Criminal Tariff

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Appendix 1: Authorization for Additional Charges (February 2005)

1. Organization of This Section (June 2004)

The Criminal section is organized as follows:

- **General Tariff Information** provides information about the tariff and its use.
- **Categories of Offences** lists the four LSS categories of offences and their codes.
- The **Criminal Tariff** lists the tariff items.
- The **Criminal Tariff Guide to Billing** contains information and instructions about completing the **Criminal Billing Form** or the **CC Section 278 Victim Representation Billing Form**. Following the instructions carefully will ensure your account is processed as quickly as possible.
- Disbursements are listed separately in this guide in the **Disbursements for All Tariffs** section.

2. General Tariff Information (December 2009)

For information about coverage and eligibility for criminal cases, see the relevant sections of the **Introduction** to the *Guide to Legal Aid Tariffs*. For information about criminal appeals, see the relevant section of the **Appeals and Judicial Reviews Tariff**. For billing information, see the **Criminal Tariff Guide to Billing** at the end of this section. For information about billing disbursements, see the **Disbursements for All Tariffs** section. For general contractual information relating to the terms of your contract with LSS, see the **General Terms and Conditions** at the beginning of this guide.

For requests for extra fees or additional preparation, see **General Terms and Conditions**, items 41 and 42.

Important terms

Charges referred (April 2009)

Your referral lists all charges against your client that LSS knows about on the date of assignment.

Though the referral may list Category I offences, you may only bill for Category I offences when:

- your client is a youth and the matter is proceeding in youth court, or
- the referral date of assignment is before April 1, 2009, or
- there is an indication on your referral that the Category I charges are billable.

LSS only authorizes Category I offences in very limited circumstances where a client is unable to represent themselves due to a serious mental or physical disability.

Where a client has charges on an Information and on the same Information there are Category I offences, unless the Category I offences are billable according the rules above, counsel may provide services in relation to all charges on the information, but must only bill in relation to the highest Category offence on the information (see Information/Indictment on page 4). Counsel may not bill independently for the Category I services, even if these charges have been severed from the original information.

Where a client has charges on an Information and the Category 1 offences are on a separate Information, again, counsel may not bill for the Category 1 offences unless they are billable according to the rules above.

Adding charges (April 2009)

Your referral form lists all the charges against your client that LSS knows about on the date of the assignment. If the charges are incorrect, contact the referring office. If there are additional charges, do the following:

(a) **If there are additional charges on the same Information/Indictment**, add them to your billing form without getting special authorization and attach a copy of the Information/Indictment.

(b) **If you find out about additional charges on different Informations/Indictments within 90 days** of the interview/assignment date, submit the **Authorization for Additional Charges** form (**Appendix 1**) to the referring office. If the client is covered, the referring office will

send you a revised referral. Ensure that the referring office has authorized coverage before you provide services. Claims for unauthorized charges will not be paid.

(c) **If there are additional charges on different Informations/Indictments more than 90 days** after the interview/assignment date, instruct your client to reapply for legal aid.

(d) If there are additional Category I charges and you believe your client is unable to represent themselves due to a serious mental or physical disability, contact the referring office directly.

Tariff items (July 2009)

The **Criminal Tariff** that follows this section describes legal services and lists all tariff items and the amounts paid for them. Please note that some of these services are paid a single block fee, while others are paid a block fee per half day or an hourly rate.

Where the tariff indicates that two services cannot be billed together, bill for the service with the higher legal fee. For example, if a Category IV charge is stayed on the trial date because the client pleads guilty to a Category II offence (on a different information), the block fees for the plea and the stay cannot be billed together. Determine which item pays the higher block fee (in this case, the stay) and bill for that service only.

Different legal fees are payable for the same legal service depending on the offence category. If two offence categories are included on one Information/Indictment, bill your services at the tariff rate of the higher category offence. Provide a copy of the Information/Indictment with each billing form you submit.

If your client is committed to trial for a lesser included offence, all legal services you provide after that committal are paid at the tariff rate of the lesser included offence (based on its offence category).

You may bill legal services on different Informations/Indictments separately, unless the cautions specify limitations.

Unless noted otherwise, the billing limits described in the tariff are calculated per client.

Caution

➲ If an Information/Indictment is re-laid, bill only for legal services on the "C" Information/Indictment. Stays on the original Information/Indictment are not billable.

Restoration applications (June 2004)

LSS does not cover any applications necessary to recover property seized by the police during an arrest.

Dangerous and long-term offender hearings (June 2004)

When you represent a client in a dangerous or long-term offender proceeding, use offence code 778 and bill the applicable tariff items for the legal services you provide at a Category IV rate.

Drug Court (July 2009)

When you represent a client who enters the Drug Treatment Court of Vancouver (DTCV), you may bill for Early preparation, Guilty pleas, and Sentencing at the applicable Category rate, even though sentencing has not occurred.

If the client's plea is struck because the client opts out or is removed from the DTCV, you may bill for all subsequent services on your original referral. If the original matter proceeds to trial, you may bill for Arraignment court process even if Early preparation has been previously billed.

Material witness representations (June 2004)

When you represent a material witness in a murder investigation and interview this client or attend court, bill the tariff items that apply to your legal services at a Category III rate and use offence code 026.

Other witness representations (June 2004)

When you represent a witness in a court proceeding and interview this client or attend court, bill the tariff items that apply to your legal services at a Category III rate and use offence code 577.

Information/Indictment (February 2005)

The term "Information/Indictment" refers to the information or indictment upon which the Crown proceeds unless:

(a) a court-ordered severance occurs,

(b) the Crown proceeds separately under one Information/Indictment, or

(c) the defence elects separate trials, and the judge permits this.

When severances occur, you may treat each severed trial, preliminary hearing, or plea as if it belonged to a separate Information/Indictment. When you bill for severed charges, attach a letter confirming the severance date.

Information/Indictment numbers must appear on the billing form. Submit a copy of the Information/Indictment with the billing form. An original Information/Indictment and a "C" Information/Indictment will be treated as the same Information/Indictment if:

- the charges on the "C" Information/Indictment include all the charges on the original Information/Indictment,
- the charges are amended,
- the charges are lesser included offences, or
- the charges refer to the same facts as the original Information/Indictment.

Co-accused (June 2004)

"Co-accused" refers to two or more individuals jointly charged on a single Information/Indictment. In youth court, the co-accused include all individuals charged with offences arising out of the same incident.

Full legal fees are payable only for your first client. If you represent more than one client, you are entitled to an additional maximum of a single half-fee for legal services provided to all additional clients, regardless of the number of additional clients.

When you provide legal services to only one co-accused on a separate half day, you may bill the full legal fees for those services.

Conspiracy (June 2004)

If you act for a single client charged with conspiracy (with or without other substantive charges), you may bill at the Category III rate, regardless of the category of the substantive offence. If the substantive offence is Category IV, however, bill at the Category IV rate.

Junior or co-counsel (June 2004)

Please refer to the **Junior and co-counsel** section in the **General Terms and Conditions**.

Compensation for cases that do not proceed (January 2006)

LSS may compensate you for legal fees when a case unexpectedly fails to proceed. LSS will consider a discretionary payment if the case was concluded (not merely adjourned).

To apply for a legal fee for such a case, please write to the Manager, Legal Services setting out the scheduled trial dates, the reason the case did not proceed, the date you were first notified the case would not proceed, and the actual preparation time spent that you were not able to bill under a block fee tariff item.

Strategic Case Assessment Program (December 2009)

The Strategic Case Assessment Program (SCAP) is designed to help LSS better predict costs in lengthy trials, effectively allocate legal aid funding, and provide adequate resources to represent clients in lengthy criminal cases.

SCAP applies to all criminal cases (regardless of offence category) where either the preliminary hearing or trial is scheduled for a total of more than 20 half days (i.e., 10 full trial days). In all such cases, you must notify the Manager, Legal Services in advance of the preliminary hearing or trial as soon as it becomes apparent that the preliminary hearing or trial will exceed a total of 20 half days. Once on SCAP, the case will proceed under SCAP. All cases scheduled to exceed 20 half days will proceed within SCAP.

Applying for SCAP

To initiate the SCAP process, submit a completed SCAP Case Management Questionnaire (available www.lss.bc.ca under Lawyers→Forms & questionnaires→Opinion letter questionnaires) to the Manager, Legal Services. Fill the form out online and print a copy, or print it and fill it out by hand. It cannot be saved or sent by e-mail. If you need more room than is provided on the form, please attach additional sheets. You can fax your completed questionnaire to Case Management at 604-681-7963.

SCAP budget process

For cases proceeding within SCAP, LSS will set an appropriate budget based on available information and/or the recommendation of a LSS case review lawyer. At any SCAP budget meeting, you should discuss time requirements for the case and funding for anticipated disbursements. A SCAP budget authorizes hours for general preparation, daily preparation on court days, and actual court attendance. LSS may revise the original SCAP budget if trial events disclose unanticipated changes in the duration or complexity of your case.

As SCAP cases are paid on an hourly basis, you are required to maintain timesheets or dockets to track time spent on general preparation, daily preparation, and court attendance. Your time records should show in reasonable detail how you spent the time for which you

bill LSS. LSS reserves the right to inspect your time records up to two years after the payment of accounts.

Additional information

For more information about SCAP assessment, and authorization and billing procedures, please consult the SCAP information (including billing tips) posted on the LSS website (click Lawyers→Case management information). If you have questions about SCAP, you can contact LSS by telephone at 604-601-6145 or send an e-mail to helpdesk.case-mgt@lss.bc.ca.

Enhanced fees (exceptional matters) (July 2009)

LSS provides enhanced fees in criminal cases of particular complexity that require the expertise of experienced senior legal counsel. Requests for enhanced fees are considered as part of the SCAP budget setting process. In order to be eligible to apply for enhanced fees, a lawyer must: comply with the LSS vendor number policies; have 12 or more years of experience, or if they have less than 12 years experience, they must demonstrate to the Manager, Legal Services that they have proven experience in criminal law; and have at least 50% of their practice in criminal law. Senior legal counsel must be able to meet the principles and objectives set out in the *Enhanced Fee* policy.

In order to be considered for an enhanced fee, the case must be sufficiently complex to be approved, or anticipated to be approved, for more than 300 hours of general preparation if the matter were to proceed to trial. Cases can be considered for enhanced fees in advance of full budgets being set, but only when the complexities of the case are clear enough at an early stage.

LSS sets expectations for lawyers who have been approved for enhanced fees. These expectations include a continuing engagement with LSS case management in setting and reviewing trial plans, budgets, and regular billings. Lawyers are expected to manage the case in a manner that is cost-effective in their use of time and available resources.

