

Questions to ask your lawyer

How much will your legal services cost?

What might change this estimate?

How can I keep the costs down?

How long will my case take?

What will you do now?

What should I do now?

When will I hear from you?



Dial-A-Law offers free tape-recorded legal information on over 130 specific topics.

Your call is free from anywhere in BC using a touch-tone phone 24-hours a day. You can call from a dial phone between 8:30 a.m. and 4:30 p.m. Monday to Friday. In the Lower Mainland call 687-4680. In other areas of BC call toll-free 1-800-565-5297. Dial-A-Law is a free service of the BC Branch of the Canadian Bar Association and the Law Foundation of British Columbia.

This pamphlet has been prepared by:



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The Law Society is the governing body of the legal profession and is responsible for the admission, conduct and discipline of all lawyers in B.C.

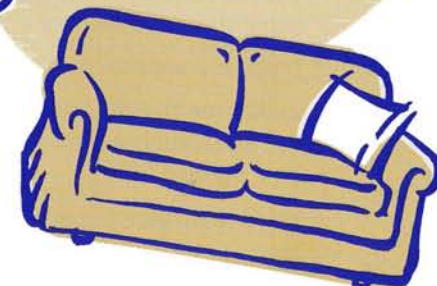


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The Canadian Bar Association is a nation-wide organization devoted to promoting the interests of the legal profession, advocating law reform and providing legal services to the public.

LAWYERS & CLIENTS

When you see a lawyer about separation & divorce



Your lawyer protects your interests.

WHEN YOUR MARRIAGE IS OVER THERE ARE MANY LEGAL ISSUES.

Your lawyer can:

- explain the law and your options to you
- act quickly to protect your rights
- discuss any arrangements you have made with your spouse to make sure that they are in your best interests
- represent you during negotiations with your spouse or your spouse's lawyer
- express your wishes about your children and their interests
- talk to you about your rights and obligations when you and your spouse are using a mediator, or attend with you, to help work out the terms of your separation and divorce
- prepare a separation agreement for you.
- make sure that you will be able to enforce the arrangements you have made with your spouse.
- prepare divorce papers for you.
- represent you in court.

You are paying your lawyer for his or her training, experience, and knowledge of family law and court decisions. Take advantage of these skills and listen carefully to advice about your options.

Your lawyer can tell you about family law and the way it applies to your situation. Your lawyer cannot fix your marriage.

A client's view:

Luckily, I saw a lawyer before it was too late.

We both knew our marriage was over. We managed to decide how to split things up and we even agreed that it was the right time to get a divorce. I went to see a lawyer about the paperwork.

Good thing, too! I never thought about taxes, pensions or how to protect myself if I got sick or lost my job.

I was so wrapped up in getting out that I'd forgotten to look past today.



KEEPING IN TOUCH

Family law lawyers are often in court. Their schedules can be hectic. This makes it hard for your lawyer to return your phone calls promptly.

Your lawyer's assistant may be able to answer your questions and can pass on any information you want your lawyer to have.

You can keep the costs of legal services down by collecting your questions and asking them all at once and by calling your lawyer only about something urgent. You can keep track of what's happening by asking your lawyer to send you copies of important letters and documents concerning your case.

BE PREPARED FOR YOUR MEETINGS WITH YOUR LAWYER.

When you see a lawyer about getting a separation agreement or a divorce, you will need to have some information handy. Your lawyer will ask you about your financial situation. What do you own? What do you owe? What's your income? What are your monthly expenses? If you have children, how do you plan to look after them? What would you consider a fair arrangement for you (and your children)?

BE PREPARED TO TELL YOUR LAWYER THE WHOLE TRUTH.

If you don't tell your lawyer everything about finances or exactly what's happening with your children, there can be problems. The only way for your lawyer to defend your interests is to know everything about the case, both good and bad, and be prepared for the other side's arguments. The information always comes out eventually. It's best for your lawyer to be ready when it does.



A lawyer's view:

The law can't solve all your problems.

I tell my clients to be realistic and to be reasonable. There are times to stick to a position and times to compromise. Clients who are stubborn and inflexible usually end up in court where a judge makes decisions for them. They may not get what they want, and it usually costs a lot.