



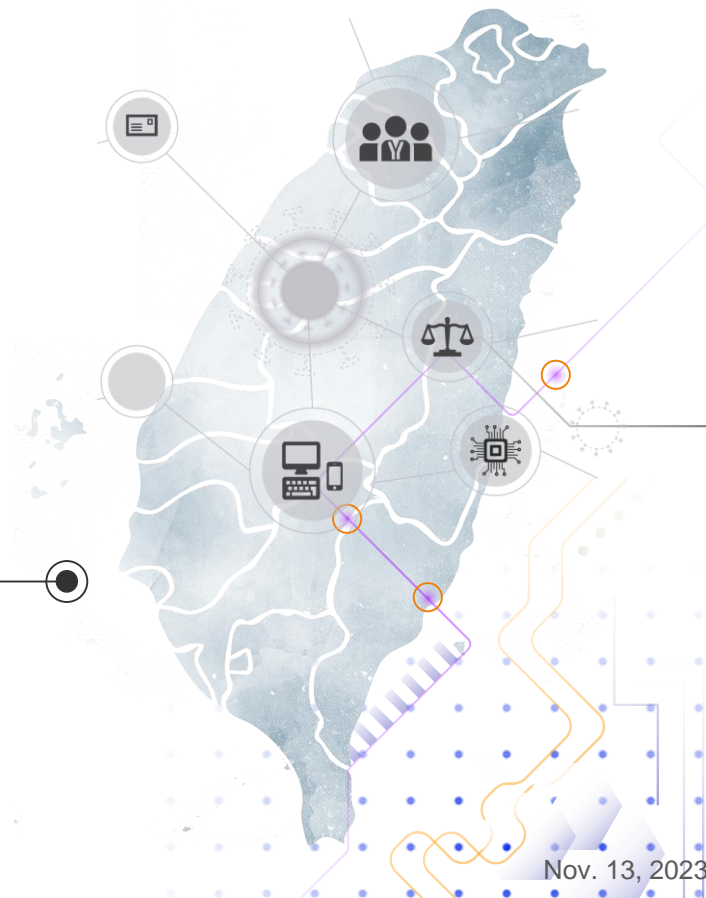
National Report: Taiwan

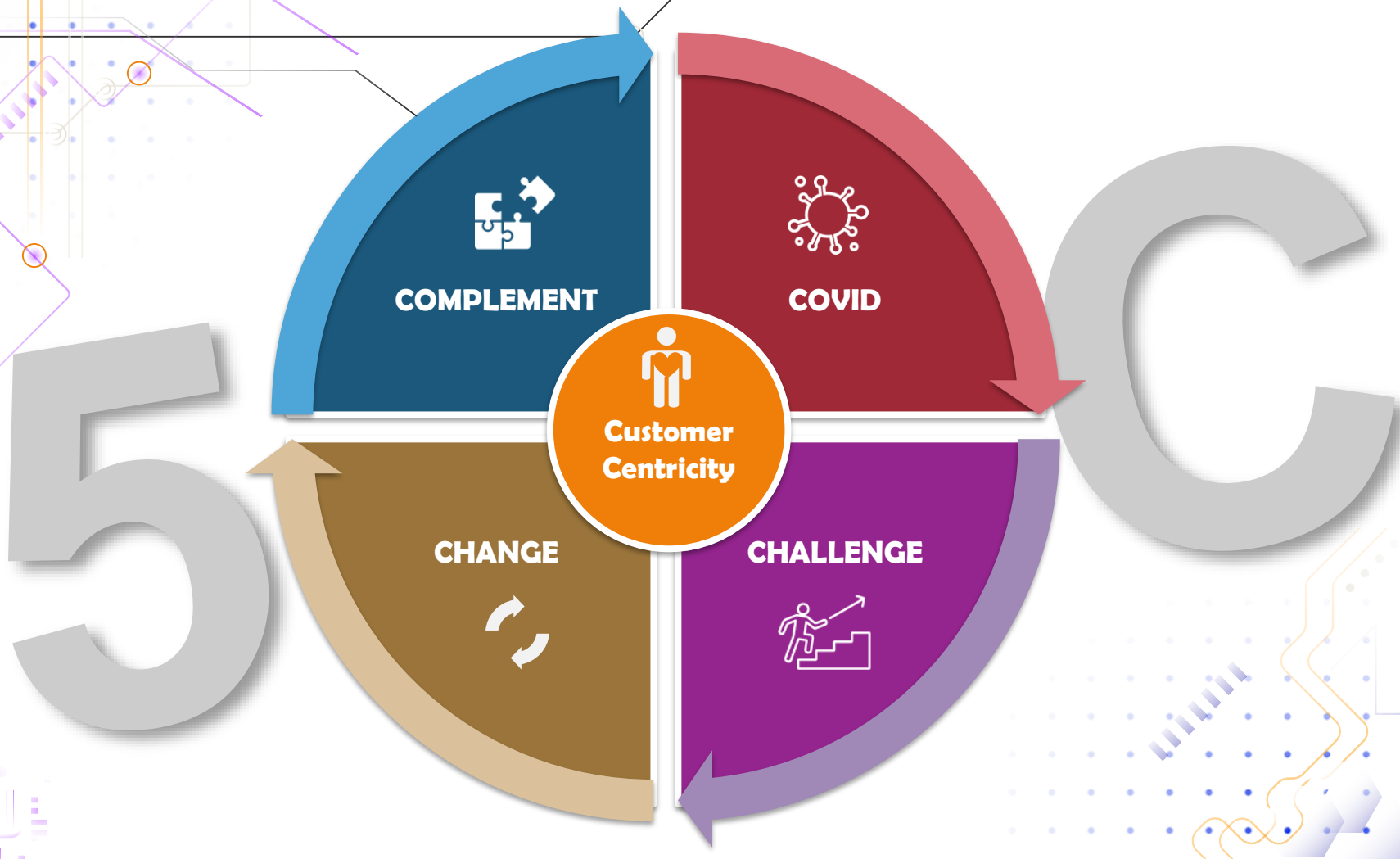
COVID CHALLENGE & CHANGE

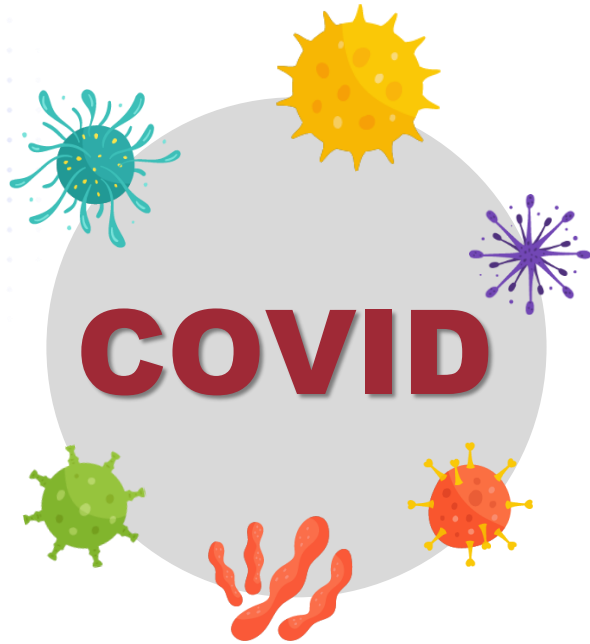


財團法人法律扶助基金會
Legal Aid Foundation

Chief Executive Officer
Han-Wei Chou







Courts and prosecutors' offices conducted remote proceedings.



Correctional facilities provided video visits and suspended legal education and legal consultation services.



LAF implemented remote services, staff shifts, and crowd control.



COVID Level 3 Alert - Legal Aid Grant Application and Examination

Restricting the scope of application

Principle

Time-sensitive cases or cases with urgency or necessity

Exception

The acceptance of applications was dependent on the severity of local epidemics, whether the applicants had digital skills, and whether remote examination was available.

Developing remote services and remote examination

19 Branch Offices on Taiwan's Main Island

- 17 developed various degrees of remote service models.
- The model in which "examining committee members processed the applications at the branch while applicants were connected remotely without physical presence" was adopted by most branch offices.

[\(For more details, please refer to 2023 IFLA National Report: Taiwan\)](#)



