

MENTAL HEALTH & LAW SERIES



Help! I Need A Lawyer! Part 2: Finding Family Law Services in Your Community

*Last month, the Community and Legal Aid Services Programme (CLASP) & MDAO provided you with a general overview of accessing legal services in your community. This month, we are pleased to provide information about finding **family law** services in your community.*

GENERAL INFORMATION ABOUT FAMILY LAW

A good starting point for getting information about family law are the Family Law Information Centres (FLICs), which are located most Family Court locations in Ontario. These Centres provide information about family law, court procedures, alternatives to court and community services. Call the Ministry Of Attorney General to find your nearest Family Court location at 416-356-2200.

The Community Legal Education Ontario (CLEO) also provides excellent clear language publications on specific family law topics, such as child support, custody and access issues and divorce. These publications are available online at <http://www.cleo.on.ca> or order them at 416-408-4420.

DOMESTIC VIOLENCE ISSUES

Some community legal clinics offer free legal services for women who have experienced domestic violence, such as CLASP and the Barbra Schlifer Commemorative Clinic (416-323-9149). Domestic violence hotlines and shelters are good sources for referrals to lawyers who are familiar with issues surrounding violence. In cases of emergency, Legal Aid Ontario may authorize a free 2-hour appointment with a lawyer for victims of domestic violence, particularly if there is no legal clinic in your area with that knowledge. To learn about this program, contact Legal Aid Ontario at 1-800-668-8258. Survivors of domestic violence may qualify for legal aid services where, otherwise, the services may not be offered – be sure to ask.

CUSTODY, ACCESS AND SUPPORT

Legal Aid Ontario offers legal aid certificates to low-income persons for custody, access, and child support matters. Certificates are typically granted where there are issues in dispute (so no uncontested divorces) or where there is domestic violence. An applicant should first apply for a legal aid certificate at a Legal Aid Office. To find a Legal Aid Ontario office in your community, contact Legal Aid Ontario at 1-800-668-8258. Once an applicant gets a certificate, he or she must take the certificate to a family lawyer that will accept the certificate; the Legal Aid Office or your local legal aid clinic will be able to

refer you to such lawyers. In addition, you may wish to seek assistance from the family lawyers at the Family Law Office, which can be reached at 416-378-0001. For those of you who are unable to get a legal aid certificate or afford a private lawyer, there are free advice lawyers at each of the Family Courts in Toronto. To access this service, you may have to provide the advice lawyers with some information to verify that you cannot afford to pay for a lawyer. These advice lawyers can advise you of court procedures and the necessary court forms for your legal issues, but you are expected to draft the court forms yourself. If you require assistance in drafting these forms, ask advice counsel if there are any pro bono law students at the court to assist you with this task.

For issues involving the enforcement of court-ordered child and spousal support payments, contact the Family Responsibility Office at 1-800-267-4330.

GETTING A DIVORCE

Community legal clinics do not offer assistance for divorce matters. In addition, Legal Aid Ontario does not usually give legal aid for divorce proceedings, unless there are custody and access or support issues. Although you may be able to complete the divorce papers on your own, it is usually advised that you seek legal advice when you are seeking a divorce. It is a good idea to call your local community legal clinic to get referrals to family lawyers that deal with divorce.

POWERS OF ATTORNEY for PROPERTY AND PERSONAL CARE

Community legal clinics and Legal Aid Ontario do not offer assistance in the drafting of power of attorneys for property or personal care. However, a self-administered power of attorney kit can be downloaded from the website of the Office of the Public Guardian and Trustee at <http://www.attorneygeneral.jus.gov.on.ca/english/family/pgt/>. This kit can be filled out by yourself and will be enforceable, as long as you are mentally capable to complete the power of attorney. Although the kit is an easy way of creating a power of attorney, particularly given the lack of free legal resources, you may wish to speak with a lawyer before completing the document.

WILLS, TRUSTS AND OTHER PROPERTY MATTERS

Wills, trusts and other property matters are handled by private counsel only. To find a private lawyer dealing with property matters or any other legal issue, the Law Society of Upper Canada provides a Lawyer Referral Service. This service, which costs \$6.00, provides you with referrals to lawyers in your community dealing with the specific area of law, as well as a 30-minute consultation. You can reach the Lawyer Referral Service at 1-900-565-4LRS (4577).

Always ask questions!

Mood Disorders Association of Ontario, 40 Orchard View Boulevard, Suite 222, Toronto, Ontario M4R 1B9

Tel. (416) 486-8046 Fax: (416)486-8127 Toll free 1-888-486-8236

email: info@mooddisorders.on.ca website: www.mooddisorders.on.ca