

# Legal Resources for Librarians



Alan Kilpatrick, Reference Librarian Law Society of Saskatchewan Library (Regina)



### Overview

- Access to justice in Canada
- How can libraries improve access to justice?
- Legal information versus legal advice
- Who are self-represented litigants?
- Answering legal reference questions successfully
- Additional resources



- <u>Connecting Across Language and Distance: Linguistic and Rural Access to Legal Information and Services, (Law Foundation of Ontario, 2008)</u>:
  - "Information so that they can understand the legal problem and identify next steps"
  - "Services of legal practitioners, such as lawyers, community legal workers, or paralegals, so that they can understand how the law applies to their situation, consider legal options, or obtain legal representation"



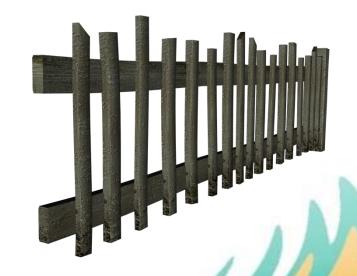
- Access to Civil and Family Justice: A Roadmap for Change,
   (Action Committee on Access to Justice in Civil and Family Matters, 2013):
  - Is access to justice in Canada abysmal?
  - Gaps in accessibility prevent many from accessing justice
  - "Too complex, too slow, and too expensive"



- Nearly 12 million Canadians will face at least one legal matter within a 3-year period
- The inaccessibility of justice has resulted in:
  - Unmet legal needs
  - The growth of self-represented litigants (SRLs)
  - Social and health problems



- Build a fence at the top of the cliff?
  - Focus on the public
  - Focus on education
  - Focus on prevention





## How can libraries help?

- Libraries can improve access to justice:
  - Libraries put the public first and facilitate access to information
  - Libraries are <u>key intermediaries</u> for the public when it comes to locating credible legal information
  - Libraries can make accurate referrals to organizations that provide legal assistance



## How can libraries help?

- The <u>LawMatters</u> program:
  - A Courthouse Libraries BC (CLBC) project
  - Estimated in 2010 that public libraries in BC received at least 35,000 legal questions per year
  - Works with public libraries to provide British Columbians with access to legal information
  - Legal reference question training and collections development guidance

### Librarians and Access to Justice in Ontario





- You can provide legal information, not advice
- What is the difference?
  - Legal information is general information concerning the law that is publicly available and not tailored to a specific case
  - Legal advice involves interpreting and applying the law to a particular individual's legal situation



- What does legal Information in the library look like?
  - Help a patron identify and understand the legal issue they encounter
  - Help a patron locate general legal information
  - Encourage a patron to seek the assistance of a lawyer
  - Tell patrons about organizations that provide free advice



- Tips for the reference interview:
  - Tell the patron you are not a lawyer and cannot provide legal advice
  - Tell the patron you can help them find general information on the legal topic they're dealing with
  - Avoid commenting on the patron's specific legal situation
  - Refer the patron elsewhere if they require additional information



- Additional resources:
  - <u>Legal Information is Not the Same As Legal Advice</u>,
     (Community Legal Education Ontario (CLEO) Centre for Research & Innovation, 2014)
  - <u>Legal Information vs Legal Advice: What is the Difference?</u>,
     (Centre for Public Legal Education Alberta (CPLEA), 2015)
  - Guide to What is Legal Information and What is Legal Advice, (CLBC, 2014)



### Who are SRLs?

- The <u>National Self-Represented Litigants Project (NSRLP)</u> conducted a <u>survey</u> of SRLs in 2013:
  - 50 % are women
  - 40% reported an income less than \$30,000
  - 60% are dealing with family law issues
  - Financial reasons are largest motivation
  - Information overload is common
  - Present unique challenges for the library

- How can you successfully help patrons visiting the library with legal reference questions?
  - Building legal collections
  - Plain language legal information resources
  - Making accurate referrals
  - CanLII

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# Law Society of Saskatchewan Answering legal reference questions

