

Criminal Tariff



Legal
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British Columbia
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Criminal Tariff

General Information

This chapter of *LSS Tariffs* provides information about how LSS will compensate you for the criminal law services that you provide to clients. For general information about your contract with LSS, see *General Terms and Conditions*. For information about criminal appeals, see *Appeals and Judicial Reviews*.

The *Criminal Tariff* explains each criminal billing item and contains the tariff and offence codes. For information about billing disbursement items, please see *Disbursements*.

Scope of the criminal referral

Each criminal referral lists the charges against your client that LSS was aware of on the date of interview/assignment. LSS issues referrals for four levels of offences: administrative, summary, indictable, and major. These charges generally involve the risk of jail, a direct loss of livelihood, immigration complications that could result in deportation, or Aboriginal rights. Current coverage and financial eligibility guidelines are outlined on the LSS website under Legal Aid — Legal Representation.

Tariff items

This chapter describes the individual tariff items and how LSS pays you for them. Some of these services are paid a single block fee, while others are paid a block fee per half day (or per two half days), or an hourly rate.

Unless noted otherwise, the billing limits described in the tariff are calculated per client and you may usually bill legal services on different Informations separately. Where the tariff indicates that two services cannot be billed together, bill for the service with the higher legal fee.

Distinct legal fees are payable for the same legal service depending on the offence level. If two offence levels are included on one Information, bill your services at the tariff rate of the higher offence level. If your client is committed to trial for a lesser included offence, all legal services you provide after that committal are paid at the tariff rate for the lesser included offence (based on its offence level).

Adding charges

Your referral form lists the charges against your client that LSS knows about on the date of the interview/assignment. If the charges are materially incorrect, contact the referring office. If there are additional charges, do the following:

- If there are additional charges on the *same* Information, add them to your billing form without getting special authorization.
- If you find out about additional charges on *different* Informations within 90 days of the interview/assignment date, submit the Authorization for Additional Charges form (on the LSS website under Lawyers — Forms and questionnaires) to the referring office. If the client is covered, the referring office will send you a revised referral. You must ensure that the referring office has authorized coverage before you provide services.
- If there are additional charges on different Informations *more* than 90 days after the interview/assignment date, instruct your client to reapply for legal aid to cover the additional charges.

Severances

The term “Information” refers to the information or indictment upon which the Crown proceeds unless:

- a court-ordered severance occurs,
- the Crown proceeds separately under one Information, or
- the defence elects separate trials, and the judge permits this.

When severances occur, you may treat each severed trial, preliminary hearing, or plea as if it belonged to a separate Information. When billing, include an e-billing note.

“C” Informations

If an Information is re-laid, bill only for legal services on the “C” Information. In this situation, don’t bill the stay on the original Information. An original Information and a “C” Information will be treated as the same Information if:

- the charges on the “C” Information include all the charges on the original Information,
- the charges are amended,
- the charges are lesser included offences, or
- the charges refer to the same facts as the original Information.



Co-accused

“Co-accused” refers to two or more individuals jointly charged on a single Information. In youth court, the co-accused include all individuals charged with offences arising out of the same incident.

Full legal fees are payable only for your first client. If you represent more than one client, you are entitled to one additional half-fee per service provided, regardless of the number of additional clients.

When you provide legal services to only one co-accused on a separate half day, you may bill the full legal fees for those services.

Criminal Case Management (formerly SCAP)

Criminal Case Management (CCM) applies to all criminal cases where the preliminary hearing or trial is scheduled to last more than 20 half days, or if the case is complex and the general preparation time is anticipated to be more than 75 hours. You must contact Case Management at 604-601-6145 or at helpdesk.case-mgt@lss.bc.ca in advance to arrange a CCM budget. Once on CCM, the case must stay on CCM. The CCM policy and procedures define and explain the spectrum of case management, including the responsibilities of LSS and counsel. Please see the LSS website (under Lawyers — LSS Policies). If you have questions, please contact Case Management.

