



Legal Coaching for SHARP Clients

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I am grateful to live and work on the traditional and unceded territories of the Semiahmoo, Kwantlen, Katzie and Tsawwassen First Nations.

Step one = ground yourself

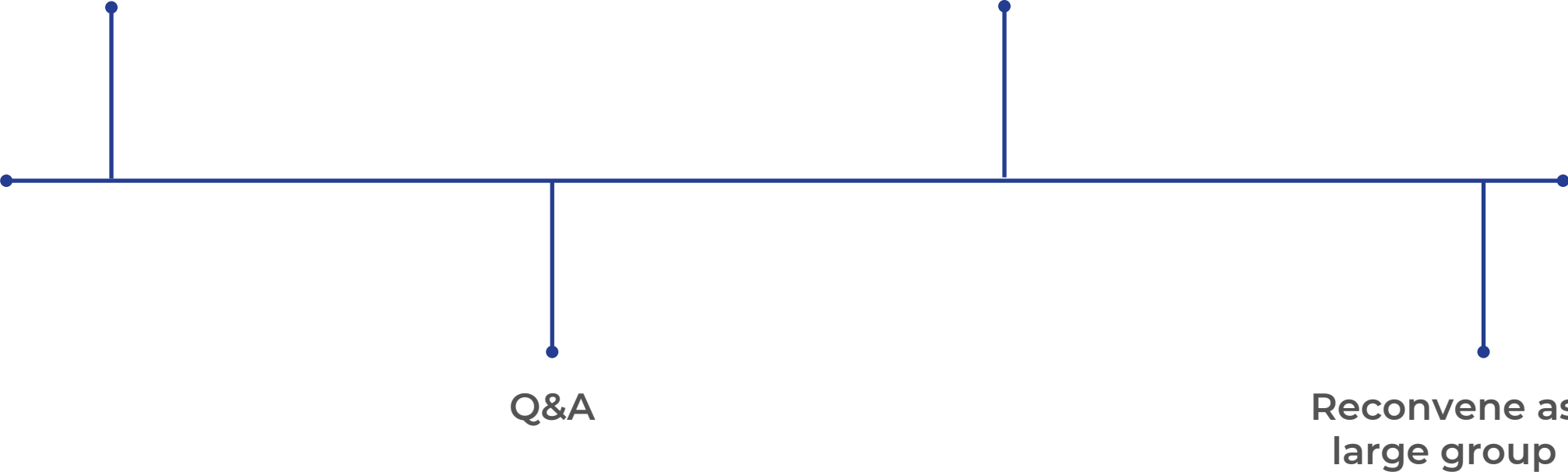
Resources – Further Reading

- The Intersection of Human Rights and Employment Law (CLEBC Employment Law Conference, May 2021)
- The Walls are Closing in on Sexual Harassment in the Legal Profession (The Advocate, March 2021)
- Assisting your Client – Tips on providing Legal Advice on Workplace Sexual Harassment (SHARP Manual)
- Advising Bystanders to Sexual Harassment in the Workplace (SHARP Manual)
- Legal Coaching; Guiding Self-Represented Litigants to Advance their Case (SHARP Manual)

Agenda

My tips on legal coaching
for SHARP clients

Breakout Groups



What is Legal Coaching?

A legal coach is a lawyer who works behind the scenes to make it easier for a primarily self-represented client to represent themselves.

Source: Mediate BC [BC Family Unbundled Legal Services Project Lawyer Unbundling Toolkit](#).

What is Legal Coaching?

- Initial consultation to identify options available to the client
- Strategic guidance about dealing with the strengths and weaknesses of the client's case and the case they have to meet
- Providing legal advice
- Assisting with legal research
- Offering self-help tools that will be useful to the client, such as legal information, websites and other resources designed for members of the public

Adapted from Mediate BC [BC Family Unbundled Legal Services Project Lawyer Unbundling Toolkit](#).

What is Legal Coaching?

- **Procedural coaching** – helping the client understand steps required by legislation or court rules
- **Negotiation/settlement coaching** – both procedural advice and coaching about how to develop a settlement proposal and negotiate effectively (directly or in a mediation process)
- **Reviewing, commenting on or drafting documents**
- **Hearings coaching** – explaining the expectations of a judge or master, how the courtroom works, where to stand, how to address the judge and the other party, how to organize written or spoken presentations

Adapted from Mediate BC [BC Family Unbundled Legal Services Project Lawyer Unbundling Toolkit](#).

Unmute or in the chat

What are some of the most valuable legal coaching services you provide as SHARP roster lawyer?

Client-lawyer Journey

Before the First Meeting – Information to Gather

- Who – conflicts
- How – safety*
- Why – questions & goals*
- What/Where/When – chronology and documents*

*try in advance, but may need to be addressed in the meeting

Documents to Request (if client has access)

- Employment contract/hire letter
- Employer Policies (“Bullying & Harassment” or “Respectful Workplace”)
- Resignation/Termination letter (if applicable)
- Relevant emails, texts, etc.
- Documents from any legal processes underway

Before the First Meeting

- Read all documents and information*
- Assess “reasonable notice period” per *Bardal* factors
- Create list of possible legal paths and identify filing deadlines for legal actions
- Current client status? (on leave, quit, new job, etc.)
- Consider client questions/goals

*unless there is a large volume of emails/texts

First Meeting with Client

- Introduction
- Review Agenda for meeting
- Any questions or concerns about our work together?
- Anything I can do to make this meeting more comfortable for you?
- Meeting structure
 - Hear from you
 - Talk about the law
 - Review options
 - Make a plan

Client Goals or Desired Outcomes

- Consider asking at the start, or after they share their experience
- What outcome would you like to see?
- Legal process is not an outcome “I’d like to sue them”

*sometimes clients are not able to identify desired outcome or don’t know what might be possible, and you can assist with this

Legal Assessment

- Explain the law to the client
- *Janzen v Platy* test:
 - Unwanted conduct
 - Of a sexual nature
 - That has negative work-related consequences
- Walk through the various legal options, tests, outcomes

Unmute or in the chat

What are the Options for a client experiencing Workplace Sexual Harassment?

Limited-scope Retainer

- 5 hours of SHARP funding is a consideration
- Meeting + demand letter can be 5 hours
- Meeting + draft pleadings can be 5 hours
- Consider ghost writing demand?

Make a Plan

- Identify options client will pursue
- Follow up email:
 - Confirm scope of legal work
 - Links to self-help information
 - Filing deadlines/limitation periods

Maximizing Impact of 5 Hours

- Goals are key
 - Quick settlement? – ghost written demand
 - Litigation needed?
 - Draft/review pleading
 - Connect with other advocates/representation
 - As needed support throughout process



Case studies

Contact Us



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Social
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Thank You