

# Family Tariff

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**Legal  
Services  
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British Columbia  
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# Revision history (November 2006)

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<b>Date issued</b>	<b>Replaced pages</b>	<b>Effective date</b>
<b>11/06</b>	<b>all pages, Guide to Billing, Family Billing Form</b>	<b>11/06</b>
06/06	6, 13, 15	06/06
01/06	all pages, Guide to Billing, Family Billing Form	06/01
02/05	ii – iv, 31 – 37, 42, Family Billing Form: Fees Summary	02/05
06/04	i – 9, 31 – 42, Family Billing Form: Fees Summary, Family Billing Form: Final Results Report	06/04
06/03	i – vi, 3 – 6, 29 – 42, Family Billing Form: Fees Summary, Family Billing Form: Final Results Report	01/99
11/02	all pages (and all appendices deleted)	01/99
10/01	section title page, iii – v, 5 – 12, 19/20, 23 – 28, Family Tariff Quick Reference (36a/36b), 37 – 46, Family Billing Form: Fees Summary, Family Billing Form: Final Results Report, Family Case Management Program Revised Opinion Letter	01/99
08/00	all pages	01/99
12/99	37 – 48, Family Billing Form — Fees Summary, Family Billing Form — Final Results Report	01/99
05/99	27/28, 39 – 46, Family Billing Form — Fees Summary, Family Billing Form — Final Results Report, Appendix 1: FCMP Revised Opinion Letter (pages 1/2)	01/99

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# 1. Organization of This Section (November 2006)

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The Family section is organized as follows:

- **General Tariff Information** provides information about the terms of the family tariff retainer.
- The **Family Tariff** lists the tariff items and is divided into three sections: **Emergency Services**, **Dispute Resolution Services**, and **Extended Services**.

**Note:** No referrals for **Non-Emergency Services** or **Approved Services** have been made since May 22, 2002, but the LSS computer system still uses these terms on referrals. Treat Non-Emergency referrals as Dispute Resolution Services referrals and Approved Services referrals as Extended Services referrals.

- The **Family Tariff Guide to Billing** contains information and instructions on completing the family billing forms and submitting your account to LSS. Following the instructions carefully will ensure that your account is processed as quickly as possible.
- Disbursements are listed separately in this guide in the **Disbursements for All Tariffs** section.

## 2. General Tariff Information (June 2004)

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For information about coverage and eligibility for family cases, see the relevant sections of the **Introduction** to the *Guide to Legal Aid Tariffs*. For information about family appeals, see the relevant section of the **Appeals and Judicial Reviews Tariff**. For billing information, see the **Family Tariff Guide 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.

### Guidelines for lawyers (November 2006)

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#### Scope of the retainer

The issues identified on the family law referral are not intended to limit the scope of your retainer — these issues were identified by the referring office for the purpose of making an initial determination of coverage. As counsel, you have conduct of the case and may handle all your client's family law problems, within the limits of the Emergency Services or Dispute Resolution Services referral. You are not retained, however, to enforce child or spousal maintenance orders or agreements (unless your client is a respondent in a maintenance enforcement committal proceeding and faces jail).

### 3. Family Tariff (Emergency Services)

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Tariff item	Rates/Maximum billable hours	Tariff code
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#### **General preparation** (February 2005)

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- |   |                       |             |
|---|-----------------------|-------------|
| <ul style="list-style-type: none"><li>• Billable per hour for general preparation or other work not specifically covered by another tariff item (e.g., interviewing the client, taking instructions, preparing correspondence, preparing and filing court documents, negotiating a settlement).</li><li>• Record the actual time spent as specified in your time records.</li></ul> | <b>Up to 14 hours</b> | <b>4110</b> |
|---|-----------------------|-------------|

#### **Preparation for a case or settlement conference** (November 2006)

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|--|---------------------|-------------|
| <ul style="list-style-type: none"><li>• Billable per hour when you prepare for a case or settlement conference convened by the Provincial or Supreme Court.</li><li>• Billable per case conference or each new date for a continuation of a case conference.</li><li>• Record the actual time spent as specified in your time records.</li></ul> | <b>Up to 1 hour</b> | <b>1160</b> |
|--|---------------------|-------------|

#### **Attendance at a case or settlement conference** (November 2006)

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- |  |                    |             |
|--|--------------------|-------------|
| <ul style="list-style-type: none"><li>• Billable per hour for attending a case or settlement conference convened by the Provincial or Supreme Court.</li><li>• Bill the actual time spent as specified in your time records, from the time the conference was scheduled to begin to its conclusion, excluding meal breaks.</li></ul> | <b>Actual time</b> | <b>1165</b> |
|--|--------------------|-------------|

Tariff item	Rates/Maximum billable hours	Tariff code
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## Preparation for mediation (November 2006)

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- Billable per hour when you prepare your client for mediation. **Up to 5 hours** **1170**
- Record the actual time spent as specified in your time records.

### Caution

- ➡ Conditions for retaining a mediator are contained in the **Disbursements for all Tariffs**. The cost of a mediator is to be shared between the parties unless prior authorization has been granted by the managing lawyer of Tariff Services.
- ➡ You may not bill this item and **Preparation for collaborative processes** without prior authorization from the managing lawyer of Tariff Services.

