

Learning about the Law



Family Law



Young People and the Law



Elder Law

This booklet will help you understand the laws that affect families, young people, and older people.

Know and exercise your legal rights and responsibilities under Canadian law.



PEOPLE'S
LAW SCHOOL

THIS BOOKLET PROVIDES PUBLIC LEGAL INFORMATION ONLY.
IF YOU NEED LEGAL ADVICE YOU SHOULD CONTACT A LEGAL PROFESSIONAL.

FREE

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Note: The chapter on family law is based on Legal Services Society booklet, *Living Together or Living Apart*. You can read this free booklet on the Family Law in BC website: www.familylaw.lss.bc.ca/resources/publications. The chapter is also based on the Legal Services Society publication Guide to the New BC Family Law Act, on the Family Law in BC website. BC's Legal Services Society holds the copyright to all information on their site. None of its material may be commercially reproduced, but copying for other purposes, with credit, is encouraged.

About this booklet

This booklet is divided into three sections:

- Family Law
- Young People and the Law
- Older People and Elder Law

We tried to keep the language easy, but some parts may still be hard. The words that are in bold type and underlined are defined in the sections, **What the words mean**.

Be sure to use the information in the **Find out more** sections on page 32. It refers you to a wide range of resources that will answer your questions and provide help if you have a legal problem.

This booklet is one of a three-part series of booklets, *Learning About the Law*. The other two booklets in the series are:

Fundamentals of Law, Criminal Law, Civil Law

Working in BC, Renting a home

Family law

Family law is the area of law that deals with marriage, relationships and children. In this section, you will learn about:

- Being married or in a marriage-like relationship,
- Getting separated,
- Getting divorced,
- Making an agreement ,
- Mediation to help reach an agreement,
- Family Justice Counsellors,
- Collaborative family law,
- Finalizing your agreement,
- Caring for and making decisions for children,
- Child's best interest,

- Child support,
- Spousal support,
- Dividing family property,
- Moving with a child,
- Parents can get help,
- Protection from violence in the family,
- Separation and sponsorship,
- Going to court,
- When children need protection.

The two laws in BC that you may need to know about are:

- Family Law Act. This is a provincial law that applies to all married and common-law couples.
- Divorce Act. This is a federal law that applies to married spouses only.



Rights and responsibilities

When you are married to someone, or living with someone, the family law says you are a spouse. As a spouse, you have legal rights and responsibilities about caring for children and caring for each other.

A spouse is each person who is in a same-sex or opposite-sex relationship. There are three kinds of living arrangements in which you can be a spouse.

Being married or in a marriage-like relationship

When you are married to someone or living with someone, the family law says you are a spouse. A spouse is each person who is in a same-sex or opposite-sex relationship.

If you have a child together you have a responsibility to support that child. One parent may also be responsible for the support of the other parent.

There are three kinds of spouses who have legal rights and responsibilities about caring for children and each other. The three kinds of spouses are:

1. **People who are married.** To be legally married, you must have a religious or civil marriage ceremony. After that, you stay married until one partner dies or until the marriage is legally ended by a divorce .
2. **People who are not married but have lived together in a marriage-like relationship for two years or more.** Many people call a marriage-like relationship a “common-law” relationship.

It is not illegal to live in a common-law relationship while you or the other person is still legally married to someone else. A common-law relationship ends when you begin to live apart.

No matter how long you live together in a common-law relationship, you are not married under the law.

3. **People who are not married but have lived in a marriage-like relationship for less than two years and have a child together**
If you have a child together you have a responsibility to support that child. One parent may also be responsible for the support of the other parent.

Getting separated

Every year in BC, thousands of married and common-law couples stop living together. This is called separation.

There is no such thing as a “legal separation.” If you’re married or in a common-law relationship, you become separated as soon as you and your spouse start living apart from each other with the intention of separating.

You don’t have to see a lawyer or go to court to be separated.

You might still live in the same house to save money, but you are usually considered separated if you don’t share things like meals, a bedroom, and social activities. You don’t need your spouse’s permission to separate.

Getting divorced

For couples who have been legally married, divorce is the only way to legally end the marriage.

You apply for a divorce by filling out documents and filing them with the BC Supreme Court. You don’t need your spouse’s permission to apply for a divorce.

The only legal reason for divorce is “marriage breakdown.”

You can apply for a divorce saying you have “marriage breakdown” if:

- you or your spouse have lived separately for one year,
- you or your spouse has committed adultery, or
- you were treated by your spouse with physical or mental cruelty.

You can apply for a divorce in BC even if you were married in another country. You will require proof that you were legally married, and that

you or your spouse lived in BC for the 12 months before you apply for divorce.

Canada recognizes the following as proof of marriage from other countries:

- Marriage certificate
- Marriage registration
- Certified copies of marriage documents

Some cultures have their own divorce ceremony, but you are not legally divorced in Canada unless you have a **court order** for divorce from Canada or another country.

If you and your spouse agree to get a divorce, the judge reviews the documents you filed with the court.

If you have children, the judge will want to see how you have both agreed to care for them and support them.



Making an agreement

An agreement is a written **contract** that describes a couple's decisions about the legal issues in their relationship.

Couples can make agreements at any time:

- Before they move in together.
- While they're living together.
- When they separate.

An agreement you make before you move in together or while you're living together includes your decisions about:

- who owns what,
- how much money each of you will put in to run the household,
- if you will have a joint household credit card or separate individual credit cards,
- how you will use and look after the things you buy together, and
- who will pay debts.

An agreement you make when you separate includes your decisions about parenting, support and property.

For example, it describes:

- Who the children will live with.
- How parents will spend time with the children.
- How parents will support the children.
- Who will stay in the home or apartment.
- How you will divide the things you own.

You and your spouse can make an agreement with each other about these decisions. Or you can go to court and ask the court to decide what should happen.

It's best if you can settle your family law issues without going to court. Making an agreement saves time, money, and stress. It allows you to keep control of important decisions that affect your family.

Couples can often agree by talking together. But when you are separating you may find it difficult to agree.

You can get help to come to an agreement.

Mediation

Mediation is a process where you and the other person ask someone who has special training to listen to what both of you have to say, and help you come to an agreement. The person with this special training is called a mediator.

A mediator can help you and your spouse work together to solve problems.

- A mediator encourages you and your spouse to listen to each other and helps you come up with ideas for resolving your issues.
- A mediator does not take sides or force solutions on you. A mediator does not make any of the decisions. You and your spouse make the decisions.
- Through the mediation process, you can find solutions that are acceptable to both of you.

If you have children, the mediator will help you reach an agreement that is in their best interests.

To find a mediator, contact :

Mediate BC Society (Family Mediation Services)

Phone: 1-604-684-1300 local 23

Toll-Free: 1-855-660-8406

fms@mediatebc.com

www.mediatebc.com

Family Justice Counsellors

Couples can get help from family justice counsellors. Family justice counsellors are government employees who work at Family Justice Centres across the province. Sometimes they are located in the local courthouse.

Family Justice Centers provide free services for families and couples with low incomes. They can help you and the other parent reach an agreement.

To contact a family justice counsellor, call Service BC at:

- 604-660-2421 (Greater Vancouver),
- 250-387-6121 (Victoria), or
- 1-800-663-7867 (no charge, elsewhere in BC).

Collaborative family law

Couples can agree to work together with lawyers who practise collaborative family law to find solutions that work for both spouses.

In collaborative family law, you and your spouse each have a lawyer. You and the lawyers participate in a series of meetings to try to come to an agreement.

To find a collaborative family law lawyer through the Lawyer Referral Service, see the **Find out more - Family Law** section.

Finalizing your agreement

When you come to an agreement, you write down what you've agreed to and both of you sign it.

Do not sign any agreement if you feel any pressure to do so. If your agreement deals with property, you must have your signatures witnessed by at least one other person.

To have your signature witnessed, ask a third person to:

- watch you sign the agreement, and
- also sign the agreement.

