



Access to Legal Aid Appeals

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<http://www.dal.ca/faculty/law/dlas/public-legal-education.html>

Appealing a Legal Aid Decision

Types of Decisions that can be Appealed

According to the *Legal Aid Act* the following actions can be appealed to the Legal Aid Commission:

- Refusal to grant legal aid;
- Refusal of a legal aid certificate;
- Refusal to amend a legal aid certificate;
- A decision that contributions are required by the applicant as a condition of the granting of legal aid or the issuing of a certificate;
- Suspension or withdrawal of legal aid; or
- Cancellation or amendment of a legal aid certificate.

Appeal Procedure

Making the Request

An appeal request to the Legal Aid Commission **must** be made in writing.

Appeal requests should be sent to:

Appeal Committee Nova Scotia Legal Aid Commission 102-137 Chain Lake Drive Halifax, Nova Scotia B3S 1B3 Phone: (902) 420-6578 or 1-877-420-6578 Fax: (902) 420-3471

An appeal request should outline the reason legal aid services were denied, and should also include why the appellant feels they are entitled to receive services. Other than being written there are no formal requirements regarding the form an appeal request must take.

If the denial for legal services was based on financial eligibility criteria the appellant will be required to provide further particulars, and verification, of their household income and expenses.

After the Request is Made

Once the appeal process is initiated the office from which the appellant was denied services will be contacted and asked to submit a copy of the denied Legal Aid Application form along with supporting documentation outlining the basis of the rejection for services.

Upon receipt of an appeal request an appeal will be scheduled for a meeting of the Appeal Committee of the Legal Aid Commission.

The appellant will receive a letter advising them of the date the appeal will be heard. The Appeal Committee normally meets on the 4th Thursday of each month.

In the event that an appellant is unable to appear before the Appeal Committee in person, they may arrange to participate via telephone conference.

Representation at the Appeal

Appellants residing in Halifax, Dartmouth and surrounding areas can obtain legal representation for their appeal from the Dalhousie Legal Aid Service.

Dalhousie Legal Aid Service can be contacted at **(902) 423-8105**.

Acknowledgement

Dalhousie Legal Aid Service would like to gratefully acknowledge and thank the [Law Foundation of Ontario](#) for its financial support of LEAP.

Disclaimer

This document contains general legal information and not legal advice. **If you need advice about a specific legal problem then you should contact a lawyer.** If you will have difficulty affording a lawyer then you should contact [Nova Scotia Legal Aid](#) or [the Legal Information Society of Nova Scotia's lawyer referral service](#).

Laws change frequently. We will try our best to make sure the information contained in all of our documents, as well as any other information you receive from Dalhousie Legal Aid Service, is reliable. However, **we cannot guarantee that the information in this document is completely accurate and up-to-date.** By accessing information from Dalhousie Legal Aid Service you assume any risks that arise from doing so.