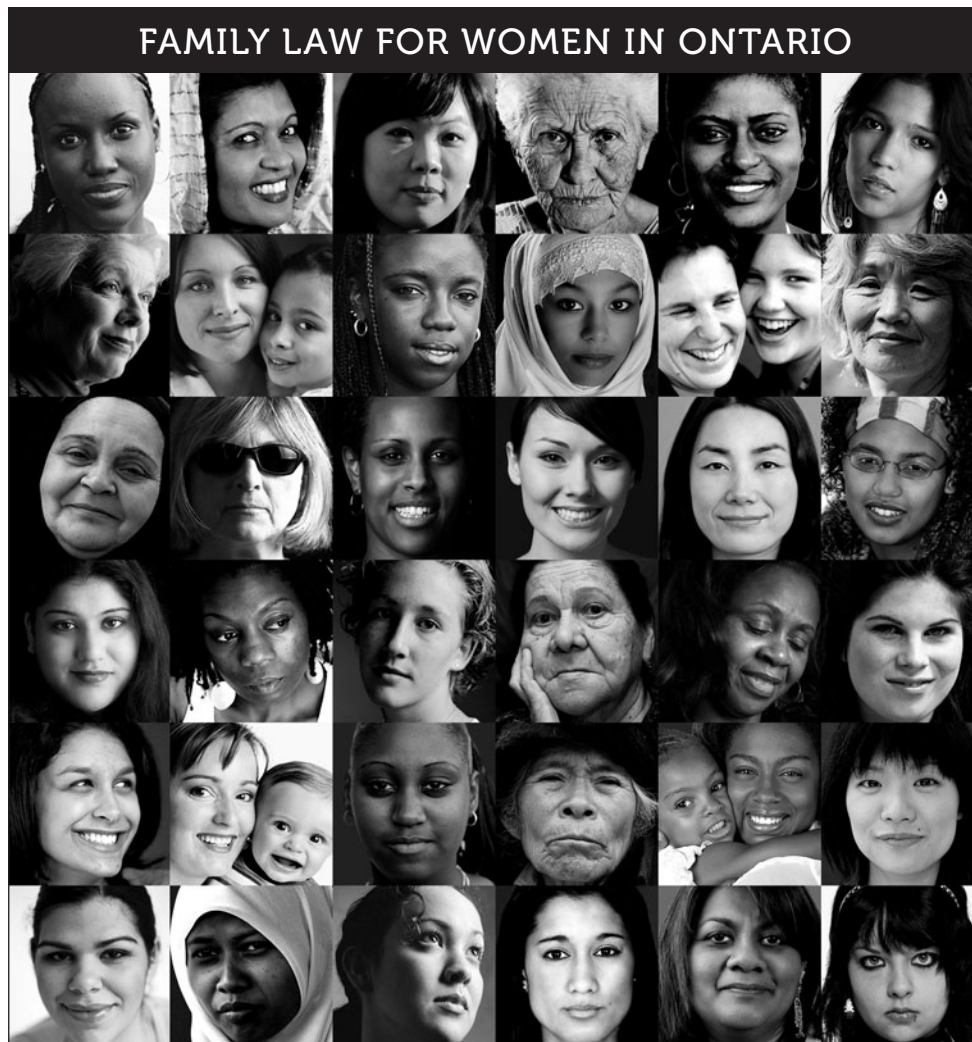


Working with Your Lawyer

Advocacy Tips for Women with Disabilities and Deaf Women Dealing with Family Law Issues

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Working with Your Lawyer

Advocacy Tips for Women with Disabilities and Deaf Women Dealing with Family Law Issues

This booklet is meant to give you a basic understanding of legal issues. It is not a substitute for individual legal advice and assistance. If you are dealing with family law issues, get legal advice as soon as possible to protect your rights. For more information about how to find and pay for a family law lawyer, see our booklet on "Finding Help with your Family Law Problem" on our website at www.onefamilylaw.ca.

Family breakdown is a difficult, stressful time for women and their children. It is very important to get legal advice when dealing with family law issues. Women living with disabilities and Deaf women can encounter barriers to the legal system because many

FAMILY LAW FOR WOMEN IN ONTARIO

people are unaware of disabilities issues and their obligation to make accommodations.

Working with your Lawyer:

If you are dealing with family law issues such as divorce, custody or child protection proceedings, you should seek legal advice as soon as possible. Having a lawyer can help you:

- communicate disability-related issues to the court
- find and present expert evidence
- ensure you understand each step in your case
- prepare you to be the best possible witness for your case.

