

# National Report : Korea Legal Aid Corporation



**대한법률구조공단**

KOREA LEGAL AID CORPORATION

# COUNTRY INFORMATION



## Republic of Korea

- I. Population : 51.8 million (2018)
- II. GDP : 1530.7 bil USD
- III. GDP per capita (IMF) : 32,775 USD

# Legal Aid in Republic of Korea

## Civil Cases

KLAC

Court

Other Legal  
Aid  
Agencies

## Criminal Cases

Court

KLAC

Prosecution  
(for victim)

# Approximate National Budget for Legal Aid in Republic of Korea

**KLAC & other legal agencies**  
48.2mil

**Civil Cases**

KLAC

Court

Other Legal Aid Agencies

'Home doctors' for legal advice  
4mil

Court-appointed Public defender  
54.9mil

Court payment for legal aid cases  
4.3mil

Attorneys for Victims  
4.5mil

**Criminal Cases**

Court

KLAC

Prosecution (for victim)

**Total National Budget for Legal Aid : (approx) 220 mil USD**

\* Not official figure

# Korea Legal Aid Corporation



**Founded by Legal Aid Act (1987)**

**Supervised by Ministry of Justice**

**1,000 employees**

**107 Staff Attorneys**

**139 Public-Service Advocates**

**17 Victim representing Attorneys**

**Civil cases : 152,076**  
**Criminal cases : 19,316**  
**(Sep 2016 – Aug 2017)**

# Korea Legal Aid Corporation



**Civil : 152,076**  
**Criminal: 19,316**  
**(Sep 2016 – Aug 2017)**

**Total Expenses (2017)**

**89.56 mil USD**

**Government-funded**  
**40 mil USD**

# What we do

**Legal Advice (open to public)**

**Civil Representation, Litigation**

**Criminal Defense  
/ Representation for Victims in Certain Crime Cases**

**Legal Education**

# Major Changes : Now What we also do

## HOUSING LEASE PROTECTION ACT (2016)

### Article 14 (Housing Lease Dispute Conciliation Committees)

(1) To deliberate on and mediate disputes arising in relation to housing leases subject to this Act, a housing lease dispute conciliation committee (hereinafter referred to as "conciliation committee") shall be established in each branch of the **Korea Legal Aid Corporation** established under Article 8 of the Legal Aid Act (hereinafter referred to as the "Corporation"), as prescribed by Presidential Decree. The Special Metropolitan City, a Metropolitan City, a Special Self-Governing City, a *Do* or a Special Self-Governing Province (hereinafter referred to as "City/Do") may establish a conciliation committee, taking the actual conditions of the relevant local government into consideration.



# Major Changes : Now What we also do

- (2) Conciliation committees shall deliberate on and mediate the following matters:
1. Disputes over increasing or reducing rents or deposits;
  2. Disputes over the lease period;
  3. Disputes over the return of deposits or of possession leased houses;
  4. Disputes over the duty to maintain and repair leased houses;
  5. Other disputes prescribed by Presidential Decree in relation to housing leases.

## Article 27 (Grant of Executive Power)

Notwithstanding [Article 56 of the Civil Execution Act](#), the authenticated copy of a deed of conciliation in which the acceptance of compulsory execution is stated under the latter part of [Article 26](#) (4), shall have the same effect as an executory exemplification: *Provided*, That [Article 44 \(2\) of the same Act](#) shall not apply to any allegation of demurrer against the claims.

**COMMERCIAL BUILDING LEASE PROTECTION ACT (Sep. 2018)**  
**also established conciliation committees in KLAC branches**

# Collaborating with corporations – pros and cons



**Donated funds for representing people with low income in certain type of cases**

- Police officers and firefighters
- Traffic accident victims
- Industrial hazard victims
- Farmers and fishermen

**Pros?**

**Cons?**

**HOW FAR and BY HOW should we expand the horizons of legal aid?**

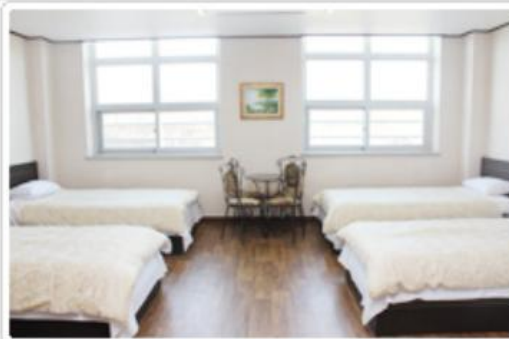
# Services targeting Specific communities

## KLAC Law-related Education Center (<http://www.klacedu.or.kr>)



Education unit. 4th floor-loding unit.

