

The Supreme Court of Canada Leave to Appeal Assistance Project

Important Information for Applicants to the Project:

No matter what stage of the leave application process you are in -- whether you are considering an application for leave to appeal, have started to fill out the application, or have completed your application -- **you should complete this application as soon as possible**. In the meantime, if you haven't completed your application for leave to appeal, you should begin to complete it to the best of your ability. You should also inform the Court and the respondent in your case that you want to apply for leave to appeal and that you are applying for legal assistance through this project.

The SCCLAAP is administered by Pro Bono Law Ontario (PBLO) through its Law Help Ontario (LHO) service and was developed with the Court and the Canadian Bar Association. The SCCLAAP's mandate is to help find pro bono (free) lawyers for low-income, self-represented Ontarians seeking leave to appeal to the Supreme Court of Canada.

Roster lawyers have discretion over whether to assist and what type of assistance they provide. The SCCLAAP encourages them, as a first step, to provide a merit assessment of the leave to appeal application. The Supreme Court of Canada only hears appeals that raise an issue of public importance, one that goes beyond the immediate interests of the parties. The merit assessment will indicate whether there is such an issue in your case. Upon conducting that assessment, roster lawyers are in a better position to decide the extent of further assistance they may wish to provide. If roster lawyers assist with the leave application and leave is granted, they are encouraged to assist with the appeal.

PBLO's role is limited to arranging the lawyer/client relationship by conducting intake, screening applications, referring cases, and tracking files until they close. PBLO is not mandated to provide advice or to obtain or retain the details of the substantive matters of any case or the advice given by a pro bono lawyer.

Once PBLO receives a completed application for assistance, it will evaluate your financial eligibility. If the financial eligibility guidelines are met, PBLO will contact you for further information, if necessary. PBLO will then determine whether a roster lawyer would like to assist. If so, you will be given the name and contact information of a lawyer so you can arrange an initial consultation. If you and that lawyer would like to work together, you will be expected to sign a retainer agreement outlining the nature of the work the lawyer is prepared to do.

Roster lawyers may refuse to assist for any reason, including the existence of a conflict of interest or insufficient resources. PBLO can't guarantee that it will obtain or provide reasons as to why a roster lawyer declines to assist.

PBLO does not guarantee pro bono representation or assistance for any applicant. It may take up to 3 weeks before PBLO knows if a pro bono lawyer is prepared to assist. If a lawyer wishes to assist, you will be notified in writing.

Please Note: Like all courts, the Supreme Court of Canada imposes time restrictions on when the steps in a matter must be completed. If these time restrictions are not met your rights might be forever lost. If you intend to pursue your case, do not delay in moving the case forward on your own, even if a decision on your application to the SCCLAAP is pending.

Lawyers who assist will not charge fees for their services. **However, all disbursements (including court filing fees and fees for transcripts) are your responsibility unless otherwise agreed with the pro bono lawyer, waived by the Court or paid for by another party, and all cost awards against you are your responsibility without exception.**

If you can afford a lawyer, PBLO recommends you retain one. For assistance in finding a lawyer and to obtain a free 30 minute consultation, litigants may contact the Law Society Referral Service at **1-800-268-8326 or 416-947-3330 (within the GTA)**.

Form Instructions: Completely fill in the bubbles using a pen or pencil.

Correct: Incorrect:



How did you hear about Law Help Ontario? (Make 1 selection)

- | | |
|--|--|
| <input type="radio"/> Walking by the office | <input type="radio"/> The Internet |
| <input type="radio"/> The Media (Newspaper/TV etc) | <input type="radio"/> A Judge or Master |
| <input type="radio"/> Friend/ Family Member | <input type="radio"/> Another Legal Clinic |
| <input type="radio"/> Repeat visit to the centre | <input type="radio"/> The Law Society |
| <input type="radio"/> Legal Aid Ontario | <input type="radio"/> Court Staff |
| <input type="radio"/> Other | |
-

Why are you self-represented? (Check all that may apply)

