

Family duty counsel services

2019/20 service guide

Service	FE*	Covered as of July 8, 2019**	Not covered as of July 8, 2019	Additional services as of Nov. 18, 2019
Summary legal advice (SLA) (including FLICs)	Y	<ul style="list-style-type: none"> All family and child protection matters Up to 20 minutes 	No longer available to those who do not financially qualify for legal aid.	No change
Document preparation / review	Y	<p>Where available:</p> <ul style="list-style-type: none"> Motions to change custody/access (e.g., substantial issues, threat to parent/child bond, child safety, complex child support), up to the end of the first case conference Motions to change child support, <u>review only</u>, up to the end of the first case conference 	<ul style="list-style-type: none"> FRO matters*** Child protection matters*** Applications*** Motions to change for minor variations to existing order(s)*** 	No change
In court	N/A	<ul style="list-style-type: none"> Emergency motions (motions without notice) First court attendance where a child has been taken to a place of safety in a child protection matter 	<ul style="list-style-type: none"> Trials: trials, trial management, scheduling conferences Hearings: Rule 1 hearings, default hearings, temporary care hearings, attendance, uncontested hearings. Motions: spousal support, DNA testing, adding third parties, property claims, mobility, travel, including passport applications Other: in-court assistance in SCJ, (unless it is a unified family court), warrants of committal, summary judgments, settlement conferences 	Duty counsel <u>may</u> assist financially eligible clients with CYFSA matters in locations where clients are unable to retain counsel in a timely manner.
	Y	<ul style="list-style-type: none"> First return date of a Status Review Assistance with FRO matters (e.g., first appearances, adjournments, refraining motions, negotiation, review minutes of settlement) First appearance / Intake court First judicial case conference for applications, responses, and motions to change Motions, where the service currently exists 		<ul style="list-style-type: none"> Procedural advice will be provided to anyone appearing without their own lawyer in first appearance court or case conference. <u>Case specific advice is only available to those who qualify for legal aid.</u> May assist with written consents, if negotiations have been completed and the issues are eligible for duty counsel service. Assist only those who qualify for legal aid with second case conferences.

*FE stands for financial eligibility. Income level determines whether a person qualifies for some legal aid services. When FE = Y, these services are only available to clients who are financially eligible. When FE = N/A, financial testing will not be required for these services.

**Subject to merit testing, though *Child, Youth and Family Services Act (CYFSA)* matters will be deemed to have merit given the nature of the proceedings.

***May be available at a local family law office.

Last updated: November 7, 2019