



Bureau du président du conseil de l'AEUM

Située sur les territoires traditionnels des collectivités Haudenosaunee et Anishinaabe.

SSMU Office of the Speaker

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MOTION ON THE LEGAL INFORMATION CLINIC AT MCGILL'S EXISTENCE AND FEE INCREASE REFERENDUM QUESTIONS 2024-02-01

Submitted for: 2024-02-15

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|----------------------|--|------------------------|--|
| Submitted to: | SSMU Legislative Council | Document no.: | LEG-PUB-MOT-2024-02-15-001 |
| Moved by: | Nadia Dakdouki <i>Vice-President (Student Life)</i> | Current Status: | <input type="checkbox"/> FOR APPROVAL <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> POSTPONED <input type="checkbox"/> COMMITTED <input type="checkbox"/> NOT APPROVED |
| Seconded by: | Councillor Baybayon <i>Arts Representative</i> | | |

Issue

The Legal Information Clinic at McGill (LICM) is looking to run both an existence (e.g., fee renewal) question and a fee increase question in the Winter 2024 Referendum.

The LICM's current student fee is \$4.50. The fees are used to fund free legal information, student advocacy, and community services for McGill students and community members.

The LICM is looking to increase the fee to \$5.91, which accounts for inflation since the last fee increase in 2014, plus 19 cents to meet increased student demand for services.



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Background and Rationale

As an independent student group, the LICM is required to renew its authorization to collect student fees every five years in order to renegotiate its Memorandum of Agreement with McGill University.

The Legal Information Clinic at McGill (LICM) is a non-profit, student-run, bilingual and free legal information service, open for 37 hours per week during the academic year and summer term. The LICM is staffed by McGill law students.

The LICM currently provides, free of charge, a suite of services to 2000 students and community members a year including: Legal Information, Commissioner for Oaths (which typically costs up to \$5.00 per document), Court Accompaniment and a Legal Advice pilot program.

The Student Advocacy office of the LICM advises, represents, and assists over 250 McGill students per year. During the 2022-2023 year, the Student Advocacy office helped students with 180 disciplinary interviews, 17 Policy Against Sexual Violence and Policy Against Harassment and Discrimination investigations, 50 informal dispute resolution and grievance cases, and 10 grade and e-flag appeals. More than half of the Student's Advocacy office's clientele in 2022-2023 were undergraduate students.

Further, the McGill Code of Student Conduct and Disciplinary Procedures (1A) states that advisors must be: "someone [...] registered at the University in a degree program for two consecutive terms, [...], who has agreed to act in an advisory capacity and who is not paid for their services". The Student Advocacy office of the LICM is currently the primary organization that conforms with this definition of 'advisors' and offers free advice and representation to students accused of disciplinary offences (such as plagiarism or cheating) or students who want to bring internal action against the University because they feel unjustly treated by the University.

An increase in the LICM student fee would allow the LICM to continue providing free commissioner for oaths, legal information and student advocacy services to all SSMU members in the face of increased demand.



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The LICM currently suffers from chronic underfunding, as the student fee has not been increased since 2014. With inflationary salary-related pressures, we must increase our fees in order to continue providing our services at a capacity that matches client demand. In order to maintain services, the LICM has run a budgetary deficit (while also cutting discretionary spending) for the past two fiscal years, which is unsustainable in the long-term. Additional funds are required to return the LICM to budgetary balance, and ensure the ability to hire and retain staff, specifically for student advocacy services.

Alignment with Mission

The LICM aims to provide free legal information, student advocacy, and community services (including Commissioner for Oaths) for all SSMU members, thus empowering them with the knowledge and support to assert their legal rights effectively. This motion aligns with the SSMU mission to provide services that “strengthen the educational, cultural, environmental, political, and social conditions of our Members.”

Consultations Completed

The questions were discussed and reviewed by the LICM Director team to identify our clients needs. The SSMU Vice-President (Student Life), the SSMU Vice-President (Finance), and the SSMU Policy & Advocacy Coordinator were consulted. The SSMU Vice-President (Student Life) suggested including a more thorough explanation of the rationale for the fee increase. The SSMU Vice-President (Finance) was consulted to confirm the financial situation of the LICM. The SSMU Policy & Advocacy Coordinator was consulted and suggested structural changes to make the motion conform to SSMU policies.

