



Legal Services Society  
of British Columbia

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April 1, 1988

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**Tariff of Fees  
for Family Matters**

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## Preface to 1988 Family Tariff

### 1. Background:

This tariff is a result of extensive discussions between representatives of the Bar (appointed by the Canadian Bar Association, B.C. Branch) and the Legal Services Society. Its final form and structure were suggested by Bar representatives, although the Legal Services Society and Bar representatives were jointly involved in the detailed drafting.

The agreed intention was to produce a better tariff within the available budget. Because the cost of a new tariff is uncertain until it has been in place for some time, the Legal Services Society and Bar representatives have agreed to review the overall cost of the new tariff on a regular basis after it is implemented.

Should the new tariff cost less than the budgeted amount, the tariff will be adjusted upward to pay more for services that counsel perform. Should the new tariff cost more than the budgeted amount, the tariff will be adjusted downward in a similar manner. Details of any adjustments that must occur are to be agreed upon by the Legal Services Society and Bar representatives.

### 2. Structure:

The new tariff attempts to take better account of where counsel actually spend their time on family cases and includes increased preparation fees for longer trials. It eliminates distinctions between court levels, types of proceedings, contested and uncontested matters, and interim and final applications.

### 3. Discretionary Fees:

As a result of this restructured tariff, extra fees will be rarely granted, and should be requested only in exceptional circumstances.

### 4. Use of Tariff:

The tariff has two parts: a basic tariff text and a set of "Notes." The Notes define and give detailed instructions about terms that are in bold and underlined in the tariff text. They are arranged alphabetically. Tariff items should only be billed after a reference to relevant parts of the Notes.

### 5. Billing Forms:

A new version of the family referral form has been designed for use with this tariff. Please refer to the forms completion instructions in this book for information on how to complete the new form.

### 6. Tariff Book Content:

This book contains the family and disbursement tariffs. It does not include the criminal tariff, which has been published separately. Do not discard previous family tariff booklets until you have billed all family referrals that were assigned to you before the new tariff came into effect.

### 7. Continuing Consultation and Complaint Procedures:

The Legal Services Society and Bar representatives expect that changes to the tariff will be agreed upon from time to time in an effort to make it fairer and easier to use. Comments on the tariff structure, detail or implementation should be directed to the CBA/LSS Tariff Committee, c/o Legal Services Society, 300 - 1140 West Pender, Vancouver, B.C. V6E 4G1.

## INTRODUCTION

### A. GENERAL INFORMATION ON FINANCIAL ELIGIBILITY AND LEGAL AID COVERAGE

#### 1. Financial Eligibility

Before clients are referred to lawyers, the clients must demonstrate to the Society, through an eligibility test, that they are financially eligible for assistance. The Society is quite prepared to review its decision at any time.

Where counsel consider that clients may be able to pay some or all fees, or should no longer be receiving legal aid, they should contact the referring office to ask that the legal aid appointment be reviewed, revoked or modified.

#### 2. Private Billing

No payments by clients to counsel are proper unless they are authorized by the Legal Services Society in writing (see Law Society Professional Conduct Handbook, Ruling G8). A written request to the referring office should be made in order to obtain authority to bill the client privately. In emergency situations, telephone approval of a private billing arrangement may be obtained subject to the client's right to appeal the private fee authorization to the Legal Services Society.

#### 3. Family Law Coverage

Legal aid is available in family law matters in all courts in urgent situations. Garnishing orders and writs of execution are not covered.

#### 4. Appeals and Extraordinary Remedies

Legal aid is not automatically granted for appeals or extraordinary remedies. Each application for an appeal or extraordinary remedy is reviewed to determine whether there is substantial merit to the application.

Applications for appeals to the County Court should be made to the nearest **branch office** of the Legal Services Society. Applications for extraordinary remedies, or for appeals to the Supreme Court of British Columbia, Court of Appeal, or Supreme Court of Canada should be made to the Appeals Committee, Legal Services Society, Suite 300, Box 3, 1140 W. Pender St., Vancouver, B.C. V6E 4G1.

#### 5. Other Civil Matters (Pro Bono)

Pro Bono cases are referred to interested lawyers on rotation. No tariff fee is available to pay lawyers to provide such assistance, although disbursements are covered by the Legal Services Society. A separate Pro Bono Tariff booklet and referral form are available from referral offices.

Staff of the Legal Services Society and its funded agencies may also handle civil matters.

### B. GENERAL NOTES ON ACCOUNTS

#### 1. Disbursements and Fees in Exceptional Circumstances

Disbursements and fees may only be varied in exceptional circumstances not otherwise provided for by this tariff. Requests for variations must be made in writing to the Tariff Accounts Department. All requests for increased disbursements must be made before the disbursements are incurred. Requests for additional fees add to payment processing time.

As a result of this restructured tariff, extra fees will rarely be granted, and should be requested only in exceptional circumstances.

#### 2. Authorization for Transcripts or Court Reporter's Attendance

Prior written authority to order transcripts or to authorize the attendance of the Court Reporter must be obtained from the Legal Services Society. For authority to order a daily transcript of a preliminary or trial, expedited transcripts, an original transcript, or payment of cancellation fees, you must contact the **Transcript Coordinator** at the Legal Services Society head office, phone 660-4600. Authorization must be obtained from the local referring office for the original transcript and a copy of the examination for discovery of any party in civil matters, and for transcripts of show cause hearings. For requests in relation to all other appeals, call the Appeals Coordinator at Legal Services Society head office, 660-4600.

#### 3. Claiming Costs in Family Law Matters

Where provided for, costs must be claimed and are not to be waived in any action without the written consent of the referring office. When claiming costs please include disbursements which have been paid directly by the Legal Services Society (e.g. transcripts) and disbursements paid to counsel on all previous L.S.S. tariff bills. The amounts paid may be ascertained from the Tariff Accounts Department.

