**LSO Access to Innovation Application**

**Stage 1 Approval Criteria**

**Introduction:**

*These approval criteria are used by the Law Society of Ontario’s A2I team (staff and the independent Advisory Council) to review applications for stage 1 approval (“concept approval”).*

*Stage 1 approval is a key developmental step in the A2I application process, which focuses on ensuring that*

* *the applicant’s proposed service fits the overall mandate of the A2I project;*
* *the service could offer a valuable and innovative legal solution to Ontarians, if implemented as planned; and*
* *the applicant has made sufficient progress developing the service and appears capable of operating the service.*

*Stage 1 approval does not guarantee that an applicant will ultimately be approved (at stage 2 review) to participate in the A2I project. However, it encourages the applicant to advance to stage 2 review, with a preliminary assessment that the proposed service has the potential to be approved. It also offers an opportunity for the A2I team to identify potential strengths and weaknesses and provide feedback to an applicant that can guide further development.*

*These approval criteria have been designed to assess key concepts in a structured manner. The structured assessment process – involving both breaking the overall assessment down into its component parts and assessing them sequentially – aims both to improve the accuracy of overall assessments, and to help focus attention on specific strengths and weaknesses without obscuring the overall picture.*

**Section A: Preliminary Review Checklist**

**(Completed by LSO staff, reviewed by Advisory Council)**

*The purposes of this section are to (a) ensure that the application is complete, (b) clear any threshold issues, (c) identify the applicant’s current stage of development/operation, and (d) highlight any pertinent issues for further review or follow-up.*

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| **Elements** | **Yes/No** |
| 1) Applicant adequately describes the provider organization. |  |
| 2) Applicant adequately describes the innovative technological legal service (“service”), the technology involved, the market for the service, the area(s) of law involved, the scope of legal help provided, and the revenue model. |  |
| 3) Service at least plausibly involves the provision of legal services to Ontario consumers (as defined in the *Law Society Act*). |  |
| 4) Applicant adequately describes the service’s current stage of development/operation, and the planning for further development (if applicable), including providing a product roadmap if still in development. |  |
| 5) Service is sufficiently developed to be assessed for stage 1 approval. |  |
| 6) Service is currently operational, or is ready to operate, and should be fast-tracked for stage 2 application review if stage 1 approval is granted. |  |
| 7) Applicant identifies barriers preventing the service from operating within the current regulatory framework. |  |
| 8) Applicant identifies potential user risks associated with the service, and demonstrates at least initial consideration of how it will address and mitigate those risks. |  |
| 9) Applicant adequately describes the innovative potential of the service. |  |
| 10) Applicant adequately describes the potential of the service to improve access to legal services and/or access to justice. |  |
| 11) Applicant adequately describes the potential viability of the service. |  |
| 12) Applicant adequately describes its vision for success. |  |
| 13) Any other or miscellaneous substantial information: |  |
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**Section B: Innovation Checklists**

**(Completed by LSO staff, reviewed by Advisory Council)**

*The purpose of this section is to assess the innovative dimensions of the proposed service. Two leading approaches are applied. These innovation assessments are useful at the pre-approval stage to help the A2I team understand the nature and potential impacts of the service, to inform regulatory decision-making and to support effective data analysis during the operating stage.*

**Checklist B1. Viima Innovation Matrix**

*This checklist is based on Viima’s Innovation Matrix and Ultimate Innovation Guide (<https://www.viima.com/blog/types-of-innovation>).*

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| **Viima Innovation Matrix (change of product/service and markets)** | **Best Option** |
| Incremental innovation:   * Likely no to minimal impact on market share (neither growth nor market maintenance), but slightly improves an existing product/service (e.g., small reduction in complexity or cost, or an improvement in efficiency or quality) * Market effect small on maintenance or growth * Innovativeness low |  |
| Sustaining innovation:   * Likely no to minimal impact on market share growth (number of users), but slightly improves an existing product/service for a segment of the market interested in maximizing or optimizing a service/product (e.g., potential increase in complexity or cost but with an improvement in quality) that enables maintaining market share * Market effect small on growth but significant on maintenance * Innovativeness low |  |
| Disruptive innovation:   * Creates a new niche in an existing market, or engages a new market with existing issues in ways that influence existing markets. Impacts new markets as well as existing market in known issue areas through significantly unique methods. * Market effect large through influencing new and existing markets * Innovativeness high |  |
| Radical innovation:   * Creates a new market and addresses new issues in new ways. Engages new issues or new markets in new ways but probably does not appeal to mainstream markets at initiation. * Market effect large through new markets but with minimal impact on existing markets * Innovativeness high |  |

**Checklist B2. Doblin Ten Types of Innovation**

*This checklist was based on Doblin’s Ten Types of Innovation (*[*https://doblin.com/ten-types*](about:blank)*). Keeley, L., et al (2013).* Ten Types of Innovation: The Discipline of Building Breakthroughs. *Hoboken, NJ: Jon Wiley & Sons.*

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| **Doblin Ten Types of Innovation** | **Yes/No** |
| Profit or Value Model: Are the net gains and the methods to develop these net gains (e.g., premiums, auctions, microtransactions, capitation, metered use, value-based payment, licensing, and subscriptions) significantly different from existing models? |  |
| Network: Does the service coordinate, partner, collaborate, or integrate with groups, companies, organizations, institutions, or sectors in unique or surprising ways to create value? |  |
| Structure: Does the provider organize internal capital, assets, or resources (e.g., standardization, decentralization, and autonomous teams) in a unique way to increase legal service value? |  |
| Process: Is a unique or proprietary process used to deliver the service? |  |
| Product Performance: Does the service product outperform existing legal services (e.g., ease of use, tailoring/customization, features, functionality, or simplification)? |  |
| Product System: Does the service connect or combine with other products or services (e.g., interoperability, integration, bundles, or modularity)? |  |
| Service: Does the service experience improve the service (e.g., maintenance plans, ancillary enhancements, customer support, guarantees, tutorials, and integrating feedback)? |  |
| Channel: Is the service communicated, diffused, or linked to users isn a unique way? |  |
| Brand: Does the service have a recognizable and trustworthy brand? |  |
| Customer: Does the service engage users in development and implementation? |  |

