

Duty Counsel Tariff (includes Circuit Counsel)



Legal
Services
Society

British Columbia
www.lss.bc.ca

Revision history (November 2006)

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Contents

1. Organization of This Section (June 2004)	1
2. General Tariff Information (June 2004).....	2
Procedures for taking on duty counsel work (January 2006)	2
3. Duty Counsel Tariff	3
Guidelines for duty counsel (November 2006).....	3
Criminal in-custody duty counsel (including youth): Instructions for referrals (January 2006)	4
Criminal out-of-custody duty counsel (including youth): Instructions for referrals (November 2006)	5
Family duty counsel: Instructions for referrals (January 2006)	5
Immigration duty counsel: Instructions for referrals (February 2005).....	8
4. Circuit Counsel Tariff	11
Guidelines for circuit counsel (June 2005).....	11
Circuit counsel tariff items.....	12
Court time (November 2006)	12
Late sitting (November 2006).....	12
Travel (November 2006).....	13
5. Duty Counsel Tariff Guide to Billing (November 2006)	15
Criminal Duty Counsel Billing Form (January 2006)	17
Family Duty Counsel Billing Form (January 2006).....	21
Immigration Duty Counsel Billing Form (January 2006)	25
6. Circuit Counsel Tariff Guide to Billing (November 2006).....	29
Circuit Counsel Billing Form (January 2006)	31
7. Court Location Codes (November 2006)	34
Blank billing forms	
Appendix 1: Record of Duty Counsel Worksheet (Criminal) (June 2004)	
Appendix 2: Record of Duty Counsel Worksheet (Family) (June 2004)	
Appendix 3: Record of Duty Counsel Worksheet (Immigration) (June 2004)	
Appendix 4: Record of Circuit Counsel Worksheet. (June 2004)	
Appendix 5: Detained Client Information Sheet for Immigration Duty Counsel (May 2004)	

1. Organization of This Section (June 2004)

The Duty Counsel/Circuit Counsel section is organized as follows:

- **General Tariff Information** provides information about the tariff and its use.
- The **Duty Counsel Tariff** lists instructions for criminal, youth, family, and immigration duty counsel referrals.
- The **Circuit Counsel Tariff** lists instructions for circuit counsel referrals and the tariff items.
- The **Duty Counsel Tariff** and **Circuit Counsel Tariff Guides to Billing** contain information and instructions on completing the **Duty Counsel** and **Circuit Counsel Billing Forms** and submitting your account to LSS. Following these instructions carefully will ensure that your account is processed as quickly as possible.
- The **Record of Duty Counsel Worksheets** are included here for your record-keeping convenience and are required for requests for extra fees.
- Disbursements are listed separately in this guide in the **Disbursements for All Tariffs** section.

2. General Tariff Information (June 2004)

For billing information, see the **Duty Counsel** and **Circuit Counsel Tariff Guides to Billing** at the end of this section. For information about billing disbursements, see the **Disbursements for All Tariffs** section. For general contractual information relating to the terms of your contract with LSS, see the **General Terms and Conditions** at the beginning of this guide.

Procedures for taking on duty counsel work (January 2006)

To apply to have your name added to the criminal duty counsel roster, send your request to the office responsible for issuing duty counsel referrals at your court location.

To apply to have your name added to the family or immigration duty counsel roster, contact the Manager, Civil Law at the Vancouver Regional Centre at (604) 601-6009, or fax (604) 682-0979.

Additions to the duty counsel roster are made at the sole discretion of LSS. Generally, LSS only assigns duty counsel to lawyers who practice in the community where the court is located.

If you are on the duty counsel roster, LSS will contact you to ask for your available dates. Reply promptly and LSS will send you a referral for the dates you are authorized to act as duty counsel.

3. Duty Counsel Tariff

The Duty Counsel Tariff differs from the other tariffs in the *Guide to Legal Aid Tariffs* in that it does not contain individual tariff items to bill. Your referral will set out your authorized hours and tariff rate. See the **Duty Counsel Tariff Guide to Billing** at the end of this tariff section for instructions on how to bill the services that were authorized.

Guidelines for duty counsel (November 2006)

- The **General Terms and Conditions** set out at the beginning of this guide apply to all duty counsel referrals.
- If you have received specific instructions from LSS, those instructions form part of the terms and conditions of your referral.
- **Tariff rate and hours of service:** Duty counsel are paid an hourly rate, up to the maximum specified in the referral. If additional hours are required, submit a request for extra legal fees along with your billing form.
- **Non-attendance:** You are required to personally attend each day of your appointment for as long as your services are required. If you undertake to attend as duty counsel, we expect you will personally attend on the day(s) and time(s) scheduled. If you cannot personally attend as duty counsel, advise LSS as soon as possible. In an emergency, you may arrange for an agent to take your place. Please verify that the agent has been approved by LSS to provide duty counsel services. If another lawyer does a portion of your duty counsel/advice lawyer work, you are responsible for reimbursing that lawyer for the replacement period.
- **Touting:** “Touting” either for yourself or for members of your firm is prohibited. Duty counsel cannot use their appointments to the roster to solicit referrals for themselves or their firms. If a client asks if you may become his or her lawyer, always advise the client to contact the Lawyer Referral Service or ask for a recommendation from a trusted friend. Ensure that he or she has an opportunity to meet other lawyers before making a decision about retaining counsel. However —
 - if a client requests your business card, you may give it to him or her;
 - if a client is in custody and applies to LSS intake and asks for you to be his or her counsel, a referral may be issued to you;
 - if a client is ineligible for legal aid and asks if you will represent him or her, you may, but not while acting as duty counsel in court that day and only after the client has had an opportunity to consult with other lawyers.
- **Record keeping:** You must keep a record of all clients assisted and notes about the advice or assistance provided. (You can use the **Record of Duty Counsel Worksheets** provided in the **Appendices** to this tariff to assist you.)
- **Disbursements:** Use the disbursements billing form in the **Disbursements for All Tariffs** section to bill any duty counsel disbursements.
- **Travel:** If travel is authorized, refer to the travel item in the **Criminal or Family Tariff (Emergency Services)**, as applicable, for information and the tariff rate.

