

# WESTERN CANADA SOCIETY TO ACCESS JUSTICE

*A Non-Profit Charitable Society (Reg. # 87068 4123 RR0001)*

## VOLUNTEERING WITH ACCESS JUSTICE

Volunteers make Access Justice possible and there are many ways you can contribute your unique talents to help out. The Society welcomes volunteers with varying skill levels and abilities to help with different areas of the organization, including *pro bono* legal clinics, office administration, promotions and marketing, communications, research, and development. Our volunteer lawyers donate about two hours a month (that works out to approximately \$5,000 of legal advice per year!). For non-lawyer volunteers, we ask about two to three hours a week with a commitment of six months. If you work in a clinic, that will be a very specific two to three hours, but many of our positions have no set time requirements.

**Volunteers are required to make the commitment of a minimum for 6 MONTHS. If you are unable to make this commitment, please withdraw your application. Consistent involvement at Access Justice is a necessary requirement.**

### Pro Bono Legal Clinics

Clinics are held for two hours at a time. Most clinics occur during the day while a few of them occur in the evenings, so volunteers can choose a time and location that works for them (see attached list of clinic locations and times). The volunteer positions available are:

#### **Clinic Assistants (Chaperones)**

Clinic Assistants attend the *pro bono* clinics to ensure the clinic runs smoothly and provide assistance to lawyers and clients where necessary. This position includes confirming lawyer and client bookings as well as sending client information to the volunteer lawyers. This position involves interacting with clients so it would suit volunteers who have a compassionate nature and who are flexible. Most clinics run during business hours (Monday-Friday 9-6pm)

#### **Client Call Volunteers**

We also have a roster of volunteers who are responsible for client inquiries. This role would involve learning all about Access Justice so as to intelligently answer potential clients' questions, referring them to our various clinics and taking care of the booking of clients. Client Call Volunteers are the ones that start the ball rolling for clients attending the Pro Bono clinics. Volunteers will be able to get a general feel about the legal issues of the general public. Volunteers will come into the office to do their Client Call shifts once a week for 2.5-3hours.

#### **Community Reps (Community Awareness and Promotion)**

Although we know there is a pressing need in almost all communities for legal help to those on low income, many people do not know about our *pro bono* clinics. Community Reps ensure that the people who need our services know about it. Volunteers here sustain and promote awareness for Access Justice within their community/region. Distribution of brochures and posters is usually

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done through certain “client providers” which may be social agencies, legal aid offices, places of worship or courthouse clerks. Awareness and promotion are maintained by using creative means.

## **Info Booth Team**

Info booth volunteers set up tables at libraries, post-secondary institutions, wellness fairs and other public places to inform the community about the *pro bono* clinics and to recruit new volunteers. Volunteers are usually required for 4 hours every other month. This is suitable for volunteers who enjoy interacting with the public

## **Office Administration**

### **General office volunteers**

General office volunteers help with filing, mailing, photocopying, typing and correcting documents, liaising with social agencies and lawyers or dictating. This is suitable for volunteers who enjoy office work. Office hours are 8:00 a.m. to 6:00 p.m. Monday to Friday.

### **Lawyer Recruit/scheduling Callers**

Telephone callers help recruit or schedule lawyers to Access Justice by making the call to lawyers and law firms. Volunteers must have excellent communication and spoken English skills. There maybe some cold calling.

## **Statistician**

With the growth of Access Justice, we are looking for volunteers to join our new marketing committee and to help prepare the following marketing items: 1) Create a fact sheet 2) Create a statistical background of organization 3) study existing clinic and client data to work out a forecasting formula Volunteers can work at home or at Access Justice office. This position requires about 3-4 hours a week.

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## SUMMARY OF *PRO BONO* PROGRAM

Who are we? Our Directors are all lawyers. Over 470 volunteer lawyers attend our clinics, approximately once a month. Our funding (approximately \$130,000 in 2004) is almost entirely from lawyers.

Where are we? We have opened 65 clinics, of which four are outside B.C. and the furthest east is in Winnipeg. Most of the clinics are in B.C., particularly in the Lower Mainland.