The number of applications dropped by 56% in summer 2021

The number of granted legal aid cases in the whole year of 2021 dropped by 15%



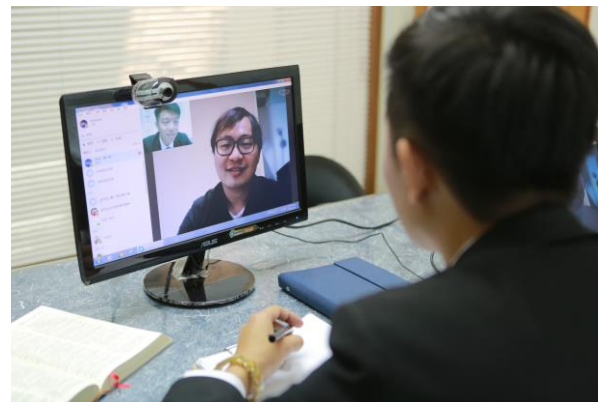
COVID Level 3 Alert - Legal Advice



- ✓ Complete suspension of face-to-face legal advice
- ✓ Telephone legal consultation available for all type of cases (previously only limited to cases related to employment, family and debt clearance)
 - Calls to LAF Call Center increased by 1.6 times

✓ Expanding the scope of video legal consultation

- Foreign nationals: By making an appointment in advance through Google form and uploading relevant information, a 40-minute video legal consultation would be provided through Google meet on the scheduled day. (Initially only available for English speakers)
- Interpreters: Depending on the language required, an interpreter would be hired to help overcome language barriers.
- General public: Following this model, general public has been able to access video legal consultation via their own devices since May 2023.



Online Educational Training and Resources for Legal Aid Lawyers



During Level 3 Alert

- Complete suspension of in-person legal education, public outreach, and training activities.
- Wide adoption of video conferencing.



