



2021-2022

REPORT



LP^{ca}
Société Makivik
Makivik Corporation



NUNAVIK COMMUNITY
JUSTICE CENTER

1 History

The Nunavik CJC started operating in February 2019 with the intent to pursue the same mission as other CJC's, namely, to promote access to justice by providing legal information in all areas of law to clients who would come to the Centre.

Just a few months after the opening, we quickly realized that the Centre had to adapt its mission to the realities of Inuit communities. This understanding and especially our desire to work in partnership with and for the Inuit blazed the trail and reoriented the work of the Nunavik CJC towards the more specific service of estate settlement.



2 Background

After 18 months of almost complete closure of Nunavik and intermittent closures thereafter, we were enthusiastically able to travel again in the territory to meet the members of the communities as well as our partners essential to the achievement of our mission.

3 Mission

The nature of legal needs in Nunavik is varied and complex, and the northern reality is quite different from that experienced by other CJC's. A consultation held with organizations and members of the communities as well as the administrative nature of the settlement of estates motivated the choice of this orientation.

Although the Nunavik CJC is oriented towards estate settlement, it also provides referral service to Inuit who need legal advice or to be represented in court. Collaborations with various organizations make it possible to find lawyers who accept to take on cases without charging professional fees.



4 A long-term vision

The Nunavik CJC pursues the objective of providing the Inuit with a sufficient degree of autonomy for the settlement of estates to enable them to access basic services in the region like what other Quebec citizens are entitled to.

This goal can be achieved through training, awareness and community mobilization.

5 Unresolved estates

Substantial amounts of money are held by Revenu Québec and other government agencies, insurance companies and financial institutions. Currently, these amounts remain unclaimed for lack of adequate resources to support Inuit in sometimes lengthy processes that appear complex at first.

Conversely, some estates are insolvent. When the heirs do not comply with the rules set out in the Civil Code of Québec regarding estate settlements, they find themselves personally liable for the debts of the deceased.

As a result, parents, children and siblings may find themselves responsible for the debts of a deceased loved one.

We therefore primarily work to support the Inuit who need to provide legal documents to enable heirs to:

- Recover the sums held by Revenu Québec (Unclaimed Property Division);
- Recover the sums withheld by financial institutions in the accounts of deceased persons;
- Cash checks issued in the name of an estate;
- Recover the amounts under a life insurance policy held by the deceased;
- Claim the benefits to which heirs are entitled under the Federal Indian Day Schools Class Action;
- Claim the sums due under the Pension Plan of a deceased person;
- Claim the pension benefits to which the spouses or parents may be entitled.

