



SCAP threshold increased from 10 to 20 half days for all criminal cases

Effective immediately, LSS is increasing the threshold for cases that will fall under the Strategic Case Assessment Program (SCAP). SCAP will now apply to all criminal cases (regardless of category) where either the preliminary hearing or trial is scheduled for a total of more than 20 half days (i.e., ten full trial days). LSS will no longer allow exemptions for Category I, II, or III cases from SCAP. Because of this, the SCAP administration fee (that was designed to compensate for time spent on SCAP assessments) is no longer available for any case with a date of assignment of December 1, 2009 or later.

LSS will honour existing SCAP authorizations in cases where SCAP budgets have already been set. Any requests to review such authorizations will be considered under the SCAP process that was in place when the budget was set. LSS will be assessing pending requests for SCAP authorizations in Category I, II, and III cases in which no budget has been set to determine whether these cases should proceed on SCAP or on the block tariff. For pending requests for SCAP authorizations in Category IV cases, the prior threshold of 10 half days will continue to apply.

Further background on this Notice to Counsel will be provided in an upcoming edition of the Legal Aid Fax.

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

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