

**TARIFF  
FOR CRIMINAL MATTERS**

**EFFECTIVE  
DECEMBER 1, 1992**

**LEGAL SERVICES SOCIETY  
OF BRITISH COLUMBIA**

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**NOTE:** Please be sure you have the most recent edition of this book

# INTRODUCTION

## NEW TARIFF EFFECTIVE DECEMBER 1, 1992

In the face of increasing budgetary pressures, the Board of Directors of the Legal Services Society reduced fees paid on the tariff for criminal matters by 15% effective December 1, 1992. A new tariff designed to accomplish the 15% reduction was developed in consultation with representatives from the Association of Legal Aid Lawyers. It applies to all new cases with dates of assignment on or after December 1, 1992.

### SUMMARY OF THE CHANGES

- Amounts billable under tariff item 12(b), Disclosure Court, are reduced by 50%.
- Amounts billable on tariff item 5, Guilty Pleas and Sentencing, are reduced by 25%.
- Amounts billable on tariff item 14, Contested - Show Cause Hearing or Bail Estreatment, are reduced by 25%.
- All other tariff items (except those relating to appeals) are reduced by approximately 10%.

## STRUCTURE OF THE TARIFF

In the spring of 1991, members of the bar who take legal aid referrals for criminal matters successfully undertook a job action which resulted in a substantial increase to legal aid tariffs. The Legal

Services Society (LSS) doubled all tariff payments for legal aid referrals made after June 1, 1991.

Although doubling the tariff was an expedient temporary measure, it did not correct some previously existing problems. Anomalies from earlier tariffs remained and in some instances became more pronounced. In fact, some services became overpaid while others remained underpaid.

During the summer and fall of 1991, bar representatives met with LSS staff members and considered various options for amending the criminal tariff. The structure of the tariff contained in this book is the result of those discussions. It came into effect in January 1992, and attempts to allocate available funds as equitably as possible.

Although a tariff that differentiates between preparation fees and hearing fees was considered, it was ultimately decided to retain a block fee tariff.

Block fees represent the average amount of time required for a proceeding. The block fee includes all preparation, telephone calls, correspondence, and court attendances. Unless there is an additional tariff item, for example, a fee for a custody visit, only the block fee is billable. Although the actual time required to complete a matter varies from case to case, the block fee is not variable except in unusual circumstances; what you lose on some you gain on others.

However, this tariff differs from earlier tariffs in two important respects:

1. This tariff creates four categories of offences, with different levels of payment applicable to

each category. These categories group offences that are relatively similar in consequence, seriousness, and amount of work required.

2. This tariff sets a maximum amount billable for all services rendered for a single client per half-day.

The goal of the criminal tariff is to obtain the best possible representation for clients with available resources. To that end, our major objective is to ensure that the tariff reasonably remunerates the members of the bar providing service. We are also concerned that the tariff is internally consistent and that payments to counsel are proportionate to the work involved. We must also make sure that the tariff allows LSS to efficiently process accounts from the bar.

The Legal Services Society and bar representatives expect that changes to the tariff will be agreed upon from time to time in an effort to make it fairer and easier to use. If you have comments on the tariff structure or detail, direct them to —

ALL/LSS Tariff Committee  
Legal Services Society  
Suite 300, 1140 W. Pender Street  
Vancouver, B.C. V6E 4G1

## HOW THIS BOOK IS ORGANIZED

This book is organized to help you get the information you need as efficiently as possible.

**General Tariff Information** gives you general information about the tariff or its use.

The text of the tariff itself is reproduced in the **Tariff for Criminal Matters** section. Also in that section are the categories of offences.

The **Tariff Entitlement** section defines and clarifies terms that appear in boldface in the tariff. It sets out exactly what you are entitled to bill for under the tariff. You must adhere to these definitions when billing.

Disbursements are discussed at length in the section called **Disbursements**.

The **Guide to Billing for Criminal Matters** contains information and instructions about completing the billing form. It is arranged to correspond to the sections on the billing form and includes appropriate rates, limits, and codes to be entered on the billing form.

The appendices at the back of this book contain information on who to contact for authorizations; a directory of LSS branch offices, community law offices, and native community law offices; and a blank form to photocopy if necessary when you are completing the billing form. The list of offence codes for entering on the billing form appears on the back cover of the book.

# GENERAL TARIFF INFORMATION

## TARIFF STRUCTURE

The tariff for criminal matters is divided into three parts:

- Offence categories
- Tariff items
- Tariff entitlement

### OFFENCE CATEGORIES

This tariff pays different fees for services rendered, depending on the offence. There are four categories of offences based on seriousness, consequences, and work required. The offence categories appear on page 7. You must refer to the categories when billing because the amounts payable vary for each category and are set out in four columns following each tariff item. *You must submit a copy of the information or the indictment when billing so we can confirm that the correct offence category is being billed.*

### TARIFF ITEMS

Billable services are set out as tariff items beginning on page 10. Some items contain terms in **boldface**. These are listed alphabetically in the Tariff Entitlement section immediately following the tariff. Refer to the entitlement section and the offence categories before billing.

### TARIFF ENTITLEMENT

The purpose of this section is to —

1. Define important terms set out in the text of the tariff in LSS terms of reference, and
2. Set out which services and which tariff items you may bill under which circumstances.

For example, you may be restricted from billing a particular tariff item because other items are billable or have already been billed or a maximum fee has been reached. Or you may be permitted to bill a tariff item in a situation that is not readily apparent.

Consult the entitlement section when preparing your bill until you are thoroughly familiar with its contents.

## COVERAGE AND ELIGIBILITY

### LEGAL AID COVERAGE FOR CRIMINAL MATTERS

An applicant for legal aid for a criminal matter is covered if the applicant is financially eligible for legal aid and

- (a) the applicant is charged with an indictable offence; **or**
- (b) the applicant is charged with a summary conviction offence where there is a reasonable chance that upon conviction there will be a sentence of imprisonment or the loss of means of earning a livelihood; **or**
- (c) other special circumstances exist.

### FINANCIAL ELIGIBILITY

Before a client is referred to a lawyer, the client must demonstrate to the **Legal Services Society (LSS)** that he or she is financially eligible for assistance. The Society is always prepared to review its decision.

If you believe that a client can pay some or all fees, or if you think a client should no longer receive legal aid, contact the referring office and ask that the legal aid appointment be reviewed, revoked, or modified.

### PRIVATE BILLING

Ruling G8 of the *Law Society Professional Conduct Handbook* has been eliminated, but please note that it is still a term of the contract between LSS and a lawyer that a client cannot be billed directly for any work within the LSS retainer without the prior written approval of LSS.

You must obtain the authorization from the referring office. Area directors who are private counsel cannot authorize private billings. If the client was referred by an area director, contact the nearest LSS branch office or community law office.

Requests to bill privately can be dealt with more quickly if you tell us your client's financial situation. In emergency situations, you may obtain telephone approval of a private billing arrangement. However, the client has the right to appeal the private fee authorization to LSS.



LSS considers this an important issue of professional responsibility and will continue to refer complaints concerning unauthorized private billing to the Law Society.

### **YOUNG OFFENDERS ACT COVERAGE**

Coverage under the Young Offenders Act (YOA) is provided if the young person would be eligible for legal aid if charged as an adult. If the court directs appointment of counsel under the YOA for a young person who is ineligible for legal aid, the Legal Services Society appoints counsel under an agreement with the Ministry of Attorney General. In such a case, LSS is reimbursed for the costs of court-appointed counsel.

Because of this situation, we must know whether your client was charged under the YOA. You can bill YOA matters on the usual billing form using the tariff in effect at the date of assignment, but be sure to indicate that the matter was heard in Provincial Youth Court.

If you are appointed for the substantive charge, you must represent the client at any mandatory disposition review if the client is in open or closed custody. If the client wishes a disposition review other than the mandatory one(s) provided, or if a disposition review arises out of a failure to comply, the client must re-apply for legal aid.

LSS will not pay for any services concerning alternative measures, arrest and detention, or admissions.

### **APPEALS AND EXTRAORDINARY REMEDIES IN CRIMINAL MATTERS**

Legal aid is not automatically granted for appeals or extraordinary remedies. Each application for an appeal or extraordinary remedy is reviewed to determine whether it has substantial merit.

Applications for appeals to the Supreme Court in summary conviction matters should be made to the nearest LSS branch office or community law office with a lawyer (see the directory in Appendix 2 of this booklet). Applications for extraordinary remedies, or for appeals to the Court of Appeal, should be made to:

**Appeals Committee**  
**Legal Services Society**  
Box 3, Suite 300  
1140 West Pender Street  
Vancouver, B.C. V6E 4G1

### **COMPENSATION FOR FAILURE TO PROCEED**

In some cases, LSS may compensate you for fees lost because of the unexpected failure of a matter to proceed. To qualify for compensation, the case must have been set on the court list for more than one full day. In such cases, you are entitled to compensation up to one-third of the expected hearing fee to a maximum of those hearing dates scheduled within twenty-eight calendar days (twenty court days) of the date that you became aware of the collapse. Any fees earned during the time scheduled for that hearing will be deducted from the compensation payable.

When you find out the case is not going to proceed, you must immediately notify the referring office and take other steps to mitigate your loss. To apply for compensation, write to the tariff manager at LSS head office.

## **THE TARIFF**

### **BILLABLE ITEMS**

This booklet lists all items billable under the tariff for criminal matters and the amounts paid for them. If items are not listed, and in matters of interpretation, the decision of the Legal Services Society is final.

### **BILLING FORM**

The tariff and the section called "Tariff Entitlement" tell you how much to bill. The section called "Guide to Billing" tells you how to enter the information properly on the billing form.

### **EXTRA FEES AND DISBURSEMENTS**

The tariff is intended to provide fair compensation on all criminal matters within LSS budget constraints. Extra fees for services are granted only in exceptional circumstances not otherwise provided for in the tariff. Requests for variations must be made in writing to the tariff accounts department at LSS head office.

While requests for *additional fees* are usually considered when a letter outlining the request is included with the billing form, requests may also be considered in some circumstances before the work is completed.

All requests for *increased disbursements* must be made before the disbursements are incurred.

Note also that requests for additional fees or disbursements will slow payment of your account.



## GST

When you do legal aid work you are acting as a principal, not as an agent of the Legal Services Society. All legal aid services are taxable when you bill LSS for your work.

Please calculate and bill GST as follows.

- Calculate all fees as you did before the GST.
- List your disbursements *without* the GST. LSS has to pay GST on the total cost of your services, including disbursements that are tax exempt for you. Because you are not an agent of LSS, the tax exempt status of disbursements, such as filing fees, does not get passed on to LSS. By listing your disbursements on the billing form without GST, we make sure that LSS is not paying GST on top of GST.
- Total your account as you would have before the GST.
- Calculate the GST as 7% of the total.
- Round up exact half-cents (the computer calculates the GST to the nearest cent; exact half-cents are rounded up).
- Enter your GST registration number in the space provided at the bottom of the billing form. Revenue Canada insists on this; payment of your account could be substantially delayed if you do not provide your registration number. If you don't have one, register as soon as possible.

### Example:

Fees	\$800.00
Other fees	100.00
Disbursements (without GST)	152.50
	_____
Subtotal	1,052.50
Less client contribution	(30.00)
	_____
Subtotal	1,022.50
GST (7%)	71.58
	_____
<b>TOTAL DUE</b>	<b>\$1,094.08</b>

## INTERIM ACCOUNTS

Generally, we cannot accept accounts until all services on a case have been completed. Interim accounts are accepted only in the following circumstances:

- following a preliminary hearing where the trial of a case will not commence for at least three months;
- a case is not yet completed but fees and disbursements total \$1,000 or more, or disbursements alone total \$300 or more;
- one year has passed since the date of assignment, or since the last interim account was submitted;
- under the Young Offenders Act, an open or closed custodial disposition has been made (additional referral forms may be requested for mandatory disposition reviews;
- other exceptional circumstances may be allowed by the tariff accounts department.

## FINAL ACCOUNTS

You must submit your final bill within six months of the last service date.

## PAYMENT

### 1. DATE OF ASSIGNMENT (EFFECTIVE DATE OF REFERRAL)

Payment is based on the tariff in effect at the date of assignment for the file.

The Legal Services Society will not pay for services rendered prior to the date of assignment shown at the top of the referral (or billing) form unless they are authorized by the referring office, or if an LSS office or area director has made a prior agreement with a lawyer to represent any qualified applicants in remote areas of the province.

### 2. CLIENT CONTRIBUTION (USER FEE)

Clients are assessed a non-refundable user fee when they apply for legal aid. This amount is shown on the referral form as "client must pay \$\_\_\_\_\_ to counsel as contribution to tariff."

When the client pays the user fee, you must give the client a receipt indicating that you have rendered services for which tariff fees are payable. You may then deposit the user fee in your general account. You do not have to deposit or process the user fee through your trust account.

The user fee or client contribution noted on the referral form is deducted from the account after you collect it.

### **3. RECEIVING PAYMENT**

LSS pays individual lawyers, not law firms. We will not become involved in disputes between lawyers about entitlement to payment. Please follow these instructions to avoid payment going to the wrong lawyer.

- (a) **Name:** Your name must appear at the top of the billing form. If it does not, you may strike out the name of the lawyer indicated and substitute your own name if you are entitled to payment. You must notify the referring office in writing that there has been a change of lawyer.
- (b) **Address:** Make sure your current address is at the top of the form. If it has changed, notify both the referring office and the accounts payable department at LSS head office in writing.
- (c) **Lawyer number:** Check that the lawyer number noted at the top of the form is your number if you are entitled to payment. If it is not, notify the referring office in writing.
- (d) **Signature:** Make sure you sign the billing form. This is your representation that the services billed for were performed on the dates indicated and that you are entitled to payment.