It's also a good idea for both of you to get legal advice about what goes into your agreement and how it's written.

To protect your legal rights and those of your children, you should each see a different lawyer.

You also need to see a lawyer if you've already signed an agreement and have questions about it.

To find a family law lawyer through Lawyer Referral, see the **Find out more - Family Law** section.

Caring for and making decisions for your children

The BC Family Law Act changed in 2013. The law uses new terms to describe how parents care for and make decisions for children:

- Guardians & guardianship
- Parental responsibilities
- Parenting time
- Parenting arrangements

This section looks at what these terms mean in BC.



Guardians & guardianship

Parents are **guardians**. They have **guardianship** of their children. This means they are responsible for caring for and making decisions for their children. Parents who live together after their child's birth are both the child's guardians.

If the parents separate, they are both the child's guardians, unless an agreement or court order removes one of them as a guardian.

If a parent never lived with the child, then that parent is not a guardian unless he or she:

- regularly cares for the child, or
- is appointed as a guardian by a court order or agreement with the child's other guardian(s).

People other than parents can sometimes be guardians, but they must have a court order naming them as guardians.

A guardian may name someone to be a stand-by guardian just in case he or she becomes unable to look after the child. A guardian may also name someone who will become the child's guardian if the guardian dies.

Parental responsibilities

Parents have **parental responsibilities**. These include making decisions about day-to-day care, as well as larger decisions about:

- Health care
- Education
- Religious upbringing
- Extracurricular activities and
- Where the child lives, etc.

When parents live together, they share these responsibilities as guardians. Parents need an agreement or court order if they want to change this arrangement.

Parents who separate may continue to share parental responsibilities as guardians. Or one guardian may take on one or more of the parental responsibilities.

Guardians consult with each other when making decisions, unless their agreement or court order says that only one of them is responsible for that particular decision.

Parenting time

If one of the guardians no longer lives with the children, that guardian has **parenting time** with the children.

Parenting arrangements

The arrangements between guardians for sharing parental responsibilities and parenting time are called parenting arrangements. Parenting arrangements can be recorded in an agreement or a court order.

For example: When Susan and Joseph separated they made a written agreement that describes their parenting arrangements:

- The children will live with Susan during the week. She will make the decisions about the children's daily care when the children are with her.
- The children will have parenting time with Joseph every weekend. He will make the decisions about the children's daily care when the children are with him.
- Susan and Joseph will continue to consult with each other about the larger decisions such as the children's education and health care.

Contact with the child

Contact with the child is another important new term in family law. **Contact with the child** refers to the time that a person who is not a guardian spends with the child. A parent who is not the child's guardian would have contact.

Grandparents, step-parents, and other people who may be important to the child can also apply to court to get contact with a child. The law recognizes that the child has a right to maintain these important relationships when parents separate.

People who are not guardians don't have parental responsibilities, so they can't make decisions about the child's life, even during contact.

All guardians and the person with contact can agree to the contact, or the contact may be given in a court order. In some cases, there may be conditions on contact, such as having someone else supervise visits with the child.

Important Note: If you get a divorce, you will find that some different words are used. The federal Divorce Act uses the word "custody" to describe daily care of the child and decision-making for the child. It uses the word "access" to describe contact with the child.

Child's best interests

All decisions about parenting arrangements and contact in court orders or agreements must be based on the **child's best interests**. These include:

- what the child wants and needs,
- who cared for the child in the past,
- whether there is a history of family violence, and
- what the parents are capable of (each one's ability to carry out his or her responsibilities for the child).

When you are deciding your parenting arrangements after a separation, the law says you must only consider the best interests of the child. If you go to court, the judge can only consider the best interests of the child in making decisions about parenting.

Children's property

A child's guardian is not automatically the guardian of the child's property (including money). Guardians can manage children's

property if it is a certain type of property or below a certain value. If not, a trustee is responsible for managing the child's property. This is complicated. You would need to talk to a lawyer.

To find a family law lawyer through the Lawyer Referral Service, see **Find out more - Family Law** at the end of this booklet.



Child support

The money one parent pays to the other parent to help provide for the child's daily needs is called child support. Each parent has a legal responsibility to support the child, until the child is at least 19.

Parents have a legal duty to support their children. Even if you have never lived with your child's other parent, you have a legal responsibility to **contribute** to the support of your child.

If a man who has been named as the child's father denies being the parent of the child, the court can order him to take a paternity test, also called a parentage test.

Stepparents and guardians who are not parents also have a duty to support the child. Parents have the primary responsibility to pay child support, then non-parent guardians, and then stepparents.

A child should benefit

The laws about child support are based on the idea that a child should benefit from both parents' ability to support him or her.

If a child is living with one parent, the other parent usually must pay support money. Even if a child spends equal or almost equal time with both parents, the parent with the higher income may have to pay child support to the other parent.

Child support, although paid to the other parent, is the legal right of the child. A parent cannot make an agreement saying that the other parent does not have to pay child support.

One parent cannot prevent the other parent from having contact with the child because he or she is not paying child support payments.

Child support guidelines

Parents must follow rules called the **Child Support Guidelines**. The guidelines help set a fair amount of support for children. The Child Support Guidelines are based on the income of the parent who must pay support.

The Child Support Guidelines considers such things as how much money the parent makes and how many children need support. The guidelines make sure that children continue to benefit from the financial means of both parents.

If you and the other parent cannot agree about child support amounts, a mediator can help you. To find a mediator, see **Find out more - Family Law** at the end of this booklet.

While parents must follow the Child Support Guidelines, the rules are different for stepparents. They pay a child support amount based on:

- the length of time the child lived with the stepparent, and
- what the child's living standard was while living with the stepparent.

What if a parent refuses to pay child support?

The provincial government has a free program called the Family Maintenance Enforcement Program.

The people who work in this program can help if a parent is not paying the money the judge said must be paid to support the children, or the money that he or she agreed in writing to pay.

If a parent does not pay child support, the Family Maintenance Enforcement Program may take the money directly from the parent's pay cheque or bank account. Other things that may happen if a parent refuses to pay include:

- He or she may lose his or her driver's licence.
- The Canadian government may take away his or her passport.

Spousal support

One spouse may need to ask the other for spousal support when they separate. The purpose of spousal support is to help with living expenses upon separation. Spousal support is usually paid for a limited period of time.

Spouses may make an agreement about spousal support. Or the spouse who wants support can apply to the court.

You must apply for spousal support within **two years** after you got an order for a divorce. If you were living in a common-law relationship, you must apply **within two years** of the date on which you separated.

If you are applying for spousal support, the court will consider:

- If you worked outside the home during the marriage or relationship.
- How long you and your spouse lived together.
- If you are able to support yourself.
- If you are or were at home with the children.
- Whether you earn a lot less than your spouse.
- If your spouse has the ability to pay.

What if a spouse refuses to pay spousal support?

The provincial government has a free program called the Family Maintenance Enforcement Program. The people who work in this program can help if a spouse is not paying the money the judge said must be paid to support a spouse, or the money that he or she agreed in writing to pay.



Dividing family property

Unless you and the other spouse have an agreement that says something else, the rule is that all family property and family debt is divided equally.

The rule is the same for married people and for people in a common-law relationship of two years or more.

Family property is everything either you or your spouse own *together* or *separately* on the date you separate. This includes such things as:

- The family home
- RRSPs
- Investments
- Bank accounts
- Insurance policies
- Pensions and
- An interest in a business

Family debts are debts you take on during your relationship that:

- you still owe on the date you separate, or
- you take on after your separation date to maintain family property.

A court will order that family property and debt be divided unequally only if it would be unfair to divide it equally.

Some things are not family property. They are **excluded** from the rule that the property must be divided equally. For example, these things are excluded:

- Property one spouse owned before the relationship started,
- Gifts and inheritances given to one spouse during the relationship.

