



Legal Aid Foundation of Taiwan

Annual Report 2007



Legal Aid Foundation of Taiwan

Philosophy :

- 1.Equality**—To realize the constitutional right of equal access to the court system, and to facilitate improvement of economic status.
- 2.Human Rights**—To protect the human rights of disadvantaged.
- 3.Rule of Law**—To strengthen the foundation of the rule of law.

Principles of Service :

- To Be Approachable
- To Adopt Efficient Procedures
- To Be Flexible
- To Provide Professional Services

Mission :

- 1.To pursue reform and to develop a comprehensive legal aid system.
- 2.To make legal aid available throughout Taiwan.
- 3.To actively publicize information about legal aid.
- 4.To enable convenient access to legal aid.
- 5.To improve the quality of legal aid services.
- 6.To encourage the participation of lawyers in legal aid and social reform.
- 7.To strengthen provision of legal education to the disadvantaged.

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Preface

Over the past three-and-a-half years since its founding on 1 July 2004, the Legal Aid Foundation (LAF) has grown in size and complexity. To ensure the quality of operations and services, LAF has been actively updating the data in its computerized Operational Management System, with particular emphasis on tracking cases involving contribution, repayment and recovery costs, and on the issuance and collection of guarantee certificates.

Last year, with the purpose to effectively enhance the protection of human rights and to provide assistance to the disadvantaged during criminal interrogation, LAF further initiated the “Pilot Program of First Criminal Interrogation Accompanied by Legal Aid Attorney” project and “Consumer Debt Clearance Act Promotion and Legal Aid” project. Also, the Foundation endeavored to inform more of the disadvantaged with LAF’s messages and services through promoting recent services, expanding publicity channels and bases, advancing nationwide popularity and propagating issues concerning the disadvantaged so that they might be ready for application legal aid resources when necessary. To guard the right of the applicants and concerned parties, the “Guidelines for Handling Appeals” was constituted in addition to the “Notes on LAF Branch Offices’ Handling Appeals” so that the process flow became more definite and effective, and the legal aid service of each branch gradually moved in a normal course. However, it remains an important subject and a great challenge in the future for LAF to decide the main target of legal aid and the process priority for different case types so as to improve the quality of legal aid, provide effective service and meet the real needs of the disadvantaged.