How do the clinics work? Social agencies provide the room for the clinic (normally one 2-hour session per week, with approximately 4 clients for half an hour each). The social agencies also (a) sort clients into criminal, family and civil categories, (b) screen out those eligible for Legal Aid or able to afford a lawyer, (c) make clients' appointments at the clinic with a lawyer in the appropriate field, and (d) send the lawyer a client list showing the opposing party before the clinic so that the lawyer can check his/her conflict list.

How do our *pro bono* lawyers work? They do not prepare typed letters of legal documents in the way they normally would in their offices. They give advice and help clients do the work. They do not take work home. The *pro bono* clients do not call the lawyers if they want a follow-up session; they call our clinic. The lawyers do not go into court or go on the record. They prepare the client to go into court, help the client gain a winning attitude (with emphasis on preparation) and take the fear out of the legal process.

What is the need for *pro bono*? Most people think Legal Aid looks after the poor, but less than one-tenth of needy clients receive Legal Aid. Legal Aid in B.C. is mainly for serious criminal cases and some family matters. Sometimes even destitute mothers cannot obtain Legal Aid for divorce and other proceedings in the Supreme Court. For those few areas of law covered by Legal Aid, the means test is so low that most cannot qualify; family law, where the means test is reasonable, is an exception. Our courts are inundated with confused, unrepresented litigants. We estimate our Society's lawyers see about 550 clients per month, but that is only a small fraction of the total in need.

What other services do we provide? Our support services include (a) a public multiple access telephone line to connect with our clinics (604-878-7400 in Greater Vancouver or toll free at 1-877-762-6664), (b) a website ([www.accessjustice.ca](http://www.accessjustice.ca)), (c) videos that can be viewed by clients on the web, and (d) reference law manuals to help our lawyers access up-to-date legal information.

What do we need? To continue to expand and improve our service, we need volunteers to place signs, type, help at clinics, and take calls. We need many more lawyers, particularly in family, criminal and civil litigation. We also need donations to help further expand our service. We rely almost entirely on lawyers' donations for our budget of approximately \$130,000 per year.

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## BACKGROUND INFORMATION

### What is The Western Canada Society to Access Justice?

The Western Canada Society to Access Justice (known simply as Access Justice) is a non-profit, registered charity, which seeks to improve access to justice for Canadians who are on low income. The Society does this by:

1. Offering *pro bono* (free) legal clinics
2. Increasing public awareness about barriers to the legal system.
3. Lobbying for changes to make the legal system more just and accessible.

### Why is there a need for an organization like Access Justice?

According to Statistics Canada, half the population of B.C. earns less than \$21,000 a year. At this level of income, many British Columbians cannot afford the services of a lawyer, which can easily run into the thousands of dollars. For example, the cost of two days in court for a civil trial can cost from \$10,000 to \$15,000 and a contested divorce may cost from \$6,670 to \$8,180 (*Vancouver Sun*, May 21, 2003, B1). To make matters more difficult, in 2002 the B.C. government announced that it plans to cut Legal Aid by 40 percent over three years. The result is that about 9 in 10 people who apply for Legal Aid are turned away. Inability to afford legal services coupled with cutbacks to Legal Aid illustrates why our community needs an organization like Access Justice.

### What is the history of Access Justice?

Access Justice was founded in 1990 by lawyer Dugald Christie and was originally known as The Lower Mainland Society to Assist Research of Trials (START). In the beginning, the Society was comprised mainly of senior litigation lawyers and its mandate was to conduct research on barriers to the legal system. In 1999, the Society broadened its mandate to include *pro bono* work. By 2002, the Society had *pro bono* clinics at 37 locations across western Canada, most of them in British Columbia.

### How does Access Justice work?

Access Justice is a volunteer-driven organization overseen by a volunteer Board of Directors, all of whom are practicing lawyers.

### How do the *pro bono* legal clinics work?

The basic concept of the *pro bono* program is to provide a setting for lawyers to give two hours of their time each month to help those who cannot obtain lawyer's help elsewhere. The Society works with various social and charitable agencies to arrange and administer half hour appointments for needy clients with a lawyer qualified to deal with

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the client's particular problem. The agencies provide the facilities and the Society provides the lawyers and support services such as manuals, videos, and online booking.