Criminal in-custody duty counsel (including youth):

Instructions for referrals (January 2006)

1. Personally attend at the local lock-up well before the start of the court's sitting. Allow enough time to ensure that you will be able to interview each accused in custody. If you cannot act because of a conflict, determine if another lawyer is available and contact the referring office for assistance.
2. Interview each accused in custody.
3. Provide the accused with —
 - **information** about the nature of the charge;
 - **advice** about legal rights, including the right to counsel, the right to apply for legal aid, and the right to retain counsel privately for a show cause hearing; and
 - an **explanation** of court procedures to be faced that day.
4. Obtain from the accused the background information and instructions necessary to represent him or her on that day for show cause hearings, remands, variations of bail, adjournments, guilty pleas, and other proceedings.
5. Advise Crown counsel, court staff, and the sheriffs that you will be appearing as duty counsel.
6. Meet with Crown counsel before the court sitting to discuss potential terms for release and to verify that both of you will be prepared for the list.
7. Appear in court and speak on behalf of the accused, as necessary. It is your responsibility as duty counsel to attend throughout the day to deal with any accused in custody appearing in your court.
8. If you believe a bail review is warranted after a show cause hearing, contact LSS as soon as possible so that arrangements can be made for the bail review. Bail reviews are covered by legal aid if the accused is financially eligible and a likelihood of success exists. Provide the name of the accused, the charge, the nature of the offence, and a brief description of the grounds for review.
9. The daily court list shows the number of people in custody. Check with staff of the lock-up about any person who is shown as being in custody, but is not brought out for an interview. Although there may be a valid reason for the absence, sometimes people are improperly held in custody, and an inquiry should be made so they are not lost in the system.
10. Keep a record of people held in custody and inquire about anyone who is not on the court list to ensure they are promptly brought before the court that day. You are not obliged to assist anyone *not* in custody and will not be paid by LSS for such services unless you hold a separate out-of-custody duty counsel referral.
11. Extra legal fees are available for reasonable and necessary time spent beyond that which is authorized. Submit your request to the managing lawyer of Tariff Services, along with a brief outline of the reasons why the extra time was required and a copy of your account and **Record of Duty Counsel Worksheet (Criminal)** (see **Appendix 1**). Provide an explanation if the time spent is disproportionate to the number of clients.

12. If you know that your services will not be required for a significant period of time, attend to other work. If you anticipate gaps in service during the day, bring other files with you on which you can work without billing duty counsel time. You may return to your office provided that the sheriffs, court staff, and Crown counsel know how to reach you and you are able to return to the court within a reasonable time.

Youths in the temporary or permanent care of the director

Refer any young person who is in temporary or permanent care by court order to his or her social worker or the local office of the Ministry of Children and Family Development. Provide assistance to youths who are in care of the director under voluntary care agreements. *Do not provide assistance for youths in temporary or permanent care under court order.*

Criminal out-of-custody duty counsel (including youth): Instructions for referrals (November 2006)

Out-of-custody duty counsel is assigned to provide summary advice and assistance to accused people making initial appearances under the Criminal Case Flow Management Rules. To the extent that your referral permits, out-of-custody duty counsel may assist clients with simple bail variations, negotiations, or guilty pleas. If additional services are required, the client should be assessed and referred for a standard criminal tariff referral.

Attend court 30 minutes before the scheduled initial appearance list. Obtain a copy of the court list(s) for that day. Advise Crown counsel, court staff, and the sheriffs that you are present as duty counsel for that day.

1. Meet with all unrepresented people making initial appearances — if they are willing to meet with you — to provide summary assistance and advice.
2. Briefly review available Crown disclosure with each client. Summarize the legal issues raised by the case and explain options available to the client. Ensure that the client understands the significance and consequences of any plea.
3. Outline the procedural steps to be followed by the client to obtain disclosure, enter a guilty plea, or proceed to trial.
4. As appropriate, advise the client on how to apply for legal aid.
5. As appropriate, refer the client to the Lawyer Referral Service, pro bono services, other community agencies, or self-help materials, including LSS online resources.
6. Attend initial appearances with clients requiring assistance to obtain disclosure, adjournments, or other procedural requirements.

Family duty counsel: Instructions for referrals (January 2006)

Family duty counsel services

Family duty counsel and advice services are offered in Supreme and Provincial courts:

In **Provincial Court**, family duty counsel attend on scheduled days, usually the first appearance day for family matters. Family Court duty counsel must first give assistance to those with matters on the

list, but are also obliged to provide advice whenever possible to any eligible persons seeking help with a family matter.

In **Supreme Court**, family duty counsel attend on scheduled days to provide either court assistance or advice services, or both, to litigants without counsel.

Note: Clients seeking advice may be referred to either Supreme Court or Provincial Court duty counsel. Counsel may provide advice regardless of the court in which clients' matters are scheduled, but priority should be given to clients with matters in the court you are scheduled for.

Instructions for referrals

The following instructions, together with those contained in the *Family Duty Counsel Policy and Procedures Manual*, as updated from time to time, are all part of the terms and conditions of your referral.

