

Criminal tariff adjustment

In July 2003, LSS implemented the latest tariff revisions. The majority of these changes involved the criminal tariff. We intended these changes to be globally cost neutral. However, we have been advised by members of the private bar from various parts of the province that the revision of two items (**First two half-days of preliminary hearing** and **First two half days of trial**) has had an unanticipated effect. In view of this feedback, we are reverting back to the tariff rate as it existed prior to July 2003.

Therefore, effectively immediately, you may use the pre-July 2003 tariff rates to bill for —

- the first two half-days of preliminary hearings for Categories II, III, and IV offences (codes 0871, 0887, and 0885 respectively), and
- the first two half days of trials for Categories I, II, and III offences (Codes 0810, 0828, and 0836).

We appreciate that the July 1, 2003 implementation date for the tariff change resulted in a number of accounts for these hearings and trials being taxed down to the new rate, despite having service dates occurring prior to July 1, 2003. We will adjust these accounts internally without requiring lawyers to submit letters seeking extra fees. In addition, we will internally adjust any accounts with service dates between July 1, 2003 and the date of this Notice to Counsel that have been taxed down for these attendances.

On accounts submitted for these items between July 1, 2003 and December 31, 2003, we will pay either the revised rate (as per the July 2003 revisions) or the old rate (pre-July 2003), in accordance with the tariff items billed. On accounts received after December 31, 2003, we will pay only at the pre-July 2003 rates.

Current tariff (July 2003 revision)

Attendance at preliminary hearings (per half day)

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

Attendance at trial (per half day)

Category	Rate	Tariff code
I	\$300	0949
II	\$400	0957
III	\$500	0943
IV	\$700	0844

Pre-July 2003 tariff

First two half days of preliminary hearing

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

First two half days of trial

Category	Rate	Tariff code
I	\$500	0810
II	\$600	0828
III	\$800	0836
IV	n/a	n/a

Bill subsequent half days (after the first two) at the new tariff rate for half-day attendance.

Continue to bill trials for Category IV offences under the **Attendance at trial** item on page 25 of the current tariff if the trial is less than 10 half days. If the trial is more than 10 half days, refer the case to the Strategic Case Assessment Program.

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