



The Alberta Limited Legal Services Project

Guide for Clients

Adapted by Rob Harvie from “A Guide for Consumers,” prepared by the Institute for the Advancement of the American Legal System

The Alberta Limited Legal Services Project seeks to help connect clients seeking limited legal services with lawyers throughout the province who are willing to provide them. The project also seeks to understand how satisfied lawyers and clients are with limited legal service, and whether limited services help people resolve their legal problems.

This guide answers the following questions, which we hope will help you understand the legal service options available, and whether limited legal services are right for you.

1. What are the challenges for people who are not represented by lawyers in court?
2. What are limited legal services?
3. What can a lawyer providing limited legal services do?
4. How do limited legal services work with different dispute resolution processes?
5. How can limited legal services help the dispute resolution processes?
6. What are some of the challenges of limited legal services?
7. How do I find a lawyer who will provide limited legal services?

What are the challenges for people who are not represented by lawyers in court?

Many people cannot afford to hire lawyers to make or defend a lawsuit. Some people think that they can handle court processes on their own. Others feel that lawyers could make their problems worse instead of better. Unfortunately, not having a lawyer can be confusing and can hurt your case. This is because the legal system has special rules that must be followed. Lawyers are trained to understand these rules and navigate a complex system. If you don't understand

the rules or the system, you may not be able to effectively make or defend your lawsuit. There is nothing worse than feeling powerless about the most important things in your life.

If you can't afford to hire a lawyer to deal with all of your lawsuit or legal problem, it may be possible for you to have the help of a lawyer who can help you for just part of your lawsuit or legal problem. These sorts of legal services are called limited legal services.

What are limited legal services?

Lawyers typically work on a case from beginning to end. A lawyer providing limited legal services works on and charges you for *only those tasks that you agree to ahead of time*. Limited legal services are becoming a more popular and less expensive way to help people manage all kinds of legal problems, from family law issues to commercial problems to wills and estates issues.

What can a lawyer providing limited legal services do?

A lawyer providing limited legal services can:

- help you draft a lawsuit or a defence to a lawsuit that you can file in court yourself
- write the letters and other legal documents that may be needed for your case
- review settlement agreements or settlement proposals
- help you complete financial papers
- help you with the discovery and disclosure process
- represent you in court, at a hearing, a settlement conference, a trial or another meeting with a judge
- coach you to help you represent yourself

How do limited legal services work with dispute resolution processes?

Limited legal services can also help you in all sorts of dispute resolution processes, including court as well as mediation, arbitration and parenting coordination, processes that are designed to help you resolve conflicts outside of the courtroom. When these out-of-court processes successful, you can resolve all or some of a lawsuit or a legal problem without ever having to go in front of a judge, who won't know you, your circumstances or the background of your problem nearly as well as you.

Making your own decisions in an out-of-court dispute resolution process has many advantages, but many people are worried about doing so without the help of a lawyer. This is especially true if the other person has a lawyer. Just like court, out-of-court dispute resolution processes can be confusing if you don't know how they work. This can make it hard to take part in the process because you may fear that you will make a mistake or give up too much.

Having the advice of a lawyer can help you understand the tasks you need to do and give you more confidence in the process.

How can limited legal services help dispute resolution processes?

When you are participating in a dispute resolution process, a lawyer providing limited legal services might help you understand:

- the rules of the dispute resolution process
- the role of the judge, mediator or facilitator
- how to prepare for the process
- whether the process is confidential
- how an agreement can become a court settlement
- what happens if you do not reach an agreement
- any documents or information you will need
- the issues that you will discuss
- how much time you will have to explain your concerns
- how to present yourself during the process

A lawyer who understands out-of-court dispute resolution processes can help you do a better job to protect yourself and your children, and to be more informed and prepared. As a result, making or defending a lawsuit may cost less. It may also prevent you from going through a costly, time-consuming, and emotionally difficult court process.

What are some of the challenges of limited legal services?

Limited legal services are not for everyone, or for every legal problem. It is important for you to think about whether limited legal services can work for your family. Some questions to ask include:

- Can my case be broken down into small steps, divided between me and my lawyer?
- Are there complicated issues that cannot easily be split between me and my lawyer?
- Are there important deadlines approaching that I can't meet?

The more complicated your case is, the harder it may be to divide into separate parts. As you decide whether to use limited legal services, you should think about and talk with the lawyers you might hire about how limited services can work in your case.

How do I find lawyers providing limited legal services?

To find out more about limited legal services might work for you and the Alberta lawyers who provide limited legal services, visit the project website at albertalegalservices.com. The website

has a list of the lawyers on our roster, a description of the project and a lot more information about limited legal services.

Questions about the project

If you would like more information about limited legal services or the Limited Legal Services Project, please contact Rob Harvie QC, of the Lethbridge firm Huckvale LLP, or John-Paul Boyd, of the Canadian Research Institute for Law and the Family in Calgary.

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