- | | |
|--|---|
| <input type="radio"/> I can't afford to hire a lawyer | <input type="radio"/> None of the lawyers would take my case for free |
| <input type="radio"/> I didn't qualify for Legal Aid or they said they couldn't help with my case | <input type="radio"/> I don't trust lawyers |
| <input type="radio"/> My lawyer had himself/herself removed from my case | <input type="radio"/> I ran out of money to continue paying my lawyer |
| <input type="radio"/> I could pay some legal fees, but not all | <input type="radio"/> I plan to hire a lawyer |
| <input type="radio"/> I believe my case is straightforward and I can handle the litigation on my own | <input type="radio"/> Other Reason: (please specify below) |
-

PART B: Financial Eligibility

I have the following sources of income (check all that may apply)

- Income assistance from Ontario Works
- Income assistance from Ontario Disability Support Program (ODSP)
- Family Benefits Act allowance
- Old Age Security Pension together with Guaranteed Income Supplement
- War Veterans Allowance
- Canada Pension Plan benefits

The number of persons in my household is: (this includes you, your spouse, and dependant children)

- 1 2 3 4 5+

My Household has more than \$3,000.00 in liquid assets:
(liquid assets include RRSP's, cash/money in the bank)

- Yes No

My household's TOTAL MONTHLY INCOME from all sources: *(This includes employment income, EI, rental property income and income from any other investment source)*

- | | | |
|---|---|---|
| <input type="radio"/> Under \$1,500 | <input type="radio"/> \$3,001 - \$3,582 | <input type="radio"/> \$6,167 - \$7,166 |
| <input type="radio"/> \$1,501 - \$2,249 | <input type="radio"/> \$3,583 - \$4,500 | <input type="radio"/> \$7,166 + |
| <input type="radio"/> \$2,250 - \$2,582 | <input type="radio"/> \$4,501 - \$5,166 | |
| <input type="radio"/> \$2,583 - \$3,000 | <input type="radio"/> \$5,166 - \$6,166 | |

My household's TOTAL MONTHLY EXPENSES *(This includes rent/mortgage payments, spousal and/or child support, child care fees)*

- | | | |
|---|---|---|
| <input type="radio"/> Under \$1,500 | <input type="radio"/> \$3,001 - \$3,582 | <input type="radio"/> \$6,167 - \$7,166 |
| <input type="radio"/> \$1,501 - \$2,249 | <input type="radio"/> \$3,583 - \$4,500 | <input type="radio"/> \$7,166 + |
| <input type="radio"/> \$2,250 - \$2,582 | <input type="radio"/> \$4,501 - \$5,166 | |
| <input type="radio"/> \$2,583 - \$3,000 | <input type="radio"/> \$5,166 - \$6,166 | |

PART C: Demographics

Please tell us about your household's employment situation

- | | |
|--|--|
| <input type="radio"/> I am Self-Employed | <input type="radio"/> My Spouse is Self-Employed |
| <input type="radio"/> I am Employed | <input type="radio"/> My Spouse is Employed |
| <input type="radio"/> I am Unemployed | <input type="radio"/> My Spouse is Unemployed |
| <input type="radio"/> I am Retired | <input type="radio"/> My Spouse is Retired |

My occupation: _____

My Spouse's Occupation _____

What is your highest level of education?

- | | |
|---|---|
| <input type="radio"/> Grade School | <input type="radio"/> University Degree/College Diploma |
| <input type="radio"/> Some University/College | <input type="radio"/> High School Diploma |
| <input type="radio"/> Some High School | <input type="radio"/> Post Graduate Degree |

Is English your first language? Yes No

Do you **NEED** services in another language? Yes No

If yes, what language? _____

Do you **PREFER** services in another language? Yes No

If yes, what language? _____

Do you have access to the Internet? Yes No

Is this the first time you tried to get any legal help with this case? Yes No

If no, what other people/places have you contacted for assistance? (Check all that apply)

- | | |
|---|--|
| <input type="radio"/> Court Staff | <input type="radio"/> Another Legal Clinic |
| <input type="radio"/> A Lawyer | <input type="radio"/> JusticeNet |
| <input type="radio"/> Legal Aid Ontario | <input type="radio"/> Other: _____ |

Which age group do you belong to?