But if the value of excluded property increased during the relationship, that increase in value is family property. For example, suppose you owned the house when your spouse moved in. When you separated, the value of the house had increased 100%. Your spouse would be entitled to half of that increased value.

You may need a lawyer's help to figure out what is family property or debt. To find a family law lawyer, see the **Find out more - Family Law** section at the end of this booklet.

If you think the arrangements about property and debt are unfair, you can go to court and ask a judge to divide family property or debt.

- If you were married, you must apply to the court to do this **within two years** after you got an order for divorce.
- If you were living in a common-law relationship of two years or more, you must apply to the court **within two years** of the date on which you separated.

People who are separating may want to know what happens to things such as pensions and medical and dental plans. You can find this information in the Legal Services Society publication, *Living Together or Living Apart*. Read it online at: www.familylaw.lss.bc.ca/resources/publications.

Moving with a child

The law in BC says that a guardian who wants to **relocate** with a child must give 60 days' notice to any other guardian and to people who have contact with the child. This is because the move would affect the child's relationship with them.

If there are disagreements about the move, the law says that you must make your best efforts to work out the disagreement. If you cannot agree, you have to go to court and the judge will decide whether or not a guardian can move with a child.

If you want to move, it's wise to discuss your plans ahead of time with the other parent and anyone else who is a guardian or who has contact with the child. You may also want to talk to a lawyer to get advice about how likely it is that a judge might say you cannot move.

Parents can get help:

Parenting After Separation program

Separation is difficult. The lives of all family members are changing. When parents are

separating, they are often upset and angry. They may argue and say a lot of angry and hurtful things to each other. Their children also feel upset.

For example: Kwan and Mi Hi were married and they had one child. After several years, Mi Hi became unhappy and dissatisfied with the marriage. She wanted to separate from Kwan. Kwan was hurt and angry. He didn't understand why Mi Hi was unhappy. They had many arguments. Kwan didn't want to separate.

Both Kwan and Mi Hi were worried about their daughter. How could they talk to her about their marriage break-up?

Parenting After Separation is a provincial government program that offers free sessions in many BC communities. This is a three-hour workshop about how to solve problems with the other parent.

At the workshop, a trained facilitator will present information about separation, including:

- the impact of separation on you and your children,
- how to help your family adjust to change, ways for you and your children's other parent to communicate,
- how to keep your children out of the middle of conflict,
- options for resolving family disputes, including mediation, counselling and the court process,
- how the child support guidelines work, and
- resources in your local community for parents and children.

In most BC Provincial Court locations, you must attend a Parenting After Separation session before you can get a court order. You will not be asked to attend the same session as your

spouse. Parents in smaller communities can take the Parenting After Separation course online.

Even if you don't have to go to a Parenting After Separation workshop, you can attend the course.

Phone Service BC to find out about Parenting After Separation workshops in your area.

Service BC Contact Centre

Vancouver: 604-660-2421

Victoria: 250-387-6121

Toll Free: 1-800-663-7867

For more information about Parenting After Separation, see the **Find our more** section at the end of this booklet.



Protection from violence in the family

Family violence includes:

- physical abuse: using physical force,
- sexual abuse: forced sexual contact of any kind, or
- psychological and emotional abuse: actions that cause mental and emotional harm.

If you are at risk of family violence, you may need to get a **protection order** from the court. The protection order is meant to protect you and your children from violence carried out by another family member.

Either you, or someone else on your behalf, can apply to the court for the order.

Protection orders can, for example, stop the family member who is violent:

- from contacting you,
- from visiting the family home, and
- from owning a weapon.

If the family member does not obey the protection order, it is a criminal offence. Police can enforce the protection order under the Criminal Code.

If there is a history of family violence or you or your children are at risk, you may be able to get the help of a legal aid lawyer from Legal Services Society. See the **Find out more - Family Law** section at the end of this booklet.

If you plan to go to court on your own to get a court order, you may want to get some help from family duty counsel.

For information about family violence, watch the *Talking about Abuse* video series. This series can help non-English speakers understand how Canadian law defines family violence. It provides information on where people in BC can get help in their own language.

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www.publiclegaled.bc.ca/media/violence-against-minority-women

For more information and help, see the **Find out more - Family Law** section at the end of this booklet. It links you to resources that can help anyone who may be a victim of family violence.

Separation and sponsorship

If you are a permanent resident

If your spouse (married or unmarried) sponsored you to come to Canada and you are now a

permanent resident (landed immigrant), you can stay in Canada even if you leave the marriage or common-law relationship.

Your sponsor:

- cannot make you leave Canada,
- does not have the right to keep your children or your property, and
- still has a legal responsibility to help support you and your children.

To find out more about what could happen when a sponsorship does not work, read *If Your Sponsor Abuses You*, published by the Legal Services Society. It explains what to do if the person who sponsored you is unwilling or unable to support you, and you are unable to support yourself. Read it online at: www.familylaw.lss.bc.ca/resources/publications.

If you are not a permanent resident

If you are not a permanent resident in Canada and you and your sponsor separate, you will need to get immediate advice about your immigration status. If possible, contact an immigration lawyer.

To find an immigration law lawyer through the Lawyer Referral Service, see the **Find out more - Family Law** section at the end of this booklet. If there has been violence in the relationship, tell the lawyer.

Going to court

Couples who cannot reach an agreement may have to go to court. The court process focuses on helping you to resolve as much of your case as possible without having a trial.

Note: The *Learning about the Law: Fundamentals of the Law and Criminal & Civil Law* booklet discusses the levels of court. It is helpful to get legal advice if you are going to court.

Here are some things to expect in the court process:

Exchanging information

The law requires you and your spouse to provide each other with “full and true information” so you can resolve your family law dispute. The court rules set out what information you must provide before you go to court.

Meeting with a child support clerk

The court might send you to see a child support clerk to help you figure out how much child support should be paid in your case.

Meeting with a family justice counsellor

In some Provincial Court locations, you meet with a family justice counsellor before you go to court. The family justice counsellor helps you look at your options and can give you legal information.

Meetings to discuss options for settling your case

In BC Supreme Court, you have a meeting called a Judicial Case Conference with a judge or master (a court official). This happens before you can ask the court for an order that your spouse does not agree with. In Provincial Court, you may have a meeting with a judge called a Family Case Conference. This happens before you can have a court hearing.

A temporary solution

You may need a temporary solution for parenting arrangements, child and spousal support, and who lives in the family home. You can apply to the court for what is called an interim order. An interim order is for a limited time.

If you and your spouse can agree

If you and your spouse can reach an agreement, you can get what is called a consent order. You

will be able to get a consent order without appearing in court as long as all your documents are in order and the judge is satisfied that you have arranged for the care of and support of your children.

If you and your spouse cannot agree

If you and your spouse cannot agree, there is a trial in court. A judge decides the issues that you can't agree on. The judge puts the decision into a final order. Both parents must do what the court order says.

For example: Maria and Eduardo couldn't agree. They went to court. The judge decided that their child should live with Maria. The judge also decided how often Eduardo could see the child. By law, Eduardo and Maria must obey the court order.



When children need protection

Sometimes parents don't take care of their children. Maybe they leave the children alone, or hurt them or don't give them enough food. This is child abuse.

If you are aware of a possible case of child abuse, the law requires you to contact the BC Ministry of Children and Family Development. Call the Helpline for Children: 310-1234 (no area code needed). Your action can prevent further child abuse and help the family.

When you call the Helpline for Children, you talk to a social worker who is willing to listen and take action. Actions to protect a child may include:

- providing or arranging support services to the family, or
- supervising the child's care in the home.

If the social worker thinks that the child is in danger, the social worker can remove the child from the home to a safe place. When this happens, the social worker and the parents have to go to court. The social worker has to prove in court that the child was in danger.

The parents have the right to argue that their child should not be taken away from them. The parents should have a lawyer. If they can't afford a lawyer, they should contact the Legal Services Society. For contact details see the **Find our more** section at the end of this booklet.

