

"The most common cases we get here deal with divorce and divorce-related actions," he commented. "We had between 75 and 100 cases dealing with such things as custody of children, adoption, and name-changing. Some cases we defer to other agencies, such as the Crown Prosecutor's Office, which handles such things as deserted wives under the Deserted Wives and Children Act. If the husband leaves, the Crown Prosecutor can go after him for payments to support his dependents."

"We have an awful lot of work for students," he continued. "Most of them qualify. I had one student come in who wanted me to go after his landlord. He had rented this big place from the landlord at \$200 a month, and then sub-rented it to four guys at double the rent. The four guys found out about this, and went to the landlord and suggested that they pay him directly, and that's when this guy came down here. That made me really mad!" said Beardsworth.

He spoke about another case he handled, one which illustrated the difference between the N.B. and the Ontario office procedures for legal aid.

"This girl wanted to get her child from her parents-in-law," he said. "They said she was not suitable as a mother, so we instituted custody proceedings. Her in-laws lived in Ontario, so she had to go there to continue the proceedings. She was interviewed in an office of the Ontario Legal Aid in front of people in the waiting room, then told to wait one week to see if she qualified. Then they called her in to state her case in front of a room full of people. When she came back, she had nothing but praise for the Fredericton system."

Beardsworth also praised the Fredericton Community Legal Aid Service for the invaluable experience it was giving to law students.

"It's very good for us," he commented. "It gives many students experience in conducting interviews, which will be an important part of their jobs when they begin practicing after graduation. It also helps a lot of people — many complain about the \$25, but we need that. We can't fork out money without being in debt." Beardsworth explained, "We only take \$25 for divorces. The court fee is \$15, and the rest of the cost involves photo-copying incidentals such as marriage certificates, and paying for the sheriff who usually has to travel quite a distance. We reimburse clients for any change that remains."

Publicity Director for the Clinic is Jim Adams, also a law student at UNB.

"We are getting a very good reception from the people," he commented in an interview. "The people realize it's a valuable service. Those who came in to the Clinic were really satisfied. I think we fulfilled a needed service."