#### 4. Taxing and Collecting Costs

All reasonable efforts should be made to collect costs which are awarded. Such costs are deemed to be the property of the Legal Services Society, pursuant to Section 12 of the Legal Services Society Act. If costs are awarded a copy of the Certificate of Costs must accompany the completed billing form.

Notwithstanding Section 12 of the Legal Services Society Act, counsel acting on behalf of a legal aid client for the entire case may elect to collect and retain costs. In such a case, submit the usual account to the Legal Services Society showing billable fees and disbursements, but deduct costs and show a nil balance owing. Costs may be retained by counsel even if they are greater than the billable total.

**Remember**, the referral forms should always be returned to the Tariff Accounts Department regardless of which option is chosen.

#### 5. File Number

Because of the large number of accounts handled by the Legal Services Society the seven digit client file number located at the top of the referral form is very important. Please ensure that a record of this number is kept and referred to in all correspondence with the Society.

#### 6. Effective date of Referral

The Society will not pay for services rendered prior to the date of assignment shown at the top of the referral form, except where such services have been authorized in writing by the referring office, or where a Legal Services Society office or Area Director has made a prior agreement with a lawyer to represent any qualified applicants in remote areas of the province.

Please ensure that written authorization for services prior to the date of assignment of the referral is included with your billing form.

#### 7. Interim Accounts

Generally speaking, the Society is not able to accept criminal

and family law accounts until all services on a case have been completed. Interim accounts will be accepted only in the following circumstances:

- a) following the granting of interim relief in a family law case where the trial will not commence for at least 6 months;
- b) where a case has not yet been completed but unbilled fees and disbursements have accumulated to an amount of \$1,000.00 or unbilled disbursements alone total \$250.00 or more;
- c) 12 months after the "Date of Assignment" or after the last interim account was submitted;
- d) for Pro Bono referrals, see the Pro Bono tariff booklet; or
- e) the Tariff Accounts Department may allow interim billing in other exceptional circumstances.

#### **8. Submission of Referral Forms**

You must submit your final bill for payment within 6 months of the last service date.

#### **9. Referral Signature**

A signature is required on the referral form and is your representation that the services were performed by yourself or your agent on the dates indicated. Be sure that your correct lawyer number is by your name near the top of the form. Errors in this number could result in payment to the wrong lawyer.

#### **10. Change of Lawyer**

The referring office must also be contacted when the lawyer billing is not the one named at the top of the form. The computer will pay the lawyer named at the top, if the referring office is not notified of the change.

#### **11. Billings for Travel**

Out-of-town counsel will be paid on a "no travel" basis (no travel fees or disbursements for meals and meterage) when local counsel are available. Out-of-town counsel will be paid travel fees and disbursements where no local counsel are available.

#### **12. Audit**

A selected number of accounts are audited by the Society. We may require further information from counsel for audit purposes.

#### **13. Information and Assistance**

For information and assistance concerning fees, disbursements and billing procedures, contact the Tariff Accounts Department. Assistance is available between the hours of **10:00 a.m. and 4:00 p.m.** at 660-4600. Staff of the Society will make every effort to process your accounts in a timely manner. They will only be able to answer inquiries about the payment of a specific account if it has been unduly delayed. For any other matters, refer to the listing on page 18. All addresses and phone numbers are on page 19.

**FAMILY LAW TARIFF**

Please bill all fee amounts followed by code numbers as “Other Fees” in boxes labelled “B” on the billing form. Include the code number from this tariff book. Bill items without code numbers in the appropriate boxes labelled “A” on the form.

**Read this first**

- Fees are allowed at the rate of \$50 per hour.
- Maximum hours are not to be considered minimum fees, and counsel should bill according to actual time spent up to the listed maximum within each item heading.
- General preparation is billable with all items.
- All items may be billed in conjunction with each other if appropriate, unless stated otherwise.
- All items except items 1 and 2 are billed as OTHER FEES.
- Bold and underlined items are defined in alphabetical order in NOTES p. 8.

	Rates/Maximum Billable Hrs.	Code
<b>1. GENERAL PREPARATION</b>		
(a) All instructions including interviews, letters, investigations, review when there is a change of counsel and all <b>process</b> necessary to commence or defend all matters referred to counsel: Total allowed per client	up to 4 hours	( )
(b) If counsel files or defends new <b>process</b> more than six months after the last filing of <b>process</b> , then an additional fee may be claimed	up to 2 hours	( )
<b>2. COURT HEARINGS</b>		
<b>(a) Preparation</b>		
When counsel speaks to a <b>new matter</b> in Family Court or a <b>new matter</b> has been set on the Supreme Court Chambers list or Supreme Court trial list, fees may be claimed for preparation and for drafting, settling, entering and serving the Order after the hearing:		
Per <b>new matter</b>	up to 3 hours	( )
Counsel may bill up to a total of 18 hours for one client under Items 2(a) and 3.		
<b>(b) Court Time</b>		
For each <b>half-day</b> attendance in court on which evidence is heard, argument is made, or a consent order is spoken to		
<b>Counsel time</b>	up to 2.5 hours	( )

All **bold and underlined** terms are defined in alphabetical order in the Notes following Item 14. See NOTES for explanations, billing instructions, and limitations.