The *Enhanced Fee* policy is located on the Lawyers section of the LSS website. This policy sets out the procedures and criteria for approval of enhanced fees.

3. Categories of Offences (February 2005)

Category I (April 2009)

(Includes the least serious summary offences)

LSS issues adult referrals covering Category I offences in very limited circumstances. For clients who are unable to represent themselves because of a serious mental or physical disability, LSS maintains an internal review process to determine whether to issue a referral. Youth are eligible to receive Category I referrals.

	Offence code
Criminal Code offences	
Breach of probation	497
Failure to appear	547
Failure to comply (bail)	356
Peace bond offences	968
Unlawfully at large or escape, summary	471
Other federal offences	
EI offences	570
Fishing offences	197
Other federal offences, including bankruptcy, immigration	984
Provincial offences	
BC Benefits Acts	711
MVA driving while suspended	422
MVA — Other	273
Wildlife Act	315
Provincial — Other	281
Municipal by-laws	661

Category II (June 2004)

(Includes most summary or hybrid offences proceeding by summary conviction)

	Offence code
Aboriginal fishing and hunting	043

Assault, summary	679
Assaulting a peace officer	703
Contempt	401
	Offence code
Dangerous driving, summary	395
Driving — CCC, summary	299
Drugs — Possession of CDSA Schedule 1 drug (e.g., cocaine)	166
Drugs — Possession of CDSA Schedule 2 drug (e.g., cannabis)	620
Drugs — Possession of CDSA Schedule 3 or 4 drug (e.g., amphetamines, barbiturates)	935
Drugs — Possession, other	828
Fail/refuse to provide breath sample, summary	717
Fraud, summary	414
Gaming or betting, summary	810
Impaired/.08, summary	448
Indecent act	745
Mischief and wilful damage to property, summary	901
Obstructing a peace officer, resisting arrest	919
Perjury	257
Possession of stolen property under $5,000, including possession of stolen credit cards	612
Prostitution, summary	885
Sexual assault, summary	109
Taking car without owner consent, joyride	133
Theft under $5,000	208
Threats, criminal harassment, summary	619
Trespass, prowling	604
Weapons, summary	364
Other summary offences	844

Category III (June 2004)

(Includes most indictable offences and hybrid offences proceeding by indictment)

Offence code

	Offence code
Arson	729
Assault causing bodily harm	117
Assault, indictable	752
Breach of trust, personation, forgery	877
Break and enter, business or residence	695
Criminal harassment, indictable	248
Criminal negligence causing bodily harm	091
Criminal negligence causing death	232
Dangerous driving, indictable	190
Dangerous or impaired driving causing death or bodily harm	323
Driving — CCC, indictable	311
Drugs — Cultivating drugs/narcotics	869
Drugs — Importing narcotics	927
Drugs — Possession for the purpose of trafficking (Schedule 1: e.g., cocaine and heroin)	653
Drugs — Possession for the purpose of trafficking (all other)	505
Drugs — Trafficking (Schedule 1: e.g., cocaine and heroin)	737
Drugs — Trafficking (all other)	539
Extortion, including with weapon	437
Fail/refuse to provide breath sample, indictable	943
Fraud/false pretences over $5,000	430
Fraud offences, other indictable	331
Gaming or betting, indictable	349
Impaired/.08, indictable	174
Living off avails, keeping a bawdy house, and procuring	947
Mischief, wilful damage, indictable	687
Possession of house or car-breaking instruments	398
Possession of stolen property over $5,000	794
Prostitution, indictable	851
Robbery	596
Robbery with offensive weapon	513
Sexual assault, indictable	380
Theft over $5,000	182
Threatening, intimidation	224

	Offence code
Unlawfully at large or escape, indictable	141
Weapons, carrying, pointing, possession	216
Weapons, indictable	992
Wounding	240
Other indictable offences	455

Category IV (February 2005)

(Includes the most serious offences)

	Offence code
Aggravated sexual assault	554
Dangerous and long-term offender hearings	778
Kidnapping, confinement, abduction	463
Murder, including manslaughter and attempted murder	638
Sexual assault with a weapon or causing bodily harm	976

Related proceedings (June 2004)

See **Related proceedings** in the **Criminal Tariff**, where each item lists the fee billable for the following services.

	Offence code
Coroner's inquest	307
Dangerous or long-term offender hearing	778
Extradition hearing	922
Material witness to murder	026
Witnesses, other	577

Review Board hearings

See **Review hearings** in the **Criminal Tariff**, where each item lists the fee billable for the following services.

Annual review hearing	075
Review Board hearing under the Criminal Code	083

4. Criminal Tariff

Early termination

Failure to appear, change of lawyer, or unrepresented diversions (July 2009)

- Billable once per information if you have interviewed your client or appeared in court on your client's behalf and the solicitor-client relationship *ends* because of:
  - a failure to appear in court,
  - a change of lawyer,
  - no charge being sworn,
  - the client being diverted, or
  - extrajudicial measures or sanctions under the Youth Criminal Justice Act.
- Bill separately for a change of lawyer or a failure to appear at a preliminary hearing or trial.
- Bill separately under **Represented diversions** for diversions that result from your efforts with police, probation officers, and/or the Crown.
- Provide the termination date.

Category	Rate	Tariff code
I	**$50**	**0117**
II	**$80**	**0125**
III	**$113**	**0133**
IV	**$150**	**0141**

Cautions

- ➲ Do not bill this item with any other tariff item, except **Bail hearings**, **Arraignment court process**, **Guilty pleas**, **Visits in custody**, **Waiving in**, and **Travel**.
- ➲ If you receive payment for early termination but your client subsequently returns and you provide services, the early termination fee from your original bill will be deducted from your next billing.
- ➲ Do not bill this item and **Early preparation** on the same information.

Represented diversions (July 2009)

- Billable when no charges are laid or your client is diverted because of your representations to the police, the Crown, or probation officers (including extrajudicial measures and sanctions under the Youth Criminal Justice Act).

Category	Rate	Tariff code
I	n/a	n/a
II	$250	0166
III	$300	0174
IV	$400	0182

Cautions

- ➲ LSS may request a written summary of your representations to support billing this item.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel** or **Visits in custody**.
- ➲ Do not bill this item and **Early preparation** on the same information.

No charge sworn (July 2009)

- Billable on a referral that is obtained pre-charge and no Information/Indictment is sworn or no charges are generated in court because of your representations to the police, the Crown, or probation officers.
- Pre-charge referrals must be authorized in advance by the Manager, Legal Services.

Category	Rate	Tariff code
I	n/a	n/a
II	$250	0132
III	$300	0143
IV	$400	0154

Cautions

- ➲ LSS may request a written summary of your representations to support billing this item.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel** or **Visits in custody**.
- ➲ Do not bill this item and **Early preparation** on the same information.

Stay of proceedings

Complete stay prior to the hearing (July 2009)

- Billable if you have interviewed the client or have appeared in court on the client's behalf and, before the hearing date, a stay of proceedings is entered on *all* counts of an Information/Indictment or the charges are abated.
- Provide the date of the stay.

Category	Rate	Tariff code
I	**$100**	**0216**
II	**$150**	**0224**
III	**$200**	**0232**
IV	**$250**	**0242**

Cautions

➲ If stays are entered on more than one Information/Indictment on the same half day, do not bill the Informations/Indictments separately. Claim the block fee for only one stay.

➲ Do not bill this item for the same half day with any other tariff item except **Arraignment court process** and **Peace bonds**.

Complete stay at the hearing (November 2006)

- Billable if you have prepared for a preliminary hearing or trial and, on the hearing date, a stay of proceedings is entered on all counts of the Information/Indictment or the Crown calls no evidence.
- Provide the date of the stay.

Category	Rate	Tariff code
I	$180	0257
II	$220	0265
III	$270	0273
IV	$400	0281

Cautions

- ➲ If stays are entered on more than one Information/Indictment on the same half day, do not bill the Informations/Indictments separately. Claim the block fee for only one stay.
- ➲ Do not bill this item for the same half day with any other tariff item except **Peace bonds** and **Travel**.

Judicial Interim Release

Bail hearings (including bail reviews in Provincial Court) (October 2006)

- Billable per half day when you appear in any court and argue for the client's release from custody (except for bail applications on section 469 offences — see next item), continued release if the Crown applies to revoke bail, or for any bail variation/review in Provincial Court.
- Provide the date of the hearing.
- Billable per half day for attendance at a case conference regarding judicial interim release under the Youth Criminal Justice Act.

Category	Rate	Tariff code
I	$90	1414
II	$125	1428
III	$150	1437
IV	$175	1445

Cautions

- ➲ If bail hearings on more than one Information/Indictment are held before the same judge or justice on the same half day, do not bill for each hearing separately. Claim the block fee for only one bail hearing.
- ➲ Do not bill bail hearings for the same half day you also appear as duty counsel, unless you appear for a previously referred client.
- ➲ Do not bill this item for the same half day as any other tariff item except **Travel**.

Bail applications for murder and other section 469 offences (November 2006)

- Billable per half day when you appear in court and argue for the client's release from custody.
- Provide the date of the bail application.

	Category	Rate	Tariff code		Category	Rate	Tariff code
First half day	**IV**	**$600**	**1743**	**Subsequent half days**	**IV**	**$300**	**1784**

Cautions

- ➲ If bail applications on more than one Information/Indictment are held before the same judge on the same half day, do not bill for each application separately. Claim the block fee for only *one* bail application.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

Bail review hearings in Supreme Court (November 2006)

- You must have prior authorization to bill this item. Contact the Appeals Section at the Vancouver Regional Centre.
- Billable per half day when you appear in court and argue for the client's release from custody.
- Provide the date of the bail review.

Category	Rate	Tariff code
I	**$200**	**1601**
II	**$350**	**1628**
III	**$400**	**1636**
IV	**$500**	**1644**

Cautions

- ➲ If Supreme Court bail review hearings on more than one Information/Indictment are held before the same judge on the same half day, do not bill for each hearing separately. Claim the block fee for only *one* Supreme Court bail review hearing.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.
- ➲ Authorization is also required for section 525 bail reviews in Supreme Court.

Arraignment process

Early preparation (November 2007)

- Billable once per information if:
  (a) you resolve the charges on an information by way of a guilty plea or a stay;
  (b) no trial fees are billed on the information; *and*
  (c) you have taken all of the following preparation steps *prior to setting a trial date*:
    - obtained and reviewed Crown disclosure,
    - interviewed and received instructions from the client, and
    - made reasonable efforts to negotiate with Crown counsel to resolve the matter without a trial or to substantially narrow the issues.

