

Legal Aid ailing

by Sharon Chisvin

If Dalhousie legal aid cannot find another source of funding within the next six months, 600 people will be turned away, said Rollie Thompson, director of the service.

In mid-summer, the provincial government cut \$300,000 from the budget of Nova Scotia legal aid, which partially funds Dalhousie legal aid. In turn, Nova Scotia legal aid cut Dalhousie legal aid's budget. The legal service has been designed specifically to cater to poor people, adds Thompson.

Dal's legal aid budget, already frozen at \$63,500 from the previous year, was cut to \$56,750 at the end of August. Dean William H. Charles of the Dalhousie University law school explained this represented an "11 per cent cut in absolute dollars and a 20 per cent cut in real dollars."

Thompson explained, "The implications of this (the cuts) were so severe that Nova Scotia legal aid representatives approached the government and asked it to reconsider the cuts, which were later reduced to \$150,000." Dal legal aid's budget was adjusted accordingly.

Due to the summer cutback, Dal legal aid is now operating with a deficit of \$20,000, Thompson said.

If within six months Thompson cannot find funds to cover the deficit and make up for the government cut he will have to lay off two full-time para-legal staff members. This would result in a caseload cut of 600 out of the 2,000 cases Dal legal aid handles yearly.

The two workers handle most of the social assistance type work, said Thompson. The para-legals also supervise third year law students who work "at least one full day a week" at Dal legal aid and handle 30 files each, he said. If they are laid off, Thompson said, there will be no-one to do this work.

Dean Charles said the number of students receiving practical experience at Dal legal aid will be reduced from 40 to 28.

But Thompson's main concern is with the "poor, bloody people" legal aid will be forced to turn away. There is no alternative law service for the poor, he said, as the

lawyer's referral service is not an alternative. "The cutbacks from legal aid will not, as the attorney-general thinks, result in more cases for young lawyers," he said.

"Some of our clients take two months to come up with \$25," Thompson said. A young lawyer just starting a practice cannot afford such a client, he explained.

The simple, undeniable fact, according to Thompson, is that the poor will go to court unrepresented. Legal aid clients are the least capable of defending themselves in court, he said, adding many of them are inarticulate, illiterate or simply do not understand the law.

Charles added that Dal legal aid is being "hit by both sides". Its funding has been cut but its caseload is increasing because Nova Scotia legal aid has reduced the number of cases it handles and is making referrals to the Dalhousie service.

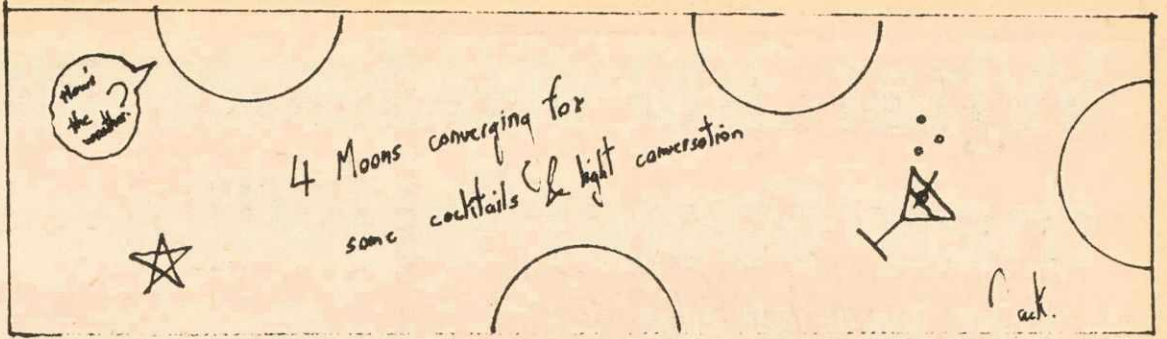
Also, the university, which provides Dalhousie legal aid with 50 per cent of its funding, is undergoing a period of restraint, Charles added.

Clients now have to wait 14 weeks before they can get an appointment with a representative of Dal legal aid, Thompson said. In turn, this causes difficulties in the courts, as magistrates hesitate to set a trial date before the accused has the opportunity to seek legal counsel, he explained. This results in a tremendous backlog in the courts.

"It puts the judge in a horrible dilemma," Thompson said. "The government may not think legal aid is an essential service, but clients think it is," Thompson said. The public expects to receive it in the same way it receives health care and welfare when necessary, he explained. It is seen as part of an overall system that does not bias against you because you are poor, he added.

"It is fair to say that the government doesn't understand the implications of the cutbacks," Thompson said.

"The 'real problem', of course, are the 600 people who will be turned away from legal aid," Thompson said. "What will they do?", he asks.



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