

## Changes to Legal Aid Tariffs

As a result of substantial funding reductions, the Legal Services Society (LSS) is making the following changes to various tariff items.

### Elimination of holdbacks and reduction of tariff rates

The hourly rate for referrals will be reduced to \$72 per hour, with no holdbacks, effective on all referrals with assignment dates of April 1, 2002 and after. All criminal tariff items will be reduced by 10%, with no holdback applicable.

### Family tariff

Opinion letters requesting approved services referrals for any further services on existing referrals must be submitted to the Family Case Management Program (FCMP) on or before March 15, 2002. The FCMP will not accept opinion letters after that date.

Beginning March 15, 2002, LSS will provide emergency referrals *only*, for family law issues that meet the new coverage guidelines. The guidelines allow coverage only where *the client is a victim of domestic violence and likely needs a physical restraining order*. In these circumstances, coverage will be available for physical restraining orders and additional Family Relations Act/Divorce Act relief, including custody, access, child and spousal support, and orders restraining the disposition of property.

The emergency referral will be the only referral made. There will be no funding available for non-emergency and approved services. Counsel must try to resolve the client's issues on an interim or final basis within the time allowed on the emergency referral. The Emergency Services tariff will remain the same. Counsel will continue to be able to prepare for and respond to court applications; attend early intervention hearings and court; negotiate with opposing counsel; and prepare minutes of settlement, separation agreements, and consent orders. In some circumstances, the referral will specify that variation applications are covered.

### Holdbacks

Paying any holdbacks arising from the fiscal year 2001/02 would compromise LSS cash flow and interfere with the continued and effective delivery of legal aid. Therefore, no holdbacks will be paid for accounts this year.

Please note that we anticipate making additional changes to the tariff that will likely be circulated in May 2002.

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