Comfortable and clean hotel-type of lodging facility with 2 2-person room, 25 4-person room and 4 8-person room (can accommodate up to 136 people.).



# Services targeting Specific communities

## Basic and fundamental Korean law education for immigrants by marriage and their multicultural family

year	No. of education	Org.	Total No.	students			
				Married Immigrant	Spouse & relatives	Children	Etc.
2011	37 (joint1)	38	1,467	636	211	493	127
2012	54 (joint1)	55	2,285	1,006	300	792	187
2013	53	53	2,218	993	281	777	167
2014	57	57	2,121	1,051	263	652	155
2015	50 (joint 2)	52	1,877	1,001	149	538	189
2016	56 (joint 5)	61	2,264	1,177	216	670	201
2017	58 (joint 11)	69	2,121	1,013	189	598	321
2018 (1.~8.)	31 (joint8)	39	1,254	706	98	304	146
<b>Total</b>	<b>396</b>	<b>424</b>	<b>15,607</b>	<b>7,583</b>	<b>1,707</b>	<b>4,824</b>	<b>1,493</b>

# Services targeting Specific communities

year	No. of education	Total No.	students		
			North Korean defectors	Spouse & relatives	Etc.
2012	1	29	24	3	2
2013	6	189	136	28	25
2014	4	93	65	18	10
2015	5	152	105	33	14
2016	5	142	74	11	37
2017	4	106	64	16	26
<b>Total</b>	<b>25</b>	<b>711</b>	<b>488</b>	<b>108</b>	<b>115</b>

**Basic and fundamental (South) Korean law education for North Korean defectors**



# LAF and KLAC

August 2017



14 法律扶助國際論壇  
International Forum on Legal Aid

October 2014

Thank You !



# **Proposed Outline of National/Regional Reports(Brief)**

## **1. Please update the following information about your country:**

Country	Population	GDP	Poverty Line & Percentage of Population in Poverty	Total No. of Practicing Lawyers in the Country
Republic of Korea	51,806,977 (2018)	1530.7 billion USD	1,340,214 KW (a family of four) / 3% (Basic livelihood security recipients, 1,581,646, 2017)	20,449 (2018)
Name of Legal Aid Organization(s)	Date of Establishment	Total No. of Applications Received in the Past Year	Total No. of Applications Approved in the Past Year	Total No. of Applications Rejected in the Past Year
Korea Legal Aid Corporation	September 1, 1987	156,311	149,446	172
Total No. of Legal Aid Lawyers (including staff and private lawyers)	Total No. of Non-Legal Professionals (e.g. social workers, counselors, community/culture workers)	Government Budget for the Legal Aid Organisation in the Past Year	Total Legal Aid Expenses in the Past Year	Proportion of Legal Aid Budget Funded by the Government
Staff attorney -107 Public Service Advocate – 140 Designated attorneys for criminal victim representation - 17	635	54,900 (Millions of KW)	102,000 (Millions of KW) (Gov-54,900 / KLAC acquired 47,100)	49.3%

## **2. Were there any major changes in your organization (or legal aid organizations in your country) over the past four years? If yes, please specify the change and its reason?**

By Revised Housing Lease Protection Act(2016), Housing Lease Dispute Conciliation Committees have been set at six KLAC chapter offices. The Committees resolute disputes related to housing rental contracts. They are in operation since May 2017. The total number of applications is 2,510 so far.



**3. What has been the major development strategy of your organization (or legal aid organizations in your country) for the past five years? What was the reason for adopting this strategy?**

The recent slogan was “We make efforts to offer high-quality legal service with all our heart”. In contrast, the main strategy of KLAC has always been to expand the number of legal aid recipients. To cover sections, people and regions alienated from proper legal protection.

**4. In the past decade, have there been any surveys done in your country on legal needs and legal assistance seeking behaviors of the general public or any specific underprivileged groups? Or have there been any research studies of your service data?**

If yes, please kindly provide the files or URLs of the research results.

N/A

**5. How does your organization (or legal aid organizations in your country) make legal aid resources known to the potential clients in need and improve their legal awareness so they may seek timely assistance? Do you use any different approaches to reach people in remote areas or groups with special legal needs?**

- In connection with the local officials and farmers association, KLAC regularly visits remote areas, and provides legal service by sending its ‘counseling bus’, which functions as a small mobile office. This specially re-formed bus has computers, network system and a copy machine in it. The visiting events are often held with educational lectures on basic legal matters.