1. On each assigned date, attend court one half hour before court is scheduled to begin. Pick up a Family Court list from the registry if you have not already got one. Inform the registry, any legal aid intake staff at the courthouse, and other relevant persons that you are family duty counsel for the day.
2. Ensure that you are not in a position of conflict before you give advice.
3. Ensure that the client has signed the Acknowledgement of Duty Counsel Services ([PDF](#)) form. This signature is required before you can give the client assistance. (The form is available on the LSS website at www.lss.bc.ca — go to “For lawyers,” click “Online resources,” choose “Forms,” then click “Billing and authorization forms.”)
4. Test for financial eligibility by applying the [financial eligibility test](#) for advice services (for more information, go to the LSS website at www.lss.bc.ca, click “Legal aid” and then “Legal advice,” or refer to the *Family Duty Counsel Policy and Procedures Manual*). Record the result on the Acknowledgement of Duty Counsel Services form before providing assistance. Financially eligible clients may return for additional service on other days in accordance with the *Family Duty Counsel Policy and Procedures Manual*.
5. Provide eligible clients with the services set out in the Acknowledgement of Duty Counsel Services form and the *Family Duty Counsel Policy and Procedures Manual*.
6. You may not —
 - go to court for a contested trial or hearing if the issues are lengthy or complex,
 - attend trial planning conferences,
 - help with complex property disputes,
 - help a client who has already retained a lawyer,
 - help with legal problems not related to family law,
 - accept service of or serve any court document, or
 - become the client's solicitor of record while acting as duty counsel/advice lawyer.
7. Extra legal fees are available for reasonable and necessary time spent beyond that which is authorized. Submit your request to the managing lawyer of Tariff Services, along with a brief outline of the reasons why the extra time was required and a copy of your account and **Record of Duty Counsel Worksheet (Family) (Appendix 2)**. Provide an explanation if the time spent is disproportionate to the number of clients.

8. Family duty counsel lawyers are required to be available to provide service for the minimum time for which they may bill.

Supreme Court family duty counsel are required to stay the minimum authorized time at the courthouse to ensure service is available to drop-in clients. This approach will be evaluated to see whether the demand for service warrants the continuation of this policy.

Provincial Court family duty counsel may leave the court if, after checking with the registry 20 minutes after conclusion of the court list, no one requires assistance. If you have not used the minimum time on your referral at the court and can be available if someone requires your assistance later in the day, let the court clerk and registry know they can contact you at your office and that you can return to court. If you are not available to provide further service, you should only bill for the time you were available to provide the service, even if it is less than the minimum.

9. Do not bill for time spent on another legal aid referral during the four-hour minimum for doing family duty counsel. See the Family Duty Counsel Policy and Procedures Manual for more details on billing.
10. There is no minimum for time spent on conflict of interest referrals. If a family duty counsel referral is issued for the purpose of covering the regularly scheduled duty counsel because of a conflict of interest, only the time spent on the case is billable.

Family advice lawyer services

Family advice lawyers work in family justice counsellors' offices to meet with clients who are referred by family justice counsellors or child support officers. Clients may schedule up to three 45-minute appointments.

Instructions for referrals

1. Attend at the designated location at the scheduled time.
2. Ensure you are not in a position of conflict before you give a client advice.
3. Ensure that the client has signed the Acknowledgement of Advice Lawyer Services form. This signature is required before you can give the client assistance. (The form is available on the LSS website at www.lss.bc.ca — go to “For lawyers,” click “Online resources,” choose “Forms,” then click “Billing and authorization forms.”)
4. Test for financial eligibility by applying the [financial eligibility test](#) for advice services (go to the LSS website at www.lss.bc.ca, click “Legal aid,” then “Legal advice,” and look for the financial guidelines link in the column on the right, or refer to the *Family Duty Counsel Policy and Procedures Manual*). Record the result on the Acknowledgement of Advice Lawyer Services form before providing assistance.
5. Provide eligible clients with the services set out in the Acknowledgement of Advice Lawyer Services form and the *Family Duty Counsel Policy and Procedures Manual*.
6. Advice may range from independent legal advice about draft separation agreements to procedural advice for clients who are heading to court (Provincial or Supreme Court). You should not provide advice on complicated property disputes or matters unrelated to family law.

Immigration duty counsel: Instructions for referrals (February 2005)

1. Personally attend at Citizenship and Immigration Canada (CIC) at 300 West Georgia Street, 7th floor, at 8:30 am. Get a list of detainees from the CIC reception and interview each person in detention.
2. Provide each detainee with —
 - **information** about the reasons for their detention;
 - **advice** about legal rights; and
 - an **explanation** of immigration procedures to be faced that day.
3. Obtain from the detainee the background information and instruction necessary to represent him or her on that day for a detention hearing.
4. Advise CIC and the Immigration and Refugee Board (IRB) that you will be appearing as duty counsel.
5. Appear before the IRB and speak on behalf of detainees, as necessary.

Note: Appear on behalf of detainees at initial detention hearings.

Do *not* represent any detainee at a detention review unless there has been a change in circumstances that might lead to release.

Do *not* represent any detainee at an admissibility hearing unless the issues are very straightforward and counsel can secure the person's release by acting at the admissibility hearing.

6. If you believe a person in detention requires legal assistance with a refugee claim or a complex admissibility hearing, contact the Vancouver Regional Centre intake office by fax: (604) 681-2719. Provide the information, using the **Detained Client Information Sheet for Immigration Duty Counsel (Appendix 5)**, within 24 hours so that arrangements can be made to issue a referral, if appropriate.
7. Provide summary advice to detainees even if you are not appearing on their behalf.
8. As time permits, respond to enquiries by detainees who are detained at the airport or other ports of entry.
9. Extra legal fees are available for reasonable and necessary time spent beyond that which is authorized. Submit your request to the managing lawyer of Tariff Services, along with a brief outline of the reasons why the extra time was required and a copy of your account and your **Record of Duty Counsel Worksheet (Immigration) (Appendix 3)**. Provide an explanation if the time spent is disproportionate to the number of clients.

10. If you know that your services will not be required for a significant period of time, attend to other work. If you anticipate gaps in service during the day, bring other files with you on which you can work without billing duty counsel time. You may return to your office provided that the commissionaire and CIC staff know how to reach you and you are able to return to CIC within a reasonable time.

