

**2006–2007 Canada-U.S. Fulbright Student Research:
“Public Legal Education” in Canada**

RESEARCH PLAN

Ritchie Eppink
eppink@ualberta.ca
(780) 278-8211
September 11, 2006

From September 1, 2006, to May 31, 2007, I will be conducting research on Canadian “public legal education” (PLE)—a nationwide enterprise that enables the Canadian public to learn about the law through a variety of formats. Hoping to provide useful information to the Canadian PLE provider community and prepare myself to provide PLE in the U.S., I will focus my research on PLE programming and PLE organization management through archives research and site visits to PLE providers.

I will be based at the Legal Studies Program and Faculty of Law at the University of Alberta, in Edmonton. My research is funded by a Canada-U.S. Fulbright Student Research Award from monies allocated by the U.S. Congress.

This document sets out the (1) aims, (2) focuses, (3) method, and (4) products of my research.

AIMS

My research has two aims:

- *to contribute to the field of Canadian PLE and provide useful information to the network of Canadian PLE providers, and*
- *to develop, in myself, skills for providing PLE and managing a PLE provider organization.*

To ensure that my research contributes to the field, I will continually adjust my research activities—within the parameters set out in this research plan—in response to feedback from the Canadian PLE provider community. I will facilitate this feedback by keeping an online journal (blog) of my research activities, regularly updating and contributing substantially to the www.plecanada.org website with my research results, and working closely with the Professional Development and Research standing committee of the Public Legal Education Association of Canada (PLEAC). Moreover, my research plan has already been significantly shaped by comments from PLE workers.

I hope to develop skills for providing PLE and managing PLE organizations because I intend, after my research concludes in May 2007, to carry the Canadian sole-purpose PLE provider model to the United States. Ideally, I will secure funding for a new, grassroots legal education organization to begin in the summer of 2007.

FOCUSES

I will focus my research on PLE programming and the structure and management of standalone, sole-purpose PLE provider organizations.

My focus on PLE programming—the individual campaigns and projects undertaken by PLE providers to educate the public about law—will be my primary focus. Within this focus, I will focus especially on:

- needs assessment (ways of determining what legal information a community needs),
- program design and development (preparing PLE programs that will meet the community's needs),
- program delivery (taking PLE programs to the community with maximum impact), and
- program evaluation (determining how well PLE programs have met the community's needs).

Across all and within each of these four areas, I will attempt to identify effective skills, methods, and practices for PLE programming. I will also focus on how standalone, sole-purpose PLE organizations are managed and structured. Within this focus, I will primarily investigate:

- internal structure (how decisions are made within PLE organizations),
- “collaborative” posture (how PLE organizations are set up to contribute to and learn from the community of PLE providers in Canada and elsewhere),
- “public” posture (how PLE organizations are set up to interact with the publics that they serve).

I will also collect legal advice policies (organization guidelines for minding the line between legal education and legal advice) and anecdotal “executive director wisdom.” In this area, as with my PLE programming research focus, I will try to identify effective skills, methods, and practices for PLE provider management.

METHOD

I will complete my research in three phases:

- *archive research at the University of Alberta,*
- *site visits to standalone, sole-purpose PLE provider organizations throughout Canada,*
- *completion of final research products, at the University of Alberta.*

During the first phase, based at the Legal Studies Program (LSP) and Faculty of Law at the University of Alberta, I will catalog past PLE programs and sole-purpose PLE organizations dating back to the 1960s. As I identify notable and successful past PLE programs and organizations, I will prepare case studies of those programs and organizations, emphasizing the research sub-foci described above. When possible, I will conduct telephone interviews with key individuals involved in the past programs and organizations I highlight. After investigating past programs and organizations, I will turn my attention to current programs and organizations. I will identify six notable current standalone, sole-

purpose PLE organizations and schedule site visits, to be conducted during the second phase. The first phase will run for three months (about 500 research hours)—from September through November, 2006.

During the second phase, I will visit the six notable PLE organizations identified at the end of the first phase. Each site visit will last two to three weeks, and during each visit I will prepare a thorough case study of the organization and case studies of any notable PLE programs the organization has ongoing during my visit (I will also prepare a case study of LSP, drawing from my experiences while based there throughout this research). These visits are crucial to the research plan, as I hope they will provide a picture of PLE provider activity that I could not glean from print and web information. This second phase will run for about four months (approximately 650 research hours)—from November 2006 through March 2007.

