



The Legal Aid Fax

June 2010 — Special Edition

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This special edition of the LAF has what you need to know about the new simplified Criminal and Family tariffs.

LSS tariff — Format “under construction”

- We have changed the format of the Tariff guide, making it more user friendly and easier to read. We have streamlined the guide by removing redundant information (much of which already exists on our website). The new Criminal, Family, and General Terms and Conditions chapters are in the new format. Other chapters will be converted over time.
- As only a small number of tariff lawyers still use paper billing (8% of accounts), we have moved information for paper billing to a separate section on the LSS website, making the tariff chapters much smaller.
- During the two-year transition to the simplified tariff, it will be easy for you to locate both the existing and simplified versions of the Criminal and Family tariffs. When you click on the Criminal or Family chapter, you will be directed to a page where you choose the version that applies to your referral's date of assignment.

Criminal tariff

- We have made changes to the list of offences: some offences were eliminated or added, or the descriptions were changed. The four categories of offences have been replaced by three levels of offences: summary, indictable, and major; we are now using summary and indictable in a way that is more consistent with criminal practice.
- We have reduced the tariff to 25 items (from 58), most of which have remained largely the same (e.g., bail, visits, sentencing, preliminary hearings, trials, SCAP, travel, etc.).
- Some differences to note:
 - Multiple information resolution is now billable per information.
 - Travel and out-of-office are now one item.
 - Youth matters no longer have separate items and are consolidated into the regular tariff.
 - Other items include payment for each information resolved.

- Billing rules have been relaxed (e.g., the half-day rule).
- Many items have been consolidated into Provincial and Supreme Court fees and non-trial resolution fees.

Family tariff

- Multiple tariff items (46) have been consolidated into a single Family Tariff of 9 items, with an increased allocation of general preparation.
- Up to 25 hours of general preparation are now available. This consolidation includes preparation for hearing time, and additional hearing preparation time of up to 10 hours for Supreme Court matters.
- Preparation hours for mediation and collaborative processes have been increased.
- Emergency and Extended Family Services have been consolidated, eliminating the need for a separate referral for Extended Family Services, and simplifying tracking and billing.
- When Case Management has authorized Extended Family Services, you will be able to bill the approved items on your initial referral. An authorization note will be attached to your approval.
- A new \$100 closing fee for referrals issued on the new tariff is available (through e-billing only). This closing fee is billable at the conclusion of your client's case and when your final account, along with a final results form, is submitted.
- Travel and out-of-office are now one item.

Referrals with a date of assignment after June 28, 2010

- Criminal and Family referrals will show the new two-year stop date/service period.
- Criminal referrals will have the new terminology for offence levels: summary, indictable, and major.
- If you are referred an information where the highest offence was summary but one or more offences proceed by indictment, you do not have to contact the referring office to have your referral changed (see page 2 for information on the new e-billing feature).


Criminal and Family referrals with a date of assignment prior to June 29, 2010

- These referrals are billable under the existing tariffs until their stop date (or a maximum of two years); they will include a referral note to remind you of this.
- In the fall, we will convert Criminal and Family referrals with a stop date beyond **June 29, 2012** to a stop date of **June 29, 2012**; the new date will be reflected in e-billing.

We can consider extending the stop date of a referral (any case type) if a client's original referred issue/legal matter is not resolved at that time. If you need an extension, send your request to helpdesk.case-mgt@lss.bc.ca or fax to 604-681-7963, setting out the details of the case, the anticipated resolution/conclusion of the client's case, and the new stop date you would like us to consider. Please note that the client may need to be financially reassessed.

E-billing

Changes to e-billing have been made to complement the changes in the tariff, and to make billing easier for you, including:

-  **LSS Tariff** An "LSS Tariff" icon will appear at the top of each e-billing screen. Click on the icon for direct access to the relevant chapter of the Tariff guide. For example, if you are preparing a criminal account, you are only one click away from the Criminal Tariff chapter.
- The referral's service stop date will be shown in the Case Details section displayed at the top of the e-billing form when creating any account.
- For criminal billings, you will have the ability to "upgrade" the LSS level of offence when billing online. For example, any information that was referred to you as a summary offence, but proceeded by indictment, the system will permit you to "upgrade" and bill the services at the indictable fee level (excluding Breach of Probation — Indictable and Unlawful Confinement — Summary). To upgrade, select "yes" in response to "Was the maximum sentence on this information greater than 6 months jail?"
- The system will continue to generate the correct drop-down list of tariff items and offences applicable to your referral's date of assignment.
- A new offence result, "conditional sentence order," has been added.
- For billings under the new Criminal tariff, offences now reflect the new terminology for offence levels (summary, indictable, major), and Part 2 of the Criminal form will indicate the offence level above the service description legend.
- You will have a shortened drop-down service (tariff items) list when making your service selection.

- We anticipate that many users will also benefit from the consolidated items when billing, as fewer items may allow you to complete your billing in one form.

We continue to encourage you to use e-billing

- New vendors will be required to use e-billing and direct deposit.
- The new family closing fee is only available through e-billing.
- Beginning **July 1, 2010**, accounts received by paper will be reviewed weekly.
- Tariff Accounts staff will work closely with lawyers not using e-billing to assist them with the transition to e-billing.
- The five remaining disbursements items (some experts and interpreters) will be e-billable in July 2010.

We are here to help you!

If you have any questions or comments about these changes, our staff have been trained and are ready to assist you.

For billing questions or comments on the current or new tariffs

Contact Tariff Accounts at helpdesk.tariff@lss.bc.ca or 604-601-6155.

For questions regarding authorizations on Extended Family Services, SCAP, disbursements, and stop date extensions

Contact Case Management at helpdesk.case-mgt@lss.bc.ca or 604-601-6145.

For general comments or questions about the tariff

E-mail us at lawyersresources@lss.bc.ca.

We wish to thank the many staff at LSS who dedicated a lot of time and energy in providing their input and suggestions for the new tariffs.

We would also like to thank all the lawyers who provided input and feedback, attended consultations, and continue to work hard with us to address the needs of Legal Aid clients.

We look forward to continuing to work with you on the simplified CFCSA tariff this summer/fall.

HST update

Accounts processed for payment after **June 30, 2010** will be paid 12% HST. Changes to the calculation in e-billing will be made to reflect 12% at that time, and changing the wording from GST to HST in e-services (e-billing and my payments) will take place this summer.

If you have any questions or concerns regarding HST, please contact helpdesk.finance@lss.bc.ca.