4. Circuit Counsel Tariff

Your referral will set out your authorized hours and rate. See the **Circuit Counsel Tariff Guide to Billing** at the end of this tariff section for instructions on how to bill the services that were authorized.

Guidelines for circuit counsel (June 2005)

- The **General Terms and Conditions** set out at the beginning of this guide apply to all circuit counsel referrals.
- If you have received specific instructions from LSS, those instructions form part of the terms and conditions of your referral.
- LSS enters into contracts for circuit counsel if the location and operation of a circuit court make it impractical to refer eligible clients to local counsel. Circuit counsel provide all duty counsel services for family, criminal, and youth matters on the court list, including services up to negotiated settlements and simple guilty pleas. Subject to conflicts or other reasons that limit lawyers' ability to act, circuit counsel represent all eligible clients at their hearings or trials on circuit.
- Ensure that clients are advised on how to apply for legal aid through the Call Centre.
- You must ensure that clients requiring more than duty counsel services are assessed by LSS. You may *not* act as trial counsel for clients who are not covered and financially eligible unless LSS has granted prior authorization. You will only be compensated for services rendered on circuit in accordance with the terms of the contract unless LSS has granted prior authorization.
- If circuit clients require representation between circuit sittings (e.g., for bail reviews, Supreme Court trials), you will be compensated separately for such services on the applicable tariff, provided that LSS has assessed the client and issued a referral.
- **Record keeping:** You must keep a record of all clients assisted and notes about the advice or assistance provided. (You can use the **Record of Circuit Counsel Worksheet** provided in the **Appendices** to this tariff to assist you in your record keeping.)
- **Disbursements:** Use the disbursements billing form in the **Disbursements for All Tariffs** section to bill any duty counsel disbursements.
- **Tariff rate and hours of service:** Circuit counsel is paid either a block fee for each circuit or on the basis of a half day block fee. The tariff rate includes all preparation on dates between circuits.

Circuit counsel tariff items

Important

- The following tariff items apply for circuits paid on the basis of a half-day block fee.

Tariff item

Rates/Maximum billable hours

Court time (November 2006)

- Billable per half day when you appear in court. When the court sits after the dinner adjournment, you may bill this appearance as a separate half day. **\$500**

Caution

- ➡ You may only bill a maximum of two half days per date.

Late sitting (November 2006)

- Billable when you attend a hearing lasting more than one hour beyond the normal five-hour day (excluding lunch or dinner time), calculated from the time the hearing actually begins. **\$300/up to 3 hours**
- Bill a second \$300 when you attend a hearing lasting more than three hours beyond the normal five-hour day (excluding lunch or dinner time), calculated from the time the hearing actually begins. **\$300/beyond 3 hours**
- Provide the hearing date(s) and times.

Caution

- ➡ Late sitting refers to court attendance but does not include time spent interviewing witnesses after the end of the court sitting.

Tariff item**Rates/Maximum
billable hours****Travel** (November 2006)**Note:** The following is for circuit counsel tariff referrals only.

-
- Billable per half day of travel to or from a circuit if the trip exceeds 160 km per round trip. **\$180**
 - Billable for each half day that you remain at the circuit location. **\$180**
 - Provide your destination and travel date.

Cautions

- ➡ The maximum travel and remain out-of-office fee on one date is \$360, unless you bill other services for the same day.
- ➡ The maximum travel and remain out of office fee is \$180 for a day for which you bill other circuit court services.

5. Duty Counsel Tariff Guide to Billing (November 2006)

Important

- If you use our E-billing service to bill your legal aid accounts online, go to the [Lawyer e-services login](#) on the LSS website. If you don't already have an online account and would like one, go to www.lss.bc.ca, click the "For lawyers" button, choose "Lawyer e-services log-in" from the menu, then click the "Register now!" link at the top of the screen.
- A master copy of the billing forms and the official version of the [Guide to Legal Aid Tariffs](#) are available in PDF on the LSS website at. A copy of each of the **Duty Counsel Billing Forms** appears at the end of this **Guide to Billing**. All [billing and authorization forms](#) and completion instructions for the forms can also be found at www.lss.bc.ca under "For lawyers" (click "Online resources," then "Forms").
- Use the **Duty Counsel Billing Forms** for criminal (including youth), family, and immigration duty counsel.
- Complete one form for each date.
- Use the **Disbursements Billing Form** in the **Disbursements for All Tariffs** section to bill any duty counsel disbursements.
- Legal fees are billable at the LSS hourly rate, except where a block fee applies.
- To bill for travel, look for the tariff code under the Criminal, Family, or Immigration sections of this guide.
- If you are obliged to work beyond the time stated on your Duty Counsel referral, provide the service, and write to the managing lawyer of Tariff Services to request extra legal fees. In support, provide detailed time records for work performed.
- Submit all billing forms to:
Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8
- Enter dollars and cents for all amounts.
- The underlined letter/number combination before each instruction corresponds to the circled letter/number(s) on the sample billing form shown on the page opposite the instructions.



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CRIMINAL DUTY COUNSEL BILLING FORM

FORM 14

Duty counsel file number **CD-1** * Referral no. **CD-2** *

Lawyer **CD-3** * Lawyer vendor no. **CD-4** *

Date of assignment (dd / mm / yyyy) **CD-5** *

*Indicates a required field.

Referral details

Service date (dd / mm / yyyy) **CD-6**

Location **CD-7** Location code **CD-8**

Total hours authorized **CD-9**

Alternate service provider (emergencies only)

Lawyer **CD-10** Lawyer vendor no. **CD-11**

Hours **CD-12**

Result details

Description of service	Service code	No. of clients CD-13	Results CD-14					Time CD-15	
			# Detained	# Released	# Plea/Sentence	# Advice	# Other	Hrs	10ths
Adults in custody	1001								
Adults out of custody	1002								
Youth in custody	1003								
Youth out of custody	1004								

Enter no. of clients for each result above.