- | | | |
|-------------------------------|-------------------------------|-------------------------------|
| <input type="radio"/> 18 – 24 | <input type="radio"/> 25 – 34 | <input type="radio"/> 35 – 44 |
| <input type="radio"/> 45 – 54 | <input type="radio"/> 55 – 64 | <input type="radio"/> 65+ |

Part D: Persons and Companies involved (or potentially involved) in your matter.

<p>Please list all of the Appellants in this matter. (Please include first and last names, company names, and trade names)</p>	<p>Please list the Law Firm representing each Appellant. If they are not represented, write "None"</p>
1.	
2.	
3.	
4.	
5.	
6.	
<p>Please list all of the Respondents in this matter. (Please include first and last names, company names, and trade names)</p>	<p>Please list the Law Firm representing each Respondent. If they are not represented, write "None"</p>
1.	
2.	
3.	
4.	
5.	
6.	
<p>Please list any other persons or companies that might be involved in your matter. Please include First and last names, company names, and trade names.</p>	<p>Please list the Law Firm representing these other persons or companies. If they are not represented, write "None"</p>

Use additional pages if necessary

Part E: Terms of service for ALL applicants

In order to receive services from Law Help Ontario (LHO), you must review and agree to the terms below. In this section, "PBLO" means any Pro Bono Law Ontario employees, directors, officers, designates or volunteers

I swear/affirm that the information on this application form is accurate to the best of my knowledge and belief. I understand and acknowledge that I may need to clarify or expand on any of the information provided in this application in order to receive or continue receiving services from LHO.

I understand and acknowledge that there are certain rigid time restrictions that must be met when commencing and pursuing legal proceedings. Therefore, if I intend to pursue legal proceedings, it is essential that I not delay in moving the case forward with any steps I may need to take, and that I may need to take these steps on my own. I accept that I maintain full responsibility for the pursuit of my legal proceedings unless and until I retain someone who agrees to take that responsibility..

I understand and acknowledge that I cannot receive services from LHO in respect of any matter for which I have already hired someone to provide me with legal services.

I understand and acknowledge that the only people who can give me legal advice are people who are licensed to do so, that I am not forming any lawyer-client relationship whatsoever if I don't receive legal advice, and that I am not forming any ongoing lawyer-client relationship if I do receive legal advice unless otherwise agreed in a retainer agreement.

Beyond providing the services PBLO agrees to provide to me, I understand and acknowledge that PBLO has no further duty to look after any of my legal interests in the matter(s) for which I receive assistance or any other matters.

I understand and acknowledge that while PBLO will not intentionally disclose any of my confidential information without my authorization, my expectation of confidentiality respecting any information I provide to PBLO cannot be as high as it would be if I retained a single legal service provider to assist me and that if I wish to enjoy a greater expectation of confidentiality I should retain someone privately.

I understand and acknowledge that any information I provide to PBLO or that is prepared by PBLO in connection with the services I receive, can be:

- Stored at LHO and/or at any other PBLO office;
- Typed, scanned, transcribed, photocopied and/or be stored electronically;
- Stored on a third party's cloud server
- Uploaded and backed up via the internet to a third party server and data service, and will be stored up on such a service if I provide the information through the internet;
- Kept in any manner and reviewed by anyone at PBLO for reasons that include but are not limited to:
 - Administrative record keeping
 - Maintaining a database of people served
 - Conducting conflict of interest searches
 - Assessing the quality of services provided
 - Gathering general statistics about LHO clients
 - Evaluating services offered
 - Managing the services I receive at LHO

I authorize PBLO to access my court files.

I authorize PBLO to send my name and the names of all parties I have provided or will provide in the future to any law firm for the purpose of verifying whether any person who may assist me has a conflict of interest.

I understand and acknowledge that if a person concludes that he or she has a conflict of interest in respect of the matter(s) for which I seek assistance, he or she cannot assist me.

I understand and acknowledge that any volunteer who does assist me is free to act for other clients against me on other unrelated matters in the future, without notice to me.

I authorize PBLO to obtain from anyone who previously assisted me any information that person has about matters for which I am seeking assistance.

I authorize PBLO to provide to anyone who may be in a position to provide me with legal advice any document or other information about my case that I have provided to PBLO.