	Rates/Maximum Billable Hrs.	Code
<b>3. PREPARATION FOR HEARINGS WITH EXPERT WITNESSES</b>		
When an <b>expert report</b> has been received fees may be claimed for preparation	up to 3 hours	(4218)
Counsel may bill up to a total of 18 hours for one client under Items 2(a) and 3.		
<b>4. ADDITIONAL PREPARATION FEES FOR LONG HEARINGS</b>		
Counsel may bill additional preparation time if a hearing continues for four or more <b>half-days</b> for which <b>counsel time</b> is billable under 2(b).		
For the fourth <b>half-day</b> and each subsequent <b>half-day</b> thereafter counsel may bill	up to 1 hour	(4259)
<b>5. ADJOURNMENTS</b>		
Where Item 2(b) is not applicable, and		
i) counsel is required to attend at court for at least one hour, and		
ii) all matters are adjourned to another <b>half-day</b> or generally, and		
iii) no other fee is claimed on that <b>half-day</b> ,		
Counsel may bill, for all clients represented	\$50.00	(4283)
<b>6. PRE-TRIAL CONFERENCES IN SUPREME COURT OR CONFERENCES ORDERED BY FAMILY COURT PURSUANT TO: FAMILY RELATIONS ACT RULES AND REGULATIONS S.13</b>		
For each half day of attendance at pre-trial conference or conference ordered by Family Court		
<b>Counsel time</b>	up to 1 hour	(4317)
<b>7. REGISTRAR'S HEARING</b>		
a) Preparation	up to 2 hours	(4341)
b) For each <b>half-day</b> of Registrar's hearing on which evidence is heard or argument is made		
<b>Counsel time</b>	up to 2.5 hours	(4374)

All **bold and underlined** terms are defined in alphabetical order in the Notes following Item 14.  
See NOTES for explanations, billing instructions, and limitations.

	Rates/Maximum Billable Hrs.	Code
<b>8. DISCOVERIES, EXAMINATIONS ON AFFIDAVITS, INTERROGATORIES</b>		
a) Preparation for each party being discovered at Examination for Discovery	up to 2 hours	(4408)
b) Attendance per <u>half-day</u> at Examination for Discovery when discovery proceeds <u>Counsel time</u>	up to 2.5 hours	(4424)
c) Attendance per <u>half-day</u> at Examination on Affidavits when examination proceeds <u>Counsel time</u>	up to 2.5 hours	(4473)
d) Drafting list of documents and all work incidental to exchange and examination of documents and to preparation of interrogatories	up to 2 hours	(4499)
<b>9. DESK ORDERS</b>		
All work relating to a "Desk Order Divorce" including any corollary relief up to and including entry of Order	up to 2 hours	(4507)
<b>10. SEPARATION AGREEMENT(S)</b>		
a) When a separation agreement has been prepared for execution, counsel may claim for all negotiations, drafting, and review: Total allowed per client	up to 3 hours	(4523)
b) When a separation agreement has been executed, and an amended separation agreement is prepared by the same counsel, counsel may claim for all negotiations, drafting and review	up to 1 hour	(4549)
<b>11. TAXING COSTS (Certificate of Costs must accompany account)</b>		
a) For all preparation, including preparing Bill of Costs and taking out Appointment to Tax, together with entry of Certificate of Costs	up to 1 hour	(4564)
b) Appearance before the Registrar to tax costs <u>Counsel time</u>	up to 2.5 hours	(4580)

All **bold and underlined** terms are defined in alphabetical order in the Notes following Item 14.  
See NOTES for explanations, billing instructions, and limitations.



	Rates/Maximum Billable Hrs.	Code
<b>12. TRAVEL</b>		
a) <b>Half-day</b> of <b>travel</b> to or from a hearing where the trip exceeds 160 km round trip	\$100.00	(4713)
b) For each <b>half-day</b> counsel remains at such place for purpose of hearing	\$100.00	(4747)
c) For date of <b>travel</b> less than 160 km to a hearing but requiring an overnight stay	\$100.00	(4762)
<b>NOTE:</b> See billing limits in Notes under <b>TRAVEL FEES</b>		
<b>13. APPEALS</b> (where authorized)		
a) Preparation for appeal		
i) Appeals to County and Supreme Court	up to 5 hours	(4804)
ii) Appeals to the Court of Appeal	up to 8 hours	(4838)
iii) Additional preparation time, per <b>half-day</b> of hearing	up to 1 hour	(4853)
b) Preparation for applications		
i) To stay an Order	up to 3 hours	(4861)
ii) To pay into Court	up to 2 hours	(4879)
iii) To extend time	up to 1 hour	(4895)
c) Court time		
For each <b>half-day</b> on which evidence or argument is heard		
<b>Counsel time</b>	up to 2.5 hours	(4937)
<b>14. LATE SITTINGS</b>		
Additional fees are allowed for <b>counsel time</b> after 5:30 p.m. up to 2 hours		(4986)

All **bold and underlined** terms are defined in alphabetical order in the Notes following Item 14.  
See NOTES for explanations, billing instructions, and limitations.

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NOTES ON FAMILY LAW TARIFF

**Counsel Time**

Counsel time means hourly fees allowed under Items 2(b), 6, 7(b), 8(b), 8(c), 11, 13(c) and 14.

Counsel time is allowed from the time all files are set to commence on any **half-day** until all files are concluded for that **half-day**, up to the prescribed limits.

Minimum counsel time of a total of one half-hour will be allowed for all legal aid files on any **half-day**.

Counsel time actually spent under Items 2, 4, 7, 8 and 13, up to 2.5 hours per **half-day**, may be allocated among all files spoken to on that **half-day**. Counsel may not duplicate bill the same time on more than one file.

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**Expert Report**

An expert report includes the first report obtained by counsel from a qualified medical practitioner or medical specialist, any other expert report previously authorized by the Legal Services Society or any report tendered to counsel as an expert report by the opposing party. The Legal Services Society may require that counsel furnish a copy of any expert report.

However, an expert report does not include the report of a social worker which is presented to the court pursuant to s.11(1) of the *Family and Child Service Act*.

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**Half-Day**

Half-day means a court sitting either before or after the lunch adjournment.

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**New Matters**

In **Supreme Court**, a new matter is one which requires a new Notice of Motion or Notice of Trial to set the matter on the court list. A continuation is not a new matter and may be billed only under Item 2(b) court time.

