



Legal
Services
Society

British Columbia
www.lss.bc.ca

Backgrounder

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New legal aid funding supports family services

The provincial government's increase to core funding for legal aid will allow the Legal Services Society to expand support for self-represented family litigants.

Specifically, LSS plans to make the existing provincial family court duty counsel projects permanent programs. The society also plans to provide three new programs: extended family service referrals, Supreme Court family duty counsel, and limited Supreme Court family referrals.

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 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.

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

Provincial Court family duty counsel services are currently available in 44 Provincial Courts across the province. Duty counsel help low income people resolve their family law problems, often without going to court. The lawyers provide eligible clients with legal advice, help them draft documents and prepare a case, and speak on their behalf in court on simple matters. Services exclude representation at trial. Duty counsel handle about 18,000 cases annually.

Extended family services referrals will be provided for clients at greatest risk and whose issues cannot be resolved through mediation because of the high level of conflict involved. These referrals will help ensure clients' safety by helping them find permanent resolutions to their legal problems. Piloted in 2003/2004, this program will help an estimated 300 clients annually.

Supreme Court family duty counsel will expand the existing Provincial Court family duty counsel services to Supreme Courts.

Limited Supreme Court family referrals up to but excluding representation at trial will be available for eligible clients who have no alternative to litigating in Supreme Court. Lawyers will help these clients through the complex Supreme Court processes by giving them general advice and helping them draft documents and negotiate with the opposing party or counsel. The program will help an estimated 500 clients annually.

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