During the final phase, I will (1) compile the results of the second phase and (2) memorialize the results of all of my research. I am leaving the specifics of this phase intentionally undecided; as I collect information about PLE programs and organization through the first and second phases, I will determine the best formats for disseminating my research results to the Canadian PLE community. This phase will run for two months (about 350 research hours), April and May 2007.

PRODUCTS

I will document my research in several ways:

- *a catalog of PLE programs and organizations from the 1960s to the present,*
- *extensive additions to the content and links on the www.plecanada.org website,*
- *regular, published journal (blog) entries about my research activities,*
- *final reports and other products, as appropriate.*

The main products of my research will be (1) a catalog of past and current PLE programming and organizations and (2) substantial additions to the www.plecanada.org website, which provides an existing public framework and repository for information about Canadian PLE. I will also publish regular updates on my research on the PLE Canada blog. Also, as described above, I will use the final two months of my research to prepare final research products—but I will determine the nature of those products after I learn what my research reveals and discuss with the PLE provider community how best to communicate my research results to the field. Finally, the goodwill, prestige, and press office of the Fulbright program will allow me to increase publicity of Canadian PLE, in both Canada and the United States.

APPENDICES

A. Research timeline

B. Fulbright application research proposal (submitted to Fulbright Program in October 2005)

APPENDIX A: RESEARCH TIMELINE

Wk #	Week of	Location	Activity
1	August 28, 2006	Edmonton, AB (U of A)	Arrival and self-orientation
2	September 4	--	Past program and org. cataloging
3	September 11	--	--
4	September 18	--	--
5	September 25	--	--
6	October 2	--	--
7	October 9	--	Catalog completion/publication
8	October 16	--	Past program/org. case studies
9	October 23	--	--
10	October 30	--	--
11	November 6	--	Current program/org. cataloging
12	November 13	--	and phase two scheduling
13	November 20	--	--
14	November 27	[Agency #1 (AB?)]	Site visit
15	December 4	--	--
16	December 11	--	--
17	December 18	???	???
18	December 25	???	???
19	January 1, 2007	[Agency #2 (west?)]	Site visit
20	January 8	--	--
21	January 15	--	--
22	January 22	[Agency #3 (west?)]	Site visit
23	January 29	--	--
24	February 5	--	--
25	February 12	[Agency #4 (east?)]	Site visit
26	February 19	--	--
27	February 26	--	--
28	March 5	[Agency #5 (east?)]	Site visit
29	March 12	--	--
30	March 19	--	--
31	March 26	[Agency #6 (east?)]	Site visit
32	April 2	--	--
33	April 9	--	--
34	April 16	Edmonton, AB (U of AB)	Compilation of site visit reports
35	April 23	--	--
36	April 30	--	Completion of final products
37	May 7	--	--
38	May 14	--	--
39	May 21	--	--
40	May 28	--	--

APPENDIX B: FULBRIGHT RESEARCH PROPOSAL

STATEMENT OF PROPOSED STUDY OR RESEARCH

Richard Alan Eppink – Canada – Law

Project Title: “Public Legal Education” in Canada

The U.S. legal profession has something to learn from its counterpart in Canada, where for over thirty years lawyers have led organized, institutional efforts to educate the Canadian public about law. I propose to research these efforts, called “public legal education,” or PLE, in Canada.

From the start of the American experiment, leading authorities have recognized that democracy cannot succeed with a citizenry ignorant of the system of laws that govern it. James Madison, key framer of the United States Constitution, declared that “a people that mean to be their own governors must arm themselves with the power that knowledge brings.” In 1964, the United States Supreme Court wrote that “no system of criminal justice can, or should, survive if it comes to depend for its continued effectiveness on the citizens' abdication through unawareness of their constitutional rights.” And just three years ago, the American Bar Association amended its Model Rules of Professional Conduct—the prevailing code of attorney ethics in the U.S.—to include a new number among “A Lawyer's Responsibilities”: “a lawyer should further the public's understanding of and confidence in the rule of law and the justice system because legal institutions in a constitutional democracy depend on popular participation and support to maintain their authority.”