After Level 3 Alert

- Online training and video conferencing still available.
- Developing various online educational resources for lawyers and examining committee members.
- Improving existing video content and obtaining licenses from instructors.
- New educational training sessions are conducted both physically and online (if possible). The courses are recorded and made into videos and licensed by instructors.



CHALLENGE & CHANGE





2018

- Heavy workload and stressed staff and brain drain crisis
- Need to constantly improvement of service quality
- Improving tension with legal professionals
- Urgent need to meet the requirements of International Human Rights Conventions and resolutions of the National Judicial Reform Conference 2017
- Prioritizing the needs requiring legal aid for better resource allocation

2023

- Adjusted the salary and leave schemes. A decrease in employee turnover rate from 15-20% to 5%-8% per year.
- Adjusted lawyers' remuneration scheme and the rules of case assignment.

Over the past five years

Increase in budget



Internal and external monitoring and regulation have become stronger

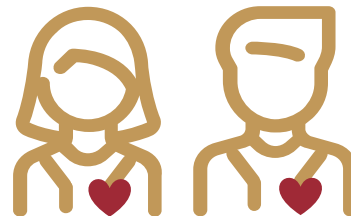
Rising number of cases



Reviewed the resource allocation of funded programs

Adjust the eligibility and requirements of government commissioned projects

Increase in the number of lawyers and growing number of young lawyers



Strengthened the quality assurance mechanism of lawyers

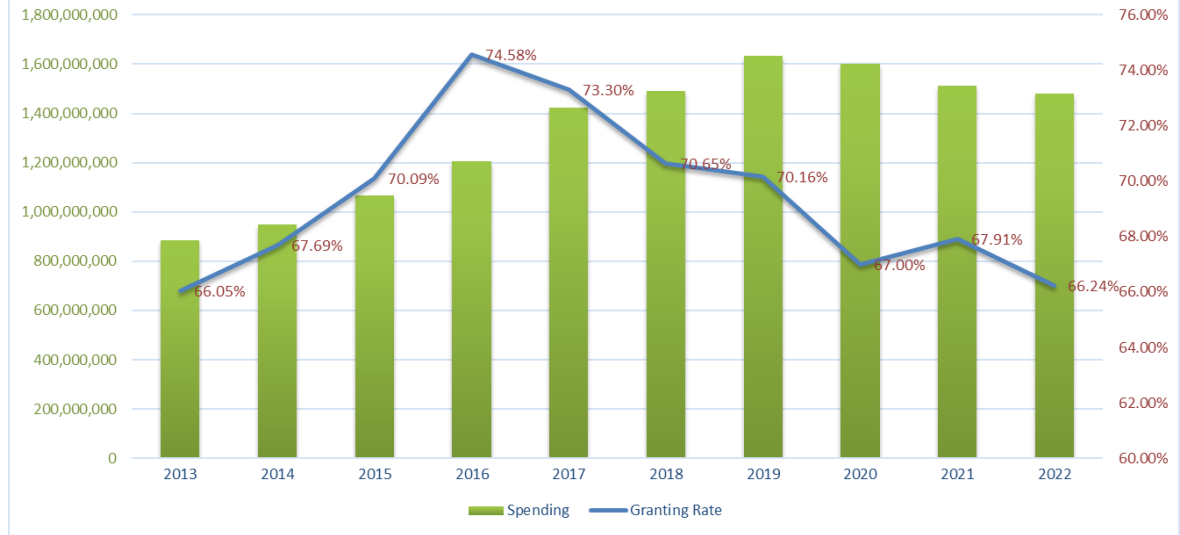
Adjust lawyers' remuneration in accordance with new regulations and based on empirical data

Over the past five years

The *Foundations Act* went into force on Feb 1, 2019. The Act requires:

- Enhancement of existing supervision
- **Increase in operational efficacy**
- **Improvements to internal management and auditing systems**