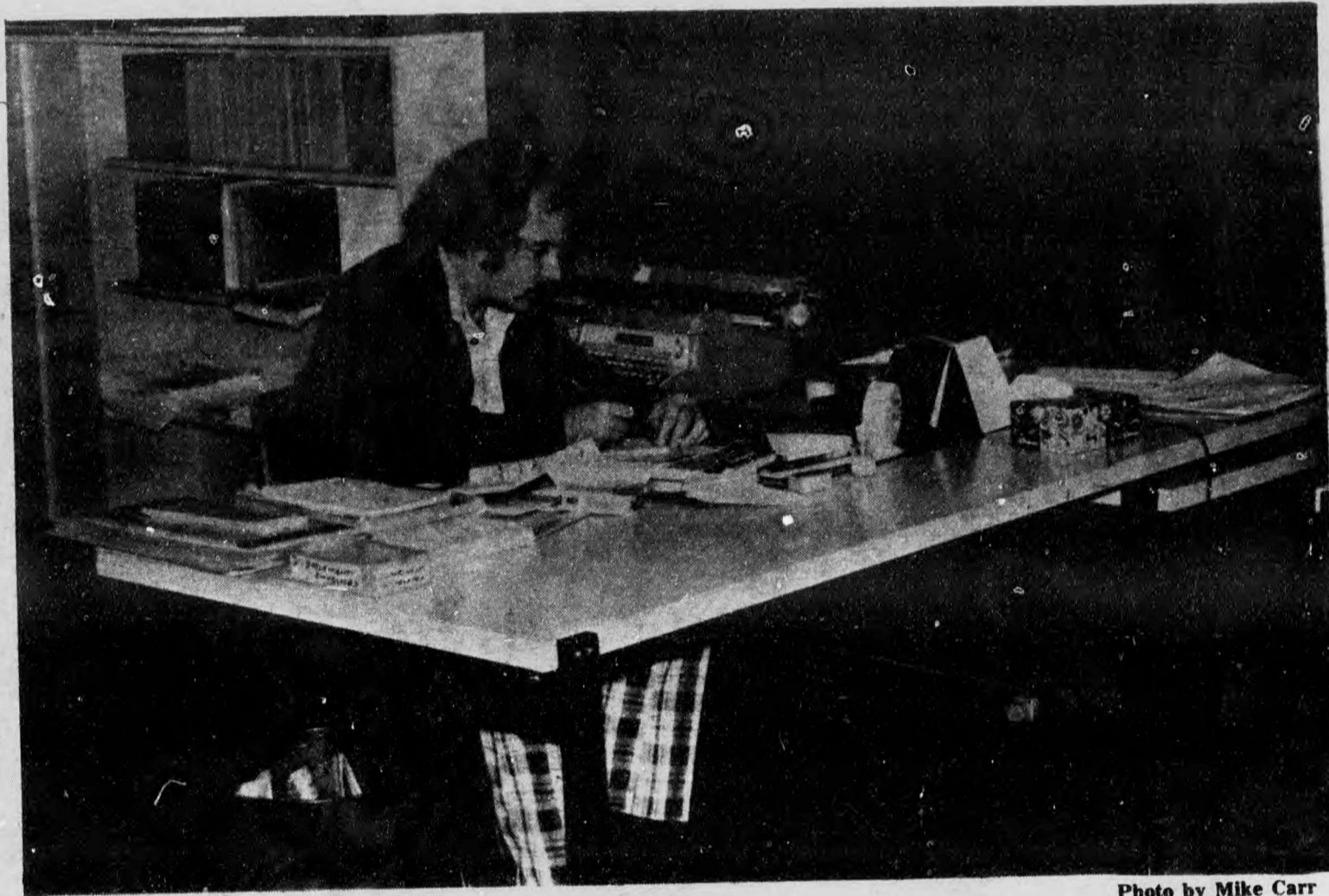


Photo by Mike Carr

## Clinic appreciates cooperation of local lawyers, businessmen

Adams also praised the co-operation given to the Clinic by the lawyers in Fredericton. "We got a great deal of co-operation from everybody concerned," he said, "especially from the New Brunswick Barristers' Society, and in particular from the practising members of the Fredericton Barristers' Society, and the business community, who donated office supplies and furniture. The Clinic could not have been run as successfully without the co-operation of these people."

Adams continued: "The future of the Clinic really depends on what the province and the Barristers' Society decide upon in relation to a complete legal aid program for the province. Right now," he commented, "the Barristers' Society through its members volunteers a great deal of time to this legal clinic, and therefore the Society has a very great interest in it. Until a decision is made in this regard, it is my opinion that the Clinic will continue in the function that it is now fulfilling."

Though the Clinic has met with no serious opposition, a different case exists in other parts of Canada. In Ontario, the Law Society reacted with unconcealed hostility to the federal funding of a storefront law office operated by York University's Osgoode Hall

Law School in the low-income Parkdale area of Toronto. The Toronto Star, reported that the Law Society of Ontario threatened to strip Osgoode Hall Law School of the name "Osgoode Hall" which the Law Society owns, in irritation at the thriving Parkdale project. As well, the Law Society was irritated by the law school's drift away from conventional teaching methods to matters of broader social concern.

In the United States, the pressure for legal aid comes mostly from young lawyers. Some firms allow their lawyers 15 percent of their time to work *pro bono publico*. However, these firms were, for the large part, spurred into altruism by the fact that Ivy League law school graduates threatened en masse to desert for the storefronts unless they were allowed to do this kind of work.

But the problem still remains. Lawyers for the most part are engaged in the representation of commercial interests and know little of the problems of the citizens' group or of the poor. Law schools prepare their graduates for a corporate world, and tend to sublimate the social conscience of their students. As well, the realities of the market-place mean that it is almost impossible for anyone but the wealthy to

finance lengthy legal battles. Neither citizens' groups nor the poor can afford to pay the frightful prices.

Many depressed, mentally disturbed, and utterly dejected people welcome the legal aid clinics not so much for their assistance in legal problems, but for the opportunity to have someone listen to them and their problems. Quite often, women come into the Fredericton Clinic to cry out their troubles on the sympathetic shoulders of the students manning the office. Some people have described this as "handholding", and it is a vital service for many of the miserable poor of our society, the people who have spent their lives glumly waiting at unemployment centres, welfare offices, and medical clinics across the country.

For the most part, lawyers run the legal aid programs across Canada, but many people feel that this service is too important to be left under the control of the legal profession which sometimes injures its own interest by maintaining such clinics. Medicare is removed from the direction of the medical profession; so should legal aid be removed from the direction of the legal profession.