Total hours **CD-17**

Fees claimed CD-16

Subtotal \$ **CD-18**

Travel fee (If authorized) \$ **CD-19**

LSS total \$ **CD-20**

I certify that I have performed and correctly described the services billed for according to the tariff contract, unless the account notes specify otherwise, and that I delivered the services as a member in good standing of the Law Society of BC.

Signature **CD-22**

Billing date (dd / mm / yyyy) **CD-23** *

Lawyer use only (optional) **CD-21**

LSS total: \$

Less holdback/reduction: (\$)

Subtotal: \$

GST: \$

Net total: \$

Lawyer's GST reg. number: **CD-24** *

Criminal Duty Counsel Billing Form (January 2006)

- CD-1 Duty counsel file number:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral. Copy the file number from your referral. Use this number on all correspondence with LSS.
- CD-2 Referral no.:** The Case Management System assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under “REF/NO.” (second item from the left under “Reference”) on your referral form. Use this number on all correspondence with LSS.
- CD-3 Lawyer:** Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under “Reference”). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- CD-4 Lawyer vendor no.:** Enter your six-digit LSS vendor number. Your vendor number also appears beside “Counsel” under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.
- CD-5 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- CD-6 Service date:** Enter the date you performed the services.
- CD-7 Location:** Enter the location where you performed the services shown on your referral.
- CD-8 Location code:** Enter the location code for the courthouse where you performed the services shown on your referral. See court location codes at the end of this tariff for the correct number.
- CD-9 Total hours authorized:** Enter the number of hours you have been authorized to bill for. See “Maximum hours authorized” on your billing form and copy the total listed there to your billing form.
- CD-10 Lawyer (Alternate service provider):** If another lawyer performed some or all of the services on this billing form, enter his or her name here.
- CD-11 Lawyer vendor no. (Alternate service provider):** If another lawyer performed some or all of the services on this billing form, enter his or her vendor number here.
- CD-12 Hours:** Enter the number of hours that the alternate service provider spent providing services.
- CD-13 No. of clients (Result details):** In this column, enter the number of clients you saw, in each service category shown on your referral, in the appropriate row (Adults in custody, Adults out of custody, etc.)
- CD-14 Results:** Enter the number of clients in the appropriate row for each result (Detained, Released, etc.)

- CD-15 **Time (Hrs/10ths):** Record the actual time spent for each service type in the appropriate row, in hours and tenths of hours, but bill only up to the maximum hours allowed.
- CD-16 **Legal fees claimed:** Multiply the hourly rate by the time spent, up to the maximum hours authorized, and enter the totals for each service type in this column. Tier 2 and 3 rates do not apply to duty counsel referrals.
- CD-17 **Total hours:** Add all hours and tenths listed in the column above and enter the total.
- CD-18 **Subtotal:** Add all **legal fees claimed** listed in the column above and enter the total.
- CD-19 **Travel fee:** Enter your travel fee, if travel is authorized and applicable. Refer to the travel item in the Criminal Tariff. Your referral will show whether travel was authorized.
- CD-20 **LSS total:** Add the **Subtotal** to the **Travel fee** and enter the **LSS total**.
- CD-21 **Lawyer use only:** (optional) Copy the **LSS total** to the top of this box to calculate GST and reductions (for your records only — the LSS computer automatically calculates GST/reductions). Do not deduct these amounts from the LSS total in CD-20.
- CD-22 **Signature:** Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the date indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.
- CD-23 **Billing date:** Enter the date on which you are submitting this account.
- CD-24 **Lawyer's GST reg. number:** Enter your GST registration number; the Canada Revenue Agency requires this.



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FAMILY DUTY COUNSEL BILLING FORM

FORM 16

Duty counsel file number **FD-1** * Referral no. **FD-2** *

Lawyer **FD-3** * Lawyer vendor no. **FD-4** *

Date of assignment (dd / mm / yyyy) **FD-5** *

*Indicates a required field.

Referral details

Service date (dd / mm / yyyy) **FD-6**

Location **FD-7** Location code **FD-8**

Description of service **FD-9** Service code **FD-10**

Total hours authorized **FD-11**

No. of clients and primary issue

Type of case	Issues FD-12				
	# Custody/Access	# Maintenance	# Restraining order	# Property	# Other
FRA — Applicants					
FRA — Respondents					
CFCSA					
FMEA					

Enter no. of clients with each issue on the appropriate lines (i.e., FRA, CFCSA, etc.).

Result details **FD-13**

# Negotiation		# Case Conference		# Appearance / Hearing	
Resolved		Resolved		Adjournment	
Unresolved		Unresolved		Interim order	
				Final order	

Enter no. of clients for each result above.

Total clients

FD-14

Advice only

FD-15

FD-16

Time		Fees claimed
Hrs	10ths	FD-17

I certify that I have performed and correctly described the services billed for according to the tariff contract, unless the account notes specify otherwise, and that I delivered the services as a member in good standing of the Law Society of BC.

