



New policy — When clients receive a settlement or judgment

The Legal Services Society (LSS) has a new policy regarding legal aid clients who receive a settlement or judgment. The new policy will be effective immediately for new referrals issued after October 15, 2009. For referrals issued before October 15, 2009, the new policy will take effect January 15, 2010 if no settlement agreement has been reached or judgment has been made by that date.

Referral lawyers must notify LSS immediately upon learning that a settlement will be received or judgment will be awarded to the client and provide the client's current contact information and the amount of the expected settlement or judgment. Referral lawyers must submit a final account to LSS and a settlement confirmation form within 30 days of receiving the settlement or judgment.

As with the current policy, an LSS client who receives a settlement or judgment on a legal aid referral may be required to reimburse LSS for any legal fees and disbursements LSS paid on the client's behalf. The new policy provides guidelines for determining the amount of money the client must repay.

Referral lawyers will no longer be allowed to privately bill clients retroactively for services provided under a legal aid referral. Referral lawyers can enter into a private retainer with a legal aid client, with the client's consent, if authorized in writing by LSS or if LSS deems the client is no longer eligible for legal aid.

Please review the full policy on the LSS website at www.lss.bc.ca on the "Resources for lawyers" page.

LSS welcomes your feedback. Please direct any comments to lawyersresources@lss.bc.ca.

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