The law is to protect children. The judge has to decide if the child needs protection. Then the judge will decide what will happen to the child. For information about child protection, see two Legal Services Society publications: *Parents' Rights*, *Kids' Rights*, and *If Your Child is Taken*. Read them online at: www.familylaw.lss.bc.ca/resources/publications.

For more information and help, see the **Find out more - Family Law** section at the end of this booklet.



Notes

Young people and the law

This section looks at young people and the law. You will learn about:

- Legal rights and **responsibilities** of young people
- Going to school
- Working
- Getting married
- Young people and criminal law
- What happens to youth who commit a crime
- Young people and gangs
- Rules about driving
- Help for children

Legal rights and responsibilities of young people

This chart shows when young people gain legal rights in BC.

Right/Responsibility	Age
Be responsible for crimes	12
Be sentenced for crimes under adult law	14
Go to work	15
Leave school	16
Get married with permission of parent(s)	16
Get married	19
Get a driver's licence with permission of parent(s)	16
Get a driver's licence	19
Vote in a federal election	18
Vote in a provincial election	18
Drink alcohol	19
Leave home without permission of parent(s)	19
Buy cigarettes	19

Going to school

All children between the ages of 5 and 16 years must go to public school every day.

This is not true if:

- the child goes to a private school,
- the child is at home studying lessons approved by the government, or
- the child is sick and can't go to school or there is some other good reason.

Working

Children under 15 years of age may not work during school hours. They are not usually allowed to work at other times. A child under 15 can't work without special permission from the government. But children are allowed to do jobs such as babysitting to earn pocket money or to help their families. Children 15 and over can work. They have the same laws to protect them as adult workers.

Getting married

People 19 years old or older can marry. Young people between 16 and 19 can marry if their parents agree. Young people under 16 usually can't get married. They have to go to court and ask the judge for **permission** to marry. The judge will only agree if he or she thinks this is good for them.

Young people and criminal law

Sometimes children break the law. A child steals something, or damages someone else's property. What will happen?

The law says children under 12 years old can't be arrested or taken to court. If the police catch children younger than 12 doing something wrong, they take them home and tell their parents. The parents may get help at school or in the community.

The Canadian justice system recognizes that youth crime and adult crime need to be dealt with differently. There is a special law for children from 12 to 17 years old. It is called the Youth Criminal Justice Act. This law says:

- People have the right to be protected from young people's crimes.
- Young people who break the law need to understand that what they did caused harm to the community. They need help to learn how to stay out of trouble and to contribute to the community in a positive way.
- Young people have the same legal rights as adults. The police have to tell young people about their rights and explain what is happening to them.
- Young people don't go to the same court as adults. There is a special youth court. The judge in youth court will make sure young people get a lawyer.
- People 18 years old or older who break the law are adults and have to go to adult court.

What happens to youth who commit a crime

The first time a young person aged 12 to 17 years does something wrong, he or she will not usually have to go to court. The young person may get help from a local community group.

Maybe it's not the first time a young person has been in trouble. Or maybe it is something more serious. Maybe the young person had a weapon such as a knife or gun. Then he or she will have to go to youth court.

If the judge at the court decides the young person is guilty, the youth is called a young offender. The youth will have a youth record.

The judge might:

- make the young person pay a fine,
- make the young person pay for damage with money or with work,

- have the young person do some volunteer work in the community,
- let the young person go home, but someone from the court will check on the young person for up to two years, or
- have the young person go to jail if the crime is serious.

If a young person over 14 years old is accused of doing something very serious they may be sentenced as an adult and receive a tougher sentence than in youth court.

Examples of very serious offences include things such as murder and repeat violent offences.

In most cases the name of the youth who broke the law is not made public. However, in some cases it may be made public, such as when the youth is given an adult sentence for a serious offence.

Young people and gangs

Some young people join gangs. A gang is a group of people who break the law. Some gangs look for young immigrants who don't speak English. They look for someone who has few friends and not much money.

At first, the gang members are good to the young people. They introduce them to new friends. Then they ask them to do something for the gang, such as stealing something.

Often, young people are afraid to say no or to leave the gang. They are afraid the gang will hurt them or their family.

Engaging Parents for Safer Youth is a project aimed at providing information to parents about youth and gangs. To download the *Steering Kids Away From Gangs* booklet, visit www.vsb.bc.ca/steering-kids-away-gangs.

Rules about driving

Young people over 16 years old can get a driver's licence if they pass the tests. Parents have to apply for the licence for someone under 19. If young people under 18 years old get a car, they can't register or get licence plates for it unless their parents sign the papers.

A young person driving a car has the same responsibilities as an adult. For more information about driving in BC see the *Driving in BC* booklet at www.publiclegaled.bc.ca/publications or visit ICBC at www.icbc.com.



Breaking traffic rules

Sometimes young drivers break the traffic rules. What happens to the youth depends on how serious their actions are.

For example - youth may be speeding, or fail to stop at a stop sign. They will get a ticket and may have to pay money.

If youth are caught driving dangerously, it is serious. They will be charged with a criminal offence and have to go to youth court.

Street racing

Street racing is a very serious offence. People under 18 years old will go to youth court. Drivers 18 years old and older go to adult court.



Help for children

Many community groups have parenting classes. In these classes, parents learn about taking care of children.

They talk about ways to help their children with problems. They find out how to talk and listen to their children. They also learn about ways to discipline children without harming them.

Some community agencies offer parenting classes in other languages. Parenting classes can help parents to solve the special problems of raising children in a new country.

For example - children usually learn new customs faster than their parents. Children also have a lot of pressure from kids at school to be more "Canadian." Parents may feel that their children are behaving badly. They may worry that their children don't respect them anymore.

Many community agencies give information and advice. People can call these agencies when they have a problem and they don't know where to go for help. Workers at the agencies can help them find the right place to go.

There are also parenting programs in English and other languages on TV and radio.

For more information about parenting classes contact your nearest community centre or visit www.vancouver.ca/parks-recreation-culture/parenting.aspx.

Helpline for Children

The Helpline for Children is **310-1234**, free from anywhere in BC. A child or youth can call the Helpline for Children if they are being abused or mistreated at home, at school, in the playground, or anywhere else.

If you know a family where a child or youth is being hurt, or if you are afraid you may hurt a child, call the Helpline. Your call is confidential.

- You can call the Helpline, at 310-1234, from anywhere in BC. **No area code** is required.
- If you are calling from a pay-phone, call the operator "0." This is a **free call**. You don't need to pay. It will not show up on your phone bill.

Youth Against Violence Phone Line

The Youth Against Violence Line is **1-800-680-4264**, free from anywhere in BC. The Youth Against Violence phone line is a province-wide service that provides confidential help to young people who are affected by youth violence or crime.

Parents and members of the community can also call this line for help and information. Youth who are worried about their safety, or who want to anonymously report a crime can call the Youth Against Violence phone Line.

Help at school

Some schools have a police officer who works with the school. The officer comes to the school to teach students about safety and the law.

The officer may work with students on school sports teams and in school clubs.

Sometimes students get into trouble at school. Maybe one of the students steals something. Then the police officer tries to solve the problem.

High schools also have counsellors. They help students with problems at school or at home.

They also help students choose school subjects and give advice about what to do when they finish school.

Many elementary schools and high schools have home-school workers. Sometimes parents want to find out about their child's school or what their child does there. Parents can talk to a home-school worker.

If you are worried about your children, talk to one of these people. Some school districts in BC have multicultural workers, or settlement workers who visit a school.

These workers can help immigrant students feel more comfortable in their new life in Canada. If necessary, they also help students deal with discrimination at school.

Helpful rules to teach children

Talk with your children about their safety. Teach your children to:

- know their full name, address, and phone number,
- know the difference between a friend and a stranger,
- always check with the family before going anywhere,
- never answer the door if they are home alone,
- never tell anyone over the phone that they are alone, or
- call the Helpline for Children at 310-1234 if they are afraid and feel unsafe.

