

### Option 3: Have a Lawyer Represent You

Only a lawyer can give you legal advice. A lawyer can also represent you in court.

If you and your partner cannot agree or if there is abuse in the relationship, you may need to go to court and ask a judge to make a court order to deal with parenting decisions, child support, assets, debts, and property issues. The lawyer will make sure that the important facts are put before the judge to assist him/her in deciding the issues.

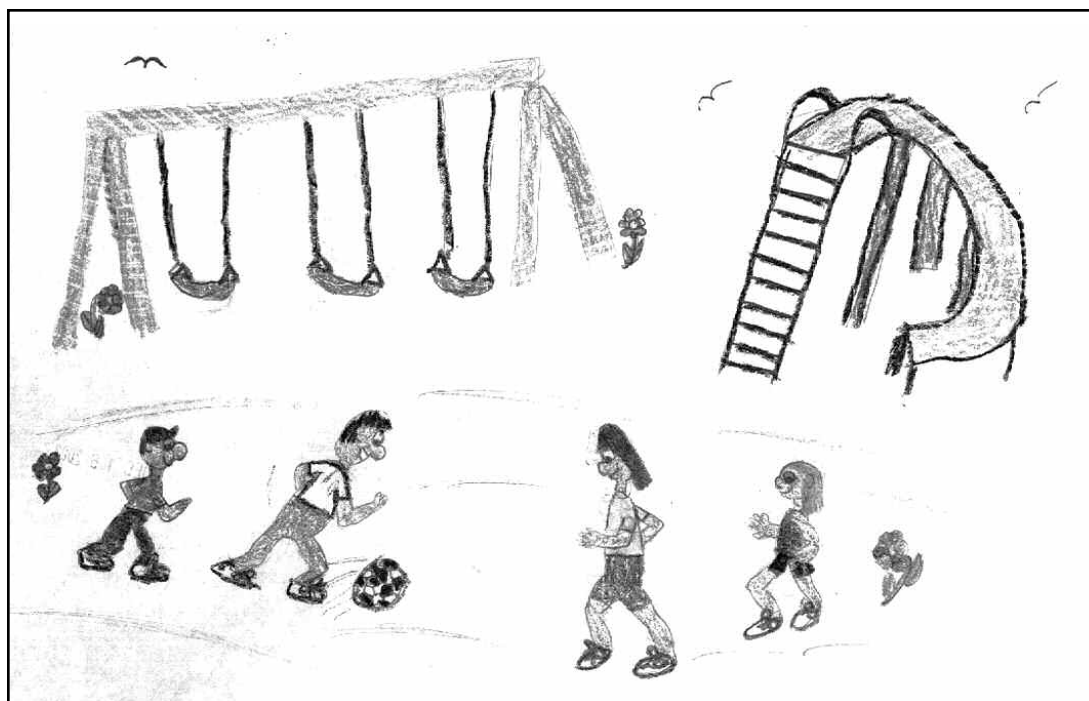
If you don't have a lot of money or assets, you may be able to get a Legal Aid lawyer. Look in the white pages of your phone book under "Legal Aid". You may also want to visit the Legal Services Society website at [www.lss.bc.ca](http://www.lss.bc.ca).

Find a lawyer who understands Aboriginal families and issues. It is important that you choose a lawyer you trust and can speak to.

If something happens during the court process that you'd don't understand, ask your lawyer to explain it in a way you understand.

If you go to court, you will give evidence about the children's needs and what will work for your family. Gather all the information that may be relevant, such as the child's report cards, medical reports, letters from childcare providers and coaches.

*"I think that the separated parents should always be friends and they should let their children know that its not a bad thing to be separated. The children should always know why the parents got separated and that its okay to tell the parents how they feel."*



Shelby, Kersley Elementary School

## Getting a Lawyer

A lawyer can help you at any point in the process.

- A lawyer can advise you of your legal options.
- A lawyer may be able to give you assistance with a particular legal task, which cuts down on cost.
- A lawyer can also help you communicate with the other parent. Lawyers can use a process called collaborative law – it is similar to mediation.
- If your matter needs to go to court, a lawyer can represent you there or give you some legal advice.
- If you cannot afford a lawyer, you may be able to get help from legal aid.

It is important to choose a lawyer you feel comfortable with. Here is a checklist for you to use.

My lawyer:

- Is someone I trust.
- Understands issues that affect Aboriginal families.
- Is sensitive to safety and power imbalance issues.
- Explains the options but doesn't make choices for me.
- Is sensitive to the emotional and psychological tasks of separating.
- Knows that when children are involved, there is no such thing as "winning."
- Understands that bitterness and conflict can be more damaging to the children than the separation itself.
- Has told me, that at any time, my ex-partner and I can reach an agreement (with or without the help of our lawyers) write a separation agreement and/or consent order, and bring the court process to an end.
- Is willing to try negotiations where I don't have to be face to face with my ex-partner.
- Believes that dealing with family disputes in the courtroom is a last resort. Only if we can't agree will we have the judge decide for us.

***If you do not answer yes to all of these statements about your lawyer, consider changing lawyers.***