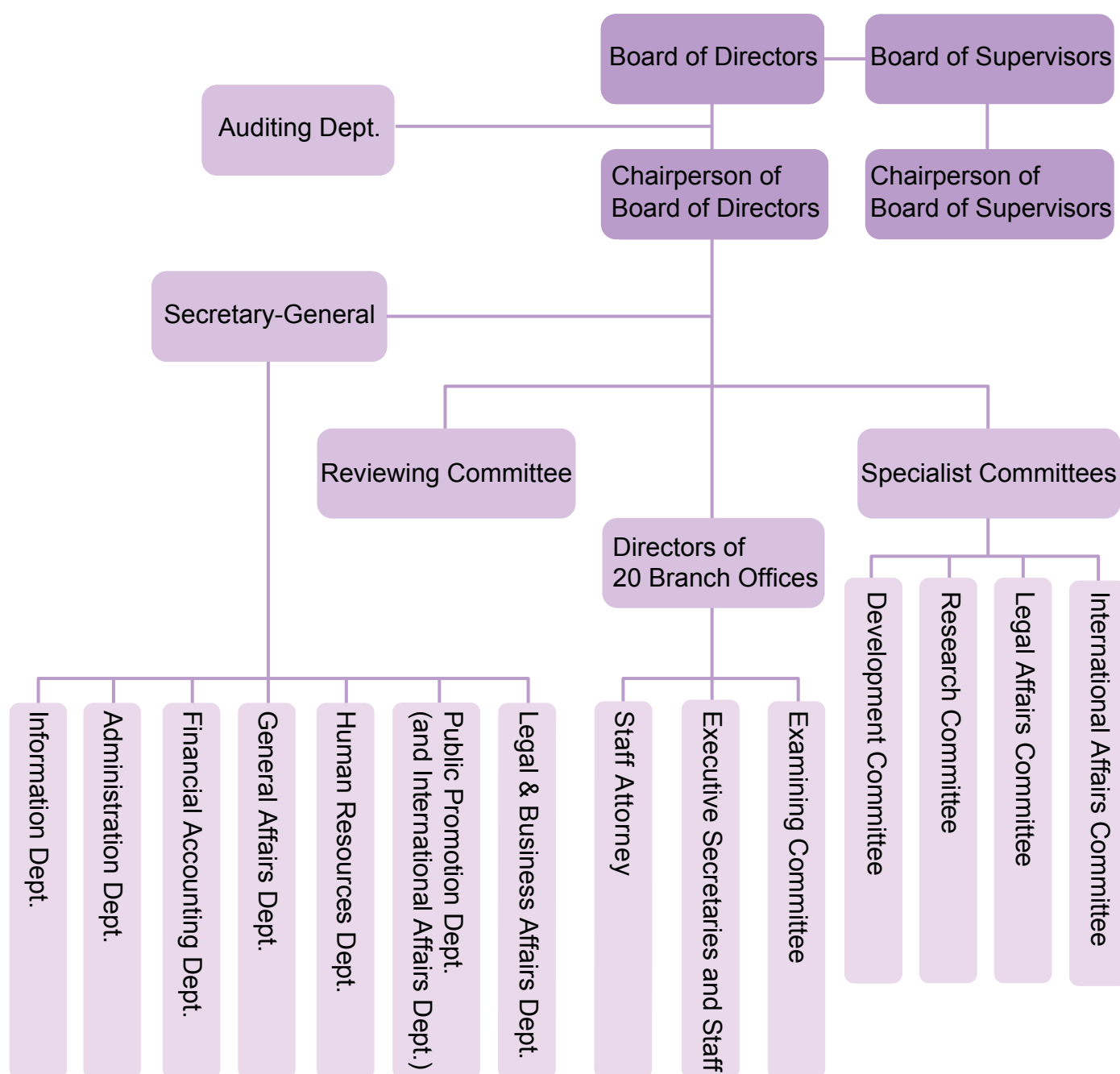
Thanks to the participation and support by the Foundation’s Board of Directors, Directors and staff of all Branch Offices, legal aid attorneys, members of Examining and Reviewing Committees as well as the guidance from Judicial Yuan, LAF has been able to continue to move forward. LAF promises to advance further in the aspects of the Foundation’s regulations, publicity, informational technology and international affairs, etc. to meet the expectation of all people. It is LAF’s hope that the legal aid system in Taiwan would become more mature and popular, and that the constitutional spirit of protecting people’s right to institute litigation and right to equality may be realized.

Chapter 1

Foundation Organization



Organization Chart



Chi-hsiung Su (March 23, 2004 ~ March 22, 2007)
(Attorney; Consultant and Former Director General, Taiwan Bar Association)

Da-liang Wei (March 24, 2006 ~ March 22, 2007)
(Director-General, Department of Clerks for the Justices of the Constitutional Court, Judicial Yuan)

■ Second-Term Board of Directors (Term: March 22, 2007 ~ March 22, 2010)



Chairperson

Den-mei Ku (Professor, Department of Political Science, National Taiwan University; Former Commissioner of the Control Yuan)

Directors (In Alphabetical Order)

John C. Chen (Attorney; Standing Director and Former Chairman, Judicial Reform Foundation)

Man-li Chen (President, National Union of Taiwan Women Association)

Jheng-shang Gao (CEO, Taiwan Agriculture Strategic Alliance Foundation

Section 2 Board of Supervisors

The Board of Supervisors constitutes five supervisors with the term of office to be 3 years, all without remuneration and hired by President of Judicial Yuan. The Supervisors include one representative from the Executive Yuan, one from the Judicial Yuan, one attorney recommended by the national and regional bar associations, one individual specialized in accounting or relevant professional field, and one disinterested community member.

