



## In This Issue ▶ ▶ ▶

Message from Mark Benton, Executive Director: Tariff service challenges at LSS; Improvements to support lawyers; Background: Notice to Counsel #67 — Increased rates for interpreters and psychologists; Reminder: Other upcoming changes

### Message from Mark Benton, Executive Director: Tariff service challenges at LSS

Those of you who follow our finances will know that LSS has an operating deficit that is funded by rapidly depleting reserves. Once our reserves are exhausted, likely in fiscal 2010/2011, we are required by statute to operate with a balanced budget. Our fiscal forecast indicates that as our interest-based revenue continues to decline, we will have to reduce expenditures by several million dollars.

Because we are using some of our non-government resources to support criminal, family, and child protection services, LSS will likely have to reduce its costs in these areas. Some of these reductions will require changes to the tariff structures.

I recently sought the advice of the chairs of the CBA's criminal and family subsections on how LSS might manage the cost of legal aid services. I extend the invitation for suggestions to any legal aid lawyer.

When considering your advice, keep in mind that Canadian legal aid plans typically manage costs on both the supply and demand sides. On the supply side, this means paying less for the service. (In BC, this usually involves tariff reductions or holdbacks; in other jurisdictions, it can include other delivery models, such as block contracting.) On the demand side, this means reducing services (eliminating coverage in particular areas or introducing managed service programs), or adjusting financial eligibility for services. However, in BC, reducing assistance levels is limited because LSS is required to cover the cost of any court-ordered counsel from its government grant.

Your views are important to maintaining an effective legal aid program, and I would appreciate receiving your suggestions as soon as possible.

### Improvements to support lawyers

In our continued efforts to streamline processes and support lawyers, LSS has:

- amalgamated our tariff accounts and case management staff into one department managed by Janice Staryk. A business process review is underway to identify opportunities for efficiencies. If

you have any suggestions, e-mail [janice.staryk@lss.bc.ca](mailto:janice.staryk@lss.bc.ca).

- reformatted the Notices to Counsel, clarifying which tariff(s) the notice applies to and making the Notice titles more concise.

### Background: Notice to Counsel #67 — Increased rates for interpreters and psychologists

Rates for interpreters and psychologists have not increased in 18 years and 10 years respectively, making it difficult to retain these professionals. Whenever possible, LSS tries to match the Ministry of Attorney General's rates; however, our budget limitations can restrict our ability to do so. The new rates do not match the Ministry's rates, but they narrow the gap and should assist you in retaining interpreters or psychologists. LSS appreciates your efforts to use less expensive experts whenever possible, such as clinical counsellors for family matters and psychologists for criminal matters. LSS expects the cost of these increases will be less than \$30,000.

### Reminder: Other upcoming changes

#### Notice to Counsel #65 — Duty and Circuit Counsel

The new two-month billing requirement for duty and circuit counsel fee and disbursement accounts comes into effect **July 1, 2009**. Bill your accounts within two months of each date of service on your referral. For example, if you are authorized to provide services on May 4 and May 11, you must submit an account for May 4 by July 4, and an account for May 11 by July 11.

#### Notice to Counsel #66 — Preparation Items for Articling Students Ending

Preparation items for articling students end **July 1, 2009**. Please submit accounts for preparation hours spent by your articling student up to and including July 1, 2009 by **July 15, 2009**. Time spent by articling students after July 1, 2009 will be treated as part of your billable hours, as set out in the *Guide to Legal Aid Tariffs*. Refer to section 34 of the General Terms and Conditions for a list of legal services articling students cannot perform. When billing for students' time, enter "A" in the Alternate Service Provider column on accounts.