. 803. In the end, the Supreme Court dismissed the extraordinary appeal in criminal judgment No. 106-Tai-Fei-Zi-1. The aid recipient believed that this judgment seemed to contradict the intent of Interpretation No. 803 and sought assistance for an extraordinary appeal in criminal proceedings and representation in constitutional litigation. The LAF approved his request for legal aid.

This case was handled by a team of LAF staff attorneys. They petitioned for an interpretation. The Constitutional Court, citing no fundamental misunderstanding or significant omission in the contested judgment and regulations regarding the petitioner’s asserted fundamental rights, dismissed the case with No. 112-Xian-Cai-Zi-30 ruling.

Regarding the extraordinary appeal, the case is still pending before the Supreme Court. On 26 May 2023, the Supreme Court underwent the preliminary proceedings, summoning both the prosecution and defense to compile the key issues of this case. The Supreme Court, following the Grand Chamber proceedings, sought legal opinions from various courts. Although the results indicated no need for a Grand Chamber review, the presiding court still deemed it necessary to clarify related legal disputes and decided to seek the opinions of the experts recommended by the legal team on the legal points in question. An oral argument is scheduled for 17 February 2024, and the experts will be summoned to testify in court.

The Restoration of Indigenous Names

The traditional naming methods of indigenous peoples are rich in cultural characteristics of various ethnic groups and tribes, including systems like parent-child linked names (with clan names), clan names, house names, and tekonymy. An individual’s cultural life and daily activities are inseparable from the use of tribal languages for mutual identification and distinguishing family (or even social class).

The Taiwan Provincial Administrative Executive Office issued the Regulations for Restoring Original Names in Taiwan Province in 1946, stipulating that “those with Japanese names must apply to restore their original Chinese names within three months of the announcement of the Regulations”. Before the war, the indigenous peoples of Taiwan were registered in Katakana in household records. Regardless of whether they had adopted Japanese names, their names were considered Japanese after the war. Consequently, the indigenous peoples across Taiwan were randomly assigned Chinese names through door-to-door mobilization by administrative agencies. It was common for members of the same family to end up with two or three different surnames. Furthermore, dialects were banned by the government. Consequently, the traditional naming culture of Taiwan’s indigenous peoples was interrupted for a long time.

Under the advocacy of the Taiwan Association for Promotion of the Rights of Indigenous Peoples, the Legislative Yuan has made several amendments to the Name Act since 1995, admitting indigenous traditional names to be registered in phonetic Chinese, phonetic Chinese listed together with Romanized phonetic spellings, or Chinese name listed together with Romanized phonetic spellings. Although the Development of National Languages Act was passed by the Legislative Yuan in January 2019, recognizing all indigenous languages (in Romanization) as national languages, the Ministry of the Interior, which is the competent authority for the Name Act, has been slow to amend the law to allow indigenous peoples to name themselves using solely Romanized phonetic spellings, citing “public unfamiliarity with Romanized phonetic spellings”.

Starting in April 2021, several indigenous youths applied to local household registration offices to change their names to solely Romanized phonetic spellings. However, their applications were all rejected. These youths then held press conferences, appealed to administrative authorities, and applied to the LAF for legal aid.

In June 2021, the LAF staff attorneys assisted them in filing appeals. In August of the same year, the appeals were dismissed by various appeal review authorities; in September, an administrative litigation were filed with the Taipei High Administrative Court, petitioning the court to grant the indigenous peoples’ request in line with the spirit of the Constitution, which protects indigenous languages, indigenous cultures and multiculturalism.

In the two administrative litigations, one case was ruled on 2 November 2023, with the court recognizing the indigenous peoples’ rights to determine their names as protected by the Constitution and the International Covenant on Civil and Political Rights. The court, adopting an extensive interpretation, interpreted the “Chinese name” provision in the Name Act to include “names in national languages” and approved the registration of a tribal name solely in the indigenous language. As the defendant authority did not appeal, the aid recipient successfully registered his name solely in his native language on 17 November 2023. This is indeed a milestone in the movement for the right to indigenous name determination and the revitalization of indigenous languages in Taiwan. The other case (involving seven plaintiffs) was ruled on 11 January 2024, with the court again affirming the constitutional protection of the cultural rights and name determination rights of indigenous peoples and adopting an extensive interpretation. The court ruled that indigenous peoples are allowed to register their “traditional names” using indigenous languages and scripts, and ordered the household registration authorities to process the applications of six plaintiffs for registering solely in their indigenous names. However, the court ruled that one plaintiff could not revert to his traditional name and solely register in his indigenous name due to a condition stipulated in the Name Act, which allows only one time to revert from a Chinese name to a traditional name. Our legal team will assist this individual in further appealing.

The Case of Baboon Capture Incident

On 27 March 2023, an East African baboon was spotted in the southern district of Taoyuan City, prompting the Taoyuan City Government to initiate a capture operation. The baboon entered a residential house and was subsequently shot dead by a hunter of indigenous descent. This incident led to widespread public criticism directed at the hunter, Leofoo Village (the owner of the baboon), and both central and local government authorities. The controversy in this case revolves around whether there are justifiable grounds for the indigenous hunter’s actions: participating in the capture operation of an East African baboon (a protected species) using a homemade hunting rifle outside indigenous territories, which ultimately resulted in the baboon’s death. The questions raised include whether this action constitutes a legal defense and whether it violates the penalties stipulated in the Wildlife Conservation Act for killing protected species. The LAF staff attorneys provided legal assistance to the aid recipient through various means, including accompanying the recipient in police interrogations, interviewing witnesses, conducting on-site investigations and evidence collection, researching information on protected animals, and drafting legal documents. The indigenous hunter ultimately received a final decision of non-prosecution.

Regulatory Amendments

In 2023, we amended or repealed a total of ten LAF regulations. The primary changes focused on five key areas: improving the quality of legal aid service, adjusting LAF review procedures, modifying LAF personnel management system, revising LAF financial and accounting system, and streamlining administrative procedures in the organization. A brief summary is as follows.

I. Improving the Quality of Legal Aid Service

On 18 January 2023, the Board of Directors passed a resolution to amend the Guidelines for Legal Aid Attorneys in Handling Cases. Significant revisions include adding requirements for legal aid attorneys to provide oral legal consultation services and detailing important considerations. Furthermore, it is now explicitly stated that when legal aid attorneys receive documents concluding the procedure, such as judgments, they must notify or deliver these documents to the aid recipients and explain the main content and inform the recipients of the statutory remedy period.

II. Adjusting LAF Review Procedures

Since the substantial revision of the Legal Aid Act on 1 July 2015, the LAF has continually amended and supplemented related provisions. However, the Directions for Review Committee Members and the Directions for Reviewing Whether Compulsory Defense Cases Are Clearly Unfounded, established by LAF Regulatory Committee in December 2014, have not been revised since then. Many of these provisions are now inconsistent with current laws or pertain to operational practices; they should be regulated by standardized operating procedures. With the approval of the CEO, these two Directions have been repealed to ensure compliance with the legal framework.

