

## UTILIZING YOUR LAWYER EFFECTIVELY

The role of a lawyer is to inform you of your rights in the legal system. They are able to advise you on the process and actions that are possible. They act on your behalf in negotiations with your ex-partner's lawyer, and sometimes your ex-partner directly if he or she does not have a lawyer. They also act on your behalf in court.

A lawyer charges fees for their professional services that will be paid by you or through legal aid. In both cases, it is important to use your time effectively with the lawyer to maximize efficiency and minimize the cost. If you are getting legal aid, there will be a cap on the number of hours granted to your lawyer by the Ontario Legal Aid Plan.

What follows is a list of potential suggestions to consider when working with a lawyer.

1. Gather as much information as you can ahead of time to inform yourself on some of the legal issues. There are brochures on family law or legal terminology available.
2. Make a list of questions that you wish to ask the lawyer. Take notes during the appointment so you can remember. It is often difficult to retain information when we are under stress or learning new things with which we are not familiar.
3. Ask your lawyer what is the best way to communicate with them if you have questions to save yourself time and money. Ask what the usual turn-around time is for phone calls.
4. Write out information to give to your lawyer to assist in the completion of affidavits. This can include the history of the relationship or abuse issues. It takes less time for a lawyer to read documents as opposed to your explanation in person. Anything given to your lawyer is part of lawyer-client privilege and cannot be used for any other purposes.
5. Use the lawyer's voice mail, it takes less time for the lawyer to listen to your message rather than have a conversation. Recognize that every call you make will cost you money or time used on your legal aid certificate.
6. When you call the lawyer with a problem, if you can, have a plan of action you would like them to take.
7. Ask for time frames on action they are taking and keep a written record of this.
8. Where possible, gather documentation for the lawyer such as financial documents yourself. If it is not safe for you to access documents, ask the lawyer to do so.

Depending on your comfort and safety level there may be other things you could do as well to assist in the process.

### **IF YOU HAVE CONCERNS WITH YOUR LAWYER**

- The professional conduct of lawyers is regulated by the Law Society of Upper Canada. If you have any concerns that your lawyer may be acting inappropriately or unethically, you may call them to inquire at 1-800-268-7568.
- You may also wish to consult with another lawyer for a second opinion. It is important to keep in mind that even the best of lawyers may not be able to facilitate an outcome that you feel is fair. The lawyer works within the law, and does not have the ability to change laws that place abused women at a disadvantage. Seeking a second opinion can assist you in determining the level of service you are getting from your lawyer.
- If you believe that you have been overcharged, you can have your legal bill assessed. This involves contacting the Family Court Office at 660-3044. It must be done within 30 days of receiving the bill from your lawyer, including interim billings. There is a \$53 fee for this process that involves an informal hearing with the lawyer and yourself. You are welcome to bring along a support person. The meetings occur on Friday mornings, and the complainant is responsible for serving notice of the meeting to the lawyer.