Signature

FD-21

Billing date

(dd / mm / yyyy)

FD-22 *

Lawyer use only (optional) **FD-20**

LSS total: \$ _____

Less holdback/reduction: (\$ _____)

Subtotal: \$ _____

GST: \$ _____

Net total: \$ _____

Travel fee
(If authorized)

\$ **FD-18**

LSS total

\$ **FD-19**

Lawyer's GST reg. number:

FD-23 *

Family Duty Counsel Billing Form (January 2006)

- FD-1 Duty counsel file number:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the file number from your referral form. Use this number on all correspondence with LSS.
- FD-2 Referral no.:** The Case Management System assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under “REF/NO.” (second item from the left under “Reference”) on your referral form. Use this number on all correspondence with LSS.
- FD-3 Lawyer:** Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under “Reference”). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- FD-4 Lawyer vendor no.:** Enter your six-digit LSS vendor number. Your vendor number also appears beside “Counsel” under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.
- FD-5 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- FD-6 Service date:** Enter the date you performed the services you are listing.
- FD-7 Location:** Enter the location where you performed the services shown on your referral.
- FD-8 Location code:** Enter the location code for the location where you performed the services shown on your referral. See court location codes at the end of this tariff for the correct number.
- FD-9 Description of service:** Enter the type of service you provided (e.g., FALP, FDC, or SC Advice). See “Description of service” on your referral and copy the description given there to your billing form.
- FD-10 Service code:** Enter the code for the type of service you provided. See “Service code” on your referral and copy the code that is listed there to your billing form.
- FD-11 Total hours authorized:** Enter the number of hours you have been authorized to bill for. See “Maximum hours authorized” on your billing form and copy the total listed there to your billing form.
- FD-12 No. of clients and primary issue:** Under each heading, enter the number of clients, in the appropriate row (FRA — Applicants, FRA — Respondents, CFCSA, etc.), who had that issue as their primary one.
- FD-13 Result details:** Enter the number of clients, in the appropriate row, for each result (Negotiation — Resolved or Unresolved; Case Conference — Resolved or Unresolved, etc.)
- FD-14 Total clients:** Enter the total number of clients you saw in each service category shown on your referral on this particular service date.

- FD-15 Advice only:** Enter the total number of clients to whom you gave advice only on this particular service date.
- FD-16 Time (Hrs/10ths):** Record your total time spent, in hours and tenths of hours, but you may bill the minimum authorized hours specified on your referral. Bill only up to the maximum authorized hours on your referral.
- FD-17 Legal fees claimed:** Multiply the hourly rate by the time billed, up to the maximum hours authorized, and enter the total in this box. Tier 2 and 3 rates do not apply to duty counsel referrals.
- FD-18 Travel fee:** Enter your travel fee, if travel is authorized and applicable. Refer to the travel item in the Family Tariff. Your referral will show whether travel was authorized.
- FD-19 LSS total:** Add the **Legal fees claimed** to the **Travel fee** and enter the **LSS total**.
- FD-20 Lawyer use only:** (optional) Copy the **LSS total** to the top of this box to calculate GST and reductions (for your records only — the LSS computer automatically calculates GST/reductions). Do not deduct these amounts from the LSS total in FD-19.
- FD-21 Signature:** Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the date indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.
- FD-22 Billing date:** Enter the date on which you are submitting this account.
- FD-23 Lawyer's GST reg. number:** Enter your GST registration number; the Canada Revenue Agency requires this.



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IMMIGRATION DUTY COUNSEL BILLING FORM

FORM 15

Duty counsel file number **ID-1** * Referral no. **ID-2**
 Lawyer **ID-3** * Lawyer vendor no. **ID-4** *
 Date of assignment (dd / mm / yyyy) **ID-5** *

*Indicates a required field.

Referral details

Service date (dd / mm / yyyy) **ID-6**
 Location Vancouver Location code 9077
 Total hours authorized **ID-7**

Alternate service provider (emergencies only)

Lawyer **ID-8** Lawyer vendor no. **ID-9**
 Hours **ID-10**

Result details

Number of clients	48-hour hearings		7-day reviews		30-day reviews		# Admissibility hearing	# Summary advice	Time		Fees claimed
	# Detained	# Released	# Detained	# Released	# Detained	# Released			Hrs	10ths	
ID-11											

Enter no. of clients for each result above.

I certify that I have performed and correctly described the services billed for according to the tariff contract, unless the account notes specify otherwise, and that I delivered the services as a member in good standing of the Law Society of BC.

Signature **ID-16**

Billing date

(dd / mm / yyyy) *
ID-17

Lawyer use only (optional) **ID-15**

LSS total: \$ _____
 Less holdback/reduction: (\$ _____)
 Subtotal: \$ _____
 GST: \$ _____
 Net total: \$ _____

Lawyer's GST reg. number:

ID-18 *

Immigration Duty Counsel Billing Form (January 2006)

- ID-1 Duty counsel file number.:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the file number from your referral form. Use this number on all correspondence with LSS.
- ID-2 Referral no.:** The Case Management System assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under “REF/NO.” (second item from the left under “Reference”) on your referral form. Use this number on all correspondence with LSS.
- ID-3 Lawyer:** Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under “Reference”). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- ID-4 Lawyer vendor no.:** Enter your six-digit LSS vendor number. Your vendor number also appears beside “Counsel” under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.
- ID-5 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- ID-6 Service date:** Enter the date you performed the services you are listing.
- ID-7 Total hours authorized:** Enter the number of hours you have been authorized to bill for. See “Maximum hours authorized” on your billing form and copy the total listed there to your billing form.
- ID-8 Lawyer (Alternate service provider):** If another lawyer performed some or all of the services on this billing form, enter his or her name here.
- ID-9 Lawyer vendor no. (Alternate service provider):** If another lawyer performed some or all of the services on this billing form, enter his or her vendor number here.
- ID-10 Hours:** Enter the number of hours that the alternate service provider spent providing services.
- ID-11 No. of clients (Result details):** Enter the total number of clients you saw on this particular service date.
- ID-12 48-hour hearings, 7-day reviews, etc. (Result details):** Enter the number of clients under each result (48-hour hearings — Detained or Released; 7-day reviews — Detained or Released, etc.)
- ID-13 Time (Hrs/10ths):** Record your total time spent for each service type in the appropriate row, in hours and tenths of hours, but bill only up to the maximum authorized hours on your referral.

ID-14 Legal fees claimed: Multiply the hourly rate by the time spent, up to the maximum hours authorized, and enter the total in this box. Tier 2 and 3 rates do not apply to duty counsel referrals.