Category	Rate	Tariff code
I	**$40**	**0691**
II	**$80**	**0692**
III	**$113**	**0693**
IV	**$150**	**0694**

Cautions

➲ Do not bill this item on the same information with the tariff items for **Arraignment court process**, **Early termination,** or **Trials.**

➲ When billing this item, make sure that your billing form records a guilty plea or a stay for the same information. You can do this by billing the guilty plea or stay fee (where billable), or by recording a guilty plea or stay in the results box of the billing form.

➲ Place notes on your file indicating the dates you received and reviewed Crown disclosure, interviewed your client, and had discussions with Crown counsel. LSS may request copies of your file notes to support billing this item.

Arraignment court process (November 2007)

- Billable once per information for preparation and/or attendance at arraignment court, including attendance at a focus hearing pursuant to section 536.4 of the Criminal Code.
- Provide the date of the court appearance or the filing date of the arraignment report.

Category	Rate	Tariff code
I	**$40**	**5824**
II	**$80**	**5832**
III	**$113**	**5849**
IV	**$150**	**5860**

Cautions

- ➲ Do not bill this item for the same half day with any other tariff item except **Early termination, Stay of proceedings**, other **Arraignment court processes**, **Guilty pleas**, **Sentencing**, **Resolution of multiple Informations/Indictments,** and **Travel**.
- ➲ Do not bill this item for waived-in charges.
- ➲ Do not bill this item and **Early preparation** on the same information.

Guilty pleas, sentencing, peace bonds, and waiving in

Guilty pleas (October 2006)

- Billable when you appear in court and represent a client entering a guilty plea to one or more charges.
- Provide the date of the guilty plea.

Category	Rate	Tariff code
I	**$150**	**0513**
II	**$200**	**0521**
III	**$250**	**0539**
IV	**$300**	**0547**

Cautions

- ➲ Even if the plea is to a lesser or lesser included offence, bill at the tariff rate for the offence category of the original offence, unless your client has been committed to trial on a lesser offence at the preliminary hearing.
- ➲ If guilty pleas are entered on more than one Information/Indictment before the same judge on the same half day, do not bill separately for each guilty plea. Claim the block fee for only *one* guilty plea.
- ➲ Do not bill this item on the same half day with any other tariff item except **Sentencing**, **Arraignment court process**, **Waiving in**, **Resolution of multiple Informations/Indictments,** and/or **Travel**.
- ➲ Do not bill this item if a plea is struck and then re-entered for sentencing to proceed in front of another judge. Claim the block fee only for **Sentencing**.

Resolution of multiple Informations/Indictments (November 2006)

- Billable once when you appear in court and represent a client entering a guilty plea or the Crown enters a stay to a second or subsequent Information/Indictment at the same time as the first guilty plea or stay.
- Billable for service provided after October 1, 2005.
- Provide the date of the guilty plea or stay.

Category	Rate	Tariff code
I	**$75**	**705**
II	**$100**	**710**
III	**$125**	**715**
IV	**$150**	**720**

Cautions

- ➲ Do not bill this item when the second or subsequent Information/Indictment is for a failure to appear (offence code 547), a failure to comply (offence code 356), or a breach of probation (offence code 497).
- ➲ Even if the plea is to a lesser or lesser included offence, bill at the tariff rate for the offence category of the original offence, unless your client has been committed to trial on a lesser offence at the preliminary hearing.
- ➲ Do not bill this item on the same half day with any other tariff item except **Guilty pleas**, **Sentencing**, **Arraignment court process**, **Waiving in**, and/or **Travel**.
- ➲ Do not bill this item if a plea is struck and then re-entered for sentencing to proceed in front of another judge. Claim the block fee only for **Sentencing**.

Sentencing (October 2006)

- Billable per half day when you appear in court and make representations for a client about sentencing after a finding of guilt.
- Provide the date(s) of the sentencing.
- Billable per half day for attendance at a case conference for sentencing under the Youth Criminal Justice Act.

Category	Rate	Tariff code
I	**$80**	**0612**
II	**$100**	**0620**
III	**$125**	**0638**
IV	**$200**	**0646**

Cautions

- ➲ Even if the plea is to a lesser or lesser included offence, bill at the tariff rate for the offence category of the original offence, unless your client was committed to trial on a lesser offence at the preliminary hearing.
- ➲ Do not bill this item on the same half day with any other tariff item except **Guilty pleas**, **Arraignment court process**, **Waiving in**, **Resolution of multiple Informations/Indictments,** and/or **Travel**.
- ➲ Do not bill this item in addition to the block fee for a preliminary hearing or trial when sentencing proceeds during the first two half days of the hearing or trial.
- ➲ If sentencing representations on more than one Information/Indictment are held before the same judge on the same half day, do not bill separately for each representation. Claim the block fee for only *one* representation.

Breaches of conditional sentences (October 2006)

- Billable per half day when you appear at a hearing for the breach of a conditional sentence.
- Provide the hearing date(s).

Category	Rate	Tariff code
I	$150	2732
II	$150	2743
III	$150	2755
IV	$150	2760

Cautions

- ➲ If hearings about the breach of conditional sentences on more than one Information/Indictment are held before the same judge on the same half day, do not bill separately for each hearing. Claim only *one* block fee.
- ➲ Bill bail hearings for the interim release of clients — before a hearing on the breach of a conditional sentence — as bail hearings. See **Bail hearings (including bail reviews in Provincial Court)**.
- ➲ Include the offence code of the original offence and the original Information/Indictment number on the billing form. Under **Results**, record only the new sentence imposed at the hearing of the breach of a conditional sentence.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

Peace bonds (June 2004)

- Billable when you appear in court to represent a client entering into a peace bond after a stay of proceedings has been negotiated on the substantive charge(s).
- Provide the court date.

Category	Rate	Tariff code
I	$120	2651
II	$200	2662
III	$200	2673
IV	$300	2684

Cautions

- ➲ Bill at the tariff rate for the offence category of the original offence.
- ➲ Record the result on the billing form as a peace bond and do not record a sentence.
- ➲ You may bill this item in addition to the stay of proceedings on the substantive charge.
- ➲ For peace bond applications, bill contested peace bonds as a Category I trial, and uncontested peace bonds as a Category I peace bond.

Waiving in (June 2004)

- Billable when you take all steps required to waive in charges from other jurisdictions.
- Provide the jurisdictions waived from on the billing form.

Category	Rate	Tariff code
I	**$75**	**2863**
II	**$75**	**2871**
III	**$75**	**2884**
IV	**$75**	**2899**

Cautions

- ➲ Regardless of the number of Informations/Indictments, bill only one waiver fee per guilty plea per jurisdiction. (BC counts as one jurisdiction.)
- ➲ You may not bill an arraignment court process fee for waived-in charges. The waiving-in fee covers the entire waiver process, including all necessary negotiations.
- ➲ No legal fee is payable for waiving charges out.

Application to vary a sentence or withdraw a guilty plea (June 2004)

- Billable when you appear in court and make representations on an application to withdraw a guilty plea or vary the terms of a sentence, probation order, or peace bond.
- Provide the court date.

Category	Rate	Tariff code
I	**$70**	**2956**
II	**$90**	**2964**
III	**$140**	**2972**
IV	**$220**	**2980**

Cautions

- ➲ If applications are made on more than one Information/Indictment before the same judge on the same half day, do not bill for each application separately. Claim the block fee for only *one* application to vary terms.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

Fitness hearings — Contested (July 2009)

- Billable as a block fee for all appearances up to the end of the first half day when you appear at a hearing to determine the client's fitness to stand trial, witnesses are called, and an argument or a decision is made.
- Billable for each subsequent half day of a contested hearing.
- Provide the hearing date(s).

Category	Rate	Tariff code
I	**$450**	**1315**
II	**$450**	**1323**
III	**$450**	**1331**
IV	**$450**	**1349**

Cautions

- ➲ If fitness hearings on more than one Information/Indictment are held before the same judge on the same half day, do not bill for each one separately. Claim the block fee for only *one* fitness hearing.
- ➲ Filing a forensic assessment report does not constitute calling a witness.
- ➲ Do not bill this item for adjournments, applications for an assessment order, or extensions of an assessment order unless evidence is heard.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

Fitness hearings — Uncontested (July 2009)

- Billable as a block fee for all appearances when you appear at a hearing to determine the client's fitness to stand trial and a decision is made.
- Provide the hearing date(s).

Category	Rate	Tariff code
I	**$140**	**1311**
II	**$140**	**1322**
III	**$140**	**1333**
IV	**$140**	**1344**

Cautions

- ➲ Do not bill this item for adjournments, applications for an assessment order, or extensions of an assessment order.
- ➲ Subsequent half days may not be billed for uncontested fitness hearings.
- ➲ If a new application is brought forward after previous fitness has been determined, bill the item again and describe the application's nature on the billing form.
- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

Preparation for defence applications under section 278 of the Criminal Code (November 2006)

Note: To bill this item, use the standard Criminal Billing Form (Form 7) that appears in the **Criminal Tariff Guide to Billing**.

- Billable at the LSS hourly rate when you act on a criminal referral and apply for disclosure of records under section 278 of the Criminal Code.

Category	Rate	Tariff code
I	Up to 5 hours	7309
II	Up to 5 hours	7310
III	Up to 5 hours	7327
IV	Up to 5 hours	7331

Caution

➲ If you seek records from multiple victims and/or multiple agencies, apply to the Manager, Legal Services for additional preparation time.

Attendance at defence applications under section 278 of the Criminal Code (November 2006)

Note: To bill this item, use the standard Criminal Billing Form (Form 7) that appears in the **Criminal Tariff Guide to Billing**.

- Billable at the LSS hourly rate when you appear at the hearing of an application under section 278 of the Criminal Code.
- Provide the hearing date(s).
- Bill the actual time spent as specified in your time records, from the time the hearing was scheduled to begin to its conclusion, excluding meal breaks.

Category	Rate	Tariff code
I	Actual time	7628
II	Actual time	7633
III	Actual time	7642
IV	Actual time	7651

Pre-hearing applications (June 2004)

- Billable when you attend in court and make representations for a procedure concerning the trial venue or disclosure, exclusion, or production of evidence. The application must occur before a judge *other than* the trial judge.
- Provide the court date.