Older people and elder law



Elder law covers the laws that affect older people. In this section you will learn about:

- Retirement and government benefits
- Power of attorney
- Joint bank accounts
- Representation agreements
- Advance directives
- Protecting yourself and your money
- Wills and estates
- Elder abuse

Retirement and government benefits

The federal government manages two major public pension programs through Service Canada:

- Old Age Security (OAS), based on years of living in Canada, and
- Canada Pension Plan (CPP), based on years of work in Canada and the amount paid into the plan.

Old Age Security

The Old Age Security (OAS) provides pension benefits to citizens and legal residents of Canada who have lived in the country for 10

or more years as an adult (after turning 18). The **Guaranteed Income Supplement (GIS)** is an additional monthly benefit paid to Canadian residents who receive Old Age Security pension and have little or no other income.

When do I apply for OAS?

Apply for Old Age Security benefits six months before you turn 65. For help in making an application, contact your local Service Canada office, or agencies that help seniors in your community.

Canada Pension Plan

The Canada Pension Plan (CPP) provides income to working Canadians after they retire. The amount of pension income you receive depends on the amount you paid in to the fund from your wages over the years you worked in Canada.

You receive CPP retirement benefits, which is a monthly cheque mailed to you or deposited directly into your bank account, if you have contributed and:

- you are 60-64 years old and have stopped working or have a low income, or
- you are 65 years or older.

In Canada, people have a right to keep working after age 65.

If you work past age 65, you can be receiving CPP benefits at the same time.

You can also continue paying in to CPP until age 70; this will increase the amount you receive in retirement benefits.

CPP gives pension benefits to people who are not able to work because they had an accident, were injured or became ill. This is called a disability pension. If a worker dies, CPP has benefits for the family.

How do I apply?

To apply for OAS, the GIC supplement, CPP benefits and for more information on federal government programs, contact:

Service Canada

For service in English: 1-800-277-9914

For service in French: 1-800-277-9915

Hearing or speech impairment:

1-800-255-4786

www.servicecanada.gc.ca

Have your Social Insurance Number ready when you call.

International benefits

If you have lived and worked in another country, you may be eligible for social security benefits, either from that country or from Canada.

For information on how to apply for international benefits, contact:

International Benefits Program

Telephone: 1-613-957-1954

Fax: 1-613-952-8901

Toll free in Canada and the United States:

1-800-454-8731

TTY in Canada and the United States:

1-800-255-4786

Always have your Social Insurance Number ready when you call.

Power of attorney

A power of attorney (POA) is a legal document that names another person, called the “attorney”, to manage your financial, business and legal matters for you, but NOT health care decisions.

The person who gives the power of attorney to someone is called a donor.

Note: In this section, the word “attorney” does not refer to a lawyer. It refers to someone who has power of attorney.

The person you name as your attorney must act in the way you have instructed. It is important for the attorney to understand their duties and responsibilities. It may be a crime under the Criminal Code if an attorney fails to carry out their duties.

Who should I choose?

You should choose a trusted friend, a relative or your lawyer to act for you. You can have one or two people act as your attorney(s). The people who act as your attorney(s) can act together, or one or the other attorney can be named as an alternate. This will help make sure your wishes are followed.

Choose your attorney very carefully and ask for a regular report on how they manage your finances or business.

You can still handle your own affairs after you appoint an attorney or attorney(s). You can cancel (revoke) an old power of attorney at any time and make a new one with different attorney(s).

Four different types of power of attorney

There are four different types of power of attorney.

Which one you choose depends on your needs.

1. Regular power of attorney
2. Enduring power of attorney
3. Springing power of attorney
4. Limited power of attorney

Regular power of attorney

In a regular POA, the power you give an attorney may be specific or general.

When you give a specific power of attorney, it means you give this person the power to do certain things only. For example, you may want them to do your banking when you're out of town on vacation.

When you give a general power of attorney, it means you give this person the power to manage all your financial and legal affairs. They are to follow your wishes and instructions.

A regular power of attorney ends if you become **mentally incapable**. Mentally incapable is a legal term that means not being able to understand what you are doing and what might happen as a result.

You can be incapable in one area of decision-making, yet still be able to manage your life in other areas.

For example, you may be able to decide where to live and what kind of health services you want, but not be able to manage your finances.

People can make bad decisions and not be mentally incapable. The test is whether they understand what they are doing.



Enduring power of attorney

An **enduring power of attorney** continues if you become mentally incapable.

You can cancel your enduring power of attorney at any time while you are mentally capable.

You cannot cancel an enduring power of attorney if you are mentally incapable.

The attorney must follow your instructions. The attorney must act in your best interests and consider what your wishes would be.

In your enduring power of attorney you say when you want it to start. You may want it to start right away. Or you may want it to start **ONLY** if you become mentally incapable. (In this case, it becomes a **springing power of attorney**, which is discussed next.)

Springing power of attorney

A springing POA comes into effect only when a specific event happens. An event might be if you have a car accident, or become ill, or become mentally incapable.

A springing power of attorney must say:

- what event will start it, and
- how people will know without a doubt that the event has happened.

Limited power of attorney

In a **limited power of attorney**, you say exactly what action your attorney can take, and put a time limit on when the power of attorney ends. For example, suppose you are travelling in another country, and you need someone to go to the bank in person to move some funds. You can give your attorney permission to do this and set a time limit. For example, the attorney must move the funds within five days of the start of a new month.

A limited POA ends when the action is completed or when the time limit has passed.

If you have worries about your attorney

Attorney(s) have a duty to act in your best interests and follow your wishes. But some attorneys misuse their power. They might take funds out of your bank account without your permission. Or they might sell what you own and use the money for themselves. This is financial abuse and it happens to many people, especially seniors.

If you are worried about your power of attorney agreement or want to name someone else as your attorney, you can end the agreement as long as you are mentally capable.

Talk to a lawyer for help and advice, or contact one of the agencies listed at the end of the **Find out more - Elder law** section.

Joint bank accounts

A joint bank account is held by two or more people. Any person whose name is on the joint bank account can put money into the bank account and take money out of the bank account.

Sometimes people put their bank account into joint names with a friend or relative so that the other person can help with banking, shopping and taking out cash for spending. But any person named on the account can use all of the funds as their own and take out all the money. So joint accounts can be dangerous.

As a safer option, you can apply to have your bank pay monthly bills from your account for you. You can also ask the government to have your pension and other cheques deposited directly into your bank account. The bank will send you a monthly statement so that you know

all the activity in your account. There might be a small cost, but many banks have low or no fees for services to seniors.

You can also open a second, smaller bank account. You can ask the bank to regularly move funds from your main account into the second account to pay for what you need each month. The person who is helping you with banking and shopping can withdraw money from this account but not the main account. The main account stays in your name only.

Talk to your bank manager for more ideas on keeping your money safe.

Representation agreements

A representation agreement allows the person you name as your representative to make personal and health care decisions for you.

There are two types of representation agreements:

- Standard representation agreements
- Enhanced representation agreements

Standard representation agreements give limited authority to the representative you name to make some health and routine financial decisions for you.

Standard representation agreements do not allow a representative to make decisions about end-of-life care.

If you are incapable of entering into a contract or managing your affairs, you can make a standard representation agreement as long as you can express your wishes, and you understand the effects of a representation agreement.

Enhanced representation agreements give more responsibility to your representative over health care and personal decisions. Your representative

might even decide if you will or will not receive medical services necessary to continue life.

To make an enhanced representation agreement, you need to have full mental capacity. Under an enhanced representation agreement, the representative has no authority over financial decisions.

Who should I choose to be my representative?

Choose someone you know well and trust. Make sure they know your wishes. As your representative, they must respect those wishes, now and in the future, especially if you can't speak for yourself



Advance directives

In an advance directive you can write instructions to your representative or to your doctor about what kind of health care you want and don't want if you have a serious medical condition.