## Attendance at mediation (November 2006)

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- Billable per hour for attending a mediation session. **Up to 8 hours** **1175**
- Record the actual time spent as specified in your time records.

### Caution

- ➡ If mediation is scheduled for more than 8 hours, seek prior authorization from the managing lawyer of Tariff Services. If mediation scheduled for less than 8 hours exceeds that limit, explain why additional time was required when you bill.
- ➡ You may not bill this item and **Attendance at collaborative meetings** without prior authorization from the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
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## **Preparation for collaborative processes** (November 2006)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare your client for collaborative settlement meetings including formal collaborative meetings or other interest-based settlement meetings conducted in the presence of your client, opposing counsel, and the opposing party.</li> <li>• Record actual time spent as in your time records.</li> </ul> | <b>Up to 5 hours</b> | <b>1055</b> |
|---|----------------------|-------------|

### **Caution**

- ➔ You may not bill this item and **Preparation for mediation** without prior authorization from the managing lawyer of Tariff Services.

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## **Attendance at collaborative meetings** (November 2006)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending collaborative settlement meetings, including formal collaborative meetings or other interest-based settlement meetings where negotiations are conducted in the presence of your client, opposing counsel, and the opposing party.</li> <li>• Record actual time spent as in your time records.</li> </ul> | <b>Up to 8 hours</b> | <b>1060</b> |
|--|----------------------|-------------|

### **Caution**

- ➔ You may not bill this item and **Attendance at mediation** without prior authorization from the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Preparation for a hearing in Supreme Court (June 2004)

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|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare for or respond to a Supreme Court application to establish interim orders.</li> <li>• Provide the court file number and the delivery date for each motion for which you claim preparation.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 3 hours</b> | <b>4120</b> |
|--|----------------------|-------------|

### **Cautions**

- ➡ Preparation is payable for each notice of motion delivered, not for each application within each notice of motion.
- ➡ The notice of motion must be delivered before you can claim preparation.
- ➡ If you apply for more than one motion on the same day under the same court file number, do not bill preparation for each motion separately. Claim up to the maximum hours only once.
- ➡ If you apply for more than one motion on the same day in separate court actions with different court file numbers, bill preparation for each motion separately.
- ➡ Bill separate preparation time for each motion to which you respond. If the motion is heard on the same day as another motion, indicate on the billing form that you are the respondent. Claim up to the maximum hours as a respondent only once for each delivery date.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Preparation for a hearing in Provincial Court (June 2004)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare for or respond to a Provincial Court hearing to establish interim orders.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 3 hours</b> | <b>4220</b> |
|---|----------------------|-------------|

### **Cautions**

- ➡ Preparation is payable for each Provincial Court application to obtain an order, not for each claim within each application.
- ➡ The application must be filed and a hearing date set before you can claim preparation.
- ➡ If you file more than one application on the same day under the same court file number, do not bill preparation for each application separately. Claim up to the maximum hours only once.
- ➡ If you file more than one application on the same day in separate court actions with different court file numbers, bill preparation for each application separately.
- ➡ Bill separate preparation time for each application to which you respond. If the application is filed on the same day as another application, indicate on the billing form that you are the respondent. Claim up to the maximum hours as a respondent only once for each filing date.

## Attendance at a hearing in Provincial or Supreme Court (June 2004)

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|--|--------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you appear in court for the hearing of interim applications.</li> <li>• Provide the hearing date and the time spent in court.</li> <li>• Bill the actual time spent as specified in your time records, from the time the hearing was scheduled to begin to its conclusion, excluding meal breaks.</li> </ul> | <b>Actual time</b> | <b>4375</b> |
|--|--------------------|-------------|

### **Caution**

- ➡ If hearings are set on the same day for more than one client, distribute waiting time in court equally between clients. Do not bill waiting time more than once.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Additional preparation with expert witnesses (June 2004)

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|---|--|--------------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparation with each expert witness who is called, or intended to be called, to offer opinion evidence; or for preparation for cross-examining an expert witness, including reviewing the expert’s report and interviewing the expert.</li> <li>• Provide the expert’s name and area of expertise in the <b>Description of Service</b> box on the <b>Family Billing Form</b>.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <p><b>Up to 3 hours per expert</b></p> | <p><b>1035</b></p> |
|---|--|--------------------|

### **Cautions**

- ➡ You must have prior authorization, as set out in the **Disbursements for All Tariffs** section of this guide, before retaining an expert.
- ➡ LSS does not consider family justice counsellors as experts for the purpose of this billing item.
- ➡ This item does not apply to social workers, child access supervisors, or family support workers, unless they are accepted by the court as experts.
- ➡ LSS may require that you provide one or more of the following to support your billing:
  - confirmation that the person was presented as an expert and accepted as such, or confirmation that the person’s written report was accepted
  - a curriculum vitae showing the expert’s qualifications
  - a summary of the expert’s area of expertise
  - a summary of the expert’s opinion

If this information is not available upon request, LSS will not pay your bill for this item.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Financial statements (November 2006)

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|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing, demanding, and reviewing financial statements or statements of finance.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 2 hours</b> | <b>1010</b> |
|---|----------------------|-------------|

### **Cautions**

- LSS may request a copy of the financial statement or the statement of finance to support billing this item.
- This item may be billed up to the maximum amount on each referral.