To access the Society's free legal services, clients call a clinic that deals with the area of law they need help with. They are then screened to confirm that they qualify for free service. Access Justice uses criteria similar to those used by other social agencies:

To be eligible for most of our legal advice services, your net monthly household income must be below the amount for your household size in the table below.

<b>Household size*</b> <i>(number of family members)</i>	<b>Net monthly income**</b> <i>(income after taxes)</i>
1–4 or fewer	\$3,085
5	\$3,625
6	\$4,200
7 or more	\$4,750

\*Family members include children and parent(s) or other adult(s) responsible for and living with the children.

\*\*Income is your net income from all sources, excluding that of a new spouse or common-law partner of two years or less, and child support payments.

Clients who meet these criteria are booked for one half-hour session at a time. There are **generally** no limits as to the number of half-hour sessions a client may book.

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## ACCESS JUSTICE SUMMARY REPORT

### Progress Report

- **95% of British Columbians** on low income can now obtain ongoing help from a lawyer at a clinic within half an hour in the Lower Mainland and within one-and-a-half hours elsewhere.
- We have **60 clinics throughout BC**, four more outside B.C. and over 470 lawyers participating monthly.
- After 8 years of litigation and thanks to our pro-bono lawyer Darrell Robert, Q.C., Koenigsberg, J. on Feb 8, 2005 ordered that S.S. Tax on low income clients' bills is unconstitutional (**Christie v. the A.G. for B.C.**)!
- We have tested and now run **"televideo clinics,"** which use a unique combination of phone, fax, and webcam for remote clinics in Prince Rupert, Terrace, Smithers, Grand Forks and Trail.
- We have set up **specialized clinics at the Courthouse** and two neighboring sites in downtown Vancouver including Personal Injury, Wrongful Dismissal, Government Benefits, Chambers Application, Bankruptcy/Insolvency, Family, Condos/Construction, and Estate Litigation with over 20 sessions per week.
- We have developed a **"clinic reporting system"** for lawyers to send fax reports with the number and nature of their client interviews. We then record and analyze them on our own custom-built computer program.
- Our various clinic reporting systems qualify our lawyers for **free insurance benefits from the Law Society.**
- **Our website** ([www.accessjustice.ca](http://www.accessjustice.ca)) now tracks 85% of client appointments and 95% of lawyer appointments. It contains user-friendly, innovative programs including a clinic search engine.
- **Our client hotline** serves every community in the province using a toll-free number.
- We now have **nine staff members**, of whom two are part-time.
- We now have **support from the Law Foundation** (\$62,000), **the Law Society** (\$15,000 grant), **the CBA** (\$5,000 grant for our S.S. Tax challenge), **the Vancouver Bar** (\$4,500), and **the grassroots support of the profession** (approx. \$100,000 last year).
- We were among the four leading contenders for **the American College of Trial Lawyers' award** for the best-run legal service for low-income clients in North America!

### Goals

**Our overall goal is to achieve excellence in quality all our clinics and fully utilize them so that most low-income British Columbians can and do access first-class, free, convenient lawyer services.** In particular:

- **Publicity** – To publicize our clinics so that 80% of the public are aware of our services
- **Clinic Attendance** – To double the number of clients attending our clinics
- **Clinic Reporting** – To improve the delivery of lawyers' clinic reports to virtually 100% compliance
- **Client Hotline** – To provide continuous, reliable Hotline service to book appointments throughout B.C.
- **Volunteer Training Courses** – To provide all volunteers with free training courses

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- **Inspectors** – Volunteer “inspectors” will regularly visit each clinic to assist them and report to us
- **Complaint Handling System** – To form a user-friendly system of addressing complaints
- **Think Tank Group** – To form a working group of lawyers and laypersons to process complaints and suggestions and develop recommendations and policies for consideration by our Board of Directors
- **Support** – To continue to develop support from the Law Society, the CBA, the Law Foundation, Pro Bono Law B.C., the Judiciary, federal and provincial governments, and other key organizations
- **Support of Clients Seeking Justice in the Courts** – To continue to research and publish facts and statistics relating to the length and cost of court proceedings
- **Reduce Cost of Legal Services** – To win our cross-appeal and abolish S.S. Tax on all lawyers’ accounts!
- **To promote freedom for lawyers** from taxation and over-regulation so that they can provide all their clients with first-class, affordable and timely service
- **Expansion Eastwards** – To open 1 clinic in Saskatchewan, 3 in Manitoba, & 1 in Ontario (Kenora) to give us 8 clinics outside B.C.

