



Legal aid,  
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## Legal Brief\*

Vol. 13

Number 6

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Text prepared by  
the Commission des services  
juridiques



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\* The information provided in  
this document is not a legal  
interpretation.

The masculine gender has  
been used to designate  
persons solely in order to  
simplify the text.

### NICOLE AND RAYMOND OWN A FAMILY HOME AND HAVE MONEY IN THEIR BANK ACCOUNT. ARE THEY FINANCIALLY ELIGIBLE FOR LEGAL AID?

Nicole and Raymond have been living together for over a year. Raymond works at the village hotel as a waiter. Nicole occasionally babysits. They have a combined annual gross income of \$40,100. They have no children. They own a family home worth \$110,000, which is fully paid off. They have \$6,000 in their joint bank account. Nicole and Raymond receive a request for reimbursement from the Ministère du Travail, de l'Emploi et de la Solidarité sociale on the basis that they were cohabiting while Nicole was receiving benefits from the social assistance program two years ago.

It is important to remember that there are two ways to qualify for legal aid: at no cost or in return for the payment of a maximum contribution of \$800.

To obtain **free** legal aid, Nicole and Raymond must satisfy the following **three** conditions:

- 1- Scale of annual (gross) income:  
Gross income must not exceed the following amount for  
**Spouses with no children: \$34,195**
- 2- Scale of property owned:  
The value of property owned must not exceed  
**\$90,000, if the residence is owned**  
\$47,500, if the residence is not owned
- 3- Scale of liquidities:  
The value of liquidities must not exceed  
**\$5,000 for a family**  
\$2,500 for a single person

Even though the financial situation of Nicole and Raymond exceeds the three scales mentioned above (income, property, and liquidities they may nevertheless be eligible for legal aid in return for the payment of a contribution.

The following is the calculation method that applies. First, we must determine which class of applicant Nicole and Raymond fall into. The *Regulation respecting legal aid* states that there are six classes of applicants. Nicole and Raymond fall into the class of a family composed of spouses with no children.

The following amounts must then be added to the amounts provided for in the scales mentioned above:

- 100 % of the excess income
- 10 % of the excess property
- 100 % of the excess liquidities

The total amount represents the **deemed income** used to determine whether Nicole and Raymond are eligible for legal aid in return for the payment of a maximum contribution.



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Here are the detailed calculations:

Scale (free legal aid) Spouses with no children	\$34,195
100% of the excess income (\$40,100 - \$34,195)	\$5,905
10% of the excess property (\$110,000 - \$90,000)	\$2,000
100% of the excess liquidities (\$6,000 - \$5,000)	\$1,000
<b>Deemed income</b>	<b>\$43,100</b>

The legal aid scale below (which is also found on the Web site of the Commission des services juridiques) indicates that Nicole and Raymond are eligible for legal aid in return for a maximum contribution of **\$600**.\*

Family composed of spouses with no children	Income	Contribution level
	\$34,196 to \$35,891	\$100
	\$35,892 to \$37,587	\$200
	\$37,588 to \$39,283	\$300
	\$39,284 to \$40,979	\$400
	\$40,980 to \$42,674	\$500
	<b>\$42,675 to \$44,370</b>	<b>\$600</b>
	\$44,371 to \$46,066	\$700
	\$46,067 to \$47,762	\$800

Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online at this [link](#) .

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To find the contact information for your legal aid office, please click on the following link [www.csj.qc.ca](http://www.csj.qc.ca).

\* The director general can, under certain conditions, agree that the contribution will be paid in several instalments. The total period for such instalments cannot exceed 6 months.

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