Category	Rate	Tariff code
I	$90	2915

II	**$140**	**2923**
III	**$180**	**2931**
IV	**$180**	**2949**

Cautions

- Do not bill for applications for fix dates, adjournments, vacating bench warrants, interim remand appearances, and amending Informations/Indictments under this item.
- LSS treats any substantive applications made before the trial judge as half days of trial.
- When billing for this item, describe the application's nature on the billing form.
- Do not bill this item for the same half day with any other tariff item except **Travel**.
- If you make pre-hearing applications on more than one Information/Indictment before the same judge on the same half day, do not bill separately for each Information/Indictment or application. Claim only *one* pre-hearing application block fee.
- If a change of venue requires substantial preparation time, submit a request in writing for additional preparation time to the Manager, Legal Services.

Pre-trial conferences (February 2005)

- Billable when you prepare for and attend a pre-trial conference before a judge to make substantive representations related to disclosure, the nature and particulars of applications, the admissibility of evidence, the simplification of issues, the possibility of admissions, and the length of the trial.
- Provide the conference date.
- Billable per half day when you attend at a case conference under the Youth Criminal Justice Act (other than for judicial interim release or sentencing).

Category	Rate	Tariff code
I	**$90**	**1211**
II	**$140**	**1224**
III	**$180**	**1239**
IV	**$180**	**1246**

Cautions

- Do not bill fix dates or focus hearings pursuant to section 536.4 of the Criminal Code under this item.
- If pre-trial conferences on more than one Information/Indictment are held before the same judge on the same half day, do not bill for each conference separately. Claim the block fee for only one conference.
- Do not bill this item for the same half day with any other tariff item except **Travel**.

Fixing trial dates in Supreme Court (November 2006)

- Billable when you either attend court and fix a date for a Supreme Court trial or make arrangements for the setting of a trial date with the Trial Coordinator.
- Provide the date.

Category	Rate	Tariff code
I	n/a	n/a
II	$90	1121
III	$90	1137
IV	$90	1148

Caution

➲ Bill this item only once per half day, regardless of the number of clients or indictments, unless the additional dates are fixed in other courthouses.

Jury selection (June 2004)

- Billable per half day when you appear in court and the jury selection proceeds.
- Provide the selection date.

Category	Rate	Tariff code
I	n/a	n/a
II	$180	1162
III	$180	1171
IV	$180	1182

Cautions

➲ If the client fails to appear for jury selection, bill under **Failure to appear or change of lawyer at the trial or jury selection**.

➲ Do not bill this item for the same half day with any other tariff item except **Travel** and a separate **Jury selection**.

➲ If you next attend court to preserve the right to a jury trial after the accused fails to appear for trial, bill your attendance as a **Pre-trial conference**.

Re-election (October 2006)

- Billable once per Information/Indictment for re-election.
- Provide the re-election date.

Category	Rate	Tariff code
I	n/a	n/a
II	$80	1109

III	**$80**	**1117**
IV	**$80**	**1126**

Caution

➲ Do not bill this item for the same half day as any other tariff items except **Travel**.

Preliminary hearings

Failure to appear or change of lawyer at the preliminary hearing (June 2004)

- Billable if *all* the following apply:
  - you have prepared for and appear in court on any day of the preliminary hearing, and
  - the client or a co-accused fails to appear or changes counsel without notice, and
  - the hearing does not proceed on that half day.
- Provide the hearing date.

Category	Rate	Tariff code
I	**n/a**	**n/a**
II	**$150**	**1064**
III	**$200**	**1073**
IV	**$300**	**1081**

Caution

➲ Do not bill this item on the same half day with any other tariff item except **Travel**.

Consent committals (June 2004)

- Billable when you appear in court to enter a consent committal on a preliminary hearing before or when the hearing begins.
- Provide the committal date.

Category	Rate	Tariff code
I	**n/a**	**n/a**
II	**$200**	**0723**
III	**$300**	**0739**
IV	**$450**	**0748**

Caution

➲ Do not bill this item for the same half day with any other tariff item except **Travel**.

First two half days of the preliminary hearing (November 2006)

- Billable when you appear at the preliminary hearing and evidence is led, witnesses are called, an argument is made, or a judgment is given, for the first two half days of the hearing, regardless of when they occur.
- Bill this item if a guilty plea or stay is entered after the hearing has commenced and evidence has been led.
- Provide the hearing date(s).

Category	Rate	Tariff code
I	**n/a**	**n/a**
II	**$500**	**0871**
III	**$600**	**0887**
IV	**$900**	**0885**

Cautions

- ➲ Do not bill this item on the same half day with any other tariff item except **Extended sittings, Preliminary hearings,** and **Travel**.
- ➲ If the client fails to appear or changes lawyers, do not bill this item. See **Failure to appear or change of lawyer at the preliminary hearing**.
- ➲ Do *not* bill this item when an argument is made for *any* adjournment application.

Subsequent half days of the preliminary hearing (December 2009)

- Billable per half day when you appear at a preliminary hearing that has exceeded two half days and evidence is led, witnesses are called, an argument is made, a judgment is given, a guilty plea is entered, or a complete stay is entered.
- Provide the hearing date(s).

Category	Rate	Tariff code
I	**n/a**	**n/a**
II	**$250**	**0963**
III	**$300**	**0976**
IV	**$500**	**0984**

Cautions

- ➲ Do not bill this item on the same half day with any other tariff item except **Extended sittings, Preliminary hearings,** and **Travel**.
- ➲ If the client fails to appear or changes lawyers, do not bill this item. See **Failure to appear or change of lawyer at the preliminary hearing**.
- ➲ Do *not* bill this item when an argument is made for *any* adjournment application.
- ➲ Billable to a maximum of 20 half days. If the preliminary hearing is set for a total of more than 20 half days, the case is eligible for the **Strategic Case Assessment Program (SCAP)** (see page 5 of this section). You must submit a completed SCAP Case Management Questionnaire to the Manager, Legal Services in advance of the hearing.

Trials

Failure to appear or change of lawyer at the trial or jury selection (November 2007)

- Billable if *all* the following apply:
  - you have prepared for and appear in court on any day of the trial or for jury selection, and
  - the client or a co-accused fails to appear or changes counsel without notice, and
  - the hearing or jury selection does not proceed on that half day.
- Provide the court date.

Category	Rate	Tariff code
I	**$180**	**1016**
II	**$220**	**1024**
III	**$270**	**1032**
IV	**$450**	**1048**

Cautions

➲ Do not bill this item for the same half day with any other tariff item except **Extended sittings** or **Travel**.

➲ For Category I, II, and III offences, do not bill this item in addition to the hearing block fee if the failure to appear occurs within the first two half days after the hearing starts.

➲ Do not bill this item and **Early preparation** on the same information.

First two half days of the trial — Categories I, II, and III (November 2007)

- Billable when you appear at an extradition hearing or trial and evidence is led, witnesses are called, an argument is made, or a judgment is given, for the first two half days of the trial, regardless of when they occur.
- Bill this item if a guilty plea or stay is entered after the trial has commenced and evidence has been led.
- Provide the date(s) for each half day.

Category	Rate	Tariff code
I	**$500**	**0810**
II	**$600**	**0828**
III	**$800**	**0836**

Cautions

- ➲ Do *not* bill this item when an argument is made for *any* adjournment application.
- ➲ Do not bill this item for the same half day with any other tariff item except **Extended sittings, Trials,** or **Travel**.
- ➲ If the client fails to appear or changes lawyers, do not bill this item. See **Failure to appear or change of lawyer at the trial**.
- ➲ If a guilty plea or a complete stay is entered on the first date set for the trial but before any evidence is led, do not bill this item. See **Guilty pleas** and **Complete stay at the hearing**.
- ➲ Do not bill this item and **Early preparation** on the same information.

Subsequent half days of the trial — Categories I, II, and III (December 2009)

- Billable per half day when you appear at an extradition hearing or trial that has exceeded two half days and evidence is led, witnesses are called, an argument is made, or a judgment is given on the subsequent half day.
- Provide the trial date(s).

Category	Rate	Tariff code
I	**$300**	**0949**
II	**$400**	**0957**
III	**$500**	**0943**

Cautions

- ➲ Do not bill this item for the same half day with any other tariff item except **Extended sittings, Trials,** or **Travel**.
- ➲ If the client fails to appear or changes lawyers on a subsequent trial half day, do not bill this item. See **Failure to appear or change of lawyer at the trial**.
- ➲ Do *not* bill this item when an argument is made for *any* adjournment application.
- ➲ Do not bill this item and **Early preparation** on the same information.
- ➲ Billable to a maximum of 20 half days. If the trial is set for a total of more than 20 half days, the case is eligible for the **Strategic Case Assessment Program (SCAP)** (see page 5 of this section). You must submit a completed SCAP Case Management Questionnaire to the Manager, Legal Services in advance of the trial.

Trials — Category IV (December 2009)

- Billable per half day when you appear at an extradition hearing or trial (including waiting for a jury) and evidence is led, witnesses are called, an argument is made, or a judgment is given.
- Provide the trial date(s).

Category	Rate	Tariff code
IV	$700	0844

Cautions

- Do *not* bill this item when an argument is made for *any* adjournment application.
- Do not bill this item for the same half day with any other tariff item except **Extended sittings, Trials,** or **Travel**.
- If the client fails to appear or changes lawyers on the first or subsequent trial half day, do not bill this item. See **Failure to appear or change of lawyer at the trial**.
- If a guilty plea or a complete stay is entered on the first date set for the trial but before any evidence is led, do not bill this item. See **Guilty pleas** and **Complete stay at the hearing**.
- If a guilty plea or a complete stay is entered after evidence is led, claim the half day block fee.
- Bill appearances after a judgment to make representation on a sentence under **Sentencing**.
- Do not bill this item and **Early preparation** on the same information.
- Billable to a maximum of 20 half days. If the trial is set for a total of more than 20 half days, contact the Manager, Legal Services in advance to arrange a budget under the **Strategic Case Assessment Program** (see page 5 of this section).

Extended sittings (June 2004)

- Billable when you attend a hearing (including waiting for a jury) lasting more than one hour beyond the normal five-hour trial day (excluding lunch time) calculated from the time the hearing actually begins.
- Provide the hearing date(s) and times.

	Category	Rate	Tariff code		Category	Rate	Tariff code
Up to four hours	**I**	**$90**	**3012**	**Beyond four hours — bill an additional**	**I**	**$90**	**3053**
	II	**$140**	**3020**		**II**	**$140**	**3061**
	III	**$180**	**3038**		**III**	**$180**	**3079**
	IV	**$270**	**3046**		**IV**	**$270**	**3087**

Caution

- Do not bill this item for the same half day with any other tariff item except **Preliminary hearings, Trials**, or **Travel**.

