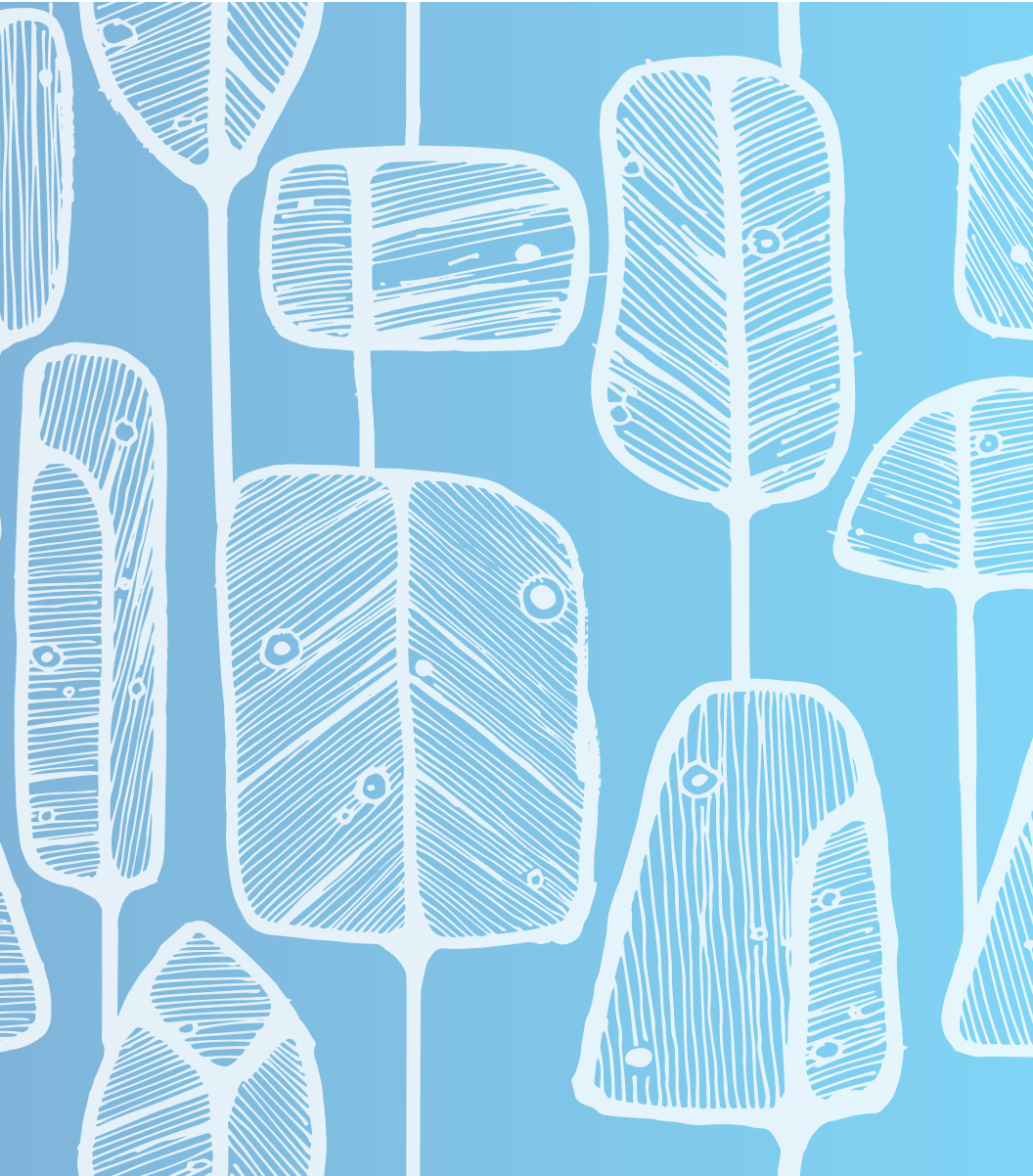
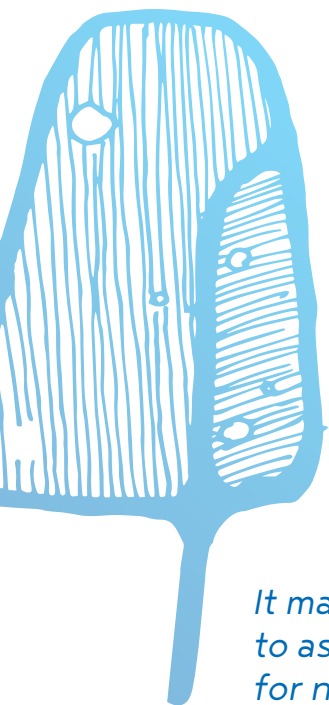


# Legal Matters





*It may be helpful  
to ask friends or co-workers  
for names of good lawyers.*

# Finding a lawyer

Professional legal advice can help you fully understand your legal rights. Lawyers can give you professional legal advice about getting a peace bond, custody of the children, separation and divorce, and other legal matters. Though you might be scared or nervous about going to a lawyer, remember that a lawyer is there to help you if you want to explore your legal options.