## MISCELLANEOUS

### **LAWYER OR ADDRESS CHANGES**

If the lawyer name or number at the top of the billing form is not correct, notify the referring office in writing. If your address has changed, notify both the referring office and the accounts payable department at Legal Services Society head office in writing.

### **ARTICLED STUDENTS**

Articled students may act at any time in accordance with the rules of the Law Society and with the consent of the client. Services by articled students are billable.

### **JUNIOR OR CO-COUNSEL**

These appointments may be made in exceptional circumstances. Contact the tariff manager at LSS head office for authorization.

### **AGENTS**

If you require an agent for work outside B.C., contact the reciprocals co-ordinator at LSS head office.

If you require an agent for work in another community within B.C., contact your local referring office. They will appoint an agent (of your choice, if you wish). A billing form will be forwarded directly to the agent.

If you choose your own agent, make sure the agent knows that it is a legal aid case, that they must bill on the legal aid tariff, and they must bill on the legal aid referral form in order for their account to be accepted.

### **INFORMATION AND ASSISTANCE**

For information and assistance concerning fees, disbursements, and billing procedures, contact the tariff accounts department between 10:00 a.m. and 4:00 p.m. at 660-4600.

We make every effort to process accounts as quickly as possible. However, we can answer inquiries about the payment of a specific account only if it has been unduly delayed.

A list of contacts for authorizations and other information appears in Appendix 1.

# OFFENCE CATEGORIES

## CATEGORY I

### COURT PROCESS AND PEACE BOND

- 968 - Breach of recognizance (s. 811)
- 497 - Courts, other summary: breach of probation
- 547 - Failure to appear
- 562 - Keep the peace (s. 810)
- 786 - Peace bond, other summary
- 356 - Violate judicial interim release

## CATEGORY II

### ASSAULTS/WOUNDING

- 679 - Assault, other summary
- 158 - Common assault
- 919 - Obstructing p.o., resist arrest

### COURT PROCESS

- 497 - Contempt, summary

### DRIVING OFFENCES

- 299 - CCC driving, summary (for drinking and driving, see Category III)
- 422 - MVA drive while suspended
- 273 - Other MVA or provincial including su/ins. points

### DRUG OFFENCES - POSSESSION

- 620 - Possess cannabis
- 166 - Possess opiates including codeine
- 935 - Possess restricted drug including LSD, STP
- 828 - Other drug possession

### ESCAPE

- 471 - Unlawfully at large or escape
- 406 - Escape, other summary

### FRAUD

- 588 - Fraud, false pretences - under \$1000 (\$200)
- 414 - Other fraud offences, summary

### GAMING AND BETTING

- 810 - Gaming and betting, other summary, including found in game or betting house

### MUNICIPAL BY-LAWS

- 661 - Municipal by-laws

### OTHER CCC SUMMARY

- 844 - Disturbances, etc.

### PROPERTY

- 901 - Mischief (any amount), summary, wilful damage to property, summary, and other property, summary
- 604 - Trespass, prowl, damage under \$1000 (\$200)

### PROSTITUTION

- 885 - Prostitution, summary including soliciting

### PROVINCIAL OFFENCES (EXCEPT MVA)

- 711 - GAIN Act
- 315 - Wildlife Act
- 281 - Other provincial including liquor, SS tax

### THEFT AND POSSESSION OF STOLEN PROPERTY

- 133 - Taking car w/o owner consent, joyride
- 208 - Theft under \$1000 (\$200) incl. from M.V.
- 612 - P.S.P. under \$1000 (\$200)

### WEAPONS/THREATS

- 364 - Weapons, other summary

## CATEGORY III

### ASSAULTS/WOUNDING

- 117 - Assault causing bodily harm
- 703 - Assaulting a police officer
- 240 - Wounding
- 752 - Assault, other indictable

### BREAKING & ENTERING AND PROPERTY

- 695 - Break & enter (bus. or res.) breakout
- 687 - Mischief (any amount), if proceeded upon by indictment, wilful damage to property if proceeded upon by indictment, and other property if proceeded upon by indictment
- 398 - Possession of break-in instruments

### COURT PROCESS

- 257 - Court, other indictable including perjury

**DRINKING AND DRIVING**

- 943 - Fail/refuse to provide breath sample
- 174 - Impaired/.08 (new s. 253)
- 190 - Dangerous driving s. 249 (2)(a)

**DRUG OFFENCES - TRAFFICKING**

- 869 - Cultivating, drug/narcotics
- 927 - Importing narcotics
- 950 - PPT, cannabis
- 505 - PPT, controlled or restricted drug
- 653 - PPT, opiates
- 893 - Trafficking in cannabis
- 836 - Trafficking, controlled or restricted drugs
- 737 - Trafficking in opiates
- 539 - Drug trafficking, other indictable

**ESCAPE**

- 141 - Unlawfully at large or escape if proceeded upon by indictment
- 760 - Escape, other indictable including permit if proceeded upon by indictment

**FRAUD**

- 877 - Breach of trust, impersonation, forgery
- 430 - Fraud, false pretences over \$1000
- 331 - Other fraud offences, indictable

**GAMING AND BETTING**

- 372 - Lotteries, cheat at play, bookmaking
- 349 - Gaming and betting, other indictable

**MATERIAL WITNESS**

- 026 - Material witness to murder

**OTHER CCC INDICTABLE**

- 455 - Other CCC indictable - hijack, bribe, extortion, etc.

**OTHER FEDERAL OFFENCES**

- 570 - UIC offence
- 984 - Other federal, including bankrupt, excise, customs

**OTHER HEARINGS**

- 307 - Coroner's inquest

**PROSTITUTION**

- 851 - Prostitution, indictable including living off avails, keeping a common bawdy house, and procuring

**SEXUAL OFFENCES**

- 109 - Other summary sexual offences, including sexual assault, summary

**THEFT AND POSSESSION OF STOLEN PROPERTY**

- 794 - P.S.P. over \$1000 (\$200)
- 182 - Theft over \$1000 (\$200) including from M.V.

**WEAPONS/THREATS**

- 224 - Threatening, intimidation
- 216 - Weapons, carry, point, possess, prohib/restr.
- 992 - Weapons, other indictable explosives or discharge

**CATEGORY IV****CONSPIRACY**

Indicate "C" and offence code for substantive offence

**DANGEROUS OFFENDER**

- 778 - Dangerous offender

**DRIVING**

- 323 - Dangerous driving causing death
  - Dangerous driving causing bodily harm
  - Impaired driving causing death
  - Impaired driving causing bodily harm

**HOMICIDE**

- 232 - Criminal negligence causing death
- 646 - Homicide, other (infanticide, etc.)
- 125 - Manslaughter
- 638 - Murder

**KIDNAPPING**

- 463 - Kidnapping, confinement, abduction, seizure

**PROPERTY**

- 729 - Arson

**ROBBERY**

- 513 - Robbery with offensive weapon
- 596 - Other robbery including by assault

**SEXUAL OFFENCES**

- 554 - Aggravated sexual assault (s. 273) and rape
- 380 - Sexual assault, other indictable
- 976 - Sex - other indictable

**CRIMINAL NEGLIGENCE CAUSING BODILY HARM**

- 091 - Criminal negligence causing bodily harm

# TARIFF FOR CRIMINAL MATTERS

## IMPORTANT

- Bill as many items as appropriate, unless it is noted that you may bill only one item or another. Where the tariff indicates that two items cannot be billed together, bill the higher fee.
- A maximum fee of \$1,200 is billable per client per half-day for all services rendered.
- Different fees are payable for the same service depending on the category of the offence. Refer to the list of categories and offences on page 7 of this booklet. Be sure to submit a copy of the information or indictment when you send in your account.
- Bill fees without a code in the appropriate boxes labelled **(A)** on the billing form. Bill fees with a code as "Other Fees" in boxes labelled **(B)** on the billing form.
- Terms in **boldface** are defined and clarified in the section of this booklet called "Tariff Entitlement." This section specifies what fees you may bill under what circumstances and it immediately follows the tariff. Refer to this section when billing.
- Entering tariff item numbers and codes carefully will speed payment of your account. Follow the instructions closely.
- Enter dollars and cents for all money amounts.



		OFFENCE CATEGORY			
		I	II	III	IV
<b>TERMINATIONS and RESUMPTIONS</b>					
EARLY TERMINATION	1. a) <b>Early termination</b>	\$50 [-]	\$70 [-]	\$90 [-]	\$140 [-]
	b) <b>Early termination</b> where no <b>information</b> is sworn or no charges are laid as a result of representations made by counsel to Crown, police, or probation	\$220 [0158]	\$270 [0166]	\$320 [0174]	\$500 [0182]
TERMINATION WITHOUT HEARING	2. On the <b>trial date</b> client fails to appear or changes counsel, or Crown calls no evidence, or at any time <b>stays</b> are entered on all outstanding charges, one fee for all matters set before the same judge on the same <b>half-day</b>	\$180 [-]	\$220 [-]	\$270 [-]	\$450 [-]
	3. Client fails to appear at sentencing or changes counsel at sentencing	\$50 [0315]	\$70 [0323]	\$90 [0331]	\$180 [0349]
FIRST HALF-DAY OF HEARING AFTER ITEM 2	4. First <b>half-day</b> of <b>trial</b> or <b>preliminary</b> hearing if hearing commences within 30 days after having billed under Items 1(b) or 2 for a failure to appear at hearing to a maximum of \$1,200 per <b>half-day</b> per client regardless of the number of sets of facts	\$270 [0414]	\$300 [0422]	\$360 [0430]	\$450 [0448]
<b>GUILTY PLEAS and SENTENCING</b>					
GUILTY PLEA(S)	5. <b>Guilty plea(s) and stays</b> for all <b>informations</b> on the same <b>half-day</b> before the same judge:				
	a) one <b>set of facts</b>	\$180 [-]	\$220 [-]	\$260 [-]	\$400 [-]
	b) two or more <b>sets of facts</b>	\$260 [-]	\$300 [-]	\$340 [-]	\$600 [-]
	OR				
SENTENCING ONLY	<b>Sentencing only</b> , where counsel is appointed after plea entered, first <b>half-day</b> :				
	a) one <b>set of facts</b>	\$180 [4515]	\$220 [4523]	\$260 [4531]	\$400 [4549]
	b) two or more <b>sets of facts</b>	\$260 [4556]	\$300 [4564]	\$340 [4572]	\$600 [4580]



## OFFENCE CATEGORY

I

II

III

IV

## GUILTY PLEAS AND SENTENCING – continued

	I	II	III	IV	
SENTENCING	6. <b>Subsequent half-days</b> Guilty plea following a billable item and sentencing or stays after having billed under Items 2, 5, 8, 9, or 10 (b) regardless of the number of sets of facts or informations				
	a) one <b>set of facts</b>	\$70 [0612]	\$90 [0620]	\$140 [0638]	\$180 [0646]
	b) two or more <b>sets of facts</b>	\$90 [4614]	\$140 [4622]	\$180 [4630]	\$270 [4648]
	<b>OR</b>				
	c) For each subsequent <b>half-day</b> of sentencing which takes at least one hour and which includes oral evidence	\$180 [0653]	\$220 [0661]	\$270 [0679]	\$360 [0687]
APPLICATION FOR JUDICIAL REVIEW	d) Application for judicial review under Criminal Code s. 745				
	i) Hearing first <b>half-day</b>	N/A	N/A	N/A	\$720 [0695]
	ii) Subsequent <b>half-days</b>	N/A	N/A	N/A	\$720 [0604]

## TRIALS and PRELIMINARY HEARINGS

CONSENT COMMITTAL	7. <b>Consent committal</b> entered, where no witness is heard				
	a) one <b>set of facts</b>	N/A	N/A	\$270 [-]	\$450 [-]
	b) two or more <b>sets of facts</b>	N/A	N/A	\$400 [-]	\$680 [-]
	<b>Consent committal</b> on a separate half-day after having billed for commencement of preliminary hearing:				
	c) one fee	N/A	N/A	\$90 [0794]	\$140 [0703]
FIRST HALF-DAY OF HEARING	8. Trial or <b>preliminary hearing</b> per information regardless of the number of <b>sets of facts</b> to a maximum per <b>half-day</b> per client of \$1,200 (except see Item 4 if Item 2 has been billed within 30 days) N.B.: Bill <b>preliminary hearings</b> for category IV offences at category III rates; bill <b>preliminary hearings</b> for category III offences at category II rates				
		\$360 [-]	\$450 [-]	\$540 [-]	\$720 [-]

OFFENCE CATEGORY

I II III IV

TRIALS AND PRELIMINARY HEARINGS – continued

SUBSEQUENT HALF-DAYS OF HEARING	9. Trial or preliminary hearing, subsequent half-days regardless of the number of sets of facts to a maximum per half-day per client of \$1,200 N.B.: Bill preliminary hearings for category IV offences at category III rates; bill preliminary hearings for category III offences at category II rates	\$360 [-]	\$450 [-]	\$540 [-]	\$720 [-]
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NOTE: Sentencing on a separate half-day after conviction is billed under Item 6.