Strategic Case Assessment Program (SCAP)

The Strategic Case Assessment Program (SCAP) applies to cases where either the preliminary hearing or trial is scheduled to last more than 20 half days. Counsel must contact Case Management in advance to arrange a SCAP budget. A SCAP budget includes general preparation time, daily preparation time during trial, and actual court time. Once on SCAP, the case will proceed under SCAP. The budget can be revised if there are unanticipated changes in the duration or complexity of the case. For additional information on the SCAP process, see Strategic Case Assessment Program in the Important terms at the beginning of this section.

To initiate the SCAP process, submit a completed SCAP Case Management Questionnaire; the questionnaire is available on the LSS website under Lawyers→Forms & questionnaires →Opinion letter questionnaires.

SCAP general preparation (July 2009)

- Billable per hour for actual preparation time authorized.
- Record the actual time spent as specified in your time records.

Senior Counsel:

Category	Rate	Tariff code
I	**As authorized**	**8660**
II	**As authorized**	**8550**
III	**As authorized**	**8100**
IV	**As authorized**	**8202**

Junior Counsel:

Category	Rate	Tariff code
I	**As authorized**	**9000**
II	**As authorized**	**9010**
III	**As authorized**	**9100**
IV	**As authorized**	**9202**

SCAP daily preparation (July 2009)

- Billable per hour for actual preparation time authorized up to a daily maximum as set out in your letter of authorization.
- Bill on days when you appear in court and evidence is led, witnesses are called, an argument is made, or a judgement is given.
- Record the actual time spent as specified in your time records.

Senior Counsel:

Category	Rate	Tariff code
I	**As authorized**	**8670**
II	**As authorized**	**8548**
III	**As authorized**	**8105**
IV	**As authorized**	**8252**

Junior Counsel:

Category	Rate	Tariff code
I	**As authorized**	**9008**
II	**As authorized**	**9012**
III	**As authorized**	**9105**
IV	**As authorized**	**9252**

Cautions

➲ Daily preparation time that has not been used on the day it accumulates may be attributed to preparation spent on the case during that week, the weekend before, or the weekend after the day it accumulates. A maximum of two hours of accumulated daily prep time may be used after the conclusion of the case for appropriate wind-down of the file.

SCAP court attendance (July 2009)

- Billable per hour for time spent in court at a pre-trial application, preliminary hearing, or trial.
- Provide the date(s) and time spent in court.
- Bill the actual time spent as specified in your time records, from the time court was scheduled to begin to its conclusion, excluding meal breaks.

Senior Counsel:

Category	Rate	Tariff code
I	**Actual time**	**8677**
II	**Actual time**	**8569**
III	**Actual time**	**8120**
IV	**Actual time**	**8460**

Junior Counsel:

Category	Rate	Tariff code
I	**Actual time**	**9015**
II	**Actual time**	**9020**
III	**Actual time**	**9120**
IV	**Actual time**	**9460**

Youth court services

Note: Youth court services are paid on the same basis as adult offences. Look for the tariff item that describes the service and bill at the tariff rate of the offence category charged.

Preparation for applications under the Youth Criminal Justice Act (November 2006)

- Billable at the LSS hourly rate for preparation — under the Youth Criminal Justice Act — of applications for a continuation of the custodial portion of a youth sentence; hearings to determine whether a young person has breached a condition of his or her community supervision; hearings to set the conditions of a person's conditional supervision; reviews of a youth sentence; reviews of the level of custody; and applications regarding the use of adult sentences.
- Provide the date(s) and time of preparation.

Category	Rate	Tariff code
I	Up to 5 hours	2290
II	Up to 5 hours	2291
III	Up to 5 hours	2292
IV	Up to 5 hours	2293

Cautions

➲ If you require additional preparation time, submit a request in writing to the Manager, Legal Services.

➲ If you do not know the offence code, use offence code 018, and bill as Category III, tariff code 2292.

Attendance at applications under the Youth Criminal Justice Act (November 2006)

- Billable at the hourly rate when you appear in court — under the Youth Criminal Justice Act — for an application for a continuation of the custodial portion of a youth sentence; hearings to determine whether a young person has breached a condition of his or her community supervision; hearings to set the conditions of a person's conditional supervision; reviews of a youth sentence; reviews of the level of custody; and applications regarding the use of adult sentences.
- Bill the actual time spent as specified in your time records, from the time the application was scheduled to begin to its conclusion, excluding meal breaks.
- Provide the attendance date.

Category	Rate	Tariff code
I	**Actual time**	**2295**
II	**Actual time**	**2296**
III	**Actual time**	**2297**
IV	**Actual time**	**2298**

Cautions

- ➲ Do not bill this item for the same half day with any other tariff item except **Travel**.
- ➲ If you do not know the offence code, use offence code 018, and bill as Category III, tariff code 2297.

Related proceedings

Coroners' hearings (October 2006)

- Billable per half day when you receive a referral authorizing you to appear and make representations at a coroner's hearing. **Use offence code 307**.
- Provide the hearing date.

Rate	Tariff code
$500	**3301**

Cross-examination appointments (section 486 of the Criminal Code) (July 2009)

- Billable when you are appointed to cross-examine a material witness in court on behalf of a self-represented defendant, pursuant to section 486, court-ordered appointment of counsel.
- Bill relevant tariff items at the applicable category rate.

Cautions

➲ Bill per half day for time spent in court cross-examining a witness. Referrals are authorized for a maximum of four half days of the trial. If further days are required, request authorization from the Case Management Section.

➲ If you can complete the case within the four half days, you may represent the accused on the charges and not be limited to the cross-examination of the material witness.

Dangerous and long-term offender hearings (June 2004)

- Billable when you are appointed to represent a client in a dangerous or long-term offender proceeding and attend to make representations at the hearing.
- Bill the applicable tariff items at the Category IV rate and **use offence code 778**.
- Provide the hearing date.

Caution

➲ Regardless of the number of Informations/Indictments, bill only *one* block fee for each half day of the hearing.

Extradition hearings (June 2004)

- Bill the applicable tariff items using the offence for which the other jurisdiction is seeking to extradite your client to determine the offence category and tariff rate. For all categories, **use offence code 922**.
- Provide the hearing date.

Caution

➲ Regardless of the number of offences, bill all appearances before the same judge on the same half day as *one* item.

Material witness representations (June 2004)

- Billable when you are appointed to represent a material witness in a murder investigation and interview the client or attend court for the client.
- Bill the applicable tariff items at a Category III rate and **use offence code 026**.

Caution

➲ Billing for attendance at the hearing is restricted to those parts of the proceeding when the client may incriminate him/herself. For further attendance, request prior authorization from the Manager, Legal Services.

Other witness representations (June 2004)

- Billable when you are appointed to represent a witness in a court proceeding and interview the client or attend court for the client.
- Bill the applicable tariff items at a Category III rate and **use offence code 577**.

Caution

➲ Billing for other witness representations is restricted to attending when the client gives evidence. For further attendance, request prior authorization from the Manager, Legal Services.

Review hearings (mental health)

Court hearings (including sections 672.33 and 672.45 of the Criminal Code) (June 2004)

- Billable per half day when you are appointed to represent a client at a court hearing and you appear at the hearing, during which evidence is led, witnesses are called, an argument is made, or a decision is given.
- Provide the hearing date.

Rate	Tariff code
$450	1362

Caution

➲ Regardless of the number of Informations/Indictments, bill only *one* block fee for a fitness review hearing.

Review Board hearings under the Criminal Code (including sections 672.47 and 672.48 of the Criminal Code) (June 2004)

- Billable per half day when you are appointed to represent a client at a hearing after a finding under s. 672 of the Criminal Code and you appear at the hearing during which evidence is led, witnesses are called, an argument is made, or a decision is given. For all categories, **use offence code 083**.
- Provide the hearing date**.**

Rate	Tariff code
$450	**1388**

Cautions

➲ This item covers attendance before the Review Board and is billable under the original referral for the substantive charges for hearings outside the Lower Mainland.

➲ Bill court hearings following a decision under section 672.48 under **Court hearings**.

Annual review hearings (June 2004)

- Billable per half day when you are appointed to represent a client at an annual review hearing under section 672.81 of the Criminal Code and you appear at the hearing, during which evidence is led, witnesses are called, an argument is made, or a decision is given. For all categories, **use offence code 075**.
- Provide the hearing date.

Rate	Tariff code
$450	**1370**

Caution

➲ This item covers attendance on behalf of a client facing an annual review before the Review Board and requires a referral from the Vancouver Regional Centre.

Victim/witness representations under section 278 of the Criminal Code

Note: To bill the following items, use the CC Section 278 Victim Representation Billing Form that appears in the **Criminal Tariff Guide to Billing**.

Preparation for victim/witness representations (November 2006)

- Billable at the LSS hourly rate when you receive a referral for victim/witness representation and provide the client with advice and representation about the disclosure of records under section 278 of the Criminal Code.
- This item includes interviewing clients, giving legal advice, and preparing for the hearing.
- Record the actual time spent as specified in your time records.

Rate	Tariff code
Up to 5 hours	**6439**

Attendance at victim/witness representations (November 2006)

- Attendance is billable at the LSS hourly rate when you attend the hearing of an application under section 278 of the Criminal Code.
- Travel is billable at $180 per half day, subject to the rules set out under **Travel**.
- Bill the actual time spent in the hearing as specified in your time records.
- Provide the hearing date.

Rate	Tariff code	Travel tariff code
Actual time	**6827**	**6460**

Caution

➲ Do not bill these items for the same half day with any other tariff item.

Additional preparation for victim/witness representations (June 2004)

- Prior authorization from the Manager, Legal Services is required and will be granted only in cases of unusual complexity. The authorization will establish the extent and terms of the retainer.

Representation for victim-serving agencies (June 2004)

- Prior authorization from the Ministry of Public Safety and Solicitor General is required. To establish the extent and terms of the retainer, apply to the Manager, Legal Services.

Travel (February 2005)

- Billable per half day of travel to or from a hearing or to interview a client in custody if the trip exceeds 160 km per round trip (use Travel tariff code).
- Billable for each half day you remain at the hearing location (use Out-of-office tariff code).
- Provide your destination, specifying the court or in-custody location, and your travel date.

Category	Rate	Travel tariff code	Out-of-office tariff code
I	**$180 per half day**	**2411**	**2451**
II	**$180 per half day**	**2422**	**2462**
III	**$180 per half day**	**2433**	**2473**
IV	**$180 per half day**	**2444**	**2484**

Cautions

- ➲ You may bill one travel fee to interview a client in custody without prior authorization if the trip exceeds 160 km per round trip. For additional travel fees, you must have prior authorization unless "authorized" appears beside "Travel" under the "Conditions of Referral" on your referral form. Apply to the Manager, Legal Services for authorization if travel is not authorized on the referral.
- ➲ The maximum travel and out-of-office fee on one date is $360, unless you bill other services for the same day.
- ➲ The maximum travel and out-of-office fee for a day for which you bill other services is $180.
- ➲ Travel fees are paid per trip, not per client.

