



Legal
Services
Society

British Columbia
www.lss.bc.ca

Announcement

February 28, 2005

Family legal aid services enhanced

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).*

Vancouver, BC — Effective March 1, 2005, extended family services referrals will be available for legal aid clients whose high conflict cases, if left unresolved, would leave them at great risk. LSS is implementing this new program as a result of the provincial government's recent increase to the society's core funding.

Extended family services are designed specifically for clients whose high conflict issues cannot be dealt with through mediation. The program provides lawyers with an additional 40 hours for court attendance and preparation time so they can help clients attain longer-term resolutions to their legal problems than is normally possible through the society's emergency services coverage.

"We anticipate this program will help about 300 clients a year," said LSS Executive Director Mark Benton. "It's a significant step forward because it will make a real difference in protecting the safety of some of the most vulnerable family clients in the province."

Lawyers with legal aid referrals issued January 1, 2004 or later, and who believe they have cases that warrant this additional coverage, apply to LSS for the extended services on behalf of their clients. To be eligible, cases must entail one or more of the following:

- significant contested issues involving sexual, mental, or physical abuse of the client or the client's children,
- significant involvement with the Ministry of Children and Family Development,
- an unreasonably litigious opposing party who is using the justice system to continue a pattern of abuse,
- a significant risk of alienation from the client's children,
- an abused client and/or the client's children may be left at risk or without security if coverage of the case is discontinued, or
- a client and/or the client's children may suffer significant harm or injustice if an outstanding issue such as property or spousal support is left unresolved.

Recently, the society also increased the number of general preparation hours it pays lawyers to provide eligible family clients with emergency services.

Emergency services are designed to stabilize clients' situations by providing interim court orders when domestic violence is an issue or the other parent is threatening to permanently move their children out of BC.

... / p. 2

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Benton said lawyers have consistently told LSS that one of the most chronic problems they face in providing these services is too few hours to prepare the cases.

“We recently reviewed this matter and determined that, given current referral volumes, we can increase these hours by 6, from 8 to 14,” said Benton. He added that, “while this is a modest improvement, we anticipate it will help some counsel move cases closer to a resolution for their clients.

General preparation includes work not specifically covered by other tariff items. It includes interviewing the client, preparing correspondence, filing court documents, and negotiating settlements.

Earlier this month, LSS announced that a \$4.6 million increase in core provincial government funding for legal aid will allow the society to improve family services. In addition to providing extended family services referrals, LSS is making its Provincial Court family duty counsel program permanent and expanding it to supreme courts. The society is also developing a limited referrals program for eligible clients who cannot avoid taking their case to Supreme Court. The referrals will provide clients with a lawyer who can help them with complex Supreme Court processes (up to but excluding representation at trial).

For further information, contact:

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