TERMINATION MID-HEARING	10. Termination during preliminary hearing or trial on a separate half-day:				
	a) All outstanding charges on one Information are stayed, or your client fails to appear, or changes counsel on a half-day not billed elsewhere, regardless of the number of sets of facts	\$50 [-]	\$70 [-]	\$90 [-]	\$140 [-]
	b) Guilty plea(s) are entered	\$70 [-]	\$90 [-]	\$140 [-]	\$180 [-]

FIXING DATE FOR TRIAL OR APPEAL	11. Fix date appearances before a Supreme Court judge (maximum one fee per day regardless of the number of clients, and one fee per indictment)	N/A	N/A	\$90 [1107]	\$90 [1107]
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PRE-TRIAL CONFERENCE OR SURREY AND V.P.C. DISCLOSURE COURT	12. a) Pre-trial conference regardless of the number of sets of facts	\$180 [1206]	\$180 [1206]	\$180 [1206]	\$180 [1206]
	b) Vancouver and Surrey Provincial Court Disclosure Court	N/A	N/A	\$100 [1297]	\$100 [1297]

FITNESS HEARING	13. a) Fitness hearing where witnesses are heard per half-day	\$450 [1305]	\$450 [1305]	\$450 [1305]	\$450 [1305]
	b) Fitness hearing where no witness is heard per half-day	\$180 [1396]	\$180 [1396]	\$180 [1396]	\$180 [1396]

OFFENCE CATEGORY

I

II

III

IV

JUDICIAL INTERIM RELEASE

SHOW CAUSE

14. **Contested – Show cause**  
hearing or bail estreatment:  
a) first **half-day**  
b) subsequent **half-days**

\$100 [1404]	\$100 [1404]	\$150 [1495]	\$150 [1495]
\$60 [1453]	\$80 [1461]	\$110 [1479]	\$150 [1487]

BAIL

15. Bail review in Provincial  
Court (requires **prior**  
**approval** from referring  
office):  
a) first **half-day**  
b) subsequent **half-days**

\$140 [1503]	\$140 [1503]	\$180 [1594]	\$180 [1594]
\$70 [1552]	\$90 [1560]	\$140 [1578]	\$180 [1586]

16. Bail review under CCC s. 525:  
a) first **half-day**  
b) subsequent **half-days**  
Other bail review in Superior  
Court (requires **prior approval**  
from the referring office):  
c) first **half-day**  
d) subsequent **half-days**

\$270 [1602]	\$270 [1602]	\$270 [1602]	\$270 [1602]
\$140 [1693]	\$140 [1693]	\$140 [1693]	\$140 [1693]
\$220 [1610]	\$340 [1628]	\$450 [1636]	\$540 [1644]
\$70 [1651]	\$90 [1069]	\$180 [1677]	\$180 [1685]

17. Bail application in Supreme  
Court for offences under  
CCC s. 469:  
a) first **half-day**  
b) subsequent **half-days**

N/A	N/A	N/A	\$900 [1743]
N/A	N/A	N/A	\$270 [1784]

18. Bail review in Court of  
Appeal (requires **prior approval**  
from the referring office):  
a) first **half-day**  
b) subsequent **half-days**

N/A	N/A	\$500 [1834]	\$1,000 [1842]
N/A	N/A	\$200 [1875]	\$300 [1883]

19. Bail application in Court of  
Appeal or in Supreme Court  
appeal:  
a) first **half-day**  
b) subsequent **half-days**

\$250 [1917]	\$375 [1925]	\$600 [1933]	\$1,000 [1941]
\$75 [1958]	\$150 [1966]	\$200 [1974]	\$300 [1982]

YOUTH COURT

YOUTH COURT  
TRANSFER  
APPLICATION

20. Youth court **transfer**  
**application**:  
a) per **half-day**

N/A	N/A	\$540 [2030]	\$720 [2048]
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		OFFENCE CATEGORY			
		I	II	III	IV
APPLICATION FOR DISPOSITION REVIEW	21. <b>Application for disposition review</b> where court appearance is necessary (one fee)	\$90 [2113]	\$140 [2121]	\$180 [2139]	\$270 [2147]

DISPOSITION REVIEW	22. <b>Disposition review:</b>				
	a) first <b>half-day</b>	\$140 [2212]	\$140 [2220]	\$270 [2238]	\$450 [2246]
	b) subsequent <b>half-day</b>	\$50 [2253]	\$70 [2261]	\$90 [2279]	\$140 [2287]

NOTE: For all other Youth Court proceedings, see appropriate item of this tariff.

#### MISCELLANEOUS ITEMS

VISITS TO CLIENTS IN CUSTODY	23. All <b>visits to clients in custody</b> on a single date regardless of the number of clients visited or number of visits made (one fee per location per day):				
	a) in Vancouver Pre-Trial Centre	\$90 [2303]	\$90 [2303]	\$90 [2303]	\$90 [2303]
	b) in any other institution other than <b>local lockups</b> unless specially authorized by LSS	\$90 [2394]	\$90 [2394]	\$90 [2394]	\$90 [2394]

NOTE: Special authorizations will be considered only in communities where there is no remand facility.

TRAVEL FEES	24. <b>Travel fees:</b>				
	a) <b>half-day</b> of travel to or from a hearing or to interview a client in custody where the trip exceeds 160 km round trip	\$180 [2402]	\$180 [2402]	\$180 [2402]	\$180 [2402]
	b) for each <b>half-day</b> counsel remains at such place for purpose of hearing	\$180 [2451]	\$180 [2451]	\$180 [2451]	\$180 [2451]
	c) for day of travel less than 160 km to a hearing or to interview a client in custody but requiring an overnight stay	\$180 [2493]	\$180 [2493]	\$180 [2493]	\$180 [2493]

NOTE: See billing limits in Tariff Entitlement section of this booklet under **Travel Fees**.

WRITTEN ARGUMENT	25. Written argument requested by judge (one fee); copy of argument may be requested	\$450 [2501]	\$450 [2501]	\$450 [2501]	\$450 [2501]
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CHANGE OF VENUE	26. Change of venue (one fee)	\$450 [2600]	\$450 [2600]	\$450 [2600]	\$450 [2600]
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		OFFENCE CATEGORY			
		I	II	III	IV
GUILTY PLEA WITHDRAWN	27. a) Guilty pleas changed or withdrawn on a separate <b>half-day</b> from the trial or entering of <b>guilty plea(s)</b> , (one fee)	\$50 [2717]	\$70 [2725]	\$90 [2733]	\$140 [2741]
	b) New counsel is appointed and guilty plea is changed or withdrawn on a separate <b>half-day</b> from the trial or entering of <b>guilty plea(s)</b> (one fee)	\$140 [2758]	\$200 [2766]	\$270 [2774]	\$450 [2782]
	c) Guilty plea is re-entered by same counsel on a separate <b>half-day</b> and no other fee is billable	\$50 [2717]	\$70 [2725]	\$90 [2733]	\$140 [2741]
WAIVING IN	28. <b>Waiving in</b> charges from other jurisdictions. Regardless of the number of <b>informations</b> only one fee is payable per jurisdiction (subject to a limit of 10 jurisdictions):				
	a) each jurisdiction in B.C.	\$50 [2816]	\$70 [2824]	\$90 [2832]	\$90 [2840]
	b) each other jurisdiction	\$90 [2899]	\$90 [2899]	\$90 [2899]	\$90 [2899]
APPLICATIONS TO: PROCURE ATTENDANCE RELEASE EXHIBITS	29. <b>Applications:</b>				
	a) All <b>pre-hearing applications</b> of a procedural nature including release of exhibits, spring orders, etc., but not including bail matters (pre-trial applications of a substantive nature are billable as the first <b>half-day</b> )	\$90 [2915]	\$140 [2923]	\$180 [2931]	\$180 [2949]
VARY SENTENCE, ETC.	b) To vary terms of sentence, probation order, or peace bond	\$70 [2956]	\$90 [2964]	\$140 [2972]	\$220 [2980]
	NOTE: See Tariff Entitlement section of this booklet under <b>Guilty Pleas</b> for the same <b>half-day</b> billing.				
VARIANCE BY NEW COUNSEL	c) Where new counsel is appointed only to vary terms of sentence, probation order, peace bond				
	i) one <b>set of facts</b>	\$140 [5918]	\$200 [5926]	\$270 [5934]	\$450 [5942]
	ii) two or more <b>sets of facts</b>	\$200 [5959]	\$300 [5967]	\$400 [5975]	\$680 [5983]
LATE SITTINGS	30. Late sittings and waiting for a jury after 5:30 p.m.				
	a) up to four hours	\$90 [3012]	\$140 [3020]	\$180 [3038]	\$270 [3046]
	b) beyond four hours, an additional	\$90 [3053]	\$140 [3061]	\$180 [3079]	\$270 [3087]

OFFENCE CATEGORY

I                      II                      III                      IV

ADJOURNMENTS	31. Adjournments are billable <b>only</b> when:				
	<ul style="list-style-type: none"> <li>i) the hearing is adjourned to another <b>half-day</b>, and</li> <li>ii) counsel is required to attend at court for at <i>least one hour</i>, and the attendance is for a billable item, and</li> <li>iii) no other fee is claimed for that <b>half-day</b> for any legal aid client</li> </ul>	\$70 [3103]	\$70 [3103]	\$70 [3103]	\$70 [3103]

NOTE: See Tariff Entitlement section for limited definition of hearing. Counsel may only bill one adjournment fee per half-day.

EXTRAORDINARY REMEDIES	32. <b>Extraordinary remedies</b> (Requires <b>prior approval</b> from Appeals Committee, H.O.) per <b>half-day</b>	\$750 [3202]	\$750 [3202]	\$750 [3202]	\$750 [3202]
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CORONER'S HEARINGS

CORONER'S HEARING	33. Coroner's hearing (requires <b>prior approval</b> ) per <b>half-day</b>	\$540 [3301]	\$540 [3301]	\$540 [3301]	\$540 [3301]
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ALL CATEGORIES OF OFFENCES

APPEALS

APPEAL TO SUPREME COURT	34. Appeal to Supreme Court				
	a) Against CONVICTION or CONVICTION AND SENTENCE:				
	i) first <b>half-day</b>		\$ 1,200	[-]	
	ii) subsequent <b>half-days</b>		\$ 400	[-]	
	b) Against SENTENCE only:				
	i) first <b>half-day</b>		\$ 800	[-]	
	ii) subsequent <b>half-days</b>		\$ 200	[-]	
	c) Application to extend time		\$ 200	[3475]	
	d) Application to stay sentence pending appeal		\$ 200	[3483]	



ALL CATEGORIES OF OFFENCES

APPEAL TO  
COURT OF APPEAL

35. Appeal to Court of Appeal:
- a) Application to extend time, billable if on a separate half-day than the appeal \$ 400 [3509]
  - b) Against CONVICTION only:
    - i) first half-day \$ 2,400 [-]
    - ii) subsequent half-days \$ 800 [-]
  - c) Against SENTENCE only:
    - i) first half-day \$ 1,200 [-]
    - ii) subsequent half-days \$ 400 [-]
  - d) Against CONVICTION and SENTENCE and against DANGEROUS OFFENDER proceedings and MURDER convictions:
    - i) first half-day \$ 3,000 [-]
    - ii) subsequent half-days \$ 1,000 [-]
  - e) Application to stay sentence pending appeal \$ 200 [3574]
  - f) Against transfer from Youth Court
    - i) first half-day \$ 2,400 [3582]
    - ii) subsequent half-days \$ 800 [3590]

APPEAL TO  
SUPREME COURT  
OF CANADA

36. Appeal to Supreme Court of Canada:
- a) application for leave to extend time \$ 800 [3608]
  - b) oral or written application for leave to appeal \$ 2,000 [3616]
  - c) oral application for leave to appeal when requested following written application \$ 800 [3624]
  - d) first half-day of hearing appeal \$ 3,000 [-]
  - e) subsequent half-days of hearing appeal \$ 1,400 [-]

INCOMPLETE  
APPEAL

37. Where there is a change of counsel on an appeal or extraordinary remedy, or the appeal is abandoned, bill \$80 per hour to a maximum of 50% of the first half-day of hearing and indicate the number of hours [3707]

OFFENCE CATEGORY

EXTRADITION

- |                           | I | II           | III          | IV |
|---------------------------|---|--------------|--------------|----|
| 38. Hearings per half-day |   | \$600 [3830] | \$800 [3848] |    |

# TARIFF ENTITLEMENT

This section sets out what you are entitled to bill under the tariff for criminal matters, and under what circumstances. Terms in the text that are in bold indicate an entry for that item elsewhere in this section. You must refer to this section when billing.

- Abatement** Treat the same as **stay** of proceedings.
- Adjournment** Except as set out in tariff item 31, applications for adjournment by the Crown or by defence, whether opposed or consented to, successful or unsuccessful, are **not** separately billable items. The block fees for terminated charges, **guilty pleas** and **half-days of preliminary hearing** and **trial** include all adjournments.
- Appeals** To bill a **half-day**, witnesses must be called, evidence led, or argument made (not including adjournment applications), or judgment given. Murder appeals and appeals of dangerous offender proceedings may be billed as **appeal against sentence and conviction**.
- Application for disposition review** Includes all preparation and appearance where counsel appears for an application for a disposition review under the Young Offenders Act. No fee is payable if the application is on the same **half-day** as the **disposition review**.
- Application for release** Under the Young Offenders Act, bill a bail matter where there is no regular duty counsel.
- Bench warrant** Argument about issuing or vacating a bench warrant *is not billable*.
- Co-accused** Co-accused refers to two or more individuals jointly charged on a single information.
- In youth court, co-accused include all individuals charged with offences arising out of the same incident.
- Individuals who are jointly charged remain co-accused through all sentencing and disposition review hearings except for bail matters on separate **half-days**. See **show cause**. Full fees are payable for the first client, and half fees are payable for each additional co-accused, except in conspiracies, contempt cases, and where the tariff precludes additional payment.
- In conspiracy cases, the rates payable are \$130 for each additional co-accused for each **half-day** of preliminary hearing or trial. All other fees are billable at half-fee rates.
- In contempt cases, if counsel is representing more than one client, full fees are payable for the first client and an additional maximum of a single half-fee is payable for services rendered on behalf of all additional clients, regardless of the actual number of additional clients represented.

