



Guide to Legal Resources for Caregivers

Many caregivers in Canada experience legal questions when providing care for someone, whether the care recipient is a person with a disability, an older adult, a family member or friend with an illness. The following information aims to help caregivers think through and identify programs and resources that might provide support for legal concerns and personal planning.

The information in this guide is presented in a sequence we hope will direct you to programs and resources that might be applicable. However, as each situation is specific to the care recipient and the caregiver, it is impossible to outline a sequence that will work for everyone. In addition, this is an area that is constantly changing. Federal and provincial programs are evolving and the only way to make sure to have the most current and accurate information is to go to the source. Consequently, we have provided links to websites that contain the most up-to-date information. We strongly urge you to check these sources.

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Legal Services

Lawyer Referral Services

A service offered by Access Pro Bono. Helps British Columbians of any income to find a suitable lawyer to serve their legal needs. Any member of the public may call the Lawyer Referral Service to contact a lawyer who will meet for up to a half-hour of free legal consultation.

1-877-762-6664 www.accessprobono.ca

Legal Assistance

Dial-A-Law

Operated by the People's Law School, a non-profit organization. It features free information on the law in British Columbia in 130 topic areas. The information is reviewed by lawyers and updated regularly. Gives information only and does not give legal advice.

1-800-565-5297 www.dialalaw.ca

Legal Aid BC

A non-profit organization providing legal information, advice, and representation services. Its' priority is to serve the interests of people with low incomes, but many services are available to all British Columbians. Offers a range of services that help people resolve their legal problems. Services are offered at legal aid locations throughout the province.

1-866-577-2525 www.legalaid.bc.ca

Notaries

Society of Notaries Public of BC

The society regulates the profession in the public interest and can help you find a Notary in your area. Notaries can assist with wills, power of attorney, representation agreements and estate planning.

1-800-663-0343 www.snpbc.ca

Mediate BC

Mediate BC is a not-for-profit organization funded by the Government of BC and the Law Foundation that protects the public by managing the province's designated roster of mediators and med-arb practitioners. Mediate BC uses a Sliding Scale Family Mediation Project (SSP) to make its services accessible to families that need it.

Mediation is a flexible and informal process that allows you to control the outcome. Mediators are uniquely skilled at assisting families in planning for the future. Mediators can work with all parties involved to help uncover and increase understanding of the needs and truly important pieces to all involved.

1-877-656-1300

www.mediatebc.com/resolving-other-disputes/wills-estates

Public Guardian & Trustee of BC (PGT)

PGT is a corporation established under the Public Guardian and Trustee Act with a unique statutory role to protect the interest of British Columbians who lack legal capacity to protect their own interests. The mandate of the PGT is: to protect the legal and financial interests of children under the age of 19 years, protect the legal, financial, personal and health care interests of adults who require assistance in decision making and administer the estates of deceased and missing persons.

1-800-663-7867

www.trustee.bc.ca

Seniors First BC

Seniors First BC is a community-based, non-profit organization incorporated as a society in 1994 as the BC Coalition to eliminate abuse of seniors. The first Elder Law Clinic in BC was established in 2008 after an extensive needs assessment.

1-866-437-1940

<http://seniorsfirstbc.ca/>

Personal Planning

Personal Planning in BC

Through personal planning you can avoid delays and confusion should you need assistance or should something happen to you. By making legally enforceable arrangements with those you trust and who know you best, you can take the guess work out of challenging circumstances. There are two key types of planning: personal planning and estate planning.

The Nidus Personal Planning Resource Centre is an excellent resource to help you with your planning process. Nidus a non-profit, charitable organization and was founded by citizens and community groups who wanted to ensure the public had a resource for information on Representation Agreements and other personal planning tools. Below are a number of links to the Nidus website that outline considerations for putting plans in place along with forms and other useful information.

- **Determine Your Path to Personal Planning: Personal Planning Guide**
<https://www.nidus.ca/planning-guide/>
- **Types of Planning**
<https://www.nidus.ca/types-of-planning/>
- **Nidus Registry**
http://www.nidus.ca/PDFs/registry/Nidus_Registry_Brochure.pdf

Power of Attorney

A Power of Attorney ONLY covers financial and legal affairs - not health and personal care matters.

- **Power of Attorney Factsheet**
http://www.nidus.ca/PDFs/Nidus_FactSheet_EPA.pdf
- **Power of Attorney Tip Sheet**
<https://www.familycaregiversbc.ca/wp-content/uploads/2020/06/Power-of-Attorney-Tip-Sheet-2.pdf>
- **Enduring Power of Attorney**
<https://www.nidus.ca/enduring-power-of-attorney-2/resources-epa/>
- **Roles and Responsibilities of the Attorney**
http://www.nidus.ca/PDFs/Nidus_Info_Role_Attorney.pdf

Representation Agreement

A Representation Agreement authorizes a person or people to assist an adult with decision making (sometimes called supported decision making) or to act on the adult's behalf (sometimes called substitute decision making).

- **Representation Agreement Fact Sheet**
http://www.nidus.ca/PDFs/Nidus_FactSheet_RA_Overview.pdf
- **Representation Agreement – Section 9**
http://www.nidus.ca/PDFs/Nidus_FactSheet_RA_Section9.pdf
- **Representation Agreement – Section 7**
http://www.nidus.ca/PDFs/Nidus_FactSheet_RA_Section7.pdf
- **Making Amendments to Representation Agreement**
http://www.nidus.ca/PDFs/Nidus_01Sept2011_Amendments_and_RA.pdf
- **Comparison: Representation Agreement to Power of Attorney**
http://www.nidus.ca/PDFs/Nidus_Info_RA7F+L_EPA_Comparison.pdf

Estate Planning

Wills are an integral part of estate planning; making arrangements for after death.

- **Estate Planning**
<https://www.nidus.ca/estate-planning/>

Advance Care Directive/Living Will Factsheet

- **Advance Care Directive/Living Will Factsheet**
http://www.nidus.ca/PDFs/Nidus_FactSheet_Advance_Directive.pdf

Additional Information and Resources on Advance Care Planning

- **BC Centre for Palliative Care**
<https://bc-cpc.ca/>
- **Advance Care Planning**
<https://www.advancecareplanning.ca/>
- **Nidus Personal Planning Resource Centre and Registry**
<https://www.nidus.ca/>

Other Legal Considerations

There are other situations that may involve legal considerations, for example, Caring for Someone with a Disability and [Involuntary Separation](#). We do our best to stay abreast of these and often have experts write articles for us which we post on our Legal Matters webpage in our FCBC Learning Centre: <https://www.familycaregiversbc.ca/read-caregiver-learning-centre/> .