## Written arguments (June 2004)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable for preparing written arguments for a hearing at the court's request.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 3 hours</b> | <b>1030</b> |
|---|----------------------|-------------|

### **Caution**

- LSS may request a copy of the written argument to support billing this item.

## Separation agreements (November 2006)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing a separation agreement.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 3 hours</b> | <b>1020</b> |
|--|----------------------|-------------|

### **Cautions**

- Bill under this item only for preparing documentation for an executed agreement. Bill negotiation time under **General preparation**.
- LSS may request a copy of the executed separation agreement to support billing this item.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Minutes of settlement (November 2006)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing and executing the minutes of settlement.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 3 hours</b> | <b>1149</b> |
|---|----------------------|-------------|

### ***Cautions***

- ➡ Bill under this item only for preparing documentation for an executed agreement. Bill negotiation time under **General preparation**.
- ➡ LSS may request a copy of the executed minutes of settlement to support billing this item.

## Consent orders (November 2006)

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- |   |                     |             |
|---|---------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing a consent order.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 1 hour</b> | <b>1134</b> |
|---|---------------------|-------------|

### ***Cautions***

- ➡ Bill under this item only for preparing documentation for a consent order. Bill negotiation time under **General preparation**.
- ➡ LSS may request a copy of the entered consent order to support billing this item.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Appeal from a master's order (June 2004)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable only with authorization from the Appeals Section at the Vancouver Regional Centre for preparing an appeal of a master's order and attending in court to argue the matter.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 6 hours</b> | <b>1100</b> |
|---|----------------------|-------------|

### **Cautions**

- ➡ The Appeals Section at the Vancouver Regional Centre will consider authorizing an appeal when the appeal has a reasonable chance of success.
- ➡ When requesting an authorization, ensure that you include the following attachments: the order to be appealed, the notice of appeal outlining the grounds of appeal, and your opinion of the appeal's merit.

## Travel (June 2004)

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- |   |                              |             |
|---|------------------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per half day of travel to or from a hearing or to interview a client in custody if the trip exceeds 160 km per round trip.</li> </ul> | <b>\$180 (travel)</b>        | <b>1040</b> |
| <ul style="list-style-type: none"> <li>• Billable for each half day you remain at the hearing location.</li> <li>• Provide your destination and travel date.</li> </ul>                 | <b>\$180 (out of office)</b> | <b>1045</b> |

### **Cautions**

- ➡ To bill travel fees, you must have prior authorization. If "authorized" does not appear beside "Travel" under the "Conditions of Referral" on your referral form, apply to the managing lawyer of Tariff Services for authorization.
- ➡ The maximum travel and out-of-office fee on one date is \$360, unless you bill other services for the same day.
- ➡ The maximum travel and out-of-office fee for a day for which you bill other services is \$180.
- ➡ Travel fees are paid per trip, not per client.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Administration fee (October 2005)

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|---|-------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable once per referral to compensate for the administrative tasks associated with opening a file that are not otherwise covered under the tariff.</li> </ul> | <b>\$40</b> | <b>1075</b> |
|---|-------------|-------------|

## Opinion regarding the merits of an appeal (October 2005)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing an opinion letter regarding the merit of appealing a court or tribunal decision.</li> <li>• Record the actual time spent as specified in your time records.</li> <li>• Please provide any materials you have to support your opinion.</li> <li>• Fax the completed form to the LSS Appeals Section at the Vancouver Regional Centre at (604) 682-0956.</li> </ul> | <b>Up to 2 hours</b> | <b>3607</b> |
|--|----------------------|-------------|

### **Cautions**

- ➔ Bill this item if the LSS Appeals Section at the Vancouver Regional Centre asks you to provide an opinion or if you believe the appeal has merit.
- ➔ You may submit either an Appeal Opinion Letter Questionnaire ([PDF](#)) or provide a letter that addresses the issues in the questionnaire. Opinion letter questionnaires are available at [www.lss.bc.ca](http://www.lss.bc.ca) (click “For lawyers,” “Online resources,” then “Opinion letter questionnaires”).

## 4. Family Tariff (Dispute Resolution Services)

(November 2006)

### Important

- **Dispute Resolution** referrals cover mediation, collaborative, and pre-litigation services including attendance at judicial case conferences but not including attendance in court.
- No referrals for **Non-Emergency Services** have been issued since 2002 but the LSS computer system still uses this term on **Dispute Resolution** referrals. Treat **Non-Emergency** referrals as **Dispute Resolution** referrals. **Limited Scope** referrals should also be treated as **Dispute Resolution** referrals.
- If counsel chooses to act in a limited capacity, counsel should be aware of the requirements to disclose this to third parties in compliance with Rule 10, Chapter 10 of the Professional Conduct Handbook.
- Changes of counsel will only be granted in exceptional circumstances and must be authorized by a manager at the Vancouver Regional Centre.
- Clients who receive referrals under this program are entitled to submit opinion letters to the managing lawyer of Tariff Services to request time under the **Family Tariff (Extended Services)**. Authorization of litigation is at the discretion of LSS. Where a formal collaborative agreement has been signed, but litigation is required to resolve the issues, the collaborative lawyer should submit the opinion letter on behalf of the client. In accordance with an existing collaborative agreement, a new lawyer will be assigned if litigation is authorized.
- To bill items under this tariff, tick the box for “Non-emergency” on the Family Billing Form.
- Counsel should submit only a final account for services under this tariff. Please do not interim bill.