<b>Committal for trial</b>	After an accused has been committed for trial, the matter is treated like a new file for purposes of billing <b>early termination</b> and <b>guilty pleas</b> .
<b>Consent committal</b>	Includes payment for any <b>stays</b> and <b>guilty pleas</b> entered up to and including the <b>half-day</b> of the committal, where the charges stayed or pleaded are on the same <b>information</b> and any <b>guilty plea</b> or <b>stay</b> entered on the same <b>half-day</b> as the committal. <ul style="list-style-type: none"> <li>(a) A consent committal where no witness is called is billed under tariff item 7(a) or (b)</li> <li>(b) A consent committal after some evidence has been heard: <ul style="list-style-type: none"> <li>(i) where a consent committal occurs on a billable half-day of <b>preliminary hearing</b>, the consent committal may not be billed if the <b>half-day</b> is billed; and</li> <li>(ii) where a consent committal occurs after evidence has been heard but on a <b>half-day</b> which is otherwise not billable, it is billed under tariff item 7(c).</li> </ul> </li> </ul>
<b>Conspiracy</b>	If you act for a single accused charged with conspiracy (either with or without other substantive charges), you may bill under the tariff items for category IV offences. Be sure that a C (for conspiracy) is indicated in front of the LSS offence code on the billing form. <p style="margin-left: 20px;">In conspiracy matters, you may act for more than one co-accused only after confirming arrangements with LSS. For rates, see co-accused.</p>
<b>Contempt cases</b>	In contempt cases, if you are representing more than one client, full fees are payable for the first client and an additional maximum of a single half-fee is payable for services rendered on behalf of all additional clients regardless of the actual number of additional clients represented.
<b>Dangerous offender</b>	For dangerous offender proceedings, bill for category IV offences. For appeals of dangerous offender proceedings, bill at conviction and sentence rates.
<b>Disclosure court</b>	Vancouver and Surrey Provincial Court Disclosure Court appearances are billable under tariff item 12(b) and not as a <b>pre-trial conference</b> . <p style="margin-left: 20px;">Disclosure court may be billed with all other items on the <b>half-day</b> except guilty plea or <b>early termination</b>. It is billable only once per information, and is only billable for indictable offences.</p>
<b>Disposition review</b>	Includes all preparation and appearances to speak to disposition on a date after sentence has been imposed in youth court including applications to transfer to an adult facility. <p style="margin-left: 20px;">To bill a <b>half-day</b>, witnesses must be called, evidence led, argument made (other than an adjournment application), or judgment given.</p> <p style="margin-left: 20px;">Regardless of the number of <b>informations</b>, all pleas, <b>stays</b>, sentencings, bail reviews, <b>application for disposition review</b>, and <b>disposition reviews</b> before the same judge on the same <b>half-day</b> must be combined and billed as one guilty plea or sentencing item or disposition review. Bill for multiple <b>sets of facts</b> where appropriate.</p>
<b>Diversion</b>	See <b>early termination</b> .

## Early termination

You may bill early termination where there is a failure to appear (except a failure to appear on a trial date), including a failure to appear on a guilty plea, there is a change of counsel after the client has been interviewed, counsel has appeared in court at least once, or client is a candidate for diversion.

Regardless of the number of **informations**, all changes of counsel and failures to appear before the same judge on the same **half-day** must be combined and billed as one early termination item.

If no charges are laid or no **information** is sworn, or the client is diverted, bill tariff item 1(a), unless the termination is the result of representations made by counsel to Crown, police, or probation — then bill item 1(b).

If Other Fees are claimed for charges on any **information**, **early termination** may not be billed, unless the Other Fees are for travel, waives, bail items, and visits to clients in custody.

Bill both custody visits and **early termination** only if at least one interview or court appearance has occurred on a different date from a custody visit.

All waived charges must be treated as if they appear on a single information when billing **early termination**.

If the matter resumes after you have billed **early termination**, it should be treated like a new file for purposes of billing other tariff items.

Bills for a failure to appear may not be submitted until at least one month after the failure to appear.

## Extraordinary remedies

Bill under tariff item 32 for proceedings under the Judicial Review Procedures Act and certiorari, habeas corpus, mandamus, or prohibition.

## Fitness hearing

Any proceedings in accordance with the CCC section 537, 615, or 803(5)(b) to determine the fitness of an accused to stand trial. Where witnesses are called, bill under tariff item 13(a) and (b). Where no witnesses are called and no other court services are billed for the same **half-day**, bill under tariff item 13(b), except for **Disclosure Court**. Pre-trial fitness hearings, a review panel or court review, and bi-annual reviews are billed under tariff item 13 (a). Fitness hearings at trial may be billed as a half-day of trial.

## Fix date in Supreme Court

Bill only when counsel appears before a judge and has no other court appearance on any LSS matter(s) in the same courthouse during the same **half-day** except a **pre-trial conference** on another **information**. Bill only one fix date fee per **information**. Bill only one fix date fee for the same **half-day** in the same courthouse regardless of the number of dates fixed or clients represented.

Where counsel is appointed after a date has already been fixed, and an appearance is required before a superior court judge to confirm the date fixed for trial, the confirmation may be treated as a fix date. Otherwise, no confirmation fee is payable.

## Guilty pleas

For charges on the same **information**, fees include payment for any stays entered up to and including the half-day of **preliminary hearing**, and any guilty pleas on the same **half-day**.

Regardless of the number of **informations**, all **pleas**, **stays**, **sentencing**, bail matters, **disposition reviews**, variations of terms of sentences, and variations of peace bonds,

*(continued)*



uncontested peace bonds, or probation orders before the same judge on the same half-day, must be combined and billed as one item, for multiple **sets of facts** where appropriate.

Regardless of the number of **informations**, guilty pleas before the same judge on the same **half-day** as a trial or preliminary hearing are not billable separately.

- Half-day** Means a court sitting either before or after the lunch adjournment.
- Hearing** For the purpose of billing adjournments, a hearing is a preliminary hearing, a trial, a sentencing, an appeal, or a youth court transfer application or disposition review.
- Information** Means the information upon which the Crown proceeds unless:
- (a) there has been a court ordered severance, or
  - (b) the Crown is proceeding separately under one information, or
  - (c) the defence has elected separate modes of trial and the judge has permitted the separate elections to stand.
- When such severances occur, each severed **trial, preliminary hearing, or plea** may be treated as occurring on a separate **information**.
- Services on separate informations may be billed separately, subject to the limitations under **guilty plea(s), sentencing, and stays**.
- In superior courts "information" means indictment.
- Information numbers must appear on the billing form, and a copy of the information must be submitted with the billing form.
- All f.t.a. charges and breach of bail charges arising out of a single incident of failing to appear will be treated as if they were on a single information unless separate trials occur.
- An original information and a "C" information will be treated as the same information if the charges on the "C" information include all the charges on the original information or the charges are amended or are lesser included offences or refer to the same facts as the original **information**.
- Junior/Co-counsel** These appointments may be made in exceptional circumstances. See Authorizations in Appendix 1 on page 42 of this booklet.
- Jury selection** Jury selection is treated as the beginning of the **trial**. If there is a change of counsel between jury selection and the calling of evidence on a jury trial, the new counsel may treat the **half-day** when evidence is first called as the first half-day of trial.
- Local lockup** Means any place of incarceration managed by local police or sheriffs.
- Material witness** Bill under **trial or preliminary hearing**. Prior authorization is required. See Authorizations list in Appendix 1.
- Preliminary hearing** For charges on the same information, preliminary hearing fees include payment for any stays entered up to and including the half-day of the preliminary hearing.
- (continued)*

To bill a **half-day**, witnesses must be called, evidence led, or argument made (not including adjournment applications), or judgment given.

Application to quash an information before plea, for a judicial stay of proceedings, or to sever before trial, may be billed as the first **half-day** of trial or **preliminary hearing**.

Do *not* include attendances to set further dates.

See **consent committals** where no evidence or witnesses are heard.

See **stays** if some charges are stayed.

See **guilty plea** if some charges are pleaded guilty to.

**Pre-trial conference** Discussion with judge requiring attendance of counsel pursuant to procedures under CCC section 625.1. A pre-trial conference may not be billed for the same **half-day** on which other court services are billed for charges on the same **information** except **disclosure court**.

See **disclosure court**.

**Prior approval** Where the tariff indicates that prior approval from LSS is required before an item can be billed, it is possible to receive retroactive approval from LSS in unusual situations where the urgency of the matter makes receiving prior approval impractical. To determine what LSS office to contact, see Appendix 1 in this booklet.

**Sentencing** After the **half-day** on which a **guilty plea** is entered or a finding of guilt is made at **trial**, this item is billable for subsequent **half-days** upon which argument is made (other than an adjournment application), sentencing submissions are made, evidence is heard on sentence, or sentence is pronounced. All pleas, **stays**, **sentencing**, and variations of terms of sentences or peace bonds, probation orders, bail matters, or **disposition reviews** before the same judge on the same **half-day** must be combined and billed as one **guilty plea** or **sentencing** item, for multiple **sets of facts** where appropriate if entitled to bill under item 5. Note that this is billed as an "Other Fee" on the billing form.

**Sentencing only** Only to be billed where counsel is retained after the entry of a **guilty plea** or conviction. All pleas, **stays**, **sentencing**, and variations of terms of sentences or peace bonds, probation orders, bail matters, or **disposition reviews** before the same judge on the same **half-day** must be combined and billed as one **guilty plea** or **sentencing** item, for multiple **sets of facts** where appropriate. Note that this is billed as an "Other Fee" item on the billing form.

**Set(s) of facts** Separate charges against one client which are set for the same **half-day** in court shall be treated as a single set of facts except:

- (a) offences which occurred on separate dates will be treated as two or more sets of facts except where one is a continuing offence (e.g., possession of stolen property charged with theft of the same property);
- (b) charges which are not continuing offences and meet at least two of the criteria set out below are treated as two or more sets of facts:

- (i) the events are separated by a time gap of at least one hour;

*(continued)*



- (ii) there are two completely different prosecution witnesses testifying to the substantial elements of the offence on each of the two charges;
- (iii) there are completely different defences or completely different defence witnesses.

**The Legal Services Society is the final authority on what circumstances constitute separate sets of facts.**

**Severance**

See information.

**Show cause**

Bill when counsel appears in court or before a justice of the peace and client is in custody, there is argument about release or Crown agrees to release after defence counsel has made representations to the Crown.

Only one show cause fee may be claimed for a single client before the same judge on the same **half-day** (regardless of the number of charges or **informations**), unless special circumstances result in the hearings being separated by more than one half-hour.

Where counsel speaks to bail for two or more **co-accused** before the same judge on the same **half-day**, the normal rule for **co-accused** fees applies (i.e., full fees for the first **co-accused** and half fees for each remaining **co-accused**). Where bail matters are heard on separate **half-days** or before different judges, full fees are payable for each **co-accused**.

A **show cause** may be billed on the same **half-day** as a **trial** or **preliminary hearing** for the same client.

Counsel appointed to act as duty counsel may not bill on a criminal referral for bail services in that court on the same calendar day.

All pleas, **stays**, **sentencing**, bail, and variations of terms of sentences or peace bonds or probation or bail orders before the same judge on the same **half-day** must be combined and billed as a single item, for multiple **sets of facts** where appropriate.

**Stay**

Includes payment for any stays and **guilty pleas** entered up to and including the **half-day** that the stay is entered on charges on the same **information**.

Bill where the client has been interviewed or counsel has appeared in court at least once, and all outstanding charges, convictions, and acquittals on one **information** are stayed by the Crown (date of stay must appear on billing form). If some charges on an **information** are stayed while others proceed to **trial**, **preliminary hearing**, **consent committal**, or pleas, bill under either the first **half-day** of trial, **preliminary hearing**, or **guilty plea** items for all **informations** before the same judge on the same **half-day**.

Regardless of the number of informations, all stays before the same judge on the same half-day are not separately billable.

Included within stays of proceedings for purposes of this tariff are **abatements**, **withdrawals**, and, on trial date, Crown called no evidence.

**Transfer application**

Includes all preparation, adjournments, remands, interviews, attendances, and preparation for hearing of a transfer application under the Young Offenders Act. On transfer applications one fee is payable for all informations, heard before the same judge on the same half-day.

Reviews of youth court transfer applications pursuant to section 16(9) of the Young Offenders Act in Supreme Court may be billed under tariff item 34(a).

<b>Travel fees</b>	<p>Where Other Fees are billed for a day when a travel claim is made, the maximum travel fee is \$200 on that date.</p> <p>Otherwise, the maximum travel fee is \$400 on one day. Travel fees are paid per trip, not per client.</p> <p>Travel disbursements may also be billed subject to the limitations in the section on disbursements in this booklet.</p> <p>Travel fees are not payable when travelling only to fix a date.</p>
<b>Trial</b>	<p>For charges on the same <b>information</b>, trial fees include payment for any <b>stays</b> entered up to and including the <b>half-day</b> of trial.</p> <p>To bill a <b>half-day</b>, witnesses must be called, evidence led, argument made (not including adjournment applications), or judgment given, or counsel must be waiting for a jury verdict.</p> <p>Applications to quash an information before plea, for a judicial stay of proceedings, or to sever before trial, may be billed as the first <b>half-day</b> of the trial or <b>preliminary hearing</b>.</p> <p>Fitness hearings at trial may be billed as a <b>half-day</b> of trial.</p> <p>Applications for peace bonds under CCC section 810 where the Crown is seeking an order and defence is disputing the facts may be billed as a <b>trial</b>.</p> <p>Do not include any <b>half-day</b> after a finding of guilt is made (see <b>sentencing</b>, billed under tariff item 6) or attendance is to set further dates.</p> <p>See <b>stay</b> if some charges are stayed.</p> <p>See <b>guilty plea</b> if some charges are pleaded guilty to.</p>
<b>Trial date</b>	<p>Means the date set by the court for commencement of <b>trial</b>, <b>preliminary hearing</b>, or fitness hearing with witnesses.</p>
<b>Visits to clients in custody</b>	<p>Bill only one fee per date, regardless of the number of visits made. Visits to clients in <b>local lockup</b> may not be billed on the same <b>half-day</b> as any other court services are billed for the same client in the same community.</p>
<b>Waiving in</b>	<p>Billable by counsel who makes arrangements for the waiving out of charges if no other LSS-appointed lawyer is billing for the same charges to be waived in.</p> <p>Only one fee is payable for each jurisdiction from which charges are waived, regardless of the number of <b>informations</b>, <b>sets of fact</b>, or charges. The names of the jurisdictions should be indicated on the referral form.</p> <p>All waived charges must be treated as if they appear on a single <b>information</b> when billing <b>early termination</b>.</p>
<b>Withdrawal of charges</b>	<p>Treated the same as <b>stay</b> of proceedings.</p>

# DISBURSEMENTS

## IMPORTANT

- You are responsible for paying all disbursements for each case. To be reimbursed for these expenses, make sure you include each disbursement on the billing form. The Legal Services Society cannot guarantee payment of items left off the billing form.
- You must request authorization for disbursements that exceed the limits noted in this section *before* you incur them.
- Billing codes for each disbursement are in square brackets. Include codes with all items to speed payment of your account.
- Attach copies of receipts or invoices for items exceeding \$100 and copies of special authorization letters to your billing form.
- You are not authorized to bind the Legal Services Society to any contract for disbursements.
- If you run out of space, use a photocopy of the form in Appendix 4 of this booklet.

