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LEGAL PROTECTION REFERENDUM



Vote Online
March 26 – April 9, 2021

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1. WHY A STUDENT LEGAL PROTECTION PROGRAM?

Seeking professional legal counsel can be intimidating, especially if it's the first time you're facing a legal issue, and legal resources aren't always easily accessible or affordable for students. The Legal Protection Program would offer unlimited access to legal advice on any area of law and financially accessible legal assistance, and would give students the confidence to pursue action with the support of a team of legal experts on cases related to employment, housing, academic, and human rights, civil mediation between individuals, and small claims support.

MACES is holding a referendum to decide if students support the implementation of a Legal Protection Program.

2. WHAT WOULD THE PROGRAM OFFER?

A lawyer would take charge of proceedings related to the following areas of law:

HOUSING DISPUTE

Legal expenses arising from a dispute over a housing lease, such as a disputed rent increase, an illegal eviction, or a breach of a condition in the lease.

EMPLOYMENT DISPUTE

Legal expenses arising from a dispute with a current or future employment contract, with respect to labour standards for grievances not covered by a union or government agency, notably the Commission des normes, de l'équité, de la santé et de la sécurité au travail. Disputes related to occupational health and safety issues are not included.

DISPUTE WITH AN ACADEMIC INSTITUTION

A student's legal expenses in the event of a dispute with an academic institution. This excludes cases related to sexual misconduct or a criminal act.

SMALL CLAIMS SUPPORT

Students can receive assistance to prepare a statement of claim or a defence before the Small Claims Court of the Court of Quebec, including advice on rules of conduct for appearing before the Court. Legal fees are not included for a defence or for applications to the Small Claims Court.

Legal representation would include:

- Lawyers' fees
- Legal expenses: court fees, attendance fees, and witness expenses
- Experts' fees (up to a maximum of \$1,000)

Requests for legal representation deemed frivolous or patently unreasonable, as judged by the partner law firm, may be subject to denial of service.

- Frivolous: A request that has no legal basis.
- Patently unreasonable: A request for which the legal action sought by the student is disproportionate to the scale of the problem raised.

HUMAN RIGHTS DISPUTE

Legal expenses in the event of a dispute in which fundamental rights under the Quebec Charter of Human Rights and Freedoms or the Canadian Human Rights Act are violated (for grievances not covered by a government agency).

CIVIL MEDIATION

A one-hour mediation session with an accredited mediator, in person or at a distance, is available to students to resolve a dispute between individuals. This increases the chances of settling the dispute quickly and at a lower cost.



3. WHAT ELSE WOULD BE INCLUDED?

Students would also have access to expert advice on any legal situation via a convenient toll-free legal helpline.

4. WHAT KINDS OF QUESTIONS WOULD THE HELPLINE TAKE?

Any and all questions on any and all areas of law! This would include topics such as immigration or even speeding.

5. HOW MUCH WOULD IT COST?

Starting in fall 2021, fees for 2021-2022 would be:

- \$25.08 for access from September to August
- \$16.72 for access from January to August (for students beginning their studies in January)

6. COULD I OPT OUT?

Yes, the Legal Protection Program would be designed to allow students to opt out and receive a full refund of the fee. The process would be similar to what is currently in place for the MACES Health & Dental Plan Change-of-Coverage & Opt-Out Period.

7. COULD I CHOOSE MY OWN LEGAL REPRESENTATION?

Under the Legal Protection Program, legal costs incurred by students could only be claimed when using the lawyers assigned to them through the Program. If a student chose to use a different lawyer, their claim would not be reimbursed.

8. WOULD ALL SUBMITTED CASES BE ACCEPTED?

Only cases that fall within the areas outlined in the Program and that are deemed to have reasonable prospects for success would be eligible. Also, Legal Protection Program services would not apply to an ongoing case that began prior to the Program coming into effect.

9. WHERE CAN I GET MORE INFORMATION?

Visit maces.ca/maces-referenda.