Administration fee (April 2009)

- This item is eliminated and cannot be billed on referrals with a date of assignment after March 31, 2009.
- Billable once per referral to compensate for the administrative tasks associated with opening a file that are not otherwise covered under the tariff.

Category	Rate	Tariff code
I	**$40**	**0221**
II	**$40**	**0222**
III	**$40**	**0223**
IV	**$40**	**0225**
Victim/witness representation under s.278	**$40**	**6400**

Opinion regarding the merits of an appeal (October 2005)

- Billable at the LSS hourly rate for preparing an opinion letter regarding the merit of appealing a court or tribunal decision.
- Record the actual time spent as specified in your time records.
- Please provide any materials you have to support your opinion.
- Fax the completed form to the LSS Appeals Section at 604-682-0956.

Category	Rate	Tariff code
I	Up to 2 hours	3511
II	Up to 2 hours	3512
III	Up to 2 hours	3513
IV	Up to 2 hours	3514

Cautions

➲ Bill this item if the Legal Services Society, Appeals Section asks you to provide an opinion or if you believe the appeal has merit and is likely to succeed.

➲ You may submit either a Criminal Appeal Opinion Letter Questionnaire or provide a letter that addresses the issues in the questionnaire. The opinion letter questionnaires are available at www.lss.bc.ca under Lawyers→Forms & questionnaires→Opinion letter questionnaires.

Strategic Case Assessment Program (SCAP) administration (December 2009)

- As a result of changes to the threshold for SCAP cases, this item is eliminated and cannot be billed on referrals with a date of assignment of December 1, 2009 or later.

- Billable once per referral to compensate for the time and effort associated with participation in the SCAP assessment process if LSS determines that the case will remain on the block fee tariff.

Category	Rate	Tariff code
I	$75	0481
II	$75	0482
III	$75	0483
IV	n/a	n/a

Caution

➲ Bill this item only if you submitted a SCAP Case Management Questionnaire to the Manager, Legal Services and LSS determined that the case should not proceed within the Strategic Case Assessment Program.

Visiting clients in custody (October 2005)

- Billable once per referral when you visit a client in custody at a correctional or detention facility other than a holding facility at a courthouse.
- Provide the visit date and the location where you visited the client.

Category	Rate	Tariff code
I	**$90**	**2501**
II	**$90**	**2502**
III	**$90**	**2503**
IV	**$90**	**2504**

Cautions

- ➲ Do not bill this item for the same date with any other tariff item except **Travel**.
- ➲ Bill this item only once for any one date and location regardless of how many clients you visited.

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5. Criminal Tariff Quick Reference — Frequently billed items

This is a quick reference guide only. For complete instructions, see the *Guide to Legal Aid Tariffs.*

Tariff service provided (alphabetical listing)	Service date & am/pm req'd	Offence category								Important — Selected cautions
		I		II		III		IV		
		Tariff code & Tariff fee								Note: See tariff guide for complete caution instructions
Arraignment court process	✓	**5824**	$40	**5832**	$80	**5849**	$113	**5860**	$150	Billable once per information
Bail hearings (including Provincial Court reviews)	✓	**1414**	$90	**1428**	$125	**1437**	$150	**1445**	$175	Includes show cause, revocation hrgs & release pending trial
Breaches of conditional sentences	✓	**2732**	$150	**2743**	$150	**2755**	$150	**2760**	$150	Record original charge and information # of breach
Dangerous offender hearings	✓	Bill tariff items at Cat IV rate; use offence code 778								When appointed
Early preparation		**0691**	$40	**0692**	$80	**0693**	$113	**0694**	$150	Billable once per information for guilty plea and/or stay
Early termination	✓	**0117**	$50	**0125**	$80	**0133**	$113	**0141**	$150	Bill once per information
Extended sittings — up to four hours	✓	**3012**	$90	**3020**	$140	**3038**	$180	**3046**	$270	Bill when hrg lasts more than 1.0 hr beyond a 5.0 hr trial day
Extended sittings — beyond four hours	✓	**3053**	$90	**3061**	$140	**3079**	$180	**3087**	$270	Bill when hearing continues after first extended sitting
Fitness hearings — contested	✓	**1315**	$450	**1323**	$450	**1331**	$450	**1349**	$450	Billable when an argument is made
Fitness hearings — uncontested	✓	**1311**	$140	**1322**	$140	**1333**	$140	**1344**	$140	Billable for all appearances
Fix date(s) in the Supreme Court	✓	**n/a**		**1121**	$90	**1137**	$90	**1148**	$90	Bill once per ½ day, all clients/indictment per courthouse
Guilty pleas (for multiple pleas, see Resolution)	✓	**0513**	$150	**0521**	$200	**0539**	$250	**0547**	$300	Billable once for all informations on the same ½ day
Peace bonds	✓	**2651**	$120	**2662**	$200	**2673**	$200	**2684**	$300	After stay of proceedings on substantive charge
Pre-hearing applications	✓	**2915**	$90	**2923**	$140	**2931**	$180	**2949**	$180	Procedural application — provide nature of the application
Preliminary hearings — first two ½ days	✓	**n/a**		**0871**	$500	**0887**	$600	**0885**	$900	Covers first 2 ½ days attendance regardless when they occur
Preliminary hearings — subsequent ½ days	✓	**n/a**		**0963**	$250	**0976**	$300	**0984**	$500	Bill if evidence led, witnesses called, argument made, etc.
Preliminary hrg — FTA or change of counsel	✓	**n/a**		**1064**	$150	**1073**	$200	**1081**	$300	Appearance on scheduled date & the hrg does not proceed
Pre-trial conference	✓	**1211**	$90	**1224**	$140	**1239**	$180	**1246**	$180	Do not bill for fix dates, focus or trial confirmation hearings
Resolution of multiple informations/indictments	✓	**0705**	$75	**0710**	$100	**0715**	$125	**0720**	$150	Billable once for subsequent informations on same ½ day
SCAP administration fee		**0481**	$75	**0482**	$75	**0483**	$75	**n/a**		Billable per referral to prepare & submit SCAP questionnaire
Sentencing	✓	**0612**	$80	**0620**	$100	**0638**	$125	**0646**	$200	Billable once for all informations on the same ½ day
Sentence — vary (applications)	✓	**2956**	$70	**2964**	$90	**2972**	$140	**2980**	$220	Vary terms of sentence, probation order, or peace bond
Stay at the hearing	✓	**0257**	$180	**0265**	$220	**0273**	$270	**0281**	$400	Billable once for all counts on all informations on same ½ day
Stay prior to the hearing	✓	**0216**	$100	**0224**	$150	**0232**	$200	**0242**	$250	Billable once for all counts on all informations on same ½ day
Travel — per ½ day; to or from hearing or to visit a client in custody	✓	**2411**	$180	**2422**	$180	**2433**	$180	**2444**	$180	Travel auth req'd; max billable per date is $180 when other fees claimed (including remaining out of office)
Travel — remaining out-of-office; for the purpose of a hearing	✓	**2451**	$180	**2462**	$180	**2473**	$180	**2484**	$180	Travel auth req'd; max billable per date is $180 when other fees claimed (including Travel)
Trials — FTA or change of counsel	✓	**1016**	$180	**1024**	$220	**1032**	$270	**1048**	$450	Appearance on scheduled date & the hrg does not proceed
Trials — first two ½ days — Cat I, II, and III	✓	**0810**	$500	**0828**	$600	**0836**	$800	**n/a**		Covers first two ½ days attendance regardless of when they occur
Trials — subsequent ½ days — Cat I, II, and III	✓	**0949**	$300	**0957**	$400	**943**	$500	**n/a**		Bill if evidence led, witnesses called, argument made, etc.
Trials — category IV	✓	**n/a**		**n/a**		**n/a**		**0844**	$700	Billable per ½ day if evidence led, witnesses called, argument made, etc.
Waiving in		**2863**	$75	**2871**	$75	**2884**	$75	**2899**	$75	Bill once per guilty plea per jurisdiction (BC=jurisdiction)

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Understanding the Criminal Tariff Quick Reference

Section	Explanation
Disclaimer	The quick reference is a summary of items billable, codes, fees, and selected cautions. It is for reference purposes only and is not the official guide. Refer to the Criminal Tariff section of the *Guide to Legal Aid Tariffs* for complete instructions. LSS will not be liable or responsible for damages of any kind arising out of the use of this reference.
Tariff service provided	This is an alphabetical list of frequently billed Criminal Tariff items. In some cases, services have been described slightly differently than they appear in the guide in order to make them easier to locate in this list.
Service date & am/pm req'd	When a "✓" appears in this column, you must record the date the service was provided on the billing form, along with whether it was am, pm, or both.
Offence category, Tariff code & fee	This section is subdivided into 4 columns: Offence categories I, II, III, and IV. Please refer to the Categories of Offences in the Criminal Tariff to determine which category applies to your billing. The first number in each box is the tariff code that you record on the billing form for services you have provided. Where "n/a" appears, the service is not billable for that category of offence. Beside the code is the billable fee.
Important — Selected cautions	Items in the tariff guide often have multiple "cautions." In this column, we highlight some of the more important cautions; however, these notes are not meant to exclude all other cautions. **It is very important that you become familiar with all cautions before billing for services**.

6. Criminal Tariff Guide to Billing (November 2006)

Important

- If you use our E-billing service to bill your legal aid accounts online, go to the Lawyer e-services login of the LSS website at www.lss.bc.ca (Lawyers→Lawyer e-services). If you don't already have an online account and would like one, go to the Lawyers section of the website.
- A master copy of all the billing forms and the official version of the *Guide to Legal Aid Tariffs* are available in PDF on the LSS website at www.lss.bc.ca in the Lawyers section. A copy of the **Criminal Billing Form** and the **CC Section 278 Victim Representation Billing Form** appear at the end of this **Guide to Billing**. All billing and authorization forms and completion instructions for the forms can also be found at www.lss.bc.ca (click Lawyers→Forms & questionnaires).
- Please submit a billing form, even if you are not claiming legal fees or disbursements, to inform LSS of the result for your client and allow LSS to close the case on the computer system.
- You may submit interim accounts if:
  - the preliminary hearing in a criminal case has concluded and the trial will not start within three months;
  - the legal fees total $500 or more;
  - disbursements total $300 or more; or
  - you have changed law firms.
- Enter the correct tariff codes on the billing form to speed the processing of your account.
- Enter dollars and cents for all amounts.
- The underlined letter/number combination before each instruction corresponds to the circled letter/number(s) on the sample billing form shown on the page opposite the instructions.
- Make sure you enter all hearing file numbers on the billing form.
- Claim the Tier 1 rate on your billing form. When processing your account, LSS will automatically adjust the amount if you are eligible for Tier 2 or 3 rates. Tier 2 and 3 rates do not apply to legal fees for Category I and II offences or enhanced fee cases.