■ First-Term Board of Supervisors (Term: March 23, 2004~March 22, 2007)

Chairperson

Sen-yan Sun (March 23, 2004~March 22, 2007)
(Professor, Department of Law, Soochow University; Former Grand Justice of Judicial Yuan)

Supervisors (In Alphabetical Order)

Zhi-hong Chang (July 29, 2005~March 22, 2007)
(Chief Accountant, Accounting Section, Judicial Yuan)

Jian-nan Liao (December 15, 2006~March 22, 2007)
(Attorney; Former Standing Director of Taipei Bar Association; Former Commissioner of the Control Yuan)

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■ Staff Attorneys

Starting from 2006, LAF recruited staff attorneys to ensure the smooth promotion of legal aid, enhance the quality of legal aid, cope with the actual needs and other specific situations of certain remote regions, and to take charge of cases of special types and significant issues. By the end of 2007, there were eight staff attorneys in total, among which five were assigned to Taipei Branch Office, two to Tainan Branch Office and one to Banciao Branch Office. (The statistic data is established on December 31, 2007.)

These staff attorneys were: Hong-sin Jhou, Yan-cyuan Liu, Sin-ling Sie, Ze-fang Sun and Han-wei Jhou of Taipei Branch Office; Syuan-ci Lin and Cih-fong Chen of Tainan Branch Office; Rong-jhih Gao of Banciao Branch Office.

Section 5 Analysis of Nationwide Staff

Since its establishment on July 1, 2004, the Legal Aid Foundation has observed the strategy of employing according to people's talent and minimizing the need for manpower. Through the cooperative effort of all colleagues, it took only 1 year, instead of the 3 years as originally estimated, to achieve the goal of establishing Branches in all cities nationwide, with 19 establishments on July 1, 2005 and one more in Banciao in 2006. Presently there are 20 Branch Offices under LAF, staffed with 159 full-timers and 9 contract employees. Following are the analyses of the full-timers: (The part of educational training system will be explained in Point 5 of Section 2 "Specialty and Quality", Chapter 3)

6. Staff Job Content Distinction Percentage

Year	Legal Service Staff		Non-Legal Service Staff		Total	
	Number	Percentage	Number	Percentage	Number	Percentage
2005	64	54%	54	46%	118	100%
2006	84	58%	62	42%	146	100%
2007	97	61%	62	39%	159	100%

7. Percentage of Foundation Personnel Educational Background

Year	Law School		Non-Law School		Total	
	Number					

In 2007, all participating attorneys and professors of Legal Affairs Committee devoted their free time to hold 15 meetings and made great contribution to assist LAF in drafting and modifying the Foundation's internal and external rules and regulations as well as interpreting relevant questions. A total of 11 laws and regulations were examined in this year, including "Guidelines Governing Handling Pleadings", "Guidelines Governing Legal Aid Attorneys in Handling Legal aid Cases", "Financial Eligibility Criteria of Granting Legal Aid", "Executing Guidelines Governing Advanced Litigation and Necessary Fees", "Regulations for the Calculation of Legal aid Remunerations and Necessary Fees", "Guidelines Governing Converting Remuneration for Staff Attorneys Undertaking Legal Aid Cases", "Governing the Scope of Legal Aid Implementation", "Guidelines Governing Guarantee Certificates Issued by Branch Offices", "Regulations for the Calculation of Litigation Fees" and "Regulations Governing the Exemption of Attorneys Providing Legal Aid" etc.