III. Modifying LAF Personnel Management System

(1) Revision of the Appointment and Evaluation Regulations for Staff Attorneys

The revisions to this Regulations were approved by the Board of Directors on 31 March 2023, and subsequently ratified by the Judicial Yuan on 2 June of the same year. It was clarified that the year-end bonuses and performance bonuses for staff attorneys as well as candidate staff attorneys shall be calculated solely based on their basic salary and managerial allowances, excluding transportation, housing, and outlying island subsidies as per the revised Regulations for Personnel Management. Moreover, regarding the recognition and counting of service years relevant to the position being appointed, the relevant years of service for judicial affairs officers, prosecutorial affairs officers, assistants to Justices of the Constitutional Court, judicial assistants, and contracted defense attorneys could be considered.

(2) Revision of the Regulations for Personnel Management

1. In the Board of Directors meeting on 31 March 2023, it was resolved to introduce new subsidy regulations for outlying island regions due to the relative remoteness, significant differences in local resource distribution, and difficulties in recruitment and retention. These changes were made with reference to relevant regulations for civil servants. To meet the demand for the deployment of full-time personnel, housing and transportation subsidies were added in accordance with Article 10-1 of the Labor Standards Act. Additionally, to align with the revised guidelines of domestic travel expense reimbursement for civil servants, adjustments were made to the accommodation expense amounts to meet actual needs. It was clearly stated that in principle these regulations shall apply to staff attorneys and candidate staff attorneys, except where other provisions are specifically stipulated.

2. In the Board of Directors meeting on 25 August 2023, it was resolved to adjust the salary scale for full-time personnel and staff

attorneys, referencing the 2023 civil servant salary adjustment rate, in consideration of the recent economic growth rate and Consumer Price Index (CPI) increase. This adjustment was ratified by the Judicial Yuan on 26 January 2024.

(3) Revision of the Staff Attorney Appointment Procedures

In the Board of Directors meeting on 31 March 2023, it was decided that the family status (including the spouse’s occupation) of staff attorneys is irrelevant to their appointment. Consequently, the “Family Status (including the spouse’s occupation)” section was removed from the application form. Furthermore, an explanation of the required information for years of practice was added to facilitate the review process.

(4) Revision of the Employee Attendance Management Guidelines

The following revisions were made to ensure the labor rights of LAF employees and comply with the law: the addition of provisions allowing exceptions to reduce the total daily attendance hours; adjustments to the wording regarding leave approval authority to avoid ambiguity; the removal of the rule that extended work hours is calculated in 0.5-hour increments, with portions less than 0.5 hours not counted; and the deletion of the regulations regarding overtime during the lunch break.

IV. Revising LAF Financial and Accounting System

(1) Revision of the Regulations for Fund Management between the LAF and its Branches

In response to No. Gong-Cheng-Qi-11101007984 letter issued by the Public Construction Commission of the Executive Yuan on 23 December 2022, the Board of Directors resolved on 16 June 2023 to adjust the expenditure, payment request, advance payment, and reimbursement procedures according to the amendments to the Government Procurement Act, which stipulate audit amounts, announcement amounts, and small procurement amounts for central government authorities. This adjustment aims to align with the LAF’s accounting centralization system, which has been in place since 2010 and reflects recent accounting practices.

(2) Revision of the Guidelines for Purchasing Office Premises

In the Board of Directors meeting on 22 September 2023, it was resolved to revise the guidelines for purchasing office premises to ensure compliance with the Government Procurement Act and related regulations. Clearly, the current Guideline’s Article 2, which lists the details required in real estate purchase plans, must align with the spirit of the Government Procurement Act that prohibits restricting competition. Additionally, the responsibilities for drafting real estate purchase plans were adjusted to reflect the current division of labor between the head office and branch offices. To expedite the review process for real estate purchase plans and shorten the period for the procurement group to draft review recommendations, the revisions were approved to meet actual needs.

V. Streamlining Administrative Procedures in the Organization

The LAF implements a tiered responsibility and hierarchical authorization system to streamline procedures and improve administrative efficiency. To this end, the LAF has established the guidelines for implementing tiered responsibility (hereinafter referred to as “the Guidelines”). According to points 4 and 10 of the Guidelines, the responsibilities and authorities of personnel at various levels of the LAF and its branches are specified in the Detailed List of Responsibilities and Authorities for Handling Affairs under Tiered Responsibility. This list is implemented upon approval by the CEO to ensure applicability.

Continuous Improvement of Service Quality

1 Measures to Improve Service Staff Attitudes

Encouraging Customer-oriented Philosophy and Flexible Service Delivery

Since 2018, the LAF has been conducting regular undercover inspections, including the evaluation of on-site services (e.g., office environment of a branch, service procedures, value-added service, facilities, etc.) and the review of telephone services. The inspection results for 2023 showed an average score of 90.5 out of 100 points on the quality of onsite services, an improvement from 89.6 points in 2022; the average score for the performance of telephone services was 93.2, also an improvement in comparison with 92 points in 2022.

Disclosure of Satisfaction Surveys

In the past, the surveys of client satisfaction with branch office services were conducted on a quarterly basis and were outsourced. This was changed in 2016; since then, such surveys have been conducted by LAF head office. Starting from October 2020, due to the consistent upward trend in client satisfaction levels and the implementation of an undercover onsite evaluation mechanism, we adjusted our sampling targets and transitioned from monthly to quarterly surveys. The survey results and any anomalies are provided to the branches on a quarterly basis, so that timely improvement measures can be taken based on the survey results to maintain service quality. In the 2023 survey results, all aspects of branch performance scored above 86.8%.

Foreign Language Services and Multilingual Documents

Since 2018, the LAF has been offering Foreign Language Services, assisting applicants during the processes of application, review, and reconsideration by providing translation services through interpreters (with service fees covered by the LAF). The service also includes communication access real-time translation (CART) required by applicants with hearing or language impairments. As of the end of 2023, the LAF's interpreter roster includes 144 interpreters proficient in Southeast Asian languages, 20 indigenous language interpreters, 58 sign language interpreters, and 41 CART captioner. To facilitate external access to our recruited interpreters, we have sought consent from each interpreter listed to disclose their contact information. This information was published on the LAF's official website in the first quarter of 2023. Among the legal aid cases involving foreign nationals, a large number of them are Vietnamese, Indonesian, Filipinos and Burmese. With the intention to give further support to foreign nationals, the LAF also provides many documents in these languages, such as the application form for legal aid and notification forms for various review decisions.

2 Refinement of Case Management Process

Business Communication and Position Harmonization Between Head Office and Branch Offices

In order to enhance business communication and harmonize various positions between head office and branch offices, the contact point for business inquiries from the branches is served by the business management personnel based at the head office; these personnel also take the responsibility of supervision. In addition, an internal information platform has been established (such as flowcharts and control points for specific processes, SOPs for the application of newly added or revised regulations, etc.) to facilitate online access and queries by branches. This reduces discrepancies or errors in branch business operations and address similar or related issues. Furthermore, the head office also regularly publishes various business inventories, business data, and performance statistics to assist branches nationwide in managing cases effectively.