**Section C: Access to Legal Services Checklist**

**(Completed by LSO staff, reviewed by Advisory Council)**

*The purpose of this section is to support a structured assessment of the way(s) in which the proposed service has the potential to improve access to legal services and/or access to justice. This is useful at the pre-approval stage to help the A2I team understand the nature and potential impacts of the service, to inform regulatory decision-making and to support effective data analysis during the operating stage.*

*Access to justice is a broad and multifaceted concept. This checklist is an attempt to harmonize leading frameworks and definitions, in a way that suits the aims of the A2I project. It is adapted principally from the “Access to Justice Triple Aim Measurement Framework” developed by Access to Justice BC (*[*https://accesstojusticebc.ca/the-a2j-triple-aim/*](https://accesstojusticebc.ca/the-a2j-triple-aim/)*).*

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| **Area** | **Potential Impact of the Service** | **Yes/No** |
| 1) Frequency of Legal Issues | Influences frequency or number of justiciable events, legal needs, or court cases |  |
| 2) Impact of Legal Issues | Influences the magnitude or impact of justiciable events, legal needs, or court cases |  |
| 3) Number of Services Provided | Increases the number of legal services provided |  |
| 4) Efficiency of Services Provided | Increases the efficiency of legal services delivery |  |
| 5) Direct Access/Availability | Improves direct access to legal services (e.g., by proximity, convenience, timeliness, or cost) |  |
| 6) Intermediaries and Connectors | Better connects people or organizations to legal services |  |
| 7) Barriers to Access | Removes barrier(s) to access to legal services |  |
| 8) Enabling Factors | Facilitates or enables legal services access |  |
| 9) Need-Service Gap | Identifies a discrepancy between current legal needs/wants and service engagement (need-service gap) |  |
| 10) Service-Impact Gap | Identifies a discrepancy between the severity/impact and the legal service experience (service-impact gap) |  |
| 12) User Experience | Improves user experience or satisfaction with legal services |  |
| 13) Issue Spotting | Improves identification of issues solvable by legal services |  |
| 14) Error Prevention or Intervention | Reduces error (variation or bias) of legal services |  |
| 15) Marketing and Promotion | Improves marketing or promotion of legal services |  |
| 16) Openness and Transparency | Improves openness or transparency of legal services |  |

**Section D: Viability Checklist**

**(Completed by Advisory Council)**

*The purpose of this section is to support a structured assessment of the potential for the proposed service to become a viable operation. This is useful at the pre-approval stage to help the A2I team understand the nature and potential impacts of the service, to inform regulatory decision-making and to support effective data analysis during the operating stage.*

*This checklist is adapted from Davidsson et al.’s “Venture Idea Assessment” framework: Davidsson, P., Gregoire, D. & Lex, M. (2021). “Venture Idea Assessment (VIA): Development of a needed concept, measure, and research agenda.” Journal of Business Venturing, 36, 1-23.*

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| **Item** | **Yes/No** |
| 1) Someone could turn this idea into a successful service |  |
| 2) A person with the right knowledge and motivation should be encouraged to act on this idea |  |
| 3) This idea is a good business opportunity (or public service opportunity, in the not-for-profit context) for the right person or team |  |

**Section E: Advisory Council Review Checklist**

**(Completed by Advisory Council)**

*The purposes of this section are to (a) assess substantive issues regarding the proposed service (assuming that it would be implemented as described in the application), and (b) determine the applicant’s readiness to proceed to stage 2 of the A2I application process.*

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| **Elements** | **Yes/No** | **Notes** |
| 1) The service has the potential to provide valuable legal help to Ontario consumers. |  | If “no”, what needs further development or improvement? (use the box below) |
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| 2) There are barriers preventing the service from operating within the current regulatory framework, and these barriers could be reduced through participation in the A2I project. |  | If “no”, describe your position. |
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| 3) The service has the potential to be innovative, including in any of the following ways: application of existing tech, development of new tech, improvement in efficiency or quality of service, or increase in scope, scale, or market of legal services. |  | If “no”, what needs to change to achieve sufficient potential? |
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| 4) The service has the potential to improve access to legal services and/or access to justice. |  | If “no”, what needs to change to achieve sufficient potential? |
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| 5) The service has the potential to be viable in Ontario, in terms of being sustainable, scalable, and/or successful in other respects. |  | If “no”, what needs to change to achieve sufficient potential? |
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| 6) The applicant is either currently operational (i.e. providing services to users), ready to operate, or, having demonstrated sufficient planning for further development, has the potential to become operational within a reasonable time period. |  | If “no”, what needs to change to achieve sufficient potential? |
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| **Recommendations** |  | **Notes** |
| 1) Based on the elements described above, the Advisory Council recommends that this applicant be granted stage 1 approval (“concept approval”), and should proceed to stage 2 of the application process. |  | If revisions requested or rejection recommended, please provide justification or reasoning. |
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| 2) Based on the applicant’s operational readiness, the Advisory Council recommends that this applicant be invited to submit stage 2 application immediately. |  |  |
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