



Legal information is not the same as legal advice

Legal *information* can help people understand their legal rights, how legal processes work, and how to get more help.

Legal information:

- Is general information about the law that does not apply to an individual's specific situation
- Can help a person understand when a problem is a legal problem
- Can discuss options and possible next steps, indicate when a person needs to get more help and advice, and how to find that help
- Is also called public legal education and information ("PLEI") or legal rights information

Who can give legal information?

Community workers, advocates and others who have up-to-date knowledge about a particular area of law can provide legal information. Community workers may give clients a brochure with legal information or refer them to legal information on a website, produced by an organization with legal expertise.

Legal *advice* provides help to a person about his or her specific situation.

Legal advice:

- Interprets the law and applies legal rules and principles to a particular situation
- Is specific to an individual's particular situation; people's situations and circumstances are different even when facing the "same" legal problem
- Provides recommendations to a person about their options, based on an assessment of how the law applies to their specific situation and what the person wants to achieve

Who can give legal advice?

Only certain people can provide legal advice and representation in Ontario. Lawyers, paralegals and community legal workers at community legal clinics are able to provide certain types of legal services, including legal advice. Usually they must first ask questions to make sure they have enough information about the situation. For more information, please visit the Law Society of Upper Canada website <www.lsuc.on.ca>, or your local community legal clinic.



For example, a tenant renting a room in a house wants to know his or her legal rights....

The tenant has received a notice of a 2.5% rent increase and wants to know if the landlord is allowed to raise the rent by that amount.

Legal information: A community worker can look up the current rent increase guideline for Ontario and provide general information on what types of rental housing are covered. This information helps the tenant understand the maximum rent increase set by the government for a particular year and whether this maximum may apply.

Legal advice: Depending on the details of the arrangement, the tenant renting a room in a house may not be covered by the Residential Tenancies Act, which regulates rent increases, or the tenant's landlord might be allowed to raise the rent higher than the guideline because of special circumstances. The tenant may need legal advice to know for sure if he or she must pay the rent increase requested by the landlord.

Importance of up-to-date legal information

Laws, policies and practices change frequently. Before relying on any legal information, try to find out who produced the information, whether a lawyer or legal expert was involved, and when the information was prepared. You can also contact the authoring organization to find out if the information is still current or if the law has changed.

Some good sources for accurate and up-to-date legal information are the print and online materials produced by Community Legal Education Ontario <www.cleo.on.ca>, and the materials produced by other community legal clinics in Ontario <<http://www.legalaid.on.ca/en/contact/contact.asp?type=cl>>.

Based on information prepared by HIV & AIDS Legal Clinic Ontario (HALCO).