Strengthening the Mechanism for Tracking and Managing Legal Aid Cases

To ensure the proper handling of cases assigned to legal aid attorneys, the LAF, in the case acceptance form, requires attorneys to meet with aid recipients after taking on a case, confirm the necessity of filing for litigation assistance or provisional remedies, and explain any important time limitations related to the case. Both parties must sign the report, which is then submitted to the branch. Additionally, various case tracking and management mechanisms are available. Since the launch of the "Online Operating System for Legal Aid Attorneys", legal aid attorneys can report and handle cases online. The LAF can also use the system to instantly check case progress and track management outcomes.

Management of Case Closures by Legal Aid Attorneys

The LAF has amended point 35 of the Guidelines for Legal Aid Attorneys regarding the time limits for reporting case closures. Legal aid attorneys are required to submit all legal writings and case closing documents (e.g., the mediation records, judgments or rulings), in accordance with our reporting procedures. In the case that the submitted documents are incomplete, the branch office shall notify the attorney via the operating system to rectify and report within a specified period. Should the attorney fail to rectify or report the case closure in a timely manner, the branch office may directly refer the case to the Review Committee for discretionary reduction of remuneration or reassessment of remuneration. Furthermore, the handling of such cases by the branch offices will be subject to random audits annually and included as part of the branch office performance evaluation.

Establishing an Information Security Environment in Compliance with ICT Policies

To comply with the requirements for specific non-governmental organizations at information security responsibility level B, the LAF approved its Directions for Cyber Security Management in September 2019. This established our internal information security regulations. We have gradually integrated all core information and communication

technology (ICT) systems (including the Legal Aid Online Appointment System, Business Management System, Lawyer Billing System, and Lawyer Online Operating System) with the ISO 27001 Information Security Management System standards. We have completed verification by an impartial third party and obtained the certification, maintaining its validity continuously. Moreover, we regularly conduct information security health checks, penetration testing, and vulnerability scanning on systems, network architecture, user-end computers, and servers to implement and enhance our network and ICT system security protection capabilities.

Understanding Applicants' Life Profiles, Such as Help-seeking Behavior and Technology Use, to Optimize Legal Aid Service Processes

During the Level 3 COVID-19 alert in 2021, 17 of LAF branch offices adopted remote service models, such as video conferencing, phone calls, and written communications, for legal aid applications. This marked the first large-scale application of ICT in our legal aid application services. Our research team conducted a study based on these innovative service experiences during the pandemic and reached the following conclusions. Firstly, remote or technology-based services can indeed save time and costs for applicants and review committee members. These services also effectively reduced the no-show rate and the rate of missing documents due to changes in the application process. However, it is crucial to note that not all applicants possess the necessary technological skills. Secondly, the early assumption that applicants generally have "low technological ability" is not entirely accurate. Thirdly, our current software and hardware infrastructure, legal regulations, internal standard operating procedures, and legal interpretations are insufficient to support more comprehensive technology-based services. Without holistic system planning and process redesign, fragmented and partial technology service applications may not significantly reduce costs or improve efficiency. Instead, they may impose additional burdens on frontline staff and result in unnecessary waste of human resources.

Moreover, between July and September 2022, our research team conducted a large-scale face-to-face survey across 19 branch offices on the main island to better understand the information displayed by our business software systems, and the further help-seeking behaviors and life profiles of applicants. This included their use of digital technology tools, skills and preferences, transportation means, and habits. Comparing the first-hand data collected with data from national surveys (such as those conducted by the National Development Council or the Ministry of Digital Affairs), we found that the internet usage rate, ownership of internet access tools, and online time of our applicants are comparable to national figures. However, their engagement in social media, online videos, online shopping, online reservations, internet banking, mobile payments, and online education is significantly lower than the national average. Notably, while nearly 70% of the general population uses the internet for public services (such as tax filing or purchasing real-name registration masks), less than 20% of our sample applicants do so. The specific results of these two research analyses can be found in the report from our 2023 International Legal Aid Forum.

3 Mechanism to Assure the Service Quality of Legal Aid Attorneys

Policy Planning to Maintain the Service Quality of Legal Aid Attorneys

©Restrictions and Relaxation of Lawyer Qualifications

The LAF requires lawyers to have at least 2 years of experience to apply as legal aid lawyers. If a lawyer with less than 2 years of practice wishes to apply to become a legal aid attorney, he/she is required to submit his/her legal writing to LAF review committee for qualification review. In 2023, after the review by the committee, a total of 4 lawyers met the qualification requirements.

In order to address the shortage of lawyers in dealing with cases of consumer debt clearance and attorney attendance at interrogation, the LAF has relaxed the aforementioned requirement of two-year practice. These lawyers, after completing the LAF's education and training programs, may apply to serve as legal aid attorneys in such cases.

©Optimization of Case Assignment Policy

Since 2012, the LAF has been promoting a fair case assignment policy to ensure the quality of legal aid services and avoid overburdening a single legal aid attorney with too many cases, affecting the service quality. The LAF has established a principle of limiting the number of cases per attorney to a maximum of 24 per year.

In 2018, the LAF approved the Regulations for Selection of Legal Aid Attorneys and Case Assignment, establishing a secondary limit of 48 cases per year for exceptional circumstances. Between 2019 and 2020, the case assignment system was further refined to align with regulatory changes. The assignment logic was adjusted to meet actual needs and also to balance service quality and fairness in case assignment. This updated system was launched on 1 January 2021.

To better understand the case assignment practices of various branches, in 2019, the LAF collaborated with professors from the Department of Statistics at Taipei University to conduct research. During the first stage, the assignment data of the LAF from 2015 to 2017 were analyzed, and the quantitative study, "The Practices of LAF Case Assignment in Legal Aid: Analysis One", was completed. At the second stage, qualitative study was conducted through interviews with branch staff, and the analysis was completed in 2021. With first-hand information collected through in-depth interviews, the second report was also completed in 2021. This report has been presented at the board meeting.

The LAF continuously studies assignment policies for different disadvantaged groups and case types and puts them into practice. For example, cases involving individuals with disabilities are prioritized to lawyers who have participated in courses on the Convention on the Rights of Persons with Disabilities; cases involving indigenous cultural conflicts are prioritized to lawyers who have taken related courses; in December 2021, the Board of Directors proposed the "Report on the LAF's Current Practices of Juvenile Cases and Optimization Plan for the Case Assignment"; in September 2023, the Board of Directors proposed the "Plan for Optimizing the Review and Assignment Process for Legal Aid Cases Involving Indigenous People".

◎Specialist Lawyer Assignment System

The specialist assignment system was launched on 11 June 2021.