In **Family Court**, if counsel addresses issues not previously addressed, or new **process** is required to set the matter on the court list, it is a new matter. When counsel only addresses issues previously dealt with, and there is no new **process**, or an application is only of a procedural nature (for example, substituted service, trial directions, etc.), it is not a new matter and may only be billed under 2(b) court time.

**Issue** means any matrimonial cause as between the same parties. Custody and access are a single issue. All issues set to be heard on one **half-day** constitute a single matter.

Preparation fees for a new matter are allowed once for a single matter regardless of the number of issues.

When making interim applications, counsel should seek relief on all issues wherever practicable rather than making different applications for each type of relief. For example when applying for interim relief, counsel should seek orders for custody/access, maintenance, and restraining orders for spouses and all children at the same time rather than making separate applications.

For purposes of the *Family and Child Service Act (FCSA)*:

- (1) A presentation hearing under s.11 is a new matter. The application for a temporary s.13 order is a continuation of the presentation hearing.
- (2) An application under s.14 for a permanent order is a new matter.
- (3) An application under s.13(7) to extend is a new matter.
- (4) An application under s.13(6) to vary or to rescind is a new matter.

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**Process**

Process means the filing or receipt of:

- a) all new applications in Family Court;
- b) applications to vary existing final orders in Family Court or Supreme Court; and
- c) Writs of Summons, Petitions and Originating Applications pursuant to the Supreme Court Rules in Supreme Court.

New process under Item 1(b) does not include applications under the *F.C.S.A.*

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**Travel**

Where other fees are billed for a day when a travel fee claim is made, the maximum travel fee is \$100 on that day. Otherwise the maximum travel fee is \$200 on one day.

Travel fees are paid per trip, not per client. Travel disbursements may also be billed subject to the limitations in the disbursement tariff.

## DISBURSEMENTS

### 1. Notes

- a) In general, counsel may incur necessary and usual disbursements up to a total of \$200 (beyond those under Item 7, below) without prior authorization of the Society. Totals in excess will require the prior authorization of the Tariff Accounts Department.
- b) Counsel will be responsible for paying all disbursements associated with each case - as well as insuring that all have been entered on the billing form when it is rendered. **The Society cannot guarantee reimbursement for items omitted from the billing.** Copies of receipts for items exceeding \$100 and copies of special authorization letters must accompany the account.

### 2. Travel [Code]

At 26¢ per km. for automobile travel **only when** the destination is outside the city or municipality where counsel practises. (Provide date, destination, and distance) [968]

Bus, Train, Ferry and Air Fares - Prevailing economy rates apply. (Provide date, destination) [562]

### 3. Accommodation

Actual cost up to \$65.00 per night [661]

### 4. Meals

Up to \$6.50 for breakfast, [463]  
\$8.00 for lunch,  
\$14.00 for dinner.

May be claimed only if case is out of town (80 kilometres one way) or if late-sitting is required.

### 5. Transcripts & Court Reporters

Counsel will not be billed for Transcripts and the attendance of Reporters if the following procedures are followed:

**In advance of each service required** counsel should obtain a Transcript Authority from:

#### a) The nearest L.S.S. Branch office for:

##### **Criminal Matters:**

- the transcript of show cause hearings or bail reviews;
- transcripts necessary for appeals to the County Court on summary convictions;
- second copy of the transcript of a preliminary hearing or trial.

##### **Family Matters:**

- the original and first copy of the Examination for Discovery of either party, including attendances, or
- a second copy of any proceedings.

#### b) The Transcript Co-Ordinator at Head Office (660-4600) for anything other than the above including:

##### **Criminal Matters:**

- the original and first copy of the preliminary hearing or trial;
- daily transcripts of trial or preliminary; or
- expedited transcripts of any proceedings.

##### **Family Matters:**

- expedited or daily transcripts of any proceedings;
- the original and first copy of a trial or interlocutory proceedings; or
- Court Reporter cancellation fee.

#### c) For transcript requests in relation to any other APPEALS, call the Appeals Co-Ordinator (660-4600)

**NOTE: Failure to obtain prior consent from L.S.S. will result in L.S.S. refusing to honour any disbursement billings for transcripts.**

### 6. Service of Documents

- a) In B.C. private process servers may be used. If the fee for service of an individual exceeds \$50.00, include invoice with billing. [240]
- b) Outside B.C. local government service should be used if possible. Otherwise, use private process serving. [174]

### 7. Experts' Reports

Authority for Reports - One medical report or one medical specialist's report may be obtained without prior authority (the author of the report may testify without prior authorization). Subsequent reports and all reports of other experts require prior authority from the Tariff Accounts Department.

#### a) Medical Examinations, Reports and Opinions

- i) **Medical Specialists** - examination and preparation of report, \$50 per hour up to a maximum of \$250, plus \$50 if subject is examined in an institution. [638]
- ii) **General Practitioner** - examination and report, \$40 per hour to a maximum of \$200, plus \$50 if subject is examined in an institution. [125]

#### b) Medical Testimony at Trial - Authority of the Tariff Accounts Department required except as specified above.

- i) **Medical Specialists** - \$50 per hour to a maximum of \$250 per day. [232]
- ii) **General Practitioner** - \$40 per hour to a maximum of \$200 per day. [372]

#### c) Other Experts' Reports - Authority for reports, fees and court appearances should be obtained from the Tariff Accounts Department. [257]

#### d) Proceedings Out of Town - Where an expert must attend proceedings out of town, authority for reports, fees and travel disbursements should be obtained from the Tariff Accounts Department. [588]

### 8. Skip Tracing

Accounts should be paid by counsel and claimed as a disbursement. If the cost will exceed \$100, obtain prior authorization from the Tariff Accounts Department. [356]