Lawyers in the United States are ill-equipped to meet this responsibility and ensure the continued vitality of republican democracy in the U.S. American law schools train them as advocates for individual clients, not also as specialists in the legal system with knowledge and experience to share with the public. Furthermore, sustained projects to help the American public understand the law are few, scattered and unnetworked, often commercial, and too seldom designed or run by lawyers.

Canada, with its extensive PLE efforts, is an ideal place to learn how to educate citizens about law. Professor Lois Gander, a PLE pioneer since the 1960s, now Canada's leading PLE scholar, and under whom I will conduct my research, describes modern Canadian PLE as “a nation-wide enterprise that enables Canadians to learn more about virtually any aspect of the law through a variety of formats and at varying levels of sophistication.” At least one organization in every Canadian province is devoted solely to PLE. These organizations, along with projects within government agencies, courts, bar associations, and other groups, provide a terrifically diverse range of PLE programming—including publications, radio broadcasts, telephone hotlines, and workshops and classes—to help citizens understand, as Professor Gander has put it, that they are “not just beneficiaries” of government and the justice system, “but the stewards of it.” These efforts have made Canada a world leader in public legal education, and it is shouldering the American public's unmet demand for information about law. New Brunswick's PLE organization, for instance, receives many emails from U.S. residents and in just one month this year tracked thousands of U.S. visits to its website—making up perhaps as much as one fifth of the site's total traffic.

My proposed research on PLE in Canada will focus primarily on PLE programming and also on the structure and management of organizations devoted solely to PLE. Based at the law school at the University of Alberta in Edmonton, I will also work in the university's Faculty of Extension with Professor Gander, a lawyer and the director of the University of Alberta's Legal Studies Program, a

center for PLE research and a working PLE provider. My research will have twin purposes. One, it will be a significant contribution to the field of Canadian PLE, a field where formal research is in its infancy and still sparse. Two, it will help me identify and learn the skills of PLE lawyering—designing and implementing PLE programs and managing the organizations that provide them.

I will conduct my research in three phases. During Phase I, from mid-August through November 2006, I will delve through the University of Alberta's PLE archives, the world's largest collection of materials on Canadian PLE. Having already developed a working knowledge of PLE in Canada from the limited resources available in U.S. libraries, I will use this research phase to abstract and catalog PLE programs dating from the 1960s to today. Professor Gander has offered the expertise of librarians on the Legal Studies Program staff to assist with cataloging and publishing a PLE program database.

As I compile the database, I will identify the most successful PLE programs using data and anecdotes in the archives and the insider expertise of the PLE veterans at the Legal Studies Program. I will complete thorough case studies of each identified program from the extant records and, when possible, conduct phone interviews with the programs' designers and implementers. From among those programs currently ongoing, I will select the most compelling and investigate them in person through site visits in Phase II. These Phase II site visits will take place from December 2006 to March 2007. I will travel to five PLE organizations across Canada that are providing successful, ongoing PLE programs identified in Phase I. Spending two to three weeks at each organization, I will observe each successful program and interview the program's designers and implementers. I will also use the site visits to study the structure and management of each PLE organization. At each location, I will serve and learn as a volunteer, contributing to each organization's community by helping staff provide PLE on the ground. Outside of my research, I eagerly intend to use my travels as a time to befriend Canadians from throughout the diverse nation. To ensure the feasibility of this phase, I will plan my itinerary during Phase I to reduce cost, travel by the least expensive method, and seek hosted housing at each destination. Many of Canada's provincial PLE organizations have already expressed enthusiastic support for my visits.

For Phase III, I will return to Edmonton to memorialize my research from Phases I and II. Throughout March, April, and May 2007, I will polish the database of PLE programs developed during Phase I and write articles on PLE programming and PLE organization management for publication among Canadian PLE providers and in U.S. and Canadian legal periodicals.

The three phases of my research will take nine months. Most of the sole-purpose PLE organizations in Canada have reviewed an in-depth version of my research proposal. I have tailored it in response to their comments to maximize its promised contribution to PLE in Canada and so that I can comfortably complete it within an academic year. My research will require ethics approval from the University of Alberta, and I expect to secure that approval in fall 2005. Shortly after taking the Idaho State Bar's admission exam, I will depart for Edmonton in mid-August 2006. I will take with me the perspectives of an American J.D. experienced with PLE-like activities in the U.S. at the local, state, and national levels; I will bring back a studied insight into a democracy-rejuvenating, innovative form of lawyering, ready to implement effective public legal education in the United States.