By the end of 2023, the number of certified specialist lawyers in various fields had significantly increased compared to 2022.

Specialist Lawyer Count	2021	2022	2023
Labor Specialist Lawyers	337	388	404
Family Specialist Lawyers	943	1,004	1,041
Consumer Debt Clearance Specialist Lawyers	762	812	852

Specialist Assignment Ratios Over the Past Three Years

Specialist Assignment Ratio	2021	2022	2023
Labor Cases	96.16%	97.22%	95.88%
Family Cases	94.10%	93.85%	93.62%
Consumer Debt Clearance Cases	100%	100%	99.99%

◎Enhancing the Service Quality of Legal Aid for Citizen Judge Cases

The Citizen Judges Act was passed in the third reading by the Legislative Yuan on 22 July 2020, and promulgated by a presidential order (No. Hua-Zong-Yi-Zi-10900091091) on 12 August of the same year. Except for Articles 17 to 20 and Article 33, which took effect on the date of promulgation, and Article 5-1(1), which will take effect on 1 January 2026, the remaining provisions entered into force on 1 January 2023. Following the promulgation of the Citizen Judges Act, the LAF immediately began planning and implementing related support measures. This included the amendment of the Regulations for Legal Aid Remuneration at the end of 2021, increasing the value of one pay point on the remuneration scale for defense attorneys handling first-instance citizen participation trials in accordance with the Citizen Judges Act (hereinafter referred to as “citizen judge cases”) from TWD 1,000 to TWD 1,500, and adjusting the remuneration based on the complexity of the work involved.

For each case, the maximum remuneration per lawyer can reach TWD 75,000, and up to three lawyers can be assigned per case. However, due to a high degree of difficulty and intensive nature of citizen judge cases, which significantly impede other professional activities of lawyers, there is little willingness among legal aid attorneys to take on these cases, whether as defense attorneys or as attorneys *ad litem*. The branch offices have faced great challenges in assigning cases. Therefore, the LAF plans to propose another remuneration adjustment plan in 2024 to ensure the service quality of legal aid.

Since 2021, the LAF has hosted a series of courses concerning the Citizen Judges Act, totaling ten sessions. These include foundation courses, case studies, and workshops, acquainting legal aid attorneys with citizen judge cases step by step in a timely manner.

In 2023, we collaborated with the Taipei Bar Association and other organizations to complete a handbook for defense in death penalty

cases involving citizen judges, *A Pin A Day Is A Groat A Year - Advocating for the Abolition of the Death Penalty*. This book has been published in January 2024. In 2024, we will organize one online and four in-person training sessions, based on the content of this handbook and the latest practices, to enhance the service quality of legal aid provided by lawyers.

The branch offices have been actively recruiting lawyers willing to handle citizen judge cases. Those who have previously served as defense attorneys in mock trials at district courts, or who have participated in courses related to the Citizen Judges Act organized by the LAF or bar associations, are eligible to join the roster of defense attorneys for citizen judge cases. Currently, nearly 500 lawyers are registered in the rosters maintained by branch offices. In addition to continuous lawyer recruitment, the LAF will also conduct ongoing reviews of the practical experiences, training hours, and other professional criteria needed by legal aid attorneys, as stipulated in Article 16-3 of the Enforcement Rules of the Citizen Judges Act.

Unlike courts and prosecutors’ offices, which have comprehensive experience inheritance systems, most lawyers practice independently and need to collaborate on cases or share experiences to expeditiously accumulate litigation experience and to be able to strengthen the defense rights of criminal defendants. To meet the defense needs in citizen judge cases, the LAF has already formed a task force of staff attorneys to handle citizen judge cases involving particularly vulnerable groups. In 2024, we will further explore and prepare for the establishment of a criminal defense center staffed with staff attorneys. The criminal defense center will be responsible for enhancing the overall capacity of legal aid attorneys, integrating defense resources from various regions, and improving the service quality of legal aid. The staff attorneys will collaborate with experienced legal aid and law firm lawyers to serve as mentors, focusing on planning lawyer training, accumulating expertise in citizen judge cases, and training motivated and potential legal aid attorneys to build a talent pool for citizen judge cases.

Complaint Management System

In 2023, a total of 275 complaint cases were filed. Of these, 29 cases are still under investigation, and 246 cases have been concluded.

Among the concluded cases, 23 were closed as not accepted/merged/withdrawn.

The remaining 223 cases were substantively investigated and accepted, with the outcomes as follows:

Disciplinary Action	Number of Cases
Yes	111
No	112
Subtotal	223

Among the 111 cases that resulted in disciplinary action, review committee members were the subjects of complaints in one case, and LAF full-time project personnel in two cases. For these three cases, the disciplinary measures imposed are to give guidance notices, to mediate, or to urge for improvement. In the remaining 108 cases, legal aid attorneys (including consultation lawyers) are the subjects of complaints; the measures imposed are as follows:

Disciplinary Measures	Number of Cases
suspension of case assignments and referral to the disciplinary committee	9
suspension of case assignments	52
to give guidance notices, to mediate, or to urge for improvement	47
temporary suspension from legal consultation work	0
subtotal	108

Legal Aid Case Issue Reporting Form (For Courts and Prosecutors Only)

The LAF has created the Legal Aid Case Issue Reporting Form (For Courts and Prosecutors Only) to monitor the litigation performance of legal aid attorneys. If courts or prosecutors at any level believe that a legal aid attorney has potentially violated the Attorney Regulation Act or demonstrated questionable quality in litigation service while handling legal aid cases, they can download this form directly from LAF website (under “Legal Aid – Documents Download” in our Chinese webpage). After filling out the form with specific details, they can report it to us. In 2023, the court and prosecutor reports included one positive evaluation and two negative evaluations. Of the negative evaluations, one has been fully investigated, while the other is still under investigation.

Attorney Performance Evaluation

◎The Review Results

Since 2007, the LAF has been conducting attorney performance evaluation in accordance with the Directions for Evaluating Performance of Legal Aid Attorneys (revised as the Regulations for Evaluating Performance of Legal Aid Attorneys and Improving the Service Quality). Over the past three years, the number of lawyers subjected to disciplinary action as determined by the Legal Aid Attorney Evaluation Committee and the Legal Aid Attorney Review Committee is as follows:

Year	2021	2022	2023
written request for improvement	4	3	0
reduction of case assignments	0	0	0
suspension of case assignments	21	22	22
dismissal from legal aid service	8	3	5 (1 disposition pending)
referral to the Attorney Disciplinary Board	8	4	11 (2 dispositions pending)

The behaviors leading to these disciplinary actions mainly include: questionable service quality of legal aid, such as failure to submit required legal writings, insufficiently prepared legal writings, failure to attend court hearings, or failure to provide substantive defense; violations of the code of professional ethics for lawyers, such as failure to observe appeal deadlines, failure to provide grounds for appeal,

failure to observe the deadlines provided in rulings, or delays in handling cases; violations of LAF Guidelines for Legal Aid Attorneys, such as appointing non-lawyers as deputy agents, failure to meet with clients, or failure to inform clients about provisional remedies; non-compliance with requests to provide case files and documents for the attorney performance review.