(2) Research Committee

The Research Committee offers suggestions for the policy, guidelines and future direction of LAF. The members of Research Committee are: (listed in alphabetical order)

- Wen-yu Chang, Associate Professor (Department of Law, Fu Jen Catholic University)
- Yi-cian Chen, Assistant Professor (Graduate Institute for Gender Studies, Shi Hsin University)
- Ming-siou Cheng, Associate Professor (Department of Law, Soochow University)
- Wen-lung Cheng, Attorney (Fa Jia Law Firm)
- Guo-chang Huang, Assistant Researcher (Preparatory Office, Institutum Iurisprudentiae, Academia Sinica)
- Shih-ming Jiang, Associate Professor (Law School, National Cheng Chi University)
- Shih-sih Wang, CEO (Taiwan Alliance to Replace Death

To discuss about how to promote the Plan for the Five-Year Vision and strengthen the Foundation's cooperative relationship with social groups concerned with issues on the disadvantaged, members of the Committee were invited to two comprehensive meetings in March and April, 2007. Also, according to demands from different disadvantaged groups of women, laborers, the disabled, the senior citizens, the aborigines, foreign laborers and immigrants, etc., representatives from related social groups (members of Specialist Committee) and the professionals would meet around the last week of each month from May to September, five times altogether, to discuss about concrete measures and new operational directions for development.

Details about the content of each meeting may be found in Item 5 "Issues About the Disadvantaged Care Project" of Section 2, Chapter 2.

(4) International Affairs Committee

Members of International Affairs Committee are: (listed in alphabetical order)

- Yi-cian Chen, Assistant Professor (Graduate Institute for Gender Studies, Shi Hsin University)
- Wen-lung Cheng, Attorney (Fa Jia Law Firm)
- Huang-cyuan Ciou, Attorney (Kew & Lord Law Office)
- Ruei-ming Huang, Attorney (Baker & McKenzie Taipei Office)
- Jhih-gang Lin, Attorney (Taiwan International Patent Attorney-at-Law)
- Wen-syong Ran, Priest (Catholic Hsinchu Diocesan Pastoral Center)
- Bo Tedards, Director (Taiwan Foundation for Democracy)
- Shih-sih Wang, CEO (Taiwan Alliance to Replace Death Penalty)
- Wei

5. Trainee Attorneys

The primary task for trainee attorneys in LAF is to help document by computer the case interview proceeding at the applicant's examining stage. The content will facilitate a reference for the Examining Committee to decide whether to approve or reject a legal aid case. The trainee attorneys may become the Foundation's future legal aid attorneys or examining commissioners when they become qualified attorneys, or they can be LAF seeds to propagate the ideals of LAF. There were 374 trainee attorneys in total by the end of 2007.

6. Volunteers

Volunteers help LAF branch offices to promote various legal aid operations. By the end of 2007, the average voluntary services were 550 men/times per month. LAF would arrange educational trainings and regular dinner parties to show gratitude to the volunteers' assistance.



The 3rd Staff Camp of LAF Taipei Branch was held at the Tianmu Convention Center in Taipei for two days, starting from March 10, 2007.

7. Statistics of Part-Time Staff

Year	Reviewing Commissioners	Examining Commissioners	Legal Aid Attorneys	Trainee Attorneys
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Section 1 Operational Analysis

The LAF's services include legal advice, mediation, settlement, drafting of legal documents, and representation or defense in litigation. Our clients are those who meet financial eligibility requirements or for some other reason (e.g. compulsory defense cases or cases where the applicant is unable to make statements in court due to mental disability) are unable to be properly protected by the law and cannot exercise their legal rights.

The statistical analysis of LAF's legal aid cases are defined as follows:

1. The "Legal Aid Cases" refers to cases granted full aid, partial aid, or provided with legal consultation after the examination by LAF.
2. The "Grant of Legal Aid Cases" refers to cases granted full aid or partial aid after the examination by LAF; legal consultation cases are not included in this category.
3. The annual case statistics of 2007 are based on the total number of applications received by LAF from January 1, 2007 to December 31, 2007.