Enhanced fees

Enhanced fees may be available for senior counsel in cases that LSS considers to be complex criminal matters. The Enhanced Fees Policy sets out the procedures and criteria for approval of enhanced fees. See the LSS website (under Lawyers — LSS Policies).

Exceptional responsibility premium

Upon confirmation that Crown Counsel is being paid in “Recognition of Exceptional Responsibilities” (as per the British Columbia Crown Counsel Association Agreement with Respect to Crown Counsel), LSS will increase any CCM fees and/or enhanced fees by 15 percent effective upon the date of confirmation.

Other compensation

Although LSS does not ordinarily pay for lost trial time, LSS may compensate you for legal fees when a case unexpectedly fails to proceed and if the case was concluded (not merely adjourned). To apply for legal fees for such a case, please write to Case

Management, setting out the scheduled trial dates, the reason the case did not proceed, the date you were first notified the case would not proceed, and the actual preparation time spent that you were not able to bill under a block fee tariff item. In support of your request, you must provide timesheets and documents for the work you completed on the referral. For appeal or judicial review cases, the request should be sent to the Appeals Section.

In addition, LSS may, at its discretion, pay further legal fees to referral lawyers. See items 41 and 42 of *General Terms and Conditions* for more information.

Timekeeping

You are not required to produce timekeeping records when submitting accounts. However, you must keep timekeeping records for each referral and retain them for at least five years from the date of payment. LSS may ask you to produce these records as part of our audit process, or when considering requests for additional or extra fees. You must record time for CCM cases and victim/witness representations under section 278 of the *Criminal Code*. If you prefer, you may use the timesheet provided on the LSS website under Lawyers — Forms and questionnaires. You can also view an example of a completed timesheet.



Billing Items

This section describes the criminal tariff items and how to bill them. Most services are paid a single block fee or a block fee per half day. Some, such as CCM items, are paid an hourly rate or have other specific rules. A list of tariff codes (page 17) and a list of offence codes (page 19) follow this section. Some offence codes are noted in the billing item descriptions as well.

Use the information in this section when billing online (“e-billing”) through the secure Lawyers e-services section of the LSS website. (You may also bill using paper forms; see the *Guide to Paper Billing* on the LSS website under Lawyers — LSS Tariffs.)

Provincial Court fee

- Billable once per referral when you have:
 - interviewed your client,
 - appeared in Provincial Court on your client’s behalf, or
 - obtained disclosure.
- Billable even if the proceeding is not yet before the court.
- Not billable if your client’s case was already committed for trial in Supreme Court when you received your referral.

\$70	\$85	\$100	\$175
Administrative	Summary	Indictable	Major

Supreme Court fee

- Billable once per referral when you have:
 - interviewed your client,
 - appeared in Supreme Court on your client’s behalf, or
 - obtained disclosure.
- Billable even if the proceeding is not yet before the court, as long as the case has been committed for trial in Supreme Court when you provide the service described above.
- Not billable if your only attendance is a Supreme Court bail review.

n/a	n/a	\$300	\$350
Administrative	Summary	Indictable	Major

Visiting clients in custody

- Billable once per referral when you visit a client in custody at a correctional or detention facility (other than a holding facility at a courthouse).
- Billable only once for any one date and location regardless of how many clients you visited there. Include an e-billing note indicating the location.

\$90	\$90	\$90	\$90
Administrative	Summary	Indictable	Major

Bail matters in Provincial Court

- Billable per half day when you appear in Provincial Court and argue for the client's release from custody, continued release if Crown applies to revoke bail, or for any bail variation/review.
- Billable for consent releases when you have to make representations to Crown.
- Do not bill for consent releases when Crown has made the consent release decision without you having to make representations to Crown.
- If you bill this item for the same half day that you also appear as duty counsel, do not include the amount on your duty counsel billings.
- If bail hearings on more than one Information are held before the same judge on the same half day, bill for only one hearing.