Tariff item

Rates/Maximum  
billable hours

Tariff  
code

### General preparation (May 2005)

- Billable per hour for general preparation or other work not specifically covered by another tariff item (e.g., providing general legal advice; helping clients draft pleadings, affidavits, and correspondence; negotiating with opposing parties; supporting clients in negotiation; assisting clients to use self-help materials; drafting or reviewing separation agreements, offers of settlement, or consent orders; supporting clients in alternative dispute resolution processes; providing collaborative law services; coaching clients to represent themselves in court).
- Record the actual time spent as specified in your time records.

Up to 8 hours

4210

Tariff item	Rates/Maximum billable hours	Tariff code
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### Preparation for a case or settlement conference (November 2006)

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- |  |                     |             |
|--|---------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare for a case or settlement conference convened by the Provincial or Supreme Court.</li> <li>• Billable per case conference or each new date for a continuation of a case conference.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 1 hour</b> | <b>4225</b> |
|--|---------------------|-------------|

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### Attendance at a case or settlement conference (November 2006)

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- |   |                    |             |
|---|--------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending a case or settlement conference convened by the Provincial or Supreme Court.</li> <li>• Bill the actual time spent as specified in your time records, from the time the conference was scheduled to begin to its conclusion, excluding meal breaks.</li> </ul> | <b>Actual time</b> | <b>4242</b> |
|---|--------------------|-------------|

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### Preparation for mediation (November 2006)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare your client for mediation.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 5 hours</b> | <b>4260</b> |
|--|----------------------|-------------|

#### **Caution**

- ➡ Conditions for retaining a mediator are contained in the **Disbursements for all Tariffs**. The cost of a mediator is to be shared between the parties unless prior authorization has been granted by the managing lawyer of Tariff Services.
- ➡ You may not bill this item and **Preparation for collaborative processes** without prior authorization from the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Attendance at mediation (November 2006)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending a mediation session.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 8 hours</b> | <b>4265</b> |
|---|----------------------|-------------|

### *Caution*

- ➡ If mediation is scheduled for more than 8 hours, seek prior authorization from the managing lawyer of Tariff Services. If mediation scheduled for less than 8 hours exceeds that limit, explain why additional time was required when you bill.
- ➡ You may not bill this item and **Attendance at collaborative meetings** without prior authorization from the managing lawyer of Tariff Services.

## Preparation for collaborative processes (November 2006)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare your client for collaborative settlement meetings including formal collaborative meetings or other interest-based settlement meetings conducted in the presence of your client, opposing counsel, and the opposing party.</li> <li>• Record actual time spent as in your time records.</li> </ul> | <b>Up to 5 hours</b> | <b>4250</b> |
|---|----------------------|-------------|

### *Caution*

- ➡ You may not bill this item and **Preparation for mediation** without prior authorization from the managing lawyer of Tariff Services.

Tariff item

Rates/Maximum  
billable hours

Tariff code

## Attendance at collaborative meetings (November 2006)

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- Billable per hour for attending collaborative settlement meetings, including formal collaborative meetings or other interest-based settlement meetings where negotiations are conducted in the presence of your client, opposing counsel, and the opposing party.
- Record actual time spent as in your time records.

**Up to 8 hours**

**4255**

### **Caution**

- ➡ You may not bill this item and **Attendance at mediation** without prior authorization from the managing lawyer of Tariff Services.

## Financial statements (November 2006)

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- Billable per hour for preparing, demanding, and reviewing financial statements or statements of finance.
- Record the actual time spent as specified in your time records.

**Up to 2 hours**

**4230**

### **Cautions**

- ➡ LSS may request a copy of the financial statement or the statement of finance to support billing this item.
- ➡ This item may be billed up to the maximum amount on each referral.

Tariff item	Rates/Maximum billable hours	Tariff code
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### **Separation agreements, minutes of settlement, or consent orders** (November 2006)

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|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing and executing a separation agreement, minutes of settlement, or consent order.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 2 hours</b> | <b>4235</b> |
|---|----------------------|-------------|

#### **Cautions**

- ➡ Bill under this item only for preparing documentation for an executed agreement. Bill negotiation time under **General preparation**.
- ➡ LSS may request a copy of the executed separation agreement or minutes of settlement or entered consent order to support billing this item.