	Code		Code
<b>ACCOMMODATION</b>		<b>EXPERTS' REPORTS AND TESTIMONY</b>	
Claim actual cost up to \$70 per night plus taxes. Please request B.C. government personnel rates.	[661]	One medical report or one medical specialist's report may be obtained without prior authorization from the tariff accounts department if the cost does not exceed \$371. The author of the report may testify without prior authorization at the rates set out below. See Special Fee Arrangements for reports other than those listed below. You need to obtain prior authorization for expenses in excess of the amounts set out and for subsequent reports. Before requesting authorization from the tariff department, ask the expert for the approximate number of hours required for either the assessment/report or for testimony. Experts must indicate their hours on their bills.	
<b>CAR RENTAL</b>			
Prior approval is required from the tariff accounts department.	[2022]		
<b>COMPUTER-ASSISTED LEGAL RESEARCH</b>			
Prior approval is required from the tariff accounts department if the cost is over \$100.	[2212]		
<b>COURIER SERVICES</b>			
Reimbursed for emergencies only. Claim at cost.	[893]		

## Reports

One report without prior authorization:

Physician must rely on the guidelines set out in the *B.C. Medical Association Guide to Fees*

- Medical records review and photocopying.  
*BCMA Guide to Fees*, item A0095 \$105.00 [1495]
- Form completion or simple letter reporting on patient's condition.  
*BCMA Guide to Fees*, item A0070 \$ 80.60 [1511]
- Medico-legal letter.  
*BCMA Guide to Fees*, item A0071 \$147.00 [1537]
- Medico-legal report.  
*BCMA Guide to Fees*, item A0072 \$371.00 [1552]

## Special fee arrangements

You must obtain prior authorization for the following special fee arrangements:

- Medico-legal opinion.  
*BCMA Guide to Fees*, item A0073 \$578.00 [1578]
- Non-medical expert reports.  
up to \$65/hour preparation/court time [1610]  
up to \$40/hour travel time plus expenses [1719]
- Blood alcohol expert report.  
up to \$50/hour preparation/court time.  
Obtain authorization if the cost of the report is over \$250 payable at \$50 per hour *or* if travel is required [2071]
- Psychologists.  
up to \$88/hour preparation/court time [1626]  
up to \$54/hour travel time plus expenses [1735]
- General practitioners.  
up to \$108/hour preparation/court time [1651]  
up to \$65/hour travel time plus expenses [1250]
- Psychiatrists, pathologists and other medical specialists for special assessments and testimony; and accident reconstruction engineers.  
up to \$126/hour preparation/court time [1677]  
up to \$77/hour travel time plus expenses [1776]
- Accident reconstruction.  
up to \$125/hour preparation/court time [1818]  
up to \$77/hour travel time plus expenses [1834]

## Experts' expenses are paid as follows:

- Kilometres in excess of 50 km are paid at 26¢ per km.
- Reasonable meal expenses are paid up to \$28.50 per day.
- Receipts are required for hotels, taxis, airline tickets, and long distance telephone calls.

## FAX COSTS

Because fax transmissions generally replace mail, regular transmissions will not be reimbursed. Long distance charges can be claimed for sending a fax, but the number of pages should be indicated. If you do not have a fax machine, you can claim the reasonable cost paid to an arm's length third party to send a fax. [1313]

## INTERPRETING AND TRANSLATION

(See chart on next page.)

Outside services are required. The following groups may be able to refer you to an interpreter, or check the Yellow Pages.

### Language interpretation

(a) In Greater Vancouver, MOSAIC at 254-9626.

(b) Elsewhere in B.C., Certified Legal Interpreters of B.C. at 689-3611, or the B.C. Professional Legal Interpreters at 879-0414.

Claims are allowed at \$25 per hour for interpretation (rounded to the nearest half-hour) or 19¢ per English word for translation. We pay by the hour or word only; no minimum charges are accepted. Get prior authorization from the tariff accounts department for translation costs that exceed \$500. Provide receipts for all services that exceed \$100. [877]

### Hearing impaired

In Greater Vancouver, apply to:

Western Institute for the Deaf  
2125 W. 7th Avenue  
Vancouver, B.C. V6K 1X9  
Phone: 736-7391

**DISBURSEMENTS FOR INTERPRETING  
LANGUAGES AND HEARING IMPAIRED**

**PROVINCIAL  
COURTS**

**SUPREME AND  
APPEAL COURTS**

Criminal Proceedings			Civil Proceedings	
For Accused in court	For Accused for interviews	For Witnesses (court and interviews)	For Respondent or Plaintiff	For Witnesses (court and interviews)
Free*	•	•	Free**	•
Free*	•	•	•	•

- \* On notice to Crown Counsel or Court Administrator
- \*\* On notice to Court Administrator
- Outside services required

**MAILING COSTS**

Claim the actual cost of special delivery or registered mail. Regular post office mail charges are not reimbursed.

**Code**

[869]

**MEALS**

Claim up to \$6.50 for breakfast;  
\$8.00 for lunch;  
\$14.00 for dinner.

Meals may be claimed only if the case is out of town (80 km one way) or if late sitting is required.

[463]

**OTHER**

An expense that is not described elsewhere in this section and that exceeds \$100 requires prior authorization from the tariff accounts department.

**Please describe the disbursement when billing and submit a copy of your authorization letter from LSS.**

[737]

**PARKING**

Claim only when travelling to a hearing out of the city where you practise.

[2014]

**PHOTOCOPYING**

Claim office rate or actual cost up to 15¢ per page at the office.

[471]

30¢ per page at the courthouse.

[497]

**SKIP TRACING**

Pay skip tracing accounts and claim as a disbursement. If the cost will exceed \$195, obtain prior authorization from the tariff accounts department.

[356]

**TELEPHONE CALLS**

Claim for actual cost of long distance calls only. If the total bill exceeds \$100, provide a log (a photocopy is sufficient).

[836]

**TRANSCRIPTS AND COURT REPORTERS**

Transcript costs are paid directly by LSS and may not be billed on the billing form. You will not be billed for transcripts and the attendance of court reporters if you obtain the proper authorization before each service is required. If you do not obtain prior consent from LSS, we must refuse to pay any disbursement billings for transcripts.

Contact the referring LSS branch office or community law office for the following items:



**Code**

- for the transcript of show cause hearings or bail reviews
- for transcripts necessary for summary conviction appeals to the Supreme Court
- for a second copy of the transcript of a preliminary hearing or one day of trial

Contact the transcript co-ordinator at LSS head office for any other matters, including:

- transcript of any proceeding for cases referred by an area director
- transcripts of a lengthy trial
- daily transcripts of trial or preliminary
- expedited transcripts of any proceedings
- an original transcript

For transcript request for appeals, call the appeals co-ordinator at head office.

**Code**

**TRAVEL**

Out-of-town counsel are paid on a "no travel" basis (no travel fees or disbursements for meals and meterage) when local counsel are available. Out-of-town counsel are paid travel fees and disbursements when local counsel is not available.

Claim 26¢ per km for automobile travel **only when** the destination is outside the city or municipality where you practise. Provide the date, destination, and distance. [968]

Bus, train, ferry, and taxi — claim actual cost. Provide date and destination. [562]

Air fare — Claim current economy rate. Provide date and destination. [455]

Highway tolls. [745]

**WESTERN LEGAL PUBLICATION [489]**

**WITNESSES' EXPENSES**

Apply for authorization by letter or telephone to the tariff accounts department. Provide the estimated cost of economical travel expenses. No applications for lost wages will be considered. [695]



# GUIDE TO BILLING FOR CRIMINAL MATTERS

## IMPORTANT

- Submit a billing form even if you are not claiming any fees or disbursements.
- Submit a copy of the information or the indictment.
- If you are billing for multiple sets of facts, indicate the criteria upon which you are relying.
- Carefully enter codes to speed the processing of your account.
- Enter dollars and cents for all money amounts.
- The circled numbers in the instructions correspond to the circled numbers on the sample billing form shown on the page opposite the instructions.

TO COUNSEL: Your acceptance of this referral constitutes your agreement to provide the legal services specified below at the Legal Services Society tariff of fees in effect as of the date of assignment on this form, subject to the terms and conditions set out in the current Legal Services Society NOTICE TO ALL REFERRAL COUNSEL and TARIFF OF FEES. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to be specified at the time of publication.

LEGAL SERVICES SOCIETY  
251 BATHURST COLUMBIA

# Criminal Law Referral

**SPECIAL INSTRUCTIONS**

CLIENT NAME

CLIENT ADDRESS

Phone No.

FILE NUMBER

Quote file number on all correspondence

Legal Services Society - (Print)

DATE OF ASSIGNMENT

Day Month Year

COURT LOCATION

Lawyer Number  
Ensure this number is correct

Number of Co-accused

FILE NUMBER OF ONE

REFERRING OFFICE

NOTE: Client must pay \$ to Counsel as a non refundable contribution

Number of Additional Charges unrecorded

No. of Charges referred	NAME OF OFFENCE (write in)	1st Charge	2nd Charge	3rd Charge	4th Charge	5th Charge	6th Charge
LEGAL SERVICES OFFENCE CODE (see back of this form) Indicate if A/C							
DATE OF ALLEGED OFFENCE	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year
INFORMATION OR INDICTMENT NUMBER	Number Same or other number	Number Same or other number	Number Same or other number	Number Same or other number	Number Same or other number	Number Same or other number	Number Same or other number
LEGAL SERVICES CODE (REFERRED CHARGE)	A/C	A/C	A/C	A/C	A/C	A/C	A/C
<b>RESULTS</b>	<b>PRIOR TO HEARING</b> No charge sworn Failure to appear Change of Lawyer Withdrawal/Stay Diversion						
	<b>PRELIMINARY HEARING</b> Failure to appear Change of Lawyer Withdrawal/Stay Consent Committal Committed to Trial Discharged Incomplete						
	<b>GUILTY PLEA OR TRIAL</b> Failure to appear Change of Lawyer Withdrawal/Stay Guilty Plea Acquitted Found Guilty Incomplete						
<b>SENTENCE</b>	JAIL TIME						
	PROBATION TIME						
	FINE	\$	\$	\$	\$	\$	\$
	DISCHARGE						
	SUSPENDED						
	NO SENTENCING						

<b>COURT LEVEL</b>	Provincial <input type="checkbox"/> Youth <input type="checkbox"/> Adult <input type="checkbox"/>	Supreme <input type="checkbox"/> Judge <input type="checkbox"/> Jury <input type="checkbox"/>	Other <input type="checkbox"/>
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<b>Incomplete Matter</b>	Bill here for Tariff items: 1(a), 2, 10(a)	DATE OF Stay or Failure to Appear or Change of Counsel	am pm	Check here if ON TRIAL DATE <input type="checkbox"/>	\$
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<b>Guilty Plea</b>	Bill here for Tariff items: 5(a)(b), 10(b)	DATE OF GUILTY PLEA	am pm	\$
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<b>Preliminary Hearing</b>	Bill here for Tariff items: 7(a)(b), 8, 9	Total 1/2 days as prelim.	Date of first hearing day	am pm	Number of 1/2 days on first date	1st Calendar Day Billing	\$
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<b>Subsequent Dates</b>	Bill item 4, 7c in "Other Fees" section	Second Day	am pm	Third Day	am pm	Number of 1/2 days after first date	Fee	\$
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<b>Trial</b>	Bill here for Tariff items: 8 and 9	Total 1/2 days as trial	Date of first trial day	am pm	Number of 1/2 days on first date	1st Calendar Day Billing	\$
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<b>Subsequent Dates</b>	Bill item 4 in "Other Fees"	Second Day	am pm	Third Day	am pm	Number of 1/2 days after first date	Fee	\$
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<b>OTHER FEES</b>	Date		Code		Description		Date		Code		Sub Total	\$
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<b>Description</b>	# Units	D	M	Y	am pm	Fee	Description	Date	M	Y	am pm	Fee
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## TOP SECTION OF THE BILLING FORM

This information is completed by the referring office. Do not make any changes except as noted.

### 1 SPECIAL INSTRUCTIONS

Special instructions may limit the tariff items that you may bill. For example, the billing form may specify "No travel fees." If there are special instructions, you must obtain written consent from the referring office or head office to expand your instructions.