## RESOURCES

If you don't have a lawyer, you can call the Legal Information Society of Nova Scotia's lawyer referral service . . . . . Toll-free 1-800-665-9779  
Halifax . . . . . 902-455-3135  
[legalinfo.org/i-have-a-legal-question/lawyers-legal-help/#lawyer-referral-service](http://legalinfo.org/i-have-a-legal-question/lawyers-legal-help/#lawyer-referral-service)

If you can't afford a lawyer, you can contact **Nova Scotia Legal Aid** (see page 146 for the location nearest you). This agency may provide free legal services on family law, criminal law, and social justice matters. If you meet the income criteria and have a legal issue that Legal Aid covers, you can get full legal representation at no cost.

Legal Aid works to provide some level of service to all people in the areas of law that they cover (criminal, family, and social justice). Even if you do not qualify financially you may receive some level of service. This could range from summary advice (that is, brief, basic legal advice) from a Legal Aid lawyer in the office to full representation in Court by a Legal Aid lawyer.

In some situations, Legal Aid may also enter into repayment agreements for people who don't qualify but may not be able to afford to hire a private lawyer. Legal Aid would consider the person's specific circumstances (for example, whether that person has experienced abuse).

*You can call your local Legal Aid office for more information or to book an appointment. See page 146 at back of this book for legal aid. You can also apply for Legal Aid online at [nslegalaid.ca/online-application](https://nslegalaid.ca/online-application).*

**Legal Aid can't work for both you and your partner.** If your partner calls first, Legal Aid lawyers can't help you, but they can provide a Legal Aid certificate, which you can take to another lawyer if you qualify for aid.

*Find the Legal Aid office nearest you at: [nslegalaid.ca/legal-aid-offices](https://nslegalaid.ca/legal-aid-offices)*

You can also talk to summary advice lawyers who work at the family courts throughout the province. The **Summary Advice Counsel** is a court-based service provided by Legal Aid in Supreme Court Family Division and Family Courts throughout Nova Scotia. It is separate from the summary legal advice provided by Legal Aid lawyers in their offices. Summary Advice Counsel helps people who need advice on family law matters, but do not have a lawyer of their own. They provide basic legal advice free of charge, regardless of income level.

*You can find contact information for the summary advice lawyer nearest you at: [nsfamilylaw.ca/services/court/summary-advice-counsel](https://nsfamilylaw.ca/services/court/summary-advice-counsel)*

***You should not sign any papers that might affect your legal rights until you speak to a lawyer.***

A lawyer may ask you for:

- your marriage certificate or proof of registration for your Registered Domestic Partnership, and the lease, deed, or mortgage to your house
- your partner's most recent pay stubs or income tax return
- your income tax return
- bank statements
- immigration papers/passport
- a written record of your partner's abusive actions
- any court orders and notice of court applications

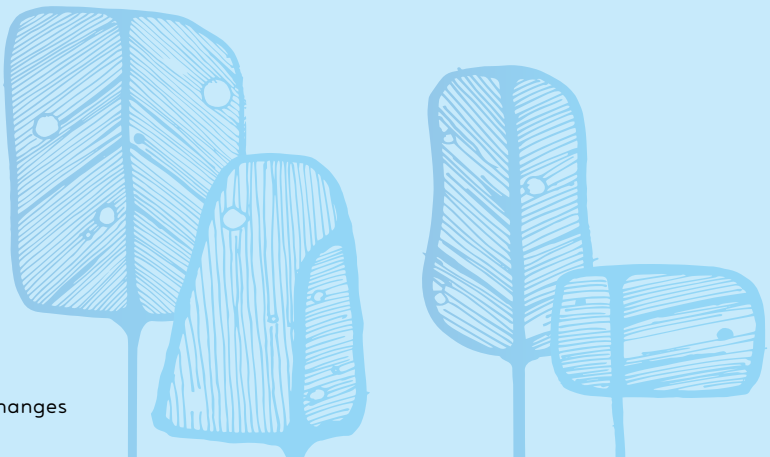
Lawyers are paid by the hour. Depending on the circumstances, lawyers may require a deposit from you. This deposit is called a **retainer**.

# QUESTIONS FOR YOUR LAWYER CHECKLIST

**When you see a lawyer, you may find it useful to bring a list of questions and as much information with you as you can.**

Here are some issues you may want to discuss with the lawyer:

- legal fees
- custody and access to the children
- who can take the children
- spousal support and child support
- applying for income assistance
- managing debts and assets
- what money is yours
- separation and divorce
- property rights
- concerns about your immigration status
- who has rights to the house and belongings that you and your partner shared
- going to Court and what to expect in Court
- what the Judge will ask
- whether you should apply for a Peace Bond or an Emergency Protection Order
- whether you or your partner can leave the province or country



# Where can I find out more?

There is information on legal matters throughout this book. You can refer to the table of contents for where to find information about particular topics (for example, information about criminal charges, getting a Peace Bond or Emergency Protection Order, ending a lease early because of domestic abuse, child protection issues, child support, property issues, and spousal support).

*See pages 95–96 for information about Legal Aid and what services it provides.*

The following section provides information about other legal resources and getting a lawyer.