9. Interpreting

	CRIMINAL PROCEEDINGS				CIVIL PROCEEDINGS			
	Languages		Deaf		Languages		Deaf	
	<i>For Accused in Court</i>	<i>For Accused for interviews and Witnesses (court and interviews)</i>	<i>For Accused in Court</i>	<i>For Accused for interviews and Witnesses (court and interviews)</i>	<i>For Respondent or Plaintiff</i>	<i>For Witnesses (Court and interviews)</i>	<i>For Respondent or Plaintiff</i>	<i>For Accused for interviews and Witnesses (court and interviews)</i>
Provincial Courts	FREE*	A	FREE*	B	FREE**	A	FREE**	B
County Courts	FREE*	A	FREE*	B	A	A	B	B
Supreme and Appeal Courts	FREE*	A	FREE*	B	A	A	B	B
* On notice to Crown Counsel or Court Administrator ** On notice to Court Administrator								
<p>A i) <b>Greater Vancouver Area:</b> Apply for free or nominal charge service to MOSAIC, 254-9626.</p> <p>ii) <b>Elsewhere:</b> Contact the Professional Court Interpreters of B.C. or the B.C. Professional Legal Interpreters, and ask for legal aid rate, or other local agency and pay fee. If the fee is to exceed \$80, obtain prior authorization from the Tariff Accounts Department. [877]</p> <p><b>B) Hearing Impaired</b>  <b>Greater Vancouver Area:</b> Apply to:                      Western Institute for the Deaf,                      2125 West 4th Ave., Vancouver, B.C.                      V6K 1X9                      736-7391</p>								

10. Photocopying

25¢ per page [471]

11. Special Delivery/Registered Mail

Claim at cost for Special Delivery or Registered Mail [869]  
 There is no reimbursement for normal post office mail charges.

12. Telephone Calls

Long distance calls only, at cost. [836]  
 Provide log where total being billed exceeds \$100.00.

13. Courier Services

For emergencies only - claim at cost. [893]

14. Word Processing

The Society is not able to accept word processing as a disbursement.

15. Witness Fees or Expenses

Apply by letter to Tariff Accounts Department. No applications for lost wages will be considered. [695]

16. Filing Fees

Fees required to be paid to court or tribunal for filing documents should be claimed as a disbursement. This does not include fee of a filing agency. [398]

17. Substitutional Service

Tariff Accounts Department will approve minimum expenses necessary to comply with court order. (Attach copies of invoices.) [133]

18. Real Property Title Search

Claim as a disbursement at cost. [2204]

19. Other

An expense not described above and exceeding \$50.00 requires prior authorization of the Tariff Accounts Department. [737]

The legal services specified below at the Legal Services Society (LSS) tariff of fees in effect as of the 'Date of Assignment' on this form, subject to the terms and conditions set out in the current Legal Services Society NOTICE TO ALL REFERRAL COUNSEL, and TARIFF OF FEES. You further agree that changes in terms and conditions of this engagement of your services subsequently published in the Law Society Bulletin or any Notice to Referral Counsel mailed by the Legal Services Society shall take effect on a date subsequent to their publication, to be specified at the time of publication.

LEGAL SERVICES SOCIETY OF BRITISH COLUMBIA

# Family Law Referral

CLIENT NAME

CLIENT ADDRESS

Phone No.

# **2**  
Lawyer Number  
Ensure this number is correct

FILE NUMBER

Quote file no. on all correspondence

Per

for Legal Services Society

DATE OF ASSIGNMENT  
Day  Month  Year

COURT LOCATION #

NOTE: Client must pay to Counsel a non-refundable contribution of: \$

REFERRING OFFICE #

LAWYER INSTRUCTIONS **4**

**5** CLIENT STATUS

Applicant/Petitioner/Plaintiff

Respondent

Other (No Court Action)

Appellant

**7** Early Termination

If not checking an outcome, why not?

Case abandoned  Client proceeding alone

Change of lawyer

Client no-show  Other

6 ISSUE ▶	Outcomes							Other - Describe
	DIVORCE	MAINTENANCE	SHOW CAUSE	CUSTODY ACCESS	CHILD PROTECTION	DIVISION OF PROPERTY	RESTRAINING ORDER	
• Consent Order	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Application/Petition essentially granted	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Application/Petition essentially refused	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Different order made	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Resolved without Court Order (Included separation agreement)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
• Unresolved	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**8** Appeals

COURT LEVEL -  County  Supreme  Court of Appeal  Supreme Court of Canada

APPEAL WAS -  Allowed  Dismissed  Other

**9** Costs Awarded

To Client - against ▶ name:  phone:

Against Client

No Award

address:

Total Awarded \$ (include disbursements)

Amount Collected \$

NOTE: AWARDED COSTS ARE ATTRIBUTED FIRST TO LSS EXPENSES, INCLUDING TRANSCRIPTS.

LSS EXPENSES

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## Family Law Referral Form Completion Instructions

All bold and underlined terms are found in the Tariff Notes.  
Please consult Tariff Notes for definitions.

### **TOP PORTION**

Completed by office. Do not make any changes except to:

- Court Location:** (1) Check court location and change if incorrect.
- Lawyer Number:** (2) Check lawyer number. If you are named on the top of the form, check that your lawyer number is correct; if your number is not correct, change it. If you are not the lawyer named at the top of the form you must contact the referring office to arrange transfer.
- Contribution:** (3) Deduct amount collected from total bill and give receipt to client.
- Lawyer Instructions:** (4) Lawyer Instructions may limit tariff items that may be billed, e.g. "Examination for Discovery Only", "Separation Agreement Only", "Custody/Access". If limited you must obtain written consent from referring office to expand your instructions.