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FORM 7

CRIMINAL BILLING FORM

Case no. C-1 Referral no. C-2

Lawyer C-3 Lawyer vendor no. C-4

Client name C-5

Date of assignment (dd/mm/yyyy) C-6

Co-accused case no(s) C-7

Stage:
1 Prior to hearing
2 Prelim. hearing
3 Trial
4 Sentencing

Result codes:

1	Client proceeding alone	6	Diversion	11	Guilty plea
2	No charge sworn	7	Consent committal	12	Acquitted
3	Failure to appear	8	Committed to trial	13	Found guilty
4	Change of lawyer	9	Discharged	14	Peace bond
5	Stay	10	Incomplete	15	Mistrial

Info	Court information/Indictment #		Offence code(s)			Offence date	Court location #	Level	Stage	Results			Sentencing	Jail time
	Provincial	Supreme	1st	2nd	3rd	(dd/mm/yyyy)				1st charge	2nd	3rd		
1st	C-8			C-9		C-10	C-11	1 ❑ You 2 ❑ Adu C-13		C-14			1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional sentence	C-16
2nd								C-12					1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional C-15	

Enter time & units:
for example:
30 D (days)
14 M (mos)
2 Y (yrs)

Service date (dd/mm/yyyy)	1/2 days am ✔	1/2 days pm ✔	Service provider ** Status	Service provider ** Vendor #	Description of service	Tariff code	Info 1st ✔	Info 2nd ✔	Fees claimed
C-17	C-18		C-19	C-20	C-21	C-22	C-23		C-24

** If not the lawyer named at the top of the page

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

Signature C-27

Date of last service to client
(dd/mm/yyyy) C-28

Billing date
(dd/mm/yyyy) C-29

Lawyer's GST reg. number: C-30

Lawyer use only (optional)

LSS total:	$
Adjustment:	($)
Subtotal:	$ C-26
GST:	$
Net total:	$

LSS total $ C-25

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/reduction calculations.

Criminal Billing Form (February 2005)

C-1 **Case no.**: The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the case number from your referral form. Use this number on all correspondence with LSS.

C-2 **Referral no.**: The Case Management System (CMS) assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under "REF. NO." (second item from the left under "Reference") on your referral form. Use this number on all correspondence with LSS.

C-3 **Lawyer**: Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under "Reference").

C-4 **Lawyer vendor no.**: Enter your six-digit LSS vendor number. Your vendor number also appears beside "Counsel" under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.

C-5 **Client name**: Enter your client's name. Verify that the name matches the client name printed on the upper right side of your referral form. If it does not match, contact the referring office before billing.

C-6 **Date of assignment**: Enter the date of assignment shown at the top of your referral form.

C-7 **Co-accused case no(s).**: Although you may have clients who have been separately referred, if they are jointly charged on a single Information/Indictment, they are considered co-accused. See the rules concerning co-accused in the **General Tariff Information** section of the **Criminal Tariff**.

Copy the seven-digit CMS case number of any co-accused you are representing from the top right corner of the co-accused's referral form.

Individuals who are jointly charged remain co-accused through all sentencing and disposition review hearings, except when you provide legal services to only one co-accused on separate half days. Full legal fees are payable for the first client, and a maximum of a single half fee is payable for all additional co-accused, regardless of the number of additional co-accused.

C-8 **Court Information/Indictment #**: Enter the court Information/Indictment number for each charge under either Provincial or Supreme and provide a copy of the Information/Indictment. Legal fees may depend on the number of Informations/Indictments. Do not use the police file number. For waived charges, indicate the Information/Indictment number of the registry to which the charge was waived.

Note: If you have been referred more than two Informations/Indictments, submit separate forms to complete your billing. Ensure that all Informations/Indictments listed here also appear on your referral form(s).

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FORM 7

CRIMINAL BILLING FORM

Case no. C-1 Referral no. C-2

Lawyer C-3 Lawyer vendor no. C-4

Client name C-5

Date of assignment (dd/mm/yyyy) C-6

Co-accused case no(s) C-7

Stage:
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2 Prelim. hearing
3 Trial
4 Sentencing

Result codes:

1	Client proceeding alone	6	Diversion	11	Guilty plea
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3	Failure to appear	8	Committed to trial	13	Found guilty
4	Change of lawyer	9	Discharged	14	Peace bond
5	Stay	10	Incomplete	15	Mistrial

Info	Court information/Indictment #		Offence code(s)			Offence date	Court location #	Level	Stage	Results			Sentencing	Jail time
	Provincial	Supreme	1st	2nd	3rd	(dd/mm/yyyy)				1st charge	2nd	3rd		
1st	C-8			C-9		C-10	C-11	1 ❑ You 2 ❑ Adu C-13		C-14			1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional sentence	C-16
2nd								C-12					1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional C-15	

Enter time & units:
for example:
30 D (days)
14 M (mos)
2 Y (yrs)

Service date (dd/mm/yyyy)	1/2 days am ✔	1/2 days pm ✔	Service provider ** Status	Service provider ** Vendor #	Description of service	Tariff code	Info 1st ✔	Info 2nd ✔	Fees claimed
C-17	C-18		C-19	C-20	C-21	C-22	C-23		C-24

** If not the lawyer named at the top of the page

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

Signature C-27

Date of last service to client
(dd/mm/yyyy) C-28

Billing date
(dd/mm/yyyy) C-29

Lawyer's GST reg. number: C-30

Lawyer use only (optional)

LSS total:	$
Adjustment:	($)
Subtotal:	$ C-26
GST:	$
Net total:	$

LSS total $ C-25

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/reduction calculations.

C-9 **Offence code(s)**: Enter the offence code(s) under O (original). (See **Categories of Offences** for the correct codes.)

C-10 **Offence date**: It is very important that you enter the day, month, and year.

C-11 **Court location #**: Enter the court location code for each Information/Indictment. See **Court location codes** at the end of this **Guide to Billing** for the appropriate number. LSS requires this number to verify court attendance.

C-12 **Level**: Tick either 1 for youth or 2 for adult.

C-13 **Stage**: Indicate the stage of each of the charges by entering the number of the appropriate option from the "Stage" box above (and to the left of) this column.

C-14 **Results**: Enter the number of the appropriate code from the "Result codes" box under each of the charge columns to indicate the outcome(s) for your client for each charge.

C-15 **Sentencing**: Tick the appropriate box to indicate your client's sentence, if applicable.

C-16 **Jail time**: Enter the jail time your client has been sentenced to. Indicate the amount of time (no. of days/months/years) in the first space and the units of time (days/months/years) in the second space. Write two years less a day as 729 days.

C-17 **Service date**: If applicable, enter the date you performed the service you are listing.

Note: This form has enough space to list eight items; if you have more than eight items, submit separate forms to complete your billing.

C-18 **½ days/am/pm**: Tick am, pm, or both to indicate when you performed the service.

C-19 **Service provider* — Status**: If someone other than the assigned lawyer performed the service, enter an initial to indicate his or her status (e.g., lawyer [L], articling student [A], mentor [M], or apprentice [P]). If you are not the lawyer to whom the referral was issued, contact the referring office before billing.

C-20 **Service provider* — Vendor #**: If a lawyer other than the assigned lawyer performed the service, enter his or her LSS vendor number. If you are not the lawyer to whom the referral was issued, contact the referring office before billing.

C-21 **Description of service**: Enter a description of the service performed. Use the descriptions given in the tariff section, wherever possible, to avoid confusion.

C-22 **Tariff code**: Enter the appropriate tariff code for the service you are billing for. The tariff codes are listed beside the tariff descriptions in the **Criminal Tariff**.

C-23 **Info**: Tick the appropriate **Info** number for the service you are billing for. Ensure that this number corresponds to the **Info** # line (i.e., **1st** or **2nd**) used in the upper box.

C-24 **Legal fees claimed**: Enter the appropriate tariff rate (see the **Criminal Tariff** for tariff rates). Claim the Tier 1 rate on your billing form. When processing your account, LSS will automatically adjust the amount if you are eligible for Tier 2 or 3 rates. Tier 2 and 3 rates do not apply to legal fees for Category I and II offences or enhanced fee cases.

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FORM 7

CRIMINAL BILLING FORM

Case no. C-1 Referral no. C-2

Lawyer C-3 Lawyer vendor no. C-4

Client name C-5

Date of assignment (dd/mm/yyyy) C-6

Co-accused case no(s) C-7

Stage:
1 Prior to hearing
2 Prelim. hearing
3 Trial
4 Sentencing

Result codes:

1	Client proceeding alone	6	Diversion	11	Guilty plea
2	No charge sworn	7	Consent committal	12	Acquitted
3	Failure to appear	8	Committed to trial	13	Found guilty
4	Change of lawyer	9	Discharged	14	Peace bond
5	Stay	10	Incomplete	15	Mistrial

Info	Court information/Indictment #		Offence code(s)			Offence date	Court location #	Level	Stage	Results			Sentencing	Jail time
	Provincial	Supreme	1st	2nd	3rd	(dd/mm/yyyy)				1st charge	2nd	3rd		
1st	C-8			C-9		C-10	C-11	1 ❑ You 2 ❑ Adu C-13		C-14			1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional sentence	C-16
2nd								C-12					1 ❑ fine 2 ❑ probation 3 ❑ jail 4 ❑ time served 5 ❑ conditional C-15	

Enter time & units:
for example:
30 D (days)
14 M (mos)
2 Y (yrs)

Service date (dd/mm/yyyy)	1/2 days am ✔	1/2 days pm ✔	Service provider ** Status	Service provider ** Vendor #	Description of service	Tariff code	Info 1st ✔	Info 2nd ✔	Fees claimed
C-17	C-18		C-19	C-20	C-21	C-22	C-23		C-24

** If not the lawyer named at the top of the page

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

Signature C-27

Date of last service to client
(dd/mm/yyyy) C-28

Billing date
(dd/mm/yyyy) C-29

Lawyer's GST reg. number: C-30

Lawyer use only (optional)

LSS total:	$
Adjustment:	($)
Subtotal:	$ C-26
GST:	$
Net total:	$

LSS total $ C-25

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/reduction calculations.

C-25 **LSS total**: Add all legal fees listed under **Legal Fees claimed** and enter the LSS total.

