



## Dalhousie Legal Aid Service

5746 Russell Street  
Halifax, NS B3K 0H8  
Phone: (902) 423-8105  
Fax: (902) 422-8067

### **Dalhousie Legal Aid - History and Mandate**

Dalhousie Legal Aid has a long and distinguished career. It was established in 1970 and was the first government funded legal aid program in Nova Scotia. It was the first of four University-based clinical legal education programs established in Canada by means of a demonstration grant from the Federal Department of Health and Welfare. There are now well over 1,500 graduates of Dalhousie Legal Aid Service. Dalhousie Legal Aid is known both locally and nationally.

The Clinic provides services in both "traditional" legal areas, like family and criminal law, and "non-traditional" areas such as income assistance, landlord and tenant, public housing, and human rights law. We have a reputation of concern for our clients, quality work, and social action. Our reputation has been built on the dedication of staff and students over the past 50 years.

Our program is an ambitious one. It has both educational and service components because the clients and cases we use as our learning medium are real clients with real problems. They are all poor. Many are women or children. In many ways they are not well served by our legal, political, or economic system and you will find, very quickly, that we can have a real impact on many of their lives. They need excellent legal service, and they deserve just as good legal services as provided to other segments of the community. This makes it possible for you to experience something special and perhaps unique in our curriculum, a good feeling of having used one term of your law school career not only to further your education, but also to provide legal service to people who might otherwise not get it. We also make a systematic effort to explore not only the plight of our clients as individuals, but also to examine community development and/or law reform initiatives which might work to the benefit of our client group on a broader basis.

Learning is a lifelong process. At Dalhousie Legal Aid we want you to leave with an ability to teach yourself, to learn on your own. As well, we want to combine theory and practice. We want you to see how what you read in cases and texts translates into results for people with problems. We also want you to leave with a good grounding and some practice in lawyering skills such as interviewing, counselling, negotiating, drafting, and trial advocacy.

### **The Educational Process at the Clinic**

The premise of the Clinic is that you will learn by doing. You will not simply be thrown into this without preparation. For roughly the first four weeks, there will be an intensive series of seminars and simulations. The reason for front end loading the program is that there is a lot you will need to know very early in the term to begin your work with your clients.

Attendance at seminars is mandatory; you will learn and practice essential skills at these sessions to be applied to your day-to-day work. Most seminar materials will be available to you on Brightspace. It is important that you read the materials for each seminar beforehand. Some seminars will require more preparation than others. Further information will be made available after you begin.

## Expectations

Working at the Clinic will take up a lot of time. Soon after you arrive, you will receive client files for which you will be responsible, under the supervision of staff. These will be your first clients.

Each student will also be assigned "intake" where you will conduct your interviews with new clients. You will also have responsibilities in helping to cover any emergencies that might arise.

The seminar/simulation program is a very important part of the Clinic. Attendance at ALL scheduled sessions is COMPULSORY. Skills sessions and seminars are held at the Clinic.

During your term at the Clinic, you will have your own FOB and security access to the building to permit you to come and go as you wish outside of regular office hours. You can anticipate that the Clinic will occupy, on average, 35 to 50 hours a week of your time.

Subject to any necessary exemptions during your term at the Clinic, you will be expected to be physically in attendance during regular office hours (9-4:30). However, we do note that you may be attending other courses at the law school. **For this reason, students should do their best to ensure concurrent courses do not conflict with core clinic hours. Two credit/intensive courses are the best fit, with late day or evening classes working best.**

In the event you must take time away from the Clinic, you are required to provide your Mentor with the length of time and reason for your absence. Approved time off is at the discretion of your Mentor or Executive Director in conjunction with file supervisors. You may be asked to make up missed time to satisfy Clinic requirements.

It is not acceptable for you to take time out from the Clinic to complete papers which are due or study for upcoming exams. You will be expected to have worked time into your schedule to attend to other course requirements. However, if you need help in coordinating your time, or feel you may be in academic difficulty, you should speak with the Executive Director or your Mentor.

## Office and Court Attire

While there is no official dress code at the Clinic, it is a professional office, and you should be neatly and appropriately dressed for an office. It's important to always project an image of professionalism. When you have a Court or tribunal appearance, you must wear clothing in accordance with Court rules.