Legal aid expenditures & the approval rate of legal aid cases, 2013-2022

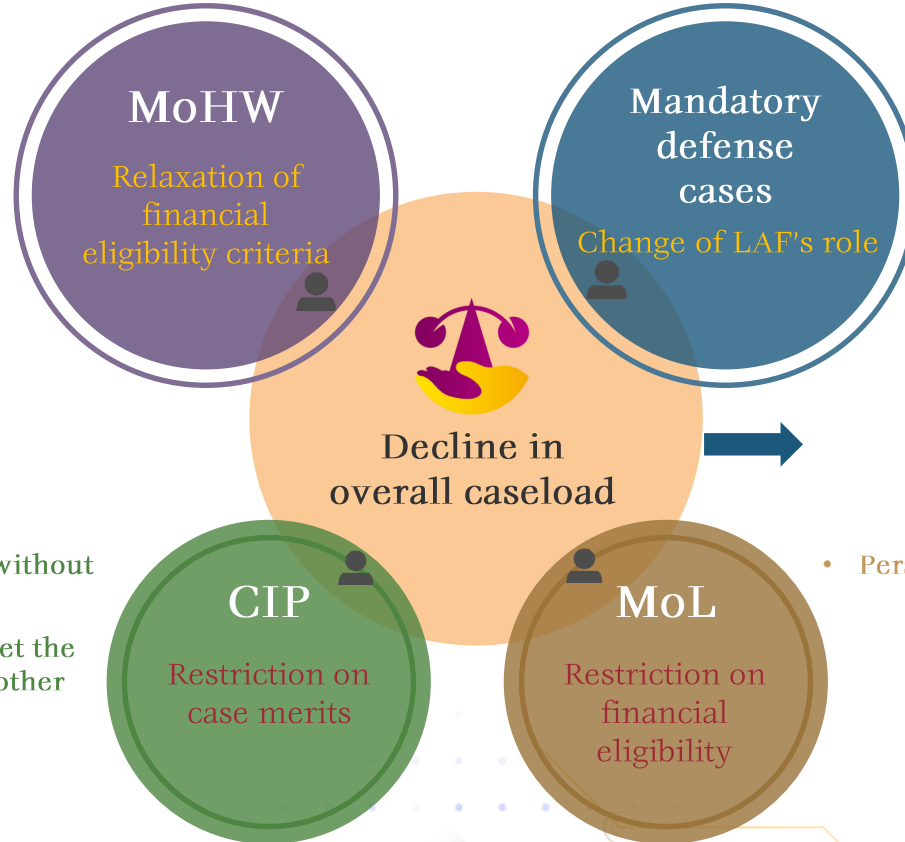


- Enhance LAF's overall operational efficacy
- Ensure a more appropriate, compliant, and effective usage of funding
- Establish more standardized and consistent service-delivery and operating processes
- Improve legal compliance and raise risk awareness

- Increase in the cost of internal communication
- More time-consuming administrative processes
- Stricter eligibility criteria and regulations
- Decrease in the approval rate of legal aid cases

Review Resource Allocation of Funded Programs

- 1.5 times higher than LAF's criteria
- People with disabilities that are receiving government subsidies are exempt from the assessment of financial eligibility criteria.