When hiring a lawyer, make sure to ask questions about the lawyer's experience in family law, and in working with clients with

WORKING WITH YOUR LAWYER

disabilities. If you are a woman living with a disability or are Deaf, you may be living on a limited income and may need to apply for legal aid assistance to pay for a lawyer to help you with your case. This can make it difficult to find a lawyer as some lawyers do not accept legal aid certificates. Make sure you find this out before you meet with the lawyer.

Make your accommodation needs known: Finding a good family law lawyer is an important step in the process of dealing with your situation. However, if you are Deaf, another important issue is how you and your lawyer will communicate with each other. Most lawyers don't know ASL (American Sign Language), and some might not even be aware of things like interpreting services. If you use ASL to communicate, you will need to let your lawyer know that ASL-

FAMILY LAW FOR WOMEN IN ONTARIO

English interpreting services will be needed, so that you can discuss your case together. If your lawyer and the office staff are not familiar with interpreting services, you may need to provide them with some information about interpreting services so they can accommodate you properly.

Interpreting services can be arranged directly with a freelance (independent) interpreter or through an agency. Remind your lawyer that booking interpreters needs to be done in advance of the appointment time. The Association of Visual Language Interpreters of Canada (AVLIC) website has a directory of interpreters in Ontario. Your lawyer's office can download the directory at www.avlic.ca and contact interpreters to arrange for their services. Interpreting services can also be arranged through the Ontario Interpreting Services (OIS) department of the Canadian

WORKING WITH YOUR LAWYER

Hearing Society (CHS). Your lawyer's staff should contact the CHS office in your area. For phone numbers and email addresses, check the CHS website at www.chs.ca.

If you require print information related to your case to be in an alternate format, you need to let your lawyer and court staff know in advance.

Here are some steps you can take to assist your case:

- Be prepared to enter your own medical or other records where helpful. For example, documentation showing a degenerative illness is currently in its early stages along with a parenting plan to accommodate ongoing changes to your health could be helpful.

FAMILY LAW FOR WOMEN IN ONTARIO

- Be prepared that your medical or other records may be introduced as evidence in the event that the abuser's lawyer tries to damage your reputation as a parent or question your parenting abilities.
- Gather as much detailed evidence of your parenting abilities as you can. Where you have been the primary caregiver in the past, produce detailed descriptions of this.
- Present third-party evidence from people who can support your case. An "expert", such as a doctor, who can confirm your disability is not negatively affecting your parenting skills, could have favorable influence. A child care worker or teacher, for example, can describe your aptitude for parenting.

Divorce, separation, child protection and child custody issues can be very stressful to

WORKING WITH YOUR LAWYER

manage, and at times you may feel overwhelmed. Here are some community agencies that may be able to offer you some support through this process:

- The Ontario Association of the Deaf, OAD, is an excellent source of information about services. Its website is www.deafontario.ca;
- CHS provides counselling services through its CONNECT program;
- Community Living Toronto (www.communitylivingtoronto.ca). Ask to speak with the female intake worker in the Adult Protective Services department;
- If you have trouble finding a family law lawyer on your own, there are people at CHS and Silent Voice, an organization that serves Deaf children, Deaf youth and adults, and their families in a sign language environment, (www.silentvoice.ca) who can

FAMILY LAW FOR WOMEN IN ONTARIO

help by making phone calls, filling out forms (like those needed by Legal Aid to pay for a lawyer) and referring you to the community services you need;

- CHS and Silent Voice may also be able to help you explain to your lawyer why interpreting services are necessary and how to make those arrangements.

If you are a francophone woman living in Ontario, you have the right to access French language services in family law court proceedings. For more information regarding your rights, contact a lawyer, a community legal clinic, or the support line Femaide at 1-877-336-2433, TTY 1-866-860-7082.

You can find more information on how to access services in French on our website at www.onefamilylaw.ca or www.undroitdefamille.ca.

WORKING WITH YOUR LAWYER

FAMILY LAW FOR WOMEN IN ONTARIO

Family Law Topics Available*

1. Alternative Dispute Resolution and Family Law (ENG 001)
2. Child Protection and Family Law (ST 002)
3. Child Support (ST 003)
4. Criminal and Family Law (ST 004)
5. Child Custody and Access (ST 005)
6. Domestic Contracts (ENG 006)
7. Family Law Arbitration (ENG 007)
8. Family Law Issues for Immigrant, Refugee and Non-status Women (ST 008)
9. Finding Help with your Family Law Problem (ST 009)
10. How Property is Divided in Family Law (ENG 010)
11. Marriage and Divorce (ST 011)
12. Spousal Support (ST 012)

** This booklet is available in multiple formats. Please see www.onefamilylaw.ca for more information. You can also find additional materials on the website to help you understand your family law rights.*

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