



# ***Legal Aid Facts***

## **Services and coverage**

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### **Information services**

**Publications:** LSS staff produce legal information and self-help materials in a number of languages to help clients identify, avoid and resolve common legal problems. Topics include: Aboriginal law; children; criminal; consumer and debt; family law; housing; immigration and refugee law; pensions; and welfare rights. A complete list is available at [legalaid.bc.ca/publications](http://legalaid.bc.ca/publications).

**Family law website:** Includes self-help guides, informational videos and fact sheets on a variety of family law topics including custody, access, guardianship, child and spousal support and uncontested divorces. The site also includes direct links to court forms, legal information publications and other helpful organizations. See [familylaw.lss.bc.ca](http://familylaw.lss.bc.ca).

**LSS website:** Includes information about the Legal Services Society, how to apply for a legal aid lawyer, information and advice services, online publications office locations and more. See [lss.bc.ca](http://lss.bc.ca).

**Clicklaw:** LSS is a contributor organization for Clicklaw, a website designed to give the general public access to all of the public information resources available through participating legal organizations. See [clicklaw.bc.ca](http://clicklaw.bc.ca).

**Supreme Court Self-Help Centre:** LSS works in partnership with government agencies and community organizations to provide legal information through the Supreme Court Self-Help Information Centre in Vancouver. See [supremecourtselfhelp.bc.ca](http://supremecourtselfhelp.bc.ca).

**Advocate and education support:** LSS provides community advocates and intermediaries with legal education and advocacy training to help them assist their clients.

**Legal Information Outreach Workers:** LIOWs help low-income people find legal information and understand court forms. They also provide referrals to other resources and give presentations at Aboriginal, women's, immigration, social service, and other community agencies.

**Aboriginal Community Legal Worker:** The ACLW provides legal information and summary advice about family and child protection law, and issues such as residential schools, housing, and wills and estates.

**Community Partners:** Community partners provide free legal information and direct clients to legal aid services. A list of community partner locations throughout BC is available at [legalaid.bc.ca/legal\\_aid/communityPartners.php](http://legalaid.bc.ca/legal_aid/communityPartners.php).



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### **Advice services**

**Duty counsel:** LSS contracts with private lawyers to provide legal advice (but not representation) at courthouses around BC.

Family duty counsel advise on family law matters and child protection issues. They can also assist clients at family case conferences and judicial case conferences.

Criminal duty counsel provide accused persons with advice about the charges against them, court procedures and legal rights. Duty counsel can also represent people at a guilty plea and sentencing, or on an application for release.

Immigration duty counsel at the Canada Border Services' Vancouver enforcement centre provide legal advice to people who are being held in custody as a result of immigration proceedings. Duty counsel represent clients at initial detention hearings and may represent them at subsequent hearings if there has been a change in circumstances that could result in release.

**Family law advice lawyers:** Low-income parents experiencing separation or divorce may be eligible for up to three hours of free legal advice from a family advice lawyer. These lawyers can provide advice about: custody; access; guardianship; child support; property (limited advice); tentative settlement agreements; and court procedures. This service is available at the Vancouver Justice Access Centre, the Nanaimo Justice Access Centre, the Family Justice Centre in Kelowna, the New Westminster Family Justice Centre and at courthouses in Kamloops, Prince George, Surrey and Victoria. You must be referred to a family advice lawyer by a family justice counsellor or a child support officer.

**Family LawLINE:** Family LawLINE lawyers give brief "next step" advice about family law issues such as custody, access, guardianship, child support, spousal support, property division, family agreements, adoption, and court procedures.

**Criminal law telephone advice services:** LSS maintains a province-wide, toll-free telephone advice service for persons who have been arrested, detained or are under active investigation by a law enforcement agency. This service is available 24 hours a day, seven days a week.

LSS also maintains a province-wide, toll-free telephone advice service for persons in custody awaiting a bail hearing outside normal office hours, on weekends or on statutory holidays.

Clients must meet a [financial eligibility test](#) for family advice services. There is no financial eligibility test for criminal or immigration duty counsel advice.



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### **Representation by a lawyer**

**Family:** Representation by a lawyer is available to financially eligible clients who are facing serious family situations where their safety or the safety of their children is at risk; they have been denied access to their children on an ongoing basis; or there is a risk that a child will be permanently removed from the province. For more information, see the [Family law services fact sheet](#).

**Child protection:** LSS provides legal representation to financially eligible clients who have a legal problem under the *Child, Family and Community Service Act* and the children have been removed or are at risk of being removed from the home by the Ministry of Children and Family Development, the client is facing legal proceedings initiated by the Director, or there are custody and access issues relating to a child in the care of the Ministry. For more information, see the [Child protection services fact sheet](#).

**Criminal:** Legal representation is available to financially eligible adults who are charged with a criminal offence and if convicted, face a risk of jail (including house arrest), loss of livelihood, or immigration complications that could result in deportation. Legal representation is also provided to financially eligible applicants who have a mental or physical disability that prevents them from representing themselves or are Aboriginal, have a defense based on Aboriginal rights, and their ability to follow a traditional livelihood of hunting and fishing could be affected if convicted. Youth charged with federal offences are also eligible for representation. For more information, see the [Criminal law services fact sheet](#).

**Immigration:** LSS provides legal representation for financially eligible clients with cases that have a reasonable chance to succeed and who need help with a refugee claim, have an immigration problem that could lead to their removal from Canada to a country where they would be at risk or are appealing an immigration decision. For more information, see the [Immigration law services fact sheet](#).

**Mental health:** LSS contracts the Community Legal Assistance Society to provide representation services at Mental Health Review Panels hearings for people who have been involuntarily detained in a mental health facility under the *Mental Health Act*. CLAS and private lawyers also provide representation at BC Review Board hearings under the *Criminal Code* for people found to be not criminally responsible for a crime or unfit to stand trial by reason of a mental disorder. For more information, see the [Mental health law services fact sheet](#).

**Appeals:** Applicants who are financially eligible *may* receive legal representation if they are responding to appeals initiated by another party (such as a Crown appeal from an acquittal) and the case is one the society normally would cover. Otherwise, LSS funds only those appeals that fall under the society's regular coverage criteria and have a reasonable chance of success.

**Prison law:** Legal representation may be provided for prisoners facing internal disciplinary hearings, involuntary transfers to higher security, detention hearings at the point of statutory release, segregation, and parole suspension or revocation.