Advance directives often deal with end-of-life decisions. Some people use the term "living will" when talking about an advance directive.

Instructions in your advance directive can be:

- general statements such as: I don't want to be connected to machines to stay alive, or
- specific statements such as: I don't want to receive donated blood.

An advance directive ensures that your wishes are followed even if you are not able to speak for yourself due to an injury or illness. Keep your advance directive updated. For example, there might be improvements in medicine you wish to consider.

A possible difficulty with advance directives is that your wishes may change over time. Remember to renew and update your advance directive from time to time.

Protecting yourself and your money

When you are a senior, sometimes people try to take advantage of you. It is important to protect yourself and your money.

Criminals use a variety of methods to trick people and take their money. Older people are often the target of these criminal tricks.

Sometimes the criminals take money. Other times, they use your personal information to access your bank accounts or run up debts in your name. This is called identity theft, which means taking your personal information and using your identity.

Be careful with your personal information, which includes your name, address, phone number and date of birth. Be careful when throwing away credit card statements and grocery receipts. Tear the receipts up or put them through a paper shredder, as criminals may go through the trash and use the statements and receipts to find information about you.

Never give out your Canada Social Insurance Number, credit card numbers, or bank account information to someone you don't know and trust. Keep your passwords and bank cards separate.

If you write down your passwords, make sure you store the password in a safe place. Don't

keep passwords in your wallet. Never give out personal information on the telephone or by email. If someone is asking questions they may be trying to learn your personal information.

A bank will never ask for personal information or passwords over the phone unless you call them and the bank asks you to prove your identity. A bank will never email you and ask for your passwords or the numbers for debit or credit cards.

Phone calls saying you have won a vacation, or money, and asking you to enter in your phone number are not real contests. It is not safe to give these callers your personal information.

If you have caller ID on your phone, you can look to see if the number belongs to someone you know. If the number is not familiar, you can let the phone ring and ignore the call.

You can also register for the National Do Not Call List to reduce calls from people and companies trying to sell you things. Visit www.innate-dncl.gc.ca/index-eng for more information on how to register a phone number for the National Do Not Call List.

If you have a problem, see the resources listed in the **Find out more - Elder Law** section at the end of this booklet.

Remember, if an offer sounds too good to be true, it usually is.

Know what you're signing

Talk to a legal advisor or a lawyer before you sign any legal documents.

- Signing a document means you agree to everything that's written in the document.
- Don't sign anything that you don't understand.



Wills and estates

Everything you own at the time of your death is called your estate. Homes, bank accounts, investment accounts, jewelry and cars can all be part of your estate. If you have debt when you die, what you owe is part of your estate.

A Will is a written legal document that contains your instructions about what happens to your estate after you die.

A Will is not the same as a power of attorney. A power of attorney deals with your instructions about what happens to your affairs while you are alive.

You need to name someone as executor of the estate. This is the person who follows the instructions in your Will. You should also name a second person in case the first executor cannot act as executor.

The executor can be a trusted friend, relative, lawyer or company. Your executor is NOT automatically your attorney unless you appoint the same person as executor and as your attorney under a power of attorney.

You can cancel an old Will and make a new one, as long as you are mentally capable.

Elder abuse

Elder abuse is mistreatment that results in harm or loss to an older person. Elder abuse falls into a number of different categories:

Physical abuse: using physical force against an older adult.

Financial abuse: misusing an older adult's money or property. It includes forcing an older adult to sign a document.

Neglect: the person is not being kept clean and safe.

Sexual abuse: forced sexual contact of any kind.

Psychological or emotional abuse: any actions that cause mental and emotional harm. It includes threats, verbal abuse, non-verbal abuse and humiliation.

What are some signs of abuse?

Here are some signs that abuse may be happening:

- Physical abuse: bruising and injuries that cannot be explained.
- Psychological or emotional abuse: showing a high level of anxiety or distress.
- Financial abuse: large unexplained withdrawals from bank accounts.
- Neglect or self-neglect: lack of bathing, unclean living conditions, and lack of health aids such as dentures or glasses.

Different types of abuse often occur at the same time. For example, a victim of physical abuse may also be a victim of psychological or emotional abuse.

Where to go for help

You deserve to be treated with dignity and respect. Elder abuse is always wrong, and can also be a criminal offence.

If you think you may need legal advice, contact a lawyer.

The following resources can provide support to you or someone you know:

BC Centre for Elder Advocacy and Support (BC CEAS) provides confidential legal information and emotional support over the phone. BC CEAS can also provide legal representation. Contact details are in the **Find out more - Elder Law** section at the end of this booklet.

BC Human Rights Coalition provides information and services to people in BC who need help to protect their rights under the BC Human Rights Code. For more information phone 604-689-8474 or toll free 1-877-689-8474.

VictimLINK can put you in touch with counselling and helping services, and people who may be able to help you find a safe place to stay. Call 1-800-563-0808.

BC Association of Community Response Networks (BCCRN) can provide information and help to anyone who is being abused or neglected, or is supporting someone who is. To find your local Community Response Network, email info@bccrns.ca or go to www.bccrns.ca.

For seniors who are in a care facility or group home, call the **Community Care Facilities Licensing Officer** in your area. To contact a licensing officer, call the Health Information Line at 1-800-465-4911 and ask for the telephone number.

The **Public Guardian and Trustee's Office** can tell you which local agency has the responsibility to respond to reports of abuse and neglect of older

Notes

Your local health unit. Call the Health and Seniors Information Line at 1-800-465-4911 and ask to be connected to your local health unit or a mental health worker.



What the words mean - Family Law

Adultery	Sex between someone who is married and someone who is not their spouse.
Agreement	A written contract that sets out how spouses have agreed to deal with things like parenting, support, and property.
Child's best interests	A legal test used in family law cases to decide what would best protect your child's: physical, psychological, and emotional safety; security; and well-being.
Child support guidelines	The amount of money the person who is paying support must pay. The amount depends on how many children you have. The guidelines are online at www.justice.gc.ca/eng/pi/fcy-fea/lib-bib/legis/fcsg-lfpae/index.html .
Collaborative family law	A situation that involves two or more people working together, usually with lawyers, to reach an agreement or end a dispute.
Common-law relationship	A relationship that is considered to be marriage-like because the couple has lived together for at least two years.
Consent order	A court order that both spouses agree to.
Contact	The time that a person who is not a guardian spends with the child. This person could be a parent who does not have guardianship or another relative, like a grandparent.
Contract	An agreement that the law can enforce.
Contribute	To give or supply in common with others; to help bring about something better.
Court order	An order or decision made by a law court.
Custom	Something that is done by people in a particular society because it is traditional.
Dispute resolution	A process in which two people work through their family law issues with a trained professional, like a mediator.
Divorce	The legal ending of a marriage.
Duty counsel	Lawyers who work at the courthouse. They can give you advice about your family case.
Enforcement	When people are made to obey a rule, law etc.
Excluded property	Any property that is not considered family property.
Family debts	Debts that you take on during your relationship that you still owe on the date you separate. They can also be debts you take on after your separation date to maintain family property.

Family property	Family property is everything either you or your spouse own together or separately on the date you separate.
Final order	A court order that does not have a time limit. It is permanent.
Guardian	A person who has the right to make decisions about a child, such as: <ul style="list-style-type: none"> • where the child will live or go to school, • the sort of medical and dental care the child will receive, and • what religion the child will be raised in.
Guardianship	The position of being legally responsible for a child.
Impartial	Not involved in a particular situation, and therefore able to give a fair opinion or piece of advice.
Interim order	A temporary court order. It has a time limit. You can get an interim order when you need to make decisions right away.
Intention	A plan to do something.
Mediator	A person that tries to end a dispute between people by discussion.
Parental responsibilities	The responsibility of guardian(s) is to make decisions about the child's life. These can include decisions about daily care, as well as larger ones about health care, education, religious upbringing, etc.
Parenting arrangements	The arrangements made for parental responsibilities and parenting time in a court order or agreement between guardians.
Parenting time	The time that a guardian has with a child under an order or agreement.
Permission	To allow someone to do something.
Protection order	A court order made to protect someone from violence.
Relocate	Move out of the area, move to another place.
Responsibility	Something a person must do.
Separation	A situation in which a married couple or common-law couple agree to live apart.
Spouse	A married person or a person in marriage-like relationship.
Temporary	For a limited time only.

