

## Termination of Immigration Referrals

The Legal Services Society and the Ministry of Attorney General finalized a three-year Memorandum of Understanding (MOU) on March 5, 2003. Schedule E to the MOU deals with services in immigration law and provides no provincial government funding in this area beyond March 31, 2004.

The LSS Act prohibits the expenditure of revenue from the province on services not specified in the MOU, and the federal authorities have declined to step in. Accordingly, LSS must now implement the following changes regarding immigration referrals to ensure that no costs in this area remain outstanding after March 31, 2004.

**Service stop date:** All immigration referrals issued April 1, 2003 or later have a service stop date of February 28, 2004. In addition, for all immigration referrals (including those issued prior to April 1, 2003), the usual tariff contract provision permitting the billing of services within six months of the last effective date of service is superseded by the following:

All immigration referrals, including immigration appeals, **must be billed by March 31, 2004**. Any billings received after that date will be returned to the sender and will not be honoured.

LSS will continue to issue immigration referrals for as long as possible with the limited budget received for these cases. We will continue to monitor our expenditures, and if we must revise the service stop date or the level of services to meet budget limitations, we will communicate this as soon as we can.

We ask that you notify your clients and the Immigration and Refugee Board about the limitations to your retainer:

- Please give your clients a clear written indication of the limited service you can provide under all new referrals.

Note: LSS will give all applicants for immigration referrals a brief notice in a variety of languages indicating the service stop date.

- Please advise the Immigration and Refugee Board of the limitations to your retainer, clearly indicating that any matters with hearing dates after February 28, 2004, will not be covered.

LSS hopes it can obtain funding to cover at least emergency or essential services for clients after February 28, 2004. To date, however, we have received no confirmation that such funding will be forthcoming.

We appreciate the commitment of the Immigration and Refugee Bar over the years and hope that we will be able to continue that relationship on some level. We will keep you advised of any new information as it becomes available.

James Deitch  
*Manager of Tariff Services*