

Cuts to Legal Aid

Issue

On July 22, 2009, the Legal Services Society (LSS) announced additional funding cuts to Legal Aid that effectively discontinue extended services for clients receiving referrals. This means that a woman who is leaving an abusive relationship and has exhausted the Legal Aid hours she was granted will automatically be denied any request for further service.

When First Applying for Legal Aid

When a woman who is leaving an abusive relationship first applies for Legal Aid, it is important that she:

- Clearly state that she is leaving abuse even though it can be difficult to talk about. If she is hesitant to disclose the abuse to the intake worker, her application for Legal Aid will likely not be approved.
- Bring copies of any documentation regarding the abuse to her Legal Aid intake appointment. This includes no contact orders (current or historical), criminal convictions or arrests of the abuser, information from her doctor and/or copies of paperwork from you or your program (e.g., intake risk assessment).

Appeals

Clients who are at extreme risk and need legal support over and above the hours granted by Legal Aid can appeal the automatic denial for extended service if:

- the lawyer can demonstrate that the additional time is required to meet professional obligations and that s/he cannot ethically withdraw from the case at this time; or
- the matter can be dealt with as a separate or new application (e.g., in cases where the situation has changed and orders need to be modified).

There is no guarantee that either of these suggestions will work or be appropriate for the client's situation.

Resources

The reality is that women who do not have the resources to hire their own lawyer are at a disadvantage in court. Available supports include:

- **Lawline** (1-866-577-2525).
- **Clicklaw** (www.clicklaw.bc.ca) for information about paperwork and more.
- **BC Supreme Court Self-Help Information Centre** (www.supremecourtselfhelp.bc.ca) for help with Supreme Court documents.
- **Family court duty counsel.** If you are unsure whether duty counsel services are available in your community, check with your local courthouse.

- **Pro bono lawyer services** in your local community.
- **Legal Information Outreach Workers** posted in Kelowna, Nanaimo, Prince George, Surrey, Terrace, Vancouver and Victoria. To contact the worker nearest you, visit www.lss.bc.ca and click on “Legal Information”, then “Legal Information Outreach Workers”.

The support that frontline anti-violence workers can give women who are experiencing and fleeing abuse is vital for identifying risk and helping them plan for safety during the high-risk periods surrounding court activity. For more information on safety planning, visit www.endingviolence.org.

For more information, please contact:

Community Coordination for Women’s Safety

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Practice and policies are subject to change. We make every effort to update CCWS documents accordingly. Please visit our website regularly for the most up-to-date versions of our materials: www.endingviolence.org.