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Posted By KYLE REA, Times-Journal

Posted 1 day ago

A St. Thomas man struggling to find a lawyer, thanks to a province-wide boycott of the legal aid system, may get one appointed in November.

Lucas Rickwood, 27, appeared in St. Thomas court, Tuesday, where defence lawyer Robert Upsdell said an application to have him appointed as counsel-of-record will be considered in the city's Superior Court of Justice on Nov. 18.

Rickwood, who's charged with attempted murder after a stabbing in a downtown parking lot in July, needs a lawyer and wants to hire Upsdell on a legal aid certificate.

But because the St. Thomas lawyer is part of a boycott of the legal aid system by members of the Criminal Lawyers Association, Upsdell can't take the case.

Tuesday, he told Justice Michael O'Dea that Rickwood is already receiving assistance from the CLA -- Toronto lawyer Paul Burstein will argue the case in November.

Upsdell said he can't handle the case himself because he's filing an affidavit to be appointed as Rickwood's lawyer.

"You can't be counsel on your own affidavit," he explained.

The application, however, isn't cut-and-dried, Upsdell continued.

"I'm fully expecting it'll be opposed. Legal aid will be prepared to argue they (lawyer) should do it at legal aid rates," he said, adding Legal Aid Ontario and possibly the Ministry of the Attorney General could appear to speak on the case.

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