

# Nishnawbe-Aski Legal Services Corporation

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## Contract Agreement Between Nishnawbe Aski Legal Services Corporation (NAN LEGAL) And Derek Chum

### Background:

NAN LEGAL was created June 1990 by Nishnawbe Aski Nation (NAN) Chiefs Resolution to provide legal aid services and justice programs to NAN communities and members. NAN LEGAL mandate is to promote community-based justice systems and to deliver on a wide range of law related services including legal, paralegal, public legal education and law reform that is community based and culturally connected to traditional law and to improving administration and access to justice for NAN members.

There were already court backlogs prior to Covid-19. This pandemic has increased the backlog of trial cases in the Ontario Courts with reduced court operational schedules since March 2020. Courts are still not in full in-person operation at the 5 northern Ontario base courts (Kenora, Dryden, Thunder Bay, Cochrane, Timmins). There is a total of 29 Satellite Fly-In Courts served by Northwest (24) and Northeast (5) Fly-In Courts with 27 held in NAN Territory First Nations communities. 2 Fly-in courts located in Moosonee and Armstrong are a hybrid as the court party flies into these locations that are accessible by provincial roads and are near a number of First Nations. (*Noted in Fly-In Court assigned listing attached*).

Court proceedings in the northern NAN Territory are currently using remote technology with appearances held by video conference or audio conference. The satellite drive-in and fly-in courts to administration and access to justice to the NAN territory are still more significantly impacted and Chiefs have expressed concerns on impact to members at times to breaches of conditions leading to more charges and matters are remanded or adjourned to a future date scheduling. This results in NAN members experiencing diminished access to justice while the pandemic continues.

The Ontario Court of Justice (OCJ) Administration Justices and the Ministry of the Attorney General (MAG) seek to establish regular communication with the Chiefs acknowledging Chiefs lead and to working together to a recovery way that is respectful in the recognition of the governance and authority of the NAN Chiefs.

NAN LEGAL has been requested by the MAG Indigenous Justice Division to work with communicating with First Nation Chiefs on developing an engagement report on what is needed by each First Nation for Fly-In Courts to re-open in their community. Due to continuing COVID-19 Pandemic developments and respecting Chief's health and safety concerns for the protection of members, and Chiefs as decision makers to court re-opening in each community NAN LEGAL is to take the lead of Chiefs in working with the Consultant. NAN LEGAL will establish 4 teams across NAN Territory with at least 8 First Nations for each of the 3 Consultants in the Western and Central Zone and 5 in the Eastern Zone. NAN LEGAL staff will be part of the Teams with the Consultant to be primarily focussed on a community-based and staff process.

### Purpose:

The purpose of the Pre-Engagement Phase is;

- 1.) To support First Nations Chiefs and Councils in their COVID-19 recovery planning for the return of the administration of courts in their community served by the OCJ Satellite Fly-In Courts, if they desire; and
- 2.) To seek to prepare a needs assessment on the status of each First Nation in planning on what is needed for a re-opening of court locations in their community because of the impact of the COVID-19 pandemic.

### Mailing Address:

1805 Arthur St. East  
Unit 100  
Thunder Bay, ON  
P7E 2R6

Tel: (807) 622-1413  
Fax: (807) 622-3024

Email: [info@nanlegal.on.ca](mailto:info@nanlegal.on.ca)

Website:

[Http://www.nanlegal.on.ca](http://www.nanlegal.on.ca)



### Head Office:

138b Mission Rd, Fort William  
First Nation, ON P7J 1K7

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## Role and Responsibilities:

The Consultant with a team of NAN LEGAL Staff is to begin logistics of engaging 5 of the 29 First Nation communities in communication with the Chief and/or delegated Community Contact for Court re-opening in the assigned NAN First Nation community

Prepare a summary report for each First Nation and a combined roll-up report.

The contract commences on the signing of the consultant contract until June 30, 2022.

Contract Consultant will make the necessary arrangements to:

1. Lead, Chair and Facilitate the Team meetings to development of a coordination pre-engagement plan with eight (8) NAN First Nations in meeting with the First Nations Chief or delegate
2. Lead, Chair and Facilitate the Community Sessions by zoom as a first step with each First Nation Chief and/or First Nation proxy/delegated Community member on the development of a community recovery plan on what is need by community for court re-opening
3. Attend coordination zoom meetings on status and update with NAN LEGAL
4. Assist is Anishnawbe translation during the Community Sessions
5. Prepare a Summary Report of each Community Session on findings and recommendations
6. Commit to the required time to complete the meetings, sessions and fulfill the responsibilities.

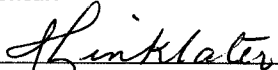
NAN LEGAL will make the necessary arrangements to:

1. Identify NAN LEGAL staff to be part of the Team to work with the consultant
2. Provision of Zoom meeting space
3. Arrange Travel for consultant, as required
4. Provide copies of meeting materials and preparation documents by email to consultant
5. NAN LEGAL Staff to assist in the note taking of the Community Sessions
6. Provide a NAN LEGAL contact person to assist throughout the pre-engagement
7. Notify the Consultant of any change or cancellation promptly in an efficient manner as information becomes available.

## Financial Arrangements and Consideration.

- NAN LEGAL will provide Consultant a total of \$10,000 (Ten Thousand dollars) all inclusive of any self-employed deductions required by governments including taxes.
- Contractor payment of fees are determined by meeting all deadlines and Consultant roles and responsibilities as outlined in the signed agreement between NANLEGAL and the Consultant.
- Initial payment of 50% for a total of \$5000.00 at signing of contract that can be made by EFT.
- Final Payment of \$5000.00 to be made within 15 days after completion of agreement delivery to receipt of invoice from consultant.

## We Concur:

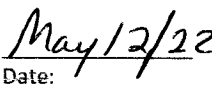
  
Irene Linklater

Executive Director NANLEGAL

  
Date: May 12, 2022

  
Derek Chum

Consultant

  
Date: May 12/22

## Attachments:

- 1.) Assigned List of First Nations of the Northwest Court and Northeast Court (5 East locations are noted as TBC)
- 2.) List of Fly-In court lease locations in the First Nation community
- 3.) 5 Session Questions

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