What the words mean - Youth Law

Anonymously	You do not have to give your name, for example, when you phone a help line.
Confidential	When information is confidential, the person you tell is not allowed to tell anyone else about it.
Contribute	To help bring about something better.
Court order	An order or decision made by a law court.
Custom	Something that is done by people in a particular society because it is traditional.
Discipline	To punish someone in order to keep order and control.
Discrimination	Treating someone differently from other people in a way that is unfair.
Mistreated	To treat badly, to abuse.
Permission	To allow someone to do something.
Responsibility	Something a person must do.
Sentence	The punishment a person receives after being found guilty of or pleading guilty to committing a crime.
Young offender	Criminal offenders who are 12 years or older and 18 years or younger.
Youth record	A record of a young person's involvement in Canada's youth justice system.

What the words mean - Elder Law

Advance directive	Instructions to your representative or to your doctor about what kind of health care you want and don't want if you have a serious medical condition. Sometimes called a "living will."
Alternate attorney	An alternate person who can manage your financial, business and legal matters if your attorney cannot.
Attorney	A person you appoint to manage financial, business and legal matters for you.
Confidential	Will not be shared with anyone else, e.g. confidential information.
Designated agencies	Agencies that have a legal responsibility to look into reports of adult abuse and neglect.
Donor	The person who gives power of attorney to someone to manage
Enduring power of attorney	A power of attorney that continues if you become mentally incapable.
Enhanced representation agreement	Gives authority to your representative to make personal and health care decisions for you, possibly including end-of-life decisions.
Estate	Everything that is left when you die.
Executor	The person you appoint in your Will to distribute your estate when you die. The executor carries out your instructions.
Financial, business and legal matters.	The time that a person who is not a guardian spends with the child. This person could be a parent who does not have guardianship or another relative, like a grandparent.
Limited power of attorney	A power of attorney for a specific action, with a time limit.
Mental capacity	The ability to understand decisions and make them.

Mental incapacity/ mentally incapable	Not having the ability to understand decisions and make them. Someone who cannot understand decisions and make them is mentally incapable.
Mistreatment	Treating someone badly.
Misuse	Using something in the wrong way.
Power of attorney	A legal document that allows an attorney to manage your financial, business and legal matters for you.
Representation agreement	A legal document that allows the person you name as your representative to make personal and health care decisions for you.
Revoke	Cancel, end.
Specific	Particular, distinct.
Springing power of attorney	A power of attorney that takes effect only when a particular event has taken place.
Standard representation agreement	Gives limited authority to your representative to make some health and routine financial decisions for you.
Will	A written legal document that contains your instructions about what happens to your estate when you die.

Find out more - Family Law

<p>Clicklaw</p>	<p>A website that will take you to legal information and education from across BC. Clicklaw is operated by Courthouse Libraries BC.</p> <p>Start on the home page (Solve Problems) and explore by topic. Select Family.</p> <p>You can use the Clicklaw Help Map to find someone who can help with legal problems.</p>	<p>www.clicklaw.bc.ca</p> <p>www.clicklaw.bc.ca/helpmap</p>
<p>Family Law in British Columbia</p>	<p>The Family Law in British Columbia website has important information about family matters including: child protection, child support, common-law relationships, divorce and separation, and family violence. Information is available in 12 languages. The website is produced by the Legal Services Society.</p> <p>The Legal Services Society has free print and online booklets on family law topics in English and many other languages. Select Family and look for these publications:</p> <p><i>Living Together or Living Apart: Common-Law Relationships, Marriage, Separation, and Divorce</i></p> <p>This booklet explains the basics of family law in BC. It includes information about living common-law or being married, getting separated or divorced, and where to find help. The booklet is available in eight languages.</p> <p><i>Parents' Rights, Kids' Rights: A Parent's Guide to Child Protection Law in BC</i></p> <p>This booklet explains what happens if the Ministry of Children & Family Development has concerns about a child's safety.</p>	<p>www.familylaw.lss.bc.ca</p> <p>www.familylaw.lss.bc.ca/resources/publications</p>

	<p><i>For Your Protection</i> This is written for people who need protection from violent partners or ex-partners, but the information applies to anyone in an abusive relationship.</p> <p><i>If Your Child is Taken</i> This explains the steps that parents or guardians can take if the director of Children and Family Development removes their child or is planning to remove their child from the home. Describes what the law says, what parents can do, and what happens in court. www.clicklaw.bc.ca</p>	
ImmigrantLegal.ca	<p>This website provides free legal information and education on legal topics for newcomers to Canada and the people working with them. The website is a project of the Immigrant Public Legal Education and Information Consortium. It is managed by the Justice Education Society.</p> <p>On the home page of the site, select Family.</p>	www.immigrantlegal.ca
JP Boyd's BC Family Law Resource	<p>This website offers information about family law and the court process in British Columbia. It's written in language that is easy to understand, and it has definitions for legal words and phrases.</p>	www.bcfamilylawresource.com www.wiki.clicklaw.bc.ca/index.php/jpboyd
JusticeBC	<p>The Ministry of Justice manages BC's justice system. This website has information to help parents who are separating. It includes how parents can reach an agreement, what government services are available, and where parents can find programs to help them and their children cope.</p>	www.justicebc.ca or www.ag.gov.bc.ca/family-justice

Justice Education Society	<p>On the home page, select the quick link to Family Law.</p> <p>Court Information Program for Immigrants provides free legal information to new immigrants and refugees. All content on the website is available in English, Chinese, Vietnamese, Punjabi, and Hindi.</p> <p>Families Change: Guide to Separation & Divorce is a multimedia website that provides information on separation and divorce for children, teens, and parents.</p> <p>KidsBC.ca: Explore Changeville is a multimedia website that aims to help children cope with the changes in their lives when parents separate or divorce.</p>	<p>www.justiceeducation.ca</p> <p>www.courtinformation.ca</p> <p>www.familieschange.ca</p> <p>www.kidsbc.ca</p>
Lawyer Referral Service	<p>This service can help you find a lawyer who will meet with you for 30 minutes for \$25.</p>	<p>Phone: 604-687-3221 1-800-663-1919 www.cba.org/bc</p>
Legal Services Society of BC	<p>You may be able to get free legal help (Legal Aid) if you have a serious family law problem and:</p> <ul style="list-style-type: none"> • your legal problem is covered by legal aid rules, • your income and the value of your property are below a certain limit, and • you have no other way of getting legal help. 	<p>www.legalaidbc.ca</p>
Mediate BC Society - Family Mediation Services	<p>Mediate BC can put you in touch with a mediator who can help you and your spouse work together to find a solution to legal problems and help you make an agreement.</p>	<p>Phone: 1-604-684-1300 local 23 1-855-660-8406 www.mediatebc.com</p>

Parenting After Separation	Parenting After Separation is a free three-hour workshop that helps parents make decisions about their separation that focus on the best interests of their children.	www.justicebc.ca/en/fam/index.html
People's Law School	<p>The People's Law School offers free public legal education and information to the people of British Columbia. Free booklets are available online and in print. They include:</p> <p><i>Caring for Children</i> outlines parents' responsibilities and children's rights, and where to get help.</p> <p><i>Child Support in BC</i> booklet offers general information for parents about child support in BC.</p> <p><i>Talking about Abuse</i> is a video series that can help non-English speakers understand how Canadian law defines family violence. It includes information on where people in BC can get help in their own language. You can order resources online.</p>	<p>Phone: 604-331-5400 www.publiclegaled.bc.ca</p> <p>www.publiclegaled.bc.ca/media/violence-against-minority-women</p> <p>www.store.publiclegaled.bc.ca</p>
Pro Bono Legal Services	In these programs, lawyers volunteer to provide free legal advice to those who can't afford a lawyer or can't get Legal Aid. If you have a family law problem, you can contact Access Pro Bono Society of BC. It has legal advice clinics across BC.	<p>Phone: 604-878-7400 1-877-762-6664 www.accessprobono.ca</p>
VictimLink.ca	VictimLink can put you in touch with services that will help victims of violence.	<p>1-800-563-0808 www.victimlink.ca</p>