When meeting clients other than by telephone, you must be dressed professionally, although it is not necessary to dress as formally as for Court. Clients of the Clinic should enjoy the same experience as at any other law firm, and so feel respected and that they are being represented by professional counsel. Typically, jeans, sweatshirts, hoodies, t-shirts, and leisure wear will not be appropriate for client or other in-person meetings.

## **Case Types**

You will have a range of cases designed to give you broad exposure to poverty law clients plus opportunities to develop your lawyering skills. Your cases will cover the areas of Family and Child Protection, along with Youth Criminal case work, Income Assistance, Landlord/Tenant, Mental Health, and community files. As a matter of policy, we do not do the following types of cases: motor vehicle offences, provincial offences, property matters, or civil matters including divorces in which an individual might recover sufficient funds to compensate a private lawyer. You will receive a more detailed list of what we do and what we don't do after you start at the Clinic.

Most of our clients receive Income Assistance or Employment Insurance or earn wages from low-paying jobs. To receive our services, clients must meet our financial eligibility rules as well as the case category types referred to above.

Dalhousie Legal Aid also acts for several community groups and is actively involved in organizing and assisting groups within the community. Ongoing concerns include housing, affordable energy, provincial eligibility for Income Assistance. A separate set of eligibility criteria apply for community groups. You will be involved with one or more of these groups. We want you to have a perspective on the practice of poverty law not only at the level of concern for individual clients, but also through the sense of exploring the efficacy of collective action.

We do our best to give each student a mixture of files and roughly equivalent workloads. Over the term, as each of you do intake, that balance will shift. Any significant imbalances between students will be adjusted after discussion with supervisors.

## **Staff and Supervision**

Every file is assigned to one of our lawyers or community legal workers. Under the system presently in place, you should receive supervision from each of the professional staff at the Clinic. Generally, correspondence, documents, discussion, and review of files will go through the supervisor on the file so that they always remain informed about the status of each of their files.

Students with permanent or temporary disabilities who would like to discuss accommodations are asked to contact the Executive Director as soon as possible.

## **Status before the Courts as a Student Counsellor**

While you are at Dalhousie Legal Aid you have the status (but not the credit) of an ordinary Articled Clerk. You can, and will, appear in Supreme Court (Family Division), Youth Court, Provincial Court, the Residential Tenancies Board, the Income Assistance Appeal Board, and other assorted Courts and tribunals.

In the office and in the Courts, you will be expected to act like a lawyer, seeing clients on your own, drafting documents, preparing cases, and making court appearances. This includes, of course, treating all your clients' files with the utmost confidentiality and conducting yourself in accordance with a high standard of professional responsibility and ethics.

## **Evaluation**

The Clinical Law program is graded on an Honors/Pass/Fail basis. All students will receive verbal feedback from their mentor at midterm. This is intended to give you feedback on your performance at the Clinic. It will (1) highlight the good work you are doing, to reinforce and encourage you; and (2) point out areas where we want you to focus during the remainder of the term. Students are encouraged to discuss this feedback with supervisors, and to evaluate themselves through written reflections. Following the end of the term, you will receive feedback based upon your work throughout the term. This feedback involves qualitative judgments, but these judgments are based upon the experience of all supervisors with whom you have worked over a four-month period.

All supervisors will contribute to the feedback presented in the final written evaluation authored by your Mentor. This feedback will also be based upon your attendance and performance at seminars, your work with supervisors, your handling of cases, your written material, your performance in skills sessions, in court, at interviews and your attention to other duties, such as intake.

## **Portfolio Requirements (Reflections)**

All students at the Clinic will maintain a portfolio of their work over the semester as part of the academic program. You will be asked to write four reflective pieces of work following the initial seminars as well as eight pieces from your experiences with particular topics as related to actual clients, court appearances, community work, etc.

You will outline how you met the learning objectives of each topic and reflect on what you've done well, and where improvements could be made. Further information will be made available during seminars.

## **Is There Anything I Can Do to Prepare?**

Of the courses you have taken at Law School, the ones you will likely encounter most often at the Clinic are Family, Criminal, Evidence, Criminal Procedure, Civil Procedure, Administrative Law, and Poverty Law. Since you will be immediately involved in at least 10 files, you might find it useful to review some or all these areas ahead of time. Other areas which might be useful to review are those involving legal skills. We rely heavily on the book *Lawyers as Counsellors* by Binder *et al.*