

# Where to Get Legal Help

## Information for seniors



*This is one of a series of information sheets for seniors. The others are :*

- ▲ *Abuse and Neglect of Seniors — Is it a Crime?*
- ▲ *Reporting Crimes to the Police and What Happens When You Make A Report*
- ▲ *Reporting Abuse and Neglect Under Part 3 Adult Guardianship Act*
- ▲ *Abuse and Neglect of Seniors and the Criminal Justice System*
- ▲ *Giving Other People Authority to Help You Manage Your Affairs*

There are resources that you can contact for legal information and assistance.

These are:

**1. BC CEAS (BC Coalition To Eliminate Abuse of Seniors)** — This non-profit agency provides legal information, referral and legal advocacy to seniors in BC through their province-wide legal advocacy telephone line.

To get legal information call the legal advocacy telephone line at:

- ▲ 604-437-1940 (In the Lower Mainland)
- ▲ 1-866-437-1940 (toll free, throughout BC)

**2. UBC Law Students** — the law students at the University of British Columbia provide free legal advice clinics in the Lower Mainland. They can provide you with legal advice and/or legal representation on some legal problems.

You can call them at **604-822-5791** to find the clinic closest to you.

**3. Dial-A-Law** — These are taped messages about the law that you can listen to on the phone. The number is:

- ▲ 604-687-4680 (Lower Mainland)
- ▲ 1-800-565-5297 (toll free, throughout BC)

**4. The Law Line** — Legal services staff on the Law Line can answer your questions and refer you to other resources that may be able to help you with your legal problem. This is a legal information telephone service that provides information on poverty, family, criminal and prison law. This service is for people who have been refused by legal aid.

When you call the Law Line a staff member will help you identify your legal problem, give you legal information, send you information, and if necessary refer you to an agency that can assist you. They can also give you legal advice about your specific legal problem.



You can call them at:

- ▲ 604-408-2172 (Lower Mainland) or
- ▲ 1-866-577-2525 (toll free, throughout BC)

**5. The Electronic Law Library** — This is an electronic law library that you can access on the Internet for a wide range of legal information. This library provides legal information on federal, provincial and municipal law. You can access them at: [www.bcpl.gov.bc.ca/ell](http://www.bcpl.gov.bc.ca/ell)

**6. Lawyer Referral Service** — This is a service provided by the Canadian Bar Association in BC to help people find a lawyer. You can get a 30-minute consultation with a lawyer for \$25. This time can be used to find out if you have a legal problem and to decide if you want to hire a lawyer to assist you with this problem.

The number to call is:

- ▲ 604-687-3221 (Lower Mainland)
- ▲ 1-800-663-1919 (toll free, throughout BC)

**7. Pro bono clinics** — The pro bono clinic is a program in which a person can get free legal advice from a lawyer. Lawyers at these clinics give advice and help clients do the work. The lawyers do not go into court for clients.

The **Western Canada Society To Access Justice** provides pro bono clinics in Western Canada including BC. There are pro bono legal clinics all over BC. Facilities are provided by social agencies in different communities. All services are provided free of charge by lawyers who volunteer their time.

In order to access a pro bono legal clinic in your area, you can call them at:

- ▲ 604-878-7400 for an appointment.

You need to take all relevant documents regarding

your legal problem to the appointment. There are some financial guidelines in place. You need to take proof of your income for the appointment.

**8. Legal aid** — People who cannot afford to pay for a lawyer for their legal problems may be able to get a legal aid lawyer for serious criminal or emergency family law problems.

If a person has been charged with a serious crime such as assault with a weapon and is likely to go to jail, then that person may be eligible to get a legal aid lawyer for his or her criminal matter.

Emergency family matters are legal problems dealing with issues of child custody, access, restraining orders, and peace bonds.



*If a person has been charged with a serious crime and is likely to go to jail, that person might be eligible to get a legal aid lawyer.*

You can apply for legal aid at your nearest legal aid office. Look under "lawyers" in the white pages of the telephone book. If your area does not have a legal aid office, you can apply on the phone by calling the



### Legal Services Call Centre at:

- ▲ 604-408-2172 (in the Lower Mainland) or
- ▲ 1-866-577-2525 (toll free, throughout BC)

**9. Notaries** — A notary can provide services in matters where the parties involved are in agreement. They can provide legal assistance in the areas of preparing simple wills, real estate matters, powers of attorney, representation agreements, contracts and agreements, business purchase/sale, estate planning, health care declarations, affidavits for documents in courts, and many other services.

*A notary can provide services in matters where the parties involved are in agreement.*



Notaries do not get involved in court cases before a judge. Check with each notary for the range of services provided.

The rates for notaries are based on the services provided. They do not charge by the hour. Each service has a fixed rate based on the nature of the service and complexity of the service provided. You need to check with the notary for their rates for the service that you require.

You can find them in your area by looking under “notaries” in the yellow pages of your local telephone book.

**10. Lawyers** — If you have a legal problem and have decided to hire a lawyer, there are a few things you need to know about fees. Ask your lawyer about legal fees and expenses. These are not the same, lawyers set their own rates.

A lawyer’s fee is the payment you make for the lawyer’s time. Expenses (disbursements) are the various costs incurred for your case. These can be filing costs, photocopying, courier charges etc.