### **Administration fee** (October 2005)

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Billable once per referral to compensate for the administrative tasks associated with opening a file that are not otherwise covered under the tariff.	<b>\$40</b>	<b>4200</b>
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## 5. Family Tariff (Extended Services) (November 2006)

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### Important

- Authorization is required for all **Extended Services** items.
- Before applying for **Extended Services**, use the hours provided under **Emergency Services** or **Dispute Resolution Services**.
- **Extended services** will allow counsel to combine litigation and use of mediation or collaborative processes to obtain resolutions. Additional time and services authorized are at the discretion of LSS and as authorized by Tariff Services.
- LSS may grant up to one hour to prepare an opinion letter where there is substantial merit to the client's case, counsel has made appropriate efforts to resolve the case, and continuing litigation is a reasonable option for the client.
- To apply for **Extended Services**, please submit an Extended Family Services Opinion Letter to the managing lawyer of Tariff Services at the Vancouver Regional Centre by fax at (604) 681-7963. An Extended Family Services Opinion Letter ([PDF](#)) is available at [www.lss.bc.ca](http://www.lss.bc.ca) (click on "For lawyers," "Online resources, and then "Opinion letters).
- To bill items under this tariff, tick the box for "Approved services" on the Family Billing Form.
- Changes of counsel will only be granted in exceptional circumstances and must be authorized by the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
-------------	------------------------------	-------------

## General preparation (March 2005)

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- |   |  |                    |
|---|--|--------------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for general preparation or other work not covered by another tariff item (e.g., interviewing the client, taking instructions, preparing correspondence, preparing and filing court documents, negotiating a settlement).</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <p><b>Up to the amount of hours authorized</b></p> | <p><b>4310</b></p> |
|---|--|--------------------|

## Preparation for mediation (November 2006)

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- |  |                             |                    |
|--|-----------------------------|--------------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare your client for mediation.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <p><b>Up to 5 hours</b></p> | <p><b>3180</b></p> |
|--|-----------------------------|--------------------|

### Caution

- ➡ Conditions for retaining a mediator are contained in the **Disbursements for all Tariffs**. The cost of a mediator is to be shared between the parties unless prior authorization has been granted by the managing lawyer of Tariff Services.
- ➡ You may not bill this item and **Preparation for collaborative processes** without prior authorization from the managing lawyer of Tariff Services.
- ➡ If the parties in the case have previously used collaborative processes or mediation, you may not bill this item without prior authorization from the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
-------------	------------------------------	-------------

## Attendance at mediation (November 2006)

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- |   |                      |             |
|---|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending a mediation session.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to 8 hours</b> | <b>3185</b> |
|---|----------------------|-------------|

### Caution

- ➡ If mediation is scheduled for more than 8 hours, seek prior authorization from the managing lawyer of Tariff Services. If mediation scheduled for less than 8 hours exceeds that limit, explain why additional time was required when you bill.
- ➡ You may not bill this item and **Attendance at collaborative meetings** without prior authorization from the managing lawyer of Tariff Services.
- ➡ If the parties in the case have previously used collaborative processes or mediation, you may not bill this item without prior authorization from the managing lawyer of Tariff Services.

## Preparation for collaborative processes (November 2006)

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- |  |                     |             |
|--|---------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour when you prepare your client for collaborative settlement processes, including formal collaborative processes or other interest-based settlement meetings conducted in the presence of your client, opposing counsel, and the opposing party.</li> <li>• Record actual time spent as in your time records.</li> </ul> | <b>Up to 5hours</b> | <b>3170</b> |
|--|---------------------|-------------|

### Caution

- ➡ You may not bill this item and **Preparation for mediation** without prior authorization from the managing lawyer of Tariff Services.
- ➡ If the parties in the case have previously used collaborative processes or mediation, you may not bill this item without prior authorization from the managing lawyer of Tariff Services.

Tariff item	Rates/Maximum billable hours	Tariff code
-------------	------------------------------	-------------

## Attendance at collaborative meetings (November 2006)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending collaborative settlement meetings, including formal collaborative process meetings or other interest based settlement meetings where negotiations are conducted in the presence of your client, opposing counsel an the opposing party.</li> <li>• Record actual time spent as in your time records.</li> </ul> | <b>Up to 8 hours</b> | <b>3175</b> |
|--|----------------------|-------------|

### Caution

- ➔ You may not bill this item and **Attendance at mediation** without prior authorization from the managing lawyer of Tariff Services.
- ➔ If the parties in the case have previously used collaborative processes or mediation, you may not bill this item without prior authorization from the managing lawyer of Tariff Services.

## Preparation for hearings in Provincial or Supreme Court (March 2005)

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- |  |   |             |
|--|---|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparation (e.g., interviewing and preparing witnesses, preparing for cross-examination of witnesses, researching cases, and negotiating a settlement) before and during a court hearing.</li> <li>• A court hearing includes conferences, chamber applications, and trial.</li> <li>• Provide the court file number and the filing dates.</li> <li>• Record the actual time spent as specified in your time records.</li> </ul> | <b>Up to the number of hours authorized</b> | <b>4340</b> |
|--|---|-------------|

### Caution

- ➔ If you exceed the maximum preparation hours under this item, bill for the additional hours under General preparation, if hours are available under that tariff item.

Tariff item

Rates/Maximum  
billable hours

Tariff  
code

## Attendance in Provincial or Supreme Court (March 2005)

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- Billable per hour when you appear in court for conferences, chambers applications, and trial when evidence is led, witnesses are called, an argument is made, or an order or judgment is made.
- Provide the date(s) and time spent in court.
- Bill the actual time spent as specified in your time records, from the time court was scheduled to begin to its conclusion, excluding meal breaks.