\$100	\$125	\$150	\$200
Administrative	Summary	Indictable	Major

Bail matters in Supreme Court

- Billable per half day when you appear in Supreme Court and argue for the client's release from custody, continued release if Crown applies to revoke bail, or for any bail variation/review.
- For bail review hearings in Supreme Court, you must have prior authorization to bill this item. Contact the Case Management Section at the Vancouver Regional Centre.
- For section 525 bail review hearings, you must have prior authorization to bill this item. Contact the Case Management Section at the Vancouver Regional Centre.
- For bail applications for murder and other section 469 offences, you do not require prior authorization.



- If you bill this item for the same half day that you also appear as duty counsel, do not include the amount on your duty counsel billings.
- If bail hearings on more than one Information are held before the same judge on the same half day, bill for only one hearing.

\$280	\$350	\$400	\$600
Administrative	Summary	Indictable	Major

Contested fitness hearing

- Billable for each half day that you appear at a contested fitness hearing to determine your client’s fitness to stand trial, call witness(es), or make an argument, *and* when a decision is made regarding fitness.
- Not billable:
 - for filing or requesting a forensic assessment report,
 - for adjournments, applications of an assessment order, or extensions of an assessment order unless evidence is heard, or
 - when you consent to the judge’s finding.
- If contested fitness hearings on more than one Information are held before the same judge on the same half day, bill for only one hearing.

\$450	\$450	\$450	\$450
Administrative	Summary	Indictable	Major

Non-trial resolution

- Billable where a matter is resolved without a preliminary hearing or trial.
- Not billable on the same half day with “Preliminary hearing” or “Trial” items.
- If more than one Information was resolved before the same judge on the same half day, claim this item once. See “Multiple information resolution.”

Billing rules for specific services:

Application to withdraw a guilty plea

- Billable when you appear in court and make representations on an application to withdraw a guilty plea.
- Upon a successful application to withdraw a guilty plea, subsequent proceedings can be billed through the tariff.

Breach of conditional sentences

- Billable when the allegation of breach is not contested.
- Bill at the level of the original offence and include the Information number. Under results, record the new sentence imposed at the hearing of the breach.

Complete stay of proceeding

- Billable when a stay of proceedings is entered on all charges on an Information and you have made at least one appearance on that Information or have made representations to Crown resulting in the stay.

Consent committal

- Billable when the focus hearing has been completed and a preliminary hearing scheduled, or when you appear in court to enter a consent committal on a preliminary hearing before the hearing begins.

Drug court

- Billable when you represent a client who enters the Drug Treatment Court of Vancouver (DTCV). The sentencing item is also billable even though sentencing has not occurred. If a client's plea is struck because the client opts out or is removed from the DTCV, you may bill for all subsequent services on your original referral.

Extradition order

- Billable when you consent to the extradition order.

Failure to appear or change of lawyer

- Billable when your solicitor-client relationship ends for an information and/or referral by the client failing to appear or by a change of counsel, either after a Provincial Court Trial Confirmation Hearing has started or within 60 days of a scheduled start of a Supreme Court trial.

Guilty plea

- Billable when you appear in court and represent a client entering a guilty plea to one or more charges.

No charge sworn because of representations by counsel

- Note that LSS may request a written summary of your representation.

No evidence called

- Billable when the Crown calls no evidence in a case resulting in a dismissal of the charge(s).



Peace bond

- Billable when you appear in court and represent a client who consents to a peace bond.
- You may bill both “Sentencing” and this item.

Represented diversion

- Note that LSS may request a written summary of your representation.

Varying the terms of a sentence, probation order, or peace bond

- Billable when you appear in court to vary the terms of a sentence, probation order, or peace bond.
- You may bill both “Sentencing” and this item.

\$160	\$200	\$300	\$475
Administrative	Summary	Indictable	Major

Multiple information resolution

(per additional info)

- Billable if all charges on one or more *additional* Informations are resolved without trial before the same judge on the same half day. See “Non-trial resolution” for a list of matters with billing rules for specific services.
- Bill this item only once per Information.