4 Staff Attorneys

The LAF employs staff attorneys and has established a dedicated staff attorney center to deal with cases that require specialized expertise, concern with public interest, or are of high profile. These cases often involve issues that general practitioners less commonly encounter in their daily practices, such as environmental litigation, death penalty defense, and class action lawsuits.

As of the end of 2023, the LAF has employed a total of 21 staff attorneys, who are stationed at:

Taipei Branch	3 attorneys
Kinmen Branch	1 attorney
New Taipei Branch	2 attorneys
Tainan Branch	3 attorneys
North Center of Staff Attorneys	6 attorneys
Legal Center of Indigenous Peoples	6 attorneys

5 Professional Training

Employee Skill Enhancement

In order to support the LAF staff in providing legal aid services, maintaining good service quality and further improving the quality, the LAF actively conducts professional and service training courses for our colleagues. In 2023, the training program encompassed four categories: professional skills, legal regulations or policy requirements, general courses, and indigenous courses. Furthermore, to integrate educational and training resources, the course content was tailored to the regional context and training sessions were organized accordingly.

Attorney Training

In 2023, the education and training for attorneys were conducted in various formats including online, in-person, and recorded sessions. A total of 68 training sessions were completed, covering a diverse range of topics such as: labor laws, family laws, rights of persons with disabilities, communication skills with persons with disabilities, practical insights and experiences sharing concerning the Constitutional Court and Grand Court, practical insights and experiences sharing concerning civil and criminal appeals in the third instance, the practices in handling cases under the Citizen Judges Act, criminal trial practices (including topics on evaluation and sentencing), judicial practices in fraud cases, rights of crime victims, the practices in handling juvenile cases, restorative justice series, experience sharing on consumer debt clearance practices, the Constitutional Court Procedure Act, new Administrative Litigation Act, and courses on indigenous cultural sensitivity and key indigenous cultural experiences.

Organizing Campaign Activities and Seminars

Organizing and Co-hosting Campaign Activities

In 2023, there was a total of 1,826 events (including those held in correctional facilities) either organized by the LAF branches or co-hosted by the LAF and its partner organizations.



- 13 January 2023, participating in a dissemination event organized by Port of Kaohsiung, Taiwan International Ports Corporation; held at Daitian Temple in Gushan District, this event aimed to promote social participation and enhance civic awareness of anti-corruption.
- 2023 2023 Legal Aid Day, "With Legal Aid, Helpless No More": Film Watching and Interdisciplinary Discussion (New Taipei Branch)
- 16 July 2022, dissemination activity at an event held at World Vision Taiwan (Hualien Branch)
- 14 October 2023, dissemination of the rule of law at Lo-Tung Senior High School (Yilan Branch)
- 1 September 2023, the Tainan Branch co-organized the orientation and dissemination event for incoming international students of 2023 Fall Semester at National Cheng Kung University (Tainan Branch)
- 21 November 2023, a dissemination event on the rule of law held in the indigenous area, at Leshuei Community (Yilan Branch)
- 20 September 2023, "Dating with the Taiwan Penghu District Court: An Outreach Tour in Five Townships and One City" at Baisha Township (Penghu Branch)
- 11 March 2023, Arbor Day Booth Activity (Taitung Branch)



Dissemination of The Rule of Law in Correctional Facilities

Since 2016, the LAF, through its nationwide branches (including the Legal Center of Indigenous Peoples), has been actively engaged in providing services to inmates in correctional facilities. We have promoted the use of written mail by inmates to apply for various types of legal aid. In 2023, the LAF conducted a total of 551 sessions in correctional facilities, including case acceptance, rule of law education, legal aid advocacy, and legal consultation activities.



- 25 October 2023, a rule of law education session conducted by the Taitung Branch at Wuling Prison (Taitung Branch)
- 12 May 2023, a rule of law education session conducted by the Hualien Branch at the Zihciang Minimum-Security Prison (Hualien Branch)
- 14 February 2023, Attorney Jun-Min Cai from the Kaohsiung Branch conducted a rule of law education session at Kaohsiung Prison (Kaohsiung Branch)
- 26 May 2023, the Hualien Branch conducted a rule of law education activity via video conference with the Hualien Detention Center (Hualien Branch)
- On 11 August 2023, Attorney Zheng-Ying Cai from the Kaohsiung Branch conducted a rule of law education session and provided legal consultation services at Kaohsiung Women's Prison (Kaohsiung Branch).



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

At the invitation of the Taiwan Tainan District Court, the LAF has been hosting a video exhibition of its legal aid cases, "Hope Is Just Around the Corner", at Tainan Judicial Museum, a national historic site, since 16 January 2020. The exhibition features stories of individuals with disabilities facing hostile labor disputes and indigenous people fighting for land rights, among other legal issues. Through these diverse case stories, we aim to inspire people encountering legal problems to face them bravely and to continue promoting various legal aid services.



Interdisciplinary Seminar Series, “Beyond the Law”

Lectures 88 to 100 of “Beyond the Law” seminar series were held in 2023, reaching a total of 13 sessions. All sessions were conducted live with simultaneous recording, subsequently produced into the podcast series “FAFU – Beyond the Law”. To reach a wider audience, these episodes are available on major podcast platforms for public listening. On average, each episode has been downloaded approximately 657 times.



- ❶ 2 September 2023, “Beyond the Law”, Lecture 90: We Are Indigenous Too! The Constitutional Court’s Siraya Case Ruling and the Future of Indigenous Peoples
- ❷ 8 June 2023, Interdisciplinary Seminar Series “Beyond the Law”, Lecture 94: New Types of Debt and Facing Debt Challenges
- ❸ 2 August 2023, Interdisciplinary Seminar Series “Beyond the Law”, Lecture 96: Public Discourse and Legal Accountability in the #MeToo Movement
- ❹ 20 April 2023, Interdisciplinary Seminar Series “Beyond the Law”, Lecture 92: Documenting a Human Story - Intersection and Reverberation of Cultural Creation and Political History

2023 Legal Aid Day

The theme of 2023 Legal Aid Day is “With Legal Aid, Helpless No More! Advocating for the Rights of Crime Victims”. Seminars and activities were held by LAF branch offices (including the Legal Center of Indigenous Peoples) in collaboration with social welfare groups. The aim was to enhance the understanding of crime victims and their families about their rights. In cases where their rights were violated, they are aware that the LAF lawyers can help resolve difficulties. Additionally, we aimed to raise public awareness about the prolonged impact of judicial proceedings on victims’ families, fostering empathy and meeting the practical needs of victims. Our goal is to support victims in returning to normal life as soon as possible.



