



# The Legal Aid Fax

November 2010 — Special Edition

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This special edition of the LAF has what you need to know about the new simplified CFCSA tariff and some reminders about the Criminal and Family simplified tariffs that were implemented June 29, 2010.

### New simplified CFCSA tariff is here!

The new simplified CFCSA tariff will be implemented on November 17, 2010. The CFCSA section of the *LSS Tariffs* guide will be posted November 16th on our website (in our new format). Here are the highlights of the new tariff (and a few reminders):

- The structure of the new CFCSA tariff is similar to the new Family tariff.
- Tariff items have been reduced from 26 to 11.
- We have consolidated multiple tariff items into an increased allocation of up to 20 hours for general preparation.
- Travel and out-of-office are now one item.
- As before, your referral identifies the reasons for which the referral was issued. These generally involve the removal of a child or children, or a risk of removal of a child or children.
- The hours provided under the new tariff are intended to provide enough preparation time to complete most CFCSA cases. Please manage the hours available accordingly.
- General preparation hours provide the time needed to prepare for a presentation hearing and at least two additional hearings initiated by the ministry to determine protection.
- Preparation hours for mediation and consensual dispute resolution have been increased to 10 hours (from the current 5 hour maximum).
- Up to 6 hours is available for preparation time for each Continuing Custody Order application.
- Hours under the tariff should be sufficient even if multiple presentation hearings are required as a result of re-removals of child(ren).
- If a re-removal occurs before a Supervision Order expires, or if another child in the same family is removed at another time, or another child is born and removed, you can continue to use the hours available under the tariff within the initial referral. (This applies to CFCSA referrals under both the

new and current tariff; the client does not need to apply to have the referral updated.)

- Referrals will show the new **two-year** stop date/service period and must be closed by the stop date. If ongoing issues related to the case arise after a referral is closed, LSS will verify that the client still meets coverage and eligibility guidelines and issue a new referral as appropriate.

### New Extended CFCSA Services

- If available hours under the new tariff are insufficient to deal with the multiple issues within a case, you may request Extended CFCSA Services (your client must have a current referral and continue to qualify financially for legal aid).
- Extended CFCSA services are available under the new tariff for complex cases that include multiple hearings, removals, children, and/or experts.
- If approved, a standard allocation of up to 20 hours for general preparation will be available. (You can still use any hours remaining from the initial referral.)
- Applying is easy: use the new Extended CFCSA Services Opinion Checklist (on our website under Lawyers — Forms and questionnaires) and fax it to our Case Management Section at 604-681-7963.

### New CFCSA Closing Fee

- A new \$100 closing fee is billable for referrals issued on the new tariff **when you bill using our secure e-billing system**. Bill the closing fee at the conclusion of your client's case and when your final account is submitted.
- Indicate that your account is final by ticking the new "Final billing" check box.
- LSS considers a referral closed only when:
  - the child or children are returned without conditions
  - a Continuing Custody Order has been made

- a Temporary Custody Order or Supervision Order has expired and there is no further ministry involvement
- your retainer has ended because of a change of counsel or other actions taken by the client, or
- it has been two years since the service start date.


## New stop dates for LSS referrals

CFCSA, Criminal and Family referrals issued prior to the new simplified tariffs are billable under the previous tariffs until they conclude or to a maximum of two years from their service start date.

We have now converted Criminal and Family referrals with a stop date beyond **June 29, 2012** to a stop date of **June 29, 2012**. The new date is reflected in e-billing. Similarly, we have converted CFCSA referrals with a stop date beyond **November 17, 2012** to a stop date of **November 17, 2012**. Please check the referral stop date when e-billing because it may have changed as a result of the conversion.

## CFCSA e-billing updates

Changes to e-billing have been made to accommodate the changes in the CFCSA 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 CFCSA chapter of the Tariff guide.
- We have updated the list of Results options in order to provide us with better information on the progress of the referral.
- Billing tip — If you are submitting more than one account at the same time:
  - Select the result that reflects the progress of the case as it relates to the fees you are billing on each specific account.
  - Do not select a result that applies to services billed on a subsequent account.
  - LSS processes each account individually even if you submit them at the same time; therefore, the result on each account must correlate to the services billed on that account.
- The referral’s service stop date will be shown in the Case Details section displayed at the top of the e-billing form when you are creating an account.
- You will have a shortened drop-down service list (tariff items) 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 on one form.

## We continue to encourage you to benefit from e-billing

- Our billing system is now centered around e-billing. New vendors are all required to use e-billing and direct deposit. We encourage you to take the plunge and join the vast majority of lawyers who e-bill! Be assured that the Tariff Accounts staff will work closely with you when you choose to make the transition to e-billing. Our staff will soon be contacting lawyers to provide information about e-billing and other e-services we offer.
- **Note:** If you aren’t using e-billing yet, here’s another reason why you may want to consider doing so soon: as of **July 1, 2010**, accounts received by paper are now only reviewed on a weekly basis (rather than on a daily basis). Because of the added administrative time to process paper accounts, LSS is considering other options to reduce costs, including moving to monthly processing.
- Both the Family and CFCSA closing fee are only available through e-billing.

## Thank you

We would like to take this opportunity to thank all the lawyers who provided their input on the new simplified tariffs and who continue to work hard with us to address the needs of legal aid clients.

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

## We are here to help you

If you have any questions or comments about recent 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](mailto:helpdesk.tariff@lss.bc.ca) or 604-601-6155.

### For general comments or questions about the tariff

E-mail us at [lawyersresources@lss.bc.ca](mailto:lawyersresources@lss.bc.ca).