

Appendix A: Scope and Eligibility of Legal Aid Services

Name and Status of Legal Aid Plan	Service Delivery, Eligibility Criteria, Evaluation Process, and Other Limitations	Criminal Matters ¹	Youth Matters	Child Protection	Family Matters ²	Other non-family civil
<p>Alberta (AB): Legal Aid Alberta (LAA)</p> <p>Status: LAA is an independent, publicly funded, not-for-profit organization. It operates under a Governance Agreement between Legal Aid Alberta, the Law Society of Alberta, and Alberta Justice and Solicitor General.</p>	<p>LAA provides legal services to low-income Albertans who meet both financial and service eligibility guidelines. When a client calls the Contact Centre, the staff work with the caller to determine their eligibility.</p> <p>The 2024 Governance Agreement between LAA, the Government of Alberta (GoA) and the Law Society of Alberta (LSA) sets out the list of services that LAA offers as well as the Financial Eligibility Guidelines (FEG). LAA has assessment teams on staff who work to determine eligibility.</p>	Yes	Yes	Yes	Yes	Immigration and refugee; adult guardianship/ trusteeship and income support.
<p>British Columbia (BC): Legal Aid British Columbia (LABC)</p> <p>Status: LABC is a non-profit organization created by the Legal Services Society (LSS) Act in 1979 to provide legal information, advice, and representation services.</p>	<p>LABC will pay for a lawyer to represent a client if: a) the client has a legal problem that is covered by LABC's legal aid rules; b) meets LABC's financial guidelines, and c) has no other way of getting legal help.</p> <p>LABC also provides summary advice services for self-represented litigants in areas such as family, criminal and immigration law.</p> <p>LABC provides public legal information and education services, including publications, community outreach, and websites.</p>	Yes -- Where there is a likelihood of jail or a risk to livelihood; conviction could result in deportation; traditional harvesting offences where client has defence based on Indigenous rights; or, client cannot represent themselves because of mental/physical disability.	Yes	Yes	Yes -- for cases involving serious family situations, for example those involving family violence, threats to a child's safety, or a serious denial of parenting time. Limited representation is also available to help clients prepare to represent themselves when they have a child or spousal support claim and/or division of family property.	Refugee claims and immigration issues that could result in removal from Canada. LABC funds two external community organizations to provide legal services for cases before the Mental Health Review Panel and some prison law issues.
<p>Manitoba (MB): Legal Aid Manitoba (LAM)</p> <p>Status: LAM is an independent organization operating at arm's length from the government. LAM became a government funded program in Manitoba in 1971. The Legal Aid Manitoba Act is the provincial legislation which established LAM as an independent organization.</p>	<p>LAM provides legal services to low-income adults and youth in Manitoba who qualify financially and have a case with merit. Depending on financial circumstances clients may receive free legal aid or be required to contribute to the cost of their certificate. Applications can be completed online with a follow up phone call within 30 days or online. Counsel are able to take complete applications from their clients.</p>	Yes -- Indictable and summary only if there is likelihood of incarceration, loss of employment upon conviction or risk of deportation upon conviction.	Yes	Yes	Yes -- LAM also offers collaborative law and provides counsel for uncontested divorces where parties have been separated for one year.	Immigration and refugee; Mental Health Review Board. The Public Interest Law Centre represents eligible individuals or groups for human rights, Indigenous rights, consumer rights, poverty and protection of the environment.
<p>New Brunswick (NB): New Brunswick Legal Aid Services Commission (NBLASC)</p> <p>Status: On December 12, 2005, <i>An Act to Amend the Legal Aid Act</i> established the New Brunswick Legal Aid Services Commission (NBLASC), which reports to the Legislative Assembly through the Minister of Justice and Public Safety.</p>	<p>NBLASC conducts a financial assessment based on three factors: income, allowable deductions and household size. Generally, people with low income, those on social assistance and youth qualify for free representation.</p> <p>If the services identified fall within NBLASC scope of service and the household income falls within one of the three tiers, a client can get full representation. Client contributions must be paid in full before a certificate will be issued.</p>	Yes	Yes	Yes	Yes -- Cases are screened and priority is given to urgent cases and those which can directly benefit children. Family Advice Lawyer services are available to explain how the court works, the rules of the court, the forms that must be filed; or provide information on family law matter. Services are also available to persons named on an Emergency Intervention Order or Emergency Protection Order; or to assist an applicant prepare a motion for substituted service of an Emergency Intervention Order.	The Public Trustee of New Brunswick can be appointed to protect the financial and/or personal interests of the elderly who have become mentally incompetent or incapable of managing their affairs due to infirmity.