ID-15 Lawyer use only: (optional) Copy the **LSS total** to the top of this box to calculate GST and reductions (for your records only — the LSS computer automatically calculates GST/reductions). Do not deduct these amounts from the LSS total in ID-13.

ID-16 Signature: Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the date indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.

ID-17 Billing date: Enter the date on which you are submitting this account.

ID-18 Lawyer's GST reg. number: Enter your GST registration number; the Canada Revenue Agency requires this.

6. Circuit Counsel Tariff Guide to Billing (November 2006)

Important

- If you use our E-billing service to bill your legal aid accounts online, go to the [Lawyer e-services login](#) on the LSS website. If you don't already have an online account and would like one, go to www.lss.bc.ca, click the "For lawyers" button, choose "Lawyer e-services log-in" from the menu, then click the "Register now!" link at the top of the screen.
- A master copy of the billing forms and the official version of the *Guide to Legal Aid Tariffs* are available in PDF on the LSS website at www.lss.bc.ca under "For lawyers." A copy of each **Circuit Counsel Billing Form** appears at the end of this **Guide to Billing**. All [billing and authorization forms](#) and completion instructions for the forms can also be found at www.lss.bc.ca under "For lawyers" (click "Online resources," then "Forms").
- Complete one **Circuit Counsel Billing Form** for each date authorized on your referral. Where LSS pays a block fee for the whole circuit, submit accounts for each day, but bill your legal fees on the first date of service only.
- Use the **Disbursements Billing Form** in the **Disbursements for All Tariffs** section to bill any circuit counsel disbursements.
- Submit all billing forms to:
Legal Services Society
400 – 510 Burrard Street
Vancouver, BC V6C 3A8
- Enter dollars and cents for all amounts.
- The underlined letter/number combination before each instruction corresponds to the circled letter/number(s) on the sample billing form shown on the page opposite the instructions.



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CIRCUIT COUNSEL BILLING FORM

FORM 17

Circuit counsel file number **CC-1** * Referral no. **CC-2**
 Lawyer **CC-3** * Lawyer vendor no. **CC-4** *
 Date of assignment (dd / mm / yyyy) **CC-5** *

*Indicates a required field.

Referral details

Service date (dd / mm / yyyy) **CC-6**
 Location **CC-7** Location code **CC-8**

Result details

Service	Service code	am <input checked="" type="checkbox"/> pm <input checked="" type="checkbox"/>		No. of clients CC-10	Results CC-11				
		CC-9			# Bail	# Plea / Negotiated resolution	# Trial / Hearing	# Advice	# Other
Youth criminal	4001								
Adult criminal	4002								
CFCSA	4003								
Family	4004								

Enter no. of clients for each result above.

Preparation time allocated to this date

CC-12

Court hours this date

Time
Hrs | 10ths

CC-13

Fees

\$ **CC-14**

Late sitting fee
(If applicable)

\$ **CC-15**

Travel fee
(If applicable)

\$ **CC-16**

LSS total

\$ **CC-17**

Lawyer use only (optional) **CC-18**

LSS total: \$
 Less holdback/reduction: (\$)
 Subtotal: \$
 GST: \$
 Net total: \$

I certify that I have performed and correctly described the services billed for according to the tariff contract, unless the account notes specify otherwise, and that I delivered the services as a member in good standing of the Law Society of BC.

Signature **CC-19**

Billing date
(dd / mm / yyyy) *
CC-20

Lawyer's GST reg. number:
CC-21 *

Circuit Counsel Billing Form (January 2006)

- CC-1 Circuit counsel file number:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the file number from your referral form. Use this number on all correspondence with LSS.
- CC-2 Referral no.:** The Case Management System assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under “REF/NO.” (second item from the left under “Reference”) on your referral form. Use this number on all correspondence with LSS.
- CC-3 Lawyer:** Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under “Reference”). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- CC-4 Lawyer vendor no.:** Enter your six-digit LSS vendor number. Your vendor number also appears beside “Counsel” under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.
- CC-5 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- CC-6 Service date:** Enter the date you performed the services you are listing.
- CC-7 Location:** Enter the location where you performed the services.
- CC-8 Location code:** Enter the location code for the courthouse where you performed the services. See court location codes at the end of this tariff for the correct number.
- CC-9 am/pm:** Tick am, pm, or both to indicate when you performed the services. If you are billing for an afternoon and an evening sitting, enter a 2 in the pm box.
- CC-10 No. of clients:** Enter the total number of clients you saw on this particular service date.
- CC-11 Results:** Enter the number of clients under each result (Bail, Plea/Negotiated resolution, Trial/Hearing, etc.)
- CC-12 Preparation time allocated to this date:** Enter the number of hours you spent preparing for this service date.
- CC-13 Time (Hrs/10ths):** Enter the number of hours, in hours and tenths of hours, that you spent in court on this service date.
- CC-14 Legal fees:** Enter the block fee authorized by your referral. Tier 2 and 3 rates do not apply to circuit counsel referrals.
- CC-15 Late sitting fee:** Enter your late sitting fee, if authorized and applicable.
- CC-16 Travel fee:** Enter your travel fee, if authorized and applicable.

CC-17 **LSS total:** Add together all **Legal fees** billed and enter the **LSS total**.

CC-18 **Lawyer use only:** (optional) Copy the **LSS total** to the top of this box to calculate GST and reductions (for your records only — the LSS computer automatically calculates GST/reductions). Do not deduct these amounts from the LSS total in CC-17.

CC-19 **Signature:** Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the dates indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.

CC-20 **Billing date:** Enter the date on which you are submitting this account.

CC-21 **Lawyer's GST reg. number:** Enter your GST registration number; the Canada Revenue Agency requires this.