**Our Website:** For letters of recommendation from Chief Justice Brenner, details of our S.S. Tax challenge, and other interesting information, please see our website ([www.accessjustice.ca](http://www.accessjustice.ca)).

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## COMMITMENT/EXPECTATIONS FOR ALL VOLUNTEERS

The service of helping the general public regarding legal help is demanding and in our efforts to provide a high quality of service to the community, we need to depend on our volunteers to be responsible, dependable, caring and skilled. We take your involvement with Access Justice seriously and will expect you to do the same. Below is an outline of the commitments and expectations we have of our volunteers.

1. Volunteer applicants with Access Justice are required to complete the training and supervision program. Training program's length of time will depend on the volunteer position. It can range anywhere from 3-12 hours. To successfully complete the training, volunteers must complete all training sessions.
2. **Volunteers are required to make the commitment of a minimum for SIX MONTHS. If you are unable to make this commitment, please withdraw your application. Consistent involvement at Access Justice is a necessary requirement. We cannot provide reference letters for any services shorter than six months.**
3. A volunteer is **responsible** for a shift he/she has signed up for. If you cannot make a shift, Please let the volunteer coordinator know and we'll work something out.
4. Volunteers must always be available to get in contact with the staff members. Please keep us updated with your most recent contact numbers and e-mails. You will be released from this position if communicating with you is a consistent problem.
5. Access Justice expects all volunteers to at all times demonstrate:
  - A. respect for his/her fellow Volunteers and Staff members
  - B. respect for all clients
  - C. to keep all information discussed confidential
  - D. to keep all information discussed at the office or within your private residence.
6. All volunteers are expected to show a commitment to honesty and integrity at all times when dealing with coworkers or clients.
7. If you need to discontinue your volunteering, please give us **2 months** notice. I will not give out references to anyone who will not give me two weeks notice.

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# **WESTERN CANADA SOCIETY TO ACCESS JUSTICE**

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## **CODE OF CONDUCT**

### **A. GENERAL**

All persons performing functions for or acting on behalf of Access Justice (including directors, employees and volunteers) must in all circumstances when acting as such conduct themselves with dignity and in accordance with the highest standards of integrity, ethics and competence.

All such persons will at all times strive to maintain and improve their competence.

Access Justice and all persons performing functions for it or acting on its behalf must at all times comply with the provisions of the Society Act (British Columbia) and all other laws that apply to it or them when acting as such. Lawyers advising members of the public in facilities or programmes organized or sponsored by Access Justice must in doing so observe the provisions of the Professional Conduct Handbook of the Law Society of British Columbia.

### **B. FAIR DEALING WITH CLIENTS.**

1. Access Justice and its directors, employees, and volunteers must at all times deal fairly with all clients.
2. Lawyers advising members of the public in facilities or programmes organized or sponsored by Access Justice must:
  - (a) disclose to clients any circumstance which could reasonably be expected to impair their ability to render unbiased and objective advice or decisions; and
  - (b) observe the provisions of the Professional Conduct Handbook of the Law Society of British Columbia.

### **C. CONFIDENTIALITY AND PRIVACY**

Access Justice and its directors, employees and volunteers must take all necessary steps to ensure that:

1. information communicated by or on behalf of clients is held in confidence and protected from disclosure; and
2. “personal information”, as defined in the “Personal Information Protection Act” (British Columbia) is protected in the manner and to the extent provided in that Act.

### **D. MEDIA RELATIONS**

Directors, employees and volunteers and persons performing functions on behalf of Access Justice must not provide statements to the media or address matters of public debate on behalf of Access Justice unless they have prior authorization to do so.

\* The Code of Conduct was formally adopted by Access Justice on the 25<sup>th</sup> day of October, 2007.