Total Case Volume Analysis

【Table 1】Total Application Volume

The total number of applications to LAF in 2007 was 35,386 cases, of which 17,209 cases were granted legal aid. Of the cases which applied for legal consultation, 6,123 met L

Hualien Branch	242	27.16%	616	69.14%	31	3.48%	2	0.22%	0	0.00%	891
Taitung Branch	256	18.99%	1068	79.23%	24	1.78%	0	0.00%	0	0.00%	1348
Kinmen Branch	64	60.38%	21	19.81%	15	14.15%	6	5.66%	0	0.00%	106
Matsu Branch	5	55.56%	0	0.00%	2	22.22%	1	11.11%	1	11.11%	9
Penghu Branch	124	50.61%	81	33.06%	39	15.92%	1	0.41%	0	0.00%	245
Banciao Branch	1621	84.43%	135	7.03%	149	7.76%	15	0.78%	0		

Freelancer	557	244
Business	448	172
Housekeeping	407	103
Agriculture and Husbandry	276	80
Civil Service	114	29
Military	109	28
School Faculty	97	35
Fishing	42	23
Others	11	2
Total	23332	8919

【Table 7】Analysis of Educational Background of Aid Recipients

Most legal aid recipients had a high school or junior college education. The second largest category was those with junior high school education. Recipients with educational background no higher than high school or junior college comprised 87.42% of the total.

Educational Background of Aid Recipients				
Educational Background	2007			

Kaohsiung Branch	35	1.74%
Pingtung Branch	89	7.31%
Yilan Branch	70	7.67%
Hualien Branch	292	32.77%
Taitung Branch	393	29.15%
Kinmen Branch	1	0.94%
Matsu Branch	2	22.22%
Penghu Branch	0	0.00%
Banciao Branch	43	2.24%
2007 Total	1243	5.33%
2006 Total	1302	5.25%

【Table 10】Number and Percentage of Aid Cases with Foreign Resident Recipients

Of all the legal aid cases in 2007, 1,671 were applied by foreign residents, which was 7.16% of the total and apparently higher than the 1,227 cases and 4.95% in 2006. It was supposed to be an indication of growth of foreign spouses and foreign laborers in Taiwan. In the future, LAF will continue to provide legal assistance to foreign spouses and laborers and protect their rights.

Yunlin Branch	1	0.22%
Chiayi Branch	4	0.40%
Tainan Branch	17	0.99%
Kaohsiung Branch	21	1.04%
Pingtung Branch	6	0.49%
Yilan Branch	12	1.31%
Hualien Branch	7	0.79%
Taitung Branch	33	2.45%
Kinmen Branch	0	0.00%
Matsu Branch	1	11.11%
Penghu Branch	3	1.22%
Banciao Branch	13	0.68%
2007 Total	250	1.07%
2006 Total	267	1.08%

Analysis of Message Channels

[Table 13] Analysis of How Applicants are Informed of LAF's Services

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Referral or Advice from Others	Government	1327	6.39%
	Hospital	45	0.22%
	Civil Representative	275	1.32%
	Police Department	47	0.23%
	Detention / Prison Facility	619	2.98%
	Attorney	1118	5.38%
	Relative or Friend	2840	13.67%
	Legal Service Group	31	0.15%
	Others	874	4.21%
Publicity	TV	560	2.70%
	Radio Broadcast	132	0.64%
	Newspapers	189	0.91%
	Promotion Leaflets	470	2.26%
	Website	473	2.28%
	Activity	234	1.13%

Top 5 Types of Cases Granted Aid in 2006 (Civil Law)		
Rank	Nature of Case	Total Cases
1	Divorce	3195
2	Torts	3029
3	Family Support	1345
4	Borrowing / Lending	1325
5	Child Custody	1264

Note: 1. Multiple choices are allowed when entering data on the nature of case (for example, application for a civil case may concurrently involve three cases of divorce, child custody and family support, and thus all three are recorded). Therefore, one case type in this table does not necessarily represent one case.
2. The volume of cases shown in the table is not the total volume of civil cases.

