

LEGAL INFORMATION & LEGAL ADVICE

FOR BC LIBRARIANS & LIBRARY STAFF

Our goal is to get our patrons pointed in a good direction with their information request, but not to provide legal advice or answers to specific matters - We are not legally trained!

When someone has a question, here are a few things to keep in mind:

LEGAL INFORMATION

WE CAN

Direct patrons to legal information online and in-print.

- Clicklaw & Clicklaw Wikibooks
- MyLawBC
- Civil Resolution Tribunal

...are a few great places to start!

Make referrals by suggesting options to explore for getting one-on-one legal help.

- Clicklaw HelpMap is a great place to start.

Show people how to find and search for statutes, case law, articles, and forms.

We can help them put together a search strategy with the keywords and concepts they provide

Point people to legal dictionaries, glossaries, and court rules.

Show patrons guides written on certain topics. For example, this may include guides to court procedure or guides to filling in court forms.

Direct patrons to the list of forms on the government website, show them court rules, and show them other resources which specify which forms to fill out.

Court forms are available electronically – people may not know where to access them

LEGAL ADVICE

WE CANNOT

Provide legal advice.

Even if you think you know the answer, do not advise people, tell them what they ought to do, or how they should proceed legally.

Recommend specific lawyers or law firms.

We can show them how to search, but they need to decide themselves what cases they need for their research or legal issue

Tell people what cases or resources they "should" use or what cases or resources are "right" for them.

Tell people how to interpret laws or legal information - tell people what things mean.

Tell people what to write, or even check over what they have written to see "if it makes sense."

Tell people which specific form to fill out off the top of your head or fill in a form for the patron.

Generally, this refers to a patron who does not know what to put in a form – in this situation you should direct them to a guide on filling out a form or to legal help.

This doesn't refer to helping a patron who knows what they want to fill in but may have technical or mobility challenges filling in an electronic form.

EXAMPLES

If a patron wants to know how to probate a will, we can point them to the common question on **Clicklaw**, to other resources online, to legislation on **BC Laws**, to the court rules, and to materials in the library.

We cannot tell them what to do without pointing at a resource that they may find helpful.

This is part of the reference interaction – letting the patron decide what information and resources are relevant for them and their situation. When we find and present information, this helps the patron get a better understanding of their legal issue. Often, they are not even aware that these resources exist!

If a patron wants to know the definition of a legal term, we cannot define anything off the top of our heads without pointing at a resource.

If they are looking for a definition in a statute: Statutes will often have a definitions section which will define words and phrases used in that statute.

If they are looking for a legal term (perhaps listed on a form), we can direct them to print legal dictionaries or to legal glossaries.

TIPS

If it seems like your patron hasn't done much digging themselves, ask them where they have looked so far and highlight your role in getting them started in a positive direction.

You may not always find resources for every question. Sometimes, a patron's question may be beyond the scope of the legal information you have in your collection (or can access online).

If it is a resource/collection issue, check with **Courthouse Libraries BC** – we have a large collection of legal texts, historical legislation, and subscription legal databases.

If you have done what you can to find information, and the patron appears to require legal advice, make a referral.

COMMUNICATING BOUNDARIES

Here are a couple of examples that may indicate that your patron is looking for legal advice – you can offer information here but otherwise, these fall into the category of giving legal advice:

“What do you think I should fill in here?”

“What would you do if you were in my situation?”

“I need a lawyer. Who is a good choice?”

“Do you think this is a good idea?/Does this make sense?”

“I need someone to tell me what to do.”

As information professionals we have a pretty good grasp on the difference between legal information and legal advice – however, our patrons may not.

Here are a couple of phrases you can use to help set boundaries when a patron is looking for legal advice:

I can get you started with some information on that topic, but I'm not able to provide legal advice or answers specific to individual situations.

It sounds like you are looking for more than information on this topic. You may wish to seek legal advice / talk to a lawyer regarding your circumstances. I can see if there are any low cost or free services I can refer you to.

I can help you find information. I can't tell you what to do with that information.

I am not legally trained so I can't say. If you need help finding information on this topic I can help you with that. If you are looking for legal advice I can see if there are any low cost or free services I can refer you to.