

Ethical and Professional Responsibilities of Lawyers Providing Legal Services to Homeless People

Professor Bouclin with Jessica Saris

Introduction

This research is related to a community-based partnership with Centertown Community Health Centre (CCHC), a non-profit organization which provides necessary social services to the street community. The goal of this research is to work with the CCHC to explore the legal needs of homeless people to be able to draft guidelines on the ethical conduct of lawyers providing services to homeless people. Currently, there is no consolidated set of rules governing interactions between lawyers and homeless people. The research will consequently ask three questions:

- 1) Are there rules within the Law Society of Upper Canada's (LSUC) Code of Conduct and within existing case law around providing legal services to vulnerable people that might apply in the context of homeless people?
- 2) Can meaningful and appropriate guidelines be gleaned from other disciplines and sources (social work, medicine, psychology for instance)?
- 3) How can these rules be articulated in a client-centred model that recognizes their rights and responsibilities when receiving legal assistance?

The research will culminate in the production of a guidebook for law students and practitioners who provide legal services to homeless people.

Methodology

This research began with a literature review of legal texts in relation to our research topic along with thorough doctrinal and policy analyses. I also compiled case law and legal commentary on the ethical obligations of lawyers and law students towards vulnerable clients. I assisted the principal researcher during site visits at community partners and I met CCHC staff to ascertain their requirements and feedback regarding a potential Code of Ethics for Dealing with Vulnerable Clients. I also attended regular meetings with the principle investigator to debrief and brainstorm.



Results

Homeless people in Canada experience significant barriers in access to justice: disproportionately high levels of unresolved legal concerns; inadequate access to legal information and services; and few venues in which they can express their experiences with law. This research is currently still ongoing in order to achieve our goal of developing a guidebook for lawyers and law students who provide legal services to homeless people.

Conclusion

The goal of this research is to develop concrete but flexible guidelines for lawyers providing legal services to the homeless community (and other vulnerable groups by extension) using insights gathered from existing legal case law and other social science disciplines. These guidelines will form the basis of a client-centred guidebook for law students who will eventually be offering legal services through a mobile clinic at the CCHC. It may eventually also become a broader policy proposals to the LSUC.

Contact

Professor Bouclin:
suzanne.bouclin@uottawa.ca

Jessica Saris: jsari096@uottawa.ca

Acknowledgement

I would like to give special thanks to the Undergraduate Research Opportunity Project (UROP) for this amazing opportunity and for funding this research. I would also like to express my gratitude to Professor Bouclin for her invaluable support, teaching, and guidance throughout this project and to Naomi Sayers for her assistance and collaboration throughout the project.



uOttawa