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## ACCESS JUSTICE VOLUNTEERS CONTRACT

We need to depend on our volunteers to be responsible, dependable, caring and skilled. We take your involvement with Access Justice seriously and will expect you to do the same. Below is an outline of the commitments and expectations we have of our volunteers. If volunteers are consistently breaking these rules, they will be let go (i.e. Three strikes, you're out!)

1. **Volunteers are required to make the commitment of a minimum of 3-4 hours each week 6 months. Please if you are unable to make this commitment, please withdraw your application. Consistent involvement at Access Justice is a necessary requirement.**
2. A volunteer is **responsible** for a shift he/she has signed up for. If you cannot make a shift, you are **required** to call the head office or notify the Volunteer Coordinator. If you must cancel a shift, please notify us two weeks in advance. If you consistently miss shifts, you might be released from this position.
3. When a volunteer retires from his/her position, the volunteer is required and very much appreciated to provide one or more than one training sessions to his/her substitute volunteer to allow the substitute person to practice and shadow the retiring volunteer's duties.
4. All Volunteers are expected to commit themselves to a high quality of service and to participate in and cooperate fully with on-going opportunities for feedback, support and supervision.
5. All volunteers are expected to show a commitment to honesty and integrity at all times when dealing with coworkers or clients.

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## POLICIES AND PROCEDURES

At Access Justice, there are not a lot of rules and regulations. The major ones when transgressed, are punishable by immediate dismissal. The lesser ones are discussed with the volunteer and are then followed by a probation period

1. Volunteers on shift cannot be under the influence of alcohol or drugs, other than prescriptions that do not affect performance, thoughts or actions.
2. No information is to be given to callers (including persons of authority) regarding names, phone numbers, personal details or shift information of any volunteer.
3. Please arrive 5-10 minutes before your shift and call if you will be late.
4. No pets are allowed in the office.

\_\_\_\_\_  
Volunteer's signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Volunteer Coordinator's signature

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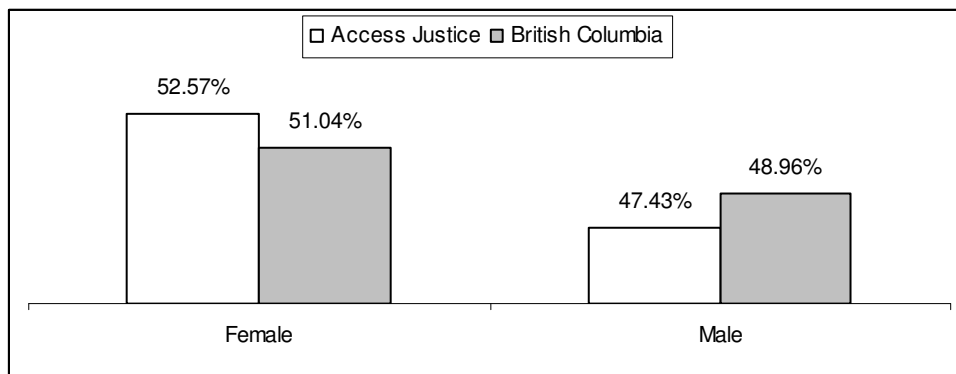
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## OUR CLIENTS

Between 2004 and 2008, a total of 17,697 client appointments consulted with 675 volunteer lawyers at clinics set up by Access Justice for legal matters in family, criminal, immigration, and civil law.

The following describes some of the attributes<sup>1</sup> of our clientele and compare them with the population attributes of British Columbia. We expect a difference between our clientele and the population of the province because Access Justice services solely low income mostly urban clients in British Columbia.

### I. **Gender:** Access Justice's 4,516 client samples (December 5, 2008) vs. British Columbia's population



*Statistics Canada. 2007. British Columbia (table). 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13, 2007.*

<<http://www12.statcan.ca/english/census06/data/profiles/community/Index.cfm?Lang=E>> (accessed December 5, 2008)