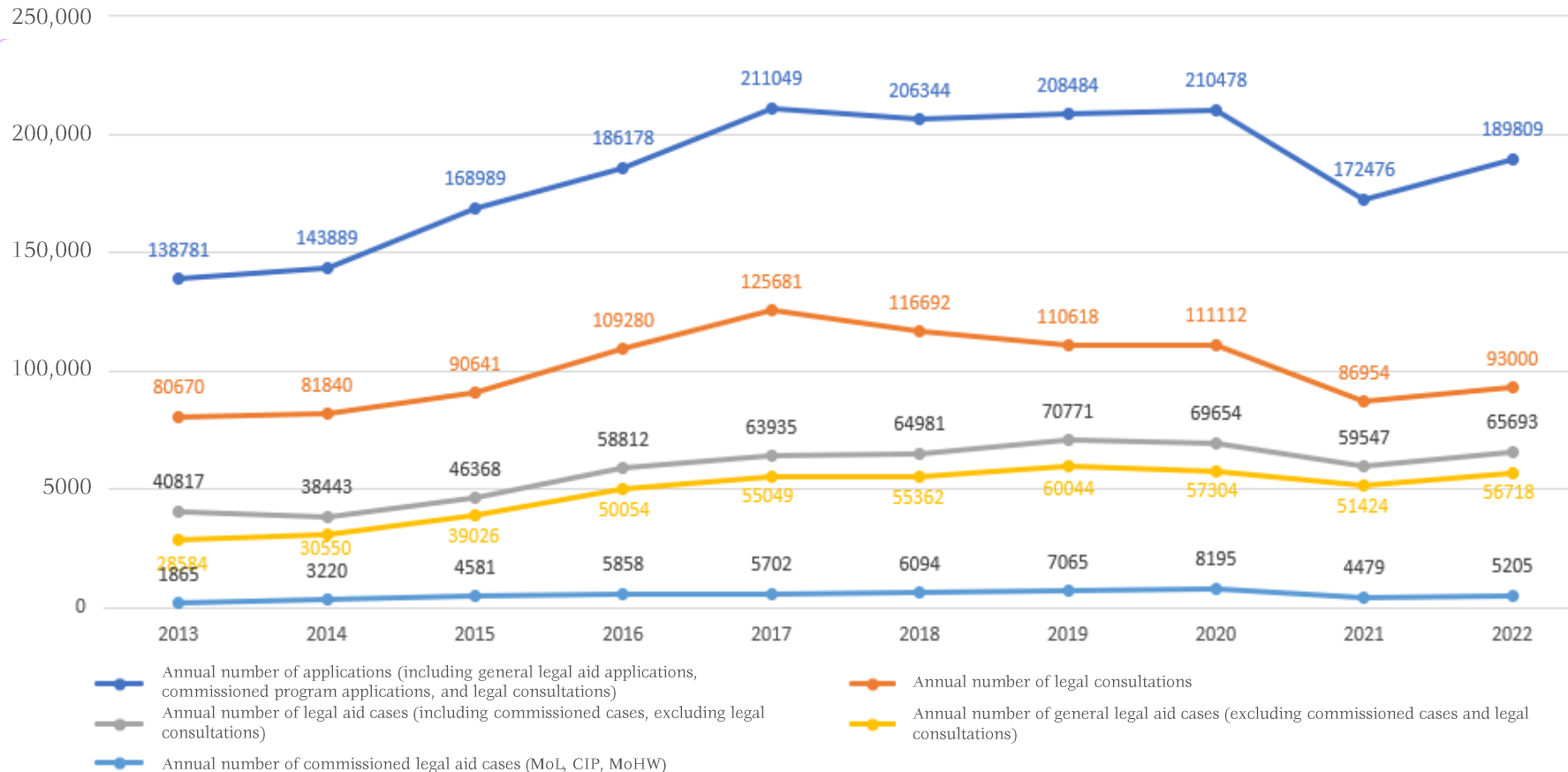


- Non-financially eligible cases are transferred to public defenders or court-assigned counsels.

- Cases that are "not without legitimate reasons".
- Case that do not meet the criteria of LAF and other programs.

- Personal financial eligibility criteria

Number of applications and legal aid cases over the past 10 years





It's important to note and reflect that...

The eligibility criteria set by LAF and other commissioning agencies are different yet closely related. As more legal aid programs being rolled out and under review, the application for legal aid services has become more complex and uncertain, resulting in an increase in administrative workload.



It's important to inform applicants of their rights and respect their decisions. While we have made various information sheets, it is essential for our front-line staff to thoroughly understand the differences between programs to offer clear guidance to applicants.

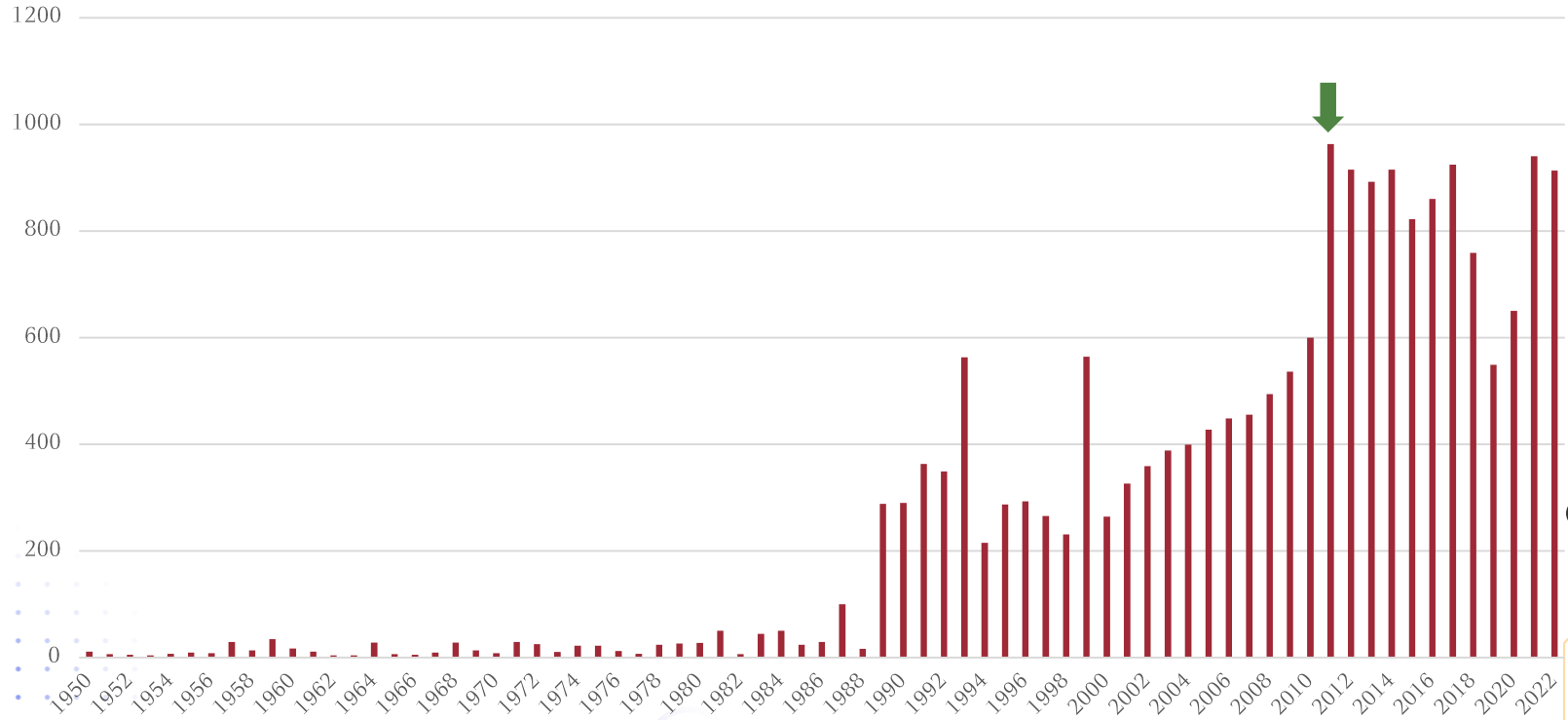


There needs to be better staff training and administrative processes to ensure the quality of the review process.

