

# Lawyers in a dangerous time

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House, a shelter for women.

Dalhousie Legal Aid helped improve the Residential tenancies Act by getting standard form leases, and because of Dalhousie Legal Aid the Nova Scotia Power Corporation is now one of the only electric utility companies in Canada that is subject to a third-party decision-making process over disputes between the

power company and its customers. In addition, the Dalhousie Legal Aid Service has litigated most of the test cases in Nova Scotia involving social assistance and family benefits.

Despite this impressive track record, Thompson is cynical about the potential of social reform through law. "I'm one of these people who says that law is a very limited tool for social change. You don't change the world through law. What you do is

you can reduce the damage the system does to some of our clients through law; sometimes you can almost get some fairness in the system, but I'm not one of these people... who believes you're going to change the world through lawyers, which is what someone once believed in the sixties... It's the political pressure and the organization and the media pressure that actually changes the way politicians and governments do things. It's not the law suits."

The Dalhousie Legal Aid Service represents people in Halifax, Dartmouth, and Sackville who meet financial eligibility requirements. For a single person this means a gross income of less than \$1246. per month, while for a single mother with two children the cut-off point is approximately \$2100. per month. Thompson remarks that "The interesting thing to me is how rarely we have issues of financial eligibility come up here. The most common problem we face... is when someone's financial services change while they're here." When such a situation does arise, "we reassess their financial eligibility. If they get a job two days before we're going to a trial we go ahead and do the trial. In other cases, if it's well enough in advance, we send them out to a private lawyer."



*"Our clients educate the students on the realities of life being poor..."*

Thompson says the idea that there are a lot of people who can't afford a lawyer but who aren't eligible for legal aid is "a myth... People often say 'the middle class and up can afford lawyers and very poor people can get legal aid lawyers. The people who really suffer are the working poor in between. Well, quite frankly there's

not a whole lot of people in there that I bump into... on a regular basis who you'd say are unable to retain a lawyer when they want to have one. Anyone we exclude on financial reasons should be able to retain a lawyer."

Thompson also refutes the popular perception that lawyers delivering legal aid service don't represent their clients with the same commitment they give to full paying customers. He argues that "Legal aid lawyers are driven by an intense loyalty to their clients, especially given the disadvantage their clients face. They have the advantage over a private lawyer in a sense. They're not constrained in their preparation of the case by how much the client can afford to pay. It's driven by the merits and the needs of the individual client." Nevertheless, he does acknowledge that whereas regular lawyers experience financial constraints on full service delivery, the biggest constraint on the legal aid lawyer is time. "The flip side of that is for the legal aid lawyer, the question is, who's bleeding the worst? Whose need is greatest?... I'm going to deal with the woman who's been beaten by her husband first, before I deal with the divorce that can afford to wait."

The Dalhousie Legal Aid Service is intimately associated with Dalhousie University and Dalhousie Law School. In fact, the legal aid clinic was set up as a result of law students, professors, and community lawyers in the early seventies. Today, the law school and the university fund almost two-thirds of the clinic's budget. Three faculty members of Dalhousie Law School practice at the Dalhousie Legal Aid Service. In addition, twelve to sixteen third year law students come to work at the clinic each term for academic credit.

Thompson remarks that this kind of "hands-on" education is invaluable to students. "The poor people who come through here, our clients, educate the students in the realities of life being poor and in the realities of life being black, and in the realities of life being a woman who's abused... it's quite interesting often to see students come in here who just want to get some practical experience with what it's like to face disadvantage and to face prejudice and to face discrimination, and it affects them for the rest of their lives."

Despite the financial attachment to the University and government, Thompson maintains that the Dalhousie Legal Aid Service speaks with an independent voice in the community. Indeed, he feels this independence makes the Legal Aid clinic an essential service because it is able to speak on behalf of those whose lack of money has muted their claims for basic rights. "If we were not in the community, I think it would be a great loss to the whole low income community and many of the groups that work within the low income community."

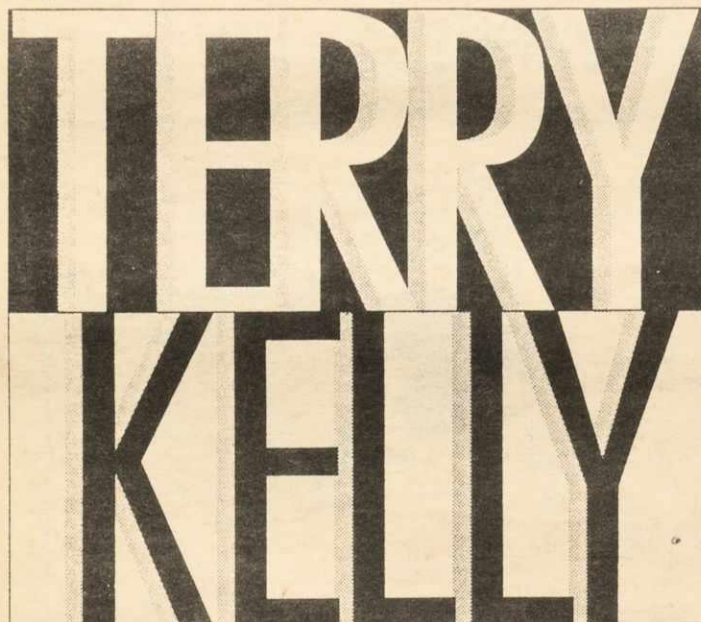
## Invitation

As part of its routine planning process, the Faculty of Arts and Social Sciences conducts periodic reviews of all academic departments. In 1992-93, Review Committees are examining the departments of English, French, and Political Science. Students (undergraduate or graduate, current or former, majoring in these fields or studying them as electives) who would like to comment on the curriculum or future development of these departments, their experience as students within these departments, or any other aspects of these departments' activities, are cordially invited to meet with or write to the appropriate Review Committee. All communications will be treated as strictly confidential. To set up an appointment, for an individual or a group, please contact the chairperson of the Review Committee or the Dean of the Faculty of Arts and Sciences by December 15, 1992.

Dr. D. Schroeder (Department of Music, 494-3867):  
Chair, Review Committee, Department of English  
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The Faculty also offers an undergraduate degree programme leading to a Bachelor in Environmental Studies (BES). Information for all programmes can be obtained from:

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