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**Legal
Services
Society**

October 2019

Legal Aid Brief

**Please read:
Important information about new
tariff rates**

The Legal Services Society (LSS) welcomes [the news](#) that the Association of Legal Aid Lawyers (ALL) and the Ministry of Attorney General have come to an agreement regarding tariff rate increases.

The agreement implements tariff increases in three stages starting November 4, 2019, and will be based on **service date, not contract date** as they are now.

Here's what the hourly rates will look like:

Year of Call	Current hourly tariff rates	Hourly tariff effective Nov 4, 2019	Hourly tariff effective Apr 1, 2020	Hourly tariff effective Apr 1, 2021
< 4	\$83.90	\$104.88	\$111.17	\$113.39
4 – 9	\$88.10	\$110.13	\$116.73	\$119.07
10+	\$92.29	\$115.36	\$122.28	\$124.73

All other tariff rates paid by LSS to lawyers for legal fees will increase by the same percentages used to calculate these rates.

Here's what the block tariff fee for Non-trial resolution will look like:

Current amount	Amount Nov 4, 2019	Amount April 1, 2020	Amount April 1 2021
\$325.00	\$406.25	\$430.63	\$439.24

What you need to know right now

Here's important information about how the new rates will be applied.

- Services performed starting November 4, 2019, will receive the first-level tariff increase.
- Services performed prior to April 28, 2019, but billed after November 3, 2019, **will not** qualify for the new tariff rate. It will be paid at the current rates (before the increase).
- You must bill out all qualifying work for the Bargaining Incentive Bonus (BIB) by November 3, 2019.
- The BIB is for services performed and billed between April 28, 2019, and November 3, 2019.
- If you do not bill for BIB eligible services by November 3, they will not be paid the BIB.
- The March 28, 2019, agreement that established the BIB does not allow for late billing.
- Any monies left over from the BIB (interim agreement) will be distributed to lawyers on a pro-rata basis (proportionately) based on services performed and billed between April 28 and November 3, 2019.
- If current billing levels continue, LSS anticipates there will be a material payout.
- Although LSS Online is usually unavailable late on Fridays into Saturday for regular maintenance, we will keep the system open on this particular weekend.

Please note: LSS will need several months to change LSS Online to fully reflect the new tariff rates and set them to service dates, rather than contract dates as they are now.

A temporary change will be ready for November 4. When you bill, a certification box will appear asking whether the services you performed occurred before or after November 3, 2019 (you will need to bill for services prior to November 4 on a separate invoice

from services performed on/after November 4). This will flag whether we have to calculate the November 4 rate increase on the fees you've billed, which will be reflected on your invoice and included when your invoice is paid.

For billings through the Large Case Management system, the process will be a bit different. Watch for an email with details about LCM next week.

The permanent system changes will be done by April 2020.

More of what's in the agreement

The local lawyer incentive – the bonus given to lawyers willing to take cases in areas where it is hard to find a family lawyer – will end as early as January 31, 2020, and no later than March 31, 2020.

The agreement also:

- recognizes ALL as the exclusive agent for negotiating tariff rates in the future;
- describes a process and timelines for negotiating tariff rates before the expiry of the current Tariff Agreement;
- sets up a consultation over two years between government (with the support of LSS) and ALL on eligibility, scope and quality of legal aid services as part of the ministry's development of a Legal Assistance Strategy.

Got questions?

Please contact Lawyer Support at: 604-601-6155 / 1-888-401-6206 or lawyer.support@lss.bc.ca

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