

Not with a ten-foot pole: Perceptions of Family Law

March 2009 – This month, West Coast LEAF launched a research report highlighting a worrying trend affecting access to legal representation for women.

Recent cut-backs to legal aid funding for family law cases have been documented in reports and shared in the media. But another emerging trend is also making it difficult for women to navigate legal systems and access support for family law cases: diminishing access to family law lawyers.

Noting that advocates and front-line workers were increasingly raising the issue of fewer family law lawyers available for referral, and that law students were indicating reluctance to pursue the practice of family law, the West Coast LEAF Family Law Project launched the Family Law Student Survey in January 2008.

The report **Not with a ten-foot pole: Law Students Perceptions of Family Law Practice**, written by Zara Suleman, summarizes the findings of the survey.

Key themes that emerged from the substantive survey questions:

- Family law students perceived family law to be emotionally stressful
- Low financial compensation/under-funded legal aid
- Family law not perceived as “Real” law
- Safety concerns: fear of violence and threat

From the report:

“My peers perceive family law as emotionally draining, overly litigious, and unprofitable for lawyers and parties involved”

“A very large volume of ‘social justice’ family law will be (under) funded by legal aid Conscientious practitioners will end up doing a lot of pro-bono work -- not so much from choice as from moral obligation”

“I’ve heard family law described as the ‘female ghetto’ of law practice”.

There were 126 survey participants, with representation from a variety of backgrounds.

To access the report, please go here.

FACTS ON FAMILY LAW

In a survey of 433 Canadian lawyers done by Payscale.com, family law was the lowest paid practice area. Corporate, business, criminal and insurance law paid higher salaries.

The average amount of debt incurred during law school was \$45,246.00.

The 2007 Annual Report indicated that Family Law complaints made up the majority of complaints received by the Law Society in 2006.

Brown and Macalister stated in a 2006 article that 86.4% of family divorce practitioners received one or more threats – the highest of any area.