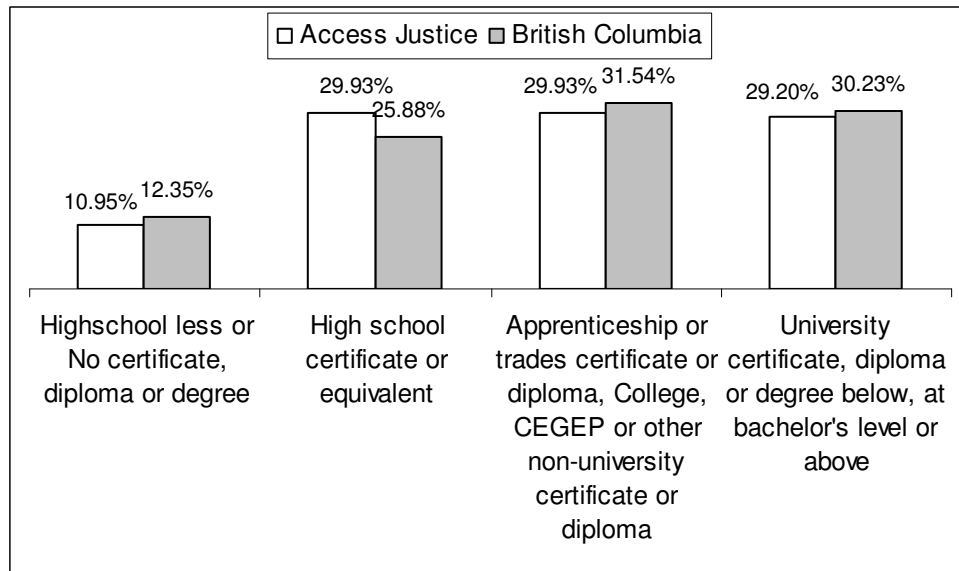
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<sup>1</sup> Year of Birth entry was added firstly; Gender secondly; then Education, Ethnic Background, and Marital Status. In addition, the latter three entries are reported voluntarily. As such, the size of each category's samples is different from another.

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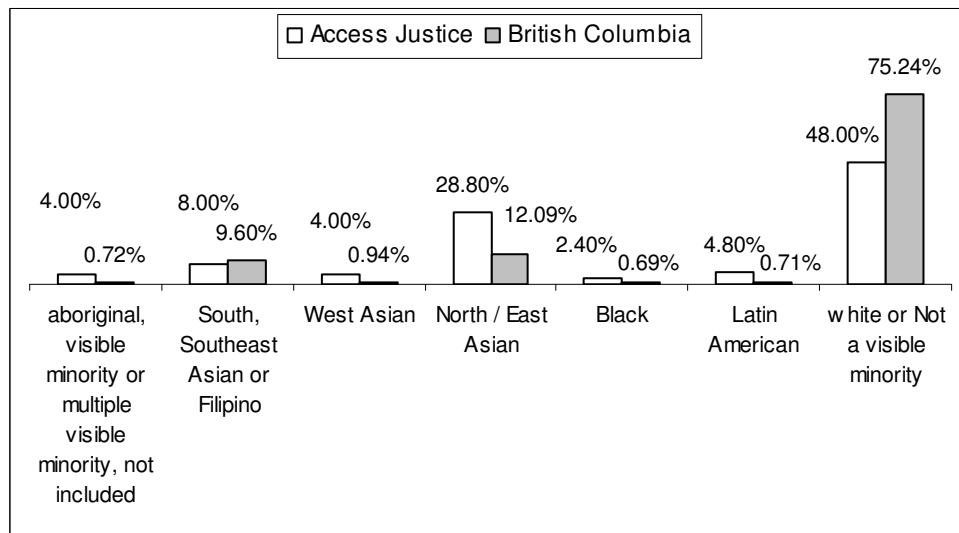
## II. **Education:** Access Justice's 2,129 client samples (December 5, 2008) vs. British Columbia population of both sexes between 25 and 64



*Statistics Canada's 2006 Census*

<[http://www12.statcan.ca/english/census06/data/highlights/education/Index\\_PR.cfm?Lang=E&Geo=CMA&Table=1](http://www12.statcan.ca/english/census06/data/highlights/education/Index_PR.cfm?Lang=E&Geo=CMA&Table=1)>

## III. **Ethnic Background:** Access Justice's 2,075 client samples (December 5, 2008) vs. British Columbia's population



*Statistics Canada. 2007. British Columbia (table). 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13, 2007.*