\$75	\$90	\$120	\$150
Administrative	Summary	Indictable	Major

Sentencing

- Billable for each half day of sentencing when you appear in court and substantive representation on sentence is made, evidence is led, or a decision is made. Adjournments or requests for pre-sentence reports do not constitute a sentencing appearance.
- If sentencing submissions on more than one Information are held before the same judge on the same half day, bill for only one submission.
- Not billable on the same half day as any of the “Preliminary hearing” or “Trial” items.
- Sentencing includes submissions on a peace bond, and submissions to vary the terms of a sentence, probation order, or peace bond.

- Billable when you represent a client who enters the Drug Treatment Court of Vancouver (DTCV) even though sentencing has not occurred.
- Restoration applications that can be resolved as part of the first half day of sentencing are included under the tariff. Where one or more subsequent half days of sentencing are required to conclude a restoration application, you must have prior authorization from the Manager, Legal Services.

\$80	\$100	\$125	\$200
Administrative	Summary	Indictable	Major

Preliminary hearing

(first two half days)

- Billable for the first two half days of preliminary hearing, regardless of when they occur, where evidence is led, witness(es) called, argument made on the admissibility of evidence or on disclosure of third party records, or a decision is made.
- Billable after the hearing has started, if a guilty plea or stay is entered, or if sentencing begins, during the first two half days of preliminary hearing, when you appear in court and substantive representation on sentence is made, evidence is led, or a decision is made. For subsequent half days of sentencing, bill under “Sentencing.”

n/a	n/a	\$600	\$800
Administrative	Summary	Indictable	Major

Preliminary hearing

(subsequent half days)

- Billable for each half day after the first two half days of preliminary hearing where evidence is led, witness(es) called, argument made on the admissibility of evidence or on disclosure of third party records, or a decision is made.
- Bill to a maximum of 20 half days including any “Preliminary hearing (first two half days)” or “Trial” billing items. If the preliminary hearing or trial is set for a total of more than 20 half days, the case *must* become part of Criminal Case Management (CCM) (see page 3).
- See “Preliminary hearing (first two half days)” for specific billing rules.

n/a	n/a	\$300	\$400
Administrative	Summary	Indictable	Major



Trial

(first two half days)

- Billable for the first two half days of trial, regardless of when they occur, where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.
- Billable after the trial has started, if a guilty plea or stay is entered or if sentencing begins, during the first two half days of trial, when you appear in court and substantive representation on sentence is made, evidence is led, or a decision is made. For subsequent half days of sentencing, bill under “Sentencing.”

Billing rules for specific services:

Breach of conditional sentences

- Billable when the allegation of breach is contested.
- Bill at the level of the original offence and include the Information number. Under results, record the new sentence imposed at the hearing of the breach.

Coroners hearings

- Prior authorization required.
- Billable as an indictable matter using offence code 307.

Cross-examination appointments (section 486 of the *Criminal Code*)

- Billable for up to *four* half days of trial. If more than four half days are required, request authorization from the Case Management Section.

Dangerous and long-term offender hearings

- Billable when you are appointed to represent a client in a dangerous or long-term offender proceeding and attend to make representations at the hearing.
- Bill the applicable tariff items at the major rate using offence code 778.
- If more than one Information, bill only one fee for the day of the hearing.
- Bill the tariff items completed prior to the dangerous or long-term offender application at the level of the predicate offence.

Extradition order

- Billable when the extradition order is contested.

\$480	\$600	\$800	\$1400
Administrative	Summary	Indictable	Major

Trial

(subsequent half days)

- Billable for each half day after the first two half days of trial where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.
- Bill to a maximum of 20 half days including any “Trial (first two half days)” or “Preliminary hearing” billing items. If the preliminary hearing or trial is set for a total of more than 20 half days, the case *must* become part of Criminal Case Management (CCM) (see page 3).
- See “Trial (first two half days)” for billing rules for specific services.

\$315	\$390	\$490	\$700
Administrative	Summary	Indictable	Major

Mental health review

(court or Review Board)

- Includes sections 672.33, 672.45, 672.47, and 672.48 of the *Criminal Code*.
- Billable per half day when (after a finding under section 672 of the *Criminal Code*) you are appointed to represent a client at a hearing where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.
- Regardless of the number of Informations, bill only one fee for a fitness review hearing.