International Affairs



Elizabeth Lynch visited the LAF on 22 February 2023

Attending the 2023 ILAG International Legal Aid Group Biennial Conference

The biennial conference of the International Legal Aid Group (ILAG) was held from 21 to 23 June 2023, at Harvard Law School Center in the United States. The conference theme was “The Challenges of Access to Justice”. The LAF was represented by CEO Han-Wei Chou, Legal Department Director Fang-Jun Zhu, and Legal Department Researcher Yu-Shan Zhang. Additionally, taking advantage of a layover in New York, our representatives arranged visits and discussions with The Legal Aid Society (LAS) in New York and the New York State Attorney General’s Office on 19 and 20 June, prior to the ILAG conference.

Hosting the 2023 International Legal Aid Forum

The LAF hosted the 5th International Forum on Legal Aid from 13 to 15 November 2023, at the Howard Civil Service International House in Taipei. The theme was “Legal Aid in the Post-Pandemic Era: Democracy, Technology, and Access to Justice”. Representatives from legal aid organizations and experts from 16 countries and regions, including Australia, Brazil, Canada, the United Kingdom, Indonesia, Japan, South Korea, Malaysia, the Netherlands, New Zealand, the Philippines, the United States, Vietnam, Ukraine, China, and Hong Kong, were invited to attend the Forum. The three-day conference aimed to strengthen international interaction in legal aid and explore the relationship between legal aid, democracy and human rights in the post-pandemic era. It also focused on how AI technology can uphold the principles and guidelines of access to justice in the future, ensuring the protection of fundamental human rights.



Attending the 2023 International Forum on Consumer Debts in East Asia and Meeting of the Victims

The 12th International Forum on Consumer Debts in East Asia and Meeting of the Victims, hosted by the Korean Bankruptcy and Rehabilitation Association, was held on 14 October 2023, in Seoul, South Korea. The LAF was represented by Deputy CEO Ze-Fang Sun, Attorney Jing-Pei Zhang from the Business Department, and staff Attorney Yi-Zhen Guo. The conference focused on three main themes: one, introduction to the activities of financial victim support groups and related organizations; two, issues and improvement plans for non-performing loans of private enterprises in various countries following the COVID-19 pandemic; three, developments in national debt adjustment systems. The LAF contributed to the second theme by sharing insights on the current debt situation of self-employed individuals in Taiwan post-COVID-19.



International Legal Aid Forum

Films, Internets and Publications

Media Relations

In 2023, the LAF engaged in media outreach through special interviews and press releases. This resulted in a total of 54 nationwide media appearances.



- ① 15 March 2023, a rule of law education session conducted by the Hualien Branch at the Police Broadcasting Service - Hualien Station (photographed by Zi-Qi Wang)
- ② 8 July 2023, the advocacy booth, set up by the Hualien Branch, at a domestic violence prevention event organized by the Garden of Hope Foundation (photographed by the Garden of Hope Foundation)
- ③ 13 July 2023, a session to disseminate the rule of law and legal aid resource conducted by Attorney Jing-Yi Li from the Kaohsiung Branch at Kaohsiung Broadcasting Station
- ④ 13 November 2023, a session to disseminate the rule of law and legal aid resource conducted by Attorney Zong-Ying Lin from the Kaohsiung Branch at National Education Radio – Kaohsiung Station

Promoting Attorney Accompany During Police Interrogations Through Animation

In 2020, the LAF used comics to educate the public about their rights during police interrogations. In 2023, we transformed the comics into animated videos and published them on YouTube. This initiative aims to help the public understand their rights during interrogations through engaging animations.



Case Documentary

The case documentary production began in 2022 and was completed in 2023. It focuses on various themes including consumer debt clearance cases, cases involving persons with disabilities, and the legal issues concerning the indigenous peoples' rights to be consulted and to give consent arising from the development of the Hualien Shih Fong Hydropower Project. The stories arising from the Shih Fong Project aim to enhance public understanding of issues such as indigenous peoples' consultation rights and environmental assessments concerning indigenous communities. This case documentary is promoted through advertisements on social medias and YouTube.

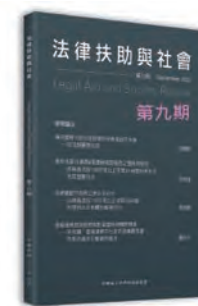


2022 Annual Report

The works of the LAF in 2022 are recorded in the annual report. The report is issued in Chinese and English, whereas the English version is only available in electronic form, which can be downloaded online.

The LAF Publication

In November 2023, the LAF collaborated with the Taiwan Alliance to End the Death Penalty to publish the legal aid book series 010, *Seeking Life Where None Could Be Found? The Abandoned World Behind Taiwan's Homicide Cases*. Apart from offering the book for donation on our official website, we also partnered with distributors for physical copies available in major bookstores and online platforms. Additionally, an electronic version of the book is available for purchase.



Academic Journal: Legal Aid and Society Review

The LAF publishes half-yearly academic journal, *Legal Aid and Society Review*. The aims are to raise academia awareness of the rights of the disadvantaged, and to provide academic reference for the optimization of LAF services and decision-making. This journal, attaching great importance to both theory and practice, embraces not only the study of law but also interdisciplinary research on law, social science, and ethnology (the indigenous peoples). In 2023, the issues of No. 10 and No. 11 were published.

e-Newsletter: Give You a Hug

Any person can subscribe the e-newsletter, "Give You a Hug". The coverage includes feature articles, LAF news, and event news; there is also a column for feature articles published on the LAF website. Forty-six articles were published in 2023. Currently, there are 2,361 active subscribers.

The LAF on Instagram

Since 16 October 2020, the LAF has operated an official Instagram account with the aim of bringing legal aid closer to the people through one of Taiwan's popular social media sites. As of the end of 2023, our Instagram account has had 2,872 followers and reached 186,044 individuals.

The LAF on YouTube

As the younger generation's television viewing habits shifted towards online video platforms, the LAF established a YouTube channel in 2010 to expand and update our outreach efforts. Through this platform, we provide promotional videos about our various services and initiatives, aiming to raise awareness among the public about our diverse range of services. In 2023, our YouTube channel received 407,695 views and garnered 1,371,339 impressions. Our subscriber count increased to 11,894 by the end of the year.

Official Website: www.LAF.org.tw

According to Google Analytics, the LAF website received 904,033 visits and 14,624,499 pageviews in 2023.

The LAF on Facebook

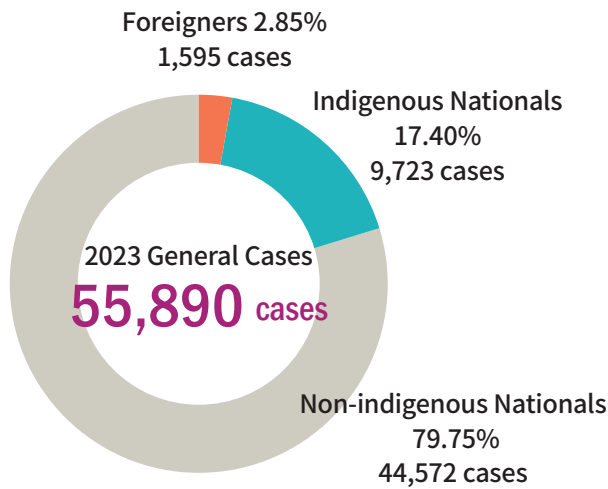
As of the end of 2023, the LAF's Facebook page has received 75,104 likes, attracted 81,806 followers, and received 2,803,262 visits.