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LBL 2016 - Law Books for Libraries: Recommended Titles for Public Libraries 2016											
LawMatters Program, March 2016 - Program Coordinator contact: smcleod@courthouselibrary.ca											
NEW EDITION - Updated Edition since August 2015				NEW TITLE - New title Added to List since August 2015							
Library Sizes: E- Essential S - Small M -Medium L - Large											
Size 🔻	Aut ▼	Title	Ed▼	Publisher	Dat≖	ISBN 🕶	Price 💌	Upda▼	Publisher Page 🔻	Subject 1	▼ Subject 2
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M	Gordon	Annotated BC Incapacity Planning Legislation, Adult Guardi	anship	Carswell		6614-4	\$119.00		http://www.carswell.co	çWills, Estate	s & Personal Planning
M	Muir,D	Annotated BC Motor Vehicle Act (updates)		Carswell		0-88804-	\$317.00	\$182	http://www.carswell.co	vehicle and 1	ransportation Law
М	Wothe	Annotated BC Residential Tenancy Act (updates)		Carswell	2012	1480- 1248	\$189.00	\$124	http://www.carswell.c	c Housing . Pro	nerty & Tenancy
M		Annotated BC Society Act (updates)		Carswell		0-88804-	\$297.00		http://www.carswell.co	_	
M	_	Annotated Canada Labour Code (annual)		Carswell	2015	978-0-779			http://www.carswell.co	_	
M	-	Annotated Canada Pension Plan and Old Age Security Act	15th	LexisNexis		978-0-433	•		http://store.lexisnexis		
M		Annotated Canadian Human Rights Act		Carswell	2015	978-0-779	\$121.00		http://www.carswell.co		
М	Goslett	Annotated Citizenship Act (2015) + CD ROM		Carswell	2014	978-0-779	\$133.00		http://www.carswell.co	Rights and C	tizenship
М	Tamaro	Annotated Copyright Act (annual)		Carswell	2015	978-0-779	\$218.00		http://www.carswell.co	Copyriaht & I	ntellectual Property
М		Annotated Customs Act		Carswell	2015	978-0-779	\$125.00		http://www.carswell.co	.,,	,
M	MacDo	Annotated Divorce Act (annual)		Carswell		978-0-779			http://www.carswell.co	-	Divorce & Separation
М	Lavend	Annotated Employment Insurance Act		Carswell	2015	978-0-779	\$154.00		http://www.carswell.co	<u>c</u> Emploγment	& Labour Law
М	Brunet	Annotated Firearms Act & Related Legislation		LexisNexis Ca	2013	978-04334	\$102.00		http://store.lexisnexis	Criminal Law	
М	Goslett	Annotated Immigration and Refugee Protection Act of Canad Annotated Indian Act and Aboriginal Constitutional	a SC +	Carswell		978-0-779	•		http://www.carswell.co	<u>c</u> lmmigration	
М	lmai, S	Provisions (2016)		Carswell	2015	978-0-779	\$120.00		http://www.carswell.c	c Aboriginal La	W
М	Marsha	BC Employment Standards Act: Quick Reference (annual) Canada and Quehec Pension Plan and Employment		Carswell	2015	978-0-779	\$81.00		http://www.carswell.co	CEmployment	& Labour Law

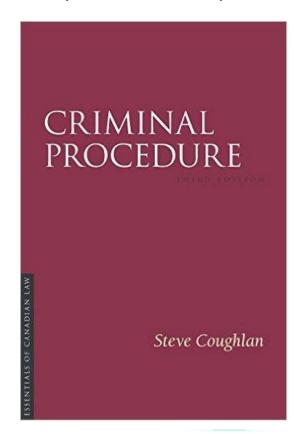
- Building legal collections:
  - Law Books for Libraries (LBL) selection guidelines:
  - Jurisdiction
  - Currency
  - Practical
  - Legal
  - Reference
  - Varied