**Actual time**

**4335**

### **Caution**

- ➡ If hearings are set on the same day for more than one client, distribute the waiting time in court equally between clients. Do not bill waiting time more than once.

## Preparation for an examination for discovery or a cross-examination on an affidavit (March 2005)

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- Billable per hour when you prepare for an examination for discovery or a cross-examination on an affidavit, or for preparing your client for an examination for discovery or a cross-examination on an affidavit.
- Provide the examination date.
- Record the actual time spent as specified in your time records.

**Up to the  
number of  
hours  
authorized**

**3050**

### **Caution**

- ➡ The examination date must be set before you can bill this item.

Tariff item	Rates/Maximum billable hours	Tariff code
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## Attendance at an examination for discovery or a cross-examination on an affidavit (March 2005)

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- |  |                    |             |
|--|--------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for attending an examination for discovery or a cross-examination on an affidavit.</li> <li>• Provide the examination date and the time spent in the examination.</li> <li>• Bill the actual time spent as specified in your time records, from the time the examination or cross-examination was scheduled to begin to its conclusion, excluding meal breaks.</li> </ul> | <b>Actual time</b> | <b>3055</b> |
|--|--------------------|-------------|

## Travel (March 2005)

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- |   |                              |             |
|---|------------------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per half day of travel to or from a hearing or to interview a client in custody if the trip exceeds 160 km per round trip.</li> </ul> | <b>\$180 (travel)</b>        | <b>3090</b> |
| <ul style="list-style-type: none"> <li>• Billable for each half day you remain at the hearing location.</li> <li>• Provide your destination and travel date.</li> </ul>                 | <b>\$180 (out of office)</b> | <b>3095</b> |

### Cautions

- ➡ To bill travel fees, you must have prior authorization. If “authorized” does not appear beside “Travel” under the “Conditions of Referral” on your referral form, apply to the managing lawyer of Tariff Services for authorization.
- ➡ The maximum travel and out-of-office fee on one date is \$360, unless you bill other services for the same day.
- ➡ The maximum travel and out-of-office fee for a day for which you bill other services is \$180.
- ➡ Travel fees are paid per trip, not per client.

## Administration fee (October 2005)

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- |   |             |             |
|---|-------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable once per referral to compensate for the administrative tasks associated with opening a file that are not otherwise covered under the tariff.</li> </ul> | <b>\$40</b> | <b>3025</b> |
|---|-------------|-------------|

Tariff item	Rates/Maximum billable hours	Tariff code
-------------	------------------------------	-------------

## Opinion regarding the merits of an appeal (October 2005)

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- |  |                      |             |
|--|----------------------|-------------|
| <ul style="list-style-type: none"> <li>• Billable per hour for preparing an opinion letter regarding the merit of appealing a court or tribunal decision.</li> <li>• Record the actual time spent as specified in your time records.</li> <li>• Please provide any materials you have to support your opinion.</li> <li>• Fax the completed form to the LSS at the Appeals Section at the Vancouver Regional Centre (604) 682-0956.</li> </ul> | <b>Up to 2 hours</b> | <b>3609</b> |
|--|----------------------|-------------|

### **Cautions**

- ➡ Bill this item if the LSS Appeals Section at the Vancouver Regional Centre asks you to provide an opinion or if you believe the appeal has merit and is likely to succeed.
- ➡ You may submit either a Family Appeal Opinion Letter Questionnaire ([PDF](#)) or provide a letter that addresses the issues in the questionnaire. Opinion letter questionnaires are available at [www.lss.bc.ca](http://www.lss.bc.ca) (click “For lawyers,” “Online resources,” then choose “Opinion letter questionnaires”).

## 6. Family Tariff Guide to Billing (November 2006)

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### 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](http://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 all 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](http://www.lss.bc.ca) under "For lawyers." A copy of the **Family Billing Form — Fees Summary** and the **Family Billing Form — Final Results Report** 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](http://www.lss.bc.ca) (click "For lawyers," "Online resources," then "Forms").
- Please submit a Family Final Results Report form, even if you are not claiming legal fees or disbursements, to inform LSS of the result for your client and allow LSS to close the case on the computer system.
- You may submit interim accounts on Emergency Services referrals if —
  - the legal fees total \$500 or more;
  - disbursements total \$300 or more; or
  - you have changed law firms.
- Do not bill for initial Emergency or Dispute Resolution Services on the same billing form as Extended Services. Submit separate billing forms.
- Enter the correct tariff codes on the billing form to speed the processing of your account.
- Enter dollars and cents for all amounts.
- The underlined letter/number combination before each instruction corresponds to a circled letter/number on the sample billing form shown on the page opposite the instructions.
- Make sure you enter all court file numbers on the billing form.
- Legal fees are billable at the LSS hourly rate except where a block fee applies. Claim the Tier 1 rate on your billing form. When processing your account, LSS will automatically adjust the amount if you are eligible for Tier 2 or 3 rates.
- Provide the actual time spent for each item, even if it exceeds the maximum time billable. This information is used for possible tariff revisions. (The maximum limits are not minimum fees.)



