

# Immigration Tariff



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## General Tariff Information

This chapter of *LSS Tariffs* provides information about how LSS will compensate you for services provided to clients under an Immigration referral. For general information about the terms of your contract with LSS, see *General Terms and Conditions*. For information about billing Immigration appeals, including Refugee Appeal Division (RAD) appeals, see *Appeals and Judicial Reviews*. For information about billing disbursement items, see *Disbursements*.

## Scope of the immigration referral

This tariff applies to all refugee claim referrals commencing with a Basis of Claim (BOC) form. For refugee claims that commenced with a Personal Information Form (PIF), please use the tariff for referrals [Before December 15, 2012](#).

To apply for a RAD referral, please contact the Vancouver Regional Centre (Appeals Section) by fax at 604-682-0956 and provide any supporting documents, including the client's BOC and reasons for the Refugee Protection Division (RPD) hearing decision.

## Multiple clients

Even if your clients have separate referrals, LSS considers them multiple clients if they are set down for a joint hearing.

For the first client:

- You may bill full preparation time (16 hours).

For the second adult client:

- You can claim up to an additional half block of preparation time (8 hours).

For every additional adult client (after the first two):

- You may claim up to an additional quarter block of preparation time (e.g., 4 hours for every additional client).
- Bill preparation time, as set out above, on each client's separate referral.

## Timekeeping

You are not required to produce timekeeping records when submitting accounts. However, you must keep timekeeping records for each referral and retain them for at least five years from the date of payment. LSS may ask you to produce these records as part of our audit process, or when considering requests for extra fees or Refugee Appeal Division (RAD) hearing hours. If you prefer, you may use the timesheet provided on the LSS website under Lawyers — Forms and questionnaires. You can also view an example of a completed timesheet.

## Billing Items

When billing items for immigration law referrals, always record the actual time spent (in total hours) as specified in your time records. All items are billed in hourly increments accurate to 10ths of an hour unless noted otherwise.

Use the information in this section when billing online (“e-billing”) through the Lawyers e-services section of the LSS website.

## General preparation — refugee claims (commenced by a BOC)

All basic preparation for an immigration law referral that is not specifically billed elsewhere is included as general preparation. As well, if you have used the maximum hours available to you under another specific tariff item, you may bill any outstanding hours as general preparation.

General preparation includes the following:

- Interviewing your client
- Taking instructions
- Completing the Basis of Claim (BOC)
- Attending interviews with the client and Canada Immigration or Canada Border Services Agency
- Preparation for a hearing before the RPD
- Preparing and submitting an opinion letter regarding the merit of funding an appeal or Judicial Review application

Up to 16 hours



## Attendance at a hearing — refugee claims (commenced by a BOC)

- Billable per hour for attending an RPD hearing.
- Provide the attendance date.
- Bill the actual time spent as specified in your time records, from the time the hearing was scheduled to begin to its conclusion.

## Non-refugee cases, Refugee Appeal Division (RAD) applications, judicial review applications, stay applications, appeals, and submissions to the minister

Please see the **Immigration appeals section** of the **Appeals and Judicial Reviews Tariff** for information on non-refugee cases, RAD applications, judicial review applications, stay applications, appeals, and submissions to the minister.

## Travel

- 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. You can also bill for each half day you remain at the hearing location (if not apparent, provide your destination, specifying the court or in-custody location, and your travel date).
- You may bill only one travel fee to interview a client in custody without prior authorization. For additional travel fees, you must see the word “Authorized” beside “Travel” under the “Conditions of Referral” on your referral form, or seek prior authorization. Apply to Case Management.
- The maximum travel and out-of-office fee on one date is \$360, unless you bill other services for the same day, in which case the maximum is \$180.
- Travel fees are paid per trip, not per client.
- Note that if you fly between Victoria and Vancouver, you are not entitled to travel fees.

\$180

## Visiting clients in custody

- 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 or immigration or IRB office).
- Provide the visit date and the location where you visited the client.
- Billable only once for any one date and location regardless of how many clients you visited there. Include an e-billing note indicating the location.

\$90

## Opinion regarding the merits of an appeal

- Billable per hour 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.
- Provide any materials you have to support your opinion.
- Bill this item if the LSS Appeals Section asks you to provide an opinion or if you believe the appeal has merit and is likely to succeed.

Up to 2 hours

