



Legal
Services
Society

British Columbia
www.lss.bc.ca

Backgrounder

February 9, 2005

LSS is an independent, non-profit organization that has provided legal aid to people with low incomes in BC since 1979.

Legal representation is available for serious family issues (e.g. involving child apprehension matters or domestic violence) and serious criminal problems. It is also available for some immigration, mental health law, and prison law matters.

Legal advice is available through criminal duty counsel in all courts, family duty counsel in provincial courts, the Brydges Line, and several pilot projects scheduled to operate until July 29 2005 – including an enhanced LawLINE project that provides brief legal services to people with low incomes.

Legal information is available through the province-wide toll-free LawLINE, plain language publications, and Internet services, including the Electronic Law Library, the Family Law in British Columbia, the LSS, and the LawLINK websites.

To contact the **LSS Call Centre and LawLINE**, dial: (604) 408-2172 (Lower Mainland) or 1-866-577-2525 (toll free from outside the Lower Mainland).

Financial eligibility guidelines: Legal representation

Anyone whose net household income and assets fall below set limits is financially eligible for a referral to a lawyer, as long as their problem is covered by LSS rules. Applicants do not have to be financially eligible to receive legal information; a separate eligibility test is in place for legal advice services.

New guidelines (effective Feb. 9, 2005)

Household size	Net household monthly income	Personal property exemption (All cases)
1	\$ 1,304	\$ 2,000
2	\$ 1,804	\$ 4,000
3	\$ 2,112	\$ 4,500
4	\$ 2,516	\$ 5,000
5	\$ 2,862	\$ 5,500
6	\$ 3,208	\$ 6,000
7 or more	\$ 3,554	\$ 6,000

Former guidelines

Previously, there were three maximum income levels: one for criminal, one for family (including child apprehension), and one for immigration matters. Since March 31, 2004, these were:

Household size	Net household monthly income ¹			Personal property exemption (All cases)
	Criminal (As of Mar, 2004)	Family (As of May 2002)	Immigration (As of Apr 2000)	
1	\$ 1,154	\$ 1,152	\$ 1,002	\$ 2,000
2	1,558	1,654	1,504	\$ 4,000
3	1,962	1,905	1,755	\$ 4,500
4	2,366	2,091	1,941	\$ 5,000
5	2,712	2,290	2,140	\$ 5,500
6	3,058	2,476	2,326	\$ 6,000
7 or more	3,404	2,636	2,486	\$ 6,000

¹ All case types included appeals. Family cases included child apprehension matters.

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Financial Eligibility Test: Legal Advice

LSS adopted a separate financial eligibility test in 2002/2003 for most LSS legal advice services. Initially applied to family duty counsel (FDC) services, the test is based on the one used by family justice counsellors. LSS also uses this test for brief legal services under the enhanced LawLINE pilot project and for some family advice lawyer services.

New guidelines (Effective February 9, 2005)

Legal advice financial eligibility test	
Number of family members ¹	Annual / monthly net income ²
4 or fewer	\$32,000 / \$2,666
5	36,000 / 3,000
6	40,000 / 3,333
7 or more	43,000 / 3,583
¹ Family members include children and parent(s) or other adult(s) responsible for and living with the children. ² Income is the person's net income from all sources but does not include that of a new spouse or child support payments.	

Former guidelines (September 2002 – February 8, 2005)

Legal advice financial eligibility test	
Number of family members ¹	Annual / monthly net income ²
4 or fewer	\$28,000 / \$2,333.33
5	33,000 / 2,750.00
6	35,000 / 2,916.67
7 or more	38,000 / 3,166.67
¹ Family members include children and parent(s) or other adult(s) responsible for and living with the children. ² Income is the person's net income from all sources but does not include that of a new spouse or child support payments.	