Risk Factors and Resource Implications

Without an increase in student fees, the LICM will be forced to reduce or eliminate a number of its valued services. The reduction in these services would result in prolonged wait times and/or a rejection of services in times of high demand.



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If this motion to renew the student fee does not pass, the LICM would be forced to terminate all services including Student Advocacy representation services. The dissolution of LICM services would decrease access to justice for McGill students and deny them advice, representation and assistance navigating McGill proceedings, including but not limited to; disciplinary hearings, informal dispute resolution, withdrawal and expulsion appeals, and investigations. It would also deny them access to legal information and would end the provision of free Commissioner for Oaths services for McGill Students.

If the motion to increase the student fee does not pass, the LICM would need to terminate some of its free services including the Commissioner for Oaths service and the Court Accompaniment service, as well as a significant reduction in Student Advocacy and Legal Information services. Paid legal services are prohibitively expensive to many McGill students and members of the Montreal community, and free legal clinics cannot meet demand without continued support from the communities they serve.

Sustainability Considerations

The LICM commits to providing free legal information to as many students and community members as possible. Maintaining our existence means supporting services that increase access to justice for our communities. Legal help can be prohibitively costly, and supporting a fee increase would allow the LICM to maintain (and expand) services to marginalized groups.

Impact of Decision and Next Steps

If this motion is approved by the Legislative Council, the proposed question included in Appendix A would be included in the Winter 2024 Referendum Period by Elections SSMU and sent to the Membership for approval. If the question is approved by the Membership, the fee increase will go into effect as of Fall 2024 semester. The fee increase will allow the LICM to continue providing its services including Legal Information, Student Advocacy, Commissioner for Oaths, and Court Accompaniment. The LICM will also be able to expand its Student Advocacy services. This will result in increased access to justice for the McGill student body.



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Motion or Resolution for Approval

Be it resolved that the Legislative Council approve the questions set out in Appendix A for the Winter 2024 referendum period.

Be it further resolved, that the Legislative Council approves pending the ratification and final review of the wording of these questions to the SSMU Board of Directors, and to Elections SSMU, before it is presented on the Ballot.

Be it noted that the Deputy Provost (Student Life and Learning) has ultimate and final approval on the wording of the LICM's referendum questions.

Results of the Vote

In favour (UNANIMOUS)
Opposed ()
Abstain ()

APPROVED



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Appendix A: Question for Referendum

Whereas the Legal Information Clinic at McGill (LICM) is a non-profit, student-run, and bilingual service that has existed since 1973, and which provides free Legal Information, Commissioner-for-Oaths, Court Accompaniment, and Student Advocacy Services;

Whereas the Student Advocacy office of the LICM is currently the primary organization that conforms with the Code of Student Conduct and Disciplinary Procedures's definition of 'advisors' and offers free advice and representation to students accused of disciplinary offences (such as plagiarism or cheating) or students who want to bring internal action against the University because they feel unjustly treated by the University;

Whereas the fee has not been increased since 2014, and whereas increased fees are required to compensate for inflationary pressures and to meet increased student demand;

Question 1: Fee Renewal

Do you agree to the renewal of the non-opt-outable Legal Information Clinic at McGill (LICM) fee of \$4.50 payable by all SSMU members, starting Fall 2024 to Fall 2029 (inclusive), at which point it will be brought back to the Membership for renewal, with the understanding that a majority "no" vote would result in the closure of the LICM, which has existed since 1973, and the end of Student Advocacy, which is the sole experienced provider of student representation at McGill in disciplinary and other internal proceedings against the University since 1989?

Question 2: Fee Increase:

Do you agree to increase the non-opt-outable Legal Information Clinic at McGill (LICM) fee from \$4.50 per semester to \$5.91 per semester for all SSMU members, starting Fall 2024 to Fall 2029 (inclusive), at which point it will be brought back to the Membership for renewal, with the understanding that a majority 'no' vote will result in the continuation of the fee at its current rate and will require significant cuts to the Legal Information and Student Advocacy representation services currently offered and reduce the organization's ability to serve students and the broader community?



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Appendix B: Budget

[LICM 2023-2024 Budget w/explanations](#)

Appendix C: Fee Increase Allocation Projections

[LICM Fee Increase: Allocation projections](#)

APPROVED