### 2 NAME OF LAWYER/ADDRESS OF LAWYER

If you are not the lawyer named on the form, and you are entitled to payment, substitute your name for the name on the form. Contact the referring office to transfer the billing to your name.

If your address has changed, advise the accounts payable department of LSS and the referring office in writing of your new address.

### 3 LAWYER NUMBER

If you are the lawyer named on the form, check that your lawyer number is correct. If it is not, correct it. Errors in this number can result in payment to the wrong lawyer. If you are not the lawyer named on the form, and you are entitled to payment, substitute your number for the one on the form. Contact the referring office to transfer the billing to your name.

### 4 FILE NUMBER

Because of the large number of accounts handled by Legal Services, the client file number at the top of the referral form is very important. Ensure that you keep a record of this number and refer to it in all correspondence with LSS.

### 5 DATE OF ASSIGNMENT

The date of assignment is the effective referral date for the file. **You will be paid according to the tariff in effect on the date of assignment of the file. Bill according to the applicable tariff.**

LSS will not pay for services performed before the date of assignment unless they have been authorized by LSS. You must obtain authorization in writing from the referring office, or you must have a prior agreement with an LSS office or area director to represent an eligible applicant in a remote area of the province.

When you are billing for services performed before the date of assignment, be sure to include the written authorization with your billing form.

### 6 COURT LOCATION

Change court location if it is incorrect.

### 7 CLIENT CONTRIBUTION

At the time a client applies for legal aid, the referring LSS office assesses the client a non-refundable contribution (or user fee). The amount the client must pay is written on the line "client must pay \$\_\_\_\_\_ to counsel as a non-refundable contribution."

The contribution paid by the client must be deducted from your bill (see Total Account section below). If you have been unable to collect the full amount, deduct the amount collected. You must also give the client a receipt for the amount collected, indicating you have provided services that can be billed under the tariff.

### 8 NUMBER OF ADDITIONAL CHARGES UNRECORDED

If there are more than six charges, indicate in this space how many more there are. (See 11 below.)

### 9 NUMBER OF CO-ACCUSED

If the number is incorrect or has been omitted, correct or complete and phone the referring office with the information.

### 10 FILE NUMBER OF ONE

If you know the LSS file number of a co-accused, write it in.



**TO COUNSEL:** Your acceptance of this referral constitutes your agreement to provide the legal services specified below at the Legal Services Society tariff of fees in effect as of the date of assignment on this fee. Subject to the terms and conditions set out in the current Legal Services Society **NOTICE TO ALL REFERRAL COUNSEL** and **TARIFF OF FEES**. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to be effective at the time of publication.

LEGAL SERVICES SOCIETY

# Criminal Law Referral

**SPECIAL INSTRUCTIONS**

CLIENT NAME \_\_\_\_\_ CLIENT ADDRESS \_\_\_\_\_ Phone No. \_\_\_\_\_

Legal Services Society - (Phone) \_\_\_\_\_

DATE OF ASSIGNMENT: Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

COURT LOCATION: \_\_\_\_\_

REFERRING OFFICE: \_\_\_\_\_ # \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_

Legal Services Society - (Phone) \_\_\_\_\_

DATE OF ASSIGNMENT: Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

COURT LOCATION: \_\_\_\_\_

REFERRING OFFICE: \_\_\_\_\_ # \_\_\_\_\_

FILE NUMBER: \_\_\_\_\_

NOTE: Client must pay \$ \_\_\_\_\_ to Counsel as a non-refundable contribution.

No. of charges referred	NAME OF OFFENCE (write in)	1st Charge	2nd Charge	3rd Charge	4th Charge	5th Charge	6th Charge
	LEGAL SERVICES OFFENCE CODE (see back of this form) Indicate if A/C						
	DATE OF ALLEGED OFFENCE	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year
	INFORMATION OR INDICTMENT NUMBER	Number	Same, or other number	Same, or other number	Same, or other number	Same, or other number	Same, or other number
	LEGAL SERVICES CODE (REFERRED CHARGE)	A/C	A/C	A/C	A/C	A/C	A/C
<b>RESULTS</b>	<b>PRIOR TO HEARING</b>	No charge sworn Failure to appear Change of Lawyer Withdrawal/Stay Diversion					
	<b>PRELIMINARY HEARING</b>	Failure to appear Change of Lawyer Withdrawal/Stay Consent Committal Committed to Trial Discharged Incomplete					
	<b>GUILTY PLEA OR TRIAL</b>	Failure to appear Change of Lawyer Withdrawal/Stay Guilty Plea Acquitted Found Guilty Incomplete					
<b>SENTENCE</b>	JAIL TIME						
	PROBATION TIME						
	FINE	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____	\$ _____
<b>DISCHARGE</b>	Conditional Absolute						
<b>SUSPENDED</b>							
<b>NO SENTENCING</b>							

COURT LEVEL: Provincial  Youth  Adult  Supreme  Judge  Jury  Other

Incomplete Matter: Bill here for Tariff items 1(a), 2, 10(a) DATE OF: Day Month Year am pm Check here if ON TRIAL DATE

Guilty Plea: Bill here for Tariff items 5(a)(b), 10(b) DATE OF GUILTY PLEA: Day Month Year am pm

Preliminary Hearing: Bill here for Tariff items 7(a)(b), 8, 9 Bill item 4, 7c in 'Other Fees' section. Total 1/2 days in prelim. Date of first hearing day. Number of 1/2 days on first date. 1st Calendar Day Billing.

Trial: Bill here for Tariff items 8 and 9 Bill item 4 in 'Other Fees'. Total 1/2 days in trial. Date of first trial day. Number of 1/2 days on first date. 1st Calendar Day Billing.

**OTHER FEES** Sub Total \$ \_\_\_\_\_

Description	# Units	Date	Code	Description	# Units	Date	Code	Fee

## OFFENCE INFORMATION

### 11 NUMBER OF CHARGES REFERRED

The billing form which you receive shows all the charges of which LSS is aware on the date of assignment. If there are additional charges, please read item 12 below carefully.

### 12 NAME OF OFFENCE

If the charges have been described incorrectly on the billing form, cross out the charge noted and write in the correct charge and offence code (see back cover or page 7 for offence codes). If there are additional charges not listed, do one of the following:

- (a) **If there are additional charges on the same information**, you may add them to your billing without getting special authorization.
- (b) **If there are additional charges on a different information within six months of the date of assignment**, contact the referring office. **Before providing service**, you must obtain authorization from the referring office to add new charges on different informations (use the form in Appendix 3).
- (c) **If there are additional charges on a different information more than six months after the date of assignment**, the client must reapply for legal aid.

### 13 LEGAL SERVICES OFFENCE CODES

You must fill in a code for each offence charged. See the back cover of this booklet for the offence codes. Also, in the A/C box, circle A for attempt or C for conspiracy.

### 14 DATE OF ALLEGED OFFENCE

Include day, month, and year. It is very important that you fill this out completely.

### 15 INFORMATION OR INDICTMENT NUMBER

You must provide the information number for each charge and a copy of the information or the indictment before your account can be processed. Fees may depend on how many informations are involved. Mark the box beside "same" for each charge included on the same information. *Do not use the police file number.*

### 16 LEGAL SERVICES CODE (REDUCED CHARGE)

If the charge has been reduced, write in the code number for the reduced charge. See the back cover of this booklet for the offence codes. In the A/C box, circle A for attempt or C for conspiracy.



**TO COUNSEL:** Your acceptance of this referral constitutes your agreement to provide the legal services specified below at the Legal Services Society law fees in effect as of the date of assignment on this form, subject to the terms and conditions set out in the current Legal Services Society **NOTICE TO ALL REFERRAL COUNSEL** and **TARIFF OF FEES**. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel issued by the Legal Services Society shall have effect on a date subsequent to its publication, to be specified at the time of publication.

LEGAL SERVICES SOCIETY

# Criminal Law Referral

**SPECIAL INSTRUCTIONS**

1 CLIENT NAME \_\_\_\_\_ CLIENT ADDRESS \_\_\_\_\_

Phone No. \_\_\_\_\_

2

3 Lawyer Number \_\_\_\_\_ Ensure this number is correct

4 FILE NUMBER \_\_\_\_\_ (Quote file number on all correspondence)

5 DATE OF ASSIGNMENT (Print) Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_

6 COURT LOCATION \_\_\_\_\_

7 NOTE: Client must pay \$ \_\_\_\_\_ to Counsel as a non-refundable contribution.

8 Number of Additional Charges unreconciled \_\_\_\_\_

9 BILLING PERIOD ACCUSED \_\_\_\_\_

10 NUMBER OF ONE \_\_\_\_\_

REFERRING OFFICE # \_\_\_\_\_

No. of Charges Refrred	NAME OF OFFENCE (write in)	1st Charge	2nd Charge	3rd Charge	4th Charge	5th Charge	6th Charge
11	LEGAL SERVICES OFFENCE CODE (see back of this form). Indicate if <input type="checkbox"/> A/C <input type="checkbox"/> C	12	A/C	A/C	A/C	A/C	A/C
13	DATE OF ALLEGED OFFENCE	14	Day Month Year	Day Month Year	Day Month Year	Day Month Year	Day Month Year
14	INFORMATION OR INDICTMENT NUMBER	15	Number <input type="checkbox"/> Same, or other number	<input type="checkbox"/> Same, or other number	<input type="checkbox"/> Same, or other number	<input type="checkbox"/> Same, or other number	<input type="checkbox"/> Same, or other number
15	LEGAL SERVICES CODE (REQUIRED CHANGE)	16	A/C	A/C	A/C	A/C	A/C

**RESULTS**

		1st Charge	2nd Charge	3rd Charge	4th Charge	5th Charge	6th Charge
<b>17</b> PRIOR TO HEARING	No charge sworn	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Failure to appear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Change of Lawyer Withdrawal/Stay Diversion	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>18</b> PRELIMINARY HEARING	Failure to appear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Change of Lawyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Withdrawal/Stay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Consent Committal Committed to Trial Discharged Incomplete	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>19</b> GUILTY PLEA OR TRIAL	Failure to appear	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Change of Lawyer	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Withdrawal/Stay	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
	Guilty Plea Acquitted Found Guilty Incomplete	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**SENTENCE**

JAIL TIME \_\_\_\_\_

PROBATION TIME \_\_\_\_\_

FINE \$ \_\_\_\_\_ 00 \$ \_\_\_\_\_ 00 \$ \_\_\_\_\_ 00 \$ \_\_\_\_\_ 00 \$ \_\_\_\_\_ 00 \$ \_\_\_\_\_ 00

**20** DISCHARGE  Conditional  Absolute

SUSPENDED

NO SENTENCING

**COURT LEVEL**

Provincial  Youth  Adult  Supreme  Judge  Jury  Other

**Incomplete Matter**

Bill here for Tariff items: 1(a), 2, 10(a)

DATE OF STAY OF FAILURE TO APPEAR OR CHANGE OF COUNSEL \_\_\_\_\_ am pm

Check here if ON TRIAL DATE

\$ \_\_\_\_\_

**Guilty Plea**

Bill here for Tariff items: 5(a)(b), 10(b)

Bill item 3 in 'Other Fees' section.

DATE OF GUILTY PLEA \_\_\_\_\_ am pm

\$ \_\_\_\_\_

**Preliminary Hearing**

Bill here for Tariff items: 7(a)(b), 8, 9

Bill item 4, 7c in 'Other Fees' section.

Total 1/2 days in prelim. \_\_\_\_\_ Date of first hearing day \_\_\_\_\_ am pm

Number of 1/2 days on first date \_\_\_\_\_ 1st Calendar Day Billing

\$ \_\_\_\_\_

**SUBSEQUENT DATES:**

Second Day \_\_\_\_\_ am pm Third Day \_\_\_\_\_ am pm

Number of 1/2 days after first date \_\_\_\_\_ @ \_\_\_\_\_ Fee

\$ \_\_\_\_\_

**Trial**

Bill here for Tariff items: 8 and 9

Bill item 4 in 'Other Fees'

Total 1/2 days trial \_\_\_\_\_ Date of first trial day \_\_\_\_\_ am pm

Number of 1/2 days on first date \_\_\_\_\_ 1st Calendar Day Billing

\$ \_\_\_\_\_

**SUBSEQUENT DATES:**

Second Day \_\_\_\_\_ am pm Third Day \_\_\_\_\_ am pm

Number of 1/2 days after first date \_\_\_\_\_ @ \_\_\_\_\_ Fee

\$ \_\_\_\_\_

**OTHER FEES**

Sub Total (A) \$ \_\_\_\_\_

MULTIPLE SETS OF FACTS: If billing, attach clear explanation of criteria met. See Tariff Bx-Notes - Sets of Facts.

Description	# Units*	Date			Code (see Tariff Book)	Fee	Description	# Units*	Date			Code (see Tariff Book)	Fee
		D	M	Y					D	M	Y		



## RESULTS

Note that results are divided into three sections — prior to hearing, preliminary hearing, and guilty plea or trial. Be sure to mark results in the correct category. More than one result may be appropriate for a single charge — be sure to mark all appropriate boxes.

### 17 PRIOR TO HEARING

If a matter terminated prior to hearing, indicate the reason in this section.

### 18 PRELIMINARY HEARING

If a matter terminated on the **date set** for a preliminary hearing (even if it did not proceed), indicate the reason in this section.

If you appeared and were prepared to go ahead on a date set for trial, and the matter did not proceed, make sure you indicate this in the section of the billing form called **Incomplete Matter** (see 22 below) by marking the box beside "On trial date."

### 19 GUILTY PLEA OR TRIAL

If a matter terminated on the **date set** for a guilty plea or trial (even if it did not proceed), indicate the reason in this section.

If you appeared and were prepared to go ahead on a date set for trial, and the matter did not proceed, make sure you indicate this in the section of the billing form called **Incomplete Matter** (see 22 below) by marking the box beside "On trial date."