### **RESULTS**

- Client Status:** (5) Complete as appropriate.
- Outcomes:** (6) If issue is not listed, briefly describe other issues and tick their outcomes.
- Early Termination:** (7) If there is no outcome, tick the one box which most appropriately describes the reason for the early termination of the referral. No-show includes failure by client to contact lawyer.
- Appeals:** (8) May only be billed if set out in Lawyer Instructions.
- Indicate the court level and the result of the appeal.
- Costs Awarded:** (9) Must be completed for all Supreme Court matters where costs may be awarded. Indicate whether awarded or not and if so, the amount of the award and the amount collected.
- If costs have been collected, they must be deducted in TOTAL ACCOUNT section of form.
  - Even if collected costs are greater than allowable fees and disbursements, the form must still be completed and returned. See Introduction, paragraph B4.

<b>B</b>	<b>10</b>	<b>General Preparation [Tariff Item 1]</b>												
	<b>11</b>	<input type="checkbox"/> Initial item 1(a) ..... <input type="checkbox"/> New Process Item 1(b) (where allowed) .....	Time	<input type="text"/> hrs <input type="text"/> mins	x \$50 per hour	Date process filed (if any)	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	\$	<input type="text"/>	max \$200	ⓐ			
			Time	<input type="text"/> hrs <input type="text"/> mins	x \$50 per hour	Date new process filed	<input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	\$	<input type="text"/>	max \$100	ⓐ			
<b>H E A R I N G  H E A R I N G</b>	<b>Court Hearings [Tariff Item 2]</b>													
	<b>Check issues addressed</b>			<b>Court</b>	<b>Preparation for Hearing [Item 2(a)]</b> <small>For New Matters Only</small>									
	<input checked="" type="checkbox"/> Divorce <input type="checkbox"/> Child Protection <input type="checkbox"/> Maintenance <input type="checkbox"/> Division of Property <input type="checkbox"/> Show Cause <input type="checkbox"/> Restraining Order <input type="checkbox"/> Custody Access <input type="checkbox"/> Other Issue <input type="checkbox"/> Procedure Only			<input checked="" type="checkbox"/> Family <input type="checkbox"/> Supreme <input type="checkbox"/> Interim <input type="checkbox"/> Final	<input checked="" type="checkbox"/> 15 <input type="checkbox"/> 10 <input type="checkbox"/> 5 <input type="checkbox"/> 0	Time <input type="text"/> hrs <input type="text"/> mins x \$50 per hour			\$	<input type="text"/>	max \$150	ⓐ		
				<b>Order</b>	<b>Court Time [Item 2(b)]</b>									
				<input type="checkbox"/> 15 <input type="checkbox"/> 10 <input type="checkbox"/> 5 <input type="checkbox"/> 0	Total number of 1/2 days this hearing <input type="text"/>			First date of hearing: Use date schedule for additional dates. Photocopy last page of Tariff Book	Day <input type="text"/> Month <input type="text"/> Year <input type="text"/> <input type="checkbox"/> am <input type="checkbox"/> pm	Time in Court <input type="text"/> hrs <input type="text"/> mins x \$50	\$	<input type="text"/>	max 125 half day	ⓐ
	<b>Check issues addressed</b>			<b>Court</b>	<b>Preparation for Hearing [Item 2(a)]</b> <small>For New Matters Only</small>									
<input type="checkbox"/> Divorce <input type="checkbox"/> Child Protection <input type="checkbox"/> Maintenance <input type="checkbox"/> Division of Property <input type="checkbox"/> Show Cause <input type="checkbox"/> Restraining Order <input type="checkbox"/> Custody Access <input type="checkbox"/> Other Issue <input type="checkbox"/> Procedure Only			<input type="checkbox"/> Family <input type="checkbox"/> Supreme <input type="checkbox"/> Interim <input type="checkbox"/> Final	<input type="checkbox"/> 15 <input type="checkbox"/> 10 <input type="checkbox"/> 5 <input type="checkbox"/> 0	Time <input type="text"/> hrs <input type="text"/> mins x \$50 per hour			\$	<input type="text"/>	max \$150	ⓐ			
			<b>Order</b>	<b>Court Time [Item 2(b)]</b>										
				<input type="checkbox"/> 15 <input type="checkbox"/> 10 <input type="checkbox"/> 5 <input type="checkbox"/> 0	Total number of 1/2 days this hearing <input type="text"/>			First date of hearing: Use date schedule for additional dates. Photocopy last page of Tariff Book	Day <input type="text"/> Month <input type="text"/> Year <input type="text"/> <input type="checkbox"/> am <input type="checkbox"/> pm	Time in Court <input type="text"/> hrs <input type="text"/> mins x \$50	\$	<input type="text"/>	max 125 half day	ⓐ
<b>Fees Subtotal</b> ⓐ										<input type="text"/>				



**BILLING**

**Only tariff items 1 and 2 are billed in this section. All other items are billed in OTHER FEES.**

Report actual time spent, even if it is more than the maximum billable time. This information will be used for possible tariff revisions.

**General  
Preparation —  
Tariff Item 1 Only:**

(10) Initial item 1(a) - indicate actual time spent in hours and tenths of hours. Bill at \$50 per hour to a maximum of \$200. If process filed, enter date.

(11) New Process Item 1(b) - indicate actual time spent in hours and tenths of hours. Bill at \$50 per hour to a maximum of \$100. You must enter date that new process was filed.

**Court Hearings —  
Tariff Items 2(a)  
and (b) Only:**

A hearing includes all court appearances on all dates, and ends when there is an interim or final order. There is room to report two hearings on this form. For additional hearings obtain another form from referring office.

(12) Be sure to check "issues addressed." This will determine if there was a new matter.

- Examples of "Procedure Only" are substituted service, trial directions, etc.

(13) Even if no court was attended, Supreme Court must be ticked if you are claiming fees for preparation of a new matter on the Supreme Court trial or Chambers list.

(14) If an order was made, indicate if it was "interim" or "final". Do not indicate a "final" order unless all issues addressed are concluded. For example, if an interim order and a final order are obtained at the same time, indicate interim order only.

