

Finding Help with your Family Law Problem

ST 009/2010

FAMILY LAW FOR WOMEN IN ONTARIO



All Women. One Family Law.
Know your Rights.

flew Family Law
Education for Women
Women's Right to Know

fodf Femmes ontariennes et
droit de la famille
Le droit de savoir

Finding Help with your Family Law Problem

This booklet is meant to give you a basic understanding of legal issues. It is not a substitute for individual legal advice and assistance. If you are dealing with family law issues, get legal advice as soon as possible to protect your rights. For more information and a list of resources visit our website at www.onefamilylaw.ca.

Family breakdown is a difficult, stressful time for women and their children. If you and your partner separate, you will have to sort out many legal issues. You must decide about financial support, make arrangements about the children and divide your family property. These are difficult issues. Some couples are able to deal with them on their

own. But in most cases, you will need some help to sort out these arrangements.

When your relationship ends, you should have a lawyer who knows family law to help you. If you do not get legal advice, you may give up some important rights that you do not know you have. It is very important to have a lawyer help you if:

- your partner was abusive or violent;
- your partner tried to bully you or scare you;
- your partner has taken advantage of you;
- your partner has more power than you;
- you cannot read, speak or understand English;
- your partner has a lawyer.

How to find a family law lawyer

If you do not know a family law lawyer, here are some places that can help you find one:

- Your local community legal aid clinic. To find the community legal clinic nearest you, see Legal Aid Ontario's contact information listed on the next page.
- Your local women's shelter or other community agency. Look under "Women's Organizations" in your local yellow pages.
- The **Assaulted Women's Helpline** at 416-863-0511 in Toronto or toll free at 1-866-863-0511. The TTY line is 1-866-863-7868. This is a 24-hour crisis line.
- **The Family Law Office**, if you live in Thunder Bay or Ottawa. These offices have lawyers who can help with family law cases. The lawyers are paid by Legal Aid

Ontario (LAO). They only accept clients who have legal aid certificates.

- Family Law Service Centres (FLSC) are located in North York, Brampton, Newmarket and Toronto. These centres have legal workers, paralegals and family law lawyers. They can give you legal advice, referrals and help with document preparation. You can also apply for a legal aid certificate at Family Law Service Centres. To find a Family Law Service Centre call Legal Aid Ontario at 1-800-668-8258 or for TTY call 1-866-641-8867. If you live in Toronto, call 416-979-1446.
- The **Lawyer Referral Service** at 1-800-268-8326 or 416-947-3330 in Toronto. This service can give you the name of a lawyer in your area who will provide you with a free half-hour consultation.

When you call a new lawyer, make sure to ask if they have experience with family law. Try to get a lawyer who has experience.

How to pay for your family law lawyer

Hiring a lawyer will cost money. If you cannot afford a lawyer, you can apply to **Legal Aid Ontario (LAO)** for a legal aid certificate to help pay for a lawyer's services. LAO provides certificates for some family law issues. To find out more about LAO, visit their web site at www.legalaid.on.ca.

To apply for a legal aid certificate call LAO at 1-800-668-8258 or for TTY call 1-866-641-8867. If you live in Toronto, call 416-979-1446. You can also apply for a legal aid certificate in person at one of LAO's Family Law Service Centres.

If you meet Legal Aid Ontario's criteria, they will give you a **legal aid certificate**. You can use this certificate to hire a lawyer. Sometimes, Legal Aid Ontario may offer to pay for a lawyer on the condition that you pay them back.

If your partner has abused or bullied you, you can get a legal aid certificate for two hours of free legal advice. You do not have to prove you have a low income to get this certificate. You must fill out a form called the "**Advice Lawyer Family Violence Authorization**" that you can get from community legal clinics or women's shelters.

Not all lawyers accept legal aid certificates. When you call to make an appointment, make sure to ask if the lawyer does legal aid work.

What you can do if you do not have a lawyer

If you do not have a lawyer to help you with your family law case, you may still be able to get some legal information and advice at the courthouse. You can find two kinds of help at every family law court:

- **Duty counsel lawyers.** Their job is to speak to low-income people who do not have a lawyer. They can offer you advice. If they are not busy, they may be able to help you in court.
- **Family Law Information Centres (FLICs).** They can give you legal information on family law and explain how family court works. They can also tell you about other kinds of supports for families, such as parenting classes, family mediation, or how to contact community agencies. Some

FLICs have **advice lawyers** who can meet with you. The advice lawyer can discuss your situation and give you some legal advice but will not help you in court.

At some family law courts, you can get help from law students. They help people who do not have lawyers fill out court forms.

If you are a francophone woman living in Ontario, you have the right to access French language services in family law court proceedings. For more information regarding your rights, contact a lawyer, a community legal clinic, or the support line Femaide at 1-877-336-2433, TTY 1-866-860-7082.

You can find more information on how to access services in French on our website at www.onefamilylaw.ca or www.undroitdefamille.ca.

Family Law Topics Available*

■ Working with Your Lawyer (ST)

1. Alternative Dispute Resolution and Family Law (ST 001)
2. Child Protection and Family Law (ST 002)
3. Child Support (ST 003)
4. Criminal and Family Law (ST 004)
5. Child Custody and Access (ST 005)
6. Domestic Contracts (ST 006)
7. Family Law Arbitration (ST 007)
8. Family Law Issues for Immigrant, Refugee and Non-status Women (ST 008)

9. Finding Help with your Family Law Problem (ST 009)

10. How Property is Divided in Family Law (ST 010)
11. Marriage and Divorce (ST 011)
12. Spousal Support (ST 012)

** This booklet is available in multiple formats. Please see www.onefamilylaw.ca for more information. You can also find additional materials on the website to help you understand your family law rights.*