Billing rules for specific services:

Annual review hearings

- Covers attendance on behalf of a client facing an annual review before the Review Board. Requires a referral from the Vancouver Regional Centre.



- Billable per half day when (after a finding under section 672.81 of the *Criminal Code*) you are appointed to represent a client at a hearing where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.
- Use offence code 075.

Court hearings (sections 672.33 and 672.45 of the *Criminal Code*)

- Bill these hearings under this item.

Review Board hearings (including sections 672.47 and 672.48 of the *Criminal Code*)

- Covers attendance before the Review Board. Bill under the original referral for the substantive charges for hearings outside the Lower Mainland.
- Use offence code 083.
- Bill court hearings following a decision under section 672.48 under the applicable “Preliminary hearing” or “Trial” billing items.

\$450	\$450	\$450	\$450
Administrative	Summary	Indictable	Major

Travel

- Billable per half day of travel to or from a hearing or to interview a client in custody if the trip exceeds 160 kms per round trip. You can also bill for each half day you remain at the hearing location (if not apparent, provide your destination, specifying the court or in-custody location, and your travel date).
- You may bill only one travel fee to interview a client in custody without prior authorization. For additional travel fees, you must see the word “Authorized” beside “Travel” under the “Conditions of Referral” on your referral form, or seek prior authorization. Apply to Case Management.
- The maximum travel and out-of-office fee *on one date* is \$360, unless you bill other services for the same day, in which case the maximum is \$180.
- Travel fees are paid per trip, not per client.
- Note that if you fly between Victoria and Vancouver, you are not entitled to travel fees.

\$180	\$180	\$180	\$180
Administrative	Summary	Indictable	Major

Criminal Case Management (CCM) (formerly SCAP)

Note that once a case is on CCM, it must stay on CCM.

General preparation

- **Billable in hourly increments accurate to 10ths of an hour for actual preparation time as authorized.**
- **Record the actual time spent as specified in your time records.**

As authorized

Daily preparation

- **Billable in hourly increments accurate to 10ths of an hour for actual preparation time as authorized, up to the daily maximum as set out in your letter of authorization. Record the actual time spent as specified in your time records.**
- **Billable on days you appear in court, after the preliminary hearing or trial has started, where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.**

As authorized

Court attendance

- **Billable in hourly increments accurate to 10ths of an hour for time spent in court at a pre-trial application, preliminary hearing, or trial.**
- **Billable where evidence is led, witness(es) called, argument made on the admissibility of evidence, argument made on disclosure of third party records, or a decision is made.**
- **Provide the date(s) and time spent in court. Bill the actual time spent as specified in your time records, from the time court was scheduled to begin to its conclusion, excluding meal breaks.**

Actual time



Victim/witness representations under section 278 of the Criminal Code

Note: To bill the items under Victim/witness representations, use the CC Section 278 Victim Representation Billing Form that can be found in the *Guide to Paper Billing* on the LSS website under Lawyers — LSS Tariffs.

Preparation

- Billable in hourly increments accurate to 10ths of an hour when you receive a referral for victim/witness representation and provide the client with advice and representation about the disclosure of records under section 278 of the *Criminal Code*.
- This item includes interviewing clients, giving legal advice, and preparing for the hearing.
- Record the actual time spent as specified in your time records.

Up to 5 hours

Attendance

- Billable in hourly increments accurate to 10ths of an hour when you attend the hearing of an application under section 278 of the *Criminal Code*.
- Bill the actual time spent in the hearing as specified in your time records, and provide the hearing date.
- Do not bill this item on the same half day with any other item except travel. (Bill your time according to “Travel” on page 13, but use tariff code 6460.)

Actual time

Additional preparation

- Prior authorization from the Manager, Legal Services, is required for additional preparation and will be granted only in cases of unusual complexity. The authorization will set out the scope of the referral.