**Preparation  
For Hearing:**

(15) Fees for time spent in preparation for hearings are only allowed for new matters spoken to in Family Court or set on the Supreme Court trial or Chambers list.

- Enter the actual amount of time spent on preparation of new matters in hours and tenths of hours. Bill at \$50 per hour to a maximum of \$150 per new matter. Bill your preparation time for each new matter, up to 3 hours, to the first hearing even if it is attributable to more than one hearing.

- Fees for preparation may be claimed to a combined maximum of 18 hours under Tariff Items 2(a) and 3. Item 3 (preparation for hearings with expert witnesses) must be billed under OTHER FEES.

- Bill under OTHER FEES all other hearing preparation (i.e. with expert witnesses, additional fees for long hearings, Registrar's hearing, discoveries, taxing costs, appeal matters).

**Court Time:**

(16) Indicate total number of half-days per hearing.

- If hearing lasts more than one date, submit a schedule of dates with the referral form. The form on last page of this book should be photocopied and used for this purpose.

17 OTHER FEES [Tariff Items 3-14]													
Description	Hours or Tenths	DATE			Code	Fee	Description	Hours or Tenths	DATE			Code	Fee
		D	M	Y					D	M	Y		
						\$	B					\$	B
						\$	B					\$	B
						\$	B					\$	B
						\$	B					\$	B
						\$	B					\$	B

DISBURSEMENTS			
Itemize	Code	Amount	
18 Photocopying <input type="text"/> pages x up to 25c page	471		
19 Mileage <input type="text"/> km x 26c per km Destination _____ Date _____ Destination _____	968		20
Phone Calls (Long Distance Only)	836		
Disbursements Subtotal (C)			

TOTAL ACCOUNT	
Account is: Interim <input type="checkbox"/> Final <input type="checkbox"/>	21
No account <input type="checkbox"/>	
Private Retainer (See G-8) <input type="checkbox"/>	
See LSS file# _____	22
Other <input type="checkbox"/>	
Fees	
Sub Total (A)	\$ _____
Other Fees	
Sub Total (B)	\$ _____
Disbursements	
Sub Total (C)	\$ _____
Sub Total	\$ _____
Less Contributions	\$ ( _____ )
Less Costs Collected	\$ ( _____ )
<b>TOTAL</b> ▶	\$ _____

LLS FLO STATE USE ONLY Case Time (hours & 10ths)
Lawyer
Articled Student
LIC Para Legnl
Volunteer
Clerical
Other
SUPERVISED <input type="checkbox"/> YES <input type="checkbox"/> NO

Note: Use separate sheet if necessary. Attach documentation for amounts over \$100.

Name (Print) LAWYER Signature LAWYER Day Month Year \_\_\_\_\_

24 If your name is not shown at top of form, be sure local office has noted transfer. Billing Date \_\_\_\_\_ 25

- Indicate whether hearing began in a.m. or p.m.
- Report **counsel time** in hours and tenths of hours in the space marked "Time in Court". Fees can be claimed to a maximum of \$125 per half-day. It is important that you read and understand the definition of **counsel time**.
- All fees for other hearings (Registrar's hearing or appeals) are billable under OTHER FEES.

### **OTHER FEES**

- (17) All tariff items except Items 1 and 2 are billed here.
- For all items enter brief description, code and fee claimed. **Items without codes will slow processing of your account.**
  - Bill half-days as separate items. Indicate a.m. or p.m.
  - If applicable enter hours, tenths of hours, and date.

### **DISBURSEMENTS**

See **DISBURSEMENTS** section of this book for all billable items, restrictions, codes and amounts.

- Items without codes will slow processing of your account.
  - If you run out of space, use separate sheet.
  - Attach receipts for amounts over \$100.
  - Phone calls - where total is over \$100, photocopies of a log for telephone calls are acceptable.
- (18) Photocopying - office rate or actual cost, up to 25¢ per page.
- (19) Travel - 26¢ per kilometer
- (20) Amount - enter dollars and cents.

### **TOTAL ACCOUNT**

- Please submit form even if no fees or disbursements are being claimed.
- (21) If you wish to submit an interim account, please see the rules in the Introduction.
- (22) If no claim is made because these services have been billed under another referral number, indicate "see LLS file #".
- (23) Enter dollars and cents in all spaces. Show Contributions and Costs actually collected.
- (24) The lawyer's name and number must match the name and lawyer number in the top portion of the form. If you have arranged to have this referral transferred, enter your number.
- Unless your number is correct, payment may be made to the wrong lawyer.
  - Make sure the referring office has approved a change of lawyer or your account will be rejected.
- (25) If you do not sign your account, it will be returned.

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**AUTHORIZATIONS/INFORMATION**

(updated May 2/1986)

<b>Subject</b>	<b>Contact</b>
Additional Charges .....	Referring Office*
Appeals	
— to County Court .....	Nearest Branch Office
— to All Other Courts .....	Appeals Comm. (H.O.)**
Bail Matters .....	Referring Office
Change of Counsel .....	Referring Office
Conversion to Private Retainer .....	Referring Office
Costs	
— authorization to waive .....	Referring Office
— election to retain .....	Referring Office
(in lieu of tariff)	<i>(N.B. Referral form must be mailed in to Tariff Accounts Dept.)</i>
Disbursements in Excess of Tariff .....	Tariff Accounts Dept. (H.O.)
Eligibility Review .....	Referring Office
Extraordinary Remedies (prerog. writs) .....	Appeals Committee (H.O.)
Junior Counsel/Co-Counsel .....	Dir. of Client Services (H.O.)
Retroactive Referrals (emergency) .....	Nearest Office
Transcripts	
— in relation to appeals .....	Appeals Coordinator (H.O.)
— all other transcripts .....	Referring Office or Transcript Coordinator (H.O.)
Other Matters (except accounts) .....	Nearest Office
Accounts, fees and billing procedures .....	Tariff Accounts Dept. (H.O.)

