

28 July 2015

Jarrod Coburn
Chief Executive
Ebborn Law
Sent by email to Jarrod.Coburn@ebbornlaw.co.nz

CC Erin Ebborn
Principal
Ebborn Law
Sent by email to: erin.ebborn@ebbornlaw.co.nz

Dear Mr Coburn

FLAS and VLaw

Thank you for your kind invitation to the Provider Services team to visit Ebborn Law for a demonstration of how Ebborn Law delivers Family Legal Advice Services (FLAS) using electronic means branded as VirtualLaw or VLaw.

Our visit responded to your intention to implement a nationwide programme of providing FLAS utilising VLaw. We wanted to clarify whether there are any quality issues with online delivery of FLAS. Our Advisor/Complaints Investigator Milan Milosevic visited your offices on 15 June 2015 and was able to see a simulated demonstration of the VLaw system. We have also assessed the supporting policies and procedures for the delivery of FLAS through VLaw.

The visit has confirmed our positive view of the VLaw system. FLAS via VLaw is an innovative business model and an approach that we would encourage in the wider legal profession. From our review of documentation and attendance at your offices in Christchurch, we consider that the VLaw delivery system is in compliance with the FLAS operational policy. We have not identified any concerns relating to your intention to provide FLAS services via VLaw.

Miran met with you and Erin Ebborn to discuss potential issues of concern relating to electronic delivery of FLAS services. These were ensuring that a client's identification and income were able to be assessed appropriately and in accordance with the FLAS policy. With regard to the identification issue, your online verification system using a screenshot/written client consent form is a practical way to ensure that a FLAS client is who they say they are. With regard to the income threshold level verification, Miran observed that you employ the same robust mechanisms for determining income levels as for your other legal aid cases.

We are impressed by the thoughtfulness and organisation that has gone into creating the VLaw system. We are also impressed that your firm demonstrates an innovative approach to providing legal services. I wish to reiterate that we have no quality concerns relating to Ebborn Law's provision of FLAS services via VLaw. The internal Ebborn Law quality assurance practices, including the various policies underpinning the provision of VLaw and legal aid services, appear to result in a good and consistent quality of service provided to FLAS clients. This is reflected in the positive experiences noted by local legal aid staff in Christchurch, and the lack of complaints or concerns relating to Ebborn Law's services.

I understand that you and Penny Hoy-Mack, Team Leader, Provider Services, have discussed the shortages of FLAS providers in specific regions. Allowing Ebborn Law to deliver FLAS via VLaw in those regions would ensure availability and consistency in supply. We support Ebborn Law extending its delivery of FLAS by VLaw to Marlborough, Otago (notably Wanaka and Queenstown) and Northland (notably Kaikohe). These are regions where there are currently too few Family/FLAS providers. To address specific regional shortages, you may wish to coordinate your FLAS work with local Family Dispute Resolution providers, where I understand you have existing networks. If we can support this process from our wider networks, please do not hesitate to get in touch.

In the other regions where there are already sufficient providers, we would not seek to limit your delivery of FLAS via VLaw. However, we are concerned that your firm may not have the capacity to deliver FLAS via VLaw around the entire country. We would like you to expand your FLAS via VLaw more cautiously in these other regions, which would allow your firm and us to evaluate results, preferably in consultation with the legal professional bodies.

It is likely that future Legal Aid Services policy work will need to focus on electronic service delivery systems. We see Ebborn Law as a key stakeholder in our work to develop such policy and will be in contact with you as part of a small project during the 2015-16 year.

As an interim measure we will convey to the legal profession including the New Zealand Law Society that we support high-quality and innovative methods of delivery, including FLAS electronically. We will also convey that we will consider any future proposals to deliver FLAS electronically on a case-by-case basis and that we would seek to assure ourselves of the quality of those proposals.

If there are any detailed issues that you wish to discuss, please email Penny Hoy-Mack, Team Leader Provider Services at penny.hoy-mack@justice.govt.nz or phone Penny on 04 495 5966.

Yours sincerely



Michele McCreadie
General Manager
Legal Aid Services