<<http://www12.statcan.ca/english/census06/data/profiles/community/Index.cfm?Lang=E>> (accessed December 5, 2008)

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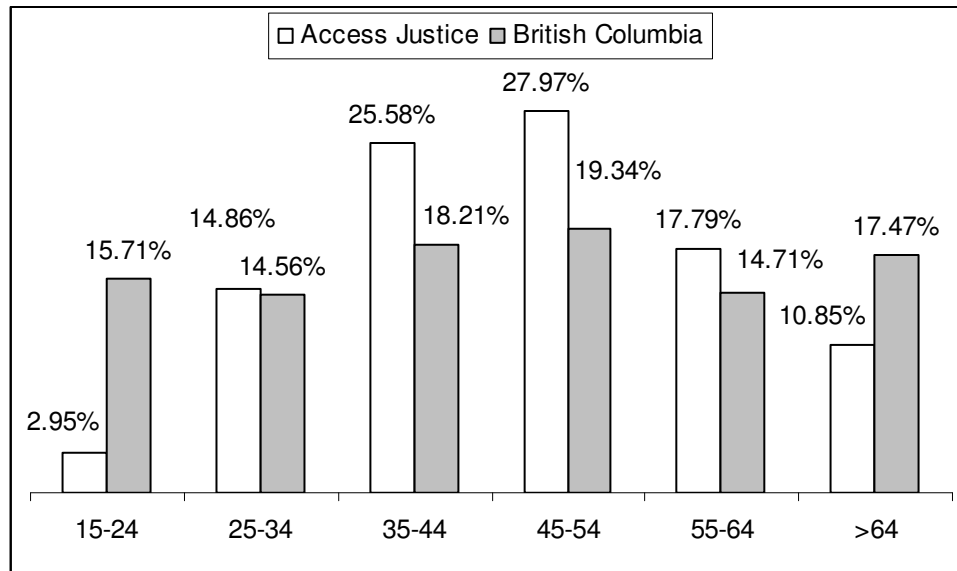
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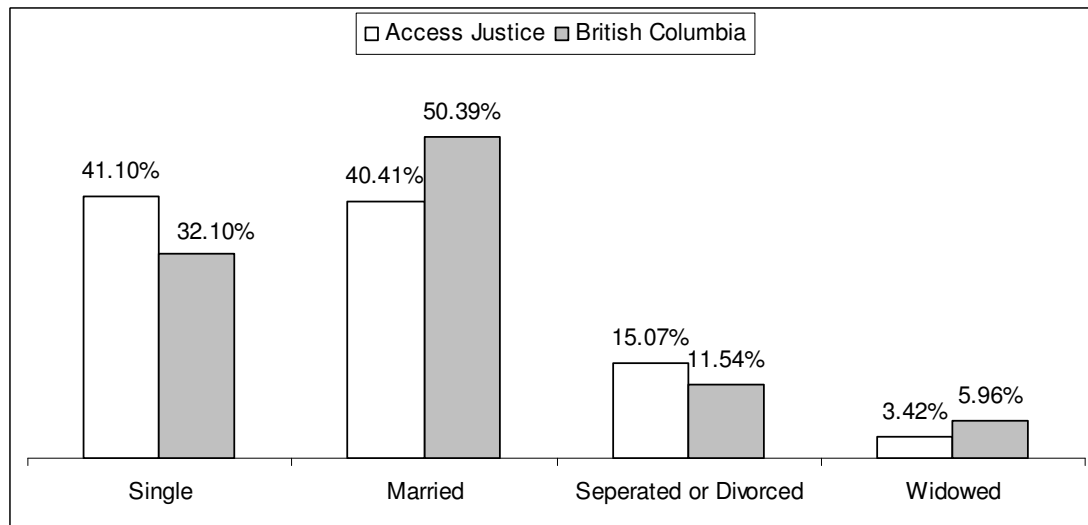
## IV. **Age:** Access Justice's 8,535 client samples (December 5, 2008) vs. British Columbia's population



Statistics Canada. 2007. *British Columbia (table). 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13, 2007.*

<<http://www12.statcan.ca/english/census06/data/profiles/community/Index.cfm?Lang=E>> (accessed December 5, 2008)

