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Why it's a bad idea to be your own lawyer in divorce court

Feldstein Family Law Group
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TORONTO, July 5, 2016 /CNW/ - Not hiring a lawyer and representing yourself in divorce court doesn't save money, Toronto divorce lawyer Andrew Feldstein says in a white paper – *The good, the bad and the ugly of self-representation* – he's just published about self-represented litigants (SRLs).

First, he wants politicians to allow simple changes in the legal system, such as permitting the use of email to arrange a case conference or a motion to change, rather than old-fashioned hardcopy letters. He also wants to use Skype for case conferences, which would save clients hundreds of dollars.

Second, Feldstein wants his white paper to encourage other family law lawyers to offer so-called "unbundled services" or limited scope retainers.

"When I am in court and I see that the other spouse is self-represented, I know legal costs will climb for my client and judicial resources will be squandered because of the SRL's lack of understanding of how the judicial process works," Feldstein writes.

As many as "80 per cent of family court cases in Canada are trying to represent themselves in a complex, intimidating system that was designed for lawyers, not laypeople," wrote Lorne Sossin, Dean of Osgoode Hall Law School, on [February 25, 2015, in The Toronto Star](#).

Feldstein has sent the white paper to all Members of Parliament, some provincial politicians, leaders in the legal world, and some journalists who report on how politicians choose to serve Canadians. Edition Three is available at [ItsTimeForJustice.ca](#).

"Canada's 30-year divorce rate stands at 40%. Divorce touches almost every Canadian family. And procedural divorce reform must move up the

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priority lists of all political parties," he says.

"The last time Canada's *Divorce Act* was changed was in 1986, pre-dating the internet," says Feldstein.

"Most self-represented parties could hire legal assistance for the most confusing aspects, and would represent themselves on other matters," he writes.

"I would much rather help a dozen clients for a few hours each, on an unbundled basis, than spend weeks representing one client in a drawn-out trial. I am confident many of my colleagues feel the same," he writes.

Rates

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