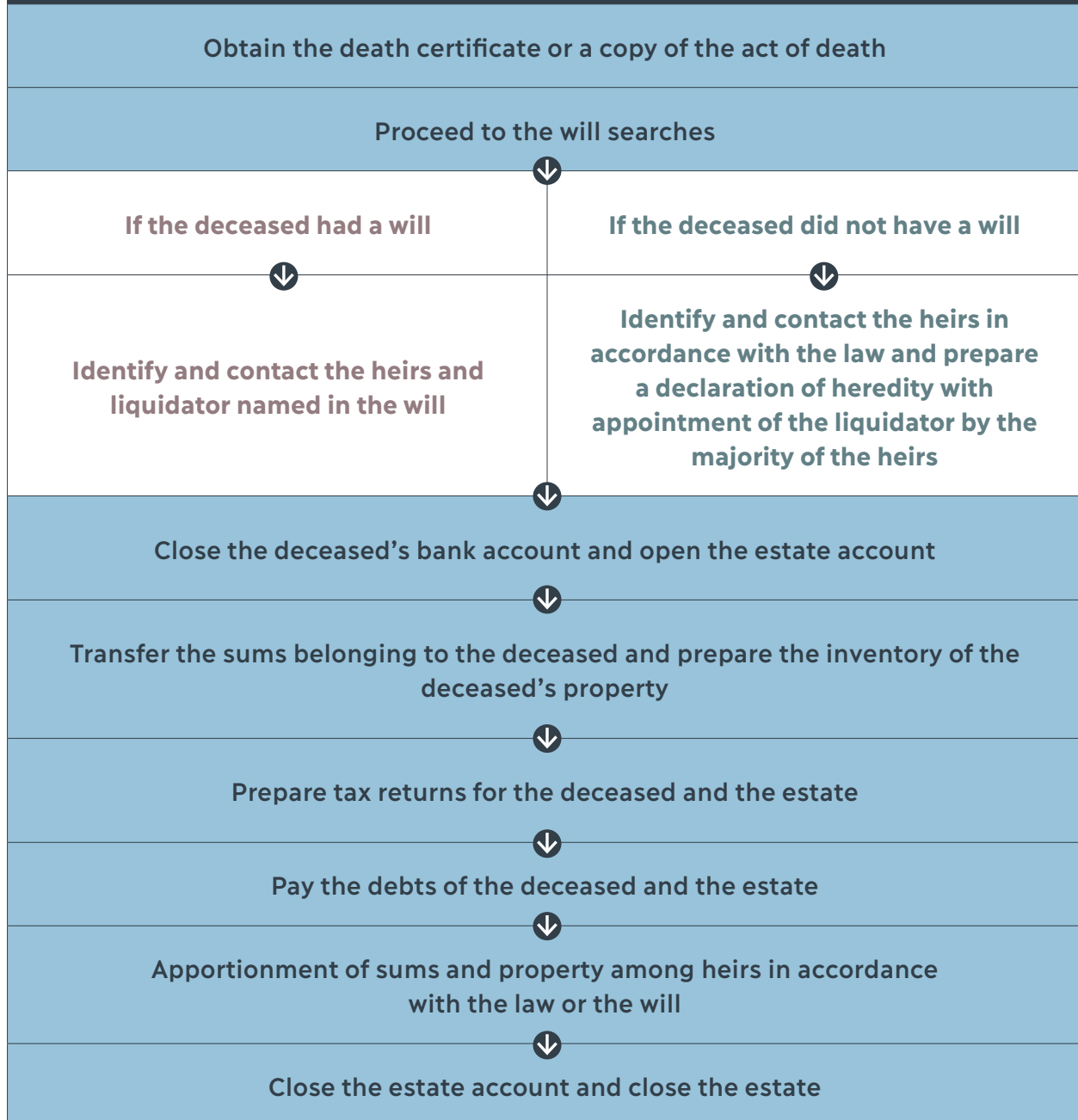
6 Estate settlements : a lengthy process

SEE THE CHART IN THE FOLLOWING PAGES



At each of these stages, the Nunavik CJC assists Inuit in the preparation of documents or refers them to a local resource collaborating with us. Our local partners are essential to achieve our mission.

Main steps in the settlement of an estate



A project that is taking root

For more than 3 years now, the Nunavik CJC has been meeting community members and discussing issues related to estates.

The first two years, people were curious and wondered about the role of the notary and the Nunavik CJC in the community.

But over the past year, the Inuit have been contacting us because they know that there are steps to follow in the event of a death and that we are the only ones in Nunavik who can support them in this process.

This is a real sign of success for the Nunavik CJC, as Inuit are increasingly informed and aware of their rights and obligations in wills and estates matters.



Estates... not always easy to settle!

There are several particularities related to the settlement of estates in Nunavik.

Challenges remain, particularly in terms of understanding wills and estates concepts and the rules of law inherent to these concepts, or regarding the need to produce certain official documents. The language barrier is also a major issue for some people that considerably complicates and prolongs the settlement of an estate.

Access to information technology can also be complex, as many Inuit do not have a telephone or an email address, or do not have access to a stable Internet connection, printer or scanner. This difficulty adds another level of complexity to communication and the transmission of documents.