7. Court Location Codes (November 2006)

Location	Location code	Location	Location code
100 Mile House	9001	Merritt	9089
Abbotsford	9002	Nakusp	9045
Alert Bay	9003	Nanaimo	9046
Alexis Creek	9004	Nelson	9047
Anahim Lake	9005	New Aiyansh	9048
Ashcroft	9006	New Hazelton	9049
Bella Circuit	9085	New Westminster	9050
Burns Lake	9010	North Vancouver	9051
Campbell River	9011	Northern Circuit	9084
Castlegar	9012	Northwest Circuit	9086
Charlottes Circuit	9088	Pemberton	9052
Chase	9013	Penticton	9053
Chetwynd	9014	Port Alberni	9054
Chilliwack	9015	Port Coquitlam	9055
Clearwater	9016	Port Hardy	9056
Colwood	9017	Powell River	9057
Courtenay	9018	Prince George	9058
Cranbrook	9019	Prince Rupert	9059
Creston	9020	Princeton	9060
Dawson Creek	9021	Quesnel	9062
Duncan	9023	Richmond	9063
Fernie	9024	Rossland	9064
Fort Nelson	9087	Salmon Arm	9065
Fort St. James	9026	Sechelt	9066
Fort St. John	9027	Smithers	9067
Fort Ware	9028	Sparwood	9068
Fraser Lake	9029	Surrey	9070
Gold River	9030	Terrace	9072
Golden	9031	Tofino	9073
Grand Forks	9033	Tumbler Ridge	9075
Hope	9034	Ucluelet	9076
Hudson's Hope	9035	Valemont	9079
Invermere	9036	Vancouver	9077
Kamloops	9037	Vanderhoof	9080
Kelowna	9038	Vernon	9081
Kitimat	9039	Victoria	9078
Mackenzie	9042	Williams Lake	9082
Masset	9043	Willingdon	9083
McBride	9044		

Appendices

Appendix 1: Record of Duty Counsel Worksheet (Criminal) (June 2004)

Appendix 2: Record of Duty Counsel Worksheet (Family) (June 2004)

Appendix 3: Record of Duty Counsel Worksheet (Immigration) (June 2004)

Appendix 4: Record of Circuit Counsel Worksheet (June 2004)

Appendix 5: Detained Client Information Sheet for Immigration Duty Counsel (May 2004)



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Record of Duty Counsel Worksheet (Criminal)

(Optional — Lawyer use only)

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Date:

Start time:

Court:

End time:

Total hours:

	Client name	In custody		Out of custody		Results				
		Adult	Youth	Adult	Youth	Detained	Released	Plea/Sentence	Advice	Other
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										



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Record of Duty Counsel Worksheet (Family)

(Optional — Lawyer use only)

British Columbia
www.lss.bc.ca

Date:

Start time:

Court:

End time:

Total hours:

	Client name and case type (e.g., FRA — applicant or respondent, CFCSA, FMEA)	Issues					Results		
		Custody/ Access	Maintenance	Restraining order	Property	Other	Negotiation	Case Conference	Appearance/ Hearing
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									



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Record of Duty Counsel Worksheet (Immigration)

(Optional — Lawyer use only)

British Columbia
www.lss.bc.ca

Date:

Start time:

Court:

End time:

Total hours:

	Client name	48-hour hearings		7-day reviews		30-day reviews		Admissibility hearings	Summary advice
		Detained	Released	Detained	Released	Detained	Released		
1									
2									
3									
4									
5									
6									
7									
8									
9									
10									
11									
12									
13									
14									
15									
16									
17									
18									



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Record of Circuit Counsel Worksheet

(Optional — Lawyer use only)

British Columbia
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Date:

Start time:

Court:

End time:

Total hours:

	Client name	Service				Results				
		YCJA	Adult Criminal	CFCSA	Family	Bail	Plea/Negotiated resolution	Trial/Hearing	Advice	Other
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11										
12										
13										
14										
15										
16										
17										
18										



Detained Client Information Sheet for Immigration Duty Counsel

Date of service: _____

Completed by: _____

Phone #: _____

Full name (<i>last name in capitals</i>): _____		Place of birth/Nationality: _____	
		Country of last residence: _____	
Mother's maiden name: _____	Client is: Male: _____ Female: _____	Client's date of birth: _____	
Marital status: Single: <input type="checkbox"/> Common-law: <input type="checkbox"/> Married: <input type="checkbox"/> Separated: <input type="checkbox"/> Divorced: <input type="checkbox"/>		Date of entry into Canada: _____	
Language read/spoken: _____	Interpreter required?: Yes: _____ No: _____		Phone #: _____
		Requested interpreter: _____	
Institution detained at: _____		Contact phone # upon release: _____	
Mailing address upon release: _____		Contact information of relative/friend/bondsperson: _____	
Current immigration lawyer?: No: <input type="checkbox"/> Unknown: <input type="checkbox"/> Yes: <input type="checkbox"/>			
Name of counsel: _____ Phone #: _____			
Retained by LSS: <input type="checkbox"/> Retained privately: <input type="checkbox"/>			
Does client have ready access to funds to pay for today's legal advice?: Yes: <input type="checkbox"/> No: <input type="checkbox"/>			

CIC client ID #: _____	Adjudication file #: _____	Other (RPD/IAD etc.): _____
If refugee claimant, has PIF been filed?: Yes: <input type="checkbox"/> No: <input type="checkbox"/> N/A: <input type="checkbox"/> Date PIF due: _____		

Reason for current detention: Danger: _____ Unlikely to appear: _____ Identity: _____
Other (specify): _____

Result of today's detention review:

- Released on terms and conditions: If so, have terms and conditions been met yet?: Yes: No:
- Released without terms and conditions:
- Detained for danger: Unlikely to appear: Identity:

Other (specify): _____

Next appearance, if any, and for what type of hearing: _____

Summary advice given/Notes:

Continued on back?: Yes No