

Guide to Assist You in Determining Change of Lawyers on Representation of IAP

Most lawyers and form-filing companies are legitimately representing you on your behalf with the IAP.

However, this guide is aimed at letting you know what steps to take **when a lawyer or form-filing company have not talked with you for a long time after an initial IAP intake; or refuses to answer your calls; or if you are unsure whether a lawyer or a form-filing company filed an IAP with the IAP Adjudication Secretariat on your behalf.**

It is very important to find out the status of your IAP as the deadline to file an IAP of **September 19, 2012** is **FINAL** and no IAP application will be accepted after that date.

It is also important to note that the IAP Adjudication Secretariat prefer you send ONE IAP application due to the sensitivity and nature of the claims and work on that ONE IAP application instead of submitting duplicate or second IAP applications.

This guide is not intended to be created for addressing communication gaps between yourself and a lawyer where an IAP has already advanced beyond an IAP application stage. It is always best to clear these directly with your lawyer.

A lawyer who is legitimately representing you will keep you informed on the progress of your IAP. Lawyers are often busy but should usually return phone calls as soon as possible after you leave a message. You should not have to wait long to find out what is happening with your IAP.

Most lawyers will contact you when there is new information about your IAP (it is very important to call your lawyer if you have new information about your IAP that you didn't previously recall at the time of completing your IAP application).

BUT, if you are unable to find out the status of your IAP **after an initial intake for quite some time** from a lawyer or a form-filing company, these are the steps you can follow;

1. Finding out about your IAP

Call the IAP Adjudication Secretariat toll-free number to see if your IAP was filed;

1 877 635 2648

Be ready to provide your personal information to verify identity.

If your IAP was filed, you can request an update or status of your IAP, including information on who filed on your behalf; whether it was a lawyer or a form-filing company and the name and contact information of that lawyer or form-filing company.

Note down the name, address and telephone numbers of the lawyer or the form-filing company.

Contact the lawyer – discuss any concerns you have about representation. If the lawyer is legitimately representing you, he or she will give you information on your IAP and continue working on your IAP diligently.

2. Firing a lawyer if you feel inadequately represented

However, if you feel you need to fire your lawyer for inadequate representation, tell the lawyer and the reasons why. You may have to pay for their services up to the time until the lawyer was fired for the work already done on your IAP. Find out from the lawyer what fees may be owed. If there are disputes about fees owing or payment, call the Law Society where the lawyer is licensed.

3. Complaint procedures for lawyers who do not respond to your calls

If the lawyer refuses to answer your calls or does not answer to your messages, call the Law Society where the lawyer is licensed and request information for a complaint procedure.

A Law Society would have no control over form-filling companies. However, if a form-filling service has a referral relationship with a specified lawyer, the Law Society would be able to make inquiries of the lawyer's involvement.

If a form-filling company is a registered society or a registered incorporation, you will have to find out about the form-filling company through Legal Registries where the company is located and request information on a complaint procedure.

4. Changing lawyers

If you **decide** to change lawyers, tell your previous lawyer if you are able to make contact with the lawyer. Be sure to obtain copies of your IAP documents, including the application and related documents for proof of IAP.

If you hire a new lawyer, ask the previous lawyer to send the IAP application, documents and proof to your new lawyer. It is preferable to have your IAP documentation and file contents be sent between the lawyers.

The Adjudication Secretariat can also provide your new lawyer a copy of your IAP upon your new lawyer's request. However, the Adjudication Secretariat will need a signed confirmation of representation or authorization to release information.

If you decide to change lawyers, be sure to tell the Adjudication Secretariat in writing. If the Adjudication Secretariat hears from more than one lawyer claiming to represent you, your IAP will be placed on hold until you send a signed letter from you stating who your lawyer is.

5. What to do if your IAP was NOT filed by your lawyer or form-filling company

If your IAP was NOT filed by a lawyer or form-filling company, you can request the IAP Adjudication Secretariat to send you an IAP Application Form by calling the toll free number above, or obtain one from the internet at;

http://www.iap-pei.ca/content/pdf/iap_application_form_english.pdf

Once you obtain a new IAP application form, you have three options as the same as you had the first time: self-represent, engage in a form-filling company or hire a lawyer. This is your option and the right to exercise this option is yours alone. You will have to determine which option suits you best, depending on the nature and complexity of your claim.

Call the Law Society where the lawyer is licensed and request information for a complaint procedure for the lawyer or form-filling company associated with a lawyer for not filing your IAP or to find out if the Law Society can help you locate your original files.

6. Where to find new lawyers

NTI has a List of Lawyers where Nunavut residents can choose to hire for IAP process. NTI has verified the lawyers in the List of Lawyers are in good standing and have had experience in IAP representation.

7. Self-Representation

The IAP Adjudication Secretariat has a support system in place for those who opt to self-represent.