Finally, several administrative obstacles can be encountered during estate settlements, such as deaths not registered or declared with the Registrar of Civil Status, non-formalized traditional adoptions or the difficulty to access certain professional services (accountant, notary, lawyer, etc.) and banking services (opening and management of the estate account).

7 Partnerships and collaborations

Our local partners

Our valuable and indispensable local partners provide communication support by contacting members of their community who do not have a phone or email or with whom the language barrier makes the work more complex. They also provide logistical support by printing and digitizing documents for members of their community. Finally, when they identify an estate settlement issue, they refer these files to our services.

➤ **Kativik Regional Government (Local Employment Officers)**

Kuujjuaraapik, Inukjuak, Puvirnituaq, Ivujivik, Salluit, Quaqtuaq, Kangirsuk, Tasiujaq, Kuujjuaq et Kangiqsualujjuaq

➤ **Elders coordinators:**

Kangiqsujuaq, Kuujjuaq et Salluit

➤ **The secretary-treasurers of the Northern Villages:**

In addition to bridging the gap between members of their community and the Nunavik CJC, they swear in documents upon needs. As they are well aware of the realities and challenges of their village, they help us to adapt our approach.

➤ **Makivik Corporation:**

We work in collaboration with members of Makivik Board of Directors and various departments who are actively involved in all Nunavik communities to facilitate the understanding and the progress of several files.

➤ **Social Services:**

Inukjuak, Ivujivik, Kuujjuaq, Puvirnituaq, Salluit et Umiujaq

Our regional partners

We also collaborate with regional partners with whom we developed close relationships and try to establish procedures adapted to regional issues.

→ **Director of Youth Protection:**

Some orphan children are placed in foster care. When they inherit from their parents, the collaboration of the DYP is essential for a better understanding of the estate settlement.

→ **Registrar of Civil Status:**

Various situations require intervention from the Registrar of Civil Status to better understand the progress of an application for a certificate or a copy of an act.

→ **Caisse d'économie solidaire Desjardins and CIBC:**

A partnership with these financial institutions helps us facilitate the opening of estate accounts and the closure of accounts of deceased persons.

→ **Kativik School Board:**

When a current or retired employee of the school board dies, we collaborate with them regarding life insurance or pension plan applications.

Our collaborators

→ **Novalex :**

When the situation requires legal advice or representation in court, we refer people to Novalex, which offers free legal services for members of Nunavik communities.

8 Achievements

Visits

2 visits to
Puvirnituaq

1 visit to
Salluit

6 visits to
Inukjuak

Outreach clinic in Inukjuak in
collaboration with legal aid

A new notary joined the Nunavik CJC team this year. This additional resource has freed up time for the creation of adapted tools to raise public awareness about estate issues and provide support in various estate settlement efforts.

We also had the opportunity to meet our various partners to establish, maintain or develop new collaborations.



9 Statistics

A total of

291 new files

were opened during fiscal year 2021-2022 (excluding ongoing files from previous years)

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Also

109 files

were related to the Federal Indian Day Schools class action lawsuit totaling

minimum amount of

1,090,000\$

(considering that a minimum compensation of \$10,000 is awarded for each of the claims)

.....

24 cases

were referred to Novalex, including:

- 13 family law cases
- 10 civil law cases
- 1 health law file

The amount is not known since we do not always have access to the final amount recovered.

33 files

were opened to claim amounts held by Revenu Québec at the Unclaimed Property Division for a

total amount of *478,815\$*

.....

61 files

concerning various issues related to estate law such as:

- Closure of bank accounts and recovery of amounts held by the financial institution
- Life insurance claim
- Pension Plan claim
- Other miscellaneous files related to estates

The amount is not known since we do not always have access to the final amount recovered.

10 Acknowledgements

The Nunavik CJC wants to thank its very valuable partners and collaborators in the communities who are devoting themselves and helping us on a daily basis. They always welcome us on each of our visits with interest, enthusiasm and sensitivity. These partnerships are a key and essential element for the success and sustainability of the project.

11 Team



Eve Langlois,
coordinating notary

Maude Côté-Boucher,
notary



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