

# Working with your legal aid lawyer

What you can expect your

## Lawyer to do

The guidelines below explain what to expect with your legal aid contract with the Legal Services Society (LSS). This will help you and your lawyer work together on your case.



- Set a date to meet with you to discuss your case.
- Explain to you:
  - Confidentiality
  - Your roles
  - The steps in the legal process
  - Your legal options
  - Your chances of getting what you want
  - Risks you may face
  - Limits of your legal aid contract
- Ask you for any information you have about your case.
- Ask you what results you want from your case, but let you know that they *can't* guarantee the outcome of your case.
- Give you legal advice about what to do. (Their legal opinion may be different than the options you want.)
- Answer your legal questions.
- Try to complete work on time and inform you if they expect a long delay.
- Try to return your calls and respond to emails or letters as soon as they can (perhaps not on the same day).
- Keep appointments with you. Or contact you to make another appointment if they can't keep or miss an appointment.
- Discuss all important decisions about the case with you.
- Keep you informed at each stage of your case.
- Make sure you get an interpreter if you need one for a meeting or hearing.
- Give you copies of documents or other information, if it's a realistic request.
- Let you know right away if they forgot to do something important or made a mistake.
- Explain to you whether or not you can appeal the result of your case (ask for a review), if you're unhappy with it.
- Never ask you for money.

### Change of lawyer

If you think your lawyer hasn't met their responsibilities, discuss this with them. If you can't work out the problem, contact your local legal aid office to find out what you can do. LSS allows you to change your lawyer only in *limited* circumstances, and only if you still qualify for services.

If you apply to change your lawyer (called a **change of counsel** request), you must have a *good* reason (such as quality of service concerns). Your request must also be *fair* (based on realistic expectations). Changing your lawyer in the middle of your case can create problems.

If you do ask to change your lawyer, you must let them know in writing. If LSS approves your request, your lawyer must transfer your file to the new lawyer as soon as possible.

# Working with your legal aid lawyer

## What your lawyer expects

## **You** (their client) to do



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### Complaints

If you're unhappy with any LSS service, you have the right to make a formal complaint. For more information, see [legalaid.bc.ca/about/complaints.php](http://legalaid.bc.ca/about/complaints.php).

*In some situations, your lawyer can remove themselves from your legal aid contract if they have a good reason and their request is fair.*

- Ask them how much time the contract gives them to work on your case and how you can help prepare your case. Their time on your case includes your emails, phone calls, and meetings; court preparation and court attendance; legal research; and review and preparation of legal documents.
- Give them all the facts about your case and be honest. If you're not honest, your lawyer's advice may not be helpful and may even hurt your case.
- Give them some idea about what you want to have happen and when you hope it will get done.
- Take notes of your discussions at meetings and on phone calls. Write down any tasks you agree to do and when you expect to finish them.
- Tell them about any upcoming court dates, appointments, or other urgent issues.
- Give them any documents about your case they ask for and any new information you have; send it to them by email or in a letter, or tell their assistant.
- Answer all of their questions as soon as you can.
- Ask questions if you don't understand something.
- Talk only about your case and the facts important to your case.
- Be on time for every appointment or court appearance.
- Tell them what you decide at each stage of your case and give them clear instructions.
- Prepare for your meetings; decide what your most important legal issues are and get the documents you need.
- Make sure they have up-to-date contact information for you and let them know where they can leave messages.
- Discuss any disagreement you may have with them.



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[www.legalaid.bc.ca](http://www.legalaid.bc.ca)