



**Legal aid,**  
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[www.csj.qc.ca](http://www.csj.qc.ca)



## Legal Brief\*

Vol. 14

Number 6

June-July 2022

### **JULIE AND CHRISTIAN HAVE TWO CHILDREN, OWN A HOME AND HAVE MONEY IN THEIR BANK ACCOUNT. ARE THEY FINANCIALLY ELIGIBLE FOR LEGAL AID?**

Julie and Christian have been married for three years. Christian works full time at an annual salary of \$50,000. Julie works part-time for annual income of \$5,000.

Their combined annual income is \$55,000. They have two young children. They own a family home worth \$200,000 with a mortgage of \$92,000. They have \$7,000 in their joint bank account.

It is important to remember that there are two ways to qualify for legal aid: at no cost or in return for the payment of a maximum contribution of \$800.

To obtain free legal aid, Julie and Christian must satisfy the following three conditions:

- 1- Scale of annual (gross) income:  
Gross income must not exceed the following amount for  
**Spouses with two children: \$42,530**
- 2- Scale of property owned:  
The value of property owned must not exceed  
**\$90,000, if the residence is owned**  
\$47,500, if the residence is not owned
- 3- Scale of liquidities:  
The value of liquidities must not exceed  
**\$5,000 for a family**  
\$2,500 for a single person

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Even though the financial situation of Julie and Christian exceeds the three scales mentioned above (income, property and liquidities), they can nevertheless be eligible for legal aid in return for the payment of a contribution.

The following is the calculation method that applies. First, we must determine which class of applicant Julie and Christian fall into. The *Regulation respecting legal aid* states that there are six classes of applicants. They fall into the class of a family composed of spouses with two children or more.

The following amounts must then be added to the amounts provided for in the scales mentioned above:

- 100% of the excess income
- 10% of the excess property
- 100% of the excess liquidities

Text prepared by  
the Commission des services  
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\* The information set out in this document is not a legal interpretation.

The masculine is used to designate persons solely in order to simplify the text.



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**ARE THEY FINANCIALLY ELIGIBLE FOR LEGAL AID?  
(continued)**

The total amount represents the **deemed income** used to determine whether Julie and Christian are eligible for legal aid in return for the payment of a maximum contribution.

Here are the detailed calculations:

|   |                 |
|---|-----------------|
| Scale (free legal aid)<br>Spouses with 2 children or +                                  | \$42,530        |
| 100% of the excess income<br>(\$55,000 - \$42,530)                                      | \$12,470        |
| 10% of the excess property<br>(\$200,000 - \$92,000)<br>\$108,000 - \$90,000 = \$18,000 | \$1,800         |
| 100% of the excess liquidities<br>(\$7,000 - \$5,000)                                   | \$2,000         |
| <b>Deemed income</b>  | <b>\$58,800</b> |

The legal aid scale below (which is also found on the Web site of the Commission des services juridiques) indicates that Julie and Christian are eligible for legal aid in return for a maximum contribution of **\$800**. \*

|   | <b>Income</b>        | <b>Contribution level</b> |
|---|----------------------|---------------------------|
| <b>May 31, 2022</b><br><br><b>SPOUSES WITH TWO CHILDREN OR MORE</b> | \$42,531 to \$44,639 | \$100                     |
|   | \$44,640 to \$46,748 | \$200                     |
|   | \$46,749 to \$48,857 | \$300                     |
|   | \$48,858 to \$50,966 | \$400                     |
|   | \$50,967 to \$53,075 | \$500                     |
|   | \$53,076 to \$55,184 | \$600                     |
|   | \$55,185 to \$57,293 | \$700                     |
|   | \$57,294 to \$59,403 | \$800                     |

Don't hesitate to have your eligibility for legal aid evaluated by making an appointment at a legal aid office near you. You can also check your eligibility online [here](#).

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To find the contact information for your legal aid office, please click on the following link [www.csj.qc.ca/](http://www.csj.qc.ca/).

\* The director general can, under certain conditions, agree that the contribution will be paid in several instalments. The total period for such instalments cannot exceed six months.

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