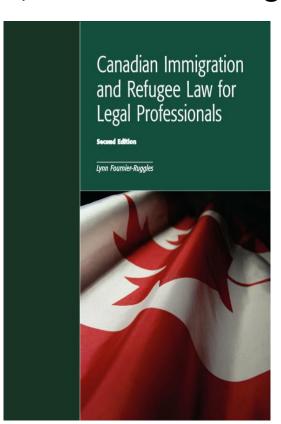
- Building legal collections:
  - Law Books for Libraries (LBL) resources from <u>LawMatters</u>:
  - Program Overview
  - LBL list (Current to March 2016)
  - Selection guidelines
  - Weeding guidelines

### Law Society of Saskatchewan Library

### of Saskatchewan Answering legal reference questions

- Building legal collections:
  - Carswell, LexisNexis, Irwin Law, Emond Publishing





- How can you successfully help patrons visiting the library with legal reference questions?
  - Building legal collections
  - Plain language legal information resources
  - Making accurate referrals
  - CanLII

# Law Society of Saskatchewan Answering legal reference questions

- Sources of plain language legal information:
  - Plain Language Legal Writing: Writing as a Process, (Canadian Bar Association, 2014):
  - "Plain legal language is language that is clear and comprehensible to its intended reader"
  - Typically, plain language legal information will be the most helpful to your patrons

- Sources of plain language legal information:
  - Directing patrons to plain language legal information resources is a key component of answering legal reference questions
  - Official public legal education and information organizations (PLEI) exist in every province



### of Saskatchewan Answering legal reference questions

Sources of plain language legal information:

#### Alberta:

Centre for Public Legal Education Alberta (CPLEA)

#### British Columbia:

People's Law School

#### Manitoba:

Community Legal
Education
Association of
MB

#### **New Brunswick:**

Public Legal
Education and
Information
Service (PLEISNB)

#### Newfoundland:

Public Legal
Information
Association of NL
(PLIAN)

#### **Nova Scotia:**

<u>Legal</u> <u>Information</u> <u>Society of NS</u> (LISNS)

#### **Ontario:**

Community Legal
Education
Ontario (CLEO)

### Prince Edward Island:

Community Legal
Information
Association of
PEI (CLIAPEI)

#### Quebec:

Éducaloi

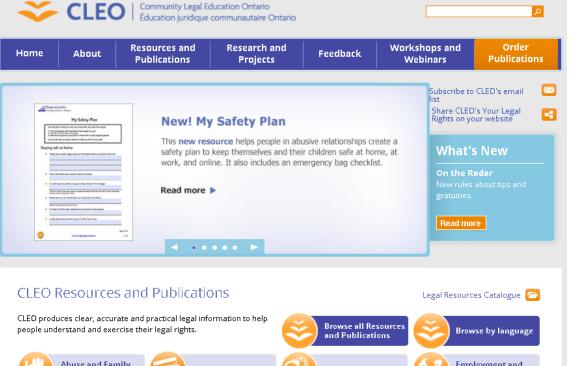
#### Saskatchewan:

Public Legal
Education
Association of
Saskatchewan
(PLEA)

