

British Columbia www.lss.bc.ca

# The Legal Aid Fax

December 2008



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#### **Happy Holidays!**

All of us at LSS would like to thank each of you for the many contributions you have made to your communities and beyond by assisting low income people with resolving their legal matters. Without your help, many people would face serious legal issues on their own, which can result in unresolved or poorly resolved problems. The assistance you provide makes a real difference in people's lives.

When we say many people, we really mean it! In 2007/2008, you collectively provided representation services on over 30,000 referrals, and provided duty counsel and advice lawyer services to over 100,000 people.

Our staff throughout the province would also like to wish you and your staff a safe and happy holiday season.

### \*\*Reminder\*\* — December/January cheque run schedule

To accommodate the upcoming holiday season, LSS has revised the cheque run schedule as follows:

- **December 17, 2008** (moved up)
- **December 22, 2008** (moved up)
- January 1, 2009 (cancelled)
- January 8, 2009 (resume regular schedule)

## Message from Audit and Investigation — meterage

We would like to remind you that in July 2008, the *Guide to Legal Aid Tariffs* was updated. Several changes were made, including the meterage item in the Disbursements Tariff.

Through several post-payment reviews of lawyers' meterage claims during the past two years, we discovered some lawyers were claiming meterage for trips between their offices and their residences, which is not billable. We also discovered lawyers were not aware that they could bill for meterage to attend meetings with clients and witnesses, or even to attend an Examination for Discovery. As a result, changes were made to clarify billing requirements

and make them specific to meterage. We hope the new language makes billing easier for lawyers.

If you have any questions regarding the meterage item, please contact Nancy Lis, Investigator/Analyst, at 604-601-6023 or e-mail nancy.lis@lss.bc.ca.

#### Law Society client identification and verification rules

The Law Society's new client identification and verification rules will apply to some, but not all, legal aid services.

As of **December 31, 2008**, lawyers will be required to follow the Law Society's new client identification and verification rules (rules 3-91 to 3-102).

The identification rules require lawyers to make "reasonable efforts" to obtain basic identification information from their clients every time they are retained to provide legal services. Duty counsel are exempt from this requirement as long as no financial transaction is involved.

The verification rules are triggered only when a lawyer receives, pays, or transfers funds on behalf of a client, or gives instructions for such activities on behalf of a client. These rules also require lawyers to take reasonable steps to verify the identity of the client.

The new rules also require lawyers to keep a record of the information and documents obtained to identify and verify a client's identity.

For more information, see the Law Society's website (<a href="www.lawsociety.bc.ca">www.lawsociety.bc.ca</a>), or contact the Law Society's practice advisor, Barbara Buchanan, at 604-697-5816 or <a href="bbuchanan@lsbc.org">bbuchanan@lsbc.org</a>.

#### Tariff Accounts section

Please note that the Tariff Accounts section will be closed from **December 22, 2008** to **January 2, 2009**. Tariff Accounts will respond to any calls or correspondence received during this time after January 2, 2009.

Feedback: legalaidfax@lss.bc.ca