

## Changes to selected Criminal Tariff block fees

Continuing its tariff renewal process, effective October 3, 2006, the Legal Services Society (LSS) will implement changes to selected block fees in the Criminal Tariff representing an overall increase of 5% in criminal tariff spending.

During the tariff review (reported in [Managing for Results: LSS Tariff Renewal](#)), lawyers suggested that the tariffs do not adequately compensate lawyers for the effort required to resolve cases without a trial. Consequently, LSS has increased block fees for key non-trial services to better reflect the effort of counsel and the relative importance of the services, and to encourage early resolution where appropriate. In a few cases, LSS has reduced block fees to strike a better balance in the allocation of funding among these services. LSS met with an expanded Criminal Tariff Committee in August and September to discuss priorities and review the proposed changes.

Highlights of the changes include:

- Increases to guilty plea block fees for Category I and III offences to recognize the differences between the various offence categories and remove disincentives to pre-trial resolution.
- An increase to the sentencing block fee for Category III offences to encourage adequate sentencing preparation and reflect the seriousness of these offences.
- Increases to bail hearing block fees for all offence categories to better reflect the time required for adequate preparation and the vital impact of bail decisions on clients' interests.
- Increases to block fees for breaches of conditional sentences for all offence categories to better reflect the time required for proper representation at these hearings.
- Increases to the arraignment court block fees for Category I and II offences to reflect the efforts required to participate meaningfully in the Arraignment Court process.
- Reductions to the block fee for stay of proceedings for Category IV offences (these are quite rare on the block fee tariff and are typically dealt with as part of SCAP).
- Reductions to block fees for No charge sworn/Represented diversions to recognize that previous rates were significantly higher than those for stays of proceedings.

See the attached "October 2006 Criminal Tariff Changes — Quick Reference Chart" for details regarding specific changes.

### Preparing your accounts

Prepare your accounts as follows:

#### Increased block fees

Claim the new (higher) block fee on any accounts you submit on or after October 3, 2006, regardless of when you received your referral or provided the service.

#### Reduced block fees

Claim the current (higher) block fee when billing for existing referrals, and claim the new (reduced) block fee for referrals issued on or after October 3, 2006.

As before, if you are eligible for a Tier 2 or 3 increase, LSS will automatically add the tiered-rate increase to the fees claimed when processing your account.

**Upcoming tariff revisions**

The next revision of the *Guide to Legal Aid Tariffs* is scheduled for November and will incorporate all the changes to block fees. In the meantime, please use chart below to assist in completing your billing form.

Edward Tanaka  
*Director, Legal Advice and Representation*

**October 2006 Criminal Tariff Changes — Quick Reference Chart**

<b>Tariff Code</b>	<b>Tariff Item</b>	<b>Offence Category</b>	<b>Previous Block Fee</b>	<b>New Block Fee</b>
5824	Arraignment court process	I	38.00	40.00
5832	Arraignment court process	II	75.00	80.00
1784	Bail application — s. 469 offences	IV	270.00	300.00
1414	Bail hearings	I	80.00	90.00
1428	Bail hearings	II	120.00	125.00
1437	Bail hearings	III	120.00	150.00
1445	Bail hearings	IV	150.00	175.00
1636	Bail review hearings in Supreme Court	III	350.00	400.00
2732	Breaches of conditional sentences	I	120.00	150.00
2743	Breaches of conditional sentences	II	120.00	150.00
2755	Breaches of conditional sentences	III	120.00	150.00
2760	Breaches of conditional sentences	IV	120.00	150.00
0281	Complete stay at the hearing	IV	450.00	400.00
0242	Complete stay prior to the hearing	IV	300.00	250.00
3301	Coroners' hearings	all	540.00	500.00
0513	Guilty pleas	I	120.00	150.00
0539	Guilty pleas	III	200.00	250.00
0166	No charge sworn/Represented diversions	II	270.00	250.00
0174	No charge sworn/Represented diversions	III	320.00	300.00
0182	No charge sworn/Represented diversions	IV	500.00	400.00
1109	Re-election	II	75.00	80.00
1117	Re-election	III	75.00	80.00
1126	Re-election	IV	75.00	80.00
0705	Resolution of multiple informations	I	60.00	75.00
0715	Resolution of multiple informations	III	100.00	125.00
0638	Sentencing	III	100.00	125.00