\*Referring Office - Office shown on Referral Form

\*\*H.O. - Head Office

**DIRECTORY OF THE  
LEGAL SERVICES SOCIETY**

**HEAD OFFICE 660-4600**

Suite 300, Box 6  
1140 West Pender Street  
Vancouver, B.C.  
V6E 4G1

**BRANCH OFFICES**

**Burnaby 437-4432**  
#344 - 5021 Kingsway  
V5H 4A5

**Kamloops 374-7777**  
510 - 175 Second Ave.  
V2C 5W1

**Prince Rupert 627-1364**  
737 West 2nd Ave.  
V8J 1H4

**Campbell River 287-9521**  
2 - 912 Island Highway  
V9W 4A7

**Kelowna 763-8804**  
1262 St. Paul St.  
V1Y 2C9

**Surrey 584-8535**  
308 - 15225 - 104th Ave.  
V3R 6Y8

**Chilliwack 792-7264**  
5 - 9360 Mill St.  
V2P 4N2

**Nanaimo 753-0271**  
Upper Fl., 10 Esplanade  
V9R 4Y7

**Vancouver 687-1831**  
2 - 195 Alexander St.  
V6A 1N3

**Dawson Creek 782-5911**  
1101B - 103rd Ave.  
V1G 2G8

**Nelson 352-3147**  
550 Stanley St.  
V1L 1N2

**Williams Lake 392-2941**  
#208 - 197 North 2nd Ave.  
V2G 1Z5

**Fort St. John 785-5674**  
B9822 - 101 Ave.  
V1J 2B2

**Prince George 562-4445**  
302 - 1488 Fourth Ave.  
V2L 4Y2

**COMMUNITY LAW OFFICES/  
AREA DIRECTORS (Funded agent of L.S.S.)**

**Abbotsford Community Services Society 859-7681**  
2406 Montrose Ave.  
V2S 3S9  
(Toll free) 530-3514

**Quesnel Human Rights & Civil Liberties 992-8391**  
Association  
283 Barlow Ave.  
V2J 2B9

**Penticton Legal Services 493-0210**  
103 - 304 Martin St.  
V2A 5K4

**The Law Centre Association of Victoria 388-4516**  
3 - 1221 Broad St.  
V8W 2A4

**Powell River Legal Services 485-9871**  
7053 Glacier St.  
V8A 5J7

**NATIVE COMMUNITY LAW OFFICES/  
AREA DIRECTORS**

**Burns Lake Yinkadinee 692-7534**  
**Keyakh Law Centre Society**  
492 Yellowhead Highway #16  
Burns Lake, B.C. V0J 1E0

**Upper Skeena Counselling 842-5218**  
**& Legal Assistance Society**  
P.O. Box 130  
Hazelton, B.C. V0J 1Y0

**Haida Counselling & Legal Assistance Society 559-8306**  
P.O. Box 37  
Skidegate Village  
Queen Charlotte City, B.C.  
V0T 1S0

**Merritt Native Community 378-7534**  
**Law Offices**  
1955 Quilchena Ave.  
Bag 4400  
Merritt, B.C. V0K 2B0

And

P.O. Box 130 626-3925  
Block N, Lot 7  
Masset Reserve #1  
Masset, B.C. V0M 1M0

## AREA DIRECTORS

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### Langley

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213 - 20226 Fraser Highway,  
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119 Campbell Street,  
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### Richmond

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Squamish, B.C. V0N 3G0

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#203 - 112 Centennial Square,  
P.O. Box 1618,  
Sparwood, B.C. V0B 2G0

### Terrace

Kermode Friendship Society 635-4906  
3313 Kalum Street  
Terrace, B.C. V8G 2N7

### Vernon

William Wagner 545-5353  
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4th Flr., 3201 - 30th Ave.,  
Vernon, B.C. V1T 2C9

### Whitehorse

John Anton (403) 667-7885  
Barrister & Solicitor,  
#200 - Financial Plaza,  
204 Lambert Street,  
Whitehorse, Yukon Y1A 1Z4

FAMILY LAW REFERRAL DATE SCHEDULE

Date Schedule 21

(To be used if billing for any item 2(b) hearing that continues for half-days on more than one date)

--	--	--	--	--	--

LAWYER NUMBER

--	--	--	--	--	--

FILE NUMBER

LAWYER NAME (please print)

CLIENT NAME (please print)

HEARING 1

HEARING 2

HEARING 1			TICK		COUNSEL TIME		HEARING 2			TICK		COUNSEL TIME	
DAY	MONTH	YEAR	AM	OR PM	HOURS	TENTHS	DAY	MONTH	YEAR	AM	OR PM	HOURS	TENTHS
			<input type="checkbox"/>	A.M.						<input type="checkbox"/>	A.M.		
			<input type="checkbox"/>	P.M.						<input type="checkbox"/>	P.M.		
			<input type="checkbox"/>	A.M.						<input type="checkbox"/>	A.M.		
			<input type="checkbox"/>	P.M.						<input type="checkbox"/>	P.M.		
			<input type="checkbox"/>	A.M.						<input type="checkbox"/>	A.M.		
			<input type="checkbox"/>	P.M.						<input type="checkbox"/>	P.M.		
			<input type="checkbox"/>	A.M.						<input type="checkbox"/>	A.M.		
			<input type="checkbox"/>	P.M.						<input type="checkbox"/>	P.M.		
			<input type="checkbox"/>	A.M.						<input type="checkbox"/>	A.M.		
			<input type="checkbox"/>	P.M.						<input type="checkbox"/>	P.M.		
<b>TOTAL</b>							<b>TOTAL</b>						