Strengthening the quality assurance mechanism of lawyers

For more details about LAF's quality assurance mechanism, please refer to the [report](#) of topic 2 of 2018 IFLA.

Number of newly qualified lawyers over the years



Strengthening the quality assurance mechanism of lawyers



Pre-screening measures

The specialist panels program in family law, labor law, and debt clearance

Starting from January 1 2022, the program has undergone a trial period of six years spanning two terms.



Educational training to enhance service quality

Proactive recruitment and training of lawyers to increase their professional knowledge and sensitivity

For certain niche case types and communities with unique needs



Ex-post control

Strengthening ex-post quality review mechanism

In addition to existing measures, an online reporting system for legal aid lawyers has been built by stages to allow lawyers to report case closure and submit documents for review by branch offices.

Adjusting case-assignment and remuneration schemes to reflect actual costs



Increased remuneration in accordance with new regulations and based on empirical data

- ✓ In cases subject to citizen judges proceedings, the remuneration radix is 1.5 times that of other cases (starting from 2023).
Additional remuneration may be granted based on the extra procedures or task requirements.
- ✓ Identified complicated and time-consuming cases based on empirical data and increased the maximum amount of remuneration.
- ✓ When providing aid in tasks beyond the scope of the originally approved remuneration, legal aid lawyers may apply for additional compensation ranging from NT\$1,000 to NT\$5,000.

Increased the types of cases to which multiple lawyers may be appointed

- ✓ For cases involving death penalty disputes, constitutional litigation, the Grand Chamber, and citizen judges proceedings, three lawyers can be appointed to jointly handle the case.