## SENTENCE

### 20 SENTENCE

Be sure to enter all sentence information for each charge. For example, a sentence might include concurrent time, jail — six months, followed by probation time — two years. Two years less a day should be written as 729 days.

*Be sure to provide all sentencing information or your form will be returned.*

## COURT LEVEL

### 21 COURT LEVEL

Mark only the highest court level involved. If client was charged under the Young Offender Act, be sure to check the box "Provincial Court — Youth."

**TO COUNSEL:** Your acceptance of this referral constitutes your agreement to provide the legal services specified herein at the Legal Services Society tariff of fees in effect as of the date of assignment on this file, subject to the terms and conditions set out in the current Legal Services Society NOTICE TO ALL REFERRAL COUNSEL and TARIFF OF FEES. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to the extent of the time of publication.

LEGAL SERVICES SOCIETY

# Criminal Law Referral

**SPECIAL INSTRUCTIONS**

CLIENT NAME \_\_\_\_\_ CLIENT ADDRESS \_\_\_\_\_  
 Phone No. \_\_\_\_\_

FILE NUMBER **4** \_\_\_\_\_  
 Legal Services Society - (Print) \_\_\_\_\_  
 DATE OF ASSIGNMENT: Day \_\_\_\_\_ Month \_\_\_\_\_ Year \_\_\_\_\_  
 COURT LOCATION **6** \_\_\_\_\_  
 NUMBER OF CO-ACCUSED **9** \_\_\_\_\_  
 NUMBER OF CO-ACCUSED FILE NUMBER OF ONE **10** \_\_\_\_\_  
 REFERRING OFFICE \_\_\_\_\_

NOTE: Clients must pay \$ **7** \_\_\_\_\_ to Counsel as a non-refundable contribution.

Number of Additional Charges unrecorded **8** \_\_\_\_\_

No. of charges referred <b>10</b>	NAME OF OFFENCE (write in) <b>12</b>	1st Charge	2nd Charge	3rd Charge	4th Charge	5th Charge	6th Charge
LEGAL SERVICES OFFENCE CODE (see back of this form) Indicate if <b>13</b>	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____
DATE OF ALLEGED OFFENCE <b>14</b>	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____	Day _____ Month _____ Year _____
INFORMATION OR INDICTMENT NUMBER <b>15</b>	Number _____	Same or other number _____	Same or other number _____	Same or other number _____	Same or other number _____	Same or other number _____	Same or other number _____
LEGAL SERVICES CODE (REQUIRED CHARGE) <b>16</b>	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____	A/C _____
<b>RESULTS</b>	<b>PRIOR TO HEARING</b> <b>17</b>	No charge sworn Failure to appear Change of Lawyer Withdrawal/Stay Diversion					
	<b>PRELIMINARY HEARING</b> <b>18</b>	Failure to appear Change of Lawyer Withdrawal/Stay Consent Committal Committed to Trial Discharged Incomplete					
	<b>GUILTY PLEA OR TRIAL</b> <b>19</b>	Failure to appear Change of Lawyer Withdrawal/Stay Guilty Plea Acquitted Found Guilty Incomplete					
<b>SENTENCE</b>	JAIL TIME						
	PROBATION TIME						
	FINE	\$ _____ 00	\$ _____ 00	\$ _____ 00	\$ _____ 00	\$ _____ 00	\$ _____ 00
<b>20</b>	DISCHARGE SUSPENDED NO SENTENCING	Conditional Absolute					

COURT LEVEL: Provincial **21**  Youth  Adult  Supreme  Judge  Jury  Other

Incomplete Matter: Bill here for Tariff items 1(a), 2, 10(a) DATE OF Stay or Failure to Appear or Change of Counsel \_\_\_\_\_ am pm Check here if ON TRIAL DATE  \$ \_\_\_\_\_ **22**

Guilty Plea: Bill here for Tariff items 5(a)(b), 10(b) Bill item 3 in 'Other Fees' section DATE OF GUILTY PLEA \_\_\_\_\_ am pm \$ \_\_\_\_\_ **23**

Preliminary Hearing: Bill here for Tariff items 7(a)(b), 8, 9 Bill item 4, 7c in 'Other Fees' section. Total 1/2 days at trial \_\_\_\_\_ Date of first hearing day \_\_\_\_\_ am pm Number of 1/2 days on first date \_\_\_\_\_ 1st Calendar Day Billing \$ \_\_\_\_\_ **24**

Trial: Bill here for Tariff items 8 and 9 Bill item 4 in 'Other Fees' section. Total 1/2 days at trial \_\_\_\_\_ Date of first trial day \_\_\_\_\_ am pm Number of 1/2 days on first date \_\_\_\_\_ 1st Calendar Day Billing \$ \_\_\_\_\_ **25**

MULTIPLE SETS OF FACTS - If billing, attach clear explanation of criteria met. See Tariff Bx-Notes - Sets of Facts. Sub Total (A) \$ \_\_\_\_\_

**OTHER FEES**

Description	# Units*	Date	Code	Fee	Description	# Units*	Date	Code	Fee
<b>26</b>				\$ _____					\$ _____

# BILLING

The remainder of the referral form is for billing purposes. Here are some general points to remember:

- \* Multiple dispositions can be billed on one form. You may require an additional billing form if you have two dispositions of the same type on different dates (e.g., two trials or two guilty pleas). Ask for another billing form from the referring office.
- \* See the list of offence categories on page 7 for applicable category to bill under.
- \* Bill at the higher category rates for charges that begin at a higher category but are disposed of as lesser included charges.

## INCOMPLETE MATTER

### 22 INCOMPLETE MATTER (EARLY TERMINATION)

See tariff items 1, 2, and 10(a) for amounts you may bill.

When billing for an incomplete matter, make sure you indicate the actual result in the appropriate RESULTS section of the billing form. We must know the reason it is incomplete.

Indicate the date that the matter was terminated.

Do not submit bills for a failure to appear until at least one month after the failure to appear.

If a matter was terminated on the half-day set for trial, indicate whether trial was set for a.m. or p.m., and mark the box beside "on trial date." If the date of termination was not the half-day set for trial, do not mark that box.

## GUILTY PLEA

### 23 GUILTY PLEA

See tariff items 5(a) and (b), 10(b) for amounts you may bill (bill tariff item 3 under Other Fees).

Guilty plea(s) includes payment for any stays entered up to and including the half-day of plea on charges on the same information.

**Information numbers must appear on the billing form.**





## PRELIMINARY HEARING

### 24 PRELIMINARY HEARING

See tariff items 7(a) and (b), 8, and 9 for amounts you may bill.

You must list all dates you were in court, whether a.m., p.m., or both. Make sure you indicate separate half-days — this will affect your payment.

You may bill three days on the form. If you were in court more than three days, list additional days on a photocopy of the blank

form in Appendix 4 of this booklet and attach it to the billing form. The amounts you write in boxes marked **(A)** should include fees for the dates on the additional sheet.

Multiple dispositions can be billed on one form. You may require an additional billing form if you have two dispositions of the same type on different dates (e.g., two trials or two guilty pleas). Ask the referring office for another billing form (use the blank request form in Appendix 3).

## TRIAL

### 25 TRIAL

See tariff items 8 and 9 for amounts you may bill.

You must list all dates you were in court, whether a.m., p.m., or both. Make sure you indicate separate half-days — this will affect your payment.

You may bill three days on the form. If you were in court more than three days, list additional days on a photocopy of the blank

form in Appendix 4 of this booklet and attach it to the billing form. The amounts you write in boxes marked **(A)** should include fees for the dates on the additional sheet.

Multiple dispositions can be billed on one form. You may require an additional billing form if you have two dispositions of the same type on different dates (e.g., two trials or two guilty pleas). Ask the referring office for another billing form (use the blank request form in Appendix 3).

## OTHER FEES

### 26 OTHER FEES

See tariff items 3, 4, 6, 7(c), and 11 through 38 for amounts you may bill.

For each item (for example, visits to a client in custody), enter

- a brief description
- the number of half-days or units involved
- the day — including a.m. or p.m. — on which the service was rendered
- the tariff code for the particular service

- the fee

If you need more space to list Other Fees, use a photocopy of the blank form in Appendix 4 of this booklet. Enter items in chronological sequence and attach the sheet to the referral form.

Sub Total **(B)** on the billing form should include all Other Fees on additional sheets.

Remember to attach copies of any authorization letters from LSS.

## DISBURSEMENTS

### 27 DISBURSEMENTS

Disbursements are covered separately in the section beginning on page 25 of this booklet.







## TOTAL ACCOUNT

### 28 INTERIM ACCOUNT

See the section on interim accounts on page 5 for detailed information.

### 29 NO ACCOUNT

If no claim is made because these services have been billed under another referral number, indicate the LSS file number here.

### 30 SUBMITTING BILLING FORM COPIES

Send the top two copies of the billing form (marked tariff accounts and data entry) to this address:

Legal Services Society  
Box 6, Suite 300  
1140 West Pender Street  
Vancouver, B.C. V6E 4G1

Keep the third copy for your files.

### 31 SUB TOTALS

Enter dollars and cents figures in all spaces. Show contributions actually collected.

### 32 GST

Calculate and bill GST as follows.

- Calculate all fees as you did before the GST.
- List your disbursements without the GST.
- Total your account as you would have before the GST.
- Calculate the GST as 7% of the total.
- Round up exact half-cents (the computer calculates the GST to the nearest cent; exact half-cents are rounded up).
- Enter your GST registration number in the space provided at the bottom of the billing form (Revenue Canada insists on this).

Example:

Fees	\$800.00
Other fees	100.00
Disbursements (without GST)	152.50
	_____
Subtotal	1,052.50
Less client contribution	(30.00)
	_____
Subtotal	1,022.50
GST (7%)	71.58
	_____
<b>TOTAL DUE</b>	<b>\$1,094.08</b>

### 33 LAWYER'S NAME

The lawyer's name and number in this space must match the name and lawyer number in the top portion of the form. If you have arranged to have this referral transferred, enter your lawyer number.

If the lawyer number is wrong, payment may be made to the wrong lawyer.

Make sure the referring office has approved a change of lawyer or your account will be rejected.

### 34 LAWYER'S SIGNATURE

You must sign the billing form. Your signature is your representation that the services claimed on the dates indicated were performed. If you do not sign the billing form, it will be returned.

### 35 LAWYER'S GST REGISTRATION NUMBER

Be sure to supply your GST registration number here; Revenue Canada is insisting on this.

# APPENDIX 1

## AUTHORIZATIONS/INFORMATION

<b>SUBJECT</b>	<b>CONTACT</b>
Additional charges	Referring office*
Appeals <ul style="list-style-type: none"> <li>• summary conviction appeals to Supreme Court</li> <li>• extraordinary remedies</li> <li>• all other appeals</li> </ul>	Nearest branch office or community law office with a lawyer Appeals committee (head office) Appeals committee (head office)
Bail matters	Referring office
Change of counsel	Referring office
Conversion to private retainer	Nearest branch office or community law office
Costs <ul style="list-style-type: none"> <li>• authorization to waive</li> <li>• election to retain (in lieu of tariff)</li> </ul>	Referring office Referring office (Note: referral form must be mailed to tariff accounts department at head office)
Disbursement above tariff limit	Tariff accounts department (head office)
Eligibility review	Referring office
Extraordinary remedies	Appeals Committee (head office) (prerogative writs)
Junior counsel/co-counsel	Tariff manager (head office)
Material witnesses <ul style="list-style-type: none"> <li>• murder cases</li> <li>• other cases</li> </ul>	Referring office Director of client services (head office)
Retroactive referrals (billing prior to the date of assignment – emergencies)	Referring office
Transcripts <ul style="list-style-type: none"> <li>• in relation to appeals</li> <li>• all other transcripts</li> </ul>	Appeals co-ordinator (head office) Nearest branch office or transcript co-ordinator (head office – see page 27 of this booklet)
Other matters (except accounts)	Referring office
Accounts, fees, and billing procedure	Tariff accounts department (head office)

\* Referring office is the office shown on the billing form.