[Table 20] Top 5 Types of Criminal Cases Granted Aid

The top 5 types of criminal cases granted aid were “manufacturing, trafficking and selling of drugs”, “robbery”, “injury and serious injury”, “fraud” and “murder”. It is noteworthy that the drug-related cases climbed up to the top from the third in 2006.

Top 5 Types of Cases Granted Aid in 2007 (Criminal Law)		
Rank	Nature of Case	

【Table 23】Number and Percentage of Compulsory Defense Cases

In the part of compulsory defense cases, LAF open for written application except for those referred by the court, which means those in prison or under detention or the defendant may file written applications to LAF for legal aid. With the exception of cases without sufficient reasons, LAF always provides legal aid based on the ideal of protection human rights, and so these aided cases increased in 2007 by 1,087 since 2006.

Statistics of Number and Percentage of Compulsory Defense Cases					
Branch	Applications	Cases Granted	Cases Refused	Other Result	Percentage of Aid Granted
Keelung Branch	166	135	31	0	81.33%
Taipei Branch	2206	1704	496	6	77.24%
Taoyuan Branch	521	333	163	25	63.92%
Hsinchu Branch	174	140	34	0	80.46%
Miaoli Branch	31				

Statistics of Number and Percentage of Reviewed Cases Actually Conducted			
Item	Cases Allowed to Review	Reviews Actually Conducted	Percentage of Reviews Actually Conducted
Unwilling to accept the refusal of a case	8920	1552	17.40%
Unwilling to accept the termination of a case	581	52	8.95%
Unwilling to accept the decision on whether to change attorney	519	3	0.58%
Unwilling to accept the grant with partial aid	485	48	9.90%
Unwilling to accept the decision on a guarantee case	420	8	1.90%
Unwilling to accept the withdrawal of a case	40	10	25.00%
Unwilling to accept the aid type	17209	101	0.59%
Unwilling to accept the aid content	17209	7	0.04%

【Table 26】Reviewing Result

With regard to the decision by the reviewing commissioners, the percentage of sustaining the original decisions made up approximately 73% of the total.

The applicants no longer require aid because of change in laws, facts or damage to or loss of claim target	41	8.23%
The applicants' inability to proceed due to being unwilling to cooperate without proper cause	67	13.45%
The applicants' inability to proceed with aid due to failure to pay remunerations or necessary expenses shared according to the regulations	62	12.45%
The applicants' inability to proceed due to major humiliation to aid provider	3	0.60%
Other reasons for termination	312	62.65%
Total	498	100%

【Table 29】Analysis of Reasons for Revoked Cases

The revoked cases listed in the table include the revocation of temporary aid according to Article 21 of Legal Aid Act and cancellation due to fraudulent description or dishonest information from aid recipients. The most applied reason for revoked cases, 50% of the total, was “fraud, forgery or sham in the information provided by aid recipient to prove financial ineligibility after granting legal aid”.

Number and Percentage of Reasons for Revoked Cases		
Reason for Revocation	Case Volume	Percentage of Total Number of Revoked Cases
Fraud, forgery or sham in		

【Table 32】Volume and Percentage of Litigation Representation or Defense Cases Closed

Type	Litigation Representation or Defense		Mediation or Settlement		Drafting of Legal Documents		Total
	Number of Cases	Percentage	Number of Cases	Percentage	Number of Cases	Percentage	
2007	12824	77.90%	372	2.26%	3266	19.84%	16462
2006	5116	73.44%	116	1.67%	1734	24.89%	6966

【Table 33】Volume of Cases Closed in Litigation Representation or Defense

This table shows the number of cases closed for litigation representation or defense, which are 12,824 cases in total.

