

ADVICETALK

AdviceScene Legal Monthly Newsletter

 LEGAL



January & February 2010 / Issue No. 12

Inside This Issue:

▼ Legal Matters

The State of Legal Aid in Canada

▼ New to The Scene

Lawyers on The Legal Forum:

*Sam Posner, Stephanie Heyens,
Tim Russell*

▼ MoralityMeter

Hot Top Question:

*Is it okay to stay and work in a foreign
country without a valid visa and work
permit?*

Welcome!

For those of us who have little or no money, having a legal situation may put us at greater risk than someone with the same concern but better access to justice. As well, due to our gender or age there can be further road blocks to getting the legal help we need.

At Advice Scene we encourage legal aid and pro-bono services. We want everyone to get the legal information they need. If you have a legal question then you are instantly qualified at Advice Scene to get free legal information from some of the best lawyers in North America.

*"At **AdviceScene** we are committed to democratizing the law through education and information from knowledgeable legal sources."*



The State of Legal Aid in Canada

If you have been following the legal news in Canada over the past year you will be aware that the state of legal aid in Canada is shaky. While some provinces are maintaining a somewhat stable legal aid program (for example, Saskatchewan) others, such as Ontario have been suffering such deep cuts that legal professionals have started boycotting the system.

The Toronto Star recently reported that as the legal aid boycott in Ontario continues, there is no clear end in sight and that some lawyers are considering an escalation of the boycott to press a resolution to the issue (<http://www.thestar.com/news/ontario/article/747959--legal-aid-fight-leaves-man-stranded>). A spokesperson for the angry advocates wouldn't confirm that Ontario would see further job action in the near future. But they are waiting for a concrete proposal from the government that would fix the longstanding problems. Failure to get a deal would result in a "really unhappy development in the criminal justice system," he added.

"The Ministry of the Attorney General, Legal Aid Ontario and the Criminal Lawyers' Association continue to be engaged in regular discussions towards the resolution of the boycott," ministry spokeswoman Erin Moroz said Sunday, but she too would not go into details about the discussions. Meanwhile, more than 100 people in Ontario who have needed a lawyer paid at legal aid rates have been unable to get one because of the job action.

On the other side of the country, observers are wondering if legal aid strikes are coming to BC. On January 11th, 2010, members of the Kamloops bar withdrew all duty counsel services in protest of the closure of five regional legal aid offices.

The Kamloops bar made the decision to voice their opposition to massive reductions in services offered by the Legal Services Society of BC (LSS). In November, LSS announced their plans to shut down the LawLINE, the Community Advocate Support Line, and regional legal aid offices in Kamloops, Kelowna, Prince George, Surrey, and Victoria as of March 31st, 2010.



Across the country, accessing legal aid is getting more difficult.

These service cuts mean that the public's ability to access legal aid for a wide variety of criminal, immigration, family, and other civil legal services will be reduced or eliminated. This round of cuts is the second to devastate legal aid in British Columbia within the last year.

The Coalition for Public Legal Services, an umbrella group of concerned legal service providers and community agencies, is calling on the provincial government to immediately review the structure, management, mandate, and funding of legal aid in BC through a series of public consultations. The Coalition for Public Legal Services includes several groups. For a complete list of member organizations, a history of legal aid cuts, video testimonials from legal aid clients and advocates, and other information about the legal aid crisis in BC, visit www.accesstojustice.ca



⚡ **Should a pie in the face warrant a charge of assault?**

⚡ **Will government not banning political spending by corporations in candidate elections skew the playing field?**

⚡ **What should a doctor be legally required to do when caring for a patient?**



Nancy Kinney, founder of Advice Scene, and lawyers from across North America track the latest newsworthy stories. A cross between social comment and legal eye, **ThinSkull Blog** makes transparent what's really going on for you to decide.

Read more: [▶ CLICK HERE FOR LATEST THINSKULL!](#)

AdviceScene

EXPERT ADVICE FOR ALL!