Find out more - Youth Law

Child Abuse Prevention	This website from the BC Ministry of Children and Family Development has two sections: Preventing Child Abuse in Your Community , and Just for Teens .	www.safekidsbc.ca
Clicklaw	<p>A website that will take you to legal information and education from across BC. Clicklaw is operated by Courthouse Libraries BC.</p> <p>Start on the home page (Solve Problems) and explore by topic. Select Children & teens.</p> <p>You can use the Clicklaw Help Map to find someone who can help with legal problems.</p>	<p>www.clicklaw.bc.ca</p> <p>www.clicklaw.bc.ca/helpmap</p>
Dial-A-Law	<p>Has brief legal information on over 130 topics, available in English, Chinese and Punjabi. Dial-A-Law is a free service of the Canadian Bar Association, British Columbia branch. You can listen on the telephone or online. You can also read the information online.</p> <p>Scripts include Children's Rights and Young People and Criminal Law.</p>	<p>Phone: 604-687-4680 1-800-565-5297</p> <p>www.dialalaw.org</p>
JusticeBC	<p>This is the website of the BC Ministry of Justice, which is responsible for managing the justice system in BC. The website provides information on a wide range of legal topics and describes the government services available to help you.</p> <p>Select Criminal Justice System for information about young offenders.</p>	<p>www.justicebc.ca or www.justicebc.ca/en/fam/index.html</p>
Justice Education Society	<p>Gang Prevention is a website that aims to prevent youth involvement in gang activity. It provides information and resources to parents and youth. On the website, select Youth, Families & Community.</p> <p>Legal Rights for Youth is a website for youth. It describes the legal rights for youth living in British Columbia.</p>	<p>www.gangprevention.ca</p> <p>www.legalrightsfor youth.ca</p>

Lawyer Referral Service	This service can help you find a lawyer who will meet with you for 30 minutes for \$25.	Phone: 604-687-3221
People's Law School	<p>The People's Law School offers free public legal education and information to the people of British Columbia. Free booklets are available online and in print. They include:</p> <p><i>Consequences of a Youth Record</i> This free booklet explains what a youth record is, how long it remains, and what a record means for the youth.</p> <p>You can order booklets online.</p>	<p>www.publiclegaled.bc.ca</p> <p>www.store.publiclegaled.bc.ca</p>
Pro Bono Legal Services	In these programs, lawyers volunteer to provide free legal advice to those who can't afford a lawyer or can't get Legal Aid. If you have a legal problem, you can contact the Access Pro Bono Society of BC. It has legal advice clinics across BC.	<p>Phone: 604-878-7400 1-877-762-6664 www.accessprobono.ca</p>

Find out more - Elder Law

BC Association of Community Response Networks (BCCRN)	Provides information and help to anyone who is being abused or neglected, or is supporting someone who is.	www.bccrns.ca
BC Centre for Elder Advocacy and Support (BCEAS)	BCCEAS provides information about benefits and programs for seniors, financial and legal planning, elder abuse and where to go for help, and how to protect yourself against theft and fraud.	Phone: 604-437-1940 1-866-437-1940 Call between 9am and 1pm Monday-Friday www.bceas.ca
Clicklaw	A website that will take you to legal information and education from across BC. Clicklaw is operated by Courthouse Libraries BC. Start on the home page (Solve Problems) and explore by topic. Select Seniors . You can use the Clicklaw Help Map to find someone who can help with legal problems.	www.clicklaw.bc.ca www.clicklaw.bc.ca/helpmap
Dial-A-Law	Has brief legal information on over 130 topics, available in English, Chinese and Punjabi. Dial-A-Law is a free service of the Canadian Bar Association, British Columbia branch. You can listen on the telephone or online. You can also read the information online. Scripts include <i>Elder Law</i> , <i>Elder Abuse</i> and <i>Seniors Rights</i> .	Phone: 604-687-4680 1-800-565-5297 www.dialalaw.org
Human Rights Coalition	The BC Human Rights Coalition provides information and services to people in BC who need help to protect their rights under the BC Human Rights Code.	Phone: 604-689-8474 1-877-689-8474 www.bchrcoalition.org
Justice Education Society	The Justice Education Society creates programs and resources that improve access to British Columbia's justice system. They include: Your Human Rights in BC. This is a series of five videos for immigrants about human rights in BC and Canada. The videos are available in English, Mandarin and Punjabi.	www.justiceeducation.ca www.justiceeducation.ca/resources/human-rights-in-bc

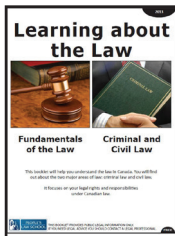
Other related public legal information booklets include:



Offers information for parents about child support in BC.



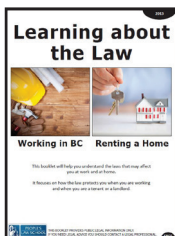
This booklet describes the federal and provincial government benefits available to seniors, including Old Age Security and Canada Pension Plan.



Fundamentals of the Law, Criminal Law, Civil Law: This booklet contains a basic introduction to law in British Columbia.



This booklet contains information about planning for the future, such as: Power of Attorney, Representation Agreement, Wills.



Working in BC & Renting a home: This booklet contains basic information about working in BC, landlord and tenant law, and buying a home.



This booklet contains services available to seniors in the following areas: Health Care, Housing, Transportation, and Recreation.

This series and other public legal education booklets are available online at:



www.publiclegaled.bc.ca



www.clicklaw.bc.ca

Booklet Evaluation Form



Your opinion matters to us.

Please take a few moments to tell us what you think of the publication.

1. Which publication did you read?

.....

2. How much did your understanding of the topic improve after reading the booklet?

☐ A lot

☐ A little

☐ Not much

3. How do you intend to use this booklet in the future?

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4. What other public legal education topics are of interest to you?

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☐ Family Law

☐ Tenancy Law

☐ Wills and Estates

☐ Immigration Law

☐ Other

5. Do you have suggestions for improving this booklet?

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Return completed evaluation form to:

People's Law School

Mail: Suite 150 - 900 Howe Street, Vancouver, BC V6Z 2M4

Email: info@publiclegaled.bc.ca

Evaluation forms can be filled out online at

publiclegaled.bc.ca/bookletevaluation

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People's Law School

People's Law School is a non-profit charitable society whose purpose is to provide British Columbians with reliable information about their rights and responsibilities under the law.



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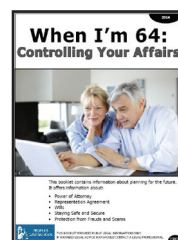
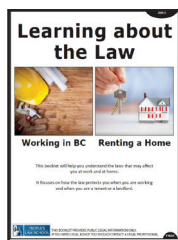
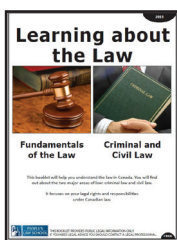
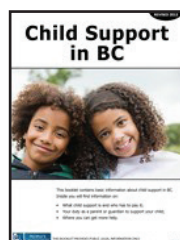
Canada



Ministry of
Justice

for their financial support.

Other related Public Legal Information booklets include:



Booklets are available online at:
People's Law School | www.publiclegaled.bc.ca
Clicklaw | www.clicklaw.bc.ca



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