

ABA/ NLADA 2004 Equal Justice Conference

**Stand Alone Hotlines Never Stand Alone – WSR 014**  
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### **Brief Description:**

The Legal Services Society of B.C. has a statutory mandate to deliver legal services to low income. Services include legal information, advice, education, advocacy and representation.

Following revisions to the Legal Services Society Act, and funding reductions in 2002, LSS reorganized its services, eliminated some representation services, and restructured its operations across the province. Representation services are available in criminal and family law. In-person legal advice is provided through duty counsel and assistance with form completion. Public legal education and information services are delivered through publications, legal information websites, and hotline services for low income people.

LSS has introduced innovative new services including a province-wide Call Centre for legal aid applications, a legal information and advice hotline (LawLINE), extended family court duty counsel advice programs, family law and legal information websites, outreach and education programs for community advocates, and is working on new collaborations with others in the advocacy community and justice system.

LawLINE is part of a continuum of LSS services including representation and other in person legal services in family, immigration and criminal law, and PLEI programs. However, LawLINE “stands alone” in other areas of law to the extent that representation services are not offered, and works with others in the justice community to ensure that services are delivered in a complementary manner.

### **Topical Outline:**

- I. A Short B.C. Profile:
  - a. British Columbia. is larger than any U.S. state, except Alaska. In 2002, it had 4.151 million residents (compare to 35 million in California).
  - b. Half of B.C.’s residents live in the Vancouver/lower mainland area. Large parts of the province are sparsely populated.
  - c. The people of B.C. are from diverse backgrounds, especially in the Vancouver/lower mainland area, where more than one third of the

residents are from visible minorities, and approximately 10% speak a language other than English or French at home.

- d. In March 2002, 14% of B.C. residents were dependent on various forms of social support, including welfare and unemployment insurance benefits.
- e. People of aboriginal origin make up 5 % of B.C.'s population. Reserves are often located in rural and remote communities. Many aboriginal people also live off-reserve and in urban areas.

## II. Introduction to LSS:

- a. In September, 2002, LSS reorganized following changes to its' statutory mandate, and a 38% reduction in funding over three years. Coverage for representation services was reduced to serious criminal, family, immigration and prison law issues. More details of the changes are set out in the LSS 2002-03 Annual Report (extract attached).
- b. To guide LSS, a new strategic plan focused on helping low income people to resolve their legal problems by providing a spectrum of services to promote their effective participation in the justice system. See "About LSS" at the LSS website for more information.
- c. Key infrastructure included a system of 7 staffed Regional Centres, 22 Local Agents (private law firms contracted to take legal aid applications for LSS), and a Provincial Call Centre for people who cannot visit an office to apply for legal aid, the LawLINE hotline, public legal information websites and Family and Criminal Duty counsel programs.
- d. With funds available for special projects in 2003, LSS developed new pilot programs, including extended Family Duty Counsel advice services, an enhanced LawLINE that provides brief legal advice through a mix of staff lawyers and paralegals, a LawLINK website/kiosk system to deliver legal information and various improvements to its other websites.

## III. LawLINE Project:

- a. The project was developed in 2003 as a result of extensive research into hotlines operating in the US, UK and Australia, which indicated that a legal advice component would fit well with other new service offerings.
- b. The project is part of the Community Services Division, also responsible for the Brydges Line (a specialized hotline for people in custody who need immediate criminal law advice), the LSS LawLINK website/kiosks Project, Aboriginal Services, Pro Bono liaison and the LSS library.
- c. The purpose of the LawLINE project is to test the effectiveness of the hotline model in assisting low income people to resolve their legal problems.
- d. Full time project staff consists of a Program Manager, five lawyers, three paralegals and a secretary. Additional staff support to the team is provided by the LSS librarian.
- e. Brief information and referral services are available to all callers; advice services are income and merit-tested.
- f. LawLine daily assists 70-80 callers with brief legal information, referral and advice services.

- IV. The Continuum of Service:
- a. LSS offers a range of services for low income people.
  - b. In family law, representation is generally available only in cases that involve family violence, a person or children at risk, or where there is a risk of removal of a child. Representation is also available for child protection cases. Brief in-person services are provided through Family Duty Counsel lawyers that represent litigants on appearances in Provincial Court, Extended Family Duty Counsel that provide additional assistance outside of Provincial Court appearances, and Supreme Court Advice Lawyers.
  - c. In criminal law, representation is generally available where there is a real risk of imprisonment, loss of employment or deportation on conviction. LSS also offers the Brydges Line and in-person duty counsel at court appearances.
  - d. In immigration law, LSS offers assistance in refugee cases only, generally limited to help preparing initial documents. Limited assistance may be available for test cases on appeal.
  - e. In family, criminal and immigration law, LSS offers public legal education and information materials in print and electronically through its LSS, LawLINK, FamilyLaw and Electronic Law Library websites (collectively the PLEI websites), LawLINK public access computers, and brief legal information and advice from LawLINE.
  - f. In other areas of law such as public benefits, housing, employment, consumer, debt and civil (non family) disputes, LSS does not offer representation services. Available services are limited to LawLINE, PLEI websites and print materials.
- V. LawLINE and the Continuum of Service
- a. LawLINE staff makes extensive use of LSS website resources as well as information on websites of other organizations to assist callers. LawLINE also distributes LSS publications to callers.
  - b. Where LSS offers complementary services such as duty counsel and representation services, LawLINK is working with these programs to ensure a high level of co-ordination.
  - c. In B.C., paralegals and community advocates provide information and support to low income people, particularly in the areas of public benefits and housing where LSS does not provide representation. LawLINE encourages and supports the work of advocacy groups and refers callers to them in appropriate situations.
  - d. LSS supports Povnet, an organization that has a legal information website for low income people, and provides access to topical listservs and training opportunities for advocates.
  - e. LSS supports community advocate training through regional conferences held several times each year. Community Services staff members participate in these programs.
  - f. LSS works with pro bono organizations to ensure that their services are complementary and that cross referrals are appropriate.

- g. The Law Foundation of B.C. funds a number of advocacy programs that deliver information and advice services to the public. LawLINE staff are encouraged to be aware of these programs and LawLINE co-ordinates its' services with these agencies.
  - h. LawLINE networks with other organizations that deliver legal information, advice and representation services to low income people. Examples include student clinics and groups that conduct test case litigation.
  - i. See the attached LawLINE information sheets for more information about these approaches to coordinating services.
- VI. LSS participation in Collaborative Initiatives
- a. LSS actively participates with others, including the judiciary, court administration, pro bono groups, and the private Bar in collaborative initiatives to improve access to justice.
  - b. Recent examples include an advisory committee on court-based self-help centres and a pro bono civil duty counsel committee; and the BC Justice Review Task Force.

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