

Vendor Number Reactivation

Part 1: Definitions

Vice President: is the Vice President, Legal Advice and Representation, or his or her designate

Investigation: includes enquiries into audit, lawyer complaint and/or lawyer compliance matters

LABC: is Legal Aid BC

Manager: is the Manager, Audit and Investigation, or his or her designate

Representation Contract: is a LABC authorization for a lawyer to provide legal services to a client in a specified case and to bill LABC for legal fees and disbursements according to the tariff contract

Representations: does not include an oral hearing

Tariff Contract: the retainer agreement between LABC and tariff lawyers, as modified from time to time by LABC, including the contents of the *Guide to Legal Aid Tariffs* (Introduction, General Terms and Conditions, applicable Tariffs), and Notices to Counsel and other written instructions that LABC may provide to tariff lawyers directly or through the LABC website

Vendor Number: a number provided by LABC to the lawyer that enables the lawyer to receive representation contracts from LABC, and is the lawyer's permanent identification in the LABC computer system.

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Part 2: General Principles

1. A lawyer's vendor number may have been deactivated by the lawyer for personal reasons or by LABC pursuant to the *Lawyer Compliance Policy*.
2. A lawyer who previously held a vendor number may apply to LABC for reactivation of their vendor number.
3. LABC may refuse to reactivate a lawyer's vendor number or reactivate a lawyer's vendor number with conditions.
4. LABC will endeavor to make inquiries and decisions under this policy in a timely manner.

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Part 3: Applying for Reactivation of a Vendor Number

1. A lawyer who previously held a vendor number may apply to LABC for a reactivation after any applicable review period under the *Lawyer Compliance Policy* has expired.
2. A lawyer who is eligible to apply must complete a *Vendor Number Reapplication* form.
3. A lawyer who has been denied reactivation of their vendor number under this policy may not make a new application for reactivation of their vendor number until the earlier of the following:
 - a) 1 year from the date of the Manager's reactivation decision, where no review by the Vice President is requested, or
 - b) 1 year from the date of the Vice President's reactivation review decision.

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Part 4: Application Processing

1. Upon receipt of a *Vendor Number Reapplication* form, the Manager may conduct an investigation.
2. Where a lawyer's vendor number was, pursuant to the Lawyer Compliance Policy, previously deactivated:
 - a) the lawyer must demonstrate to LABC that the reasons for the deactivation have been addressed,
 - b) the Manager will receive representations from the lawyer and set time limits for this purpose,
 - c) where the Manager is not satisfied that the reasons for the lawyer's vendor number deactivation have been addressed, the Manager may deny the lawyer's application for vendor number reactivation and provide reasons for the decision,
 - d) the Manager will notify the lawyer of his or her decision in writing.
3. Where a lawyer's vendor number was previously deactivated for reasons other than under the *Lawyer Compliance Policy*:
 - a) the Manager may conduct an investigation to determine if the lawyer's vendor number should be reactivated,
 - b) the Manager may receive such representations from the lawyer as the Manager deems appropriate and set time limits for this purpose, and
 - c) the Manager will notify the lawyer of his or her decision in writing.
4. The Manager's decision referred to in Part 4, Section 2(d) and Section 3(c) may include conditions imposed on the lawyer's eligibility to receive representation contracts.
5. A lawyer who has received a decision under this Part, may request a review of that decision by the Vice President within 30 days of the Manager's decision.

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Part 5: Review by the Vice President

1. A lawyer, who has been denied the reactivation of their vendor number, or had their vendor number reactivated with conditions, may request a review of that decision by the Vice President within 30 days of the Manager's decision under Part 4.
2. The Vice President will ask for representations from the lawyer and set timelines for this purpose.
3. After reviewing applicable evidence and representations, the Vice President may confirm or vary the Manager's decision.
4. The Vice President will notify the lawyer of his or her decision in writing and the reasons for it. The Vice President's decision is final and binding.

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History

Questions to: Manager, Audit & Investigation Department

September 25, 2020: Updated all references from “LSS” to “LABC”.

Sep 1, 2018: Updated job titles.

Updated policy EMC approved May 12, 2015: Reviewer changed from Director, Finance and Corporate Services to Director, Legal Advice and Representation to be consistent with the Lawyer Compliance Policy. Definitions and language updated to reflect Client Information System (CIS) changes and language/processes set out in the Lawyer Compliance Policy.

April 27, 2015: Reformatted and updated terminology.

January 2014: Updated references to the new Lawyer Compliance Policy which replaced the Referral Eligibility Policy.

Updated Policy EMC Approved January 25, 2011: Clarification that Part 4, Section 3 includes all reasons for deactivation of vendor numbers other than under the LABC Referral Eligibility Policy.