



# The Essentials (Legal Care Program) REFERENDUM

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Vote online between  
**Oct. 9 - 22, 2023**  
at [ssmu.simplyvoting.com](https://ssmu.simplyvoting.com)

## 1. WHY A LEGAL CARE PROGRAM FOR STUDENTS?

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. To help give students who wish to pursue legal action the means to do so with expert support, The Essentials offers:

- A **legal consultation service** providing unlimited access to legal counselling on any area of law
- **Legal representation** for eligible cases related to **employment, housing, academic, and human rights, civil mediation, and small claims support**

## 2. WHY A REFERENDUM?

MACES members currently already have access to The Essentials as part of the MACES Dental Plan (meaning that if you opt out of the Dental Plan, you also lose access to these legal services). Now MACES is holding a referendum to determine if students would support the following:

- **renewing the service from Sept. 2024 – Aug. 2029** for an annual opt-outable fee of **\$30**
- changing eligibility criteria to provide access to the service to **all full-time and part-time MACES members**, separate from the Dental Plan

## 3. WHAT DOES THE PROGRAM INCLUDE?

### LEGAL CONSULTATION SERVICE

Students have **unlimited quick access to legal counselling for any and all questions on any and all areas of law**. The service offers:

- Virtual, phone, or in-person meeting with a lawyer
- Legal research
- Document analysis: contracts, formal notices, procedures, etc.
- Interpretation of laws and jurisprudence in relation to the student's situation
- Legal advice on the student's situation
- Explanation of legal concepts
- Sharing legal information
- Case follow-up with the law firm, and more

Students can have lawyers examine their case, do the research and analysis, and offer legal advice adapted to their situation.

## LEGAL REPRESENTATION

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

### DISPUTES RELATED TO A HOUSING LEASE

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.

### DISPUTES RELATED TO AN EMPLOYMENT CONTRACT

Legal fees related to a dispute relating to a current or future contract of employment, with respect to labour standards for grievances not covered by a union or a government agency, in particular the Commission des normes, de l'équité, de la santé et de la sécurité au travail (CNESST). However, the Program does not include legal fees if the student is eligible for legal representation services provided by a government agency, in particular the CNESST. Occupational health and safety disputes are not included in legal representation services.

### 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

Legal fees to prepare an originating application or a defense before the Small Claims Division of the Court of Quebec, including advice on the rules of conduct before the Court. Court fees are not included for applications to the Small Claims Division.

### HUMAN RIGHTS DISPUTE

Legal fees related to litigation where the fundamental rights provided for in the Quebec Charter of Human Rights and Freedoms or the Canadian Human Rights Act are violated. However, the Program does not include legal fees if the student is eligible for legal representation services provided by a government agency, including the Commission des droits de la personne et des droits de la jeunesse.

### CIVIL MEDIATION

A one-hour civil mediation session, held in person or remotely with an accredited mediator, is offered to settle a dispute between individuals. Disputes are thus more likely to be resolved quickly and at a lower cost. The mediation session is only offered if the student makes an initial request for civil mediation. If legal consultation or representation is sought first, mediation is no longer an option due to the conflict of interest that may arise.

#### Legal representation includes:

- Lawyers' fees
- Legal expenses (disbursements): attendance fees, court fees (except for Small Claims Support cases and for fees the student may be ordered to pay by the court), and witness expenses

Find out more about what the current service offers on the [MACES Legal Care Program web page](#).

## 4. HOW MUCH WOULD IT COST?

The fee for The Essentials would be automatically charged with tuition and other fees and would not increase for the duration of the proposed renewal period of Sept. 2024 - Aug. 2029. It would cost:

- **\$30 annually**, for access from Sept. 1 - Aug. 31 each year
- \$20 for access from Jan. 1 - Aug. 31, for new students in January

## 5. COULD I OPT OUT?

Yes, students would have the option to opt out of The Essentials during a Change-of-Coverage & Opt-Out Period at the start of their school year, for a full refund of the fee.

## 6. WHERE AND WHEN CAN I VOTE?

You can vote online between Oct. 9 - 22, 2023 at [ssmu.simplyvoting.com](https://ssmu.simplyvoting.com).