

# ADVICETALK

AdviceScene Legal Monthly Newsletter



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## MAJOR CHANGES TO ADVICESCENE.COM

AdviceScene has finally launched its new site! We have a new look and logo and even a new web address (<http://legal.advicescene.com>) but we still remain committed to democratizing the law. AdviceScene continues to connect the public with legal professionals who provide free legal information and advice. The new site is designed to better facilitate the public in getting help with their legal questions, look for a lawyer, or browse legal answers in the forum. As we adjust to the new site together, please be sure to let us know what you think.

Lawyers, judges, law students, and other legal professionals can still answer questions, as well as post blog topics and legal news. Lawyers can also add themselves to the free lawyer directory (<http://legal.advicescene.com/lawyers/>) which is a great marketing tool for lawyers as we continue to promote the new version of the AdviceScene legal site. In addition, make sure to watch for the upcoming **AdviceScene Real Estate** site which will be launching sometime in the New Year.

**All the best for the holidays  
and in the New Year from all the staff at AdviceScene!**



## NEW LAWYERS ON THE LEGAL FORUM



### **Randall Ryder** (Glover Law Firm, Minneapolis, MN, USA)

Randall is our new ThinSkull blogger and he will be preparing our new American newsletter beginning in January. He practices consumer law at the Glover Law Firm in Minneapolis. He graduated magna cum laude from the University of Minnesota Law School and has a concentration in Labor and Employment Law. During law school he worked as a law clerk for the Ramsey County Public Defender's office and was a research assistant to Professor Steve

Before. Prior to law school, Randall lived Los Angeles for four years, where he was involved in all aspects of motion picture and commercial production. He worked on commercials and music videos, including Arnold Schwarzenegger's initial gubernatorial campaign commercials. During his time in Los Angeles, he was also retained by Marvel Comics as an expert witness for a copyright infringement case.

Randall will be posting legal news and contributing to the American blog. He also currently contributes to [Lawyerist](#) and [CaveatEmptor](#) on a regular basis and is developing a website focusing on helping individuals care for their aging parents, [ElderParentHelp](#). Welcome Randall!

Profile: <http://legal.advicescene.com/american-legal-forum/index.php?action=profile;u=49>

### **Agbayani Bulosan** (Filipino Practicing Lawyer & Law Student, Vancouver, BC)

After finishing his Bachelor of Laws degree in 2001 at College of Law of Saint Louis University, Baguio City, Philippines, Mr. Bulosan began his career in law as a legal assistant at the law office Justice Serafin Cuevas, a retired Justice of the Supreme Court of the Philippines. Upon passing the Philippine Bar exam 2001, he worked as a court attorney (a.k.a. law clerk in Canada) at the office of Court of Appeals Justice Rodrigo Cosico (now retired).

Mr. Bulosan is a member of the Integrated Bar of the Philippines and Pi Gamma Mu International Honor Society. He is currently enrolled as law student at the Faculty of Law, University of Victoria in fulfillment of the course requirements of the National Committee on Accreditation so he can proceed to the Bar admission program in Canada.

Bayani is the moderator for our Canadian legal forum. He answers questions and sends out others to our Canadian lawyers. He is also our Canadian philosopher for the MoralityMeter, so please send him any comments or questions you have for the M.M. Thanks and welcome Bayani!

Profile: <http://legal.advicescene.com/canadian-legal-forum/index.php?action=profile;u=822>



## NEW LAWYERS ON THE LEGAL FORUM

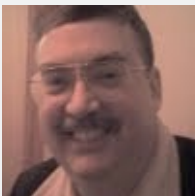


**Graham Martin** (Martin Legal Services, St. Paul, Minnesota)

Graham Martin is a solo practitioner in the Twin Cities Metro Area, specializing in civil litigation and contracts. He attended the University of St. Thomas School of Law after completing masters studies in philosophy (focusing on ethics) at Boston University. Since law school, Graham has been working on creating a customer-friendly law firm modeled more after retail than traditional legal practices. In his free time he enjoys emerging technology, spending time with his wife, and a good beer.

Graham is AdviceScene's American forum moderator. He will be answering the legal questions he is able to and sending out the rest to the new American lawyers that have joined that forum. Graham is our American philosopher so he will be commenting and blogging on the MoralityMeter questions. Please send him any questions or comments regarding 'moral' issues. Thanks and welcome Graham!

Profile: <http://legal.advicescene.com/american-legal-forum/index.php?action=profile;u=48>



**Andrew J. Liggett** (The Sea to Sky Law Corporation, Burnaby, BC)

Andrew Liggett is a lawyer at the Sea to Sky Law Corporation ([www.seatoskylaw.com](http://www.seatoskylaw.com)) in Metro Vancouver and Victoria, BC. Andrew's practice focuses on Family law issues, Business matters including contract disputes and incorporations, and Estate needs including challenging Wills as well as probate and administration. Andrew has been very active in answering questions on divorce and family law on the Canadian legal forum.

