

Giving legal information

October 2017

Legal information is not the same as legal advice. Community workers who are not legally trained can only give legal information – not advice. This means that you can't tell people who have a legal problem what they should do or what they should say.

Legal information is general information that can help people understand their legal rights, how legal processes work, and how to get more help. It can be shared with the general public through the web, print materials, media, or workshops, or given to someone looking for help with a legal problem. A community worker who is not legally trained can give legal information.

Legal advice involves one person giving their opinion to another person about how that person should deal with a specific legal problem. Only licensed legal professionals can provide legal advice in Ontario. Legal advice is always confidential between the lawyer and the person, and can only be shared with the person's permission.

Legal information	Legal advice
... is general and is not based on specific facts or on an interpretation of whether a law applies.	... is specific to one person's fact situation.
<i>Here is some information that sets out the amounts that a parent may be able to collect for child support.</i>	<i>Based on these facts, this is the amount of child support you can expect a judge to order your ex to pay you.</i>

If someone asks me for legal information, what should I do?

Many community workers are asked for help by people who have legal problems. Often, it's not clear to workers what they can say that is helpful but does not cross the line into legal advice.

Community workers can feel comfortable:

- pointing someone to reliable information on a website or pamphlet
- suggesting they attend a legal information workshop
- referring them to licensed legal professionals or other services that can help them

But people often ask for more specific help or information. If they do this and you give them legal information, make sure to tell them that you can't give legal advice. You can't tell them what to do or what to say.

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Here are some general tips on what to say when you get those questions:

- If they're asking about how to deal with their situation, and you know that a particular law or rules might apply, you can tell them this and point to the rules.
 - > You shouldn't say, "This law applies to your situation." That is legal advice.
- If they're asking for help with completing a form, you can tell them that you can help fill it out as long as they tell you what they want to say, and you just write it down.
 - > You shouldn't fill out the form using your own words or tell them what words to use.
- If they want to know whether they're using the right form, you can help them read the instructions on the form and look for other information that might be helpful in understanding whether it's the right form.
 - > You shouldn't say that you know for sure that it's the right form.
- If they want you to explain what a letter from a lawyer means, or what a legal document means, you can read the document to them out loud, or translate it into their language. You can help them understand the letter or document by explaining legal terms or other complicated words or phrases in plain language.
 - > You shouldn't give them your interpretation or views of what the letter or document means or what they should do.
- If they want you to go with them to an appointment at a lawyer's office, or even to a hearing in a court or tribunal, you can do this. And you can explain the general court process and the expected etiquette in court.
 - > You shouldn't tell them what to say in court or speak on their behalf in court.

Where can I find out more?

For more about the difference between legal information and legal advice, see:

- "[Legal information is not the same as legal advice](#)" by Community Legal Education Ontario (CLEO)
- CLEO's PLE Toolbox, Module 1 "[Giving basic legal information](#) to your clients"