## V. **Legal Marital Status:** Access Justice's 2,424 client samples (December 5, 2008) vs. British Columbia's 3,433,880 population 15 years or older



Statistics Canada. 2007. *British Columbia (table). 2006 Community Profiles. 2006 Census. Statistics Canada Catalogue no. 92-591-XWE. Ottawa. Released March 13, 2007.*

<<http://www12.statcan.ca/english/census06/data/profiles/community/Index.cfm?Lang=E>> (accessed December 5, 2008)

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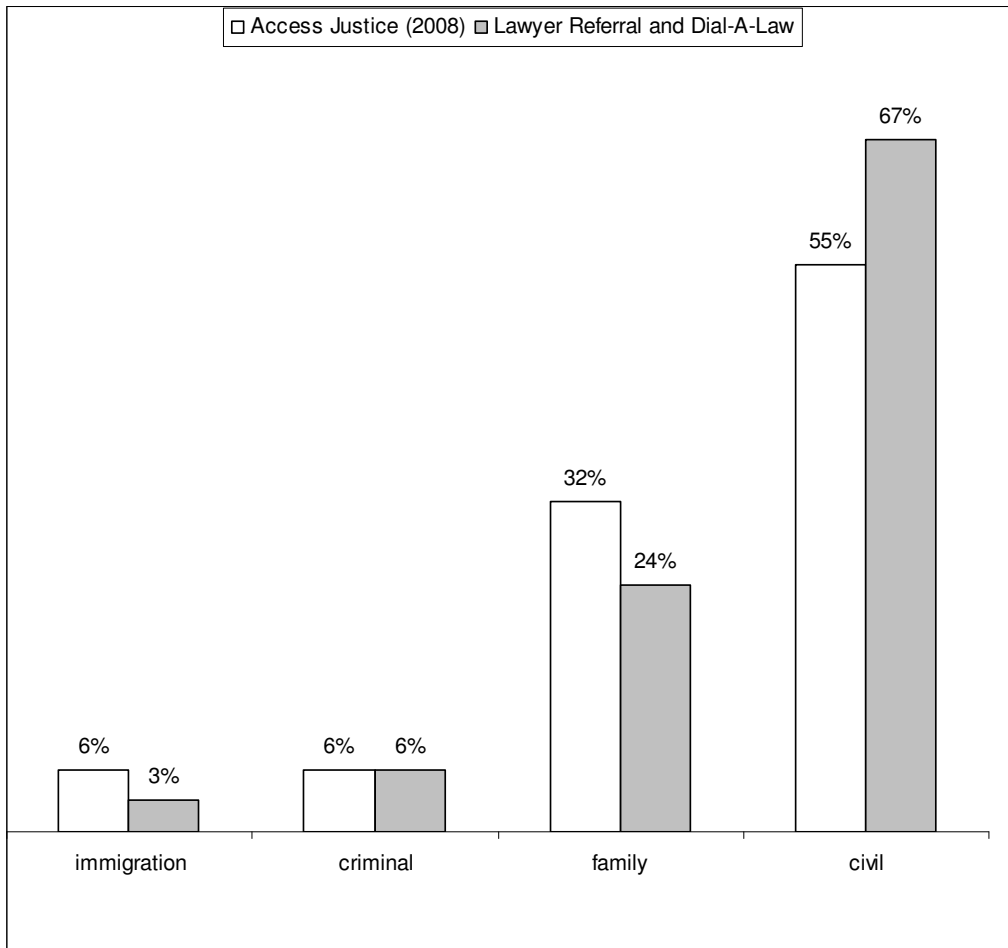
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## VI. Area of Law: Access Justice (2008) vs. Lawyer Referral Service and Dial-A-Law of the Canadian Bar Association British Columbia Branch



*Canadian Bar Association (CBA) British Columbia Branch. Annual Report 2007/2008:10*



In particular, if we can provide any other assistance, would be pleased to undertake this.

Yours very sincerely,

A handwritten signature in black ink, appearing to read 'Donald I. Brenner', with a long horizontal flourish extending to the right.

Donald I. Brenner,  
Chief Justice

DIB:rl