As authorized

Representation for victim-serving agencies

- Prior authorization from the Ministry of Public Safety and Solicitor General is required. For the scope of the retainer, apply to the Manager, Legal Services.

As authorized



Related proceedings

Extradition hearings

- **Bill the applicable tariff items using the offence for which the other jurisdiction is seeking to extradite your client to determine the offence level. For all levels, use offence code 922.**
- **Regardless of the number of offences, bill any appearances before the same judge on the same half day as one item.**

As authorized

Material witness representations

- **Billable when you are appointed to represent a material witness in a murder investigation and you either interview or attend court for the client.**
- **Bill the applicable tariff items at the indictable rate and use offence code 026.**
- **Billing for attendance at the hearing is restricted to those parts of the proceeding when the client may incriminate him/herself. For further attendance, request prior authorization from the Manager, Legal Services.**

As authorized

Other witness representations

- **Billable when you are appointed to represent a witness in a court proceeding and interview the client or attend court for the client.**
- **Bill the applicable tariff items at the indictable rate and use offence code 577.**
- **Billing for other witness representations is restricted to attendance when the client gives evidence. For further attendance, request prior authorization from the Manager, Legal Services.**

As authorized

List of Tariff Codes

For each tariff item, use the code under the appropriate offence level.

Billing items	Administrative	Summary	Indictable	Major
Provincial Court fee	0090	0100	0105	0110
Supreme Court fee	n/a	n/a	0120	0130
Visiting clients in custody	0137	0140	0150	0160
Bail matters in Provincial Court	0165	0170	0180	0185
Bail matters in Supreme Court	0187	0195	0200	0205
Contested fitness hearing	0245	0250	0255	0260
Non-trial resolution	0290	0300	0310	0320
Multiple information resolution (per additional info)	0325	0330	0340	0350
Sentencing	0355	0360	0370	0380
Preliminary hearing (first two half days)	n/a	n/a	0400	0410
Preliminary hearing (subsequent half days)	n/a	n/a	0420	0430
Trial (first two half days)	0450	0500	0510	0520
Trial (subsequent half days)	0535	0540	0545	0550
Mental health review (court or Review Board)	0895	0900	0905	0910
Travel	0845	0850	0860	0870

Billing items	Administrative	Summary	Indictable	Major
Criminal Case Management (CCM)				
General preparation — Senior counsel	8660	8550	8100	8202
General preparation — Junior counsel	9000	9010	9100	9202
Daily preparation — Senior counsel	8670	8548	8105	8252
Daily preparation — Junior counsel	9008	9012	9105	9252
Court attendance — Senior counsel	8677	8569	8120	8460
Court attendance — Junior counsel	9015	9020	9120	9460
Victim/witness representations under s. 278 of the Criminal Code*				
Preparation	6439	6439	6439	6439
Attendance	6827	6827	6827	6827
Travel	6460	6460	6460	6460
Related proceedings				
Extradition hearings	0922	0922	0922	0922
Material witness representations	0026	0026	0026	0026
Other witness representations	0577	0577	0577	0577

* To bill the items under Victim/witness representations, use the CC Section 278 Victim Representation Billing Form that can be found in the *Guide to Paper Billing* on the LSS website under Lawyers — LSS Tariffs.

List of Offences

LSS issues referrals for four levels of offences: administrative, summary, indictable, or major. The appropriate levels and codes for all offences are listed below.

If the maximum penalty that applies to the offence is six months or less, the case is paid at the administrative or summary rate. If the maximum penalty that applies to the offence is greater than six months, the case is paid at the indictable or major rate. Even if an offence is listed as “administrative” or “summary” in this table or on your referral form, you will be able to indicate that the case is entitled to the indictable rate when you bill.

If the offence is a major level offence, the case is paid at the major rate.

Two exceptions to the rule are:

- Breach of probation — even though the minimum penalty is greater than six months, this offence is paid at the administrative rate even where the Crown proceeds by indictment.
- Unlawful confinement — where Crown proceeds summarily, the case is paid at the indictable rate. Where Crown proceeds by indictment, the case is paid at the major rate.