Analysis of Recipients

Analysis by Identity of Recipients

Analysis of aid recipients’ identities based on the 55,890 general cases in 2023:



Analysis by Gender and Causes of Action



Among the general cases, when categorized into the five types, i.e. criminal, juvenile, civil, family, and administrative, the gender proportion is as follows:
in family cases, female recipients accounting for 65%, whereas male recipients only 35%;
in criminal cases, male recipients accounting for 64%, whereas female recipients only 36%;
in juvenile cases, male recipients accounting for 69%, whereas female recipients only 31%.

Top Five Causes of Action by Number for Nationals in the General Cases

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

Analysis of Legal Aid for Recipients with Disabilities

In 2023, among the general cases (excluding legal consultation, attorney attendance at interrogation and commissioned cases), 10,235 cases involved recipients with disabilities, accounting for 18.31%.

Top Five Types of Cases for Recipients with Disabilities	
1	Criminal – cases of fraudulence, breach of trust, taking and usury
2	Criminal – theft cases
3	Criminal – cases of assault causing bodily harm
4	Civil – tort cases
5	Family – cases of maintenance payments

Recipients with Disabilities 18.31%
10,235 cases



Analysis of Legal Aid for Foreign Nationals

Among the general cases in 2023, 1,595 applications made by foreign nationals were granted for legal aid. In terms of nationality, the majority were Filipino (24.08%), Vietnamese (22.19%), and Indonesian (17.74%), accounting for 64.01% of the foreign nationals assisted by the LAF.

Top Five Types of Cases for Which Legal Representation and Defense were Approved for Foreign Nationals	
1	Civil – tort cases
2	Criminal – cases of assault causing bodily harm
3	Civil – cases of salary disputes
4	Criminal – cases under the Narcotics Hazard Prevention Act
5	Criminal – cases of fraudulence, breach of trust, taking and usury

Recipients of Foreign Nationals 2.81%
1,595 cases



Analysis by Financial Eligibility for Legal Aid Application in the General Case

cases reviewed under LAF criteria of financial ineligibility	16,458	Economically Disadvantaged 28,585 48.46%
lawfully obtained disadvantaged group certificate issued by the government – low-income household	6,069	
lawfully obtained disadvantaged group certificate issued by the government – lower-middle income household	4,763	
lawfully obtained disadvantaged group certificate issued by the government – families with specific circumstances	501	
lawfully obtained disadvantaged group certificate issued by the government – migrant workers	701	
lawfully obtained disadvantaged group certificate issued by the government – disadvantaged foreign spouses	93	
lawfully obtained disadvantaged group certificate issued by the government – consumer debt clearance	10,254	Specific Projects 10,342 17.53%
under statutory conditions which cannot be properly protected by law – cases of high social profile	88	
under statutory conditions which cannot be properly protected by law – mandated representation for people with disabilities	4,555	Specific Groups 13,933 23.62%
under statutory conditions which cannot be properly protected by law – mandated representation for indigenous peoples	6,398	
under statutory conditions which cannot be properly protected by law – mandated assistance for juveniles	893	
under statutory conditions which cannot be properly protected by law – referred by presiding judge	2,087	
under statutory conditions which cannot be properly protected by law – mandated representation for felony	6,128	Felony Defense 6,128 10.39%

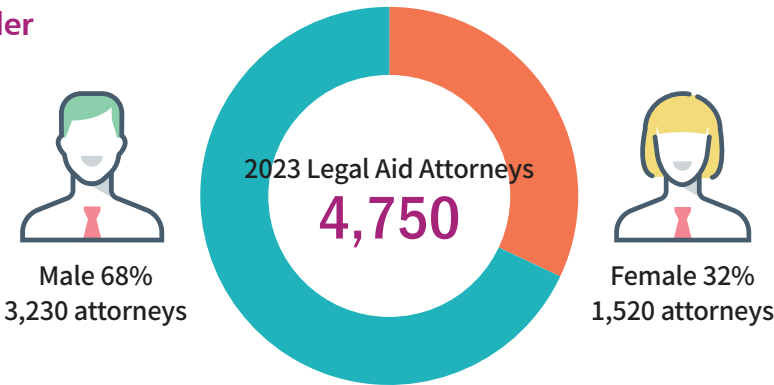
Note: since more than one ground listed in the table can be selected, the sum in the table may exceed the actual total cases (which is 55,890).

Analysis of Providers

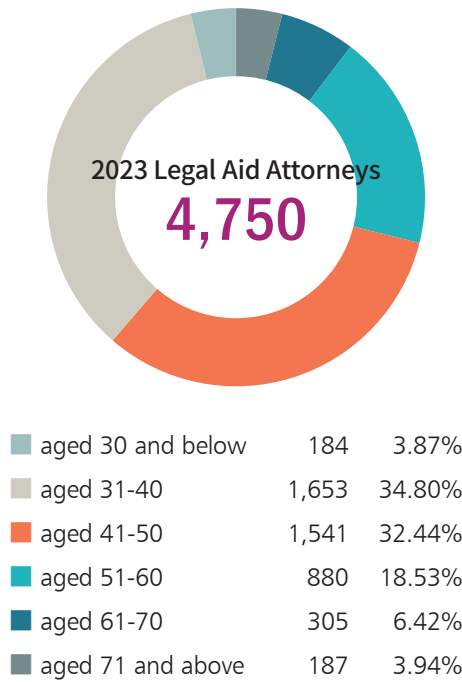
A total of 4,750 lawyers nationwide have served as the LAF legal aid attorneys by 31 December 2023.