## Family Billing Form — Fees Summary (November 2006)

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- FS-1 Case no.:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the case number from your referral form. Use this number on all correspondence with LSS.
- FS-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.
- FS-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”).
- FS-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.
- FS-5 Client name:** Enter your client’s name. Verify that the name matches the client name printed on the upper right side of your referral form. If it does not match, contact the referring office before billing.
- FS-6 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- FS-7 Emergency/Non-emergency/Extended Services/Appeal:** Tick one of these boxes to indicate which section of the Family Tariff you are authorized to bill for. To bill for Dispute Resolution Services, tick the box for “Non-emergency;” for Extended Services, tick the box for “Approved services.” See the top of your referral form, where your retainer is defined. LSS will not pay for unauthorized services.
- FS-8 Court file #:** Enter the court file number for the hearing you are attending or preparing for. LSS requires this number for auditing purposes.
- FS-9 Delivery/Filing date:** Enter the date that the notice of motion or process was delivered/filed, as well as the dates of any notices you are responding to, on the appropriate line (hearing #1, 2, or 3). LSS requires this information to verify hearing preparation and/or attendance.
- FS-10 Court location #:** Enter the court location code on the appropriate line. See **Court location codes** at the end of this **Guide to Billing** for the correct number. LSS requires this number to verify court attendance and preparation.
- FS-11 Level:** Enter the number of the option that corresponds to the court level you attended from the box above this column.
- FS-12 Client role:** Enter the number of the option that corresponds to your client’s role in the proceedings from the box above this column.
- FS-13 Outcome:** Enter 1 for consent, 2 for court order, or 3 for unresolved.

- FS-14 **Final billing:** Tick this box *only* if this is your final billing for this case. If it is, you must attach a completed **Family Billing Form — Final Results Report**. (See the next section of this **Guide to Billing** for how to fill out this form.) If you tick this box, LSS will not accept any further billings from you on this case.
- FS-15 **Service date:** If applicable, enter the date you performed the service you are listing. Enter only one date per line.
- Note:* This form has enough space to list eight items; if you have more than eight items, submit separate forms to complete your billing.
- FS-16 **½ days/am/pm:** Tick am, pm, or both to indicate when you performed the service.
- FS-17 **Service provider\* — Status:** If someone other than the assigned lawyer performed the service, enter an initial to indicate his or her status (e.g., lawyer [L], articling student [A], mentor [M], or apprentice [P]). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- FS-18 **Service provider\* — Vendor #:** If a lawyer other than the assigned lawyer performed the service, enter his or her LSS vendor number. If you are not the lawyer to whom the referral was issued, contact the referring office before billing.
- FS-19 **Description of service:** Enter a description of the service performed. Use the descriptions in the tariff section, wherever possible, to avoid confusion.
- FS-20 **Tariff code:** Enter the appropriate tariff code for the service you are billing for. The codes are listed beside the tariff descriptions in the **Family Tariff**.
- FS-21 **Hearing # (1, 2, or 3):** Tick the appropriate hearing number for the service you are billing for. Ensure that this number corresponds to the hearing number line used in the upper box.
- FS-22 **Time (Hrs/10ths):** Record the actual time spent, in hours and tenths of hours, but bill only up to the maximum hours allowed by the appropriate tariff item.
- FS-23 **Legal fees claimed:** Multiply the hourly rate by the time spent (see also FS-22) and enter the totals for each item in this column. Claim the Tier 1 rate on your billing form. When processing your account, LSS will automatically adjust the amount if you are eligible for Tier 2 or 3 rates.
- FS-24 **Total hrs.:** Add all hours and tenths listed in the column above and enter the total.
- FS-25 **Subtotal:** Add all **legal fees claimed** listed in the column above and enter the total.
- FS-26 **Less costs collected:** Enter any costs collected for the client.
- FS-27 **LSS total:** Subtract any **costs collected** from the **Subtotal** and enter the LSS total.
- FS-28 **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 FS-27.

FS-29 **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.

FS-30 **Date of last service to client:** Enter the date on which you performed the last billable service for your client. You must bill for services within six months of the last service date or you will not be paid.

FS-31 **Billing date:** Enter the date on which you are submitting this account.

FS-32 **Lawyer's GST reg. number:** Enter your GST registration number; the Canada Revenue Agency requires this.



Legal Services Society

British Columbia  
www.lss.bc.ca

## FAMILY BILLING FORM FINAL RESULTS REPORT

Completing this form closes the LSS file for this case. No further billings will be accepted from you.

**FORM 2**

Case no. **FR-1** Referral no. **FR-2**  
 Lawyer **FR-3** Lawyer vendor no. **FR-4**  
 Client name **FR-5**  
 Date of assignment (dd/mm/yyyy) **FR-6**

**Result codes:**

- |                           |                       |
|---------------------------|-----------------------|
| 1 = Negotiation           | 6 = Final court order |
| 2 = Mediation             | 7 = Unresolved        |
| 3 = Interim consent order | 8 = Appeal allowed    |
| 4 = Interim court order   | 9 = Appeal dismissed  |
| 5 = Final consent order   |                       |

**Early termination**

- 1  Case abandoned **FR-7**
- 2  Change of lawyer
- 3  Client proceeding alone
- 4  Client no-show