Conspiracy

If you act for a single client charged with conspiracy (with or without other substantive charges), you may bill at the indictable rate, regardless of the level of the substantive offence. If the substantive offence is major, however, bill at the major rate.

Offence	Level	Code
Aboriginal fishing and hunting	Summary	043
Arson	Indictable	729
Assault	Summary	679
Assault causing bodily harm	Indictable	117
Assault with a weapon	Indictable	993
Assault — spousal	Summary	994
Assaulting a peace officer	Summary	703
BC Benefits Act offences	Administrative	712

Offence	Level	Code
Breach of probation	Administrative	496
Breach of trust; Personation; Forgery	Indictable	877
Break and enter — business or residence	Summary	696
Contempt	Summary	401
Coroner's inquest	Indictable	307
Criminal negligence causing bodily harm	Indictable	091
Dangerous and long-term offender hearings	Major	778
Dangerous driving	Summary	395
Dangerous/impaired driving causing death/bodily harm	Indictable	323
Driving — CCC	Summary	299
Drugs — cultivating/production	Indictable	869
Drugs — importing	Indictable	927
Drugs — other drug offences	Summary	169
Drugs — possession	Summary	828
Drugs — possession for the purpose of trafficking	Indictable	505
Drugs — trafficking	Indictable	539
EI offences	Administrative	571
Extortion including with weapon	Indictable	437
Extradition hearing	Indictable	922
Fail to comply	Administrative	357
Fail/refuse to provide breath sample	Summary	717
Failure to appear	Administrative	548

Offence	Level	Code
Fishing offences	Administrative	198
Fraud — false pretences over \$5000	Indictable	430
Fraud — other	Summary	414
Gaming or betting	Summary	810
Harassment	Summary	619
Impaired/.08	Summary	448
Indecent act	Summary	745
Kidnapping; Abduction	Major	463
Living off avails; Keeping a bawdy house and procuring	Indictable	947
Material witness to murder	Indictable	026
Mischief and willful damage to property	Summary	901
Municipal by-laws	Administrative	662
Murder including attempted murder and manslaughter	Major	638
MVA — driving while suspended	Administrative	423
MVA — other	Administrative	274
Obstructing peace officer; Resisting arrest	Summary	919
Other federal offences including: Bankruptcy/Customs/Income tax	Administrative	985
Other indictable offences	Indictable	455
Other summary offences	Summary	844
Peace bond offences	Administrative	967
Perjury	Indictable	258

Offence	Level	Code
Possession of house or car-breaking instruments	Indictable	398
Prostitution	Summary	885
Provincial — other	Administrative	282
PSP over \$5000	Indictable	794
PSP under \$5000 including stolen credit cards	Summary	612
Review Board hearing (annual) under CCC	Indictable	075
Review Board hearing under CCC	Indictable	083
Robbery	Indictable	596
Sexual assault	Indictable	380
Sexual assault — aggravated	Major	554
Sexual assault with weapon or causing bodily harm	Major	976
Sexual offences — other (pornography/sexual touching)	Indictable	381
Taking car without owner's consent; Joyride	Summary	133
Theft over \$5000	Indictable	182
Theft under \$5000	Summary	208
Threats to people	Indictable	224
Threats to property or animals	Summary	225
Trespassing; Prowling	Summary	604
Unlawful confinement — indictable	Major	219
Unlawful confinement — summary	Indictable	218
Unlawfully at large or escape	Summary	217
Weapons — make automatic weapon	Indictable	365

Offence	Level	Code
Weapons — other	Indictable	992
Weapons — possess restricted weapon or weapon obtained by crime	Indictable	216
Weapons — use firearm in commission of offence	Indictable	366
Wildlife Act	Administrative	316
Witness	Indictable	577
YCJA — dispositions (info # unknown)	Indictable	018

LSS Criminal Tariff Quick Reference

This is a quick reference guide of the most commonly billed items only. For complete instructions, see the Billing items section of the *Criminal Tariff*.