## APPENDIX 2 LIST OF LSS OFFICES

**Note:** Addresses are correct as of December 1, 1992.  
For current information, check your phone book.

### Head office

300 - 1140 W. Pender Street  
Vancouver, B.C.  
V6E 4G1

660-4600  
Fax: 660-7994

### BRANCH OFFICES

#### Abbotsford

Prisoners' Legal Services  
1A - 33820 South Fraser Way  
V2S 2C5

853-8712

#### Burnaby

344 - 5021 Kingsway  
V5H 4A5

437-4432

#### Campbell River

208 - 1040 Shoppers Row  
V9W 2C6

287-9521

#### Chilliwack

9315 Nowell Street  
V2P 4V8

792-7264

#### Dawson Creek

1101 - B - 103rd Avenue  
V1G 2G8

782-5911/2

#### Fort St. John

244 - 10142 101st Avenue  
V1J 2B3

785-5674/5

#### Kamloops

510 - 175 Second Avenue  
V2C 5W1

374-7777

#### Kelowna

1262 St. Paul Street  
V1Y 2C9

763-8804

#### Nanaimo

Upper Floor - 10 Esplanade  
V9R 4Y7

755-2550

#### Nelson

580 Baker Street  
V1L 4H9

352-3147

#### Port Coquitlam

300 - 2232 McAllister Avenue  
V3C 2A5

944-8841

#### Prince George

302 - 1488 Fourth Avenue  
V2L 4Y2

562-4445

#### Prince Rupert

4 - 101 1st Avenue E.  
V8J 3X4

627-1364

#### Surrey

102 - 15225 104th Avenue  
V3R 6Y8

584-8535

#### Vancouver

191 Alexander Street  
V6A 1N3

687-1831

#### Williams Lake

208 - 197 North 2nd Avenue  
V2G 1Z5

392-2941

### COMMUNITY LAW OFFICES

#### Abbotsford

Abbotsford Community Services Society  
2420 Montrose Avenue  
V2S 3S9

859-2755

#### Cranbrook

Kootenay Community Law Centre  
39 - 13th Avenue S.  
V1C 2V4

489-3375

#### Fort Nelson

Fort Nelson Paralegal Project  
Bag 399  
V0C 1R0

774-6707

**Maple Ridge**

Ridge Meadows Legal Services  
22701 - 119th Avenue  
V2X 8S5 467-3011

**Nanaimo**

Nanaimo Community Assistance Society  
Upper Floor - 10 Esplanade  
V9R 4Y7 755-2550

**New Westminster**

New Westminster Community Legal Services  
Society  
805 - 12th Street  
V3M 4K2 524-0381

**Penticton**

Penticton Legal Services  
103 - 304 Martin Street  
V2A 5K4 493-0210

**Powell River**

Powell River Legal Services  
4746 Joyce Avenue  
V8A 3B6 485-9871

**Quesnel**

Quesnel Human Rights &  
Civil Liberties Association  
283 Barlow Avenue  
V2J 2B9 992-8391

**Victoria**

The Law Centre Association of Victoria  
3rd floor - 1221 Broad Street  
V8W 2A4 388-4516

<b>NATIVE COMMUNITY LAW OFFICES AND FUNDED FRIENDSHIP CENTRES</b>
---

**Burns Lake**

Yinkadinee Keyakh Law Centre Society  
P.O. Box 8000  
412 Government Street  
V0J 1E0 692-7534

**Fort St. James**

Dene Law Centre Society  
7 - 270 E. Stuart Drive  
P.O. Box 1628  
V0J 1P0 996-7700

**Fort St. John**

Fort St. John Friendship Centre  
10208 - 95th Avenue  
V1J 1J2 785-8566

**Hazelton**

Upper Skeena Counselling and  
Legal Assistance Society  
Omenica Street  
P.O. Box 130  
V0J 1Y0 842-5218

**Masset**

Haida Counselling and Legal Assistance Society  
P.O. Box 130  
Block N, Lot 7  
Masset Reserve #1  
V0T 1M0 626-3925

**Merritt**

Nicola Valley Native Community Legal  
Assistance Society  
1964 Quilchena Avenue  
Bag 4400  
V0K 2B0 378-6112

**Port Alberni**

Port Alberni Friendship Centre  
3555 - 4th Avenue  
V9Y 4H3 723-8281

**Prince George**

Northern Native Family Services  
Native Family Duty Court Counsel  
1274 - 5th Avenue  
V2L 3L2 562-3591

**Skidegate**

Haida Counselling and Legal Assistance Society  
R.R. #1 Skidegate Village  
V0T 1S0 559-8811

**Smithers**

Wedzen Kwe Community Law Office  
1235 Main Street  
P.O. Box 2118  
V0J 2N0 847-2600

**Terrace**

L'ax Ghels Community Law Centre Society  
203 - 3219 Eby Street  
V8G 4R7 635-2133

## AREA DIRECTORS

### **Armstrong/Enderby**

F. Gregory Reif  
Barrister and Solicitor  
3450 Okanagan Street  
Box 549  
Armstrong  
V0E 1B0 546-8414  
*and*  
104 - 617 Cliff Street  
Enderby  
V0E 1V0 838-7122

### **Chetwynd**

Glen Stasiuk, Esq.  
Barrister and Solicitor  
202 - 4713 51st Street  
P.O. Box 808  
V0C 1J0 788-3113

### **Duncan**

Yvonne Pink  
Barrister and Solicitor  
209 - 225 Canada Avenue  
V9L 1T6 746-6000

### **Golden**

Glen Ewan, Esq.  
Barrister and Solicitor  
515 Ninth Avenue North  
P.O. Box 429  
V0A 1H0 344-5258

### **Invermere**

Barnim Kluge  
Barrister and Solicitor  
2 - 1206 7th Avenue  
P.O. Box 2647  
V0A 1K0 342-4447

### **Kaslo**

Tom Humphries, Esq.  
Barrister and Solicitor  
404 Front Street  
P.O. Box 1049  
V0G 1M0 353-2292

### **Ladysmith**

David O'Connor, Esq.  
Barrister and Solicitor  
22 High Street  
P.O. Box 1890  
V0R 2E0 245-7141

### **Langley**

Langley Legal Assistance Centre  
201 - 20189 56th Avenue  
V3A 3Y6 530-5811

### **Lillooet**

R. Kendel Kaser, Esq.  
Barrister and Solicitor  
416 Main Street  
P.O. Box 1449  
V0K 1V0 256-7519

### **Nakusp**

Kenneth R. Watson, Esq.  
Barrister and Solicitor  
87 Second Avenue South  
P.O. Box 668  
V0G 1R0 265-3641

### **North Vancouver**

Deirdre Potheary  
Barrister and Solicitor  
102 - 145 W. 15th Street  
V7M 1R9 980-7000

### **Parksville**

C. E. Fenton  
Barrister and Solicitor  
P.O. Box 1840  
4 - 196 Morrison Avenue  
V0R 2S0 248-5751

### **Port Alberni**

Barbara M. Smith  
Barrister and Solicitor  
5169 Argyle Street  
V9Y 1V3 724-5137

### **Revelstoke**

Robert A. Lundberg, Esq.  
Barrister and Solicitor  
Box 2490  
119 Campbell Street  
V0E 2S0 837-5196

**Richmond**

Bob Parsonage, Esq.  
Barrister and Solicitor  
204 - 8055 Anderson Road  
V6Y 1A1

273-9311

**Squamish**

Brian Hughes  
Barrister and Solicitor  
P.O. Box 1850  
V0N 3G0

892-5254

**Salmon Arm**

F. Gregory Reif  
Barrister and Solicitor  
2625 Patterson Avenue  
Box 549  
Armstrong  
V0E 1B0

546-8414

**Ucluelet**

James Roth  
P.O. Box 909  
243 Main Street  
V0R 3A0

726-4307

**Sechelt**

Lorne Paton  
Barrister and Solicitor  
203 - 5688 Cowry Street  
Box 1310  
V0N 3A0

885-2626

**Vernon**

T. Karl Deibert, Esq.  
Barrister and Solicitor  
3009 - 28th Street  
V1T 4Z7

542-5353

**Sparwood**

Glen Purdy, Esq.  
Barrister and Solicitor  
203 - 112 Centennial Square  
P.O. Box 1618  
V0B 2G0

425-7216



APPENDIX 3  
**REQUEST FOR ADDITIONAL REFERRAL FORMS/  
AUTHORIZATION FOR ADDITIONAL CHARGES**

Date \_\_\_\_\_

**FILE INFORMATION**

Client's Name \_\_\_\_\_

LSS File # \_\_\_\_\_

Referring Office \_\_\_\_\_

Date of Assignment \_\_\_\_\_

**ADDITIONAL REFERRAL INFORMATION**

\_\_\_\_\_ I require an additional referral form for the above file.

**AUTHORIZATION FOR ADDITIONAL CHARGES (WITHIN SIX MONTHS OF ASSIGNMENT DATE)**

**New Charges**

1. \_\_\_\_\_

Offence date \_\_\_\_\_

2. \_\_\_\_\_

Offence date \_\_\_\_\_

3. \_\_\_\_\_

Offence date \_\_\_\_\_

4. \_\_\_\_\_

Offence date \_\_\_\_\_

5. \_\_\_\_\_

Offence date \_\_\_\_\_

\_\_\_\_\_ I will add the above charges to the referral form I have on hand.

OR

\_\_\_\_\_ I require a new referral form for the above charges.

Lawyer's Name \_\_\_\_\_

Vendor Number \_\_\_\_\_

Address \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

# APPENDIX 4 CRIMINAL LAW REFERRAL ADDITIONAL DATES, OTHER FEES, DISBURSEMENTS

\_\_\_\_\_  
Lawyer Name (print)    Number

\_\_\_\_\_  
Client Name (print)

\_\_\_\_\_  
File Number

### DATE RECORD \_\_\_\_\_

To be used for hearings that last more than 3 days.

Date D M Y	AM		PM		Prelim Hearing ✓	Trial ✓	Fee
	✓	✓	✓	✓			
Please include in Box A on form _____							

### OTHER FEES

Description	Units	Date		AM	PM	Code	Fee
		D	M	Y	✓		
Please include in Box B on form _____							

### DISBURSEMENTS

Description	Units	Code	Amount
Please include in Box C on form _____ Attach documentation for amounts over \$100			

# OFFENCE CATEGORIES

## CATEGORY I

### Court process and peace bond

- 968 - Breach of recognizance (s. 811)
- 497 - Courts, other summary: breach of probation
- 547 - Failure to appear
- 562 - Keep the peace (s. 810)
- 786 - Peace bond, other summary
- 356 - Violate judicial interim release

## CATEGORY II

### Assaults/Wounding

- 679 - Assault, other summary
- 158 - Common assault
- 919 - Obstructing p.o., resist arrest

### Court process

- 497 - Contempt, summary

### Driving offences

- 299 - CCC driving, summary (for drinking and driving, see Category III)
- 422 - MVA drive while suspended
- 273 - Other MVA or provincial including su/ins. points

### Drug offences - Possession

- 620 - Possess cannabis
- 166 - Possess opiates including codeine
- 935 - Possess restricted drug incl. LSD, STP
- 828 - Other drug possession

### Escape

- 471 - Unlawfully at large or escape
- 406 - Escape, other summary

### Fraud

- 588 - Fraud, false pretences - under \$1000 (\$200)
- 414 - Other fraud offences, summary

### Gaming and betting

- 810 - Gaming and betting, other summary, including found in game or betting house

### Municipal by-laws

- 661 - Municipal by-laws

### Other CCC summary

- 844 - Disturbances, etc.

### Property

- 901 - Mischief (any amount), summary, wilful damage to property, summary, and other property, summary
- 604 - Trespass, prowl, damage under \$1000 (\$200)

### Prostitution

- 885 - Prostitution, summary incl. soliciting

### Provincial offences (except MVA)

- 711 - GAIN Act
- 315 - Wildlife Act
- 281 - Other provincial incl. liquor, SS tax

### Theft and possession of stolen property

- 133 - Taking car w/o owner consent, joyride
- 208 - Theft under \$1000 (\$200) incl. from M.V.
- 612 - P.S.P. under \$1000 (\$200)

### Weapons/Threats

- 364 - Weapons, other summary

## CATEGORY III

### Assaults/Wounding

- 117 - Assault causing bodily harm
- 703 - Assaulting a police officer
- 240 - Wounding
- 752 - Assault, other indictable

### Breaking & entering and property

- 695 - Break & enter (bus. or res.) breakout
- 687 - Mischief (any amount), if proceeded upon by indictment, wilful damage to property, if proceeded upon by indictment, and other property if proceeded upon by indictment
- 398 - Possession of break-in instruments

### Court Process

- 257 - Court, other indictable incl. perjury

### Drinking and driving

- 943 - Fail/refuse to provide breath sample
- 174 - Impaired/.08 (new s. 253)
- 190 - Dangerous driving s. 249 (2)(a)

### Drug offences - Trafficking

- 869 - Cultivating, drug/narcotics
- 927 - Importing narcotics
- 950 - PPT, cannabis
- 505 - PPT, controlled or restricted drug
- 653 - PPT, opiates
- 893 - Trafficking in cannabis
- 836 - Trafficking, controlled or restricted drugs
- 737 - Trafficking in opiates
- 539 - Drug trafficking, other indictable

### Escape

- 141 - Unlawfully at large or escape if proceeded upon by indictment
- 760 - Escape, other indictable incl. permit if proceeded upon by indictment

### Fraud

- 877 - Breach of trust, impersonation, forgery
- 430 - Fraud, false pretences over \$1000
- 331 - Other fraud offences, indictable

### Gaming and betting

- 372 - Lotteries, cheat at play, bookmaking
- 349 - Gaming and betting, other indictable

### Material Witness

- 026 - Material witness to murder

### Other CCC indictable

- 455 - Other CCC indictable - hijack, bribe, extortion, etc.

### Other federal offences

- 570 - UIC offence
- 984 - Other federal, including bankrupt, excise, customs

### Other hearings

- 307 - Coroner's inquest

### Prostitution

- 851 - Prostitution, indictable including living off avails, keeping a common bawdy house, and procuring

### Sexual offences

- 109 - Other summary sexual offences including sexual assault, summary

### Theft and possession of stolen property

- 794 - P.S.P. over \$1000 (\$200)
- 182 - Theft over \$1000 (\$200) incl. from M.V.

### Weapons/Threats

- 224 - Threatening, intimidation
- 216 - Weapons, carry, point, possess, prohib/restr.
- 992 - Weapons, other indictable explosives or discharge

## CATEGORY IV

### Conspiracy

- Indicate "C" and offence code for substantive offence

### Dangerous offender

- 778 - Dangerous offender

### Driving

- 323 - Dangerous driving causing death
  - Dangerous driving causing bodily harm
  - Impaired driving causing death
  - Impaired driving causing bodily harm

### Homicide

- 232 - Criminal negligence causing death
- 646 - Homicide, other (infanticide, etc.)
- 125 - Manslaughter
- 638 - Murder

### Kidnapping

- 463 - Kidnapping, confinement, abduction, seizure

### Property

- 729 - Arson

### Robbery

- 513 - Robbery with offensive weapon
- 596 - Other robbery including by assault

### Sexual offences

- 554 - Aggravated sexual assault (s. 273) and rape
- 380 - Sexual assault, other indictable
- 976 - Sex - other indictable

### Criminal negligence causing bodily harm

- 091 - Criminal negligence causing bodily harm