



# MODULE 1: How to help your clients

## Giving basic legal information to your client

Legal information is not the same as legal advice. Legal information can help people understand their legal rights, how legal processes work, and how to get more help. Here are some examples of the difference:

Legal Information	Legal Advice
<ul style="list-style-type: none"><li>• does not address the full and specific set of circumstances faced by a client that may form part of their problem</li><li>• can help a person understand when a problem is a legal problem</li><li>• can discuss options and possible next steps, indicate when a person needs to get more help and advice, and how to find that help</li><li>• is also called public legal education and information ("PLE") or legal rights information</li></ul>	<ul style="list-style-type: none"><li>• interprets the law and applies legal rules and principles to a particular situation</li><li>• is specific to an individual's particular situation; people's situations and circumstances are different even when facing the "same" legal problem</li><li>• discusses the pros and cons of the person's legal options and the implications of those options, based on an assessment of how the law applies to their specific situation and what the person wants to achieve</li></ul>

Only certain people can provide legal advice in Ontario. These people are lawyers, licensed paralegals and some community legal workers at community legal clinics. People who are qualified to give legal advice usually ask detailed questions to make sure they have enough information about the situation.



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What does the difference between legal information and legal advice look like in a community or clinical setting? Here's a snapshot:

A tenant renting a room in a house has received a notice of a 2.5% rent increase and wants to know if the landlord is allowed to raise the rent by that amount.	
Legal Information	Legal Advice
<p>A community worker can look up the current rent increase guideline for Ontario and provide general information on what types of rental housing are covered.</p> <p>This legal information helps the tenant understand the maximum rent increase set by the government for a particular year and whether this maximum may apply to their situation.</p>	<p>Depending on the details of the arrangement, the tenant renting a room in a house may not be covered by the Residential Tenancies Act, which regulates rent increases, or the tenant's landlord might be allowed to raise the rent higher than the guideline because of special circumstances.</p> <p>The tenant may need legal advice to know for sure if they must pay the rent increase the landlord asked for.</p>



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Still confused about the difference between legal information and legal advice? Here are some dos and don'ts for community workers.



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Legal Information	Legal Advice
<p>Community workers can:</p> <ul style="list-style-type: none"><li>• help people identify a legal issue</li><li>• show people online and print information that can help them with a legal issue</li><li>• help people fill out basic forms that are not legal forms (such as an application for social assistance)</li><li>• tell people about free legal workshops available to the public</li><li>• tell people where they can go to ask for legal advice or help</li><li>• make brief notes about what people have told them about their problems for them to take to a legal appointment</li></ul>	<p>Community workers can't:</p> <ul style="list-style-type: none"><li>• tell people what they can expect a lawyer or judge to say about their problem</li><li>• tell clients that they have a good case</li><li>• tell clients how much money they can expect to get</li><li>• tell clients that they need to see a mediator or that they need to go to court</li><li>• tell clients what words to use when filling out a legal form (for example, a form to start a case in a tribunal or court)</li><li>• help clients fill out a legal form</li><li>• explain a lawyer's letter</li></ul>