Costs awarded \$ **FR-8**  
 1  To client **FR-9**  Against client  
 Costs collected? If not, are costs recoverable?  
 1  Yes 2  No **FR-10**      1  Yes 2  No **FR-11**

↕ Enter result codes into the spaces below ↕

Issues:	Access	Custody	Divorce	Child maintenance	Spousal maintenance	Possession of home	Property division	Restraining order — assets	Restraining order — person
<b>1</b> Court file no. _____ <div style="text-align: center; margin-top: 20px;"><b>FR-12</b></div>	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)	(Enter result code)
<b>2</b> Court file no. _____									
<b>3</b> Court file no. _____									

Signature **FR-14**

Billing date (dd/mm/yyyy) **FR-15**

## Family Billing Form — Final Results Report (June 2004)

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**Note:** We ask you to fill out **Family Billing Forms — Final Results Reports** on family cases for several reasons. LSS uses the information in this form to gather statistics and determine, for forecasting and budgeting purposes, which cases remain open. Completing this form allows LSS to avoid follow-up calls to you that deplete resources for paying tariff accounts.

- FR-1 Case no.:** The Case Management System (CMS) assigns this seven-digit number and prints it in the top left corner of the referral form. Copy the case number from your referral form. Use this number on all correspondence with LSS.
- FR-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.
- FR-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.
- FR-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.
- FR-5 Client name:** Enter your client’s name. Verify that the name matches the client name printed on the upper right side of your referral form. If it does not match, contact the referring office before billing.
- FR-6 Date of assignment:** Enter the date of assignment shown at the top of your referral form.
- FR-7 Early termination:** If the case terminated early, tick the box that most accurately describes the reason for early termination. “Client no-show” includes the client’s failure to contact you.
- FR-8 Costs awarded:** If costs have been awarded in the case, enter the amount.
- FR-9 To client/Against client:** Tick 1 if your client will receive costs; tick 2 if your client must pay costs.
- FR-10 Costs collected?** Tick 1 for yes or 2 for no.
- FR-11 If not, are costs recoverable?** Tick 1 for yes or 2 for no.
- FR-12 Court file no.** Enter the court file number for each hearing you attended.

FR-13 **Result codes:** Enter into each appropriate issue column the result code from the “Result codes” box that corresponds to the outcome for your client of each hearing you attended. Ensure that these results correspond to the appropriate hearing.

FR-14 **Signature:** Sign the form. Your signature is your representation that you have accurately recorded the results. LSS will return the final results form if you have not signed it.

FR-15 **Billing date:** Enter the date on which you are submitting this account to LSS.

## Court location codes (November 2006)

<b>Court description</b>	<b>Court code</b>	<b>Court description</b>	<b>Court code</b>	<b>Court description</b>	<b>Court code</b>
100 Mile House	1917	Gold River	1057	Penticton	1628
Abbotsford	1354	Golden	1487	Port Alberni	1099
Agassiz	3020	Grand Forks	1495	Port Coquitlam	1297
Alert Bay	1008	Greenwood	1503	Port Hardy	1107
Alexis Creek	1701	Hope	1313	Powell River	1214
Anahim Lake	1719	Houston	1826	Prince George	1933
Ashcroft	1404	Hudson Hope	1834	Prince Rupert	1941
Atlin	1727	Invermere	1511	Princeton	1636
Bella Bella	1164	Kamloops	1529	Queen Charlotte City	1958
Bella Coola	1172	Kaslo	1537	Quesnel	1966
Blue River	1412	Kelowna	1545	Revelstoke	1644
Burns Lake	1735	Kimberley	1552	Richmond	1222
Campbell River	1016	Kitimat	1842	Rossland	1651
Cassiar	1743	Klemtu	3012	Salmo	1669
Castlegar	1420	Ladysmith	1065	Salmon Arm	1677
Chase	1438	Langley	1339	Sechelt	1230
Chetwynd	1750	Lillooet	1560	Sidney	1115
Chilliwack	1289	Lower Post	1859	Smithers	1974
Clearwater	1446	Lytton	1578	Sparwood	1685
Colwood	1321	Mackenzie	1867	Squamish	1248
Courtenay	1024	Maple Ridge	1347	Stewart	1982
Cranbrook	1453	Massett	1875	Surrey	1388
Creston	1461	McBride	1883	Terrace	1990
Dawson Creek	1768	Merritt	1586	Tofino	1131
Dease Lake	1776	Mission	1362	Tumbler Ridge	3038
Delta	1305	Nakusp	1594	Ucluelet	1149
Duncan	1032	Nanaimo	1073	Valemont	2006
Fernie	1479	Nelson	1602	Vancouver	1255
Fort Nelson	1784	New Aiyansh	1891	Vanderhoof	2014
Fort Simpson	1925	New Hazelton	1909	Vernon	1693
Fort St. James	1792	New Westminster	1370	Victoria	1156
Fort St. John	1800	North Vancouver	1180	West Vancouver	1263
Fort Ware	3046	Ocean Falls	1198	White Rock	1396
Fraser Lake	1818	Oliver	1610	Whitehorse	3053
Ganges	1040	Parksville	1081	Williams Lake	2022
		Pemberton	1206		
<b>Outside British Columbia</b>					
Supreme Court of Canada	4010	All other out-of- province matters	4050		