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Nantou Branch	3	1	0	4
Changhua Branch	1	0	0	1
Yunlin Branch	4	1	0	5
Chiayi Branch	20	6	0	26
Tainan Branch	40	6	0	46
Kaohsiung Branch	10	3	0	13
Pingtung Branch	0	0	0	0
Yilan Branch	7	0	0	7
Hualien Branch	3	0	0	3
Taitung Branch	0	0	0	0
Penghu Branch	0	0	0	0
Kinmen Branch	4	1	0	5
Matsu Branch	0	0	0	0
Banciao Branch	4	0	0	4
2007 Total	347	25	0	372
2006 Total	10			

Penghu Branch	21	4	1	8	34
Kinmen Branch	11	6	0	10	27
Matsu Branch	2	3	0	3	8
Banciao Branch	31	13	0	17	61
2007 Total	1651	439	24	715	2829
2006 Total	735	175	386	30	1326

Definition: 1. Mediation or Settlement: meaning the cases which, upon being approved for litigation representation by LAF, the legal aid attorneys would petition for mediation, litigation settlement and other resolution method.
 2. Withdrawal: meaning that either party (or both parties) of the litigants withdraws from an action for reasons other than mediation or settlement.
 3. Compulsory Execution: meaning cases approved for litigation representation for preserving procedures or compulsory execution.
 4. Cases Closed for Other Reasons: meaning cases that are closed not for the above reasons upon the completion or before the beginning of court litigation procedures.

【Table 38】Analysis of Closing Status of Criminal Proceeding Representation or Defense

Council of Labor Affairs Case Analysis

【Table 40】Volume of Cases in Cooperation with the Council of Labor Affairs

An “Application for Litigation Auxiliary Operation of the Labor Welfare” Project is initiated through the cooperation between LAF and Council of Labor Affairs of the Executive Yuan. The project started to open for application from July 1, 2005, and shall end by May 23, 2008. In 2007, LAF provided legal aid to 204 cases.

Statistics of Projects Commissioned by the Council of Labor Affairs				
Year	Case Volume			Total Remuneration Paid to Attorneys (Unit : 1,000 NT Dollars)
	Financial Eligibility	Financial Ineligibility	Total	
2007	70	134	204	2480
2006	166	380	546	6326

Analysis of Legal Aid Attorneys

prevention”, “occupational accident insurance compensation” and “occupational reconstruction” with a specific authority in charge.

- (2) All laborers should be included in the scope of protection.
- (3) The occupational insurance compensation should enable the laborers to obtain actual compensation rapidly and conveniently after the accident.
- (4) To be fair to the victimized laborers, occupational accident compensation should be calculated on the basis of actual payment instead of the existing insured payment.
- (5) The responsibility of the employers should be stressed and strengthened for the prevention and reconstruction of occupational accidents.
- (6) The rate of occupational insurance premium rate should be based on experience rate.
- (7) The compulsory occupational accident reporting system should be established.
- (8) The disablement compensation system should be designed in the direction to annual payment.

7. “Compulsory Counseling to Juvenile Offenders” Project

According to Clause 1, Article 14 of the Legal Aid Act, no legal source of financial eligibility examination is required for compulsory defense cases to apply for legal aid. Similar regulations can be found in Clause 2, Article 31 of the Law Governing the Disposition of Juvenile Cases, which are generally called compulsory assistance cases. However, LAF has different dispositions because there is no similar regulation basis. Hence, LAF paid a visit to the Juvenile and Family Department of Judicial Yuan to discuss about the courts’ promotion of family mediation system and juvenile cases as well as how legal aid attorneys could offer assistance. With respect of compulsory juvenile assistance cases, it was usually taken care of by public defenders or juvenile protection officers assigned by the juvenile court due to the lack of public assistants in the organization of existing statutes. Yet while there was already a shortage of public defenders, the juvenile

extend their stay in Taiwan. As a result, they would be taken under custody and repatriated for overstaying, and face inhumane treatment from local governments after repatriation. Currently among the 350 students from Thailand and Myanmar with fake passports in Taiwan, approximately half were graduated or left the school for financial reasons and could not extend their stay, facing the possible custody and repatriation any time, while the other half still studied in Taiwan with alien resident certificates applied with fake passports. These stateless students from Thailand and Myanmar wished to obtain ROC nationality and legal residency in Taiwan in the way of special cases or through law amendment.