¹ Serious criminal matters with likelihood of incarceration

² Family with merit (excluding uncontested divorce and sole property claims)

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<p>Newfoundland and Labrador (NL): Newfoundland and Labrador Legal Aid Commission</p> <p>Status: Newfoundland and Labrador's Legal Aid Commission was created in 1976 by the <i>Legal Aid Act</i>. The Legal Aid Commission is an arms-length Crown agency responsible for the administration of legal aid services and reports to the provincial Minister of Justice only for funding purposes.</p>	<p>Legal Aid provides a range of legal services to low income individuals in Newfoundland and Labrador in the areas of family and criminal law.</p> <p>Those who are eligible can access the service of one of Legal Aid's experienced lawyers located throughout the province of Newfoundland and Labrador.</p> <p>There are two requirements clients must meet to get Legal Aid. First, clients must fit within Legal Aid's financial requirements. Second, their legal matter must be one of the types of legal matters that Legal Aid covers.</p>	Yes	Yes	Yes	Yes	Refugee claims, Adult Protection, Mental Health Care and Treatment Review Board hearings, Newfoundland and Labrador Review Board hearings, and matters before administrative Boards and Tribunals respecting a person's income, entitlement to benefits or ability to earn a living.
<p>Northwest Territories (NT): Northwest Territories Legal Aid Commission</p> <p>Status: Legal aid in the Northwest Territories is administered by the Legal Aid Commission, established as a corporation by the <i>Legal Aid Act</i>.</p>	<p>To apply for legal aid, clients must make an appointment with one of the legal aid offices in Yellowknife, or with a community court worker for assistance with filling out an application.</p> <p>In order to qualify for legal aid, clients must meet financial eligibility requirements. Clients may be required to pay some or all of the costs of their case as determined by their total household income and number of dependents.</p>	Yes	Yes	Yes	Yes	<p>Outreach Legal Aid Clinics provide free limited, confidential legal information and advice (cannot provide representation).</p> <p>Clinics assists people dealing with issues such as: Housing, landlord, and tenant disputes; Disability, Canada Pension Plan, EI and Income Support Claims and Appeals; Employment Rights; Worker's Health and Safety Commission claims; Wills and estate advice; Mental health and guardianship reviews; Child protection matters; Elder abuse; Family Law; and Debtor, creditor or civil claims (formerly known as small claims court).</p>
<p>Nova Scotia (NS): Nova Scotia Legal Aid Commission (NSLAC)</p> <p>Status: NSLAC was created in 1977 by the <i>Legal Aid Act 1</i> and is responsible for all matters relating to legal aid.</p>	<p>NSLA considers financial eligibility, scope of service and merit in determining eligibility. A person may qualify financially if they are in receipt of income assistance, in a position equivalent to income assistance when taking into consideration their legal costs, or where obtaining private legal representation would cost undue hardship. NSLA provides services for youth criminal and social justice matters, criminal and family court based duty counsel and twenty-four telephone duty counsel services for any individual who has been detained, , without financial qualification.</p> <p>Individuals may apply in person, by phone or through an on-line process. The on-line process has become the primary way in which people apply for legal aid. Once the application is received, it is assessed based on the criteria outlined above.</p>	Yes	Yes	Yes	Yes -- NSLA provides a full range of legal services in family matters from summary legal advice to limited retainer to full service. NSLA has summary advice counsel services at all court houses. Representation includes divorce matters, emergency protection orders and applications for legal aid involving domestic violence are given priority.	NSLA provides legal representation for Involuntary Psychiatric Treatment matters, prison law matters and social justice matters focusing on income and housing security issues such as Canada Pension Plan, Employment Insurance, Income Assistance and residential tenancies matters.
<p>Nunavut (NU): Legal Services Board of Nunavut (LSB)</p> <p>Status: LSB was established on July 1, 2000. Prior to that date, a joint Board of Directors made up of members from both the Northwest Territories and Nunavut administered the delivery of legal services</p>	<p>LSB provides legal aid services in each region of Nunavut through regional legal aid clinics based in Iqaluit, Rankin Inlet and Cambridge Bay. Each clinic is staffed by a complement of family and criminal lawyers, administrative support, and court workers. Court workers are based both within the clinics and in the communities. As the territory's legal aid plan, LSB is responsible for providing legal services to financially eligible Nunavummiut in the areas of criminal, family and civil law. Lawyers help people who have kids and problems with their common-laws or Social Services. Civil Lawyers help people who have daily problems like with their landlords or employers. Legal Aid Lawyers also fly to communities for court.</p>	Yes	Yes	Yes	Some family law plus family law information line	Some civil law plus civil/poverty information line
<p>Ontario (ON): Legal Aid Ontario (LAO)</p> <p>Status: In July 2020, the Ontario legislature passed the <i>Legal Aid Services Act</i>, (2020), which governs</p>	<p>To determine a prospective client's financial eligibility for legal aid services, LAO applies an income and asset test based on family size. If an individual exceeds the income and/or asset thresholds, LAO may deem them ineligible for legal services.</p> <p>LAO delivers legal aid services by employing lawyers and other persons to provide the services; and authorizing lawyers, law firms, community legal organizations, Indigenous legal services organizations, student legal services organizations or</p>	Yes – LAO provides duty counsel services to all accused on bail matters; certificate services for indictable and summary if there is a likelihood of incarceration; and some	Yes	Yes	Yes	Poverty law services are provided by 73 community legal clinics funded by LAO. This includes services for clients dealing with housing, landlord/tenant, employment