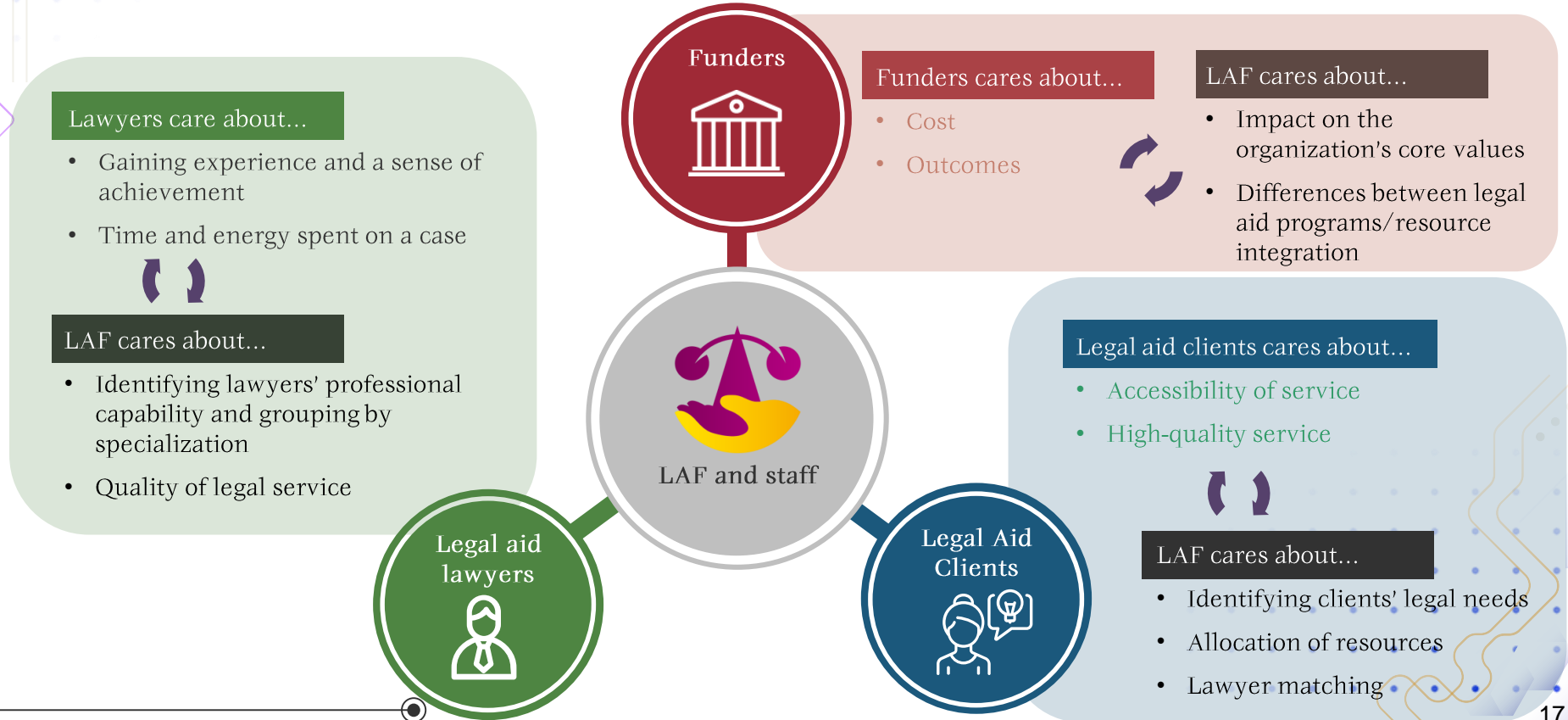


Complement : Progress of Digitalization

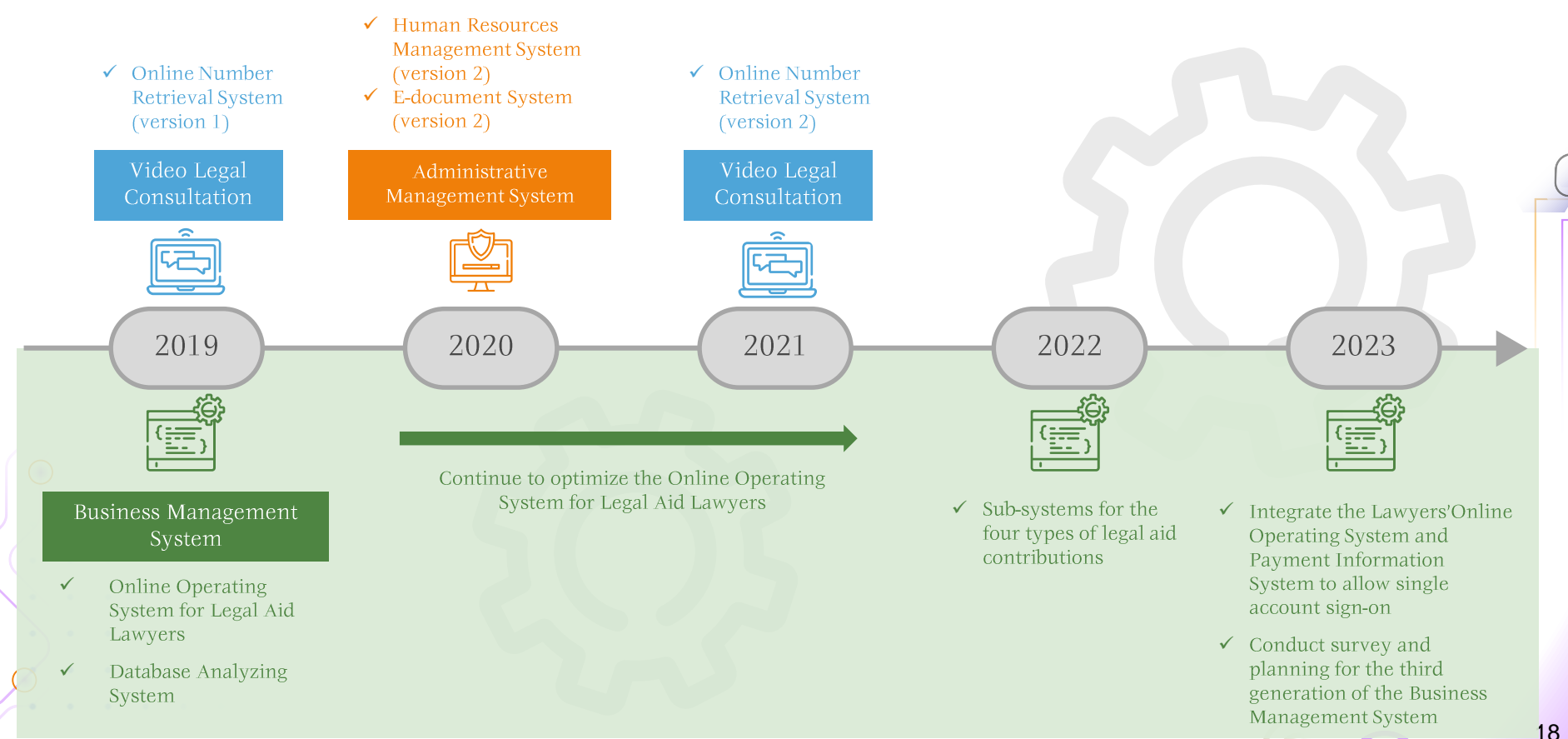
Internal information system reform | enhancing operational efficacy and facilitating performance-tracking

External digitalization strategies | initiating with legal aid lawyers or clients?