Andrew also took part in the **Advice-A-Thon** in September here in Victoria where he helped low-income people with their legal problems for free. Thanks and welcome Andrew!

Profile: <http://legal.advicescene.com/canadian-legal-forum/index.php?action=profile;u=641>



## YOU HAVE THE RIGHT TO REMAIN SLEEPING

According to the B.C. Court of Appeal, you and all people in B.C. have the right to camp in public parks and cannot be kicked out in the middle of the night, even if you have set up a tent in a downtown area. This decision confirmed a 2008 decision of the B.C. Supreme Court on the same issue.

The Appellants, the City of Victoria were seeking to have the lower court's decision reversed, arguing that the decision infringed on the ability of local governments to set their own public policy on the issue. The Court trumped a City of Victoria bylaw that prohibited camping in public parks. The original City of Victoria bylaw had been created after a 2005 incident in which people set up temporary shelters in a Victoria, B.C. park. The City received complaints about the shelters which led to the prohibition. But according to the B.C. Supreme Court (and now the B.C. Court of Appeal), there was a problem with the prohibition is the impact that prohibiting people from taking shelter in public parks has on the homeless and other disadvantaged people who do not have access to shelter at night. The Court's decision reflects their recognition of the basic charter rights of marginalized populations.

Even street people have the right to liberty, independence and dignity. So what will the ramifications of the decision be? Well, it there may not be any immediate change, but as winter sets in, people who live on the street will slowly be able to feel more secure in taking shelter in parks, at least from the possibility of arrest. And perhaps the issue will have brought greater awareness of the plight of homeless people. The decision could even be used as a precedent for challenges in other



provinces, including colder ones than B.C., where the large homeless population is due at least in part to the relatively mild climate as compared to the rest of Canada.

What does the decision mean for public policy on the issue of homeless in general? Yes, people can now erect temporary shelters in the city during the night, which recognizes their liberty rights, but what about their right to "security of the person?" Do the homeless really need legal access to public parks at night, or do they need more and better equipped indoor shelters where they are not turned away if they have medical conditions and hospitals where they are not turned away if they have addiction problems? I would argue they need both. Why we as a wealthy and relatively civilized nation have not yet been able to provide that is a question that should be sparked by this case.

So while this decision is good news for the homeless, but hopefully it sheds light on an issue that is in need of attention: that of the way in which we care for the most disadvantaged people in our society. ☺



## MORALITY METER

▼ Analysis by Site Administrator: Bayani

<http://legal.advicescene.com/canadian-legal-forum/index.php?action=profile;u=822>

This month's question on the MoralityMeter was: **How morally bad is it to help someone die when they are suffering and want to die?**

After a total votes of 36, people think that it is okay (average 4 out of 10), i.e., morally correct, to help someone die who is suffering and wants to die. Helping someone die or euthanasia can be done either with the consent of the concerned individual, i.e., the person who is in severe pain, or without the consent of such individual. Like the people who voted on this issue, I do not see much moral problem when euthanasia is to be conducted with INFORMED consent of the terminally ill person for euthanasia is a another form of freedom of choice. Who are we to tell to that person that it is better for him to live than to die?

How morally bad is it to help someone die when they are suffering and want to die? **4** out of 10

The problem however that I see the most is when euthanasia is done WITHOUT the consent of the terminally ill person, that is, someone in his behalf would give the consent. The terminally ill person might not want to die yet although he is in the vegetative state, but the person who is taking care of such terminally ill person might see that terminally ill person has suffered so much such that it is better for the sick person to die than to live.

Another problem that I see is that there are unscrupulous individuals who are taking care of the sick person might wish that the person should die sooner because of some monetary consideration that such unscrupulous individuals might get (for instance they are beneficiary of an insurance) once the sick person dies.

Nevertheless, as it turned out, people think that it is not immoral to aid someone die.

*Make sure that you visit the MoralityMeter page in December to get your vote in on this debate:*

<http://advicescene.com/morality-meter.php>.



## JOIN THE ADVICESCENE COMMUNITY

To Register on our Forum (free):

<http://legal.advicescene.com/canadian-legal-forum>

To Register on our Directory (free):

<http://legal.advicescene.com/lawyers>

Advertise with us (almost free):

<http://legal.advicescene.com/advertise.php>

Email us:

[info@advicescene.com](mailto:info@advicescene.com)

**All the best for the holidays  
and in the New Year from all the staff at AdviceScene!**



# AdviceScene

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