Tariff service provided (alphabetical listing)	Offence level								Important – Selected billing rules (see Billing Items section for all rules)
	Administrative ¹		Summary ²		Indictable ³		Major ⁴		
	Fee	Tariff Code	Fee	Tariff Code	Fee	Tariff Code	Fee	Tariff Code	
Bail matters in Provincial Court	\$100	0165	\$125	0170	\$150	0180	\$200	0185	Billable per half day.
Bail matters in Supreme Court	\$280	0187	\$350	0195	\$400	0200	\$600	0205	Billable per half day. Prior authorization is required except for bail applications for murder and other s.469 offences.
Contested fitness hearing	\$450	0245	\$450	0250	\$450	0255	\$450	0260	Billable per half day.
Multiple information resolution (per additional info)	\$75	0325	\$90	0330	\$120	0340	\$150	0350	Billable once per Information.
Non-trial resolution	\$160	0290	\$200	0300	\$300	0310	\$475	0320	Billable where a matter is resolved without a preliminary hearing or trial.
Preliminary hearing (first two half days)	n/a		n/a		\$600	0400	\$800	0410	Billable for the first two half days regardless of when they occur.
Preliminary hearing (subsequent half days)	n/a		n/a		\$300	0420	\$400	0430	Billable if evidence is led, witness(es) called, argument made on admissibility of evidence or on disclosure of third party records, or a decision is made.
Provincial Court fee	\$70	0090	\$85	0100	\$100	0105	\$175	0110	Billable once per referral.
Sentencing	\$80	0355	\$100	0360	\$125	0370	\$200	0380	Billable per half day of sentencing when you appear in court and substantive representation on sentence is made, evidence is led, or a decision is made.
Supreme Court fee	n/a		n/a		\$300	0120	\$350	0130	Billable once per referral.
Travel	\$180	0845	\$180	0850	\$180	0860	\$180	0870	Travel authorization is required, unless travel was for one interview of a client in custody. Maximum billable per date is \$180 when other fees are claimed.
Trial (first two half days)	\$480	0450	\$600	0500	\$800	0510	\$1400	0520	Billable for the first two half days regardless of when they occur.
Trial (subsequent half days)	\$315	0535	\$390	0540	\$490	0545	\$700	0550	Billable if evidence is led, witness(es) called, argument made on admissibility of evidence or on disclosure of third party records, or a decision is made.
Visiting clients in custody	\$90	0137	\$90	0140	\$90	0150	\$90	0160	Billable once per date and location regardless of how many clients visited.

¹ Administrative includes matters where the Crown proceeds summarily and the maximum is six months, and breach of probation, regardless of Crown election.

² Summary includes hybrids where the Crown proceeds summarily and maximum is six months.

³ Indictable includes summary matters where minimum sentence is greater than six months, except for breach of probation. Includes unlawful confinement or abduction cases where the Crown proceeds summarily.

⁴ Major level is all non-SCAP cases for the following offences: murder, attempted murder, manslaughter, aggravated sexual assault, sexual assault with a weapon or causing bodily harm, kidnapping, and dangerous and long-term offender hearings. Includes unlawful confinement or abduction cases where the Crown proceeds by indictment.

Understanding the LSS Criminal Tariff Quick Reference

Section	Explanation
Disclaimer	This quick reference chart is a summary of the fees and codes for the most commonly billed criminal tariff items, and also highlights some important billing rules. It is meant for general reference purposes only. Refer to the rest of the Criminal Tariff chapter of <i>LSS Tariffs</i> for the entire official Criminal Tariff. LSS will not be liable or responsible for damages of any kind arising out of the use of this reference.
Tariff service provided	This is an alphabetical list of selected Criminal Tariff items.
Offence level	This section is divided into columns for each of the four offence levels (administrative, summary, indictable, and major) with sub-columns indicating the applicable fees and tariff codes. Where “n/a” appears, the service is not billable for that offence level.
Important – Selected billing rules	Items in the Criminal Tariff have comprehensive billing rules, only some of which are noted here. It is important that you refer to the entire Criminal Tariff chapter for all billing rules before billing for services.