

Volume 35, Number 3/4 (Fall/Winter 1997)
Special Issue on Parkdale Community Legal Services
(PCLS)

Article 27

Opinion...Parkdale: I Didn't See It That Way

Jeffery Wilson

Follow this and additional works at: <http://digitalcommons.osgoode.yorku.ca/ohlj>

 Part of the [Law Commons](#)

Article

Citation Information

Wilson, Jeffery. "Opinion...Parkdale: I Didn't See It That Way." *Osgoode Hall Law Journal* 35.3/4 (1997) : 773-776.
<http://digitalcommons.osgoode.yorku.ca/ohlj/vol35/iss3/26>

This Article is brought to you for free and open access by the Journals at Osgoode Digital Commons. It has been accepted for inclusion in Osgoode Hall Law Journal by an authorized editor of Osgoode Digital Commons.

OPINION ... PARKDALE: I DIDN'T SEE IT THAT WAY[©]

BY JEFFERY WILSON

Page 3—OBITER DICTA—January 19, 1976

During the spring semester of 1975, [a lot of issues] were discussed, or as progressive educators suggest, “we ventilated” many of our internal concerns. I ventilated—what a feeling! It was one of those democratic self-assuming or consoling collective “get-togethers” or “shivas” that I made or make a point during my work at Parkdale, elsewhere or in my life’s many deaths to rarely attend. And yes folks, this will be one of the rare opportunities in which I will attempt to articulate an opinion on the subject of working with people at Parkdale Community Legal Services. Because I am convinced that talking about, at, when, how, for in this area is a waste of time and in any event, eulogies are reserved for those called to the faith.

The subject of working with people in a community law office becomes a dilemma because of an inability to commit. In this, the commitment or admission of self-interest, ego—call it what you may—is to a *community* office, and that means to the people that make up the Parkdale community. In this instance, the commitment is translated, expressed, and activated through the catalyst of our expertise in the law, *as it relates to the community*. Hence, we find ourselves working day to day at a Parkdale *community legal* service centre.

This is no easy task. Yet, we distract ourselves from this overwhelming confrontation in itself by talking law reform and other superstructures—each further removed from the fundamental commitment derived from the *raison d’être* for the office—the Parkdale client. May I suggest that Osgoode Hall will serve as a forum for the advocates of immediate law reform in which abstract and generally adolescent radicalism and reform, can find its proper place in a faculty council meeting where teachers and students chat curriculum in a schooling process that metamorphoses their efforts into a “distraction from a distraction.” That’s fine. Everything, after all, has its place.

At Parkdale, distractions must be thrown out. There is room only for the single reality of a person seeking assistance in law from a student learning to provide expertise. Working with people, and axiomatic to that subject, is providing legal aid where people are at. Ultimately, knowing where each of us is at is an attractive goal for expressing abstract ideas, and establishing relationships. But that takes too much discipline for too many of us. So what is expected in this office is at least the single commitment of assisting people in the community and accepting these individuals at where they are at. What exactly do I mean? Perhaps an example will illustrate this thought.

An impaired driving charge may be secondary to a person's priority. In that person's opinion, what may be more important is to educate people to represent themselves in such charges and avoid the awful thought that we may be, should we succeed in our case, indirectly responsible for a future drunken driving murder. Perhaps the causal connection can be extrapolated. But the client came to the office to seek representation. That is where he is at. Another client may prefer not to be represented by a female student or courteously warn his lawyer in an interview of the "dirty Jew" of a landlord. Another client may be a "child-beater," with alcohol on his or her breath, as he or she screams at the world over the removal of her scarred, bruised, and lacerated four-month-old child.

What is radical about this *office* is that we represent such individuals. There should be no decision as to the question of representation. The only decision to be made is, of the individual (who seeks help, and with that decision, a contract of mutual respect), at least initially, realized. And people make their decisions simply by coming into the office and looking into or about our faces. Talking is not necessary. Talking too can be a fair expectation imposed on people. One who engages as a representative at Parkdale subsumes his individual morality into the overriding responsibility of free community legal assistance. On another level, we commit ourselves to be co-opted into a different experience—that of using all our integrity, knowledge, imagination and drive to the representation of a client. Is there something more magical about law reform, the evils of society, and "East Side, West Side" fantasies than the begging need of one's client? Lest we forget, there's *already* a double con—free services for him or her and helping the "lonely, impoverished" soul for me.

Then, how does one deal with the compromise of individual reality? Well, don't go to Parkdale if your racial and ethnic inoculation is Portnoy's Complaint. And if you do decide to go, then commit, (again that trying word), oneself to outrage because somewhere law in a

poverty clinic must have something to do with teaching the vein of outrage in life. The anti-Semite, the child-beater are on one level society's outrage. When we provide services we are unique because we provide such an individual with perhaps the only opportunity to have someone assist him [or her] against society, and implicitly in spite of society. And, similarly, we wear a suit, or put our hair up into a pretty little bun, if that will assist one's client in a court of law. The focal point is the client, not ourselves. Too often the call for reform by students at Parkdale is an inability to accept this style of ego, and the demand of a long, unpleasant day, standing in line at a welfare office instead of drinking carrot juice and discussing the "greening of all we would do" *quietly and all too comfortably*, some polemics, and shouting all included in this self-indulgent package.

Well then, you ask, where does social reform come from in such an office, or does it? It certainly does. The commitment to dealing with individuals and sensing their outrage and developing yours will have to involve change on a larger scale than any single person. No doubt, reform is essential to deal with individuals in their environments and to institute change in institutions that institute many people's malaise condition. Nader and Bucknall would have to assert that fighting General Motors or Pajelle Investments demands expertise in *the law* as it affects both your client and your adversary. May I advise that the sensationalized supreme court case of *Pajelle* was a culmination of literally hundreds of landlord-tenant disputes: section 96 applications, negotiations with landlords, private prosecutions, and other matters that developed in the eyes of the law profession, the judiciary, and most importantly, the community, a respect for our expertise in this field. The same will occur in the immigration department and the family court as a necessary result of committed work for clients in these areas. When we for a moment place any model other than the successive needs of clients as a foundation for the community legal clinic then we are a "children's aid society," something for all and very little for anyone; then we are bureaucrats; then we are democratically mediocre and unaccountable, lost in distracted ideals, inner office politics, rather than subject to commitment, demands, accounting, and responsibility to an aid recipient.

That is the starting point. I am convinced that if any of us get this far in our approach to working with people, active social reform that is penetrating and comprehensive will be an obvious result. You will make more time out of the day, and will work more long hours and very hard, and experience frustrations with powerless elevator operators, bureaucrats defensively clinging to their remaining controls. But, you

did apply to Parkdale, and that is what Parkdale is about as a living experience. Surely, there are enough other problems in life to meet the most worthy or neurotically worthless amongst us.

If it is a conservative stance to demand, *in a legal agency*, an acceptance of the people one assists and if one's role in a very large and powerful system of society in order to achieve reform as an end, then let us at least give, as E.M. Forester proclaims for democracy, two cheers for this analysis. One, because it admits the clients' needs, and two, because it challenges our needs and commitment as students of law. There may never be an occasion to give three. Only have a good time doing it. It deserves that.