	LAF legal aid attorneys	LAF legal aid attorneys who took cases
2021	4,560人	3,709人
2022	4,678人	3,850人
2023	4,750人	3,841人

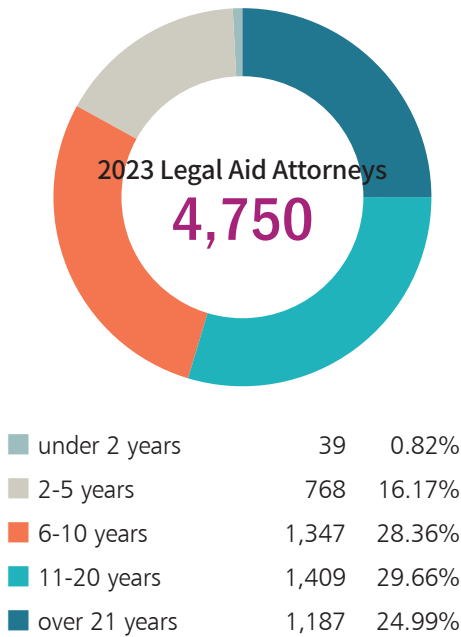
Analysis by Gender



Analysis by Age

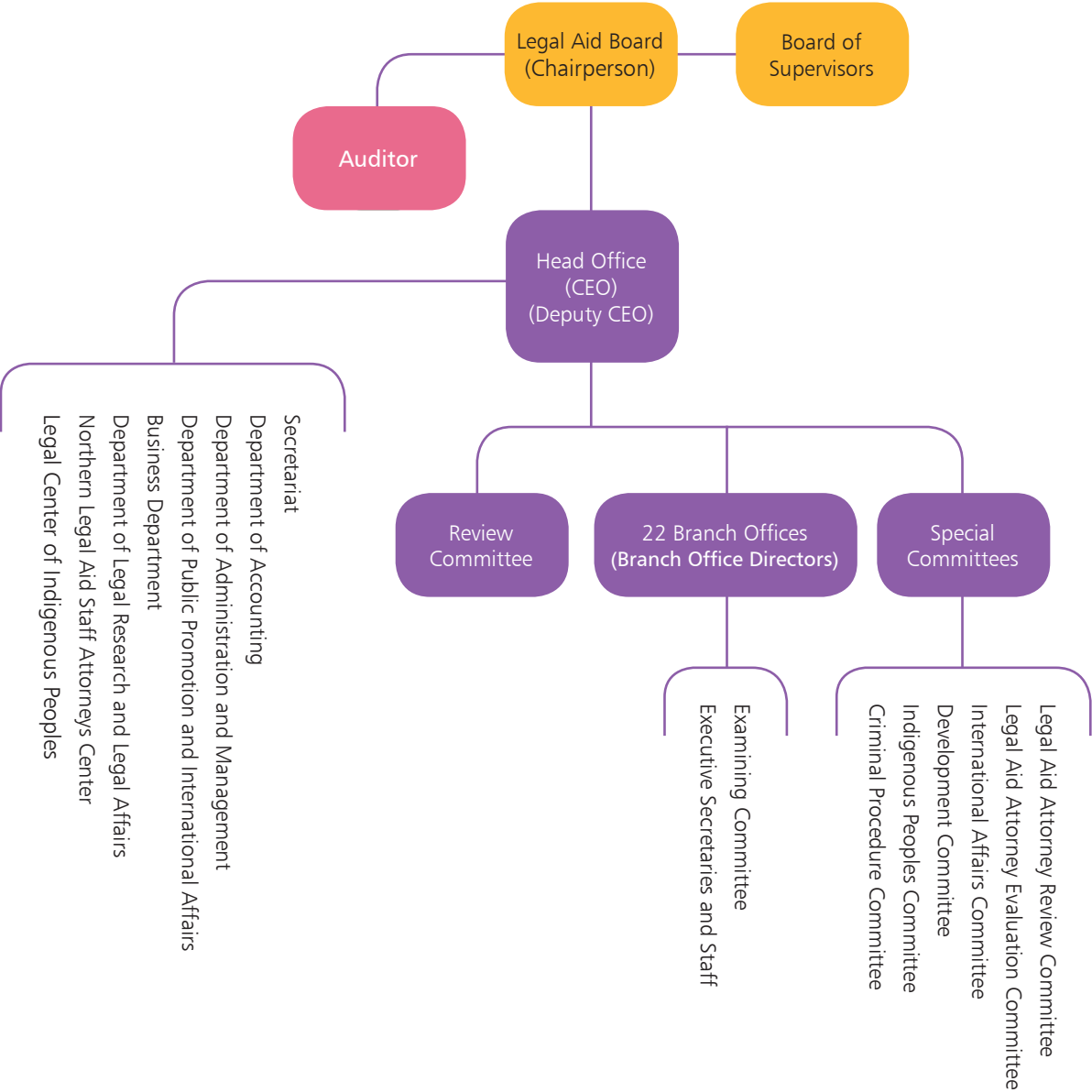


Analysis by Years of Practice



Organization Structure

As of 31 December 2023, LAF employs 290 staff members (including 21 staff attorneys), 38 project personnel, 7 hourly project personnel, and 514 volunteers.



9 February 2023, the Chairperson's visit to Changhua Branch and local courts and prosecutors' association



21 April 2023, the handover ceremony for the 6th and 7th Directors of the Hualien Branch



24 May 2023, actual handover of Directors of the Keelung Branch

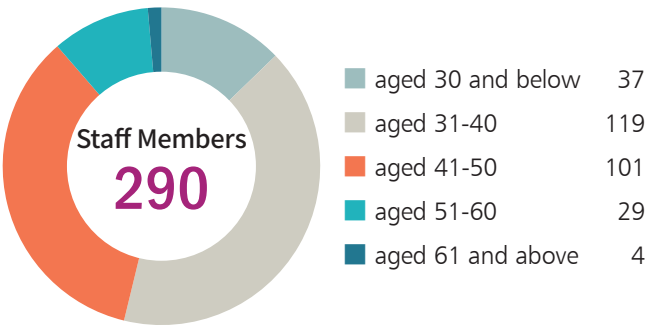
LAF Staff

As of 31 December 2023, LAF employs 290 staff members (including staff attorneys).

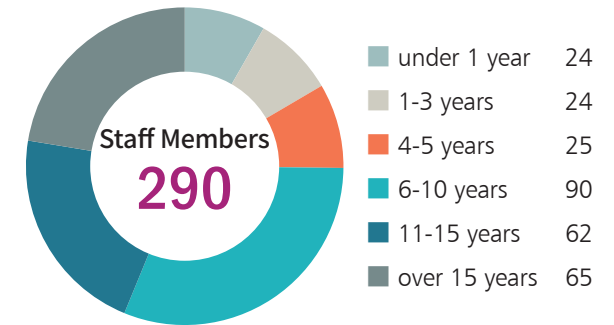
Analysis by Gender



Age Distribution



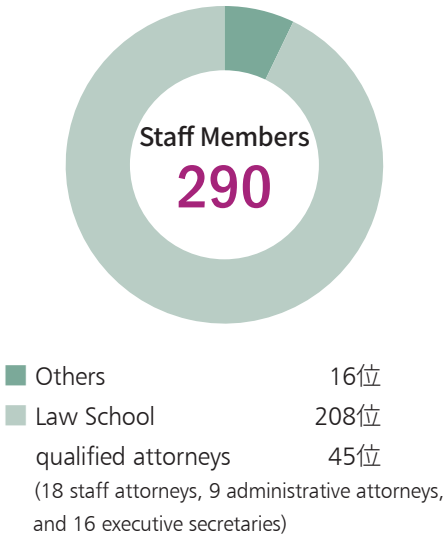
Length of Service



Job Role



Legal Service Staff Backgrounds





2023 Annual Report

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