# Getting information

The **Family Law Nova Scotia** website is a good resource for legal information on family law matters. Transition houses are also good resources for information on police procedures, how the justice system works, and legal matters. The staff at the transition house can also help you access legal advice. You can contact a transition house for help even if you are not staying there.

## RESOURCES

**Family Law Nova Scotia:** [nsfamilylaw.ca](http://nsfamilylaw.ca)

**Transitions House Association of Nova Scotia:** [thans.ca](http://thans.ca)

More information about the law, lawyers, and legal matters is available from the **Legal Information Society of Nova Scotia (LISNS):** [legalinfo.org](http://legalinfo.org)

**If you need legal information and resources in French,** you can contact the Association des juristes d'expression française de la Nouvelle-Écosse (AJEFNE). Through its bilingual Justice Access Centre, AJEFNE provides free legal information in person, by telephone, and online. You can contact AJEFNE at 902-433-2085 (toll-free 1-844-250-8471) or visit their website: [ajefne.ns.ca](http://ajefne.ns.ca)



# Legal Information Society of Nova Scotia (LISNS)

LISNS provides legal information to members of the public including:

## **A lawyer referral service**

Private lawyers who are part of the Lawyer Referral Service offer an initial consultation of up to 30 minutes for a fee of \$20 plus tax.

Call Monday to Friday 9:30 am-1 pm, and 2pm - 4:30 pm  
.....902-455-3135  
.....Toll-free 1-800-665-9779

Messages for return phone calls are not accepted.

## **A Legal Information Line**

Through the Legal Information Line people can get free legal information from a Legal Information Counsellor, or use their Lawyer Referral Service to find a lawyer who can give legal advice. You can call the line Monday to Friday from 9:30 am to 1:00 pm and 2:00 pm to 5:00 pm. If you can't get through please try again later.

[legalinfo.org/how-lisns-can-help/i-need-a-lawyer](http://legalinfo.org/how-lisns-can-help/i-need-a-lawyer)

Some RCMP and police offices have **Victim Services** which provide information and support to people who have been abused. Victim services also provide information about community resources and what to expect as the case moves through the justice system.

There are also provincial Victim Services offices in four regions of the province. These offices serve all of Nova Scotia, and are a service of the provincial Department of Justice. Staff at these offices can answer questions about your case and the criminal justice process, keep you informed of court proceedings, and help you prepare to testify in Court.

## RESOURCES

Help on family law matters is also available in Cape Breton and Halifax Regional Municipality at **Family Law Information Program Centres** at the Family Division of the Supreme Court. [nsfamilylaw.ca/services/court/family-law-information-centre](https://nsfamilylaw.ca/services/court/family-law-information-centre)

Brochures on legal information for newcomers and immigrants experiencing abuse are available in eight languages from the Legal Information Society of Nova Scotia. [legalinfo.org/i-have-a-legal-question/newcomers-to-canada](https://legalinfo.org/i-have-a-legal-question/newcomers-to-canada)

## Independent Legal Advice

To give adult survivors of sexual assault better support, the province of Nova Scotia created the Legal Advice for Sexual Assault Survivors program.

To be eligible, participants must be 16 years or older, and the assault must have taken place in Nova Scotia.

Eligible individuals can call 211 to register for the program. Details about what happened are not required to register. You only have to acknowledge that you were sexually assaulted in Nova Scotia, and that you would like to speak with a lawyer.

If you're not sure if you were sexually assaulted, you can still call 211 NS and register for the program. When you meet with the lawyer, they will help you define what happened to you according to the law.

After registering, a package with a certificate number for 2-hours of legal advice is mailed or emailed to the individual depending upon their needs. The package includes a list of participating lawyers, their profiles, and their contact information.

Once you choose a lawyer, you can contact them to speak with them and provide them the 2- hour certificate number. This is how they will know that you are part of the program.

- You can meet with the lawyer in person, by telephone, or through videoconferencing or Skype.
- During your session, the lawyer will help you figure out your legal options, like deciding if you want to report to the police, pursue civil action or take no action.
- The certificate is for you to talk to a pre-approved lawyer about your sexual assault and for you to get legal advice about the assault. The certificate can only be used for this purpose. It is not for legal representation in court.
- If more time is needed, you call 211 again and they will send you another certificate number for another 2-hour session of legal advice.

## **Confidentiality**

Before you share what happened to you, the lawyer will explain any limitations of confidentiality. Once you understand these limits, you can choose to go through with the session or not.

## **Translation services**

If English or French is not your first language, translation services are available for free. Because it can take more time to have an effective meeting with a translator, you will have 3 hours with the lawyer and translator for every 2-hour certificate used.

Laws and rules can be different from province to province. Nova Scotia lawyers can only give advice on laws, programs, and services that exist in Nova Scotia.

The program was developed by Nova Scotia's Department of Justice, but the Department does not have access to participants' names or contact information. When the lawyers send in their invoices, they use the certificate number only.

## **RESOURCES**

Legal advice for sexual assault survivors:  
[novascotia.ca/sexualassaultlegaladvice](https://novascotia.ca/sexualassaultlegaladvice)

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