



OFFICE OF THE PRESIDENT
CABINET DU PRÉSIDENT

July 7, 2004

Minister Bradley Green, Q.C.
Attorney General
New Brunswick Canada
Centennial Building
P. O. Box 6000
Fredericton NB E3B 5H1

Dear Minister,

I write on behalf of the Canadian Bar Association (CBA), a national association representing over 38,000 lawyers, notaries, law teachers and students across the country, concerning the current situation in regard to legal aid in New Brunswick.

The CBA's mandate includes advancing the interests of the profession, and seeking improvements in the law and the administration of justice. These aspects of our mandate are the basis for our concerns about an adequate legal aid system as essential for meaningful access to justice. We believe that a country that prides itself on a commitment to fairness and justice must guarantee that people can actually rely on the protections offered by our laws. We also believe that lawyers must be fairly remunerated for the professional services that they provide to legally aided clients.

New Brunswick has expected much of the legal profession in terms of subsidizing delivery of legal services. This level of subsidy is not expected of any other profession – we do not ask doctors, teachers or accountants to be only partially paid, if at all, when they provide service to low income populations. In contrast, New Brunswick lawyers have been asked to provide professional services at an hourly rate that is often insufficient to cover their office overhead and, even worse, spend significant time and money when traveling to meet clients or to appear in court without being paid at all.

The CBA urges your government to take immediate steps to ensure that access to justice is preserved, and that legal aid lawyers are fairly remunerated for the professional services they provide.

Thank you for considering the views of the Canadian Bar Association.

Yours truly,

F. William Johnson, Q.C.

cc: Richard Bell / Branch President / Canadian Bar Association, New Brunswick