I understand and acknowledge that I may be contacted in the future about the services I receive from LHO for the purpose of answering questions about the value of those services. If contacted, I may refuse to participate.

I HEREBY RELEASE PBLO, LHO, all lawyers and other volunteers I meet at or through PBLO or LHO and all other parties and participating law firms together with all of their respective officers, employees volunteers and designates from any and all claims whatsoever that could have arisen from my use of the LHO premises and the advice, assistance or services I received at or through PBLO or LHO.

I acknowledge that I have read and understood all of the above terms of service.

Applicant 1 Signature

Date

Part F: Additional terms of service for all applicants seeking legal advice from a Law Help Ontario help centre volunteer

In order to receive advice from a Law Help Ontario (LHO) help centre (LHO centre) volunteer, whether the volunteer is providing advice in person or remotely, you must review and agree to the terms below. In this section, "PBLO" means any Pro Bono Law Ontario employees, directors, officers, designates or volunteers

I understand and acknowledge that LHO centres are open concept environments such that any information I receive or reveal may be overheard or seen by anyone who is present. As such, I understand and acknowledge that any information I provide to PBLO in this environment cannot be protected by lawyer-client privilege and that if I wish to have a fully confidential consultation with a lawyer and enjoy the full benefits of that privilege, I should retain a lawyer privately.

I understand and acknowledge that any volunteer I meet with may not be able to assist me for more than 30 minutes at a time.

I understand and acknowledge that volunteers I meet with **can**:

- Provide me with general information on the Rules of Civil Procedure
- Guide me on how to complete court forms
- Help me identify legal issues
- Help me identify strengths and weaknesses in my case
- Only give me advice that is based on the information I provide

I understand and acknowledge that volunteers I meet with **sometimes can**:

- Help me draft court forms or other documents
- Represent me in the Supreme Court of Canada or in any other way, subject to their full discretion

I understand and acknowledge that volunteers I meet with **cannot**:

- Replicate the quantity or quality of assistance I receive from a lawyer I retain privately
- Commission or notarize documents for me
- Assist me with legal problems that are unrelated to services LHO provides
- Serve or accept service of court documents for me.
- Predict or guarantee decisions judges or masters will make
- Take responsibility for the information in any court forms or documents I prepare

I understand and acknowledge that I am not forming any ongoing lawyer-client relationship when I receive services from an LHO help centre volunteer

I acknowledge that I have read and understood all of the above terms of service.

Applicant 1 Signature

Date

PART G: Additional terms of service for all applicants seeking legal advice from a Law Help Ontario volunteer other than through a help centre

These terms of service apply to anyone in respect of whom Pro Bono Law Ontario (PBLO) has agreed to make efforts to find a lawyer to provide assistance other than through a Law Help Ontario (LHO) help centre. In order to receive such assistance, you must review and agree to the terms below. In this section, "PBLO" means any Pro Bono Law Ontario employees, directors, officers, designates or volunteers

I understand and acknowledge the following:

1. That PBLO's role in the process of facilitating these services is limited to brokering the lawyer/client relationship by conducting intake, referring cases, and tracking files until they close.
2. There is no guarantee that PBLO will be able to find someone that will assist me;
3. If PBLO does find someone that expresses an interest in assisting me, the details of the retainer including the scope of services to be provided and any terms of payment of legal fees and/or disbursements, are to be determined by me and that person and that person's law firm;
4. It may take several days or weeks to find someone who expresses an interest in assisting me;
5. If nobody is found to assist me, I may not be given a reason; and
6. PBLO has no involvement in the provision of any legal services that may ultimately be provided to me

I authorize PBLO to obtain from anyone who agrees to assist me any retainer agreement I enter into with that person.

I acknowledge that I have read and understood all of the above terms of service

Applicant 1 Signature

Date

Attached Documents:

If you have a copy of the Order/Judgment that you're trying to appeal, please include it in your application form.

You must also include any document that indicates the status of any application you have made to Legal Aid Ontario in respect of your appeal.

Please do not include any other documents with your application. Thank you.

You may fax this application form to: 416- 597- 8984

You may also mail this application or deliver it in person to:

**Law Help Ontario
393 University Avenue, Suite 110
Toronto, Ontario M5G 1E6**