Legal Aid Ecosystem in Taiwan



LAF's progress of digitalization strategies





Considerations for system development

Popularity of information technology

Cost-effectiveness enabled by technology

Distinctiveness of legal aid service users

Concerns over digital gap/exclusion

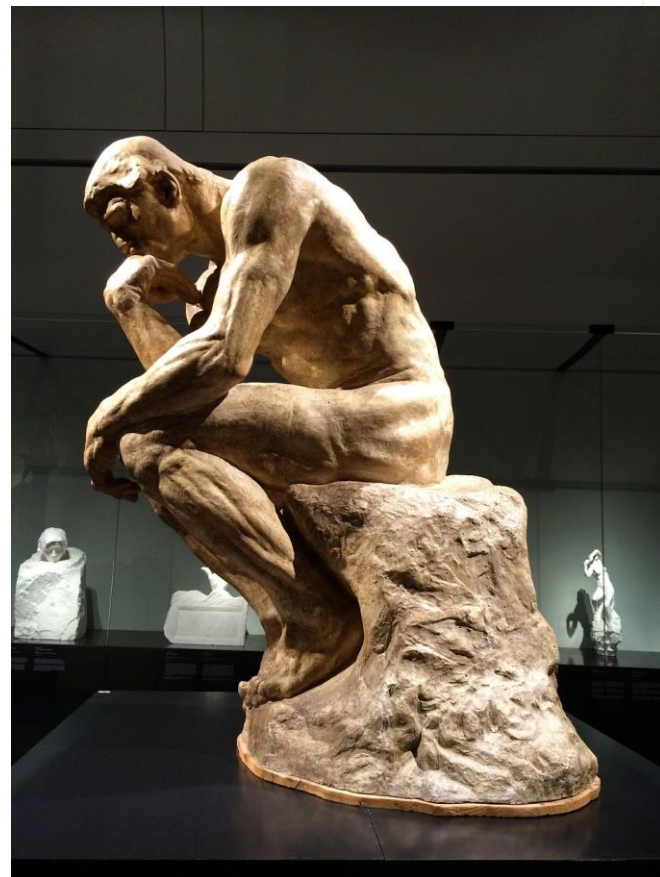


Decision-making Mindset

Lawyers are more skilled at using digital tools.

The collaboration with lawyers is a long-term and ongoing partnership.

The quality of legal aid services depends on keeping track of lawyers timely.



System Architecture of the Online Platforms for lawyers



Log into the Legal Aid Lawyers' Online Operating System



Online Operating System for lawyers

法律扶助基金會 律師線上操作系統

案件管理區 線上封帳 查詢及下載 基本資料 同登帳務

歡迎使用! 成功登入時間: 2023-10-12 10:55:41.177

待處理案件 0 已結案件 0

使用 API 來收集更新資訊

律師基本資料

QRcode

律師執業狀態 正常

姓名	周漢斌	英文姓名	
性別	男	出生年份	民國68年
建業字號	93臺特證字第6295號	所屬公會	台北律師公會
事務所名稱	財團法人法律扶助基金會	電子郵件	steven.chou0126@gmail.com
電話	(02)2322-5255分機101	地址	106 台北市大安區金山南路二段189號5樓
歷任紀錄	無	專業證照	無
備註			
資料雜湊值	0x0b4a68bc0e9289b47aab3845cc940be8f11d9c9386cab7d87eb2bccc3446e23		



法律扶助基金會 業務管理系統

帳號: 密碼: 驗證碼: 登入

NTUG

請注意! 請注意! 請注意!

Internal ERP System
Real-time information exchange

Multi-functional Legal Advice Center

Upgrade of the LAF Call Center

- The LAF Call Center plays a key role in case triaging (especially in three main case types: debt clearance, labor affairs and family law).
- Ensure legal support is provided timely to disadvantaged groups and their supporters (e.g. indigenous peoples, people with disabilities, social workers).
- Services provided through diverse channel: phone & videoconferencing



Challenges of Technology Adoption for Service Providers



Development of ICT Infrastructure

Redesign of Service Processes

Regulatory Framework and Settings

Further explanation will be provided during Panel Discussion 4. >>>

A photograph of two women walking on a city street. The woman on the left is older, with short grey hair, wearing a light blue surgical mask and a tan-colored traditional Chinese-style top and skirt. She is holding a closed blue and white patterned umbrella. The woman on the right is younger, with dark hair and glasses, also wearing a light blue surgical mask. She is wearing a black short-sleeved button-down shirt and light blue trousers, and is carrying a grey tote bag. They are walking towards the camera, and the younger woman is holding the older woman's hand. The background shows a city street with trees and buildings.

Client-centric services

Customer Centricity

Strategic Litigations and Class Actions

People with disabilities



Environmental protection and public nuisance



Human rights of incarcerated individuals



Public safety incidents of social significance



Human rights of indigenous peoples

For more details, please refer to page 48~55 of the [2023 IFLA Host Country Report : Taiwan](#)

Efforts in Implementing International Human Rights Conventions

- Although Taiwan is not a UN member state, from 2009 to 2014, the Legislative Yuan had passed five Implementation Acts of the core human rights conventions (ICCPR, ICESCR, CEDAW, CRC, and CRPD). Through domestic legislation, these international conventions and their related interpretations now have legal effects in Taiwan.
- Taiwan has also established a domestic reporting and review mechanism based on the UN system, allowing the government, private sectors, and international review committee members to conduct regular communication and review.
- Any suggestions or recommendations about “legal aid”, “access to justice” or “protection of the right to counsel” mentioned in the review reports will be followed and implemented by LAF as much as possible.



Source: The website of Convenants Watch

The Role of Legal Aid

People



International
Human Rights
Conventions

- Through advocacy, law amendment, and legal action
- Utilize resources from the government and other organizations

R I G H T