Before exercising any options or unsure how to exercise an options, you can find out more of the IAP process by reading the IAP Guide at;

<http://www.iap-pei.ca/content/pdf/iapg-v3-20110714-eng.pdf>

8. Where to find the NTI's List of Lawyers

Nunavut Tunngavik Inc.

P.O. Box 638

922 Igluvut Bldg., 3rd Floor

Iqaluit, NU X0A 0H0

Tel: (867)-975-4900

Toll-free: 1-888-646-0006

Website: <http://residentialschools.tunngavik.com/update/legal-support/>

Contact Information of territorial or provincial Law Societies in Canada

1. Law Society of Nunavut

P.O. Box 149
Bldg. 917, 3rd Floor
Iqaluit, NU X0A 0H0

Tel: (867)-979-2330
Email: administrator@lawsociety.nu.ca
Website: <http://lawsociety.nu.ca/discipline-committee/>

2. Law Society of the Northwest Territories

Street Address:
4th Floor, Diamond Plaza
5204 50th Avenue
Yellowknife, NT X1A 1E2

Mailing Address:
PO Box 1298, Stn. Main
Yellowknife, NT X1A 2N9

Tel: (867) 873-3828
Fax: (867) 873-6344
Email: info@lawsociety.nt.ca
Website: <http://www.lawsociety.nt.ca/public/complaints.html>

3. The Law Society of Yukon

Suite 202 - 302 Steele Street
Whitehorse, Yukon Y1A 2C5

Tel: (867)-668-4231
Fax: (867)-667-7556
Website: <http://www.lawsocietyyukon.com/discipline.php>

4. Law Society of British Columbia

845 Cambie Street
Vancouver, BC V6B 4Z9

Tel: 604-669-2533
Fax: 604-669-5232
Toll-free in BC: 1-800-903-5300
Website: <http://www.lawsociety.bc.ca/page.cfm?cid=25&t=Complaints>

5. Law Society of Alberta

For complaints in Red Deer or north of Red Deer
Phone: 780-429-3343
Call toll free: 1-800-272-8839
Fax: 780-424-1620

The Law Society of Alberta
Suite 800
Bell Tower, 10104 103 Avenue
Edmonton, Alberta T5J 0H8
Attention: Complaints Department

For complaints south of Red Deer
Phone: 403-229-4799
Call toll free: 1-800-661-9003 (ext. 4799)
Fax: 403-228-1728

The Law Society of Alberta
500, 919 11 Avenue SW
Calgary, Alberta T2R 1P3
Attention: Complaints Department

Website: http://www.lawsociety.ab.ca/lawyer_regulation/complaints.aspx

6. Law Society of Saskatchewan

1100-2002 Victoria Ave.
Regina, SK S4P 0R7

Tel: (306) 569-8242
Fax: (306) 352-2989

Website: <http://www.lawsociety.sk.ca/for-the-public/do-i-have-a-complaint/>

7. Law Society of Manitoba

P.O. Box 2234
219 Kennedy St
Winnipeg, Manitoba
R3C 1S8

Tel: 204-942-5571
Fax: 204-956-0624

Website: <http://www.lawsociety.mb.ca/for-the-public/concerns-about-your-lawyer>

8. Law Society of Upper Canada

Osgoode Hall, 130 Queen Street West
Toronto, Ontario M5H 2N6

Complaints Contact Info:

Toll-free: 1-800-268-7568

Tel: 416-947-3310

Fax: 416-947-5263

Website: <http://www.lsuc.on.ca/with.aspx?id=644>

9. Barreau du Quebec

445, boulevard Saint-Laurent
Montréal (Québec) H2Y 3T8

Tel. : 514 954-3400

Fax. : 514 954-3464

Toll-free 1 800 361-8495

Email : tableau@barreau.qc.ca

Website: <http://www.barreau.qc.ca/public/protection/index.html?Langue=en>

10. Law Society of New Brunswick

68 Avonlea Court
Fredericton, New Brunswick
E3C 1N8

Tel: (506) 458-8540

Fax: (506) 451-1421

E-Mail: general@lawsociety-barreau.nb.ca

Website: <http://www.lawsociety-barreau.nb.ca/emain.asp?374>

11. Law Society of PEI

PO Box 128, 49 Water Street
Charlottetown, PE
C1A 7K2

Tel: (902)-566-1666

Fax: (902)-368-7557

Email: lawsociety@lspei.pe.ca

Website: http://www.lspei.pe.ca/pdf/discipline_handout.pdf

12. Law Society of Newfoundland and Labrador

Mailing Address:

PO Box 1028

St. Johns, NL A1C 5M3

Courier Address:

196-198 Water Street

St. Johns, NL A1C 1A9

Tel: (709)-722-4740

Fax: (709)-722-8902

Website: <http://www.lawsociety.nf.ca/disciplinary.asp>

13. Nova Scotia Barrister's Society

1101-1645 Granville Street
Halifax, Nova Scotia B3J 1X3

Tel: 902-422-1491

Fax: 902-429-4869

Website: <http://www.nsbs.org/complaints-process>