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legal aid in Ontario.	other persons or entities to provide the services as service providers.	clinic services in other areas of criminal law.				insurance, disability, workplace safety and human rights/immigration issues, among others. LAO provides coverage for civil mental health matters such as psychiatric patients seeking help with Consent and Capacity Board (CCB) and Ontario Review Board (ORB) matters.
Prince Edward Island (PEI): Prince Edward Island Legal Aid Status: PEI is the only province that provides legal aid directly through a government department. The Office of the Attorney General administers legal aid services through the Legal Aid Division. There is no specific legal aid legislation.	PEI Legal Aid is an access to justice program, providing legal representation and assistance to low income individuals who have serious legal needs in the areas of criminal law, youth criminal justice, or family and civil law. Family legal aid provides direct legal representation and assistance by lawyers to individuals who cannot afford to hire a private law firm lawyer when faced with a serious family or related civil legal problem. The first step is to contact your local legal aid office in Charlottetown or Summerside, to make an application. If your legal problem is one that is covered by legal aid, staff will assist in completing your application.	Yes	Yes	Yes	Yes, where domestic abuse is identified. Some less urgent family situations.	Civil legal aid coverage apart from family law is limited to child protection law, involuntary hospitalization under mental health law, and adult protection laws.
Québec (QC): Commission des services juridiques (CSJ) Status: The CSJ was created by the Legal Aid Act.	Legal aid is provided free of charge or with a contribution from the recipient. There is a two-part eligibility test to receive legal aid, the client must be financially eligible, and the services requested must be covered. Anyone who receives financial assistance of last resort, other than a special benefit, under the Individual and Family Assistance Act or any family member receiving such a benefit is considered financially eligible for assistance.	Yes	Yes	Yes	Yes	Immigration; claims regarding benefits for social assistance, automobile insurance, unemployment insurance and worker's compensation.
Saskatchewan (SK): Legal Aid Saskatchewan (LAS) Status: LAS was established pursuant to the Legal Aid Act which came into force in September 1983.	Legal Aid does a financial test to determine if clients are eligible for services. Individuals receiving social assistance or band assistance are eligible for Legal Aid. All youth are eligible. Some low-income individuals may be eligible for Legal Aid where discretion is applied.	Yes	Yes	Yes	Yes	None
Yukon (YK): Yukon Legal Services Society (YLSS) Status: YLSS is an independent, non-profit organization funded by the Government of Yukon and the Government of Canada. In accordance with the Legal Services Society Act a Board of Directors appointed by the Yukon Minister of Justice governs the YLSS.	To receive legal aid, the client must: have a legal problem that YLSS covers; have income and value of property below a certain limit or agree to pay a contribution to YLSS. In some civil matters, there must also be a strong reason (merit) for providing legal aid. The legal problem must be something that a reasonable person of modest means would, if financially able, pay a lawyer to do.	Yes.	Yes	Yes	Interim family matters if children are involved and child protection.	Mental Health Act