There are basically three common ways that lawyers charge for their services:

- Fixed fee:** The lawyer will charge you a fixed fee for your case, no matter how long the case takes. For example, lawyers charge a fixed fee for the purchase of a house.
- Hourly rate:** The lawyer will charge you per hour for the time spent on your case. This includes the time the lawyer spends talking to you on the phone. The more experienced the lawyer is, the higher the lawyer will charge you per hour.
- Contingency fee:** The lawyer acts for you in return for a percentage of the money you win in a lawsuit. If you get no money from your case, then your lawyer gets no fees. In most of these cases however, you must pay all disbursements such as the cost of obtaining medical reports, court filing fees and other expenses, regardless of the result of your case. Contingency fee agreements are common in personal injury claims. This agreement should be in writing.

There are ways you can cut costs once you have hired a lawyer to help you with a legal problem. Often, people hire a lawyer and do not actively take part in their case. They think just because they have a lawyer helping them with their legal problem, they do not have to do anything. Since the lawyer ends up doing



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everything, the costs can be higher too, because you pay for the lawyer's time. It is essential that you stay involved and be fully informed about your ongoing case, so that you are the decision maker on all major points in your case.

Remember that you pay the lawyer for his/her time. Discuss with your lawyer ways that you might help on the case and make sure your lawyer is comfortable with you doing some of the work. The more you can do on your case, the more you can cut costs. For example, if some records are needed, you can write the letter to request them and save your lawyer the time it takes for him or her to make the request.

Below are a few tips to help you keep costs down.

**1. Be organized** so you do not waste the lawyer's time. Prepare for the meetings with your lawyer. For example:

- ▲ Think about your legal problem, and gather information the lawyer will need.
- ▲ Write down the facts of the case, with all the names, addresses and phone numbers of the people involved.
- ▲ Ask your lawyer if you are providing all the information that he or she may need.
- ▲ Bring any relevant documents such as letters, court papers or other information. Make sure you keep a copy for yourself.

The more work that you do to prepare, the less time your lawyer will need to spend on finding the information.

**2. Be realistic.** Do not spend \$1,000.00 on lawyer's fees to recover \$500.00. You have to assess the situation and decide whether is worthwhile to take legal action keeping in mind all the costs involved.

**3. Keep your communication with the lawyer to the point.** Do not discuss unrelated matters.

Remember that you pay for every minute you spend with your lawyer. Limit the phone calls and meetings to the business of the case.

**4. Ask if a junior colleague can do some of the routine work on your case.** Also, if the staff at your lawyer's office can assist you, contact them instead of contacting your lawyer.

**5. Keep copies of all files and original documents for your own records.** Do not depend on your lawyer's file for these records and documents.

**6. Examine your bill.** Ask your lawyer to bill you on a regular basis. You should keep track of the bill and how much the case is costing you, so that at the end of the case you are not taken by surprise.

### SOURCES OF INFORMATION AND HELP FOR ABUSE AND NEGLECT

**1. The Canadian National Clearinghouse on Family Violence** — This site has various educational materials on family violence issues that includes violence against seniors. You can access them at [www.hc-sc-gc.ca/nc-cn](http://www.hc-sc-gc.ca/nc-cn)

**2. Department of Justice Canada** — This site has information on abuse and neglect of adults. Their website is: [www.canada.justice.gc.ca](http://www.canada.justice.gc.ca)

**3. Public Guardian and Trustee of BC** — This office can provide information or help for situations in which a person is unable to manage his or her own affairs. The office also investigates reports of financial abuse and self-neglect of people who are believed to be incapable, and manages the financial affairs of people who have been certified as incapable.



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You can contact them at:

604-660-4444 in Vancouver or in Victoria 250-356-8160. Their web site address is [www.trustee.bc.ca](http://www.trustee.bc.ca).

**4. Community Response Network (CRN)** — This is a group of people and organizations who work together in the community to prevent abuse and neglect of adults. They also coordinate support and assistance for adults who are being abused or neglected. Most communities in BC have CRNs. To learn whether there is a CRN in your area, go to the CRN website at [www.bccrns.ca](http://www.bccrns.ca) and click on your community.

**5. Designated Agencies** — Under Part 3 of the *Adult Guardianship Act*, some community services have the responsibility to look into situations of abuse, neglect and self-neglect. These services, called **designated agencies** are the five Health Authorities in the province and Community Living Services of the Ministry of Children and Family Development.

There is usually a designated agency in each area that you can call to report abuse of adults in that community. For the specific numbers in your community, you can contact the Public Guardian and Trustee website at [www.trustee.bc.ca](http://www.trustee.bc.ca). When on site, follow the link to Community Numbers to Report Situations of Adult Abuse and Neglect.

**6. VictimLINK** — You can call VictimLINK toll free, anywhere in BC, 24 hours, seven days a week if you are a victim of family or sexual violence, elder abuse or any other crime. This is a multilingual and TTY service. They provide immediate crisis support for victims of family and sexual violence, help for all other victims of crime and information about, and referral to, victim services and other resources.

Their toll-free number is 1-800-563-0808. Deaf and hard of hearing people can call TTY at 604-875-0885.

**7. Advocacy access program** — The people in this program do advocacy work for people with disabilities. The people who do advocacy work are part of the BC Coalition of People with Disabilities. You can call them at:

- ▲ 604-872-1278 or TTY: 604-875-8835 (Lower Mainland) or
- ▲ 1-800-663-1278 (toll free, throughout BC)

To learn more about the law and your rights, telephone **BC CEAS at 604-437-1940** if you live in the Lower Mainland or toll free from the rest of the province at 1-866-437-1940.



**THIS INFORMATION SHEET WAS DEVELOPED WITH FINANCIAL ASSISTANCE FROM A COMMUNITY OF SURREY HEALTH GRANT, FRASER HEALTH AUTHORITY.**