

Diana Sepúlveda and Afifa Hashimi's Statement in Support of Member Resolution to Add New Fields to the Lawyer Directory

Dear colleagues,

We write to encourage you to vote in support of this resolution, which proposes a number of changes to the Member Portal and Lawyer Directory on the Law Society of BC's website. Our hope is that the proposed changes will increase access to justice by enabling members of the public to more easily find a lawyer who meets their needs.

The proposed changes are:

- Allow members through the Member Portal to list in their Lawyer Directory Profile their language(s) spoken and area(s) of practice;
- Eliminate "last name" as a required field to run a search of the Lawyer Directory;
- Permit a user to run a search of the Lawyer Directory based on any of the following criteria (or a combination thereof): lawyer's first or last names, city, language(s) spoken, and area(s) of law in which the lawyer practises;
- Create a page that contains a list of practice areas with a plain-language description of each area, and add a link to this page to the Lawyer Directory, for reference.

Taken together, these changes will allow members of the public to search for a lawyer by using any of the following search fields: lawyer's first or last names, city, language(s) spoken, and area(s) of law in which the lawyer practises.

Law society lawyer directories in many other Canadian jurisdictions have a user-friendly search function much like what we propose, which includes language(s) and area(s) of law as search criteria. The Law Society of BC's Lawyer Directory does not currently include these options.

The Lawyer Directory is not a referral service. However, one of its purposes is to find names of and certain information about lawyers. The current Lawyer Directory page describes the directory as a "searchable tool that [the public] can use to help find the names, contact information and current practice status of lawyers licensed in BC."

As we see it, referral services such as those provided by organizations like the Canadian Bar Association through its Lawyer Referral Service, the association de juristes d'expression française en Colombie-Britannique (AJEFCB), as well as more informal referrals provided to the public by lawyers, have an important role to play in the process of finding the right lawyer.

The proposed changes would simply enable the Lawyer Directory to be an additional and accessible tool for the public to more easily find the right lawyer for their circumstances. This would be especially useful for those who are not acquainted with the referral services available.

This resolution is aimed at increasing access to justice, especially for individuals who are not able to comfortably and accurately communicate in English.

Although we use the term “language minorities,” BC residents whose mother tongue is a language other than English make up a considerable proportion of the population: 31.2%.¹

Language accessibility and racial justice are inextricably linked. Of the 31.2% mentioned above, the most widely spoken languages are Punjabi, Cantonese, Mandarin, Tagalog, German, and Spanish, most of which are predominantly spoken by racialized people. Providing meaningful access to legal services in languages other than English will improve racial equity by enabling language minorities, many of whom are Black, Indigenous, or people of colour, to participate in society and access justice at the same level as others. This is also connected to migrant justice, as many immigrants, refugees, and migrant workers speak languages other than English and may face language barriers while looking for legal assistance.

This resolution is endorsed by the Federation of Asian Canadian Lawyers (British Columbia) Society (“FACL BC”). FACL BC’s own statement in support will be forthcoming.

Sincerely,

Diana Sepúlveda and Afifa Hashimi

¹ Statistics Canada reports that “immigrant languages” make up 29.3% of the BC population, French makes up 1.6% and “Aboriginal languages” make up 0.2%: <https://www12.statcan.gc.ca/census-recensement/2016/as-sa/fogs-spg/Facts-PR-Eng.cfm?TOPIC=5&LANG=Eng&GK=PR&GC=59>