- KLAC has public relations department, which advertises its legal aid activities, deals with media, and publishes 'People and Law', a quarterly publication. The number of media coverage of successful cases won by KLAC has grown recently.
- KLAC Home Page ([www.klac.or.kr](http://www.klac.or.kr)) / Mobile Home Page (<http://m.klac.or.kr>) : Contains various legal counseling cases (FAQs) and legal forms. Appointment (or cancellation) of visiting is available.

**6. How does your organization (or legal aid organizations in your country) educate, train or recruit and screen legal aid attorneys who are suitable for serving underprivileged groups as well as passing the spirit of legal aid onto lawyers of younger generations?**

- KLAC is a subject for survey conducted annually by Government, and conducts survey itself and constantly collects voices of customers to evaluate our customer service.
- Regular educational program and forum are held for legal aid attorneys.
- Excellent legal cases, or customer satisfaction cases are submitted, evaluated, and awarded in annual KLAC competition.

**7. Does your organization (or legal aid organizations in your country) collaborate with other non-legal organizations/professionals in conducting legal aid work (including aspects such as promotion of legal aid, legal education, advice and representation service, social advocacy and law reform?) How does the collaboration work? Please elaborate with some examples.**

- Many local KLAC offices are collaborating with local organizations for disadvantaged or troubled people: labor board, social service, police office, agency for persons with disabilities, farmers' association. KLAC attorneys are often invited to give lectures to staff, or members of the organizations, or, asked to give legal opinion.
  
- KLAC urges major corporations to participate in the program for non-charge legal aid service for people with low income.. As a result, recently, many companies, including GS Caltex(for traffic accident victims) , STX welfare foundation(for industrial hazard victims), KB Bank(for low-ranking police officers and firemen) contributed sizable funds for representing people with low income in certain type of cases.

**8. Has your organization (or legal aid organizations in your country)developed any services targeting any specific underprivileged communities or legal issues?**

This forum is especially interested in community groups such as women, children, the elderly, indigenous peoples, migrant workers, refugees and stateless persons, social welfare/benefits issues, persons with disabilities, and the homeless, etc.

Please **select at most three fields** and elaborate on the following:

We present Law-related education for family with immigrant by marriage, teenagers and North Korean defectors.

- (1) Background reasons: Why target this group/issue? Why launch this type of service?

It was thought that extra legal support is needed for the immigrant by

marriage (mostly women), teenagers and North Korean defectors, for they have difficulties in social life due to the difference in legal system and culture.

- (2) Scope of legal aid service: legal education, information, advice, representation, advocacy and law reform

Law-related education, legal advice, legal representation, and legal culture experience class, etc.

- (3) Is the financial eligibility criterion for this community group the same as other legal aid applicants?

Yes, but when they are eligible, there is no charge, and the court fee is also covered by KLAC.

- (4) How do you promote this service and deliver legal education to your target community?

We try to notify our education center to the related authority and distribute the promotional materials to the press whenever we run the education program.

- (5) How do you provide the most effective service with limited funding?

We try to hire our staff attorneys and non-legal staff as instructors and develop our educational program by ourselves within budget.

- (6) Can you tell us about your service performance and outcomes?

A. Program for married immigrants

year	No. of education	Org.	Total No.	students			
				Immigrant by marriage	Spouse & relatives	Children	Etc.
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B. Program for North Korean defectors

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Our legal aid service program for women and children will also be presented in group discussion.

**9. To what extent have the UN Principles and Guidelines on Access to Justice and UN human rights conventions regarding access to justice for specific disadvantaged groups been implemented in your country and complied by your organization? Have you met any challenges during implementation?**

- Republic of Korea considers the provision of legal aid their duty and responsibility, and enacted specific legislation which is Legal Aid Act, and established Korea Legal Aid Corporation.
- KLAC has legal aid programs for victims of crime, children, women, which the United States guidelines request.
- Those who are detained, arrested, charged with a criminal offence is fully eligible for legal aid if they cannot afford private legal services. KLAC lawyers regularly visit prisons or detention facilities, as legal aid at the post- trial stage.

- The report submitted by the Korean government to United Nations regarding UN International Covenant on Civil and Political Rights contains and emphasizes the role of Korea Legal Aid Corporation.
- To provide legal services to disadvantaged group as much as possible, KLAC has constantly expanded scope of legal services and eligibility for legal service over the years. In the same time, KLAC has been criticized by some members of Korean bar association for “taking too many cases” and “making people think legal service is free.”