

## General Tariff Information

[Updated: April 1, 2020]

This chapter of *Legal Aid BC Tariffs* provides information about how Legal Aid BC (LABC) will compensate you for services provided to clients under an immigration representation contract. For general information about the terms of your contract with LABC, see *General Terms and Conditions*. For information about billing immigration appeals, see *Appeals and Judicial Reviews*. For information about billing disbursement items, see *Disbursements*.

Tier	Years of call	Hourly rate		
		For service dates prior to Nov 4, 2019	For service dates between Nov 4, 2019 and April 1, 2020	For service dates on or after April 1, 2020
1	Less than 4 years	\$83.90	\$104.88	\$111.17
2	4 or more years and less than 10 years	\$88.10	\$110.12	\$116.73
3	10 or more years	\$92.29	\$115.37	\$122.29

## Scope of the immigration representation contract

This tariff applies to all refugee claims commencing with a Basis of Claim (BOC) form or a Personal Information Form (PIF).

This tariff does not apply to Refugee Appeal Division (RAD) appeals. To apply for RAD funding, see *Appeals and Judicial Reviews* and contact the Vancouver Regional Centre (Appeals Section) at [helpdesk.appeals@legalaid.bc.ca](mailto:helpdesk.appeals@legalaid.bc.ca).

## Multiple clients

Even if your clients have separate representation contracts, LSS considers them multiple clients if they are set down for a joint hearing.

For the first client:

- You may bill full preparation time (16 hours).

For the second adult client:

- You can claim up to an additional half block of preparation time (8 hours).

For every additional adult client (after the first two):

- You may claim up to an additional quarter block of preparation time (e.g., 4 hours for every additional client).

Bill preparation time, as set out above, on each client's separate representation contract.

## Timekeeping

You must keep typed timekeeping records for each representation contract and retain them for at least five years from the date of payment of the final invoice. When invoicing for services billable on an hourly basis, you must attach a typed timekeeping record that specifies the date(s) and time spent on each task. Legal Aid BC may ask you to provide additional information about the case or services rendered to date when considering requests for extra fees or RAD hearing hours, or as part of our audit process. If you prefer, you may use the timesheet provided in the Lawyer Portal under **Resources — Forms**.

## Billing items

Use the information in this section when billing via the Lawyer Portal.

For immigration law representation contracts, bill your actual time spent as specified in your timekeeping records, up to the maximum available. Bill all items in hourly increments accurate to 10ths of an hour unless noted otherwise.

When invoicing, enter the service date for attendance items. For preparation items, provide the hours spent per service month.

**Note:** You will need to request authorization via the Lawyer Portal to bill the following:

- more than the maximum units stated (check each of your contracts in the Portal to see the list of tariff items you can bill and the maximum units for each item); and
- a tariff item that does not appear on your contract in the Lawyer Portal (LABC will apply the authorization guidelines as stated in the LABC Tariffs for that particular tariff item).

## General preparation – refugee claims

- All basic preparation for an immigration representation contract that is not specifically billed elsewhere is included as general preparation. As well, if you have used the maximum hours available to you under another specific tariff item, you may bill any outstanding hours as general preparation.
- General preparation includes the following:
  - interviewing your client
  - taking instructions
  - completing the Basis of Claim (BOC) and all additional Citizenship and Immigration Canada (CIC) or Canada Border Services Agency (CBSA) forms, as required
  - attending interviews with the client at CIC or CBSA
  - preparing for a hearing before the Refugee Protection Division (RPD)

**Up to 16 hours**

## Attendance at a hearing – refugee claims

- Billable per hour for attending an RPD hearing.
- Provide the attendance date.
- Bill the actual time spent as specified in your timekeeping records, from the time the hearing was scheduled to begin to its conclusion.

**Actual time (up to the maximum stated on your contract)**

## Travel

*[Updated: April 1, 2020]*

- Billable per half day of travel to or from a hearing or to interview a client in custody if the trip exceeds 160 kilometres per round trip.
- Also billable for each half day you remain at the location (provide your destination and your travel date).
- You can bill travel fees if your representation contract states that travel is authorized under “Contract Details.” If not, you must request prior authorization via the Lawyer Portal.
- The maximum travel and out-of-office fee on one date is two half days, unless you bill other services for the same day, in which case the maximum is one half day.
- 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.

For service dates prior to Nov 4, 2019	<b>\$180.00</b>
For service dates between Nov 4, 2019 and Mar 31, 2020	<b>\$225.00</b>
For service dates on or after April 1, 2020	<b>\$238.50</b>

## Visiting clients in custody

[Updated: May 4, 2020]

**NOTE:** In recognition of the changes to Corrections policy resulting from the public safety response to the COVID-19 pandemic, in-person attendance when visiting a client in custody is temporarily not required.

- Billable once per representation contract when you visit a client in custody at a correctional or detention facility (other than a holding facility at a courthouse or immigration or IRB office).
- **COVID-19 Amendment:** Effective for visits on or after March 16, 2020, this item may also be billed when you take instructions from your client in custody by telephone or video.
- **COVID-19 Amendment:** Not billable when you take instructions from a client in a correctional or detention facility by telephone or video on the same half day with any other tariff items.
- If you visit more than one client at the same facility on the same day, bill for only one client. When billing, you will need to indicate the facility.

For service dates prior to Nov 4, 2019	<b>\$90.00</b>
For service dates between Nov 4, 2019 and Mar 31, 2020	<b>\$112.50</b>
For service dates on or after April 1, 2020	<b>\$119.25</b>

## Non-refugee cases, Refugee Appeal Division (RAD) applications, judicial review applications, stay applications, appeals, and submissions to the minister

Please see the **Immigration Appeals** section of the *Appeals and Judicial Reviews Tariff* for information on non-refugee cases, RAD applications, judicial review applications, stay applications, appeals, and submissions to CIC/CBSA.