https://commons.wikimedia.org/wiki/File:Canada\_blank\_map.svg

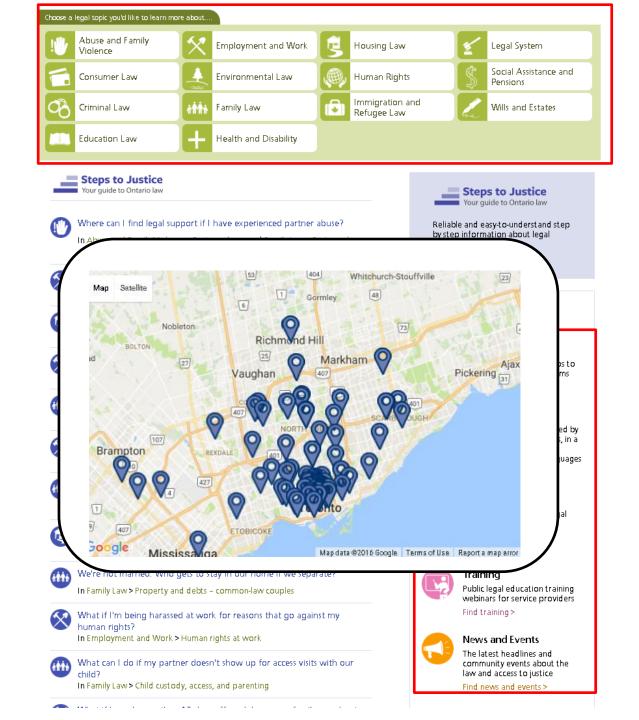
- Sources of plain language legal information:
  - <u>CLEO</u> develops, "clear, accurate, and practical legal rights education and information to help people understand and exercise their legal rights"
  - Plain language legal resources, covering a variety of common legal topics, in print and online formats
  - Ideal tool for Ontario public libraries

















#### September 21, 2016

Tell the Ontario Government They've Got it Wrong on Payday Loans ARTICLE SOURCE: Ontario Project for Interclinic Community Organizing (OPICCO)

#### September 14, 2016

When payday lending leads to poverty, it's time for intervention ARTICLE SOURCE: The Globe and Mail

#### September 13, 2016

Ontario promises electricity bill rebates in throne speech ARTICLE SOURCE: Government of Ontario - ServiceOntario

Find more news on this topic > Find news and events on all topics >



#### Featured Resources

issues

> Prepaid services

Other consumer protection

#### Payday loan: your rights

This web page outlines the rights that Ontario law gives to people who use payday loans. Topics covered include: How

#### I owe money... I am having trouble paying my bills

Owing money is called being in debt and it can be stressful. This guide gives an overview of options if you are having...

### Unfair practices: When sellers break the

In Ontario, it is illegal for sellers to use "unfair practices" to get consumers to buy their goods or services. This...

Find more resources on this topic > Find resources on all topics >







- Sources of plain language legal information:
  - For a more in-depth look at CLEO:
  - Helping Library Users Find Good Legal Information: A Webinar for Library Staff, (CLEO, 2016)

- How can you successfully help patrons visiting the library with legal reference questions?
  - Building legal collections
  - Plain language legal information resources
  - Making accurate referrals
  - CanLII

- Making accurate referrals:
  - PLEI lawyer referral services
  - Legal aid providers
  - Pro bono assistance
  - Community clinics
  - Government agencies
  - Law libraries
  - Law Societies of Canada

- Making accurate referrals:
  - Why not host a legal clinic in your library?
  - Walk-in Wednesdays
  - Free family law assistance
  - Volunteer-run by local lawyers
  - One morning a week

- How can you successfully help patrons visiting the library with legal reference questions?
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### CanLII:

- CanLII provides free online access to Canadian law at <u>canlii.org</u>
- CanLII provides access to millions of court cases and thousands of statutes
- CanLII provides complete coverage of Canadian court cases from 2000 to date

# of Saskatchewan Answering legal reference questions

- Additional CanLII Resources:
  - <u>CanLII Primer: Legal Research Principles and CanLII</u>
     <u>Navigation for Self-Represented Litigants</u>, (NSRLP, 2015)
  - CanLII Tutorial Videos, (Law Society of Saskatchewan Library, 2014)
  - Navigating CanLII: Basic legal research for the public, (Law Society of Saskatchewan Library, 2014)



### Additional Resources

- Accessing justice: Legal information for frontline service providers, (CPLEA, 2016)
- The Canadian Legal Research and Writing Guide, (CanLII, 2016)
- Clicklaw: Learn and teach, (CLBC, 2016)
- PLE Learning Exchange Ontario: Training for library staff, (CLEO, 2016)
- Your Legal Rights: Training, (CLEO, 2016)

# of Saskatchewan Thank you

Please feel free to contact me if you have any questions:

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