FREE VIP PASS

▶ [CLICK HERE to access legal information for FREE](#)



▼ **MoralityMeter**

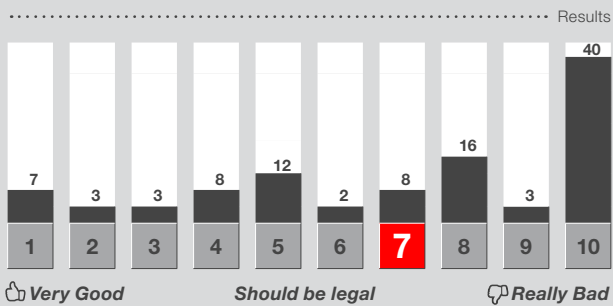
Top MoralityMeter:

Is it okay to stay and work in a foreign country without a valid visa and work permit?

Perhaps because of the fact that widespread practice of illegal immigration would create problems with government awareness (and control?) of population movement and taxation, our voters (101 of you) believe that it is morally unacceptable for people to travel to foreign countries illegally and stay in that country without possessing a valid work permit. **Voters gave this question an average morality meter value of 7 (see bar below).**

Is this reflective of growing dissatisfaction with the levels of immigration that we currently experience in Canada and the US? Or is it a result of people's belief in the rule of law; that people should not be blatantly disregarding the law without a strong sense of why people would do this? Perhaps it is a combination of both.

It would seem that in a time and place where most people travel more than their parents or grandparents could have ever imagined that more voters would be more lenient towards the concept of illegal immigration. But apparently this is not the case.



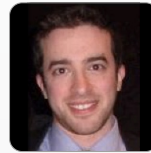
Let law makers know what you think. On AdviceScene there's no voting age and you don't need to be a registered voter - everyone's vote counts here!

Find out the results of MoralityMeter questions like:
Is it wrong not to hire someone because of his or her political views?

[▶ CLICK HERE TO VOTE NOW!](#)

▼ **New to The Scene**

Advice Scene welcomes these lawyers who recently joined the legal forum and are ready to answer your legal questions:



Sam Posner (Posner Legal, Toronto, ON)

Posner Legal is the law office of Sam Posner, a Barrister and Solicitor in Toronto, Canada. Sam holds an LL.B. and B.A. (Hons.) from the University of Western Ontario. Sam articulated on Bay Street, and brings a professional and business-oriented approach to clients. Sam has experience working with artists, individuals and businesses in the entertainment industry and is happy to answer questions related to these field. Sam is a member of the Canadian Bar Association, Ontario Bar Association and Law Society of Upper Canada. He also sits on the Board of Directors for The Visual Arts Foundation.



Stephanie Heyens (HeyensLaw, Toronto, ON)

Stephanie Heyens is a criminal defence lawyer in Toronto, Canada. She joined the site because she has always believed access to justice is entirely too difficult for laypeople and believes that having basic information is crucial to ensuring people protect their hard won civil rights. Stephanie has experience with Legal Aid and criminal cases including homicide, sexual assault, firearms use and possession, and cultivation and importation of narcotics and can answer questions about criminal trials and appeals, charter of rights and civil rights issues, trial procedure, bail hearings and bail reviews, arrest procedure, warrants and evidence issues. If its about litigating criminal charges at any level and at any stage of the proceedings - she can discuss it. Stephanie is happily married and just had her second son. In what leisure that remains, she reads voraciously but also skis, scuba dives, plays guitar, and rides horseback.



Tim Russell (McCullough Blazina Dieno & Gustafson, Victoria, BC)

Tim recently joined the site to answer questions about criminal law. He works with McCullough Blazina Dieno & Gustafson in Victoria, BC and practices solely criminal law, including a large Impaired Driving and Drug Defence practice. Tim is able to answer questions about Impaired Driving, Refusal to Blow, Over .08, Cultivation, Trafficking, and Possession for the Purpose of Trafficking. In addition, he has experience with murder, manslaughter and assorted violent crime and dangerous offender proceedings and extradition cases. Outside of the courtroom, Tim enjoys offshore sailing with his son to exotic ports. He is happy to answer any questions related to criminal law.



Join The AdviceScene Community:

▼ **FREE Register on our Forum:**

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

▼ **FREE Register on our Directory:**

<http://legal.advicescene.com/lawyers/add-lawyer.php>

▼ **Advertise with us:**

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

▼ **Email us:**

info@advicescene.com

AdviceTalk - AdviceScene Legal Monthly Newsletter

Editor: Jeannie Owens-Wallace

AdviceScene

©2010 AdviceScene. All rights reserved.