With respect to this special case, staff attorneys of LAF Taipei Branch offered assistance to the students who were taken for custody by the police for overstaying and illegal employment and waited for repatriation in Hsinchu and Yilan detention centers. The attorneys helped them to render a voluntary confession of forgery and then obtain the consent from National Immigration Agency to lift the detention first. Furthermore, through cooperation with other NGOs, LAF negotiated with friendly legislators for their assistance to help these students in this special situation, and tried for many times to communicate with the authority, hoping that the government would amend the relative regulations of the Immigration Act or handle this issue as a special case to respect the students' human rights.

5. The Case of Matsu's "Ghost Population"

After investigation on the two elections of the third magistrate of Fujian Province and the fifth legislators election on December 1, 2001 and the third Lianjiang county councilors election on January 23, 2002, the Lianjiang District Prosecutors Office in Fujian Province indicted 505 persons for offenses of interference with voting. Afterwards the investigation and indictment of "Ghost Population" during elections became the emphasis of Lianjiang District Prosecutors Office, and the degree of penalty by the court verdict for the defendant grew harsher by years.

After the amendment of the new Criminal Law, even it is a fact that an elector obtains the right to vote and performs

financial eligibility can be saved for the applicant, the examination can be completed rapidly and the consultation service can be provided in time. It is a convenient and fast consultation service that will definitely meet the need for legal information by the disadvantaged people.

2. Expanding the Scope of Objects Requiring No Financial Eligibility Examination/Adequately Adjusting the Mode of Financial Eligibility Examination

According to Article 14 of the Legal Aid Act, applicants who need no financial eligibility examination are those sentenced with lower term limit of 3 years or in procedure of first instance by the Supreme Court without choosing a defender, those with intellectual disability who cannot make a complete statement and have not chosen a defender or delegate and are deemed by the judge as necessary for choosing one, or those who meet the low-income family standard of Social Assistance Act.

To observe the amendment by Article 31 of the Criminal Procedure Law in 2006, those applicants with intellectual disability who cannot make a complete statement and have not chosen a defender and are referred by the prosecutor to LAF do not need to be examined with their financial eligibility.

Also, for the juvenile cases of compulsory assistance ruled by Article 31 of the Law Governing the Disposition of Juvenile Case, since there is no public assistant in the organization, the Juvenile Court usually designates the public defender or juvenile protection officer to act as the assistant. However, due to the implementation of cross examination system, there isn't sufficient man force of public defenders already, while the protection officers, as the executors of the protective disposition but not legal specialists, would often emphasize on the assistance and prevention from relapse instead of offering legal assistance. Therefore LAF requires no financial eligibility examination for juvenile compulsory assistance cases to provide adequate protection to juvenile rights.

To promote the Pilot Program of First Criminal Interrogation Accompanied by Legal Aid Attorney, LAF also requires no financial eligibility examination for the intellectually or mentally disabled defendants or juvenile compulsory assistance defendants. For those who are neither intellectually or mentally disabled defendants nor juvenile

Chapter 5

Financial Report

1. Independent Auditor's Report



BAKER TILLY
正風聯合

正風聯合會計師事務所
台北市104南京東路二段111號14樓(頂樓)
BAKER TILLY CLOCK & CO
14F, 111, SEC. 2, NANKING E. RD., TAIPEI 104 R.O.C.
Tel: +886 (2) 2516-5255 Fax: +886 (2) 2516-0312

INDEPENDENT AUDITOR'S REPORT

NO.140796EA

The Board of Directors
Legal Aid Foundation

We have audited the balance sheets of the Legal Aid Foundation as of December 31, 2007 and 2006, and the related statements of income, changes in equity and cash flows for the years then ended. These financial statements