C-26 **Lawyer use only**: (optional) Copy the **LSS total** to the top of this box to calculate GST and adjustments (for your records only — the LSS computer automatically calculates GST/adjustments). Do not deduct these amounts from the LSS total in C-25.

C-27 **Signature**: Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the dates indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.

C-28 **Date of last service to client**: Enter the date on which you performed the last billable service for your client. You must bill for services within six months of the last service date or you will not be paid.

C-29 **Billing date**: Enter the date on which you are submitting this account.

C-30 **Lawyer's GST reg. number**: Enter your GST registration number; the Canada Revenue Agency requires this.

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CC SECTION 278 VICTIM REPRESENTATION BILLING FORM

FORM 13

Case no. CC-1 * Referral no. CC-2 *

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

Client name CC-5 *

Date of assignment (dd / mm / yyyy) CC-6 *

Co-accused case no(s)

*Indicates a required field.

1 Independent legal advice
2 Disclosed by consent
3 Disclosed/Hearing
4 Not disclosed/Hearing

Court information/Indictment # Prov.	Supreme	Most serious offence	Court location #	Level	Results
			CC-7	CC-8 2 ☐ Adult	CC-9

Early termination
1 ☐ Case abandoned
2 ☐ Change of lawyer
3 ☐ Client proceeding alone
4 ☐ Client no-show
CC-10

Service date (dd / mm / yyyy)	1/2 days am✔	pm✔	Service provider ** Status	Vendor #	Description of service	Tariff code	Time Hrs	10ths	Fees claimed
CC-11	CC-12		CC-13	CC-14	CC-15	CC-16	CC-17		CC-18

** If not the lawyer named at the top of the page

Total hrs. CC-19

LSS total $ CC-20

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/ reduction calculations.

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

Signature CC-22

Date of last service to client (dd / mm / yyyy) * CC-23

Billing date (dd / mm / yyyy) * CC-24

Lawyer's GST reg. number: CC-25

Lawyer use only (optional) CC-21

LSS total:	$
Adjustment:	($)
Subtotal:	$
GST:	$
Net total:	$

Important

- Use the **CC Section 278 Victim Representation Billing Form** only to bill the tariff items that appear under **Victim/witness representations under section 278 of the Criminal Code**.

CC Section 278 Victim Representation Billing Form (November 2006)

CC-1 **Case no.**: The Case Management System (CMS) assigns this seven-digit number and prints it in the top right corner of the referral form. Copy the case number from your referral form. Use this number on all correspondence with LSS.

CC-2 **Referral no.**: The Case Management System assigns this number and prints it in the top left corner of the referral form. Copy the referral number printed under "REF. NO." (second item from the left under "Reference") on your referral form. Use this number on all correspondence with LSS.

CC-3 **Lawyer**: Enter your name. This name should be the same as the one printed on the upper left side of your referral form (under "Reference").

CC-4 **Lawyer vendor no.**: Enter your six-digit LSS vendor number. Your vendor number also appears beside "Counsel" under your name, address, and telephone/fax numbers on your referral form. If the vendor number here does not match the one on your referral form, your account will not be paid.

CC-5 **Client name**: Enter your client's name. Verify that the name matches the client name printed on the upper right side of your referral form. If it does not match, notify the referring office or your account will not be paid.

CC-6 **Date of assignment**: Enter the date of assignment shown at the top of your referral form.

CC-7 **Court location #**: Enter the court location code. See **Court location codes** at the end of this **Guide to Billing** for the appropriate number. LSS requires this number to verify court attendance.

CC-8 **Level**: Tick either 1 for youth or 2 for adult.

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CC SECTION 278 VICTIM REPRESENTATION BILLING FORM

FORM 13

Case no. CC-1 * Referral no. CC-2 *

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

Client name CC-5 *

Date of assignment (dd / mm / yyyy) CC-6 *

Co-accused case no(s)

*Indicates a required field.

1 Independent legal advice
2 Disclosed by consent
3 Disclosed/Hearing
4 Not disclosed/Hearing

Court information/Indictment # Prov.	Supreme	Most serious offence	Court location #	Level	Results
			CC-7	CC-8 2 ☐ Adult	CC-9

Early termination
1 ☐ Case abandoned
2 ☐ Change of lawyer
3 ☐ Client proceeding alone
4 ☐ Client no-show
CC-10

Service date (dd / mm / yyyy)	1/2 days am✔	pm✔	Service provider ** Status	Vendor #	Description of service	Tariff code	Time Hrs	10ths	Fees claimed
CC-11	CC-12		CC-13	CC-14	CC-15	CC-16	CC-17		CC-18

** If not the lawyer named at the top of the page

Total hrs. CC-19

LSS total $ CC-20

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/ reduction calculations.

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

Signature CC-22

Date of last service to client (dd / mm / yyyy) * CC-23

Billing date (dd / mm / yyyy) * CC-24

Lawyer's GST reg. number: CC-25

Lawyer use only (optional) CC-21

LSS total:	$
Adjustment:	($)
Subtotal:	$
GST:	$
Net total:	$

CC-9 **Results**: Enter one of the four result codes listed in the box above this column to indicate the outcome for your client.

CC-10 **Early termination**: If the case terminated early, tick the box that most accurately describes the reason for early termination. "Client no-show" includes the client's failure to contact you.

CC-11 **Service date**: If applicable, enter the date you performed the service you are listing.

Note: This form has enough space to list eight items; if you have more than eight items, submit separate forms to complete your billing.

CC-12 **½ days/am/pm**: Tick am, pm, or both to indicate when you performed the service.

CC-13 **Service provider* — Status**: If someone other than the assigned lawyer performed the service, enter an initial to indicate his or her status (e.g., lawyer [L] or articling student[A]). If you are not the lawyer to whom the referral was issued, notify the referring office to explain the circumstances or your account will not be paid.

CC-14 **Service provider* — Vendor #**: If a lawyer other than the assigned lawyer performed the service, enter his or her LSS vendor number. If you are not the lawyer to whom the referral was issued, notify the referring office to explain the circumstances or your account will not be paid.

CC-15 **Description of service**: Enter a description of the service performed. Use the descriptions given in the tariff section, wherever possible, to avoid confusion.

CC-16 **Tariff code**: Enter the appropriate tariff code for the service you are billing for. The tariff codes are listed beside the tariff descriptions in the **Criminal Tariff**.

CC-17 **Time (Hrs/10ths)**: Enter the actual time spent, in hours and tenths of hours, but bill only up to the maximum hours allowed by the tariff item.

CC-18 **Legal fees claimed**: Enter the appropriate tariff rate. See the **Criminal Tariff** for tariff rates. Claim the Tier 1 rate on your billing form. When processing your account, LSS will automatically adjust the amount if you are eligible for Tier 2 or 3 rates. Tier 2 and 3 rates do not apply to legal fees for Category I and II offences or enhanced fee cases.

CC-19 **Total hrs**: Add all hours and tenths listed in the column above and enter the total.

CC-20 **LSS total**: Add all legal fees listed under **Legal fees claimed** and enter the LSS total.

CC-21 **Lawyer use only**: (optional) Copy the **LSS total** to the top of this box to calculate GST and adjustments (for your records only — the LSS computer automatically calculates GST/adjustments). Do not deduct these amounts from the LSS total in CC-23.

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CC SECTION 278 VICTIM REPRESENTATION BILLING FORM

FORM 13

Case no. CC-1 * Referral no. CC-2 *

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

Client name CC-5 *

Date of assignment (dd / mm / yyyy) CC-6 *

Co-accused case no(s)

*Indicates a required field.

1 Independent legal advice
2 Disclosed by consent
3 Disclosed/Hearing
4 Not disclosed/Hearing

Court information/Indictment # Prov.	Supreme	Most serious offence	Court location #	Level	Results
			CC-7	CC-8 2 ☐ Adult	CC-9

Early termination
1 ☐ Case abandoned
2 ☐ Change of lawyer
3 ☐ Client proceeding alone
4 ☐ Client no-show
CC-10

Service date (dd / mm / yyyy)	1/2 days am✔	pm✔	Service provider ** Status	Vendor #	Description of service	Tariff code	Time Hrs	10ths	Fees claimed
CC-11	CC-12		CC-13	CC-14	CC-15	CC-16	CC-17		CC-18

** If not the lawyer named at the top of the page

Total hrs. CC-19

LSS total $ CC-20

Do not include GST or holdbacks/reductions in above total. Use **Lawyer use only** box for GST/holdback/ reduction calculations.

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

Signature CC-22

Date of last service to client (dd / mm / yyyy) * CC-23

Billing date (dd / mm / yyyy) * CC-24

Lawyer's GST reg. number: CC-25

Lawyer use only (optional) CC-21

LSS total:	$
Adjustment:	($)
Subtotal:	$
GST:	$
Net total:	$

CC-22 **Signature**: Read the statement and sign the declaration. Your signature is your representation that, among other things, you performed the services billed on the dates indicated and that you are entitled to payment. See the **General Terms and Conditions** for more information. LSS will return the billing form if you have not signed it.

CC-23 **Date of last service to client**: Enter the date on which you performed the last billable service for your client. You must bill for services within six months of the last service date or you will not be paid.

CC-24 **Billing date**: Enter the date on which you are submitting this account.

CC-25 **Lawyer's GST reg. number**: Enter your GST registration number; the Canada Revenue Agency requires this.

Court location codes (November 2006)

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

Outside British Columbia

Supreme Court of Canada	4010	All other out-of-province matters	4050

Appendices

Appendix 1: Authorization for Additional Charges (February 2005)

Legal Services Society

British Columbia
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Authorization for Additional Charges

(Within 90 days of date of assignment)

Date of request

LSS contact
(from top right corner of referral)

Client name

Lawyer name

Client no.

Lawyer phone no.

Case no.

☐ **New charges** *or* ☐ **Amends current charges on LSS Referral Information # _____**
(e.g., Information #1, #2, or #3 on your referral)

Court file no. ☐ Adult ☐ Youth

Next court date (dd/mm/yy) Court location

Jurisdiction ☐ Provincial ☐ Supreme ☐ Youth

☐ In custody Custody location

OFFENCES

Offence type	Offence date	Description	Location

☐ **New charges** *or* ☐ **Amends current charges on LSS Referral Information # _____**
(e.g., Information #1, #2, or #3 on your referral)

Court file no. ☐ Adult ☐ Youth

Next court date (dd/mm/yy) Court location

Jurisdiction ☐ Provincial ☐ Supreme ☐ Youth

☐ In custody Custody location

OFFENCES

Offence type	Offence date	Description	Location