



Tips for Lawyers and Paralegals in Ontario: Accommodating clients who need extra time

Can I charge my client additional legal fees for longer appointments when extra time is a disability-related need?

My client requires more time to explain their legal issue than the routine thirty-minute appointment due to their disability. Do I need to accommodate my client? Can I charge them for the extra time I spend with them?

What Does the Law Say?

- Legal service providers must accommodate their clients with disabilities to the point of undue hardship, as required by Ontario's *Human Rights Code*.
- As a service provider, lawyers and paralegals must bear the cost of accommodating their client. A person with a disability must not have additional financial expenses because of an accommodation to access the same service; accommodations are provided to the point of undue hardship.
- When a client requires more time with their lawyer or paralegal than the scheduled length of the appointment because of their disability, the lawyer or paralegal has a duty to accommodate their client with extra time at no additional cost.
- The Law Society of Ontario prohibits any form of discrimination, including against persons with disabilities. This prohibition and the obligation to provide legal services in accordance with the *Human Rights Code* are detailed in the *Rules of Professional Conduct* and the *Paralegal Rules of Conduct*.

In Practice

- A client with a disability may require a longer appointment or multiple appointments because of their disability. Longer or multiple appointments may be a form of accommodation.

- Be patient. The extra time a client needs may manifest in different ways.
- Ask your client how they best process information.
- Some clients may need multiple breaks over the course of a meeting while others may need more time to understand the legal information provided or to make decisions.
- A client requiring this accommodation because of a disability should not be charged more in legal fees as a result of the extra time.

For more information

Review section 6.3.1 of the *Rules of Professional Conduct*:

<https://lso.ca/about-lso/legislation-rules/rules-of-professional-conduct/complete-rules-of-professional-conduct>

Review section 2.03 of the *Paralegal Rules of Conduct*:

<https://lso.ca/about-lso/legislation-rules/paralegal-rules-of-conduct/complete-paralegal-rules-of-conduct>

Review Ontario Human Rights Commission's Policy on ableism and discrimination based on disability:

<http://www.ohrc.on.ca/en/policy-ableism-and-discrimination-based-disability>

ARCH offers a free Case Consult service for Lawyers and Paralegals representing persons with disabilities. Lawyers and Paralegals can book an appointment with an ARCH Lawyer to consult on the disability law aspects of a case and how to meet a client's disability related accommodation needs.